Treason

Explorations in Medieval Culture

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Treason

Medieval and Early Modern Adultery, Betrayal, and Shame

Edited by

Larissa Tracy

Cover illustration: Sir Hugh Spencer (Hugh Le Despenser) fastened to a ladder and disembowled alive while a crowd of spectators gathers around a fire below the ladders. Credit: Wellcome Collection.

This volume is dedicated to my father,
Capt. Robert N. Tracy, USN (Retired)

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a*MA*	alliterative *Morte Arthure*, in *King Arthur's Death: The Middle English* Stanzaic Morte Arthur *and* Alliterative Morte Arthure, ed. Larry D. Benson, rev. Edward E. Foster, 131–284 (Kalamazoo, MI: Medieval Institute Publications, 1994).
EETS	Early English Text Society
o.s.	original series
ESSH	*Early Sources of Scottish History, AD 500–1286*, ed. Alan O. Anderson, 2 vols. (Edinburgh: Oliver and Boyd, 1922).
GoT/SoIF	*Game of Thrones/A Song of Ice and Fire*
Morte	Sir Thomas Malory, *Le Morte Darthur*, ed. P.J.C. Field (Cambridge: D.S. Brewer, 2017).
SAEC	*Scottish Annals from English Chroniclers, AD 500–1286*, ed. Alan O. Anderson (London: D. Nutt, 1908).
SGGK	*Sir Gawain and the Green Knight*, ed. J.R.R. Tolkien and E.V. Gordon, 2nd edn. ed. Norman Davis (Oxford: Clarendon, 1967).
s*MA*	stanzaic *Morte Arthur*, in *Le Morte Arthur: A Romance in Stanzas of Eight Lines*, ed. J. Douglas Bruce, o.s. 88, EETS (Oxford: Oxford University Press, 1903; repr. 1959) and *Le Morte Arthur: A Critical Edition,* ed. P.F. Hissiger (Paris: Mouton, 1975).
Speculum	Giraldus Cambrensis, *Speculum Duorum*, ed. Yves Lefèvre & R.B.C. Huygens, trans. Brian Dawson (Cardiff: University of Wales Press, 1974).
The Roland	*Chanson de Roland*, ed. and trans. Ian Short (Paris: Livre de Poche, 1990).
Tristano Panciatichiano	*Italian Literature I: Tristano Panciatichiano*, ed. and trans. Gloria Allaire (Cambridge: D.S. Brewer, 2002).
Tristano Riccardiano	*Italian Literature II: Tristano Riccardiano*, ed. and trans. F. Regina Psaki (Cambridge: D.S. Brewer, 2006).

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Reading Skin in Medieval Literature and Culture, ed. Katie L. Walter (Palgrave, 2013) and "Frontier Girl Goes Feral in Eighteenth Century France: The Curious Case of Marie-Angélique Memmie Le Blanc, the Wild Girl of Champagne," in *Making Monstrosity: Exploring the Cultural History of Continental European Freak Shows,* ed. Anna Kérchy and Andrea Zittlau (Cambridge Scholars, 2012).

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The Shameful Business of Betrayal and Treason

Larissa Tracy

> Though those that are betray'd Do feel the treason sharply, yet the traitor stands in worse case of woe.
>
> WILLIAM SHAKESPEARE, *Cymbeline* III.iv.85–87.

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The willingness to betray one's country, one's people, one's family—to commit treason and foreswear loyalty to one entity by giving it to another—is a difficult concept for many people to comprehend. Yet, societies have grappled with treason for centuries; the motivations, implications, and consequences are rarely clear cut and are often subjective. If the institutions of power are corrupt, is treason an act of betrayal or an act of loyalty to the greater good? F.W. Maitland argues for this ambiguity, explaining that as long as treason can also be understood as "infidelity," there is still the possibility of honorable men justifiably rebelling against a king, for "if a lord persistently refuses justice to his man, the tie of fealty is broken, the man may openly defy his lord and, having done so, may make war on him."[1] History has seen many rebels who argued that their cause was just, that their betrayal was valid and necessary. Some, like Scottish hero William Wallace, rebelled for political autonomy against what was, in his view, an oppressive and occupying force; others, like Benedict Arnold, turned for financial gain and to redress personal grievance against

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[1]   F. Pollock and F.W. Maitland, *The History of English Law before the Time of Edward I* (Cambridge: Cambridge University Press, 1968; reprt. Indianapolis: Liberty Press, 2010), 2:505, qtd. in Stephen D. White, "The Ambiguity of Treason in Anglo-Norman-French Law, c. 1150–c. 1250," in *Law and the Illicit in Medieval Europe*, ed. Ruth Mazo Karras, Joel Kaye, and E. Ann Matter, 89–102 (Philadelphia: University of Pennsylvania Press, 2008), 90. According to White, John Gilliham and Matthew Strickland "demolish" Maitland's position that "there was once a universally recognized right to levy war against a king who denied justice to his men" (91). However, J.G. Bellamy explains that "before the thirteenth century many a ruler recognized a subject had the right to disobey him: tacitly this understanding was included in every act of homage. It was even argued that a man wronged by his king had a duty, after offering formal defiance [*diffidatio*], to seek justice through rebellion." *The Law of Treason in England in the Later Middle Ages* (Cambridge: Cambridge University Press, 1970), 10.

authorities in the American colonial government. Treason is weighed and measured, and its definition depends partly on its outcome: If it succeeds, it is revolution; if it fails, it is treason. In each case, the perspective of betrayal depends on the side: One man's traitor is another man's hero.

Accusations of treason have become common currency in the current political discourse. During the 2016 American Presidential election, former Secretary of State Hillary Clinton made several claims that her opponent, Donald J. Trump, was committing treason in his dealings with Russia, in his violent campaign rhetoric, and in his conflicts of interest. Trump, who eventually won the majority in the Electoral College and was inaugurated in January 2017, responded by levying unsubstantiated (and later debunked) charges of treason against Clinton for a variety of alleged crimes, including the mishandling of classified information and conflicts of interest within the charitable Clinton Foundation. The allegations of untoward election tampering by foreign powers, and Trump's alleged connection to them, are still being investigated by various institutions of the American government, including a Senate Select Committee and Special Counsel, Robert S. Mueller III.[2] As more and more information comes to light regarding the Trump campaign's, and now the Trump administration's, connections to members of the Russian government—specifically regarding interference in the American election and media by Russia and other hostile actors to influence the election in favor of Trump—as well as foreign business interests that are contrary to American foreign policy interests, the specter of treason hangs over the United States and the entire political process.[3] After a joint press conference with Russian President Vladimir Putin on July 16, 2018—in which Putin acknowledged that he wanted Trump to win the presidential election, gave orders to facilitate that outcome, and Trump denied the findings of the American Justice Department—twelve Russian

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2   This is an ongoing issue and has been the subject of hundreds of news articles since June 2016. See: Rosalind S. Helderman and Tom Hamburger, "Russian American lobbyist was present at Trump Jr.'s meeting with Kremlin-connected lawyer," *The Washington Post* (July, 14 2017); Shane Harris and Nancy A. Youssef, "FBI Suspects Russia Hacked DNC; U.S. Officials Say It Was to Elect Donald Trump," *The Daily Beast* (25 July 2016).

3   Editorial Board, "Trump just colluded with Russia. Openly," *Washington Post* (July 16, 2018): <https://www.washingtonpost.com/opinions/global-opinions/trump-just-put-russia-first/2018/07/16/8391f9aa-8914-11e8-a345-a1bf7847b375_story.html?utm_term=.d71883e590ee> (accessed July 16, 2018); Dan Balz, "The moment called for Trump to stand up for America. He chose to bow," *Washington Post* (July 16, 2018): <https://www.washingtonpost.com/politics/after-a-jaw-dropping-news-conference-what-does-america-first-really-mean/2018/07/16/2b728b12-892e-11e8-a345-a1bf7847b375_story.html?utm_term=.d30fbe25e01a> (accessed July 16, 2018).

agents were indicted for directly interfering in the 2016 election, and the cries of treason became much louder.[4] The force of such an accusation—betraying one's country and giving aid to its enemies—has had a profound impact on popular perceptions of modern democracy at this moment. These questions have reverberated around the world.

As a concept, treason has evolved over time, shaped by the needs of each society and community. Thus, the idea and the definition of treason evolved as well. According to U.S. statute written shortly after World War II: "Whoever, owing allegiance to the United States, levies war against them *or* adheres to their enemies, giving them aid and comfort within the United States or elsewhere, is guilty of treason and shall suffer death, or shall be imprisoned not less than five years and fined under this title but not less than $10,000; and shall be incapable of holding any office under the United States."[5] But Article 3, section 3 of the American Constitution declares that

> Treason against the United States shall consist only in levying war against them, *or* in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court. The

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4   Philip Rucker, Anton Troianovski, and Seung Min Kim, "Trump doubts U.S. intelligence after Putin denies election interference by Russia," *Washington Post* (July 16, 2018): <https://www.washingtonpost.com/politics/ahead-of-putin-summit-trump-faults-us-stupidity-for-poor-relations-with-russia/2018/07/16/297f671c-88c0-11e8-a345-a1bf7847b375_story.html?utm_term=.e8ec6f142a93> (accessed July 16, 2018); Stephen Colbert, monologue, "Treason's Greetings," *The Late Show with Stephen Colber*t (July 16, 2018): <https://www.youtube.com/watch?v=4Yh5eG-FBzM>; *The New York Daily News* (July 16, 2018): <https://www.dailykos.com/stories/2018/7/16/1781133/-The-New-York-Daily-News-Cover?detail=emaildkre>; David Smith, "Trump 'Treasonous' after Siding with Putin on Election Meddling," *The Guardian* (July 16, 2018): <https://www.theguardian.com/us-news/2018/jul/16/trump-finds-putin-denial-of-election-meddling-powerful> (accessed July 16, 2018); John O. Brennan on Twitter @ JohnBrennan (July 16, 2018); Eric Boehlert, "Trump believes Putin's 'Strong and Powerful' Denial over US Intelligence," *ShareBlue Medi*a, (July 16, 2018): <https://shareblue.com/trump-putin-denial-over-us-intelligence/> (accessed July 16, 2018); Eric Boehlert, "Trump Winks at Putin, Ignores Questions on Russian Election Hijacking," *ShareBlue Medi*a (July 16, 2018): <https://shareblue.com/trump-putin-helsinki-summit-opening-remarks-election-hijacking/> (accessed July 16, 2018); Jack Holmes, "Donald Trump's Press Conference with Vladimir Putin Was Among the Most Disgraceful Moments," *Esquire.co*m (July 16, 2018): <https://www.esquire.com/news-politics/a22164229/donald-trump-vladimir-putin-press-conference-disgrace/> (accessed July 16, 2018).

5   18 U.S. Code § 2381—Treason (June 25, 1948, ch. 645, 62 Stat. 807; Pub. L. 103–322, title XXXIII, § 330016(2)(J), Sept. 13, 1994, 108 Stat. 2148). <https://www.law.cornell.edu/uscode/text/18/2381> (accessed 12 Feb. 2017). My emphasis.

Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attainted.[6]

The American legal definition of treason has its roots in the medieval precedent set down in English law, especially the Statutes of Treason (1351–52), the first official attempt to define the offense.[7] But in the Middle Ages, treason was not narrowly defined as the betrayal of a lord, chieftain, or king; rather, it encompassed numerous forms of treachery. Adultery was classified as treason, not only when the cuckolded party was king, but when a wife betrayed her lord and husband (though it never seems to have worked the other way around). Coupled with acts of adultery and treason, shame was often a defining feature of betrayal, in a legal as well as a social sense. Shame could be a factor in accusations as well as in the prosecution of treason or other crimes. A person's reputation counted for or against their legal standing; a person of ill-repute was susceptible to legal jeopardy and more likely to be found guilty.[8] Treason, and the betrayal and shame associated with such an act, preoccupied medieval European governments as they consolidated power in the figure of powerful monarchs in the twelfth and thirteenth centuries and as those powerful kings attempted to maintain and retain that power through the early modern period. But as Barbara Hanawalt points out, the attitude of medieval people towards the rebellious and unlawful was far from entirely negative.[9] Outlaw tales and stories of clever female resistance "show an enjoyment in hierarchical inversions."[10] By trying to insist that treason should be defined as

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6   *United States Constitution.* <https://www.law.cornell.edu/constitution/articleiii> (accessed Feb. 12, 2017). My emphasis. The phrase "no attainder of treason shall work corruption of blood," refers to the inability of an attainted person (someone convicted of treason) to either inherit property or pass property down to their heirs or descendants. This was a facet of English law that the U.S. Constitution changes here to the lifetime of the attainted person. See: <https://www.law.cornell.edu/anncon/html/art3frag62_user.html> and <https://legal-dictionary.thefreedictionary.com/Corruption+of+Blood> (accessed Aug. 5, 2018).

7   Matthew Lockwood, "From Treason to Homicide: Changing Conceptions of the Law of Petty Treason in Early Modern England," *Journal of Legal History* 34 (2013): 34 and Richard Firth Green, *A Crisis of Truth: Literature and Law in Ricardian England* (Philadelphia: University of Pennsylvania Press, 2002), 207. See also: Barbara Hanawalt, "Violent Death in Fourteenth- and Early Fifteenth-Century England," *Comparative Studies in Society and History* 18 (1976): 297–320 at 299.

8   See: Barbara A. Hanawalt, *'Of Good and Ill Repute': Gender and Social Control in Medieval England* (Oxford: Oxford University Press, 1998).

9   Hanawalt, *'Of Good and Ill Repute'*, 14.

10   Hanawalt, *'Of Good and Ill Repute'*, 14.

any challenge to the king's sovereignty, the law came into conflict with deeply-held traditional ideas about the nature of social order.[11] And yet, despite its prominence in medieval thought, political philosophy, law, and literature, few studies focus specifically on treason and its interdisciplinary significance in the medieval European context. Usually, treason is part of larger discussions on crime or society, or it is examined through a narrow legal or literary lens focused on a limited geographical space. This volume seeks to investigate the ways in which treason, particularly in relation to acts of betrayal, adultery, and shame, was perpetrated, imagined, and adjudicated in the broad scope of medieval western Europe, crossing boundaries of law, literature, language, and time, and shaping ideas of cultural identity. Treason, in all its variable definitions, reveals social anxieties about the stability of a community and the fragility of its authorities and social networks.

At this particular political moment, historical perspectives on treason become increasingly relevant. The *Oxford English Dictionary* defines treason as "the action of betraying a person, etc., betrayal of trust, treachery," from the Middle English use of the word.[12] Legally, treason is the "violation by a subject of allegiance to the sovereign or to the State, esp. by attempting or plotting to kill or overthrow the sovereign or overthrow the Government."[13] Historically, petty treason is defined as "murder of a person, esp. a master or husband, thought to be owed allegiance."[14] That last definition has been passed down from the Middle Ages, but the perception of treason varied widely throughout medieval societies.

Many studies of medieval treason begin with Maitland's comment regarding English law, that treason "is a crime which has a vague circumference and more than one centre."[15] According to Maitland, treason was a crime connected to plotting, scheming, and treachery—the crime of Judas that lands him in the deepest circle of Dante's Hell to be gnawed upon by Satan himself.[16] In *The Law of Treason in England in the Later Middle Ages*, one of the most comprehensive examinations of the English legal tradition regarding treason, John Bellamy traces the development of the law of treason in England from the

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11   Green, *A Crisis of Truth*, 207.

12   "treason," *Shorter Oxford English Dictionary*, 5th edn., 2 vols. (Oxford: Oxford University Press, 2002), 2:3337.

13   "treason," *Shorter Oxford English Dictionary*, 2:3337.

14   "treason," *Shorter Oxford English Dictionary,* 2:3337.

15   Pollock and Maitland, *The History of English Law*, 2:503. Qtd. in Bellamy, *The Law of Treason*, 1, and White, "The Ambiguity of Treason," 89.

16   Pollock and Maitland, *The History of English Law*, 2:503 and n. 4, at 504–8. See: Dante Aligheri, *Inferno*, ed. and trans. Robert Hollander and Jean Hollander (New York: Anchor Books, 2002), 34.631.61–3.

Roman and Germanic legal precedents, beginning with the very first recognizable reference to treason in the laws of Alfred (c. 893).[17] He also points out that early medieval continental law collections like the Visigothic *Breviarium Alaricanum* [*Breviary of Alaric*] (506), the Burgundian *Lex Romana*, known as *Papian* (dated after 517), the *Leges Alammanorum* (from the eighth to the twelfth centuries), and the *Leges Baiuvariorum* (c. 756) showed the greatest debt to Roman laws regarding treason, though, despite a "fleeting appearance in the capitularies of Charlemagne, it did not figure significantly in law again until the revival of classical learning in the twelfth century."[18] Lisi Oliver touches briefly on that brief appearance in Frankish law, noting that there were three hearings from treason in the court record up to 814, the year of Charlemagne's death, and that the majority of cases involved homicide.[19] During the twelfth-century revival of classical learning and the introduction of Roman law into secular and ecclesiastical judicial process, the concept of treason was refined. Knowledge of Roman law added the idea of *maiestas* and the crime of *lese-majesty* in Middle English (*lèse-majesté* in French); as W.R.J. Barron writes, "the mutual interdependence of leader and followers which informed the Germanic idea of kingship gave way to a more absolute authority modelled on imperial lines, and the definition of treason, high and petty, became more concrete and comprehensive."[20] What began as a breach of trust [*treubruch*] by a man against his lord in the Germanic sense was transformed, with the adoption of the Roman idea of a crime of *maiestas*, into an insult to those with public authority.[21] As Bellamy explains, nearly all the Roman ideas regarding treason reappeared in the laws of the European states in the later Middle Ages, as did interpretations of those ideas.[22]

In *Policraticus* (late 1150s), the first comprehensive medieval treatise on political theory, John Salisbury constructs an image of the political structure of a nation as a human body with the divinely appointed ruler at its head.[23] John's vision reinforces a rigid feudal system in which social groups should not aspire to rise above their station; however, the upper portions were obligated to treat

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17   Bellamy, *The Law of Treason*, 1–2.

18   Bellamy, *The Law of Treason*, 3.

19   Lisi Oliver, *The Body Legal in Barbarian Law* (Toronto: University of Toronto Press, 2011), 55.

20   W.R.J. Barron, "The Penalties for Treason in Medieval Life and Literature," *Journal of Medieval History* 7.2 (1981): 187–202 at 188. See also: Bellamy, *The Law of Treason*, 1–3.

21   Bellamy, *The Law of Treason*, 1.

22   Bellamy, *The Law of Treason*, 2–3.

23   Danielle Westerhof, "Amputating the Traitor: Healing the Social Body in Public Executions for Treason in Late Medieval England," in *The Ends of the Body: Identity and Community in Medieval Culture*, ed. Suzanne Conklin Akbari and Jill Ross, 177–92 (Toronto: Toronto University Press, 2013), 179.

the lower ones with respect, for they sustained the rest of the society.[24] As Danielle Westerhof explains, in John's vision of society, cooperation and mutual respect are equally essential for maintaining a harmonious collective, "so that whatever happens to one part of the body will have a potentially detrimental effect on the rest of the organism."[25] As such, John lists a number of crimes that could cause disruptions within this symbiotic structure, but treason is described as one of the worst of those. Found in Roman law, and repeated in English medieval legal texts like *Glanvill* (c. 1180) and *Bracton* (c. 1220), treason (*crimen majestatis*) "encompasses anything from contemplating regicide to fleeing from battles; helping the enemies of the realm with money, military supplies, or information; and inciting rebellion (Lib. vi, Cap. 25)."[26] John also equates treason with sacrilege because both crimes "contain a decidedly moral dimension (dishonesty, secrecy, apostasy) and both indicate the spiritual death of the perpetrator: by committing treason or sacrilege, the perpetrator acts against the greater good of the collective and is therefore no longer of use (Lib. vi, Cap. 25)."[27] Thus, treason not only affects the ruler but the whole of society and is a serious threat to public security.[28] While it often focused on the betrayal of the lord, king, or country, treason also manifested in multiple forms throughout the medieval and early modern periods: Rebellious lords, disloyal subjects, religious heretics, unrepentant converts, and unfaithful queens. Treason was adjudicated and punished differently at certain times and in specific communities; often the shame of treason lingered long after the immediate act, and public reputation could be used against a suspect in a legal case. Most accounts of treachery survive either in historical chronicles or literary works in which treason is a concept shared among medieval societies, shaped by changes in secular and canon law, and influenced by periods of war, civil strife, and religious upheaval. Whether confined to a specific moment in time or a particular geographical or linguistic space, these texts form an important basis for piecing together the lens through which we can create our mosaic of treason in the broader scope of medieval and early modern Europe.

The word *treason* comes from Latin *traditio(n)*: "The giving up, surrender, or betrayal of something or someone."[29] While Latin has several words for the

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24   Westerhof, "Amputating the Traitor," 179.

25   Westerhof, "Amputating the Traitor," 179.

26   John of Salisbury, *Policraticus: Of the Frivolities of Courtiers and the Footprints of Philosophers*, ed. and trans. C.J. Nederman (Cambridge: Cambridge University Press, 1990), cited in Westerhof, "Amputating the Traitor," 181.

27   Westerhof, "Amputating the Traitor," 181.

28   Westerhof, "Amputating the Traitor," 181.

29   "tradition," *Shorter Oxford English Dictionary*, 5th edn., 2 vols. (Oxford: Oxford University Press, 2002), 2:3317.

same concept— *insidias* [treachery], *seditio* [sedition], *conspiratio* [conspiracy], or *proditio* [treason]—the word *treason* mainly comes via Old French: *traison*; Anglo-Norman: *traisun*; and Middle English: *treisŏun.* In Middle English, particularly, treason meant many things:

> **treisŏun** (n.)
> Disloyalty, faithlessness, culpable indifference to sacred obligations or allegiance, variously manifested as: (a) treachery to one's king, country, sworn ally, etc., esp. contriving the defeat or death thereof; also, failure to protect or defend one to whom one owes such protection or allegiance; (b) treachery to one's kin, esp. contriving the death, exile, or imprisonment of a relative; betrayal of or infidelity to one's spouse or betrothed; (c) faithlessness to religious vows, obligations, or ideals.
> (a) Falseness, deceitfulness, hypocrisy, usu. accompanied by treacherous behavior or injurious actions; ~ **colour**, duplicity; (b) the military use of subterfuge; the use of unfair tactics in combat; also, suborned treachery.
> (a) *Law.* The specific charge for offenses against the Crown or the State defined as treasonous in 1350–51, high treason; also, an offense legally defined as treasonous; **heigh** ~; (b) any of several sins involving faithlessness or duplicity and given the name of treason; also *person.*
> (a) An act of treachery, a traitorous act, a betrayal of someone to whom one owes loyalty; (b) an underhanded trick, a deception; a plot intended to injure a trusting or an innocent victim.
> With diminished force: (a) a generally opprobrious quality or mode of behavior associated with evil or deceptive persons; malice, hostility; (b) a dishonorable or despicable act; a display of unseemly behavior; wickedness, evildoing; (c) in exclamations: an acknowledgement of imminent danger not necessarily involving betrayal; a general cry of alarm or distress.[30]

As such, English medieval literary texts often incorporate competing and even contradictory concepts of treason and betrayal.

In the thirteenth century, the basis of treason was still the betrayal of trust, which was socially rather than legally defined.[31] The multiplicities of understanding make it necessary to investigate and interrogate the ways in which

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30   "treisŏun," *The Middle English Dictionary,* online: <https://quod.lib.umich.edu/cgi/m/mec/med-idx?size=First+100&type=orths&q1=traisoun&rgxp=constrained> (accessed July 17, 2017).

31   Barron, "The Penalties for Treason," 188; Bellamy, *The Law of Treason*, 10–11.

medieval governments, kings, clergy, and common people interpreted acts of betrayal, disloyalty, and treachery. Treason is the "most fundamental of felonies" that "struck at the roots of feudal society through a complex of crimes."[32] As Barron explains, treason was the basis of legal felony from the thirteenth century on, in both England and on the Continent: "betrayal of trust by an attack upon the security of the state, its administrative or economic validity, or the legitimacy of the succession—whether directed against the king or some lesser liege lord, and the law made no absolute distinction between high and petty treason."[33] A subject who turned against his lord or his king was a traitor; a family member who showed disloyalty in deceiving another was treacherous; a queen who committed adultery also committed treason; an unfaithful non-royal wife committed petty treason against her marital lord; a Christian who rejected his or her faith to convert to another betrayed God; murderers were also often charged as traitors. As Barron points out, the legal definition of treason changed from age to age while the underlying moral concept did not.[34]

1   Punishing Traitors

Frequently, the moral outrage at acts of treason, or sympathy with heroic rebels who resisted a tyrannical regime, was expressed in depictions of punishment. Punishing traitors was a means of broadcasting the severity of the crime, of proclaiming it publicly, and displaying it in an exertion of uncontested power. Treason was most clearly distinguished from other serious crimes by the punishment inflicted on the guilty[35]—usually a capital sentence of being hanged, drawn, and quartered, or, in the case of nobility, simply being beheaded. Women were generally condemned to be burnt at the stake, as is the case with Guinevere in Sir Thomas Malory's *Morte Darthur* and the stanzaic *Morte Arthur* (though she is rescued by Lancelot). According to Barron, the moral failing inherent in the traitor's breach of troth put him beyond the reach of mercy or compassion, and so execution methods might vary at the whim of the sovereign or judge, with local usage, or the sex of the traitor.[36] In his comprehensive discussion of legal precedence in the context of the *Chanson de*

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32   Barron, "The Penalties for Treason," 187.
33   Barron, "The Penalties for Treason," 187; Bellamy, *The Law of Treason*, 12.
34   Barron, "Penalties for Treason," 188.
35   Bellamy, *The Law of Treason*, 20.
36   W.R.J. Barron, Trawthe *and Treason: The Sin of Sir Gawain Reconsidered* (Manchester: Manchester University Press, 1980), 36–7. Barron explains that women might be burnt alive "to avoid the indecent exposure of their bodies in public" (37).

Roland (hereafter the *Roland*), Emmanuel Mickel aptly points out that the treatment of traitors escalated in severity in the late twelfth and thirteenth centuries. In the thirteenth century, the long-held view in France that the king is sovereign (*rex in regno suo princeps est*) begins to have a telling effect on the perspective regarding treason, though the last Capetian kings did not prosecute treason vigorously and the harsh treatment of prisoners in England began much earlier.[37] But there is a pronounced increase in the punishment of traitors in France, including the implementation of dragging, hanging, beheading, quartering, and mutilating during the Hundred Years War (1337–1453).[38] Punishing traitors (as well as murderers, heretics, and other serious criminals) was often made into a spectacle, a visual performance to deter others from engaging in treachery or betrayal, and to send a "strong signal of justice in action."[39] Anthony Musson explains that "the gathering of crowds of ordinary people to watch and cheer at the gruesome fate of traitors was itself redolent both of the attitude of awe, respect and fear which the Crown wished to inculcate and the way in which the public at large could be attracted by or drawn into such events."[40] As Westerhof explains, "the body of the traitor came to *represent* the corrupted body social while at the same time *being* a corruption to be expelled from it during the process of the public execution[.] … for executions to be politically meaningful, they would have to be couched in terms understood by those for whom executions were staged."[41] The magnitude of the crime demanded exemplary punishment—drawing, hanging, emasculation, disemboweling, beheading, and quartering in various combinations, and, in rare exceptions, flaying alive.[42]

The most common form of executing traitors was hanging, drawing, and quartering, though there is a lively debate on the order in which that sentence was carried out and in what form. Drawing could refer to equine quartering, where the subject is ripped apart by horses, like Ganelon in the *Roland* discussed by Ana Grinberg here, or it could refer to the practice of dragging the

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37   Emanuel J. Mickel, *Ganelon, Treason, and the 'Chanson de Roland'* (University Park: The Pennsylvania State University Press, 1989), 145–6.

38   Mickel, *Ganelon, Treason*, 145–6.

39   Anthony Musson, *Medieval Law in Context: The Growth of Legal consciousness from* Magna Carta *to the Peasants' Revolt* (Manchester: Manchester University Press, 2001), 19.

40   Musson, *Medieval Law in Context*, 19.

41   Westerhof, "Amputating the Traitor," 178.

42   Barron, "The Penalties for Treason," 187 and Trawthe *and Treason*, 37–8. Barron lists several historical incidents when flaying was threatened and a few when it was actually carried out. See also: Bellamy, *The Law of Treason*, 13. On the frequency (or lack) of flaying as a judicial punishment, see: Larissa Tracy, ed., *Flaying in the Pre-modern World: Practice and Representation* (Cambridge: D.S. Brewer, 2017).

condemned to the gallows, either tied to the tie of a horse or on a hurdle drawn by a horse.[43] Mickel provides numerous examples of traitors being hanged, drawn, and quartered (some by horses) in the thirteenth century, including the Welsh chieftain Rhys-ap-Meredith who was dragged and hanged in 1292, and Thomas de Turbeville who was torn asunder by horses in 1295.[44] But Roger Dahood effectively explains that *drawe*, in the context of Geoffrey Chaucer's *Prioress's Tale*, means being dragged by horses to the place of execution.[45] This may not *seem* as brutal as being torn asunder by horses like Ganelon. Criminals were often dragged to the gallows. But as it is, equine dragging, "though its harshness is perhaps not quite so evident to the modern imagination as the harshness of equine quartering, is harsh indeed."[46] Both historical and literary accounts record gruesome, cruel, and degrading punishments for traitors, both suspected and convicted, though the most inventive methods seem largely confined to fiction. As Barron writes, the traitor must always die, but in the later Middle Ages "the horror aroused by his crime was expressed in prolonged and complicated forms of execution."[47]

Kings were often eager to extract more prolonged, more gruesome punishments from traitors because they could only die one death, and if they could not inflict additional physical punishments, then they would extract a moral

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43   See my extended discussion on equine quartering and being drawn by horses to the place of execution in *Torture and Brutality in Medieval Literature: Negotiations of National Identity* (Cambridge: D.S. Brewer, 2012), esp. 90–6; 179–81.

44   Mickel, *Ganelon, Treason*, 147.

45   Roger Dahood discusses the nature of this punishment at length, reviewing each of the possibilities for defining *drawe*, concluding that it means dragging along the ground rather than equine dismemberment or quartering. See: "The Punishment of the Jews, Hugh of Lincoln, and the Question of Satire in Chaucer's *Prioress's Tale*," *Viator* 36 (2005): 465–91 at 466–9. He writes that the definition allows three interpretations of the Prioress's word: "wild horses dragged the Jews without a vehicle, dragged them in a cart, or dragged them on a sledge. If the Prioress meant drawing the Jews on a cart or sledge, the point might be only to ensure before hanging the kind of public humiliation [...] Lancelot risks for Guinevere's sake in Chrétien's and later Malory's *Knight of the Cart*" (469–70). This interpretation is logical because in order for them to be hanged, there must be an intact body—they are drawn to the place of execution by horses and then hanged. However, Mickel explains that the treatment of Jews suspected of crimes was often synonymous with the punishment of traitors. He gives the example of four Jews accused of circumcising a youth "and other atrocities," who were torn asunder by horses and later hanged, and says that religious offences often seemed to be regarded as similar to cases of treason. (See: *Ganelon, Treason*, 147 n. 300).

46   Dahood, "The Punishment of the Jews," 470.

47   Barron, "Penalties for Treason," 189.

punishment that might include humiliation or slander *post mortem.*[48] As Barron writes, "the moral itemization of the penalty for treason was quite conscious; often, perhaps, politically motivated."[49] After his defeat and death at the battle of Evesham in 1265, the body of Simon de Montfort, Earl of Leicester, the Anglo-French noble who opposed Henry III, was mutilated. His testicles and his head were presented to the wife of Roger de Mortimer, one of the king's supporters.[50] In 1326, for supposedly corrupting King Edward II and turning his affections away from his wife (among other crimes), Edward's favorite Hugh Despenser was subjected to a traitor's death, similar to that of William Wallace. The illuminated version of Jean Froissart's *Chronicles* preserved in Paris, BnF, Fr MS 2643, fol.11, includes a graphic illumination of Hugh Despenser being publicly disemboweled and castrated which takes up a quarter of the left-hand column. The text reads:

> When he had been tied up, his [penis and his testicles] were first cut off, because he was a heretic and a sodomite, even, it was said, with the King, and this is why the King had driven away the Queen on his suggestion. When his [penis and testicles] had been cut off they were thrown into the fire to burn, and afterwards his heart was torn from his body and thrown into the fire because he was a false-hearted traitor, who by his treasonable advice and promptings had led the King to bring shame and misfortune upon his kingdom. ...[51]

Lee Patterson cautions against taking Froissart entirely at his word, pointing out that in later medieval England, castration as a punishment for any kind of crime was "very rare, if not entirely absent," and that while Froissart reports the castration of Hugh Despenser, "this is no more historically verifiable than the

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48   Barron, "Penalties for Treason," 189, 190. See also: Emily J. Hutchison, "Defamation, a Murder *More* Foul?: The 'Second Murder' of Louis, Duke of Orleans (d. 1407) Reconsidered," in *Medieval and Early Modern Murder*, ed. Larissa Tracy, 254–80 (Woodbridge: Boydell Press, 2018) and Jolanta N. Komornicka, "Treacherous Murder: Language and Meaning in French Murder Trials," in *Medieval and Early Modern Murder*, ed. Tracy, 96–114.

49   Barron, "Penalties for Treason," 190.

50   J.R. Maddicott, *Simon de Montfort* (Cambridge: Cambridge University Press, 1996), 344.

51   Jean Froissart*, Chronicles*, trans. Geoffrey Brereton (London: Penguin Books, 1978), 44. Brereton translates "le vit & les / couillons" as "private parts," but the manuscript is much more specific that his penis and testicles are cut off. Jean Froissart, *Chronicles*, BnF Fr MS 2643, fol.11: Quant it fut / ainsi loye on lui coupa tout / premierement le vit & les / couillons pour tant quil / estoit heretique & sodomite/ ainsi quo[d] disoit mesmen[er]it du roy. Et pour ce auoit/ le roy dechassee la royne de / lui & par son ennorteme[n]t. / Quant le vit & les couil/lons furent de lui coupez on / les getta ou feu pour ardoir. / Et apres lui fut le aieur / coupe hor[es] du ventre et gette/ ou feu pour tant q'[i]l estoit / [fol.11v] fauvo & traytre de cuer et que/ par traytre conseil & ennortement le roy. My transcription.

claim that Edward was himself killed by having a hot poker inserted in his anus."[52] But the public spectacle of the traitor's death was still used to reaffirm the political structures that were threatened by acts of rebellion.

The execution of William Wallace in 1305 for treason in his guerilla enterprise against English rule in Scotland embodied this spectacle of punishment that included castration. Wallace was hanged until partially strangled, taken down, emasculated, eviscerated, and finally beheaded. The corpse was then quartered, his head placed on a pike on London Bridge, and the four sections of his body sent "to four towns in Scotland as warning as rebellion."[53] The castration of convicted traitors reinforces the genetic claim of the monarch to the throne.[54] Royal inheritance is based on masculine propagation, and those who trespass against that royal lineage must be wiped out. Literal emasculation becomes a symbolic neutering of an opposing line, cut off to insure no further rebellion or revenge. According to Martin Irvine, some "courts sought to control the application of the penalty," which meant that it was rarely carried out.[55] At the same time, other cultures considered that "[a] nobleman's genitals were signifiers of his gender and being male was a prerequisite for the warrior status he claimed," so castration might be more apt,[56] at least in medieval Scotland, where being lenient suggested royal weakness, as Iain MacInnes explains in this volume.[57] Execution in these instances is not enough, and the "injured sovereignty" resorts to mutilation as a further attempt to reconstitute what Elaine Scarry calls the "wholly illusory but, to the torturers and the regime they represent, wholly convincing spectacle of power."[58] Ultimately, of course, the

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52   Lee Patterson, "Chaucer's Pardoner on the Couch: Psyche and Clio in Medieval Literary Studies," *Speculum* 76.3 (July 2001): 638–80 at 659.

53   Timothy S. Jones, *Outlawry in Medieval Literature* (New York: Palgrave MacMillan, 2010), 48. According to Pollock and Maitland, Wallace was "drawn for treason, hanged for robbery and homicide, disemboweled for sacrilege, beheaded as an outlaw and quartered for diverse depredations." See: Pollock Maitland, *The History of English Law*, 501 n.1; quoted in Barron, "Penalties for Treason," 189–90.

54   See: Larissa Tracy, ed., *Castration and Culture in the Middle Ages* (Cambridge: D.S. Brewer, 2013), esp. 19–21.

55   Martin Irvine, "Abelard and (Re)writing the Male Body: Castration, Identity, and Remasculinization," in *Becoming Male in the Middle Ages*, ed. Jeffrey Jerome Cohen and Bonnie Wheeler, 87–106 (New York: Garland Publishing, 2000), 88.

56   Klaus van Eickels, "Gendered Violence: Castration and Blinding as Punishment for Treason in Normandy and Anglo-Norman England," in *Violence, Vulnerability & Embodiment: Gender and History*, ed. Shani D'Cruze and Anupama Rao, 94–108 (Oxford: Blackwell, 2005), 103.

57   Iain A. MacInnes, "'A somewhat too cruel vengeance was taken for the blood of the slain': Royal Punishment of Rebels, Traitors, and Political Enemies in Medieval Scotland, c. 1100–c. 1250" in this volume.

58   Elaine Scarry, *The Body in Pain: The Making and Unmaking of the World* (Oxford: Oxford University Press, 1985), 27.

mutilation of William Wallace did not quell the rebellious spirit of Scotland, and if nothing else, the added injury of their leader being castrated may well have galvanized the Scottish nobles into further rebellion against Edward I, culminating in the Battle of Bannockburn in 1314 and resulting in England's defeat. Equally spectacular, but even more rare, the flaying of prisoners—even traitors—was an exceptional penalty, despite its frequent appearance in literature; however, the "varied thematic use made of it to express abhorrence of treason" illustrates the significance which treason had for the Middle Ages.[59] The worst crime deserved the worst punishment, and both historical and literary accounts record the varied social response to it.

2 Treason in the Literary Imagination

Treason was a felony—as much a social as a legal violation, rooted in the viciousness of character—applied equally to acts of infidelity against God and to breaches in the chivalric code.[60] Acts of treason were often litigated in poems, epics, and *chansons de geste* wherein treason lurked within the confines of the court or threatened society from without. The spectacular, but generally apocryphal, punishments meted out to traitors in the literary corpus signals the elevated place of treason in the concerns of medieval audiences. For Dante, treachery is the most heinous crime: his traitors are eternally trapped in ice, contorted as their loyalties were distorted, and the three worst traitors—Brutus, Cassius, and Judas—suffer in the maws of Satan himself.[61] As Megan Leitch explains, specifically in the romances of the fifteenth-century English Wars of the Roses, "[t]heir treasons and treacheries are horizontal as well as hierarchical, and they apply the language of the narrower institutional idea of treason to this wider set of transgressions to intensify their instructive condemnations."[62] In his discussion of treason in *Sir Gawain and the Green Knight*, Barron applies the legal definitions of treason to the wooing and hunting scenes in the poem. He argues that Gawain's act of sexual treason, in kissing the host's wife, is a breach of trust and the detailed butchery of the deer is a metaphor for the complex execution of traitors: "To contemporary imaginations, the atmosphere of ordered ceremonial calm might suggest the formal solemnity surrounding the public execution of some great nobleman found

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59   Barron, "The Penalties for Treason," 187.
60   Barron, "The Penalties for Treason," 188.
61   Dante, *Inferno*, 34.631.61–9.
62   Megan G. Leitch, *Romancing Treason: The Literature of the Wars of the Roses* (Oxford: Oxford University Press, 2015), 57.

guilty of treason."[63] Many of the chapters in this volume explore the intricacies of social and legal treason in terms of religious and chivalric identity (Claussen, Domínguez, Grinberg, Shockro, Sposato), as well as the social implications of treachery within the chivalric community (Boyer, Classen, Ridley Elmes, Matyushina, Tracy). Just as the romances of the Wars of the Roses "bear witness to a cultural imaginary particularly invested in secular ethics and legal procedures,"[64] so to do literary texts across the spectrum of medieval languages and contexts give testimony regarding treason in its various forms, including adultery, and the shame that accompanies such accusations and betrayals.

This volume seeks to investigate the nature of treason in medieval and early modern society in both practice and representation—its consequences, its lasting effects, and its impression on societies and social standing. The chapters in this volume address treason, treachery, betrayal, and the shameful consequences of such betrayal in law, literature, and history, from across the span of the medieval period and into the early modern period in varying regions of medieval Europe. The volume is arranged in three interdisciplinary parts: *The Politics of Treason*; *Religious Treason and Heresy;* and *Treasonous Love: Adultery and Shame.* The first part looks specifically at the political manifestations and implications in a range of sources, beginning with Old English literature and material culture and progressing through medieval Scottish accounts of war. The second focuses on the symbiotic relationship between faith and fidelity— how loyalty figured into debates regarding heresy and how treachery manifests in a variety of religious discourses, often blending with chivalric literature. Finally, the last section deals with adultery as a form of treason, both in literary and historical cases, where queens are unfaithful to royal husbands, or where lovers experience betrayal at the hands of those they trust.

Familial treachery had far reaching consequences both historically and politically; feuds erupted between kin groups, relatives betrayed one another for political power, and kings were overthrown by their cousins and brothers. In the earliest English epic, *Beowulf*, treason often sparks blood feuds, leading to long periods of betrayal and distrust. In the first essay in Section One, Frank Battaglia examines the complicated sequence in *Beowulf* that brings Wiglaf's sword to the hero's aid in his final battle against the dragon; hybridized Germanic principles of loyalty and absolutism provide the historical and social backdrop for this assessment. Analyzing the thread of betrayals that undermines kinship avowals in a transcendent endorsement of an emerging political

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63 Barron, Trawthe *and Treason*, 50. Barron also compares the struggle with the boar to trial by combat (61), and the killing of the fox to flaying by mob violence (73–4).

64 Leitch, *Romancing Treason*, 57.

principle, Battaglia juxtaposes the literary sequences with material evidence of sword finds, artifacts that were often passed down through acts of treason, concluding that the sword symbolizes the potential ferocity of overthrow and feud. Next, focusing her essay on the relationship between uncle and nephew, Sarah J. Sprouse considers the lament of Gerald of Wales, who bemoans the treachery of his nephew and that of the world in his early thirteenth-century *Speculum Duorum* [*A Mirror of Two Men*], as a mode of Boethian consolation. Gerald's treatise indicts his nephew's behavior based on his own sense of breach of trust, grounded in his thwarted political and religious ambitions.

Such political ambitions often led to unrestrained violence and dishonorable behavior, especially among the warrior classes. In his essay, Peter Sposato looks at the way in which chivalric literature, specifically that of Florence and Tuscany in the thirteenth and fourteenth centuries, operated on a reform theme that equated treason with dishonor. He argues that knights were presented with contradictory currents of thought: the veritable deluge of praise for violence committed in the defense or assertion of honor and the subtler reform messages intended to temper those violent excesses. By portraying dishonor as a form of treason, these romances did not deter knights from violence, but encouraged them to engage in it honorably. Similarly, Samuel Claussen analyzes royal responses to treason in chronicle accounts, juxtaposed with chivalric literary narratives in fourteenth- and fifteenth-century Castile, which discouraged knightly or noble treason against the king. His discussion is set within the context of the new Trastámara Dynasty, founded by King Enrique II (r. 1366–1379), which was born out of a treasonous rebellion and quickly became focused on rooting out treason itself.

It was important for monarchs to deal swiftly and often brutally with traitors, lest their crimes inspire others. Historical rebellions, like the revolt of 1381 in England, threatened to undermine monarchies and, very often, revealed the cracks within the political power structure. Iain A. MacInnes examines the "violent" paradigm in medieval Scotland that ensured that non-lethal and non-violent responses to rebellion were portrayed negatively as examples of royal weakness. Punishments in the form of fines, forfeiture, or submission were seen as powerlessness on the part of monarchs rather than as acts of clemency or kingly magnanimity. Weak kings left themselves open to renewed acts of betrayal and continuous rebellion.

Section Two considers the religious ramifications of treason and the ways in which accusations of heresy were often bound together with acts of betrayal. Daniel Thomas begins with a reexamination of the Old English poem *Genesis B*, situating the rebellion of Lucifer within the political milieu of early medieval England and the power-sharing Carolingian elite on the Continent. He

argues that the similarities between *Genesis B* and the realities of behavior among the Carolingian elite, which was often treasonous and transgressed ties of loyalty, suggest a potential source for the Old English poem. Turning to Old English hagiographical sources in Latin, Sally Shockro draws connections between treachery and martyrdom that reinforce the Christian message of most saints' lives while criticizing the political failings of weak kings, most specifically Bede's account of St. Edwin, Felix's *vita* of St. Guthlac, and the tradition surrounding the death of King Edward the Martyr. Treason, adultery, and heresy are bound up together in the thirteenth-century epic, *Morant und Galie*, discussed by Tina Boyer, in which Charlemagne's queen (Galie) is falsely accused by an enemy within the court who violates various Christian taboos and is the real traitor. Ana Grinberg follows Boyer's analysis of German Charlemagne romances by looking at the French *Cycle du roi* and the Anglo-Norman *Roland.* In her discussion of the *Roland,* and the French *Fierabras* and *Gui de Bourgogne*, Grinberg examines the complex relationships within families wherein nephews and nieces betray their uncles (who are usually kings) and vice versa in generational strife, Christians betray their religious compatriots, and Saracens betray their lineage and their faith through conversion.

Accusations of treason were also levied among Christians, particularly in the period following the Reformation. As early as the fourteenth century, heterodox movements, like the Lollards, were branded as traitors. By 1423, Lollardy was grouped with treason and felony: "Fear of heresy became entangled with the fear of revolt, crime, and attacks on the hierarchical nature of medieval society."[65] Here, Freddy C. Domínguez considers the polemical strategies of English Catholics who were labelled traitors, rather than heretics, during the reign of Elizabeth I. As he writes, "Catholic responses to, and engagements with, accusations of treason show the concept was far from self-evident and was subject to manipulations guided by a range of rhetorical and political concerns."[66] As Elizabeth sought to control the narrative regarding Catholic plots, Catholics, in turn, responded with their own accusations.

Treason often struck very close to home, especially within royal households in which a queen's adultery against her husband became a crime against the state. Section Three examines the ramifications of adultery, betrayal, and shame within political and social structures. Throughout the Middle Ages, queens were accused of treason both legitimately (when they actually had

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65   Hanawalt, *'Of Good and Ill Repute'*, 13.
66   Freddy C. Domínguez, "Traitors Respond: English Catholic Polemical Strategies against Accusations of Treason at the End of the Sixteenth Century," 251.

affairs) and illegitimately (where it was a political weapon to discredit either the king or his heirs). The litany of royal women who committed adultery against their royal spouse is rather long, though not all the accusations were valid. The bodies of queens were often the subject of public scrutiny, particularly when the question of legal succession was involved. Queen Margaret of Anjou was often the subject of adulterous rumors.[67] Isabella of France was a known adulteress, though there is a striking lack of contemporary tales of her behavior.[68] As Joanna Laynesmith explains in reference to late medieval England, "tales of adulterous queens had political implications with which no king would want to associate himself: Implications of failed kingship and collapsing regimes as well as the more obvious issue of illegitimate succession."[69]

The complicated historical reality of adultery and treason was often arbitrated in literary sources, particularly in the Arthurian tradition. The famed (or infamous) affair between Guinevere and Lancelot, or, in the earlier sources, Guinevere and Mordred, offered a cautionary tale to medieval audiences across medieval Europe who retold their story over and over. In Canto v of *Inferno*, Dante forgives the treasonous aspect of Paolo and Franscesa's affair but notes that it all started as they were reading a book about Guinevere and Lancelot: "'Noi leggiavamo un giorno per diletto / di Lancialotto come amor lo strinse; / soli eravamo e sanza alcun sospetto'" ["One day, to pass the time in pleasure, / we read of Lancelot, how love enthralled him. / We were alone, without the least misgiving"].[70] Dante, like many other authors, cast Lancelot and Guinevere as sympathetic actors, while also acknowledging the profound impact their example had on ideas of love, adultery, and treason.

Sexual deception often accompanied other themes in literary sources: love, marriage, wealth, travel, political conflicts, and war, as well as treason. In his essay, Albrecht Classen surveys the Arthurian tradition in the late medieval and early modern German verse romances and prose novels, particularly in *Königin Sibille* by Countess Elisabeth von Nassau-Saarbrücken (1437), Thüring von Ringoltingen's *Melusine* (1456), and the anonymous *Malagis* (c. 1460). Classen draws parallels between these works and examines the ways in which treason intersects with married life at the highest political level. In her chapter on unfaithful women at King Arthur's court, Inna Matyushina continues the discussion started in Classen's chapter with particular attention to the late-twelfth

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67   Joanna Laynesmith, "Telling Tales of Adulterous Queens in Medieval England," in *Every Inch a King: Comparative Studies on Kings and Kingship in the Ancient and Medieval Words*, ed. Lynette Mitchell and Charles Melville, 195–214 (Leiden: Brill, 2013), 195.

68   Laynesmith, "Telling Tales of Adulterous Queens," 195–6.

69   Laynesmith, "Telling Tales of Adulterous Queens," 198.

70   Dante, *Inferno*, 5.99.127–9.

century French *Le Lai du cort mantel* and the thirteenth century Old Norse rendering of this poem into the prose *Mǫttuls saga* or *Skikkju saga.* In these texts, the chastity of the various noble women of Arthur's court is tested by a magical object (usually a mantel) that grows shorter or longer, revealing the adultery and treachery of most of the women. Matyushina argues that the version in *Mǫttuls saga* not only condemns the unfaithful women but also casts doubt on the reputations of the knights themselves.

Similarly, Malory's *Morte Darthur* (completed 1469–70; published 1485), the culmination of the Arthurian tradition in England, suggests that treason, murder, and adultery flourishes in Camelot because of the weaknesses within the system. As Melissa Ridley Elmes explains in her essay, "Guinevere's feast brings the community together to collectively witness a murder that reveals the treachery that threatens its core, and the individual responses of knight, king, and queen to this event showcase the limitations of law or custom to deal effectively with it. Malory employs the feast as a crucible of treason, which Camelot fails."[71] As Ridley Elmes argues, Malory is less concerned with the adultery of Guinevere and Lancelot than the familial and chivalric treachery lurking within Camelot, which plays out most spectacularly at feasts hosted by the queen. The Arthurian court provides a backdrop for anxieties of royal stability, honor, duty, and loyalty, and, as such, often gives vent to fears of female infidelity among noble women.

However, accusations of treason against adulterous wives were not only levied at queens, in whose bodies rested the future of the nation. The wives of common men could also be accused of treason, though more regularly "petit" or "petty" treason, as Dianne Berg explains in her chapter on sixteenth-century chronicles and plays, specifically *Arden of Faversham* and *A Warning for Fair Women* (composed c. 1590, published 1599). While these texts offer a voyeuristic glimpse of wifely violence—where mariticide is classified, not only as murder, but as "petty" treason—they ultimately serve a conservative social agenda. By casting women who murder their husbands as traitors, these plays reinforce the idea of women as subjects, as subordinates, even within their own home.

Frequently, the accusation and adjudication of treason were tied to the public perception of guilt as much as to the actual evidence of guilt. *Fama* or "reputation" played a significant role in the way in which traitors were portrayed in the variety of surviving records and circulating literatures. *Fama* plays a central

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71   Melissa Ridley Elmes, "Treason and the Feast in Sir Thomas Malory's *Morte Darthur*," 321.

role as evidence with "strong probative value."[72] But the *fama* of a crime could inspire "rumors about the possible author of the deed,"[73] which were enough to spark the public imagination. In the context of English legal tradition, *publica fama* exists when two or more reputable people testify that a suspect is widely believed to be guilty, or capable of being guilty, of a crime, and it can be used as probable cause to charge someone with a crime.[74] According to F.R.P. Akehurst, "having a good reputation might make it easier for a person to prevail in a lawsuit," while having a bad reputation could stand as evidence against the suspect.[75] These distinctions of having a good or bad reputation governed the legal existence of most medieval people—common and noble.

As such, when someone was accused of a crime, their *fama* could be used as either evidence for or against them. This is the case in the Arthurian tradition, in which Guinevere's reputation precedes her, and in the test of chastity endured by other women of the Arthurian and Carolingian courts. In later novels like Madeleine de Scudéry's 10-volume *roman-fleuve*, *Clélie: Histoire romaine* (1654–1660), and *La Princesse de Clèves* (1678), attributed to Madame de La Fayette, shame becomes a literal map within the text to follow the heroine's development. In her essay here, Susan Small uses the *Carte de Tendre* (a model of amorous cartography) and other seventeenth-century maps of imaginary spaces as a blueprint and an overlay for tracing the sentimental journey in *La Princesse de Clèves*, in which the heroine's *amour d'inclination* leads to shame, suffering, and death.

Thus, crimes of treachery, adultery, and betrayal are also intertwined with questions of shame and reputation. In the conclusion, I bring these threads together in an analysis of adultery amounting to treason from the most prominent of recent visualizations of medieval treachery: the HBO series *Game of Thrones*. From Cersei's "walk of shame," to the historical "walk" of Jane Shore, mistress to Edward IV of England, to laws regarding the punishment for average adulterers and the laws governing treason, and finally to the literary argument of Arthurian poets in the stanzaic *Morte Arthure* (hereafter s*MA*) and the

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72   Massimo Vallerani, *Medieval Public Justice*, trans. Sarah Rubin Blanshei (Washington, DC: The Catholic University of America Press, 2012), 56–57.

73   Vallerani, *Medieval Public Justice*, 57.

74   Henry Ansgar Kelly, "Inquisition, Public Fame and Confession: General Rules and English Practice," in *The Culture of Inquisition in Medieval England*, ed. Mary C. Flannery and Katie L. Walter, 8–29 (Cambridge: D.S. Brewer, 2013), 11. See also: Larissa Tracy, "Wounded Bodies: Kingship, National Identity, and Illegitimate Torture in the English Arthurian Tradition," *Arthurian Literature* 32 (2015): 1–29.

75   F.R.P. Akehurst, "Name, Reputation, and Notoriety in French Customary Law," in *Fama: The Politics of Talk and Reputation in Medieval Europe,* ed. Thelma Fenster and Daniel Lord Smail, 75–94 (Ithaca: Cornell University Press, 2003), 80.

alliterative *Mort Arthure* (hereafter a*MA*), I bring these pieces into conversation with each other. Ultimately, though the genre, time, and chronology changes, treason is a constant fear within society. Whether it is between individuals, within families, within ruling classes, against a nation, against a king, against a husband, or against God, treason and its attendant stigmas, specifically adultery, betrayal, and shame, have the capacity to destroy the very fabric of society.

In the course of medieval and early modern history, amid social conflict, civil war, religious strife, economic inequity, dynastic contests, and religious and racial intolerance and violence, the potential for treason in its various forms was pronounced, but it is not only a medieval phenomenon. Treason cannot be relegated to the mists of time as though modern societies are immune to betrayal. The current cries of treason on the American political stage and within the debate over the exit of the United Kingdom from the European Union (Brexit), belie that fact.[76] Treason, betrayal, adultery, and shame have always been present, reaching into the past and surely (and unfortunately) well into the future.

Ultimately, treason is the highest crime, but it can be experienced at all levels of life. It is not simply the act of providing comfort and aid to enemies in war, nor is it always an act of treachery against a king or state. Treason is the betrayal of trust; it is an insidious act that undermines the stability of families, communities, and societies; it eats away at the fiber of social relationships and causes us to question the very nature of our interactions with our rulers, with our institutions, and with each other. Ultimately, this collection seeks to place the complex issue of treason within the context of human interactions and emotions, as well as legal and political structures, tracking the trajectory of treason through the western medieval world and into the early modern period. Thus, the individual articles often share sources and have tried to communicate with each other as much as possible. We have, therefore, compiled a select bibliography of secondary texts, which focuses on the various aspects of

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76   Both sides of the Brexit debate have deployed accusations of treason against the other, and many have questioned whether the term is appropriate. Stephen Poole, "Are Donald Trump and Theresa May really committing treason?" *The Guardian* (July 17, 2018): <https://www.theguardian.com/us-news/shortcuts/2018/jul/17/are-donald-trump-and-theresa-may-really-committing-treason> (accessed Aug. 5, 2018); David Maddox, "Brexit Betrayal: 'Extremist Remainers RISKING UK's Future Should be Hit with TREASON ACT,'" *The Daily Express* (July 25, 2018): <https://www.express.co.uk/news/politics/994196/brexit-news-remain-treason-act-theresa-may-david-campbell-bannerman> (accessed Aug. 5, 2018). It should be noted that, according to Andrew B.R. Elliott, *The Daily Express* is right-wing publication linked to white supremacy. *Medievalism, Politics, and Mass Media: Appropriating the Middle Ages in the Twenty-First Century* (Cambridge: D.S. Brewer, 2017), 17–8.

treason. Because treason in its various forms crosses all boundaries, it is necessary to look at treachery in the medieval period and its continuity into the early modern era as a series of pictures, traversing geographical borders to piece together how pre-modern cultures responded to treason in law and imagined it in fiction. Understanding the historical forms of treason, its multifarious permutations and interpretations, offers insight into the persistence of treachery and disloyalty in modern society and the many ways in which trust is betrayed.

PART 1

The Politics of Treason

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Wiglaf's Sword: The Coming of the State

Frank Battaglia

The Anglo-Saxon poem *Beowulf* survives in a single eleventh-century manuscript, although it is generally thought to have been composed hundreds of years earlier.[1] Since J.R.R. Tolkien's major reassessment, the core of this compendium of legends has been understood to be the hero's encounter with three monsters.[2] The first two assail the hall of Danish king Hrothgar. The third, a dragon, brings crisis to the kingdom of the southern Swedish Geats after the poem's eponymous hero Beowulf rules it for fifty years. The physical instrument with which that crisis is resolved, the sword of a young warrior, symbolizes a new kind of authority over humans and non-humans, capable of autocratic force.

To confront the third monster of the Old English poem, Beowulf brings his own heirloom sword, Nægling.[3] Although its edges have just been praised, it fails to cut.[4] When Beowulf strikes with it, the blade *ġewāc* [was weak, soft /it dented] (2577); *gūðbill ġeswāc* [the combat-sword turned away (from what it was supposed to do)] (2584).[5] At this setback, the small troop that had accom-

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1   Michael Lapidge, "The Archetype of *Beowulf,*" *Anglo-Saxon England* 29 (2000): 5–41.

2   J.R.R. Tolkien, *"Beowulf*: The Monsters and the Critics," *Proceedings of the British Academy* 22 (1936): 245–295.

3   H.R. Ellis Davidson developed Benjamin Thorpe's suggestion about the sword's ancestry in *The Sword in Anglo-Saxon England* (Woodbridge: Boydell Press, 1994), 142–145.

4   The descriptive litotes in line 2564 has been variously emended. R.D. Fulk, Robert E. Bjork, and John D. Niles, ed., *Klaeber's Beowulf and the Fight at Finnsburg*, 4th edn. (Toronto: University of Toronto Press, 2008); all quotations of *Beowulf* are from this edition. All translations are my own.

5   *Compact Oxford English Dictionary*, 2nd edn. (Oxford: Clarendon, 1991), 2315, s.v. "wike," 1985, s.v. "swike.v"; J.R. Clark Hall, *Concise Anglo-Saxon Dictionary,* 4th edn. (Cambridge: Cambridge University Press, 1960), s.v. "*wīcan*"; Carl Darling Buck, *A Dictionary of Selected Synonyms in the Principal Indo-European Languages* (Chicago: University of Chicago Press, 1949), 39:4. The sword's failings may encode a hyper-masculine critique of gendered inadequacy. Clark Hall provides "feeble, effeminate, cowardly" among the meanings of adjective *wāc* (391), related to the preterite third-person singular of *wīcan*. Boniface and seven bishops sent a letter to Æthelbald, king of Mercia (744 × 747) complaining that voluptuousness "ad instar Sodomitane gentis" [after the manner of the people of Sodom] would make the English people "nec in bello saeculari fortem nec in fide stabilem" [neither strong in secular warfare nor firm in… faith]. See: R.D. Fulk, "Male Homoeroticism in the Old English Canon of *Theodore,*" in *Sex and Sexuality in Anglo-Saxon England,* ed. Carol Pasternack and Lisa M.C. Weston, 1–34 (Tempe,

panied Beowulf to the dragon's barrow flees, except the less-experienced fighter Wiglaf, who joins Beowulf as he closes with the dragon a second time. On a blow to the dragon's head, Beowulf's sword *forbærst* [shattered] (2680); again, it *ġeswāc* [turned from its duty] (2681). Charging, the fire-drake catches Beowulf's neck in its teeth. Although his hand is burned in the process, the young fighter then, *on searwum* [with an adroit stroke] (2700), drives his own sword into the dragon's body, so that its *fȳr ongon/ sweðrian* [fire began to die out] (2701b–2702a). Still resolute, Beowulf slices the dragon's midriff with a knife, so that the poet is able to use the plural verb form to say *fēond ġefyldan* [they felled the enemy] (2706). Clearly, however, the dragon would not have been killed without Wiglaf's intervention.[6] Wiglaf's sword proves a more potent weapon against the dragon than Nægling. The poet, indeed, plainly indicates this after Beowulf's first confrontation with the beast and before the younger man assists him, announcing that the sword Wiglaf drew *ne ... | ġewāc æt wīġe* [was not soft at war] (2628b–2629a), as the dragon finds out when they meet (2629b–2630). The weapon that mortally wounds the dragon had come to the hand of the unseasoned warrior by a circuitous route—it was given him by his father, who acquired it as a conflicted token. Seen in its entirety, the path of contingencies that put the more effective sword in Wiglaf's hand seems to entrain new relationships of social power.[7]

   The poem upends and distorts native traditions in its transmutation of vestigial Danish endo-cannibalistic practices, like using human bone ash for a ceramic temper, into ferocious exo-cannibalism—Grendel eating his enemies.[8] With the dragon's hoard, the poem also revises the historical experience of South Scandinavian bog weapons-offerings. In these treatments of its materials, the work is fairly consistent. The history of Wiglaf's sword, however, quietly

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   AZ: Arizona Center for Medieval and Renaissance Studies, 2004), 15. Beowulf's funeral pyre would be *unwāclič* [not weak/splendid] (3138).

6   Later alluded to by Wiglaf, 2880–2882b.

7   With characteristic wit, Martin Carver challenges "evolutionary models [for the fifth through seventh centuries] of societies headed eagerly for the goal of statehood, although at different speeds." "Identity and Allegiance in East Anglia," *Sutton Hoo: Fifty Years After*, ed. Robert Farrell and Carol Neuman de Vegavar, 173–182 (Oxford, OH: Miami University, 1992), 174. Another perspective not dependent on evolutionary models and broadly applicable to early complex societies is offered by Bruce Routledge in *Archaeology and State Theory: Subjects and Objects of Power* (London: Bloomsbury, 2014), 1–26.

8   Frank Battaglia, "Cannibalism in *Beowulf* and Older Germanic Religion," in *The Anglo-Saxons: The World Through Their Eyes*, British Archaeological Reports British Series, bk. 595, 141–148 (Oxford: British Archaeological Reports, 2014); for British ritual cannibalism using body parts as vessels, see: Silvio Bello and others, eds., "Upper Paleolithic Ritualistic Cannibalism at Gough's Cave (Somerset, UK): The Human Remains from Head to Toe," *Journal of Human Evolution* 82 (2015): 170–189.

enfolds a contradiction to one of its own themes. The poem elaborately and attentively records patrilineal social ties,[9] and, in the dragon episode as elsewhere, valorizes them aphoristically.[10] But the complicated sequence that brings Wiglaf's sword to aid Beowulf inscribes an opposing discursive formation, undermining, and in fact betraying, those kinship avowals in a transcendent endorsement of an emerging political principle. In service to one's lord, it is *right* to kill if ordered, regardless of whose death is wanted—even of family. This principle is antagonistic to the poem's major theme that paternal family founds human society. But it is disguised by narrative convolutions and foregrounded in the devotion to the poem's hero of a brave new warrior. The potent rectitude symbolized by Wiglaf's sword signals the presence of a new kind of power, *a state*. That a disjointed quasi-historical backstory proves crucial in an encounter with an imaginary being generates untestable proof of the legitimacy of killing for one's lord. In abstract terms, this is an enlargement of the relations, practices, and discourses that constitute political authority.[11] Wiglaf's sword supplies superior agency in the face of the supernatural. In principle, heroes who face dragons shouldn't be bothered too much with lesser matters.

An abstract sense of the authority of the Roman Republic developed with the concept of *maiestas* [greatness] that would, in the Empire, form the heart of the Roman law of treason (Table 1.1). Treason is an elusive subject, famously described as "a crime which has a vague circumference and more than one center."[12] Damage to one's own constitutes an essential feature, which reaches the level of jurisprudence when one's own, by pledge or membership,

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9   Two passages of *Beowulf* consistently mistranslated are considered in an argument that patriliny provided a constitutive mechanism in the Anglo-Saxon kingdom of East Anglia: Frank Battaglia, "Wrist Clasps and Patriliny, A Hypothesis," *Historical Reflections/Réflexions Historiques* 42.1 (2017): 115–128 at 121–122. Margaret Clunies Ross describes a foundational incongruity of Germanic supernatural lore that stems from the favoring of male kinship. Since all the sky-deities (Æsir) are descendants of giants (ON *iotunnar,* OE *eotenas*), the notion of a difference between them, let alone their separate identities, depends entirely on the privileging of patriliny over matriliny. Ross, *Prolonged Echoes, Old Norse Myths in Medieval Northern Society* (Odense: Odense University Press, 1994), 1:57.

10 At 2600b–2601, for example, discussed in Frank Battaglia, "*Sib* in *Beowulf*," *In Geardagum* 20 (1999): 27–47 at 38–39, 42.

11 Routledge, *Archaeology and State Theory,* 15. "Political authority needs to be imagined or represented as continuous even though it is not[;] … a political apparatus (be it one person or a set of institutions) cannot stand alone, but must be linked to other social forces, interests and orders in a complementary manner if it is to be imagined as continuous" (17).

12 Frederick Pollock and Frederic William Maitland, *The History of English Law Before the Time of Edward I,* 2nd edn., with notes by S.F.C. Milsom, 2 vols. (Cambridge: Cambridge University Press, 1968; repr., Indianapolis: Liberty Press, 2010), 2:526.

is some kind of public authority, for example an army, realm, or state. The growth of public authority and every consolidation, extension, or reorganization of it has thus meant some development in what was understood as treason. As Floyd Seyward Lear writes, "The history of treason becomes a study of laws that men have devised for the specific purpose of repressing and punishing those who would obstruct the exercise of authority."[13]

TABLE 1.1   Developments in Roman and Germanic concepts of Treason[14]

Roman

450 BCE. The Law of the Twelve Tables (9.5) ordered capital punishment for inciting an enemy or handing over a citizen to an enemy, actions that came to be labelled *perduellio* (<*perduellis*, "acting like an enemy").[15]

Possibly by 313 BCE, and certainly by 189 BCE. In some treaties of the Republic, defeated opposing societies like the Aetolians were obliged to honor and promote the *maiestas populi romani*, "greaterness of the people of Rome."[16]

287 BCE. The Republic brought the *crimen imminutae maiestatis,* "the accusation of diminishing *maiestas*" into domestic arrangements to support the authority of plebian-elected tribunes against the power of the patrician class.[17] Tribunal inviolability had been reaffirmed in the mid-fifth century,[18] but *maiestas* came to express abstractly the authority of the Roman state.

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13   Floyd Seyward Lear, *Treason in Roman and Germanic Law* (Austin: University of Texas Press, 1965), xiv.

14   "Our task is hard if we would speak of treason as it was before the [English] statute [of 1352], for we have no unbroken stream of legal tradition to guide us. Treason is a crime that has a vague circumference, and more than one center." Frederick Pollock and Frederic William Maitland, *The History of English Law Before the Time of Edward I* (Indianapolis: Liberty Fund, 2010; repr. of 2nd edn., Cambridge University Press, 1895–1898), 2:526.

15   Jill Harries, *Law and Crime in the Roman World* (Cambridge: Cambridge University Press, 2007), 72. The language is Marcian's, cited in *Ad legem iuliam maiestatis* (below) without use of the term *perduellio.*

16   R.A. Bauman, "Maiestatem Populi Romani Comiter Conservanto," *Acta Juridica* 19 (1976): 19–36 at 21–24.

17   Modifying Theodor Mommsen, and framing the terms *perduellio* and *maiestatis* chronologically, Floyd Seyward Lear dated this development to 287 BCE: *Treason in Roman and Germanic Law, Collected Papers* (Austin: University of Texas Press, 1965), 6–13. A time of "rising patricio-plebian nobility." William Dunstan, *Ancient Rome* (Lanham, MD: Rowan and Littlefield, 2010), 52. A specific law defining offenses against *maiestas* would not be passed until *Lex Apuleia*, late in the second century BCE.

18   Marcel Le Clay, Jean-Louis Vousin and Yann Le Bohec, with David Cherry, *A History of Rome*, 2nd edn., trans. Antonia Nevill (Malden, MA: Blackwell, 2001), 46.

TABLE 1.1   Developments in Roman and Germanic concepts of Treason (cont.)

232 BCE. Violation of a tribune's sacrosanctity, insured by *maiestas*, was the basis of a court suit occasioned by his expulsion from a council.[19]

29 BCE. The Imperial Regime was founded. With the Empire, the accusation of "diminished *maiestas*" was replaced by the offense of "injured, violated, attacked and … insulted" *maiestas* in public criminal law.[20] Tiberius was the first emperor to be called *Maiestas*, a usage which would produce the English word "Majesty."[21] In practice this made criminal whatever behavior an Emperor, without disrespecting legal tradition, found objectionable.[22]

438 CE. The Theodosian Code incorporated several hundred years of combining *maiestas* with other crimes. Thus, someone plotting to harm magistrates was to be "executed as one guilty of *maiestas*."[23] The Theodosian Code would more directly influence Visigothic and other early Germanic lawgivers[24] than the better organized and preserved formulation of Justinian a century later.

533 CE. The *Justinian Digest* consolidated *Ad legem iuliam maiestatis* (48.4),[25] the "Lex Julia on Treason,"[26] attributed to Julius Caesar but presented in the stipulations of Roman jurists.[27]

Germanic

53 BCE. Caesar reported that *desertores ac proditores,* "deserters and traitors," who failed to keep a promise to take part in a raid on another people, were afterward regarded as untrustworthy.[28] Grave importance for a pledge of loyalty would continue

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19   Bauman, "Maiestatem," 23.

20   Lear, *Treason,* 70, n. 91. His overview of the crime of majesty (62–72) describes its instrumentality for a god-emperor and includes the paradox that it was early invoked to persecute Christians and late to persecute pagans.

21   Cassius Dio (57.9.2) refers to many suits brought for insults to Tiberius. Herbert B. Foster, ed., and Earnest Cary, trans., *Dio's Roman History* (Cambridge, MA: Harvard University Press, 1924), 132–135.

22   Harries, *Law and Crime*, 12–13, 76–81; "useful tool in political rivalries," 84.

23   Harries, *Law and Crime,* 81.

24   Patrick Wormald, *The Making of English Law, King Alfred to the Twelfth Century* (Malden, MA: Blackwell, 2001), 1:36, but 277–278 and Lear, *Treason,* 234, 236.

25   "Imperatoris Ivstiniani Opera/ Digesta/ Liber XLVIII, Dig. 48.4.0. *Ad legem iuliam maiestatis*," 48.4.1.1, "The Latin Library Classics Page," thelatinlibrary.com (accessed February 9, 2018).

26   Alan Watson, ed., *The Digest of Justinian,* 2nd edn. (Philadelphia: University of Pennsylvania Press, 1998), 2:48,4.

27   Harries, *Law and Crime*, 339.

28   H.J. Edwards, ed. and trans., *The Gallic War* (Cambridge, MA: Harvard University Press, 1963), 6.23 at 348.

TABLE 1.1   Developments in Roman and Germanic concepts of Treason (cont.)

to characterize Germanic societies,[29] appearing centuries later, for example, as a central principle in the Anglo-Saxon kingdom of Alfred.

100 BCE. *Proditores et transfugas,* "traitors and those who joined the enemy," faced hanging after a decision of a Germanic assembly, according to Tacitus.[30] Assemblies that imposed such penalties had been affected both by service in and wars against Roman armies,[31] and by the development of *permanent* Germanic warbands.[32]

802 CE. *Leges Saxonum* (24) provided that "Whoever shall plot against the realm ... the king ... or his sons shall be punished capitally."[33]

886 × 893 CE.[34] A "general oath of loyalty to the king"[35] was required of King Alfred's subjects, with the upholding of it given *mæst ðearf*, "supreme importance" at the head of his laws,[36] "turn[ing] any criminal behavior into breach of fealty,"[37] "in short, treason."[38] *Planning* the king's or one's lord's death became a capital crime in Alfred's code,[39] in a provision "borrowed from the Roman law of *maiestas*"[40] as expanded under the Empire.

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29   Lear, *Treason*, 38–40, 86; Pollock and Maitland, *English Law*, 2.527–528.

30   William Peterson and Maurice Hutton, ed. and trans., *Tacitus, Dialogus, Agricola, Germania* (Cambridge, MA: Harvard University Press, 1963), *Germania* 12, 280. My translation.

31   Walter Pohl, "The Barbarian Successor States," in *The Transformation of the Roman World AD 400–900*, ed. Leslie Webster and Michelle Brown, 33–47 (London: British Museum, 1997), 34. Arminius called his brother Flavus *desertor et proditor* [cf. 53 BCE above] for joining the Roman army. "P. Corneli Taciti Annalivm Liber Secvndvs, 10," thelatinlibrary.com (accessed March 3, 2018). A sentiment in which E.A. Thompson concurred. *The Early Germans* (Oxford: Clarendon, 1965), 81.

32   Hutton, *Germania* 13, 282; Thompson, *Early Germans*, 50.

33   "Qui in regnum vel in regem ... vel in filios eius de morte consiliatus fuerit, capite puniatur." Claudius Freiherrn von Schwerin, ed., *Leges Saxonum und Lex Thuringorum* (Hannover: Hahnsche, 1918), 25; Lear, *Treason*, 248.

34   David Pratt, *The Political Thought of King Alfred the Great* (Cambridge: Cambridge University Press, 2007), 219.

35   Simon Keynes and Michael Lapidge, *Alfred the Great, Asser's Life of King Alfred and Other Contemporary Sources* (New York: Penguin, 1983), 266 n. 200, 306 n. 6; Pratt, *Political Thought,* 239.

36   F.L. Attenborough, *The Laws of the Earliest English Kings* (Cambridge: Cambridge University Press, 1922), 62–63, *Af* 1, his trans; Wormald, *Making English Law,* 148, 282–284.

37   Wormald, *Making English Law*, 148, 282–283.

38   Justin Pollard, *Alfred the Great: The Man who Made England* (London: John Murray, 2005), 257.

39   *Sierwan*, *Af* 4, 4.2. Attenborough, *Laws*, 64–67.

40   Pollock and Maitland, *English Law*, 1.57.

The authority enacted by the special efficacy of Wiglaf's sword seems less a Germanic reflex of the Roman principle of *maiestas* than a hybridization of the Germanic principle of loyalty with the absolutism that grew during the Roman Empire.[41] In the Roman world, the idea that an officer of the state was "greater" got carried to an extreme in the majesty of divine, then apostolic, emperors.[42] In the Germanic world, the idea that a subject's pledge of loyalty gave a lord decision-making power got carried to an extreme in the Lombard laws (643 CE). The *Edictus Rothari* begins by stating that treason, a plan against the king's life, was a capital offense, then continues with the king's special rights, not enjoyed by ordinary freedmen, including the ruling that if someone kills a man in accordance with a royal command, he is not liable for punishment: "Quia, postquam corda regum in manum dei credimus esse, non est possibile ut homo possit eduniare quam rex occidere iusserit" [because, since we believe that the hearts of kings rest in the hand of God, it is not possible that a man can clear himself whom the king has ordered to die].[43] In *Beowulf*, Wiglaf's father's obedience to his king generates the righteous potency of the sword Wiglaf brings to the dragon fight. The superior quality of Wiglaf's sword symbolizes the greatness of a king, Wiglaf's father's regent at the time, in an emerging new order.

Wiglaf's identity has been a matter of some confusion. The staunchest retainer of Beowulf, king of the Geats, Wiglaf is nonetheless called *lēod Scylfinga* [man of the Scylfings (that is, the Swedes)] (2603).[44] Wiglaf, his father Wihstan, and Beowulf himself are Wægmundings. Beowulf says to Wiglaf: "'Þū eart endelāf ūsses cynnes,/ Wǣmundinga'" ["You are the last remaining one of our kin, of Wægmundings"] (2813–2814a). But we do not know how they are related or what family members they have in common.[45] Moreover, although Wiglaf's

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41   Lear sees *maiestas* as itself the root of absolutism. *Treason*, 83.

42   H.A. Drake, *Constantine and the Bishops: The Politics of Intolerance* (Baltimore: Johns Hopkins University Press, 2000), 308, 377; David Hunt, "Christianizing the Roman Empire: The Evidence of the Code," in *The Theodosian Code, Studies in the Imperial Law of Late Antiquity*, ed. Jill Harries and Ian Wood, 2nd edn., 143–160 (Cambridge: Cambridge University Press, 2010), 147–148.

43   Lear, *Treason*, 237, his translation.

44   D.H. Green suggests that the OHG term *liut(i)* [OE *lēod(e)* man/men] had the early sense of one who has "grown up to maturity," which for a male would entail the right to attend the tribal assembly and the acquiring of military obligation. By the late ninth century, the term "came to denote a status of subordination, of subjects toward a king." See: Green, *Language and History in the Early Germanic World* (Cambridge: Cambridge University Press, 1998), 97.

45   One suggestion has been that Wiglaf's father was a Swede. See: Erin M. Shaull, "Ecgtheow, Brother of Ongentheow, and the Problem of Beowulf's Swedishness," *Neophilologus* 101 (2017): 263–275; Ruth P.M. Lehmann, "Ecgþeow the Wægmunding: Geat or Swede?," *English Language Notes* 31.3 (1994):1–5. Norman Eliason conjectures that Beowulf had a sister

and his father's names alliterate with the "W" of Wægmunding, Beowulf's name and that of his father do not. The path through these difficulties charted by H.M. Chadwick and W.F. Bryan holds more promise than some recent proposals, even though it does not eliminate all of them.[46] The Germanic pledge of troth between men produced a new social entity, the permanent warband, whose relationships, processes, and structures conflicted with those of a tribe, whether tribal lineage was traced through female kinship or male.[47]

A reflection by Wiglaf that causes him to decide, despite Beowulf's order, to help fight the dragon seems to show that Wihstan and his son Wiglaf are Geats. Wiglaf remembers the *āre* [honor/benefit/estate] (2606) that Beowulf has given him, the "wīċstede weliġne Wǣġmundinga,/ folcrihta ġehwylċ, swā his fæder āhte" [rich dwelling place of the Wægmundings, each legal authority, as his father had] (2607–2608). The rights bestowed by a king only exist within that king's jurisdiction. Wiglaf is a subject of Geatish king Beowulf, as his father before him had been the subject of a Geatish king. Being the subject of a Geatish king makes both of them Geats.[48] Military obligation was surely part of rich Geatish land-holding.

Besides potentially leading to land-holding, military service inflected "tribal" identity among Migration Period Germanic peoples to an extent not acknowledged in many current conversations about the ethnicities of the characters of *Beowulf.* Tacitus identifies the phenomenon wherein a successful warband leader attracted to his service warriors from tribes not his own.[49] Chadwick and E.A. Thompson are among those who have seen female kinship as the basis for Germanic tribal organization in the early historical period.[50] A very unsettling

who married Wihstan, a Wægmunding. Eliason, "Beowulf, Wiglaf, and the Wægmundings," *Anglo-Saxon England* 7 (1978): 95–105. Sam Newton elaborates Kemp Malone's textual correction to make Ecgtheow a Wulfing. See: Newton, *The Origins of Beowulf, and the Pre-Viking Kingdom of East Anglia* (Cambridge: D.S. Brewer, 1993), 117–122.

46   H. Munro Chadwick, *The Heroic Age* (Cambridge: Cambridge University Press, 1912, repr., 1967), 159, 328–330, 340–341, 347–350; Chadwick, *The Origin of the English Nation* (Cambridge: Cambridge University Press, 1907), 169, 172–173; W.F. Bryan, "The Wægmundings— Swedes or Geats?," *Modern Philology* 34 (1936): 113–118.

47   E.A. Thompson, *The Early Germans* (Oxford: Clarendon Press, 1965), 50–57, 79–82; Battaglia, "Wrist Clasps," 115–117.

48   Chadwick, *Origin*, 173; Fulk, Bjork, and Niles, *Klaeber's Beowulf,* lxiii; Eric John, "Folkland Reconsidered," in *Orbis Britanniae and Other Studies*, 64–127 (Leicester: Leicester University Press, 1966): 118–122.

49   Hutton, *Germania* 14, 284; Thompson, *Early Germans*, 58.

50   Chadwick, *Origin,* 340; Thompson, *Early Germans,* 17; Lotte Hedeager, *Iron Age Societies* (Cambridge, MA: Blackwell, 1992), 155; Battaglia, "Wrist Clasps," 115–117; Frank Battaglia, "The Germanic Earth Goddess in *Beowulf*?," *Mankind Quarterly* 31.4 (1991): 415–446 at 419–426.

consequence of the emergence of warbands was the weakening of the authority of kindreds and, eventually, the dissolution of tribes they had constituted.[51] In their place, new and larger organizations of population were headed by victorious military rulers. According to Edward James, "As historians have come to see, since the work of [Reinhard] Wenskus above all, an early medieval people is not an ethnic or genetic, let alone racial entity; it is a grouping brought about by political means, which ended in the disruption of the old Germanic tribal groupings and frequently in the incorporation into [a] new 'people.'"[52]

The operative principle of this transformation may be said to be that a successful army often became a "people," which was generally identified by a new ethnic name. As D.H. Green puts it, paraphrasing J.M. Wallace-Hadrill, during the Migration Period, "warbands are tribes in the making"[53] since membership in a warband conveyed what may now be read as an ethnic or national identity.[54] The signal indication of this in *Beowulf* is the identification of two groups at different times in the same room, Heorot hall, with the same expression, *sibbegedryht samod ætgædere* [warband of kin, the same together] (387, 729), even though the composition of the two groups was completely different; no person in Heorot at the first point was present at the second. The first group was nominally all Danish, the second all Geatish. The explanation appears to be that Beowulf's accepting Wealtheow's liquid *symbel* [feast] (619) and pledging his life (and by implication the lives of the Geatish men with him) make him and his men part of the Danish *sib* [kin].[55] Such an explanation would ac-

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51   Green, *Language and History,* 107–108, 135. The term whose oldest manifestation is Gothic *þiudans* [in *Beowulf þēoden* (chief/prince)] originally "had no military associations" and identified the leader of an ethnic group (136).

52   Edward James, "The Origins of Barbarian Kingdoms: The Continental Evidence," in *The Origins of Anglo-Saxon Kingdoms,* ed. Steven Bassett, 40–52 (Leicester: Leicester University Press, 1989), 47; Thompson, *Early Germans*, 54–60; Green, *Language and History,* 66–67; Malcolm Todd, *The Early Germans* (Malden, MA: Blackwell, 1995), 31–32; Jytte Ringtved, "Settlement Organization in a Time of War and Conflict," in *Settlement and Landscape,* ed. Charlotte Fabech and Jytte Ringtved, 361–382 (Moesgård: Jutland Archaeological Society, 1999), 364 n. 1.

53   Green, *Language and History*, 136.

54   The very term *þēod* [people] underwent a shift in meaning. "The ... word seems to have been somewhat misunderstood by modern writers. It denotes not only 'people,' but also in particular the court or council of a king, as in *Beowulf* [643, 1230, 1250].... When therefore we hear of the king and the *þēod* contracting an alliance with another kingdom ... or of a king being slain by his own *þēod* ... there is no reason for doubting that the body meant is the same which we find in charters confirming or supporting the king's actions by their signatures." See: Chadwick, *Origin*, 156–157.

55   Battaglia, "*Sib*," 33–35; Green, *Language and History*, 55.

count for the peculiar expression *freca Scyldinga* [bold one of the Scyldings] (1563), applied to Beowulf during his encounter with Grendel's mother.

Warbands were regularly constituted of warriors, not necessarily of the same kindred or even the same tribe.[56] Wulfgar (348), who regulates access to Hrothgar upon Beowulf's arrival in Denmark, is of the Wendlas. Even if this group was to be found in north Jutland, let alone Sweden or continental Europe, it would not have been of the same tribe as the people of the Danish islands where Gudme, the earliest great hall of Scandinavia, or Lejre, the legendary seat of Danish kings, are located.[57] Even if Gudme hall had been erected by a confederation of local peoples, it is likely that the Wendlas were not among them.[58] Wulfgar's loyalty is not to the head of his own tribe but to the lord he serves—Hrothgar.

Boasting about his own service to Geatish king Hygelac, Beowulf is quite clear and emphatic about warbands drawing fighters from far-flung areas: "'Næs him ǽniġ þearf/ þæt hē tō Gifðum oðð e tō Gär-Denum/ oðð e in Swīorice sēçean (sceolde)/ wyrsan wīgfrecan weorð e ġeċȳpan'" ["Not for him was any need that he should look to Gepids or to Spear-Danes or in Sweden, to buy with value a worse war-bold-one"] (2493b–2496).[59] The Gepids enjoyed renown after leading the forces that decisively defeated the Huns in Pannonia in 454.[60] Inclusion of the Swedes in Beowulf's statement has been invaluably parsed by

56 For current attempts to assess this in the archaeological record, see: Anne Nørgård Jørgensen, "Composite Forces, Mission Impossible: The Ejsbøl Army: Organization, Attack and Defeat," in *Arkæologi i Slesvig/ Archäologie in Schleswig*, Sonderband "Det 61. Internationale Sachsensymposion 2010," Haderslev, Danmark, ed. Linda Boye, and others, 297–315 (Neumünster: Wachholtz, 2010), 306; Xenia Pauli Jensen, "A World of Warcraft: Warrior Identities in Roman Iron Age Scandinavia," in *Romans and Barbarians Beyond the Frontiers. Archaeology, Ideology and Identities in the North*, ed. Sergio González Sánchez and Alexandra Guglielmi, 70–82 (Oxford: Oxbow, 2017), 76.

57 Fulk, Bjork, and Niles, *Klaeber's Beowulf,* 472–473. For differences between Vendsyssel and southern Denmark, see: Jytte Ringtved, "Jyske gravfund fra yngre romertid og ældre germanertid. Tendenser i samfundsudviklingen," *KUML* (1986): 95–231; Frank Battaglia, "Not Christianity versus Paganism, but Hall versus Bog: The Great Shift in Early Scandinavian Religion and its Implications for *Beowulf*," in *Anglo-Saxons and the North,* ed. Matti Kilpio, Leena Kahlas-Tarkka, Jane Roberts, and Olga Timoveeva, 47–68 (Tempe: Arizona Center for Medieval and Renaissance Studies, 2009); John D. Niles, *Beowulf and Lejre* (Tempe, AZ: Arizona Center for Medieval and Renaissance Studies, 2007).

58 For confederation: Battaglia, "Hall versus Bog," 56; cites for a different "'northern' zone": Battaglia, "Germanic Earth Goddess," 422.

59 The editors of *Klaeber's Beowulf* suggest (at 248) that a copying error replaced an auxiliary like *sceolde* with tautological and tense-changing MS *þurfe* [may need] (2495).

60 Herwig Wolfram, *The Roman Empire and Its Germanic Peoples,* trans. Thomas Dunlap (Berkeley: University of California, 1997), 139.

Bryan. Beowulf's uncle Hygelac became king of the Geats after his brother Hæthcynn was killed by Swedes while avenging Swedish raids (2479). As Bryan writes, "the king who had succeeded to the throne of the Geats because his older brother had been slain in battle by the Swedes might well have supported himself on the throne by engaging warriors from among the Swedes. There can be no clearer indication ... of the possibility that a king might have in his retinue warriors attracted from the tribe or nation that constituted his own most dangerous foe."[61]

Earlier in Wiglaf's father's life, perhaps before he had become a proprietor of Geatish territory with jurisdiction over a subject population,[62] Wihstan had joined the warband of Swedish king Onela and fought for the Swedes, whose wars against the Geats interlace the poem. The younger son of former king Ongenthēo, Onela, seized the kingship upon his regent brother Ohthere's death, compelling Ohthere's sons, his nephews Eanmund and Eadgils, to flee the country[63] and find refuge with the Geatish king Heardred. Onela subsequently attacked the Geats, presumably for harboring his nephews. In that raid, one of those nephews, Eanmund, was killed, as was Geatish king Heardred. The person who killed Eanmund was Wihstan, Wiglaf's father, part of the Swedish striking troop. Onela gave the dead man's sword to Wihstan as an award for the killing. Wihstan later gave the weapon to Wiglaf, which he would plunge deep into the *wyrm's* body in defense of Beowulf.

Wiglaf's sword, therefore, had belonged to Eanmund, the nephew of Swedish king Onela. It was taken from Eanmund's corpse by Wiglaf's father, Wihstan, after he had killed Eanmund. Wihstan presented the sword and other battle gear of Eanmund to Onela, his warlord, Eanmund's uncle. Onela returned his dead nephew's sword and equipment to Wihstan, the man who had killed him. Misleadingly coy, the poet says that Onela: "nō ymbe ðā fæhðe spræc,/ þēah ðe hē his brōðor bearn ābredwade" [said nothing then about feud, although [Wihstan] had killed his brother's child] (2618b–2619). Wihstan later gave the war gear to his son.

Thus, a sword that can be regarded as a trophy of a patrilineal killing (Onela destroying his brother's son) is the instrument through which the dragon is done in. The incongruity of a supposed good—the dragon being killed—coming from the sword awarded for an apparent evil—Onela killing his

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61   Bryan, "Wægmundings," 117.
62   When Beowulf returned from Denmark and presented Hygelac with his gifts from Hrothgar, Hygelac bestowed on him "a grant of seven thousand hides—the normal size of a large province in England in the eighth century." See: Chadwick, *Origin,* 169.
63   Fulk, Bjork, and Niles, *Klaeber's Beowulf,* lx.

nephew—is compounded by the fact that the Geatish king was also killed in the same attack in which Eanmund died. Assuming that Wihstan was genetically linked to Wægmundings among the Geats, he thus took part in an assault wherein the king of his own people was killed. Chadwick remarks:

> Wiglaf, whose bravery was said to be "inbred"[64] was the son of... Wihstan, whose great achievement was the slaying of the Swedish prince Eanmund. Yet Eanmund was at this time apparently under the protection of Heardred, king of the Geats, who also lost his life in the same war. Wihstan, however, though he belonged to the Geats, was in the service of Onela, their enemy. It would seem then that he was fighting against his own nation. Such cases appear to have been by no means uncommon in the Teutonic Heroic Age. For it was customary at that time for young noblemen to take service under foreign princes; and the obligations which personal service imposed were held to be superior to all others.[65]

Regardless of his native origins or people, the most important relationship of a *freca* [bold one/fighter] in a *ġedryht* [warband] was created by his pledge of troth to his *dryhten* [warband leader].[66]

The developing larger tribal constellations of the Migration Period were often constituted as new, fictitious male kinships based on connection with a tribal leader said to be a descendant of a war god.[67] *Scyldingas* [sons/descendants of Shield], the primary term for Danes in *Beowulf*, is a proper noun of this type.[68] Although the war god's propagation of Scyld is only preserved in late sources,[69] the template explains Woden's virility as an ancestor of Anglo-Saxon

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64   The reference is to *gecynde* [natural] (2696).

65   Chadwick, *Heroic Age,* 329–330.

66   Lear, *Treason,* 87–88. The suffix *–en* [*dryht* + *en*] here indicating "authority over." See: Green, *Language and History,* 110.

67   Battaglia, "Sib," 27–30; "Wrist Clasps," 120–121; Aðils (Eadgils in *Beowulf*), who survived the attack in which Wiglaf's father gained Eadgil's brother Eanmund's sword by killing him, became a Swedish king, said in *Ynglingatal* to be "descendant of Freyr." See: Margaret Clunies Ross, "Royal Ideology in Early Scandinavia: A Theory Versus the Texts," *Journal of English and Germanic Philology* 113.1 (2014): 18–33 at 31.

68   Green, *Language and History,* 130; R.W. Chambers, *Beowulf,* 3rd edn. (Cambridge: Cambridge University Press, 1967), 77.

69   Among the Scandinavian excerpts provided by Fulk, Bjork, and Niles in *Klaeber's Beowulf* is *The Prose Edda of Snorri Sturluson* wherein both Thor and, later, Othin have a descendant or son named *Skjǫld* or *Skjǫldr* [Shield] (295–296); *Prose Edda, Skáldskaparmál,* which says Othin has a son *Skjǫldr* [Shield] from whom the *Skjǫldungar* [Scyldings] are descended (297); as well as Snorri's *Ynglinga Saga* and the epitome of *Skjǫldunga Saga* that call *Skjǫldr* [Shield] son of Othin (298)/ *Scioldus* son of *Othinus* (304).

kings.[70] Having Woden as an ancestor warranted control of kingdoms. For most early Germanic kingdoms, the claim of divine descent helped "legitimate" the controlling "use of physical force."[71] The very notion "that kingship had a *divine* nature" has been described as a blurring within categories of conceptual domains, forestalling the ability of subjects to interrogate the state.[72] Even though Scyld is not attested in Anglo-Saxon written genealogies until the ninth century, the earlier English appear to have had lively interest in the Scandinavian heroic stories.[73] In England, "earl(y) Frankish material culture does not seem to have enjoyed the same cultural caché attached to Scandinavian-influenced material."[74] The early historic period saw Germanic societies formed by networks of such male kinship systems, that included less noble patrilineal families, displace and replace tribes based on actual or fictional blood relationships through women, and expand the numbers of subject populations.[75] However, Wiglaf's sword in *Beowulf* stands as a symbol that allegiance to the ruler of such a network was more important than mere blood relationships, even among men.

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70   David N. Dumville, "The Anglian Collection of Royal Genealogies and Regnal Lists," *Anglo-Saxon England* 5 (1976): 23–50; Eric John, "The Point of Woden," *Anglo-Saxon Studies in Archaeology and History* 5 (1992): 127–34; Charlotte Behr, "Do Bracteates Identify Influential Women in Early Medieval Kingdoms?," in *Kingdoms and Regionality*, ed. Birgitta Arrhenius, 95–101 (Stockholm: Archaeological Research Laboratory, 2001); Lotte Hedeager, "Migration Period Europe: The Formation of a Political Mentality," in *Rituals of Power*, ed. Frans Theuws and Janet L. Nelson, 15–57 (Leiden: Brill, 2000), 50–51, with potent insight into the process by which the written *Beowulf* was generated at 18 and 45.

71   Susan Reynolds, "The Historiography of the Medieval State," in *Companion to Historiography*, ed. Michael Bentley, 117–38 (New York: Routledge, 1997), 118.

72   Such "strategic ambiguation ... was (and is) a principal mechanism enabling the kind of arena ... in which 'a state elite could maneuver': its gnomic quality built resilience." See: Seth Richardson, "Before Things Worked: A 'Low-Power' Model of Early Mesopotamia," in *Ancient States and Infrastructural Power—Europe, Asia, America*, ed. Clifford Ando and Seth Richardson, 17–62 (Philadelphia: University of Pennsylvania Press, 2017), 18, citing Michael Mann.

73   *Contra* John D. Niles, "On the Danish Origins of the *Beowulf* Story," in *Anglo-Saxon England and the Continent,* ed. Hans Sauer, Joanna Story, and Gaby Waxenberger, 41–62 (Tempe: Arizona Centre for Medieval and Renaissance Studies, 2011), 46–48.

74   Sue Harrington and Martin Welch, *The Early Anglo-Saxon Kingdoms of Southern Britain AD 450–650* (Oxford: Oxbow, 2014), 182. A South Scandinavian as well as a Norwegian source for wrist clasps in Anglian England is now recognized. Battaglia, "Wrist Clasps," 120 n. 45.

75   David A.E. Pelteret, "Slavery in Anglo-Saxon England," in *The Anglo-Saxons, Synthesis and Achievement,* ed. J. Douglas Woods and David A.E. Pelteret, 117–133 (Waterloo, ON: Wilfrid Laurier University Press, 1985).

The sword represents a loyalty more powerful than the old female ties of kinship because it kills the dragon linked with the early practices of fertility religion and the matrilineal tribes in which they were rooted.[76] But the sword also stands for an obligation more compelling than the newer patrilineal kinship ties, for Wihstan earned the sword fighting against Geats and Wægmundings, as Onela made war to exterminate his brother's sons. Onela's trying to kill his own family, though horrible, seems only the worst that a warlord might do fighting for power. But Onela got Wihstan to fight against *his own* patrilineal relations, Geats and Wægmundings, to pursue, out of duty, a patrilineal killing for someone else. Onela's choice set three patrilineal families at war with each other. A central authority beyond warlordism was being built on the wreckage of families, all of which is denied and obfuscated by the poet's sentimental remark about Wiglaf's loyalty to Beowulf: "sibb' æfre ne mæġ/ wiht onwendan þām ðe wēl þenċeð" [Never may anything put aside kinship in one who thinks well] (2600b–2601).[77] Wiglaf's dedication provides an admirable present tense filter to help the poem's audience *not* ponder what constellation of motives, intentions, and feelings Wiglaf's father had while participating in the assault that killed his king's nephew. The poem transcends any such questions. Finding the tool for killing a dragon in a sword earned on a deadly raid wherein three patrilineal families warred with each other, the *Beowulf*-poet elevates social service for a cause like Onela's to a higher plane. The state is emerging.

Wiglaf's sword symbolizes the transformation of political authority "from an asymmetrical relationship between persons ([...with the possibility of] mutual recognition between participants)[78] into a virtual relationship between [a ruler] and his (or her) subjects. The virtual nature of this relationship ... release[s] political authority from cultural and social restrictions on the contexts in which, and degree to which, physical and symbolic coercion [can] be enacted."[79] Authority, its entitlements and potential, becomes abstracted, harder to locate or challenge. A fight with a dragon possessing human, animal, and supernatural qualities certainly creates possibilities for redefining categories and responsibilities. James Earl has gathered the assessments of a number of *Beowulf* scholars about the difficulties of comprehending the Swedish wars of *Beowulf* because of problems including what Fredrick Klaeber called "grave structural defects."[80] One result of the "anything but sequential" presentation[81]

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76   Symbolic serpents and fertility religion sites are discussed below.
77   Battaglia, "Sib," 38–39.
78   This is what the Germanic pledge of troth had provided.
79   Routledge, *Archaeology and State Theory*, 24.
80   James W. Earl, "The Swedish Wars in *Beowulf*," *Journal of English and Germanic Philology* 114.1 (2015): 32–60 at 33.
81   Earl, "Swedish Wars," 34, citing Fulk, Bjork, and Niles.

may be that it is easier to take at face value several of the declarations: that Onela refrained from saying anything about a feud despite the death of his nephew; or that Wiglaf's staying with Beowulf shows that "Nothing can ever put aside kinship… ."[82]

A dangerous principle is introduced by the special efficacy of Wiglaf's sword, namely that his father Wihstan's action was salutary because it dutifully carried out the (implied) order of his king, Onela. The sword symbolizes that doing what one's ruler wants is good—regardless of what that is, the principle articulated in Rothari's second *Edict*. Onela was attacking the Geats because they were harboring his nephews, who had challenged his right to be king. Onela wanted them destroyed, and Wihstan was able to carry out some of what he sought. The sword symbolizes Wihstan's faithful execution of a challenging task at great personal risk. Such dedicated pursuit of what his ruler wanted transmuted into the hardness and undeflectability of the sword that Wiglaf would wield. Over a millennium later, a contrary code became recognized in international law when the Nuremburg Principles were adopted by the United Nations in 1950 after investigations of genocide carried out during World War II. Principle IV stipulates: "the fact that a person acted pursuant to order of his Government or of a superior does not relieve him from responsibility under international law, provided a moral choice was in fact possible to him."[83]

Anglo-Saxon King Alfred's laws contain the germ of an alternative to Rothari's second *Edict* and, therefore, an early instance of legislation like Nuremburg Principle IV. The laws state prominently: "Gif hwa to hwæðrum þissa geneid sie on woh, oððe to hlafordsearwe oððe to ængum unryhtum fultume, þæt is ðonne ryhtre to áleoganne ðonne to gelæstanne" [If anyone to either of these is wrongly compelled—either to lord-treachery or to any unright helping—that is then righter to put aside than to perform].[84] Simon Keynes and

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82   William W. Lawrence thought the feuds between Geats and Swedes "have little bearing" on the fight with the dragon. See: "The Dragon and his Lair in *Beowulf*," *PMLA* 33.4 (1918): 547–583 at 547.

83   "Principles of International Law Recognized in the Charter of the Nürnberg Tribunal and in the Judgment of the Tribunal," *Yearbook of the International Law Commission, 1950*, vol. 2, para. 97: legal.un.org (accessed July 14, 2017).

84   F.L. Attenborough, ed. and trans., *Laws of the Earliest English Kings* (Cambridge: Cambridge University Press, 1922), *Af* 1.1, 62–63, my translation. Simon Keynes and Michael Lapidge follow Attenborough in providing "unlawful" for *unryht,* but a different root lexeme for *ryhtre* where consistency would produce "more lawful;" Patrick Wormald offers "unjust" and "more just." See: Keynes and Lapidge, *Alfred the Great, Asser's* Life of King Alfred *and Other Contemporary Sources* (London: Penguin, 1983), 164, 1.2; Wormald, *The Making of English Law*, 171.

Michael Lapidge describe Alfred as here "reiterating a principle formerly enunciated by Bede (and before him by Origen) that it is better to leave an oath unfulfilled if performance of it will entail a worse crime than the act of oathbreaking itself."[85] The first of the two things enjoined, however, lord-treachery, is consistent with (a) Alfred's "spectacular distortion" of the golden rule into loving one's lord as Christ;[86] (b) capital punishment for attempts on the either the king's or a man's own lord's life;[87] and (c) prohibition against fighting one's own lord even when he is wrongfully fighting one's own blood kin, for *þæt we ne liefað* [that we do not allow].[88] Thus, since under few imaginable conditions may one oppose one's lord (nor, presumably *a fortiori,* one's king), the authorization to avoid "unright helping" seems quite restricted. Alfred's unique provision passed into obscurity.

The efficacy of Wiglaf's sword undermines *Beowulf*'s extolling of patriliny. Other ways in which the poem reinscribes Germanic traditions likewise situate it as roughly contemporary with the *Edictus Rothari* (643). Figure 1.1 shows the image shared by two gold medallions from Binford, Norfolk, England, of an armed warrior battling hostile creatures.[89] They are among over one thousand known Scandinavian gold bracteates manufactured in Germanic Europe during about a hundred years, from about 450 to 550 CE,[90] that are thought to have been bestowed to mark elite alliances. The Binford sword-wielder combating strange beings mirrors a design on seven bracteates from northern Germany.[91]

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85 *Alfred the Great*, 306 n. 7. Of Salome's request for the head of John the Baptist after Herod had promised to give her whatever she wanted, Bede had written that performance of an incautious oath can entail a greater crime than violating it. See: Gerald Bonner, "Bede and Medieval Civilization," *Anglo-Saxon England* 2 (1973): 71–90 at 75. Alfred's rule against any *unrhytum* (unright) undertaking, a criterion that invited ecclesiastical counsel, weighs against the assessment of biographer Justin Pollard that, in 878, Alfred had been deposed in a coup brought about in part by Æthelred, Archbishop of Canterbury. See: Pollard, *Alfred the Great*, 157–169.

86 Wormald, *Making of English Law*, 422–423.

87 Attenborough, *Laws*, 64–67, *Af* 4.1,2.

88 Attenborough, *Laws*, 84–85, *Af* 42.6, my trans.

89 Morten Axboe, with Charlotte Behr and Klaus Düwel, "Katalog der Neufunde," in *Die Goldbrakeaten der Völkerwanderungszeit – Auswertung und Neufunde*, ed. Wilhelm Heizmann and M. Axboe, 893–1024ff (Berlin: De Gruyter, 2011), Taf. 66; and Charlotte Behr and Tim Pestell, "The Bracteate Hoard from Binham—an early Anglo-Saxon central place?," *Medieval Arch*aeology 58 (2014): 44–77 at 55, Fig. 7.

90 Beginning "around the middle of the fifth century" and ending "between 530 and 570." Morten Axboe, *Brakteatstudier* (København: Kongelige Nordiske Oldskriftselskab, 2007), 76, 148.

91 Die-identical, they were found together in the nineteenth century at an unrecorded location, probably Schleswig-Holstein, Germany. Behr and Pestell, "Bracteate Hoard," 54; Alexandra Pesch, *Die Goldbrakteaten der Völkerwanderungszeit—Thema und Variation* (Berlin: De Gruyter, 2007), 120–124. A Jutland bracteate with a comparable motif was executed with a different technique.

FIGURE 1.1
Bracteate from Binham,
Norfolk, England [after
Axboe, with Behr and
Düwel, "Katalog der
Neufunde," Taf. 66]

Different interpretations have been offered for them, but that they represent a heroic conflict with monsters seems likely.[92]

In the typologies that structure bracteate research, Figure 1.1 is a B-type because it outlines a full human figure. The most common, C-type, bracteate shows a rider or majestic head upon a horse. In both B- and C- types, monsters appear occasionally as secondary motifs.[93] A C-bracteate, from

92   Behr and Pestell, "Bracteate Hoard," 55.
93   In Pesch's Formula Family "B-3," a hero with legs bent struggles without weapons against monsters (*Thema*, 108–111); a by-example of this group was found with D-bracteates in Kent. Behr, "Do Bracteates Identify," 98; two identical gold pendants, from Riseley, Horton Kirby, Kent, and Shrewton, Wiltshire, show a man holding two snakes in a motif that has been compared with this bracteate design. Marit Gaimster, "Scandinavian Gold Bracteates in Britain: Money and Media in the Dark Ages," *Medieval Archaeology* 36 (1992): 1–28 at 19 and 20, Fig. 6d. On the Söderby group of bracteates from Sweden and Gotland, a male figure appears swept in ecstasy as two attendant birds confront a demonic sea-monster. "B 10," Pesch, *Thema*, 135–8; Marit Gaimster, *Vendel Period Bracteates on Gotland: On the Significance of Germanic Art*, vol. 27, Acta Archaeologica Lundensia, Series in 8, no. 27 (Lund: Almqvist & Wiksell, 1998), 40–43, 74. The four examples of Söderby type from the Lake Mälaren area of Sweden were found with five unusual D-bracteates.The rider on a

Gudbrandsdalen, Norway, provides perhaps the most dragon-like of any of these representations—two monstrous quadrupeds, and a snake, confronted by a rider with sword and spear [Figure 1.2].[94] However, on another kind of medallion, the second-most-common bracteate type, the D-bracteate, a monster constitutes the central subject.

D-bracteates generally depict one sinuous, limbed, self-interlaced being that corresponds to no known species. In German, it may be referred to as an (*Un-*)*tier*, an "un-animal." Common configurations have the creature's head turned back over its hindquarters, or perhaps biting itself, which are interpreted as a sign it has been subdued or killed, presumably by the majestic[95] mounted power seen on the most common bracteate type.[96] D-bracteates thus show defeated monsters.

While showing how adverse supernatural creatures (and probably dragons) were conceived in Migration Period Germanic art, these pendants do a great deal more. Probably the last major design to develop, D-bracteates date mostly from the sixth century. The D-bracteates evince that in the roughly the first half of that century, an alliance at a high level of Germanic society[97] was marked by a medallion citing intervention with a monster—over three hundred and sixty

bracteate from Tulstrup, Zealand is attacked by a predatory-bird-headed reptile that has been compared to the beings in bracteate Formula "B 3." See: Karl Hauck, "Der Kollierfund vom fünischen Gudme und das Mythenwissen skandinavischer Führungsschichten in der Mitte des Ersten Jahrtausends, Mit zwei runologischen Beiträgen von Wilhelm Heizmann (Zur Ikonologie der Goldbrakteaten, LV)," in *Die Franken und die Allemannen bis zur 'Schlacht bei Zulpich' (496/97)*, ed., Dieter Geuenich, 489–535 (Berlin: De Gruyter, 1998), 496, Abb. 4.

94   Karl Hauck, ed., *Die Goldbrakteaten der Völkwanderungzeit*, vols. 1–3, Münster Mittelalterschriften 24, with contributions from M. Axboe, K. Düwel, L. von Padberg, U. Smyra, and C. Wypior (Munich: Fink, 1985–1989), 1,3: 77, 65b. A "pagan monster-battling myth" may link the Gudbrandsdalen bracteate and a Ladoix-Serrigny buckle from about the year 600 with a dragon/bird figure. Bailey K. Young, "The Imagery of Personal Objects: Hints of 'Do-It-Yourself' Christian Culture in Merovingian Gaul?," *The Power of Religion in Late Antiquity,* ed. Andrew Cain and Noel Lenski, 229–254 (Burlington, VA: Ashgate, 2009), 250.

95   The *lex Julia maiestatis* as known from the Theodosian Code is explicitly cited in the Visigothic compilation the *Breviary of Alaric* in 506 CE. See: Lear, *Treason*, 37.

96   Tanya Dickinson, "Iconology, Social Context and Ideology," in *Die Goldbrakteaten der Völkwanderungszeit*, ed. Heizmann and Axboe, 635–686, at 643.

97   Charlotte Fabech and Ulf Näsman, "Ritual Landscapes and Sacral Places in the First Millennium AD in South Scandinavia," in *Sacred Sites and Holy Places: Exploring the Sacralization of Landscape through Time and Space,* ed. Sæbjørg W. Nordeide and Stefan Brink, 53–109 (Turnhout: Brepols, 2013), 60–65, Fig. 5; Alexandra Pesch, "Netzwerk der Zentralplätze: Elitenkontakte und Zusammenarbeit frühmittelalterlicher Reichtumszentren im Spiegel der Goldbrakteaten," in *Auswertung und Neufunde*, 231–277.

FIGURE 1.2
Bracteate from
Gudbrandsdalen,
Oppland, Norway
[after Hauck 1985,
1,3, 77, 65b], ©2019
Drawing by Nina
Zerkich.

times.[98] Surely such occasions often involved ceremony and heroic exposition.
If ever we would *expect* monster stories to have been current in Germanic Europe, it would have been then. To the period of production and circulation of
the D-bracteates, therefore, it is possible to look for the origin of the *Beowulf*
poem.[99] Chadwick thought *Beowulf* derived from "stories … preserved by recitation in a more or less fixed form of words" that were "acquired [by the poet]
before the end of the sixth century."[100]

Symbolic holiness of serpents is well attested in Scandinavian antiquity.
Snakes appear on bronze razors, especially from Denmark, carvings on large

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98   Axboe, with Behr and Düwel, "Katalog der Neufunde," 902, and newer finds.

99   This analysis is part of a larger study in preparation by the present author, *Beowulf: The
War God goes to Church.* See: Frank Battaglia, "*Beowulf* and the Bracteates," in "The Dating
of *Beowulf*: a Reassessment," Harvard University Conference, September 2011; Frank Battaglia, "*Beowulf*: A Regime of Enforcement," in *Reframing Punishment: Reflections of Culture,
Literature and Morals,* ed. Bhavana Mahajan and Raja Bagga, 39–60 (Freeland, UK: Interdisciplinary Press, 2013), 41–42; Battaglia, "Wrist Clasps," 121–122.

100   Chadwick, *Heroic Age*, 51–52. Similarly, Knut Martin Stjerna, *Essays on Questions Connected with the Old English Poem* Beowulf, trans. John R. Clark Hall (Coventry: Viking Club,
Society for Northern Research, 1912), 40.

rock surfaces, mostly Swedish, and smaller rocks, on ceramics and as figurines.[101] In the Nordic Bronze Age, the snake "play[ed] an important role in … beliefs concerning the voyage of the sun in the suprahuman world. … In addition, the snake seem[ed] to be a symbol of the earth and agricultural prosperity."[102] A Swedish rock-carving shows "the snake must have been sacred, either in its own right or as the symbol of a divinity."[103] On the Gundestrup Cauldron, c. 100 BCE, a horned god holds a snake and a neck ring, "presumably symbolizing health and wealth;" in another panel, a serpent leads "a line of soldiers on foot and on horseback."[104] On one of the Gallehus horns, c. 400 CE, "an adorant figure is shown between two serpents."[105] Anglo-Saxon cremation urns, dating mostly from the fifth century,[106] have decorative motifs like T-runes, symbolizing the deity who gives the name to *Tuesday*, or the swastika, an ancient symbol that there may reference the deity named on *Thursday*. But more common than either of these is a design representing a "serpent or legless dragon, the *wyrm* of Anglo-Saxon vocabulary."[107] Cremation urn 2292 from the Anglo-Saxon cemetery at Spong Hill, Norfolk had both *wyrm* decoration and a fabric apparently tempered with human-bone ash.[108] According to George Speake, "In the Anglo-Saxon ornamental zoo, the serpent … is by far the commonest creature, although [in the early period] it is more rare, [with] a quadruped in varied

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101   Flemming Kaul, *Ships on Bronzes* (Copenhagen: National Museum, 1998), 221–241.

102   Kaul, *Bronzes*, 238.

103   George Speake, *Anglo-Saxon Animal Art* (Oxford: Clarendon, 1980), 86, citing H.R. Ellis Davidson and Peter Gelling; Kaul, *Ships*, 222–223, fig. 146.

104   Flemming Kaul, and others, *Thracian Tales on the Gundestrup Cauldron* (Amsterdam: Najade, 1991), 9, fig. 22, fig. 26; H.R. Ellis Davidson, *Myths and Symbols in Pagan Europe* (Syracuse: Syracuse University Press, 1988), 209; Speake, *Animal Art,* 86.

105   Speake, *Animal Art,* 86.

106   Catherine Hills and Sam Lucy, *Spong Hill, Part ix: Chronology and Synthesis* (Cambridge: MacDonald Institute, 2013), 320–321.

107   J.N.L. Myres, *Anglo-Saxon Pottery and the Settlement of England* (Oxford: Clarendon, 1969), 138; David Wilson, *Anglo-Saxon Paganism* (London: Routledge, 1992), 150; Teresa Briscoe, "Anglo-Saxon Pot Stamps," *Anglo-Saxon Studies in Archaeology and History* 2 (1981): 1–36 at 21.

108   2292 and stamp group 44. Battaglia, "Wrist Clasps," Table 2; stamp group 44 and *wyrm* stamp. Howard Williams, "Animals, Ashes and Ancestors," in *Just Skin and Bones? New Perspectives on Human-Animal Relations in the Historical Past,* ed. Alexander Pluskowski*,* British Archaeological Reports International Series, vol. 1410, 19–40 (Oxford: British Archaeological Reports, 2005), 21. This kind of temper, shared with at least fourteen other Spong ceramics, has been found in eleven vessels (Battaglia, "Cannibalism," 143) from the vicinity of the earliest great hall of Denmark, at Gudme, Funen. Battaglia, "Hall versus Bog," 57–58; Battaglia, "Cannibalism," 143–144, fig. 14.2. The pottery technique is linked with endo-cannibalism in Germanic prehistory.

guises being more dominant."[109] The fifth and sixth centuries see the development of Germanic animal art, and a changed meaning to the Germanic serpent, which becomes a dark, underworld creature opposed by the "more or less institutionalized 'upper-class-heroic' religion of the Late Iron Age and Viking period."[110] It is this demonization of the serpent that gives us the monsters of the bracteates—and the dragon of *Beowulf*.[111] After related developments, Christianity assimilated Germanic lore.[112] The Franks Casket (early-eighth century) depicts both Sigurd's killing of dragon Fafnir and the Adoration of the Magi.[113] The Gudbrandsdalen bracteate was found as a dedicatory deposit under a church altar.[114]

Beowulf's dragon has human qualities. He enters the narrative as a competing lord, challenging the hero's authority. The Geatish kingdom had passed into Beowulf's hands and he has held it for fifty years, "oð ðæt [ā]n ongan/ deorcum nihtum draca rīcs[i]an" [until one began in the dark nights, a dragon, to rule] (2210b–2211). The dragon appears as a rival *ruler,* who in a high dwelling watches over a hoard. His "high dwelling" (2212)—the phrase is faulty in the text—suggests a hall, a cult-building and seat of power. In fact, the dragon's lair

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109 Speake, *Animal Art*, 85.

110 Kaul, *Ships*, 241. Fulk, Bjork, and Niles linked the term *hlǣw* [mound], which situates dragons in *Maxims II*, 26 f. (*Klaeber's Beowulf* 397, 240), to a study by Robert van de Noort that analyzed the building or reuse of funeral mounds in western Europe, roughly 550 to 750 as a "mortuary innovation" expressing the "opposition of ... non-Christians to the new Christian ideology of the Frankish empire." In Ireland's heroic cycle, Cúchulainn, straddling older and younger traditions, both kisses a dragon and kills several serpents. Mary Condren, *The Serpent and the Goddess* (New York: HarperCollins, 1989), 24.

111 H.R. Ellis Davidson drew attention to the flying dragon on the Sutton Hoo shield. See: "The Hill of the Dragon," *Folklore* 61.4 (1950): 169–185 at 180, Pl. x.

112 Elaine Pagels, *Adam, Eve, and the Serpent* (New York: Vintage, 1989), 120; Pagels, *Revelations: Visions, Prophecy, and Politics in the Book of Revelations* (New York: Viking, 2012); Timothy K. Beal, *Religion and its Monsters* (New York: Routledge, 2002), 82. In *Vita Patrum* (590 × 594), Gregory of Tours narrates the banishing of snakes and dragons by Saint Caluppa. See: Ramsay Macmullen, *Christianity and Paganism in the Fourth to Eighth Centuries* (New Haven: Yale University Press, 1997), 96; Dominic Alexander, *Saints and Animals in the Middle Ages* (Rochester, New York: Boydell, 2008), 48–49.

113 Henry Mayr-Harting, *The Coming of Christianity to Anglo-Saxon England*, 3rd edn. (University Park: Pennsylvania State University Press, 1991), 223. A seventh century grave in Burwell, Cambridgeshire yielded what is now suggested as a reliquary whose lid depicts Sigurd's slaying of Fafnir. See: Catherine Hills, "Work Boxes or Reliquaries? Small Copper-alloy Containers in Seventh Century Anglo-Saxon Graves," in *Studies in Early Anglo-Saxon Art and Archaeology: Papers in Honour of Martin G. Welch*, ed. Stuart Brookes, Sue Harrington, and Andrew Reynolds, British Archaeological Reports British Series, bk. 597, 14–19 (Oxford: British Archaeological Reports, 2011), 14.

114 Hauck, ed., *Die Goldbrakteaten*, 1.3, 77.

is twice called an *eorðsele,* "earth hall" (2410, 2515), with the same term, *sæl,* used earlier in the poem for Heorot of the Danes.[115]

The serpent's contending against Beowulf begins with his having been robbed.[116] The discovery angers him; he becomes *ġebolge[n]* [swollen with rage] (2220), as Beowulf is *ġebolgen* (2401) by the serpent's answer to the theft. Before this incident, guarding the hoard he had found, the *wyrm* is characterized with an epithet already applied twice (1724, 2114) to Danish king Hrothgar—*wintrum frōd* [wise in years] (2277). With a sense of his own status and entitlements, the dragon seeks revenge, he "wolde ... līġe forġyldan/ drinċfæt dȳre" [wanted to pay back with fire for the dear drink cup] (2305–2306). For him, however, the prospect of a fight was enjoyable: *wīġes ġefeh,/ bea[dwe] weorces* [he rejoiced in war, in fighting work] (2298b–2299a).

The dragon intensely focuses on the theft, perhaps obsessively: *oft ymbehwearf* [often he went around] (2296b) the outside of the howe, *hwīlum æthwearf* [sometimes he went inside] (2299b), looking for the cup. His reaction is ferocious: he burns dwellings, including Beowulf's home, trying to leave nothing alive (2314b–2315); he *hatode ond hȳnde* [hated and humbled] (2319) the Geatish people. He continues to act like a warlord, but his behavior is excessive and reminiscent of Heremod, an early king of the Danes who *nallas bēagas ġeaf* [gave rings not at all] (1719). Heremod's *sorhwylmas* [surging sorrows/dark moods] (904) lead him to kill his *beodġenēatas, / eaxlġestellan* [table companions, comrades] (1713b–1714a).[117]

Before confronting the *wyrm,* Beowulf learns *hwanan sīo fǣhð ārās* [whence the feud arose] (2403b). A feud might be settled by compensation or violence or both.[118] The *fǣhð mǣst* [greatest feud] (459), caused by Beowulf's father Ecgthēo, had been resolved by Hrothgar's payment to the family of Heatholaf, whom Ecgthēo killed (470–472b). However, with the stolen cup in his lap, Beowulf does not conceive of restitution or compensation, but plans revenge (2336b). It is possible to imagine narratives that might involve the return of the cup,[119] but *Beowulf* does not communicate or negotiate with such a challenger, even one wronged by the theft of a cup he now possesses. The (male) monster's qualities and actions elicit from the (male) protagonist self-assessment, lead-

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115   Frank Battaglia, "Hall versus Bog," 47–50, cult-center; and 67, "cleansing" and *sele.*

116   The being with whom Beowulf fights to his death is called *wyrm,* "serpent," nineteen times in the poem; *draca,* "dragon," twelve times.

117   The poem here upholds an old Germanic bi-lateral standard for loyalty—obligations bind both sides—explicit in the early sixth century Visgothic code and preserved longest in Scandinavia. See: Lear, *Treason,* 40, 86, 88, 101, 129–130.

118   Green, *Language and History,* 50.

119   An Irish story in which a dragon was kissed is cited above (n. 110).

ing to a desperate courage which is brought to bear with fighting skills and recklessness shared by a (male) comrade in arms who also is a relative and has special equipment. With human characters facing a hostile suprahuman force, the story is a template of heroism. If the narrative is credible and satisfying, it produces a positive sense of the past—even if that past never existed. Showing how early states developed the capacity to influence, without force, the behavior of communities, Seth Richardson explains the function of heroic narrative in the formation of the early Germanic kingdoms. He suggests such "power can be enabled by fantasies about the past, not only through the 'negative capability' of transcending the past's limitations, but also through a retrospective desire for and misapprehension of things as they never quite were."[120] Although the dragon episode could never have actually happened, it represents the determined, even reckless courage of early kings, creating pride in the tradition which produced it, the practices and institutions associated with it.

The dragon's hoard itself constructs a past that never quite was. The claim of authority borne by this mute material can be better understood because of an important insight offered a century ago by Knut Stjerna. Subsequent material discoveries have confirmed his analysis and make it possible to deconstruct the dragon treasure as a cache of reconstituted Scandinavian cultural experience. Stjerna argued that the *wyrm*'s treasure incorporates some folk memory of the bog sacrifices of weapons in South Scandinavia and northern Europe. Especially in Denmark, southern Sweden, and northern Germany, the equipment of defeated invading armies had been deposited in the same watery locations at long intervals over a period of hundreds of years. Stjerna plausibly concluded that "the continually repeated offerings ... kept alive a knowledge ... of the buried objects."[121] The words of the poem confirm Stjerna's insight. That Stjerna's suggestion has not been more consequential in discussion of the poem may be because South Scandinavian bog-weapons deposits are not better known. But the number of such deposits is quite remarkable, as is the size of some of them. The first discovery of military equipment sacrificed in formerly watery Danish locations was made in 1856.[122] The oldest sacrifice, of a boat and the weaponry of its raiding crew, was made in the fourth century BCE

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120   See: Richardson, "Before Things Worked," n. 18; Lotte Hedeager, "Migration Period Europe," 16.

121   Knut Stjerna, *Essays on Questions,* 150.

122   Stine Wiell, "Denmark's bog find pioneer, The archaeologist Conrad Engelhardt and his work," in *The Spoils of Victory,* ed. Lars Jørgensen, Birger Storgaard, and Lone Gebauer Thomsen, 66–83 (Copenhagen: Nationalmuseet, 2003), 70.

at Hjortspring, Jutland.[123] Stjerna knew seventeen such sites; twenty-eight were recognized by the end of the last century, at which about fifty separate deposits had been made.[124] A bog site in the Illerup river valley of eastern Jutland has yielded swords, lances, shields, coins, combs, and a range of other equipment totaling fifteen-thousand items, which were put into the bog in four sacrifices.[125] Altogether, about forty-thousand objects have been recovered from Scandinavian and northern European wetland sacrifices of weapons.[126] Surveying Danish sacrifices, Anne Nørgård Jørgensen remarks that "as has been known for many years, each of the very many weapon-offering sites covers several depositions."[127] Some ceremony almost certainly accompanied each sacrifice in a watery location of the weapons from an army of defeated attackers, which may be understood as be the basic form of such deposits.[128] That these ceremonies had a religious character is very probable because such locations had been used for votive deposits for millennia.[129]

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123   Klaus Randsborg, *Hjortspring: Warfare and Sacrifice in Early Europe* (Aarhus: Aarhus University Press, 1995); Jes Martens, "Weapons, Armaments and Society—The Pre-Roman Iron Age on Zealand and in Scania," in *The Iron Age on Zealand, Status and Perspectives,* ed. Linda Boye, 147–174 (Copenhagen: Royal Society of Northern Antiquaries, 2011), 168–170.

124   Stjerna, *Essays on Questions*, 148; Charlotte Fabech, "Booty Sacrifices in Southern Scandinavia—A History of Warfare and Ideology," in *Roman Reflections in Scandinavia,* 135–138 (Rome: 'L'Erma' di Bretschneider, 1996), 135; Jørgen Ilkjær, "Danish War Booty Sacrifices," in *Spoils of Victory*, ed. Jørgensen, Storgaard and Gebauer Thomsen, 44–65; J. Ilkjær, *Illerup Adal, Archaeology as a Magic Mirror*, trans. Joan F. Davidson (Hojberg: Aarhus University Press, 2000); Jørn Lønstrup, "Mosefund af hærudstyr fra jernalderen," in *Fra Stamme til Stat i Danmark. 1: Jernalderens stammesamfund*, ed. Peder Mortensen and Birgit M. Rasmussen, Jysk Arkæologisk Selskabs, Skrifter 22, 93–100 (Aarhus: Aarhus Universitetsforlag, 1991).

125   The excavations have been published in a series beginning with: Jørgen Ilkjær, *Illerup ådal. 1–2. Die Lanzen und Speere* (Moesgård: Aarhus University Press, 1990); most recently: Aleksander Bursche, Claus von Carnap-Bornheim, and Jørgen Ilkjær, *Illerup ådal. 14. Die Münzen* (Moesgård: Aarhus University Press, 2011). The large corpus has made it possible to establish a typology and chronology of Scandinavian weaponry, although the methodology has been criticized. See: Lars Morgen Fuglevik, "Krigsbytteofringen Illerup å—en alternative tolkningsramme," *Fornvännen* 102.4 (2007): 225–237.

126   Claus von Carnap-Bornheim und Andreas Rau, "Zwischen religiöser Zeremonie und politischer Demonstration—Überlegungen zu den südskandinavischen Kriegsbeuteopfern," in *Glaube, Kult und Herrschaft, Phänomene des Religiösen*, ed. Uta von Freeden, Herwig Frieslinger, and Egon Wamers, 25–35 (Bonn: Rudolf Hambelt, 2009), 25.

127   Anne Nørgård Jørgensen, "Weapon Offering Types in Denmark, 350 BC to 1200 AD," in *Glaube, Kult und Herrschaft,* 37–51 at 37.

128   Nørgård Jørgensen, "Weapon-offering Types," Type I, 38, 45.

129   Xenia Pauli Jensen, "From Fertility Rituals to Weapon Sacrifices," in *Glaube, Kult und Herrschaft,* 53–64; Kaul, "The Bog."

The amount of time that may separate sacrifices in the same locale is as surprising as anything else about these weapon deposits. The earliest sacrifice at Illerup dates from about 200 CE, with further deposits made about 230 CE and 375 CE, and the final, smaller offering being put in the bog in the fifth century. Five weapon sacrifices in a bog at Kragehul, Funen, Denmark span the period from about 180 CE to the late fifth century.[130] Figure 1.3 diagrams the chronology of some major deposits between approximately 75 CE (B2) and 450 CE (end of D1).[131] Ineluctably, in each area, a sense of the practice must have been preserved by a continuously transmitted cultural memory, as Stjerna suggested.

Ejsbøl lake in southeast Jutland, Denmark received three weapons sacrifices: the first, about the beginning of the Common Era, 1 CE, the second and largest about 300 CE, and the last in the early fifth century.[132] In the second of these sacrifices—"a major public ritual act"—the equipment of about one hundred fifty men, including over a pound of gold with which their military commander would have paid them, was put into a small lake "probably simultaneously" at five locations.[133] Anne Nørgård Jørgensen represents the ritual of the roughly 300 CE offering with these words: "The defeated army is to be sacrificed in order to strengthen the local community and … to … etch in memory for decades—perhaps even a century into the future."[134]

As investigation of these sites and practices has continued, so has debate about them.[135] However, "few would doubt that the large weapon offerings … have a direct connection with actual hostilities, and that they should be seen as the result of sacrifices of the equipment of the conquered forces."[136] Positioning such deposits in a continuum of social practice, Xenia Pauli Jensen reflects, "[i]t is worth considering that almost all of the weapon bogs contain

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130   Rasmus Birch Iversen, *Kragehul Mose—Ein Kriegsbeuteopfer auf Südwestfünen* (Moesgård: Jysk Arkæologisk Selskab, 2010), 161–162.

131   A detailed chronology of the periods is provided in Anne Nørgård Jørgensen, "Fortifications and the Control of Land and Sea Traffic in the Pre-Roman and Roman Iron Age," in *Spoils of Victory*, ed. Jørgensen, Storgaard, and Gebauer Thomsen, 194–209 at 200.

132   Nørgård Jørgensen, "Mission Impossible," 300.

133   Nørgård Jørgensen, "Mission Impossible," 309.

134   Nørgård Jørgensen, "Mission Impossible," 311.

135   Ulla Lund Hansen, "150 Years of Weapon-offering Finds—Research and Interpretations," in *Spoils of Victory*, ed. Jørgensen, Storgaard, and Gebauer Thomsen, 84–89; Birger Storgaard, "Himlingøje, Barbarian Empire or Roman Implantation?," in *Military Aspects of the Aristocracy in Barbaricum in the Roman and Early Migration Periods*, ed. Birger Storgaard, 95–111 (Copenhagen: National Museum, 2001); Xenia Pauli Jensen, "From Fertility Rituals to Weapon Sacrifices" and "Warrior Identities."

136   Norgård Jørgensen, "Weapon-offering Types," 46–47.
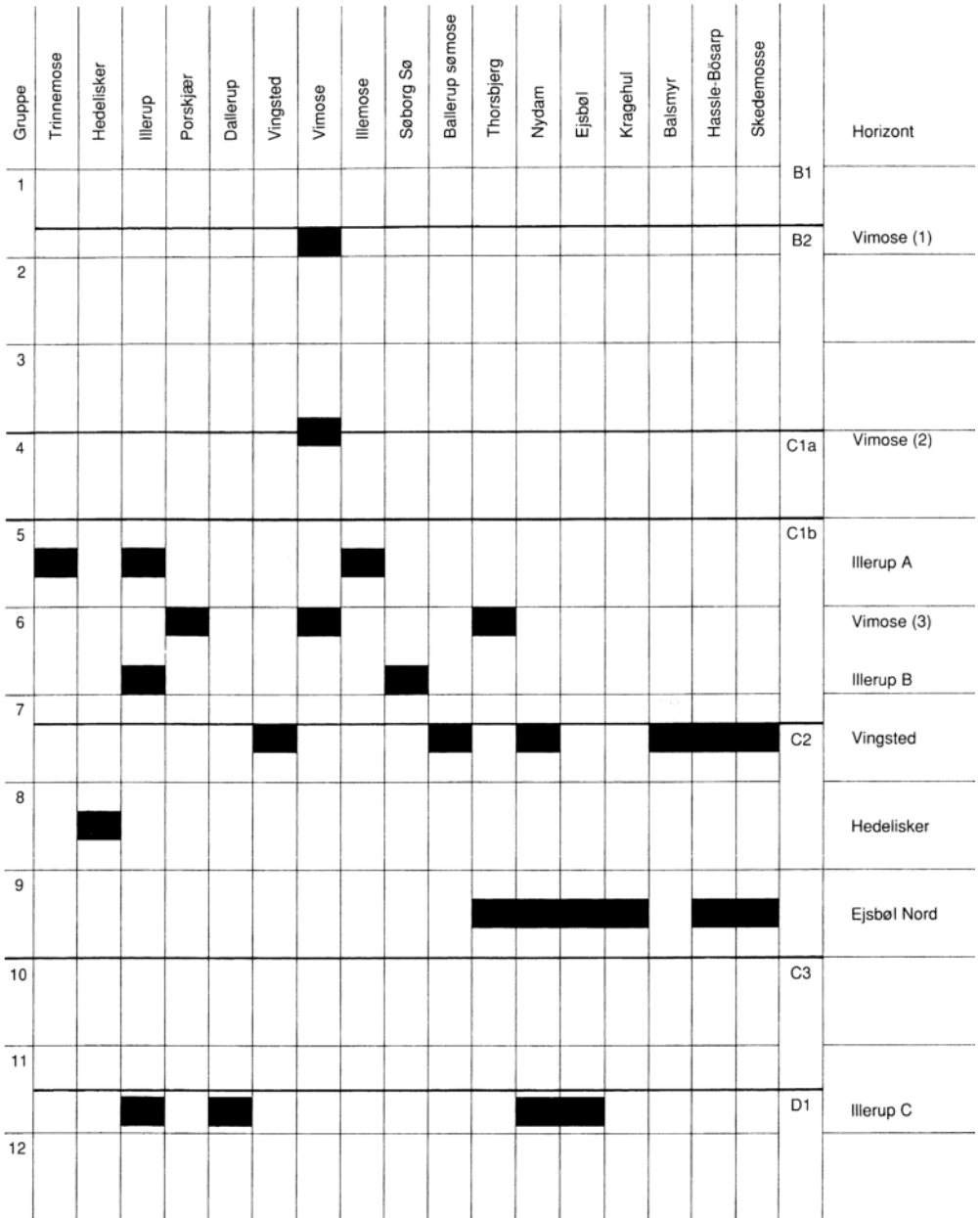
FIGURE 1.3
Chronological distribution of war booty offerings in some Danish bogs from roughly 75 CE
(beginning of B2) to 450 CE (end of D1) [after Ilkjær, "Danish war booty sacrifices," Fig. 2]

earlier non-military offerings."[137] This might be expected since virtually every wetland of South Scandinavia is the site of food sacrifices offered in Iron Age pots.[138] Wetland deposits of ceramics associated with animal bones, white stones, platforms, and other materials are traditionally interpreted "as a kind of fertility ritual."[139] At Forlev Nymølle, in eastern Jutland, near the bog weapons-deposits in the same Illerup river valley, one of the largest fertility religion sites in northern Europe was excavated, including a ten foot tall natural-wood figurine, considered a goddess statue.[140] Modest fertility ceremonies were carried out at ten locations in the Forlev Nymølle site over about six centuries, a period that overlaps at least the c. 200 CE and 230 CE weapon sacrifices nearby, and probably the c. 375 CE one as well. Remains include a portion of human shoulder blade apparently used as an amulet; a connection of the practices at Forlev Nymølle with the cult of the *dísir* and with tribal organizations based on female kinship has been suggested.[141] War-booty deposits may be considered a transition away from the older fertility-religious uses of bogs by individuals, families, or tribes. War-booty offerings suggest emerging regional communities or polities; that is, larger social entities that emerged out of the recurrent necessity of large-scale armed self-defense.[142] In Scandinavia, where Iron Age bog votive deposits had renewed even earlier traditions, the powers venerated in the initial dedications of the war gear of defeated invaders are likely to have been the same as, or related to, those previously honored in wet locations.[143] But only late social and religious relationships are represented in the *Beowulf* poem's treatment of the dragon's hoard. Goddess-venerating communities like those who used Forlev Nymølle shrines for centuries before and during the bog weapons deposits nearby in the Illerup Å watershed have been transformed into *mǣre þēodnas* [famous princes] (3070), like Hrothgar (129, 345, 1046, 1598, 1992), Beowulf (797), and even Heremod (1715).[144]

Stjerna rightly observed that "[t]he continually repeated [war-booty] offerings will … have kept alive a knowledge of the character of the buried objects, and this agrees with the descriptions in *Beowulf,* for … the most lengthy of

137   Pauli Jensen, "From Fertility Rituals," 55.

138   Battaglia, "Hall versus Bog," 47.

139   Pauli Jensen, "From Fertility Rituals," 55. In Anglo-Saxon England, "almost half of cremation graves … contain evidence of animal sacrifice." See: Howard Williams, "Animals, Ashes and Ancestors," 19.

140   Battaglia, "Cannibalism," 142–143, fig. 14.1; Kaul, "The Bog," 33–34, fig. 7.

141   Battaglia, "Cannibalism," 142–143 n. 31, 146.

142   Battaglia, "*Beowulf*: A Regime of Enforcement," 41.

143   Pauli Jensen, "Warrior Identities," 77.

144   Besides the people whose weapons went into the hoard (2234, below), *æpele* [noble] is used only for Beowulf (198, 1312) and his father (263).

the descriptions shows, in spite of the intervening time, no ignorance of the nature of the objects which went to make up the hoard[s]."[145] Stjerna was not correct, however, in suggesting that "traditions as to the original deposit are obscurely visible," for few readers of the poem will discern that the rite that made a thank-offering of the weapons in bogs was originally part of, or at least compatible with, a fertility religion that included a goddess as object of veneration.[146] Replacing the agency of self-defending goddess-venerating communities with "famous princes" substitutes an imagined past for the more complex actual one, and expands the power of kings, whose ancestors surely must have been revered aristocrats.

The poem does, however, retain an important clue as to the origin of the dragon's hoard:

> Þǣr wæs swylcra fela
> in ðām eorðse[le]   ǣrġestrēona,
> swā hȳ on ġeārdagum   gumena nāthwylċ
> eormenlāfe   æþelan cynnes,
> þanchycgende   þǣr ġehȳdde,
> dēore māðmas

> [There was much of such ancient treasures in the earthhall, since, in days of yore, some man of noble kin, thanks-thinking, (had) hid them there, an enormous legacy, precious treasure-gifts] (2231b–2236a).

The adjective *þanchycgende* is a compound of *þanc* + *hycgende* [thanks + thinking]. *Þanc* occurs six times in the poem as a simplex meaning "thanks," four of the six being thanks to a deity. *Hycgende* occurs in the compound *wīshycgende* [wise-thinking] (2716), describing Beowulf. *Þanchycgende* appears to identify the hoard as, literally, a "thank-offering." John Hines uses the term for a bog-weapons deposit: "It may be too simple to infer in the minds of those who made these deposits no more than a concept of fulfilling a contract, a retrospective payment or thank offering for a victory granted. [But] it is tolerably clear that gift-exchange, particularly of the spoils and rewards of warfare, was

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145   Knut Stjerna, *Essays on Questions,* 150. Wade Tarzia has noted that oral transmission of these events will have "compress[ed] historical details." See: "The Hoarding Ritual in Germanic Epic Tradition," *Journal of Folklore Research* 26.2 (1989): 99–121 at 106.

146   Fabech has noted that "sacral names are only rarely associated with booty-sacrifices and other bog finds. This suggests that the original sacral names of these religious places vanished with the cessation of their sacral significance." See: "Booty Sacrifices," 137.

perceived as one of the fundamental bonds of the relevant warrior societies."[147] That the deposit of the hoard was considered by some "man of noble kin" *and* by the poet to be gift-exchange is clinched by the term *mað(þ)um*, which Thomas Markey traces into prehistory to enlarge our understanding of gift-exchange in early Europe.[148]

The being that kills *Beowulf* is called the *weard* [guardian][149] (2524, 2580, 2842, 3066) or *hyrde* [keeper] of the *beorg* [2304] or *hoard* [3060] numerous times. That a dragon guards treasure is a recurrent theme of Northern Mythology, appearing in *Fáfnismal, Völsunga Saga* and other texts.[150] The association of dragons with treasure may derive from these phenomena:

1. The hoard of *Beowulf*'s *wyrm* emanates from folk memories formed as communities of South Scandinavia, through several centuries, repeatedly made thank-offerings (or, later, other kinds of dedications) in fifty watery locations to deities responsible for victory in combat.

2. Wetlands of South Scandinavia had been for millennia the site of ceremonies and rites of indigenous chthonic religion. Those religious practices had included the honoring of serpents for cooperating with the sun, receiving its bounty into the earth, and contributing to the health of living things, including humans.[151]

A religious reverence for sites hallowed by sacrifices may be assumed, with an adverse response to be expected from the powers to whom the sacrifices had been made if the offerings were tampered with or violated. In the poem, representatives of these chthonic powers are destroyed as memories of their earlier veneration are obliterated in a reconstruction of the past.

The poem opens by recalling *Gār-Dena ... / þēodcyninga þrym* [the power/ greatness of the Spear-Danes, kings of a people] (1a–2). The word *þēodcyning* combines lexemes: *þēoden* + *cyning*. The first, originally a term for a religious and political leader of an ethnic tribe, was "on the retreat" at the beginning of

147   John Hines, "Ritual Hoarding in Migration-Period Scandinavia: A Review of Recent Interpretations," *Proceedings of the Prehistoric Society* 55 (1989): 193–205 at 195.

148   T.L. Markey, "Gift, Payment and Reward Revisited," in *When Worlds Collide, Indo-Europeans and Pre-Indo-Europeans*, ed. T.L. Markey and John Greppin, 345–362 (Ann Arbor: Karoma, 1990).

149   *Warað* [he guards] (2277).

150   Fulk, Bjork, and Niles, *Klaeber's Beowulf,* xlv–xlvi, 299.

151   Lines 2275b to 2277a share vocabulary with *Maxims II,* 26f (n. 83 above). The Latin-derived term *draca* (2273) would not have been part of a maxim in Germanic prehistory; however, in light of the emended (*hea*)*r*(*h*) [2276], it is noteworthy that "Old Danish *hørg* ... referred to collections of stones which identified sacred places in bogs," like Forlev Nymølle, Jutland, where "all ten find concentrations ... were so marked." See: Battaglia, "Cannibalism," 147; Kaul, "The Bog," 34, and the passage on "central element ... white stones."

written records; the second, originally a term for a petty chief, became the title for a powerful military ruler.[152] Herwig Wolfram has suggested that the term is the exact equivalent of East Germanic *thiuda-reiks* or Theodoric—one of the commonest of Germanic royal names after Theodoric the Ostrogoth ruled Italy from 491 to 526.[153] After the opening lines of the poem, *þēodcyning* is subsequently an appellative for Hrothgar of the Danes, Beowulf when ruler of the Geats, and Ongenthēo of the Swedes. It certainly appears to reference regents of large political entities headed by a military commander. But the occurrence of *þēodcyning* has been proposed as evidence of *Beowulf*'s late date of composition since the term also occurs in skaldic poetry. The *Beowulf*-poet is alleged to have been "imposing his own monarchic mentality upon the past."[154] Conditions in Anglo-Saxon England, however, vitiate such an objection. Sir Frank Stenton observes that: "In the seventh and eighth centuries the distinction between a king, an under-king, and a thegn set in charge of a province by his lord was blurred by the recurrent subjection of all the southern English rulers to an overlord whose powers over their lands and men were very wide."[155] So the political geography of southern England in the seventh century already included the claims and conflicts of superior kings who governed petty kings and other reigning aristocrats.

The prologue to the laws of Ine (688 × 694) extends the term *þēod* in another figurative direction that has become commonplace.[156] Ine declares that he took counsel with, among others, "þæm ieldstan witum minre þeode" [the chief councilors of my people].[157] As D.H. Green explains, Ine thus "refers to … Wessex by the word *þēod,* [meaning] the people organized as what is now a Christian state."[158] In seventh-century England, *mīn þēod* was being used paternally to designate a kingdom. The laws of Ine are also of interest when considering the dragon episode of *Beowulf* because they give us a sense of social changes in England that can be characterized as constraining the behavior of an unreconstructed warlord—one aspect of the *Beowulf* dragon. Ine's code includes "the first of many enactments intended to discourage the export of

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152   James, "Barbarian Kingdoms," 43; Green, *Language and History,* 121–140; n. 51 above.

153   Cited in James, "Barbarian Kingdoms," 43.

154   Roberta Frank, "Skaldic Verse and the Date of *Beowulf,*" in *The Dating of* Beowulf, ed. Colin Chase, 123–139 (Toronto: University of Toronto Press, 1981), 130; disputed in George Clark, *Beowulf* (Boston: Twayne, 1990), 47.

155   F.M. Stenton, *Anglo-Saxon England*, 3rd edn. (Oxford: Oxford University Press, 1971), 45–46.

156   n. 54, above.

157   Attenborough, *Laws*, 36–37.

158   Green, *Language and History*, 125.

slaves into foreign markets."[159] Several regal purposes may be discerned in such a measure. For one, soldiers in Ine's army could not be sold as slaves after a losing battle.[160] Additionally, such provisions also made direct violent expropriation of humans less easily remunerative. A limit was set to the plunder of persons in Wessex. The free-ranging expropriations of an older type of warlord were not compatible with expanding kingly power.

Killing Eanmund, nephew of Onela, earned Wihstan the sword Wiglaf would carry. But besides being Onela's brother's son, Eanmund was a king's son: his father Ongenthēo had ruled before Onela. The *Edictus Rothari* authorizes the killing of whomever a king wanted dead. The *Leges Saxonum* prohibits the killing of sons of a king. In different ways, these legal provisions extended the dominion of rulers. But Onela's actions make apparent the potential contradiction: even though such a deed is forbidden to others, a king could freely cause the death of the son of a king. Heads of government would go on for more than a millennium generating laws to strengthen their ability to govern, including new strictures on treason. Wiglaf's sword symbolizes the potential ferocity of that process, now challenged by the Nuremburg Tribunal's declaration of international human rights.

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159   H.P.R. Finberg, *The Formation of England 550–1042* (London: Paladin, 1974), 62. "Gif hwa his agenne geleod bebycgge, ðeowne oððe frigne, ðeah he scyldig sie, ofer sæ, forgielde hine his were [& wið Godd deoplice bete]" [If anyone sells one of his own countrymen, bond or free, over the sea, even though he be guilty, he shall pay for him with his wergild and make full atonement with God (for his crime)]. Text and trans., Attenborough, *Laws, Ine* 11, 40–41. Ken Dowden, *European Paganism* (London: Routledge, 2000), 181 discusses later Germanic prohibitions of slave export. Æthelred's was listed as the first such prohibition in Pollock and Maitland, *English Law*, I, 96n29.

160   After defeat by Mercia in the Battle of Trent in 679, Imma of Northumbria was sold to a Frisian slave-trader for marketing in London. Venerable Bede, *Historia Ecclesiastica,* in *Baedae Opera Historica,* 2 vols., ed. Thomas Stapleton and trans. J.E. King (Cambridge, MA: Harvard University Press, 1963), 118–125; Pelteret, "Slavery," 120.

In Sickness and in Health: the Boethian Narrative of the Two Geralds of Brecon

Sarah J. Sprouse

Nos igitur hupupe quondammodo que nidficat in stercoribus suis similes extitimus; nepos autem noster cuculum, qui nutritores suos, cum adultus fuerit, devorare solet, expresse representat.

[In some ways we are like the hoopoe who builds her nest in her droppings, while our nephew clearly resembles the cuckoo who, when he is fully grown, usually devours his foster-parents].

GIRALDUS CAMBRENSIS[1]

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A contract in the Canterbury Chapter Archives, recorded between 1203–1204, was executed to silence the exceedingly vocal Giraldus de Barri (1146–1223). More widely known as Gerald of Wales, he spent much of his life advocating for the primacy of St. David's Cathedral in Wales, including three trips to the pope in Rome. This contract stipulated that Gerald would never again raise the metropolitan claim for this bishopric and, in exchange, his nephew Giraldus fitz Philip would be confirmed as the archdeacon of Brecon when Gerald retired. This contract is remarkable for two reasons: The first is that Gerald orchestrated a controversial suit for the archiepiscopal primacy of St. David's, which lasted several years and was initially supported by the Welsh clergy, Welsh princes, and even King John. The second point is Gerald's incredible hypocrisy in light of his long career pursuing moral reform of the Church,

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1 Giraldus Cambrensis, *Speculum Duorum*, ed. Yves Lefèvre & R.B.C. Huygens, trans. Brian Dawson (Cardiff: University of Wales Press, 1974), 6–7. This edition provides the Latin with facing-page translations. Hereafter, page numbers are given in parentheses. Michael Richter wrote an introduction, which is also referenced below.

including nepotism of this exact kind. Nepotism is not particularly unusual in ecclesiastical offices, but Gerald was emphatic in his admonition of the practice. In his *Descriptio Kambriae* [*Description of Wales*], Gerald wrote of the practice in Welsh churches: "Successive quoque, et post patres, filii ecclesias obtinent, non elective; hereditate possidentes, et poluentes sanctuarium Dei" [When fathers die, the sons succeed, not by election, but as if they held these benefices by hereditary right, which is a pollution of God's sanctuary].[2] The contract Gerald signed represented his resignation to the status quo and precipitated a legal and moral conflict with his nephew.

After Gerald's heartbreaking resolution to give up on the primacy of St. David's (his purported life's cause) in order to secure a position for fitz Philip, this same nephew absconded from his duties, slandered the Church (and Gerald), and stole from parishes. These acts were nothing short of treasonous in the eyes of Gerald. After all that transpired, Gerald retreated to Lincoln in a self-imposed exile, and there wrote the treatise known as *Speculum Duorum* [*A Mirror of Two Men*; hereafter, *Speculum*]. Perhaps the most emotional and melodramatic of Gerald's works (and yet one of the least popular), the *Speculum*, which only survives in Rome, Vatican Library, Codices Reginenses Latini MS 470 (c. 1216), enacts a Boethian self-consolation that functions as both rebuke to his nephew and a remedy for wickedness. Gerald borrows the Boethian physician/patient metaphor and the consolation genre of *Consolatio Philosophiae* [*The Consolation of Philosophy;* hereafter, *Consolatio*][3] in order to console himself in the wake of his nephew's treacherous acts and the lack of legal remedies from the ecclesiastical court. Gerald explains his motivation in writing the *Speculum*, according to a letter to the clergy of Hereford, which is included in the manuscript, though not formally incorporated into the main body of the text:

> presertim vero cum conquerendi intuitu, quatinus nos utcumque quasi querulo carmine consolemur, et corrigenda, quatinus nepos noster crebra verorum inspection et ad animum revocatione saltem ob verecundiam emendetur, et premuniendi ceteros, ut in casibus similibus discant decetero caucius negociari, cum hoc, inquam affectu solum et proposito singula proponantur, non infamandi, quia *quicquid agant homines, inten-*

2   Giraldus Cambrensis, "Descriptio Kambriae," *Giraldi Cambrensis Opera*, ed. James F. Dimock, Rolls Series, no. 21 (London: Longman, 1873), 6:214. Gerald of Wales, "Description of Wales," *Gerald of Wales: The Journey through Wales and the Description of Wales*," trans. Lewis Thorpe (New York: Penguin, 1978), 263.

3   Except when referring to the Latin edition, which uses the title *De Consolatione Philosophiae*.

tion iudicat omnes, quamquam tamen aliqua revera, immo pleraque vide-
antur inserta, que male meriti maleque morigerati et prorsus ingrate
famam et opinionem non inmerito ledere possint.

[For the purpose of this book is to complain—so that we are comforted
somehow with this plaintive song; and to reform—so that our nephew,
by seeing the truth frequently and keeping it in mind, should be set on
the right course by truthfulness; and to warn others—so that they should
learn to act with greater circumspection in future when similar circum-
stances arise; since, I say, the individual charges are put forward with this
idea and intention alone, not of slandering, because 'whatever a man
does he is judged by his intentions', although truly, however, some of the
charges, indeed most of these included, appear to be of the kind which
could not undeservedly damage the reputation and standing of an un-
worthy, badly behaved, and ungrateful person]. (164–5)

The stated intent is complex, but the *Speculum* ultimately serves as a personal
consolatory song, punctuated by a poem summarizing Gerald's harshest medi-
cine for his nephew. By assuming the physician role played by Lady Philosophy
in the *Consolatio*, Gerald situates his nephew as the patient in need of such
medicine. This framework, adapted from Boethius's *Consolatio*, establishes a
consolation for Gerald rather than for his nephew. Boethius wrote his last work
from prison while preparing for his execution, while Gerald composed the
Speculum in exile after fitz Philip turned the Welsh clergy against him. Like
Boethius, there was little else Gerald could do to cope with the circumstances
of his nephew's treachery other than write a lament, and because he lacked a
patron for his work, Gerald was free to pursue the intimately personal desire
for self-consolation.

The *Speculum* is unpolished, suggesting that it is a draft still in the process of
revision. It is divided into two parts (*Pars*), revised from an extensive letter that
he wrote to his nephew.[4] Each section sets out the nature of Gerald's com-
plaints as well as the methods for remedying the nephew's metaphorical dis-
ease. Following Lady Philosophy's pattern, the first section is a gentler antidote
while, in the second, Gerald is more aggressive with his remedies, including
identifying fitz Philip's tutor, William de Capella, as a cancer that must be ex-
cised. After the second part, there is a short poem of twelve lines pertaining to
the wickedness of his nephew (fol. 77v), followed by a series of letters that

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4   Fitz Philip called the letter a libel according to Gerald in his letter to the clergy of Hereford.
    See: Giraldus, *Speculum*, 160–1.

Gerald wrote about the affair to other individuals including Albinus (canon of Hereford), Hugh (dean of Hereford), William (precentor of Hereford), Ralph Folet (canon of Hereford), William (chancellor of the church of Lincoln), John (prior of Brecon), Geoffrey (bishop of St. David's), and the Prior of Llanthony, as well as a preface to a sermon on St. Stephen.[5] The series of letters at the end of the work suggest that the *Speculum* is unfinished because the relevant material in these letters was not incorporated into the body of the two main parts. In their paleographic analysis, Yves Lefèvre and R.B.C. Huygens explain that there "is no rubric at the top of folios 95–104, and it would thus appear that the last two letters of the *Epistolarum Pars* were added to the manuscript after the rubrication of the preceding pages."[6] In other words, the last two letters (directed to the Prior of Llanthony and Bishop Geoffrey of St. David's) in the third part were late additions to the work. These last two letters reflectively summarize Gerald's grievances and his legal case against Bishop Geoffrey, whom Gerald argues "non instigator talium et tam turpium, sed pocius extinctor, non fultor quidem, sed ultor esse deberet" [should not have been the instigator but the suppressor, not the promoter, but the punisher of such evil crimes] (254–5). According to Huygens, these two letters were written in approximately 1213–1214, later than the others.[7] It is unclear why they were included later, but it is possible that Gerald did not initially envision them as part of the work. The *Speculum* is one of Gerald's last works and the extant manuscript dates to just five years before his death in 1223. These letters, because they exist as a separate section, function as supporting evidence for the arguments made in the first two parts. These letters reinforce Gerald's complaint of treason by widening the scope of the *Speculum* beyond the intimate confines of a letter from an uncle to his nephew.

Beyond these letters, there is little evidence to suggest that others were particularly moved by what transpired between Gerald and his nephew. Gerald made many enemies (amongst his former friends and allies as well as his foes) during his bid for the primacy of St. David's, which accounts for the lack of serious upheaval when his nephew started stealing from Gerald's benefices. Gerald's bid for appointment to the bishopric of St. David's arose when its Bishop Peter de Leia died (1198), leaving the seat open for election. Initially, Gerald had

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5   Gerald's inclusion of his preparations for a sermon on Saint Stephen suggests that he saw his own situation as analogous to the persecution and martyrdom of Stephen. See: Acts 6:11–14 regarding the gathering of false evidence against Stephen. If Gerald had fully revised the *Speculum*, it seems likely that he would have developed this connection.

6   Michael Richter, "Introduction," *Speculum*, xix.

7   R.B.C. Huygens, "Une lettre de Giraud le Cambrien propos de ses ouvrages historiques," *Latomus* 24.1 (1965): 90–100 at 97.

the support of most of the Welsh canons[8] and even King John, but Archbishop Hubert Walter of Canterbury was determined to install a Norman bishop to help maintain the primacy of Canterbury.[9] Hubert Walter convinced King John that it would not be advantageous to appoint a man who was actively promoting the cause of Welsh ecclesiastical independence.[10] King John's change of heart altered the tenor of the proceedings, casting them in terms of treason against the Crown. By 1201, Gerald was declared an "enemy of the Lord King, working openly against the dignity of the Crown, and encouraging the Welsh to plot against the king" by John's justiciar, Geoffrey fitz Peter, in a letter to the abbot of Whitland, which declared anyone supporting Gerald an enemy of the Crown as well.[11] By 1203, Gerald's case had completely collapsed, and he resentfully put forth names of two other candidates whom he considered suitable for the position—Walter Map and John of Brancaster.[12] Archbishop Hubert Walter rejected both men and appointed Geoffrey de Henlaw, a safe Anglo-Norman candidate who had previously served as a private chaplain to Walter.[13] Gerald disapproved on the basis that Geoffrey knew neither the language nor the customs of the Welsh people (280–1). At this time, a dejected and isolated Gerald signed the 1203 compromise agreement.[14] Orchestrated by the Bishops of Ely and London, this contract was witnessed by several other bishops and required Gerald to put aside forever the matter of the metropolitan status of St. David's and his election to its bishopric. In exchange, Archbishop Hubert

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8   Canterbury Chapter Archives, Eastry Correspondence, Bundle 6, f. 1, a letter from Hubert Walter regarding the outcome of the canons' election. While Bishop-Elect, Gerald began acting in the capacity of the bishop by confirming churches and responding to petitions. For a copy of one such record, see: *Cartularium Prioratus S. Johannis Evangelistae de Brecon*, ed. R.W. Banks (London: Cambrian Archaeological Society, 1884), 56–7.

9   David Walker, *Medieval Wales* (Cambridge: Cambridge University Press, 1990), 76–7; Michael Richter, *Giraldus Cambrensis: The Growth of the Welsh Nation* (Aberystwyth: National Library of Wales, 1972), 102.

10   C.R. Cheney, *Hubert Walter* (London: Nelson, 1967), 81.

11   Walker, *Medieval Wales*, 118–9. See also: *De Iure et Statu Menevensis*, in *Giraldi Cambrensis Opera*, ed. J.S. Brewer, Rolls Series no. 21 (London: Longman, 1863), 3:196. At that time, Gerald also lost the regular pension he had secured from the Plantagenet court for his years of clerical service there. See: Richter, "Introduction," *Speculum*, xxxi, particularly n. 64, in which he traced the specific sums from the *Pipe Rolls*.

12   Joshua Byron Smith, *Walter Map and the Matter of Britain* (Philadelphia: University of Pennsylvania Press, 2017), 17. Gerald's stated purpose in nominating these two men was that they both had some knowledge of the Welsh language or at least their customs.

13   Canterbury Chapter Archives, Chartae Antiquae C, f. 105r. See also: Cheney, *Hubert Walter*, 62–3, 163.

14   Canterbury Chapter Archives, Reg. A, f. 73v. For a full transcription of the document, see: Michael Richter, *Giraldus Cambrensis: The Growth of the Welsh Nation* (Aberystwyth: National Library of Wales, 1972), 135–6.

Walter agreed to confirm fitz Philip to the archdeaconry of Brecon, allowing Gerald to continue receiving the revenues of that position until his death. At the outset, the terms of this agreement were upheld by all the parties. Archbishop Hubert Walter assigned Gerald compensation of 60 marks to settle the dispute. The money was to be paid in installments, and Gerald had received a fraction of it by 1205.[15] The death of Hubert Walter in 1205, which precipitated Pope Innocent III's Interdict on England from 1208 to 1214,[16] led to a collapse of the peace maintained by the contract. Gerald also never received the remainder of the financial settlement promised by Hubert Walter.[17] This agreement was not especially popular in Welsh ecclesiastical circles, so the archbishop's death left Gerald in the uncomfortable position of having to defend his nepotism.

In the lead up to that agreement, Gerald took fitz Philip into his care to tutor and groom him for an ecclesiastical position. However, fitz Philip was not particularly receptive to these attentions. Gerald repeatedly rebukes his nephew for illiteracy and laziness in the *Speculum*. It is evident from the text that fitz Philip's principal language was Welsh, rather than French, and that he neglected his Latin studies too (42–61). Poor language skills would keep fitz Philip from maturing as a figure in the Church, and his lack of interest in Latin signaled to Gerald a greater ineptitude. Gerald refers to his nephew as "neronianus revera discipulus" [a true pupil of Nero] (70–1), situating himself in the role of Seneca, the Roman emperor Nero's tutor, who failed to turn his pupil away from savagery and was sentenced to death.[18] While fitz Philip never committed any crimes as brutal as Nero, Gerald found the comparison suitable for describing his nephew's tendency towards lies and theft. After an extended

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15 William G. Batchelder, "The Courtier, the Anchorite, the Devil and his Angel: Gerald of Wales and the Creation of a Useable Past in the *De Rebus a se Gestis*," (PhD Dissertation, Ohio State University, 2010), 262–3.

16 In 1208, Pope Innocent III placed England under Interdict because King John refused to accept the pope's appointee Stephen Langton for the Archbishopric of Canterbury. The Interdict lasted until 1214, essentially freezing the ecclesiastical administration in England for six years. See: William Campbell, "Growth, Crisis and Recovery," in *The Landscape of Pastoral Care in 13th-Century England*, 25–36 (Cambridge: Cambridge University Press, 2018), especially the "Interdict" section at 32–36. See also: Canterbury Chapter Archives, Chartae Antiquae C, f. 109r for a letter from King John regarding an agreement made with newly consecrated Archbishop Stephen Langton regarding ecclesiastical elections after the Interdict.

17 Batchelder, "The Courtier, the Anchorite, the Devil and his Angel," 262–3.

18 Philippa Byrne, "Instructing the Disciples of Nero," *Haskins Society Journal* 25 (2014): 187–204 at 203. Gerald makes this statement as part of his accusations that fitz Philip is a lazy student, one more likely to be persuaded by evil than virtue. See also Gerald's own explanation of the same in *Speculum*, 118–9.

stay in Ireland to visit relatives, Gerald hired William de Capella as a new tutor for fitz Philip (44–5). According to Gerald, de Capella saw this promotion as an opportunity for personal financial gain at the expense of Brecon, as well as other nearby churches (78–81).[19] Under de Capella's tutelage, fitz Philip transitioned from lazy pupil to treacherous archdeacon; indeed, the tutor devised the financial schemes that would help fitz Philip take advantage of, and defame, Gerald (114–5).

Soon afterwards, de Capella and fitz Philip found an ally in Bishop Geoffrey de Henlaw of St. David's. In 1208, Bishop Geoffrey collected some of the revenues from the Brecon archdeaconry, prompting a dispute with Gerald (248–9).[20] The paltry sum was not enough to merit Gerald's journey from Lincoln to argue for its return, but he gave consent for his nephew and de Capella to go to Hereford to resolve the matter on his behalf. At Hereford, fitz Philip and de Capella complained to both the bishop and Pope Innocent III that Gerald had unlawfully withheld revenues from his nephew. However, according to Gerald, it was fitz Philip and de Capella who had been taking revenues unlawfully from Gerald's churches at Brecon and a grange at Llandew (250–1). The nephew and pupil used this occasion to share with Bishop Geoffrey private letters from Gerald's office at Lincoln, which prompted Bishop Geoffrey to side with fitz Philip, and, in turn, Gerald appealed to the pope for a breach of contract.[21] While Gerald explains that he received a favorable answer, and though both the nephew and de Capella were compelled to appear, nothing came of the suit (250–3).

However, fitz Philip and de Capella journeyed to Brecon and then to St. David's to appeal the suit. At each stage of their journey, the nephew and his tutor stayed at houses and churches owned by Gerald, which Gerald viewed as further theft and imposition, especially given that his financial situation was bleak (88–9).[22] Along the way, they enjoyed lavish hospitality at Gerald's expense. When they returned to Lincoln, Gerald refused to see them, so de Capella and fitz Philip returned to Wales. However, before they left Lincoln, the nephew and his tutor combed through Gerald's library of works and compiled,

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19   Again on 210–11, where Gerald writes "Sed in aqua turbida solet esse piscatio bona, sicut et apud Tinebeh nunc apparet" [But fishing is usually good in troubled waters, as indeed now seems to be the case at Tenby]. The benefices of the church at Tenby were unlawfully collected by de Capella. Gerald reports that the loss was forty marks annually from the archdeaconry, the prebend, and the church of Tenby (218–9).

20   Gerald reports that the total sum was about five or six marks.

21   Due to the Interdict, the archbishopric of Canterbury was at that time vacant, so Gerald's only recourse for a legal suit was directly to the pope.

22   Batcheld, "The Courtier, the Anchorite, the Devil and his Angel," 264.

and possibly elaborated on, quotations from many of Gerald's more hostile private letters and papers (142–3). Gerald's corpus of written material is full of invectives and complaints, including tirades against many ecclesiastical and political figures, which would be severely damaging for a man already on tenuous footing with the Welsh and English authorities. These vitriolic quotations were compiled into a letter that was copied and distributed in Wales to those parties about whom the passages were written (208–9). Gerald does not identify the specific individuals involved, but it seems likely that Bishop Geoffrey was one of the figures mentioned in the letter since Gerald's relationship with him had never been a congenial one. This was the final move to fully turn Bishop Geoffrey against Gerald. The nephew took full control of Brecon away from his uncle, including the revenues, and remained archdeacon until the mid-thirteenth century.[23] Gerald remained at Lincoln[24] and wrote a lengthy letter of complaint to his nephew, as well as a series of letters to various ecclesiastical officials, all of which he compiled into the extant version of the *Speculum*.[25]

The *Speculum* does not offer one coherent narrative of these events, but instead reconciles them into a work more fitting for the rhetorical style of the consolation genre. Gerald's self-proclaimed *carmine consolari* [song of lamentation] (152–3) was never circulated in copies to anyone else, and its stated audience is fitz Philip, but it remains unfinished, suggesting that it may never have been distributed at all, even to fitz Philip. In it, Gerald constructs a fictional fitz Philip, a potentially receptive patient who willingly listens to the litany of his faults and receives insights for moral improvement. The real fitz Philip does not appear to have either reconciled with his uncle nor accepted any of Gerald's suggestions. The dearth of corroborating or even conflicting written accounts of the nephew's betrayal indicates that Gerald cared a great deal more about fitz Philip's treacherous activities than anyone else involved,[26]

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23   According to Richter, Gerald fitz Philip cannot be traced in the records beyond 1246/7. Richter, "Introduction," *Speculum*, xxxviii. See also: M.J. Pearson, "Archdeacons: Brecon," *Fasti Ecclesiae Anglicanae 1066–1300: Volume 9, the Welsh Cathedrals* (*Bangor, Llandaff, St Asaph, St Davids*) (London: Institute of Historical Research, 2003), 54–6.

24   After the resolution of the Interdict, Gerald did receive revenues from Tenby again, but he stayed at Lincoln. See: Richter, "Introduction," xxxvii.

25   For other accounts of the events that transpired, see: Richter, "Introduction," xxx–xxxiii; Byrne, "Instructing the Disciples of Nero," 190–1; and Batcheld, "The Courtier, the Anchorite, the Devil and his Angel," 262–5.

26   The same is true of modern scholarship. While a few scholars such as Philippa Byrne and Everett U. Crosby address the *Speculum Duorum* and Gerald's nephew in their work, there has been relatively little written about these events. Even the most prominent works on Gerald—Richter's *Giraldus Cambrensis*, Robert Bartlett's *Gerald of Wales: A Voice of the Middle Ages* (Stroud: Tempus, 2006), and H.E. Butler's *The Autobiography of Gerald of*

so the *Speculum* is a de facto self-consolation because it is a remedy of words for Gerald alone. The lack of a patron for the latter years of Gerald's life gave him the space to reflect inward and write on much more personal matters, to vent his disappointment and frustration at what he saw as his nephew's treachery, even if only to himself.

The *Speculum* adheres to the rhetoric of consolation found in similar works from antiquity despite its aberrant formation of the physician-patient-remedy structure. Antonio Donato argues that two common characteristics of the consolation genre are that it "(i) manifests the author's awareness that language has therapeutic power and (ii) tries to heal by employing whatever argument, register of language, or linguistic device that author deems appropriate for the case at hand."[27] Donato challenges the suggestions by earlier critics that Boethius's work does not fall under the rubric of Consolation genre or that it fails (or partially fails) to function as consolation.[28] The contentious argument focuses squarely on whether the *Consolatio* is a work of self-consolation. Clifford Robinson argues that this self-consolation is ironic because it is structured on a problem of contradictory conditions: "since the philosophers must possess the self-mastery and self-possession that qualifies the consoler to perform his task felicitously, and they must lack those very same qualifications, insofar as their experience of loss has exposed their dependence upon others and they thus require consolation."[29] Gerald elides such contradictions by positioning himself in the narrative of the *Speculum* as the consoler, and by providing remedies to fitz Philip in the shape of harsh rebukes informed by philosophy and clerical law. The comfort of the work rests in the preponderance of evidence that Gerald provides, placing himself on the right side of the law even though fitz Philip succeeds in his treachery. This reconfiguration is another manifestation of the consolation rhetorical strategy of placing the author in the narra-

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Wales (Woodbridge: Boydell, 2005)—only briefly allude to Gerald's nephew and what transpired.

27   Antonio Donato, "Boethius's *Consolation of Philosophy* and the Greco-Roman Consolatory Tradition," *Traditio* 67 (2012): 1–42 at 7–9. See also: Antonio Donato, *Boethius's* Consolation of Philosophy *as a Product of Late Antiquity* (New York: Bloomsbury, 2013); Antonio Donato, "Self-Examination and Consolation in Boethius' *Consolation of Philosophy*," *Classical World* 106.3 (Spring 2013): 397–430.

28   See: John Marenbon, *Boethius* (Oxford: Oxford University Press, 2002); J.C. Relihan, *The Prisoner's Philosophy: Life and Death in Boethius's* Consolation (Notre Dame: University of Notre Dame Press, 2007); T.F. Curley, "How to Read the *Consolation of Philosophy*," *Interpretation* 14 (1984): 211–63. John R. Fortin, "The Nature of Consolation in *The Consolation of Philosophy*," *American Catholic Philosophical Quarterly* 78.2 (2004): 295–305.

29   Clifford Robinson, "The Longest Transference: Self-Consolation and Politics in Latin Philosophical Literature" (PhD Dissertation, Duke University, 2014).

tive as a character. Boethius, like Gerald, finds himself in a lamentable position and constructs a narrative based on one of the principal metaphors of consolation rhetoric—the physician-patient-remedy formula. In *Consolatio*, Boethius is the patient, and, thus, the character within the narrative seeking consolation. This structure supposedly has its roots in the work of the Greek tragedian Antiphon (480–411 BCE). Pseudo-Plutarch explains Antiphon's work:

λέγεται δὲ τραγῳδίας συνθεῖναι καὶ ἰδίᾳ καὶ σὺν Διονυσίῳ τῷ τυράννῳ. ἔτι δ᾽ ὢν πρὸς τῇ ποιήσει τέχνην ἀλυπίας συνεστήσατο, ὥσπερ τοῖς νοσοῦσιν ἡ παρὰ τῶν ἰατρῶν θεραπεία ὑπάρχει· ἐν Κορίνθῳ τε κατεσκευασμένος οἴκημά τι παρὰ τὴν ἀγορὰν προέγραψεν, ὅτι δύναται τοὺς λυπουμένους διὰ λόγων θεραπεύειν καὶ πυνθανόμενος τὰς αἰτίας παρεμυθεῖτο τοὺς κάμνοντας. νομίζων δὲ τὴν τέχνην ἐλάττω ἢ καθ᾽ αὑτὸν εἶναι ἐπὶ ῥητορικὴν ἀπετράπη. εἰσὶ δ᾽ οἳ καὶ τὸ Γλαύκου τοῦ Ῥηγίνου περὶ ποιητῶν βιβλίον εἰς Ἀντιφῶντα ἀναφέρουσιν. ἐπαινεῖται δ᾽ αὐτοῦ μάλιστα ὁ περὶ Ἡρώδου, καὶ ὁ πρὸς Ἐρασίστρατον περὶ. τῶν ταῶν, καὶ ὁ περὶ τῆς εἰσαγγελίας, ὃν ὑπὲρ ἑαυτοῦ γέγραφε, καὶ ὁ πρὸς Δημοσθένη τὸν στρατηγὸν παρανόμων. ἔγραψε δὲ καὶ κατὰ Ἱπποκράτους· τοῦ στρατηγοῦ λόγον καὶ εἷλεν αὐτὸν ἐξ ἐρήμου. (883–4)[30]

[Antiphon is reported to have composed some of his tragedies by himself and others with the tyrant Dionysius. During the time in which he was still pursuing poetry, he designed a method for the cure of grief, on the fashion of the treatment of the sick by doctors and, having built a little house in Corinth, near the market-place, he advertised that he was able to cure those suffering from grief through [the power of] words; he would discover the causes of their sickness by inquiry and immediately give consolation to the sufferers]. (7–8)[31]

This "remedy of words" is the basis for how the consolation genre works. Philosophy and rhetoric are deployed to lead the sufferer through the reasons of their suffering, and the resulting enlightenment is meant to console. Gerald, as the author of the *Speculum*, performs this rhetorical "remedy of words" for himself, as the character, by detailing the causes of suffering in the lengthy letter to his nephew. This consolation exposes his personal feelings of betrayal,

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30 Plutarch, *Moralia*, ed. Gregorius N. Bernardakis (Leipzig: Teubner, 1893). The quote above, from the "Lives of Ten Orators" and collected into the *Moralia*, was attributed to Plutarch, but has since been identified as one of the Pseudo-Plutarch works. See: Michael J. Edwards, "Notes on pseudo-Plutarch's *Life* of Antiphon," *The Classical Quarterly* 48.1 (1998): 82–92.

31 Translation: Donato, "Greco-Roman Consolatory Tradition," 7–8.

which is then supported by the evidence of the accompanying letters in the third part of the work. While fitz Philip is the patient of the *Speculum*, Gerald is the one who experiences the catharsis. The resolution arises only in the narrative, rather than real life, and, thus, the consolation is experienced exclusively in the text.

Boethius deploys that split in the *Consolatio*, which produces two Boethiuses—the writer Boethius and the character Boethius, or "the prisoner."[32] As the writer, Boethius presents his audience with a philosophical text explaining the nature of the world, and, as the narrator, he receives consolation from Philosophy in the form of an explanation of the world. If Philosophy is the physician and the narrator-Boethius is the patient, then writer-Boethius enacts a form of self-consolation through narrative construction. For Gerald, this structure permits a fictional reimagining of fitz Philip that offers some cathartic relief for himself. The remedy for the narrator's ills is a *speculum*-esque explanation of the world and the reasons for the rise and fall of his fortunes in it. That explanation is the consolation, regardless of whether it succeeded in consoling the author. The *Consolatio* is a treatise of suffering; the remedy is an explanation for why he must suffer. Boethius preserves a philosophy of wickedness as illness for future generations. This kind of equivalence creates the possibility for redemption of the nephew in *Speculum* because an illness is treatable. If Gerald can cure his nephew, or at least lead fitz Philip towards the cure, then he can find comfort in his own actions as the metaphorical physician. Just the act of leading fitz Philip through the "remedy of words" consoles Gerald and posits the possibility of a cured nephew. The character-Boethius reflects on that illness in Book 4, Prose 1:

> Sed ea ipsa est uel maxima nostri causa maeroris quod, cum rerum bonus rector exsistat, uel esse omnino mala possint uel impunita praetereant; quod solum quanta dignum sit ammiratione profecto consideras. At huic aliud maius adiungitur; nam imperante florenteque nequitia uirtus non solum praemiis caret, uerum etiam sceleratorum pedibus subiecta calcatur et in locum facinorum supplicia luit. Quae fieri in regno scientis omnia, potentis omnia, sed bona tantummodo uolentis dei nemo satis potest nec ammirari nec conqueri. (78–9)[33]

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32   For the sake of this argument, the character will be referred to as "narrator-Boethius."

33   Boethius, *De Consolatione Philosophiae*, ed. Wilhelm Weinberger, Corpus Scriptorum Ecclesiasticorum Latinorum, 67 (Vienna, 1934): 78–9. Hereafter *De Consolatione.* Page numbers are given in parentheses.

> [But, although the sorrow caused by my misfortunes had made me forget these truths, I had not always been ignorant of them. Here, though, is the greatest cause of my sadness: since there is a good governor of all things, how can there be evil, and how can it go unpunished. Think how astonishing this is. But it is even more amazing that with wickedness in full control, virtue not only goes unrewarded, but it is trampled underfoot by the wicked and is punished instead of vice. That this can happen in the realm of an all-knowing and all-powerful God who desires only good must be a cause of surprise and sorrow to everyone]. (58)[34]

Boethius uses the narrative conceit of himself as a character to establish the horrors of the world and to explain his own predicament. It is a form of self-consolation to define the mechanisms of evil, and his antidote to suffering (his consolation) occurs through the survey. The *Speculum* relies on this same structure with narrator-Gerald describing the sequence of wicked acts and influences that lead fitz Philip down the path of his illness. The antidote is a compilation of descriptions of fitz Philip's deeds and a variety of *exempla* for comparison, all of which ultimately consoles Gerald rather than curing his nephew. So, the consolation is for Gerald, but the medicine is for fitz Philip.

The *Prima Pars* presents the gentler of the two types of medicine like that which Lady Philosophy administers to narrator-Boethius. Gerald begins with a rubric stating: "Incipit speculum duorum et utile cognicionis, correctionis, conquestionis et commonicionis instrumentum" [Here begins the Mirror of Two Men, a useful Manual for Recognition, Correction, Complaint, and Exhortation] (2–3), a clear decree that the treatise could be used to address the moral failings of others. However, what follows is a description of fitz Philip's treachery and a flurry of *exempla* designed to remedy the nephew's disease and console the author. If Gerald had had a patron, or if he had revised the *Speculum* for other audiences, it would have become a manual designed for much wider use. However, it remains a personal and vindictive work that highlights fitz Philip's betrayal, rather than providing useful instruction. He starts the text with a pun: "Magister Giraldus de Barri Giraldo archidiacono de Brechene, nepoti suo, et vere a nepa dicto, salute et salutacionem quam meretur" [Master Giraldus de Barri to Giraldus, archdeacon of Brecon, his nephew—a word justly derived from the Latin for a scorpion—the greeting and salutation he deserves] (2–3). *Nepos* [nephew] and *nepa* [scorpion] are bitterly punned throughout the text, reflecting Gerald's anger over the collapse of the contract

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34   Boethius, *The Consolation of Philosophy*, trans. Douglas C. Langston (New York: W.W. Norton, 2010), 58. Hereafter *Consolation*. Page numbers are given in parentheses.

with the archbishop of Canterbury and fitz Philip's ensuing treason. In the first full paragraph, Gerald takes up the metaphor of wickedness as disease, stating: "Qua scilicet nota non solum Lincolniam et Herefordiam atque Meneviam et Walliam totam, verum etiam Hiberniam, *pernicibus* semper *alis* fama volante, quia contagiosa quoque turpia esse solent et enormia, iam contaminavit" [by the disgrace of this scandal he has contaminated not only Lincoln, Hereford, St. David's, and the whole of Wales, but also Ireland; for scandalous and outrageous actions are normally contagious] (2–3). Gerald compares treachery to plague, connecting fitz Philip's actions to disease that requires the remedy of knowledge and remediation. Fitz Philip serves the approximate role of narrator-Boethius, and Gerald sets himself up as the physician. Just as narrator-Boethius is a fictional figure, so too is the character of fitz Philip as the patient. This fiction is necessary because it establishes a version of Gerald's nephew who might be receptive to the remedies that the real fitz Philip had already rejected outright. This artifice means that the *Speculum* will not likely achieve the stated goal of self-consolation because it has no bearing on reality, which is perhaps why the extant version is unfinished.[35]

Following his initial pun of *nepos* and *nepa*, Gerald identifies the principal treacherous acts that led him to write his letter of complaint. He explains that the *contagiosa* of treachery spread to all corners of Gerald's holdings, including ill-treatment of the men who work for him. This includes berating stable boys, who refused fitz Philip horses (on Gerald's orders), and the gardener, whom fitz Philip had "vinculus ferries compedivit" [bound in iron chains] because he questioned the extensive consumption of garden vegetables by fitz Philip and his cronies (3–5). To add to his complaint, Gerald describes a dream he had of fitz Philip, in which they were sharing a bed and "partem lecti maiorem occupans ex toto nos totis viribus expeller nitebatur" [he was taking up more than his fair share [of the bed] and was trying to oust us with all his might] (6–9). A second dream depicts fitz Philip in Welsh attire, uninterested in his archidiaconal duties. Gerald remarks that "Vestis igitur illa discolor et varia, levis et inordinate, levem eius animum, varium et incompositum designavit" [That multicoloured, variegated, frivolous, and disordered dress signified the fickleness, the changeability, and the disorder of his mind] (8–9). He then draws the connections for his nephew, arguing that these dreams or visions reflected the

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35   Instead, Gerald devoted the remainder of his days to moral reform of the church (*Speculum Ecclesiae*, c. 1220), setting out for posterity the facts of his suit for the primacy of St. David's (*De Iure et Statu Menevensis Ecclesiae*, c. 1218), and composing a work of instruction for the monarchy (*De Principis Instructione*, c. 1218). See: Bartlett, *Gerald of Wales*, 178–9.

very real problems of fitz Philip's sluggishness, sloth, and lack of good habits that all contributed to his ultimate turn to treachery.

After establishing the connections of sloth to treachery, Gerald launches into his *exempla* from contemporary events. He begins with the note that Walter Map thought it foolish to engage in the nepotism of transferring the archdeaconry to a nephew, citing the example of King Henry II and his sons who notoriously caused problems for him. Gerald tells a tale of a priest in Lincoln who gave his church to his son and, in turn, was made homeless and pushed into a life of poverty. He tells a similar story of a canon in Lincoln whose son was punished by the bishop—*episcopaliter* [as a bishop should][36]—for committing nefarious deeds; the bishop reinstated the father and sent the son to Rome to do penance (14–5). Gerald gives several additional anecdotes and then concludes by stating that: "Huius itaque nepotis nostril effectum est opera quod iam in exemplum apud Lincolniam positi sumus et proverbium" [The result of the action of this nephew of ours is that we have already become a proverbial example at Lincoln] (18–9). According to Gerald, he and fitz Philip have become another in the long line of cautionary *exempla* for the dangers of nepotism. Gerald notes for his patient that, sometimes, harsh words are necessary "ubi per lenia non proficitur" [when there is no profit in using gentle words] (22–3). In order to address the illness, Gerald argues that he must act as the doctor. He cites several authorities on the remedies of words, including Jerome, Solomon, and Martial.

Gerald is simultaneously writer and narrator of the events that transpire in the text. Narrator-Gerald, in the role of Philosophy, walks his nephew through a statement about the error of his ways, provides *exempla* that closely relate to the problems of nepotism and nephews, and then, as a doctor, takes fitz Philip through the moralizing remedies found in classical and biblical sources. Like Boethius, Gerald draws heavily on the medical metaphor, regularly identifying himself as the physician who must provide harsh but necessary treatment to his patient fitz Philip. On numerous occasions, Gerald seems to suggest that fitz Philip is lost in the way that narrator-Boethius is lost in Book 1 of the *Consolatio*. In *Secunda Pars* of the *Speculum*, Gerald places greater emphasis on this sense of miasmic confusion by addressing the ways in which the tutor de Capella has influenced and indeed tricked the nephew into repeatedly committing treachery. Taken as a whole, the work becomes the act of self-consolation for the bitter and betrayed Gerald, who presents to his lost patient all that has transpired and then identifies the possible remedies for his situation. In

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36   Literally, "in the fashion of a bishop." This appears to be a comment on Bishop Geoffrey de Henlaw for mishandling the events with fitz Philip.

direct reference to Boethius, Gerald tells fitz Philip: "Item et Boecius: 'Res quidem puerilibus auribus accommodates senior philosophiae tractatus eliminat'" [And Boethius: "The more mature reflections of philosophy get rid of the things that delight a child's ears"] (*Speculum* 138–9). In other words, philosophy is the remedy to the childish whims that seem to continue to move fitz Philip to injure his uncle.

While narrator-Boethius seeks solace in the proposed remedies of his physician, Gerald's nephew is much more resistant; however, the methods of instruction are similar. Both Philosophy and narrator-Gerald begin by stating that medicine is necessary. In *Consolatio*, Philosophy states:

> Nihil, inquit, pericli est, lethargum patitur, commune illusarum mentium morbum. Sui paulisper oblitus est; recordabitur facile, si quidem nos ante cognoverit, quod ut possit, paulisper lumina eius mortalium rerum nube caligantia tergamus (5).

> [There is no danger. You are suffering merely from lethargy, the common illness of deceived minds. You have forgotten yourself a little, but you will quickly be yourself again when you recognize me. To bring you to your senses, I shall quickly wipe the dark cloud of mortal things from your eyes]. (4)

Deception is a key concept for both texts. The riches of earthly goods lure away both narrator-Boethius and Gerald's nephew from righteousness. Fitz Philip was also deceived by de Capella and encouraged by him to pursue personal financial gain at the expense of Gerald. Through the influence of his tutor, fitz Philip stole church benefices and pursued luxurious activities such as music and eating rich foods rather than rigorously attending to his studies. Further, de Capella encouraged fitz Philip to see these benefices as his entitlement as the new archdeacon of Brecon, though the earlier agreement stipulated that he would not receive those incomes until after Gerald died. In blaming de Capella for his undue influence on fitz Philip, Gerald absolves his nephew of treachery to a certain extent, though he still feels that betrayal deeply. These conflicting perspectives are at the very heart of the dispute. Following in the footsteps of Philosophy, narrator-Gerald writes:

> Nam et qui freneticum ligat, et qui letargicum excitat, ambobus molestus, ambos amat. Sic et medicus, calibata nonnunquam manu putrida separans et ad vivum resecans, non parcit quidem ut parcat et sevit ut miseratur.

[For the man who ties up the madman, and the man who stimulates the lethargic man, provokes both of them, but loves both of them. So, too, the doctor, with a hand of steel, while cutting out the infected part, sometimes cuts down to the living flesh; he does not spare, in order to spare: he causes pain in order to be merciful]. (24–5)

Gerald uses a surgical metaphor, suggesting his medicine is necessary to cut out the "infected part," but his nephew has several such parts, too many to cure. Gerald identifies the other major source of infection as the negative influence of de Capella.

Gerald gives his nephew the background of de Capella's treacheries and crimes in order to reveal to fitz Philip the moral dangers of continuing down this path. These include keeping a concubine, theft from the benefices of Brecon, and even taking possession of the church of Llanhamlach. This church had belonged to de Capella's father, who told Gerald on his deathbed that it had been unlawfully taken from him by de Capella (112–3). Gerald repeatedly cites biblical sources and canon law to demonstrate the illegality and immorality of de Capella's actions. He repeats the warning that fitz Philip must turn away from his tutor "si de patris optimi natura" [if there was any trace in you of your admirable father's nature] (120–1). Gerald writes, "si tales aut talia diu vobis adheserint et placuerint, materne nature peiorisque partis eiusdem melancolia pessima vos plenum esse pro certo prohabetis" [If such characters and such activities are associated and please you for long, you can be quite sure that you are full of the dreadful madness of the worse side of your mother's nature] (120–1). If fitz Philip cannot extract himself from his tutor, who appeals to his very worst qualities, then there can be no redemption.

Examining that danger of the tutor is one of the primary purposes of the *Secunda Pars*. First, Gerald identifies all the ways in which fitz Philip now resembles his tutor. He explains to his nephew: "Preter prodicionem itaque nobis factam in hoc quod vos abduxit, immo seduxit, dum vos perpetuo infamam reddidit" [Apart from betraying us in the manner in which he alienated, indeed seduced your affection, while at the same time making you eternally notorious] (78–9). He sets up the argument to be about William de Capella, who Gerald calls *de capre* [the whoreson] in the rubric for *Secunda Pars*,[37] and the damage caused to everyone because of fitz Philip's involvement with him.

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37   Gerald uses this appellation a few times in the text, especially in the compilation of letters in the third part. Just as Gerald finds a natural pun between *nepos* and *nepa*, he also relies on the punning quality of *de Capella* and *de capre* to make his point to third parties (especially Bishop Geoffrey de Henlaw since he is an integral participant in the incidents that transpired).

According to Gerald, it is because of the ills of lethargy and foolishness that fitz Philip was so prepared to be seduced by the wickedness of the tutor; thus, the problems addressed in the first part lead directly to the argument made in the *Secunda Pars*. In order to begin to reconcile himself with the right path, fitz Philip must look inward and contemplate the ways in which his temporal desires led him to his current state. In the *Secunda Pars*, Gerald leads his nephew through *exempla* from historical accounts, legal texts, biblical paraphrase, and classical philosophy to address those weaknesses and guide fitz Philip away from de Capella. Gerald identifies the ways in which de Capella tricked fitz Philip into doing his bidding, noting that the tutor even jokingly called fitz Philip his duckling. Gerald argues that

> sicut pullus adulterinus fugax est semper et aberrans, sic et vobis, aliene nature, qua replemini, morem gerenti, fugere quam cicius a nobis, sicut et nunc videri potest, et aberrare, ne et exorbitare dicamus, expedire.

> [just as the bastard chick is always flighty and straying, since you have a totally different nature from ours, you found it convenient to escape from us as quickly as possible, as can now be seen, and to stray, not to say turn aside, from the path of virtue]. (84–5)

In other words, fitz Philip is receptive to the seductions of his tutor because of the illnesses addressed in the *Prima Pars*, and, thus, he is lost to this dubious influence. Gerald describes the ways in which he too was initially seduced by the flattery and smooth-talking of de Capella, even noting that Richard, a dean at Brecon, warned him about the earlier crimes and treachery of de Capella. In essence, he acknowledges his own weaknesses as a contributing factor to de Capella's eventual seduction of fitz Philip. Gerald identifies several of his nephew's misadventures with the tutor and then states:

> Set ecce qualiter verbis his et similibus ad recalcitrandum, ut officialis vester et plus-quam-magister fieret, modis omnibus vos instigare parabat, quatinus etiam in aqua turbida melius piscari posset, qui, etiam in aqua clara et limpida, nimis bonam hactenus, per frauds tamen et falsitates multas et crebras, apud nos invenit piscacionem.

> [But see how, with these and similar words he set about inciting you by all means to kick over the traces, so that he might become your official, and more than your tutor, so that he could get even better fishing in troubled waters, when he found, even in the clear, untroubled waters of your

household, the fishing to be very good, with many frequent frauds and forgeries]. (94–5)

Gerald then states that de Capella will not be fishing from *his* bank anymore and that, if fitz Philip wishes to continue to be deceived, de Capella can continue fishing from fitz Philip's side. Gerald follows up this statement, advising fitz Philip to repent now and step away from the tutor, noting "solet quod empta per iacturam sapiencia vix ab animo elabi, set tanquam in habitum verti et peretue memorie infigi solet" [the mind rarely forgets wisdom dearly bought: it becomes part of one's habit; it is buried deep in one's memory for ever] (94–5). This is the harshest medicine of all because it is the wisdom most painfully purchased. According to the constructed scenario of the *Speculum*, fitz Philip fell down the rabbit hole of de Capella's influence, and he must use the guiding lessons of Gerald's *exempla* to climb his way back out of it again. This patient is an abstraction from reality and, unlike the real fitz Philip, he might actually do the difficult work of extracting himself from his tutor.

The other primary source of infection is the nephew's Baskerville family blood. Fitz Philip is Gerald's brother's son, but fitz Philip's mother is a Baskerville, a Marcher family in Hereford with an apparently bad reputation.[38] While Gerald does not explain his reasons, it is evident that he despises the Baskervilles, but he also blames that bloodline for his nephew's poor linguistic skills and tendency towards dishonesty. He contends that even Henry II did not like them:

De hoc etenim hominum genere dicere consueverat rex Henricus secundus quia, si tantum vir unus de Bascrevillanis, sicut *avis unica fenix*, in mundo foret et non plures, totam mundi massam et machinam tantillo ferment contaminandam fore et corumpendam.

[King Henry the Second used to say of that family that if only one of the Baskervilles and no more were left in the world, like the single bird, the

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38   Jill Bradley speculates on the basis of generous donations to the Church that the Baskerville family had made themselves notorious in the Marches and that, through their monetary gifts, they sought some reconciliation with their Anglo-Norman neighbors. See: Jill Bradley, "Adapting Authority: The Harrowing of Hell on Two Romanesque Baptismal Fonts," in *Authorities in the Middle Ages: Influence, Legitimacy, and Power in Medieval Society*, 89–106 (Boston: De Gruyter, 2013), 94. See also: Brock W. Holden, "The Making of the Middle March of Wales, 1066–1250," *Welsh History Review/Cylchgrawn Hanes Cymru* 20.2 (2000): 207–226.

phoenix, the whole mass and complex of the world would be befouled and polluted by that speck of corruption, small though it was]. (58–9)[39]

This is not a direct quote from Henry II, but rather the king's perspective filtered through Gerald's perception of the source of fitz Philip's illness. The phrase *ferment contaminandam* [speck of corruption] implies that the Baskerville blood is itself a kind of contamination or disease that counters, in Gerald's mind, the noble de Barri family blood running through fitz Philip's veins. Gerald points out that his brother (fitz Philip's father) was never sarcastic, and he attributes that sarcasm and scorn directly to the Baskervilles as a family (30–1). Gerald tries to lead fitz Philip away from this illness of speech:

> Cum enim erudicioni vestre totis nisibus intendere deberetis, turpi totum stadium impendistis hactenus et impenditis prodicioni, quia vere puer indisciplinatus et pullus indomitus, qui nec litteris indulsistis, nec linguam latinam, aut etiam gallicam, addidicistis, nec linguam puerilem ac blesam exuistis, nec maturitatem ullam aut moralitatem induistis.

> [For when you should have been devoting all your efforts to your education, you spent and spend all your energy on base treachery; for, indeed, you were an undisciplined brat and an unbroken colt, who neither devoted yourself to literature, nor learned Latin or even French, nor rid yourself of your childish lisping, nor assumed any mature or decent outlook]. (32–3)

The message here is that the innate wickedness could be remedied if fitz Philip would just attend to his studies and listen to the lessons of his uncle. Gerald connects fitz Philip's disinterest in his studies to inept skills with speech, building on the first complaint to launch into the second. The lack of discipline produced his *lingua blesa* [lisping tongue] (26–7), which then fuels his boasts, speeches, and lies. Gerald notes that this is partially attributed to fitz Philip's unwillingness to listen, a problem that persists with the nephew's maturity from boy to man (26–31).

The subsequent sections of this first part identify the many ways Gerald attempted to lead fitz Philip to morality through education, citing the many authors he would set fitz Philip to read and identifying the ways in which fitz

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39   See also: B. Coplestone-Crow, "81.'The Baskervilles of Herefordshire, 1086–1300'," *Trans Woolhope Natur Fid Club* 43 (1979): 18–39.

Philip resisted. Gerald then turns to the ways in which fitz Philip might improve. He explains:

> Scire vos etiam ad hec volumus venerandis legibus et imperialibus cautum esse sanctionibus quod ob ingratitudinis odibile vicium et detestabile malum filii et heredes exheredantur et liberti quoque in servitutem revocantur.

> [In addition to this, it is our desire that you know a warning is given in venerable laws, as well as in imperial sanctions, that sons and heirs are disinherited, and freedmen re-enslaved, for the hateful crime, the detestable sin of ingratitude]. (60–1)

He suggests that fitz Philip's failings are akin to senility, which might be remedied with mental exercise, sobriety, and wisdom (64–5). Gerald supplies examples from within the de Barri family, identifying a cousin who was unwilling to seek remedies for his wickedness and, thus, fell into poverty in a foreign land (66–9), and naming a brother who did attend to his studies and became a good man (68–71). Gerald concludes this *Prima Pars* by encouraging fitz Philip towards gratitude, citing biblical sources and even canon law. He warns fitz Philip to turn away from wicked speech, reminding him "non enim a Domino datum est os istud" [That "mouth" of yours was not given to you by the Lord] (76–7). The last words of the *Prima Pars* transition directly into the *Secunda Pars*: "quia quails doctor talis discipulus" [Like master, like pupil] (76–7). The point Gerald makes to his patient-nephew is that there are many things about his character that can be remedied through wisdom; however, the one matter than cannot be cured is the tutor, de Capella. Fitz Philip has become the mouth of the tutor, so he must excise de Capella like a tumor in order to be cured of the illness.

Despite its large focus on the influences of the unmovable tutor, the remainder of the second part of *Speculum* again takes up the problems of fitz Philip's unwillingness to attend to his studies. Gerald reiterates the corroborating reports of various canons and prebends who noted fitz Philip's negligence of his books and his preference for his Welsh lute, archery, and hunting (138–9). Gerald also cites the ways in which fitz Philip, at the encouragement of his tutor, used Gerald's personal papers against him by compiling the letters and notes into what became the notorious pamphlet that circulated and incited the wrath of the Welsh clergy (142–3). Gerald describes de Capella's role with the language of poison: *toxico* [poisonous], *veneno* [venom], and *maliciose* [malice] (142–3). Gerald explains to his patient that the tutor poisoned him with

wickedness through sly seduction, like a demon possessing a man and making him do evil. His lack of interest in studying and general laziness are the flaws in fitz Philip's moral makeup that made him so susceptible to de Capella's influence. Fitz Philip can exorcise the tutor if he possesses the will to do so. Gerald concludes:

> Quociens igitur, ut ad vos verba vertamus, animum vestrum natura perverse pungit et ad scelerosa propellit, literas istas pre manibus et oculis in secreto tanquam speculum habeatis, in quo mores et modos ac gestus vestros inspicere possitis, et sic eos el mutare prorsus, si fieri posset, quoniam omni doctrina longe focior est natura, vel saltem minuere et mitigare curetis.

> [To return to you: whenever your wicked nature makes its presence felt in your mind, and pushes you on to the path of crime, keep this letter at hand for your private examination like a mirror, in which you can see your morals, manners, and habits, and thus be able to change them, if it can be done (for nature is far stronger than any teaching), or at least moderate and temper them]. (150–1)

Gerald also notes that a passive pupil of treachery is the worst friend to himself because he must be strong enough to rise above the temptations of a figure like de Capella. By constructing a fictitious nephew who can see his own moral failings and who will listen and actually consider the best path forward, Gerald vindicates his own perspective on the matter. This synthesis of the simpler and harsher medicines is meant to lead Gerald's patient back to full health, and the act of guiding fitz Philip through the methods of these remedies constitutes the consolation for author-Gerald.

The twelve-line poem that follows the *Secunda Pars*, but precedes the letters of the final section of the text, summarizes the points made in both the first and second parts of the *Speculum*. He refers to de Capella's seduction in the first lines: "En tibi quam bellum dat dicta capella capellum / Mensque secuta dolum, tendens ad turpia solum" [Oh, what a pretty chaplet that chapel gives you / And a mind that pursues guile and is intent on wickedness only] (ll. 1–2, pp. 154–5). Gerald laments in the poem fitz Philip's lack of maturity and urges him to mend his ways because crime increases "Ni cito deleta maiori sorte repleta" [Unless it is quickly destroyed and filled out again with greater things] (l. 12, pp. 154–5). The poem notes the damage to fitz Philip's reputation as a consequence of his wickedness and the dangers of not accepting the medicines Gerald offered to him. It serves as a final, abbreviated reminder to the nephew,

and it encourages him to follow the course of remedies carefully laid out in the first two parts to guide him out of his lethargy and treachery and back to healthful moderation and morality. Of course, the letter and this poem did little to persuade the real fitz Philip.[40] The revision of that lengthy letter into this dramatic work, the *Speculum*, indicates that Gerald is no longer attempting to persuade fitz Philip; rather, he is trying to console himself by reiterating his complaint and remedies. Just as Boethius must console himself by writing a narrative of Lady Philosophy, so too must Gerald seek self-consolation in a narrative revision of illness and antidote.

The whole of the work attempts to lead fitz Philip away from the combined illnesses of his own laziness and the dangers of the tutor which have led him into treachery. The remedies presented to the patient—reflection and self-discipline to cure the laziness and distance from the tutor to avoid external temptations—are both meant to extract the wickedness that Gerald sees as the main culprit for fitz Philip's treachery. The fact that the real fitz Philip did not pursue either remedy means that the *Speculum* is both a letter that failed and a consolation text that may have succeeded, if only in providing comfort to Gerald. However, the incomplete state of the *Speculum*, coupled with the fact that Gerald turned his attention to other works of ecclesiastical and moral reform prior to his death, indicates that the catharsis of the written word was momentary and that the self-consolation of the *Speculum* failed. The differing accounts of events in the constructed part of the text (the *Prima Pars* and *Secunda Pars*) and the unmodified letters of the third part demonstrate Gerald's desire to reconcile with his nephew and to resolve his disappointment with reality. The *Speculum* is a meaningful text because this Boethian expression of the conflict reveals the deeply personal impact for Gerald. In his later years, Gerald was unable to secure a patron for his writing,[41] which was a new and unusual difficulty that added to his financial troubles. However, it also gave Gerald the space to write a deeply personal work that explored the possibility of such self-consolation. Without the constraints of writing to the interests of a patron, Gerald began the revision process of his letters to express this complicated relationship with his nephew. Just as his uncle, Bishop David of St. David's, had groomed Gerald for an ecclesiastical position, so too Gerald sought to raise fitz Philip in his own image. This failure defines Gerald's last years, shaping his position, financial struggle, exile from Wales, and apparent personal turmoil.

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40 In the end, fitz Philip actually fathered four children despite maintaining his ecclesiastical position. See: J.S. Barrow, "Gerald of Wales's Great-Nephews," *Cambridge Medieval Celtic Studies* 8 (1984): 101–6; and Pearson, "Archdeacons: Brecon," 54–6.

41 Batchelder, "The Courtier, the Anchorite, the Devil and his Angel," 265.

Treasonous and Dishonorable Conduct: The Private Dimension of Treason and Chivalric Reform in Late Medieval Florence

Peter Sposato

The chronicles and histories of late medieval Florence are replete with acts of violence committed by the traditional warrior elite. While scholars have identified a whole host of economic, social, and political factors that served as catalysts of this violence,[1] recent scholarship by historians of chivalry has stressed the important role played by chivalric ideology in valorizing violence committed by traditional elites in defense of their honor and autonomy.[2] And yet, the ideas and ideals that comprised Florentine chivalry, like iterations elsewhere in Italy and Europe, were often in tension with one another. Effusive praise of prowess and violence was met with the quiet approval of restraint and mercy and the honorable treatment of noble and knightly enemies. These "reform virtues," which already existed within the general European constellation of chivalry under the loose umbrella of "courtesy," were promoted by individuals both within and outside of chivalric circles in late medieval Florence and Tuscany. These reformers shared similar concerns about the deleterious consequences of uncontrolled chivalric violence and responded by offering various reform themes. One such theme involved the reconceptualization of treason

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1 The literature is extensive, but see in particular: Silvia Diacciati, *Popolani e magnati: Società e politica nella Firenze del Duecento* (Spoleto: CISAM, 2011); Andrea Zorzi, *La trasformazione di un quadro: Ricerche su politica e giustizia a Firenze dal comune allo Stato territoriale* (Florence: Firenze University Press, 2008); John Najemy, *A History of Florence, 1200–1575* (Malden, MA: Blackwell Publishing, 2006); Jean-Claude Maire Vigueur, *Cavalieri e cittadini: Guerra, conflitti e società nell'Italia comunale* (Bologna: Il Mulino, 2004); and Carol Lansing, *The Florentine Magnates: Lineage and Faction in a Medieval Commune* (Princeton: Princeton University Press, 1991). General studies include: Samuel K. Cohn Jr. and Fabrizio Ricciardelli, eds., *The Culture of Violence in Renaissance Italy* (Florence: Le Lettere, 2012) and Lauro Martines, ed., *Violence and Civil Disorder in Italian Cities* (Berkeley: University of California Press, 1972).

2 Peter Sposato, "Chivalry and Honor-Violence in Late Medieval Florence," in *Prowess, Piety, and Public Order in Medieval Society: Studies in Honor of Richard W. Kaeuper*, ed. Daniel Franke and Craig Nakashian, 102–119 (Leiden: Brill, 2017). For the general European context, see: Richard Kaeuper, *Medieval Chivalry* (New York: Cambridge University Press, 2016).

as synonymous with dishonorable conduct in armed conflict between individual knights.[3]

Indeed, subtle reform currents circulated within chivalric circles, primarily through the medium of imaginative literature, especially the large corpus of very popular chivalric romances composed and consumed in Tuscany in the thirteenth and fourteenth centuries.[4] Given the nature of the extant historical sources for this period of Florentine and Tuscan history, however, it is difficult to establish with certainty which knights read, listened, and even tried their hand at writing romances. These sources also offer little insight into whether the ideas and ideals embedded in these texts had an appreciable impact on the mental framework and behavior of historical knights. This lack of insight into the intellectual and cultural milieu of the Florentine warrior elite can be explained by the sociocultural origin of most contemporary chroniclers, who belonged to a different and antagonistic cultural community, that of the Popolo.[5] These *popolani* authors were not only largely ignorant of the intricacies of Florentine chivalry, but, as intellectual representatives and proponents of a popularly-supported Florentine government underpinned by a nascent civic ideology that was in many ways antithetical to chivalry, their works were often overtly hostile toward this group.

As a result of the limitations of traditional historical sources in the Florentine context, scholars must rely more heavily on the suggestive body of evidence provided by romances. Constance Bouchard and Richard Kaeuper have both argued for the validity and necessity of using imaginative literature to understand chivalry in the general European context, and this holds true for Florence and Tuscany.[6] Moreover, the recent scholarship of Martin Aurell strongly suggests that many Florentine and Tuscan knights read and listened

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3   For an important example of a reformer operating outside of chivalric circles, the Florentine notary Brunetto Latini, see: Peter Sposato, "Reforming the Chivalric Elite in Thirteenth Century Florence: The Evidence of Brunetto Latini's *Il Tesoretto*," *Viator* 46.1 (Spring 2015): 203–228.

4   For an analysis of reform messages in chivalric literature, see: Kaeuper, *Chivalry and Violence,* 231–297; Kaeuper and Elspeth Kennedy, *The Book of Chivalry of Geoffroi de Charny: Text, Context, and Translation* (Philadelphia: University of Pennsylvania Press, 1996), 29–30, 52–56; and Sposato, "Reforming the Chivalric Elite," 210–227. A comprehensive discussion of these romances can be found in *The Arthur of the Italians: The Arthurian Legend in Medieval Italian Literature and Culture*, ed. Gloria Allaire and F. Regina Psaki (Cardiff: University of Wales Press, 2014) and Daniela Delcorno Branca, *Tristano e Lancillotto in Italia: Studi di letteratura arturiana* (Ravenna: Longo Editore, 1998).

5   For a basic overview of the Popolo, see: Najemy, *A History of Florence,* 35–62.

6   Constance Bouchard, *'Strong of Body, Brave and Noble': Chivalry and Society in Medieval France* (Ithaca: Cornell University Press, 1998) and Richard Kaeuper, "Literature as Essential Evidence for Understanding Chivalry," *Journal of Medieval Military History* 5 (2007): 1–15.

to literary works. In fact, Aurell notes that literacy among the warrior elite in Communal Italy was perhaps the highest in Europe, pointing out that the spatial arrangement of elite households were designed to enhance the experience of listening to literature read aloud.[7] Aurell's work complements the more general scholarship of Robert Black for late medieval and Renaissance Florence and Tuscany, painting a picture of literate or semi-literate knights who would have been more than capable of understanding, possibly even fully reading and writing, works of imaginative literature.[8]

Florentine knights who read or listened to these literary works were exposed to contradictory currents of thought: the most obvious is a veritable deluge of praise for violence committed in the defense or assertion of honor, but also present are more subtle reform messages intended to temper the violent excesses of the warrior elite. One of these reform messages connected dishonorable conduct with treason. Treason and its associated terms (betrayal, treachery, etc.) were traditionally associated with the public sphere and disloyalty to a lord or sovereign government,[9] but this particular current of reform sought to redefine treason in a private context as a betrayal of chivalry itself and, by extension, an abnegation of membership in the knightly order.[10] In these romances, the betrayal takes place when a knight engages in conduct that violates the normative ideals of chivalry, especially behaviors falling under the banner of courtesy, in order to successfully defend or assert his honor, thus turning an enterprise that is generally seen as positive and identity affirming into something dishonorable. Therefore, the goal of this current of reform was not to delegitimize knightly violence committed in the defense or assertion of honor, an idea that would have found little purchase among historical knights, but rather to limit the excesses of this type of violence by ensuring that knights conducted themselves in an honorable manner, one that allowed the prowess and valor of each knight to decide the victor.

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7   Martin Aurell, *The Lettered Knight: Knowledge and Aristocratic Behaviour in the Twelfth and Thirteenth Centuries*, tr. Jean-Charles Khalifa and Jeremy Price (Budapest: Central European Press, 2017), 39–97, 103–111, 145–172.

8   Robert Black, *Education and Society in Florentine Tuscany: Teachers, Pupils and Schools, c. 1250–1500* (Leiden: Brill, 2007).

9   For treason against a centralized authority in the Florentine context, see: Robert Fredona, "Baldus de Ubaldis on Conspiracy and *Laesa Maiestas* in Late Trecento Florence," in *The Politics of Law in Late Medieval and Renaissance Italy*, ed. Lawrin Armstrong and Julius Kirshner, 141–160 (Toronto: University of Toronto Press, 2016).

10   Kaeuper, *Medieval Chivalry*, 46–48 at 46; and Richard Kaeuper, *Chivalry and Violence in Medieval Europe* (New York: Oxford University Press, 1999), 186: Kaeuper argues that the focus of knightly loyalty was to chivalry itself.

This reform message was delivered to historical knights primarily through the use of exempla, specifically of literary knights who are condemned for their dishonorable conduct. Most of these offending knights reform their behavior after several rounds of castigation by fellow knights, which include accusations of treason. These reformed knights see their honor restored and their membership in the knightly order reaffirmed. These works also double down on this reform message by offering several exempla of traitorous knights who refuse or fail to be reformed and, thus, end their lives excluded from the chivalric community and with their honor destroyed by the indelible stain of shame. The ignominious fate of these unreformed knights was a powerful warning to historical warriors of the consequences of persisting in dishonorable and treasonous conduct.

Rustichello da Pisa's *Romanzo Arturiano*, a French redaction of a compilation of popular Arthurian material completed in Pisa (c. 1270–1274),[11] circulated widely in Tuscany and Italy,[12] appealing as it did to the "novellistic taste of municipal Italy of the late thirteenth century," and provided much of the material for later "Italian" Tristan romances.[13] The militaristic nature of the episodes in this work suggests that the romance would have attracted the attention of the warrior elite both in the courts of northern Italy as well as in the cities and countryside of Tuscany.[14] Thus, this romance would have introduced many historical knights to this reform message, primarily through the use of exempla.

When Tristan decides to spend the night at a castle whose owner is the father of a man Tristan had killed honorably in battle some time before, his identity is discovered and the lord of the castle orders twelve men to take Tristan into custody (312 [57.4]). The men arrive, fully armed, at Tristan's room and take him prisoner while he is unarmed and in bed:

> Allora il valvassore fece armare ben dodici uomini, e ordinò loro di recarsi subito nella camera dove era alloggiato Tristano, di catturarlo e di metterlo in prigione. Quelli subito vi si recarono, e trovarono Tristano in camicia e brache. Non potendosi difendere, così svestito e senza armi com'era, fu catturato con facilità.

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11   Rustichello da Pisa, *Il Romanzo Arturiano*, ed. and trans. Fabrizio Cigni (Pisa: Cassa di risparmio di Pisa, 1994). All English translations for this work are mine. Page numbers are given in parentheses.

12   Fabrizio Cigni, "French Redactions in Italy: Rustichello da Pisa," in Allaire and Psaki, *The Arthur of the Italians,* 21–40 at 26–27: Cigni identifies four principal manuscripts.

13   Cigni, "French Redactions in Italy," 25, 35.

14   Cigni, "French Redactions in Italy," 26.

[And then the vassal armed well twelve men, and ordered them to go to the room where Tristan was lodged, and to capture and put him in prison. They immediately went there and found Tristan in nightshirt and hose. Not being able to defend himself, as he was so dressed and without arms, he was easily captured]. (312 [57.11–14])

Making matters worse, the lord of the castle intends to execute Tristan (312 [58.16]), calling him a *malvagio traditore* [wicked traitor] and accusing him of killing his son in a *in modo così sleale* [very disloyal manner] (312 [58.22–23]). Tristan, of course, vehemently denies that he killed the lord's son through dishonorable means or, in fact, that he could ever conduct himself in a disloyal and treacherous manner: "o non mi sono mai comportato da sleale e traditore" [I have never behaved like a disloyal [knight] and traitor] (312 [59.1]). Thus, both the lord's accusation and Tristan's denial clearly establish the connection between dishonorable conduct and treason.

This connection is reinforced when Tristan laments that he cannot prove his innocence by means of his prowess and valor, a right belonging to any loyal and honorable knight, but one violated by the dishonorable and treacherous conduct of the lord of the castle:

> Tristano, vedendosi in quel luogo, dove a nulla gli valevano la prodezza e la forza delle armi, e considerando la grande sfortuna che gli era capitata, divenne furente e disperato, lamentando e piagendo la precoce fine delle sue imprese di cavaliere. "Oh, signor Lancillotto!" esclamò, "voi non sapete la mia disgrazia, altrimenti mi liberereste da una morte così vergognosa per me, che non sono in grado di difendermi!"

> [Tristan, seeing himself in that place, *where prowess and force of arms were worth nothing*, and considering the great misfortune that he had happened to him, he became furious and desperate, crying and lamenting the premature end of his knightly enterprise. "Oh, Sir Lancelot!," he exclaimed, "you don't know my disgrace, otherwise you would liberate me *from a death so shameful for me, that I am not capable of defending myself*!"]. (312 [58.19–21]; my italics)

Indeed, when the decision is announced that he is to be beheaded, Tristan loudly bemoans that he is unable to die a valorous, honorable death because of the dishonorable actions of the treacherous lord: "E invero abbiate pietà di un uomo a cui dispiace molto di più di non aver potuto mostrare il suo valore, ora che è giunto così presto alla fine, che della sua morte" [And verily have pity on

a man who is very sorry to not have been able to show his worth, now that he has arrived at the end, that of his death] (312 [59.9]).

Fortunately for Tristan, Palamedes arrives at the castle in time to stop his execution. The arrival of Palamedes also buttresses the thrust of the reform theme, as Palamedes and Tristan were frequent adversaries and only occasional allies. Indeed, Palamedes initially hesitates before saving Tristan, as he seems to recognize that Tristan's impending execution represents an opportunity to eliminate his greatest competitor on the field of honor. Tristan convinces Palamedes to rescue him by making it clear that, should Palamedes let him die in such a shameful and villainous manner, Palamedes would suffer great dishonor: "'Palamides, come puoi essere così malvagio da permettere che davanti a te stia per essere messo a morte il miglior cavaliere del mondo? Ne avrai certamente eterna vergogna, una volta che tutti sapranno che hai assistito a questo, e che non hai fatto niente per liberare il cavaliere!'" ["Palamides, how can you be so contemptible as to allow the best knight in the world who is before you to be put to death? You will certainly have eternal shame, as soon as all know that you have assisted in this, and that you have done nothing to free the knight!"] (312 (60.33–34). Thus, Tristan's powerful rebuke helps Palamedes see the error of his initial desire to allow Tristan to be killed through dishonorable means. In addition to avoiding the dishonor earned by standing by as Tristan dies in a shameful manner, Palamedes also wins great honor by freeing his erstwhile enemy through his prowess (312 [60.41–44]). In other words, in this scene, Rustichello promotes a reform message encouraging historical knights to recognize that vengeance or victory won through ignoble means is actually a source of dishonor and that by choosing not to exploit an opponent, even a mortal enemy, who is at a disadvantage, in turn earns a knight great honor.

While most of the knights in the *Romanzo Arturiano* are heroes who are easily reformed and redeemed, Rustichello also offers the powerful exemplum of a treacherous and dishonorable knight, the Signore della Rocca, whose obstinacy is overcome by Tristan's personal example of honorable behavior. The interaction between Tristan and the Signore della Rocca not only provides one of the clearest examples of a literary knight being reformed but it also highlights the tensions inherent within Florentine and Tuscan chivalry, tensions that *historical* knights had to negotiate. In short, this exemplum would have resonated with historical knights who, inevitably, more closely resembled the Signore della Rocca than the literary hero Tristan in their mentality and conduct.

Tristan first encounters the Signore della Rocca while traveling in the company of Palamedes after learning of his misdeeds from a pair of knights who had been defeated and mistreated by him previously (322 [92]). Rather than

attacking the Signore della Rocca and teaching him a lesson, Tristan decides instead to first instruct him on a variety of aspects of honorable conduct, an interaction that takes the form of a dialogue. Tristan begins by emphasizing the dishonor suffered when an armed knight attacks a peer who is unarmed: "'egli è disarmato; e voi avete le armi, perciò non potete toccarlo *senza riceverne disonore*'" ["he is unarmed; and you have arms, therefore you cannot touch him *without receiving dishonor*"] (323 [94.5–6]; my italics). The Signore della Rocca responds by claiming the right, perhaps even the obligation, to attack and kill his mortal enemy wherever he finds him: "'Se egli è mio nemico, è mio dovere assalirlo in qualsiasi luogo io lo incontri, e metterlo a morte, se mi riesce'" ["If he is my enemy, it is my obligation to assail him in any place that I meet him, and put him to death, if I am able"] (323 [94.7]). This powerful response would have resonated with historical knights, who also treated violent vengeance as both licit and praiseworthy.

Tristan's condemnation of the Signore's powerful impulse to secure vengeance at any cost, especially through dishonorable means, is a rare dissenting voice in a loud chorus of approval. Tristan's opinion, however, carries particular weight because of his status as the undoubted hero of Arthurian literature in Italy, making him a powerful agent of reform. Faced with the Signore's obstinacy, Tristan promises that all honorable knights will be required to resist his dishonorable efforts to secure vengeance (323 [94.7]). Tristan champions the reform message by acknowledging that violence committed when honor is in question is licit and praiseworthy, but only when carried out through honorable means. In the Signore's case, his desire to secure vengeance against a mortal enemy leads him to attack an unarmed opponent who is on foot and, thus, is a source of dishonor. Moreover, Tristan seems to understand the Signore's dishonorable conduct as an attack on the chivalric community, requiring all loyal and honorable knights to defend it.

Rather than taking the rebuke to heart, however, the Signore decides to attack Tristan, who is unarmed, thus directly contravening Tristan's lesson. Tristan condemns the Signore's intransigence in no uncertain terms: "'sareste davvero così fellone da uccidere un cavaliere errante disarmato, quando voi siete armato?'; 'In verità questo non è un comportamento leale, ma molto disonesto! E quando vedo in voi la disonestà, *non vi considero un cavaliere*'" ["are you truly so felonous as to kill a knight-errant who is unarmed, when you are armed"; "In truth this is not loyal conduct, but very dishonest! And when I see in you [such] dishonesty, *I do not consider you a knight*"] (323 [94.11–13]; my italics). Thus, Tristan's reprimand connects the Signore's dishonorable conduct, described as dishonest and disloyal, to the abnegation of his membership in knightly order. The Signore responds by doubling down on the justification

that a knight is obliged to attack his mortal enemy wherever and whenever he finds him (323 [94.12]).

After exchanging a few words, Tristan and the Signore della Rocca ride at one another with their lances leveled. This honorable act of violence, which Tristan easily wins thanks to his prowess and valor, stands in stark contrast to the dishonorable nature of the Signore's violence. In addition, Tristan offers the vanquished knight peace, an honorable act of mercy that also differs sharply from the Signore's now unrealized plan to kill Tristan after defeating him (323 [95.1–8]). The Signore della Rocca reacts with great humility to Tristan's offer of an honorable peace and forswears his desire for vengeance, implying that Tristan's prowess and honorable conduct has convinced him to change his ways (323 [95.16–20]). This last scene sharply emphasizes the reform theme, as Tristan succeeds in defending his honor through violence without resorting to dishonorable means, and he earns even greater honor by offering his vanquished enemy mercy, rather than putting him to death. Thus, Tristan is a powerful model of reformed knighthood to be emulated by historical knights.

The *Tristano Riccardiano*, composed in Tuscany (probably Pisa) by a Florentine in the late-thirteenth century (c. 1280–1300), also offers powerful exempla that promote a reform message connecting dishonorable conduct and treason.[15] The Florentine origin of the author suggests that he may have had the warrior elite of that city in mind when crafting this reform message, as Florence was plagued during the final decades of the thirteenth century by devastating violence inflicted by members of this group against one another and their fellow citizens. The composition of this work also roughly corresponds with the promulgation of a series of repressive laws aimed at controlling the excessive violence of Florentine knights.

The anonymous author of this work often explicitly connects dishonorable conduct and treason, as in the case of Lancelot's conflict with a fellow knight, Lamorak. The scene begins when Lancelot interrupts a private combat between two other knights, Lamorak and Maleagant, who are fighting over whether Queen Guinevere or Isolde, lady of Orcanie, is the most beautiful (316–318/317–319). When Lancelot discovers that Lamorak is serving as Isolde's champion in the *fait d'armes* (deed of arms or single combat), he takes this as an attack on Guinevere and, thus, as an affront to his personal honor.[16] His immediate resort to violence is typical of both literary and historical knights:

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15 *Italian Literature II: Tristano Riccardiano*, ed. and trans. F. Regina Psaki (Cambridge: D.S. Brewer, 2006) [hereafter *Tristano Riccardiano*]; all English translations are Psaki's. Page numbers are given in parentheses. See also: Marie-José Heijkant, "From France to Italy: The Tristan Texts," in Allaire and Psaki, *The Arthur of the Italians*, 48–50.

16 For a further discussion of Guinevere's treason, see in this volume: Albrecht Classen, "Treason and Deception in Late Medieval German Romances and Novels *Königin Sibille*,

"Per mia fé, voi avete molto fallito e molto malvagia[mente contra mee.—
E] incontanente ismontoe da cavallo e imbraccioe lo scudo e mise mano
a la spada e disse:—Cavaliere, ora lasciate a mee questa battaglia, imper-
cioe ch'io la voglio menare a ffine, perch'io debo difendere madama da
tutti li cavalieri."

["By my faith [Lamorak], you have offended me very seriously." At once
he dismounted from his horse, took up his shield and drew his sword,
saying, "Knight [Maleagant], leave this battle to me, and I will fight it to
the end, for it is I who must defend my lady from all knights"]. (318/319)

When Lancelot strikes Lamorak, who is busy fighting Maleagant and unable to
defend himself, the latter two knights join together to condemn Lancelot's vio-
lence. Lamorak criticizes Lancelot for "'voi fate molto grande villania quando
voi non ci lasciate menare a ffine nostra battaglia, la quale noi avemo incomin-
ciata intra noi due'" ["acting very basely in not letting the two of us conclude
the battle which we had begun"], a sentiment echoed by Maleagant who char-
acterizes Lancelot's conduct as "'la maggiore villania ch'unqua fosse fatta per
uno cavaliere'" ["the basest thing any knight ever did"] (318/319). Both rebukes
share a common theme: Lancelot's single-minded pursuit of vengeance against
Lamorak leads him to act in a dishonorable manner and, thus, act in a manner
unbefitting of a knight.

     Once again, the author explicitly connects dishonorable conduct and trea-
son when Lancelot strikes Lamorak for a second time. This time, Lamorak ex-
coriates Lancelot for his treacherous conduct: "'Per mia fé, Lancialotto, questi
kolpi che voi m'avete dati siranno ricontati davanti a lo ree Artù, sì come voi
m'avete ferito *molto malvagiamente* per due fiate'" ["By my faith, Lancelot,
these blows you have given me will surely be told before King Arthur, for you
have *treacherously* struck me twice"] (318–320/319–321; my italics). Just as
Tristan's example in the *Romanzo Arturiano* presents a model of reformed
knighthood for emulation by historical knights, so Lancelot's dishonorable
conduct and treason against chivalry itself is a powerful warning of how his-
torical knights should not comport themselves.

     Indeed, the author clarifies the consequences of dishonorable and treason-
ous conduct in this literary world with the arrival of a fourth knight, Eric, who
witnesses Lancelot's behavior:

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Melusine, and *Malagis*"; Inna Matyushina, "Treacherous Women at King Arthur's Court:
Punishment and Shame"; Melissa Ridley Elmes, "Treason and the Feast in Sir Thomas
Malory's *Morte Darthur*"; and Larissa Tracy, "The Shame Game, from Guinevere to Cersei:
Adultery, Treason and Betrayal."

"Per mia fé, cuscino, voi non fate kortesia, quando voi kombattete ko l'Amorat per questa aventura. Ond'io voglio che voi si lasciate questa battaglia e nnoe kombattete piue ko llui[...] Onde per lo certo il sappiate, se lo ree Artù sappesse queste kose, per neuna cagione voi sì ne potreste essere <iscusato> e ssareste molto biasimato e lo ree non vi vorrebe vedere in sua korte."

["By my faith, cousin [Lancelot], you are not courteous in fighting Lamorak over this adventure. I want you to drop the battle and fight no more with him [...] You may be very certain that if King Arthur learned about all this, there is nothing you could do to obtain pardon; you would be harshly blamed, and the king would not want to see you in his court ever again"]. (320/321)

Eric's warning about the dire consequences facing a knight if the larger chivalric community learned of his dishonorable and treasonous conduct seems to finally convince Lancelot to stop attacking Lamorak and make peace. The conclusion of the scene, however, leaves even a modern reader wondering about the sincerity of Lancelot's apology and the success of the reform message promoted by the three knights. Indeed, Lancelot's apology to Lamorak is qualified by an obstinate defense of his right, perhaps even obligation, to violently defend the honor of his lady and, by extension, his own honor: "'im[percioe che voi] sappete bene ked io sì *debo* difendere mada[ma in *tu*]*tte parte a mio podere*'" ["for you [Lamorak] know very well that I *must* defend my lady *everywhere, to the best of my ability*"] (320–322/321–323; my italics). Lamorak can only respond by praying that Lancelot "'per un'altra fiata voi non dobiate <fare> quella villania'" ["not do such a base thing another time"] (322/323).

Like Lancelot, the eponymous hero of the *Tristano Riccardiano* also needs reform. Tristan's dishonorable conduct occurs during a fight between the hero and an unknown knight near the Fountain of Adventure (286–290/287–291). After exchanging many blows and admiring one another's prowess, the two knights come together to make peace (290/291). When Tristan learns the identity of the other knight, his mortal enemy Lamorak, his willingness to make peace is replaced by an almost visceral need for vengeance. In fact, Tristan is *molto allegro* [overjoyed] to have the opportunity to attack Lamorak, whom he eagerly calls out:

"Amoratto, per mia fé, ora se' tue morto né da mee non puo' tue kampare in nessuna maniera, impercioe ch'io voglio ke ttue sappie ked io sì sono Tristano di Cornovaglia, per le cui mani tue dèi morire [...] E ssì tti dico

ked io ora non ti lasceroe più per cortesia in nessuna maniera; e imper-
cioe io sì tt'appello a la battaglia."

["Lamorak, by my faith, you are a dead man now, nor will I let you live for
any reason; for I would have you know that I am Tristan of Cornwall, by
whose hands you must die [...] And I tell you that I will by no means let
you off out of courtesy now; therefore I summon you to fight"]. (290–
292/291–293)

Lamorak immediately concedes the battle and asks Tristan for mercy, but the
latter refuses. In fact, Tristan demands that Lamorak defend himself so that he
can safely attack: "'e impercioe [vi dico] ke voi sì vi guardiate da mee, imper-
cioe k'io vi disfido, e impercioe il ti dico perch'io non voglio che[ttue possi
dire] k'io ti feggia [a ttra]dimento'" ["I tell you [Lamorak] to be on your guard,
for I challenge you. I tell you this because I do not want you to be able to say
that I attacked you dishonorably"] (292/293). This is a remarkable exchange
because it suggests that Lancelot is aware of the dishonor he will suffer if, in his
pursuit of vengeance against Lamorak, he conducts himself in a manner unb-
efitting a knight.

　　Despite this recognition, when Lamorak continues to refuse to fight, Tristan
falls victim to the same overpowering desire for violent vengeance that plagues
other literary and, ostensibly, historical knights. Lamorak responds to Tristan's
attack in a manner similar to his castigation of Lancelot's conduct during Lam-
orak's combat against Maleagant. In this case, however, Lamorak reprimands
Tristan for attacking a knight who has surrendered and seeks mercy, stating
"'Per mia fé, Tristano, voi avete troppo fallito quando voi mi ferite, dappoi ked
io non voglio piue combattere, e impercioe vo priego ke voi non mi dobiate
piue fedire, impercioe ked io sì vi lascio questa battaglia'" ["By my faith, Tristan,
you do very wrong to attack me, for I no longer wish to fight. Therefore I pray
you not to strike me again, for I concede this battle to you"] (292/293). Like
Lancelot, Tristan is consumed by his desire to secure vengeance by any means
necessary. When he strikes Lamorak again, the knight issues an even more
powerful rebuke of Tristan's dishonorable conduct:

"Per mia fé, Tristano, ora conosco io bene ke voi sì m'avete ferito due fiate
e ssì kome voi non dovete, impercioe k'io non vidi unqua neuno kavaliere
il quale volesse menare a morte tutti li cavalieri, sì come fate voi. Ma io
voglio che voi sappiate [...] ked io sì mi richiameroe di voi a lo ree Arturi
ed a ttutti li buoni cavalieri, sì come voi mi volete menare a ffine, chia-
mandov'io mercede."

["By my faith, Tristan, I see now that you have struck me twice when you should not; I never saw any knight who wanted to kill all other knights, as you are doing. I want you to know [...] that I will complain of you to King Arthur and to all the worthy knights, that you wanted to kill me even as I was asking for mercy"]. (292–294/293–295)

Although Tristan eventually relents and makes peace with Lamorak, the hero's continued willingness to abandon the proper and honorable conduct he promotes elsewhere in the work and demonstrates at the start of his conflict with Lamorak, suggests the powerful impulse among historical knights to secure violent vengeance through whatever means are necessary. Thus, Tristan's eventual transformation in the face of this potent impulse reinforces the author's reform message.

The anonymous Tuscan romance *Tristano Panciatichiano*, composed in the early fourteenth century in the Pisan vernacular, provided members of the Florentine and Tuscan warrior elite with numerous exempla of literary knights who are condemned for dishonorable conduct committed during the violent pursuit of honor and vengeance.[17] As in the *Tristano Riccardiano*, this conduct is often connected explicitly to treason, and most of the offending knights see the error of their ways and are reformed. An exchange between Sir Gauvain and Lamorak illustrates the powerful, almost visceral desire for vengeance at any cost felt by the Signore, Lancelot, and Tristan in previous examples, as well as efforts to correct this impulse through reform. In this particular scene, Gauvain comes across Lamorak, his mortal enemy, who is injured and cannot defend himself. Gauvain initially sees nothing wrong with taking his vengeance whenever the opportunity presents itself, regardless of the fact that his enemy is incapacitated. Lamorak responds to Gauvain's aggression by condemning his conduct: "'Questo serebbe grande villania [...] e voi lo sapete bene [...] et chi lo saperà lo vi porà in grande disnore'" ["This would be great villainy [...] and well you know it [...] and whoever finds this out will hold you in low esteem"] (314/315). This sharp rebuke, however, does not succeed in stopping Gauvain, who is poised to behead Lamorak. After Tristan witnesses the *grande oltraggio* [great outrage] done by Gauvain, he decides to rescue the defenseless knight by attacking Gauvain (314/315). With Lamorak safe from Gauvain's violence, Tristan rides off, leaving the formerly defenseless knight with the power

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17   *Italian Literature I: Tristano Panciatichiano*, ed. and trans. Gloria Allaire (Cambridge: D.S. Brewer, 2002) [hereafter *Tristano Panciatichiano*]; all English translations are Allaire's. Page numbers are given in parentheses. See also: Heijkant, "From France to Italy," 50–52.

to punish Gauvain. Lamorak, an honorable knight in comparison, chooses to show mercy rather than to take vengeance upon Gauvain, thus echoing Tristan's merciful treatment of the Signore:

> "Siate leale, cavalieri, ché vedete che Dio v'à mostrato così grande meraviglia et ora potre' io fare di voi quello che voi volavate fare di me." Et messer Calvano che conosce che dice vero et conosce suo male inconcio e conosce la bontà de lLamoratto e la cortesia sua, volleli fare honore.

> ["Be loyal, knight, because you see that God has in this way shown you a great wonder, and now I could do to you what you wanted to do to me." And Sir Gauvain, who knows that [Lamorak] speaks truly and realizes his plight and recognizes [Lamorak's] goodness and courtesy, wanted to pay him honor]. (314/315)

This course of action not only wins Lamorak great honor but also succeeds in reforming Gauvain through his example. Thus, the lesson imparted by this scene to historical knights is very similar to that offered in other examples: while violence employed as a matter of honor was licit and praiseworthy, a knight who pursued vengeance at all costs and whatever the circumstances often left the honorable path and became entangled in the thicket of dishonor. His dishonorable conduct violated the normative ideals of chivalry and, thus, was connected to villainy and to treason. These serious charges served as both a deterrent of similar behavior in the future and an impetus for reform, because failure to do so resulted in dishonor and the abnegation of membership in the knightly order.

The *Tristano Panciatichiano* also offers numerous exempla of unreformed knights, warriors who either refuse or fail to be reformed. These knights end their lives as traitors, excluded from the chivalric community, an ignominious fate glaringly obvious to the aristocratic and knightly audience. One of the major stories of unreformed knighthood in the *Tristano Panciatichiano* is that of the serf-knights of Vermillion City, who murder their lord, the King of Vermilion City. Palamedes is offered the opportunity to secure vengeance against the serf-knights on behalf of the deceased king, and he readily accepts when he learns that the King had been killed through *per fellonia et per tradimento* [wickedness and treachery] (474/475). Indeed, a messenger from the kingdom informs Palamedes that the serf-knights had ridden down the king after he had dismounted to drink from a stream during a hunt, an act described as "a grande torto et a grande tradigione" [a great misdeed and a great treachery] (476/477). In this case, the connection of dishonorable conduct with treason

is very explicit, as the actions of the serf-knights constituted *laesa maiestas* (*lèse-majesté*), or treason against their sovereign lord, a charge which Palamedes lays out in stark terms:

> Allora si torna elli inverso li frati cavalieri e disse, "Io vi posso ora dire, signori cavalieri, la cagione perch'io sono qui venuto in questo campo, perciò che voi avete facto inver lo vostro legiptimo signore sì fatta dislealtà che voi sete degni di ricevere morte vitiperosa. Et se voi ciò volete rinegare o dire che voi lui non uccideste io sono aparecchiato di provarvelo cioè questa tradigione."

> [Then [Palamedes] turns toward the brother [serf-]knights and said, "I can now tell you, lord knights, the reason for which I have come here onto this field: because you have done such a *disloyal* thing against your *legitimate* lord that you deserve to receive a *contemptible* death. And if you want to deny it or say that you did not kill him, I am ready to prove it to you, that is, this *betrayal*"]. (524/525)

Moreover, this particular story offers a direct and explicit connection between dishonorable conduct, treason, and low social status, that of a serf. Thus, the lesson imparted to historical knights took on added impetus, as dishonorable and treasonous conduct led not only to exclusion from the chivalric community but also the loss of cherished social status.

Palamedes, a great and honorable knight, delivers the divinely ordained vengeance against the serf-knights, but not before the audience of the *Tristano Panciatichiano* is offered irrefutable proof that the serf-knights conduct themselves dishonorably and, thus, are unworthy to enjoy the dignity of knighthood. During the first charge, Palamedes manages to kill one of the serf-knights with his lance, but he is in turn knocked from his saddle by the second knight, who had villainously attacked him at the same time. The serf-knight compounds his dishonorable conduct by attempting to ride down Palamedes, who is now on foot.[18] It is at this point that Palamedes delivers a rebuke of the serf-knight's dishonorable conduct: "'Se voi non discendete, io ucciderò lo cavallo e si arete onta e vergogna'" ["If you don't get off, I'll kill the horse and you'll have [the] dishonor and shame"] (526/527). The serf-knight does not comply, and Palamedes is forced to kill his horse, which draws an even more virulent condemnation from the hero: "'Ai, cavalieri! che voi m'avete fatto fare villania, se Dio mi salvi, e disnore, ché vostro cavallo m'avete fatto uccidere. Lo biasimo

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18   For the entire battle, see: *Tristano Panciatichiano*, 524–530/525–531.

non è mica mio, anzi è vostro'" ["Ah, Knight! You have made me act villainously and dishonorably, may God save me, because you made me kill your horse. The blame is not mine at all; instead, it is yours"] (526/527). Palamedes' excoriation of the serf-knight thus targets not only his dishonorable conduct, which is associated through use of the term "villain" with his low social status (i.e., *villein*), but also the dishonorable deeds the serf-knight forces Palamedes to commit. Rather than staining Palamedes's honor, however, this compounds the serf-knight's dishonor.

The battle between Palamedes and the remaining serf-knight continues on the ground. It is at this stage of the combat that the author tellingly criticizes the impulse of both literary and historical knights to pursue vengeance and matters of honor through violence at any cost, by condemning a knight who is a "pro' e ardito cavalieri e savio di battaglia" [valiant and bold knight and expert in battle] but lacking in the other tenets of chivalric ideology (528/529). In other words, a knight who obstinately seeks vengeance or honor through dishonorable means is not worthy of bearing the dignity of knighthood.

Given the historical context of this work, produced as it was in the first-half of the fourteenth century, the dishonorable serf-knight likely was an attack on the new elite of Florence and other Tuscan cities who had pretensions to knighthood, men who may have even been brave and skilled in the profession of arms but ultimately lacking in the other important elements found in the constellation of chivalry. Such men could not help but conduct themselves in a dishonorable and treasonous manner. In the end, Palamedes defeats the serf-knight, reinforcing the reform message that violent vengeance can be secured while conducting oneself in an honorable manner. Knights who fail to understand this, like the serf-knights, are deemed *traditori* [traitors] and unworthy to bear the dignity of knighthood (532/533).

A second exemplum of unreformed and treacherous knighthood found in the *Tristano Panciatichiano*, as well as in other works, is Breus-senza-pietà [Breus without pity]. Similar to the serf-knights, Breus's prowess and bravery are not in question, but he suffers from severe character defects, especially his penchant for dishonorable conduct and treachery. Indeed, the author of the romance at one point describes him as "bene buono cavalieri, ma la sua follia lo faceva assai vile" [a very good knight, but his folly [disloyal and treacherous conduct] was making him very base] (330/331). Breus's interaction with the Page of the Slashed Surcoat offers clear evidence of Breus's dishonorable conduct.[19] Breus arrives on the scene just after the Page of the Slashed Surcoat had fought and defeated a fellow knight. Both knights lay wounded on the

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19   For the entire incident, see: *Tristano Panciatichiano*, 320–332/321–333.

grass, but the defeated knight was unable to move or speak, let alone defend himself. Breus, mounted on his warhorse, immediately attacked the defenseless knight, who is described as his mortal enemy, with the intention of killing him. This conduct drew a swift rebuke from the Page of the Slashed Surcoat who cried: "Non fate, ch'elli è villania, ché lo cavalieri non si puote levare perciò ch'elli è ferito" [Don't do it because it is villainy, since the knight cannot get up because he is wounded] (320/321). Once again, the obstinate pursuit of vengeance through whatever means are necessary is decried as dishonorable and villainous conduct. As with other unreformed knights, Breus ignores the page's harsh criticism, continuing his single-minded pursuit of vengeance against his mortal enemy instead.

When the page takes it upon himself to defend the incapacitated knight, Breus rides down the page with his horse. Palamedes, who happens to witness Breus's dishonorable conduct, immediately admonishes the knight for attacking while mounted a fellow knight who is injured and on foot, calling him a *disleale cavalieri* [disloyal knight] (320/321). Breus predictably rejects Palamedes's criticism and attacks him. Palamedes easily defeats Breus in an honorable combat, after which Breus flees, leaving the victorious knight, the Page of the Slashed Surcoat, and the recently arrived Bors of Gaul to discuss the evil knight's conduct. Bors's reaction captures the prevailing feeling among these honorable knights toward Breus' dishonorable and treacherous conduct: "'O God! If I could ever get my hands on him, I would kill him'" (320/321). This implies that honorable knights thought it was their duty to eliminate dishonorable knights who refused to be reformed. Such dishonorable conduct was a betrayal of chivalry and an abnegation of the right to bear the dignity of knighthood.

While the knights were talking, they were joined by another knight whom they did not recognize; little did they know it was Breus, who had changed his horse and arms. Breus does this to sow great confusion among the knights who were looking for him. He even claims to have chased after *Brius lo disleale* [Breus the Disloyal], who ultimately escapes (322/323). The knights accept him as one of their own, and together they pledge to catch and kill Breus, whose constant disloyalty and treacherous conduct is like a cancer in the body of chivalry (322/323). This pledge once again reinforces the dictate that all honorable knights are obliged to defend the sanctity of chivalry against the corruption caused by the dishonorable and treasonous conduct of some knights.

The incognito Breus convinces the page, Palamedes, and Bors to spend the night at his castle, promising to help them catch Breus the next day. They agree and travel to his castle discussing along the way "della morte di Brius et di sue grandi disle[a]ltadi" [Breus's death and about his great treachery] (322/323).

Breus, who has more treachery planned, gives them lodging in the lower level of his castle, which is actually a prison, and then retires for the night to plan how to kill them. Eventually, Lancelot arrives at Breus's castle to rescue the honorable knights through his great prowess.[20] When Breus resists, Lancelot easily knocks him from his horse before dismounting, like an honorable knight, to finish Breus with his sword. Breus resorts to cunning in order to escape from certain death at Lancelot's hands. Breus begins his ruse by appealing to Lancelot's great nobility and offering to release his prisoners in exchange for his life, an offer which Lancelot readily accepts. As soon as Breus releases the prisoners and locks himself safely in his castle, however, he immediately swears he will avenge himself on Lancelot as soon as he is able (330/331). Rather than learning a valuable lesson from Lancelot's honorable conduct and courtesy after his defeat, Breus immediately rekindles his desire for vengeance, this time against Lancelot, using whatever dishonorable and treacherous means are necessary.

Breus resurfaces later in the romance when he comes across Tristan and Palamedes, although the author assures his audience that the knight spent the interim "andava tuttavia per fare male così come elli era costumato di fare già grande tempo" [going around doing evil deeds as he had been accustomed to doing for a long time already] (392/393). Breus does not spend long in Tristan and Palamedes' company, however, as he is forced to flee when another knight, Bliobleris, arrives and demands a joust. Breus gallops away, only to run into three more knights: Hector, Percival, and Erec. According to the author, Erec has a reputation for "gran forza et di grande ardimento siché non farebbe leggieramente codardia. Et si avia in lui una gratia che molti cavalieri no ll'aviano, ch'elli non arà mancato di cosa ch'elli promettessero" [such great strength and great boldness that he would not easily do anything cowardly. And he had a quality that many knights do not have: that he would never break a promise he had made] (400/401). He was, in many ways, a model knight and perhaps the only one capable of reforming Breus.

Similar to his earlier deception, Breus tricks the three knights into believing that Bliobleris, who is chasing him, is actually Breus, "lo più disleale cavalieri del mondo" [the most disloyal knight in the world] (400/401). The knights prepare to fight Bliobleris, who believes, in turn, that the three knights are Breus's friends. Bliobleris first knocks Erec from his saddle after a violent clash. Percival and Hector are amazed that "lo più vile cavalieri e lo più malvagio del mondo àe così pro' cavalieri abattuto come è messer Arec" [the most vile and wicked knight in the world has struck down such a valiant knight as Sir Erec]

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20   For the altercation between Lancelot and Breus and the aftermath, see: *Tristano Panciati-chiano*, 327/328–332/333.

(402/403). Indeed, it seems inconceivable, if not entirely contradictory to the reform message that this work promotes so powerfully elsewhere, that an honorable, loyal knight such as Erec could be bested by a dishonorable, treacherous knight like Breus. Of course, the audience knows the true identity of the victorious knight, thus making this seemingly damning contradiction a moot point.

After defeating Percival in a similar fashion, Bliobleris finally jousts against Hector, resulting in both knights being unhorsed. When Breus sees Bliobleris on foot, he regards it (as only a treacherous knight could) as an opportunity to avenge himself. The author makes explicit that Breus was not in any way troubled by the fact that his pursuit of vengeance led him to attack, while mounted and after sewing considerable confusion, a fellow knight who was on foot (404/405). When Breus runs Bliobleris down, his dishonorable conduct draws the ire and condemnation of the other knights, especially Erec, who "no llo volle niente sofferire, ch'elli era molto cortese cavalieri, Erec, ch'era cavalieri di molto grande lignaggio e ardito" [didn't want to permit [Breus's attack on Bliobleris] at all because Erec was a very courteous knight, of very great lineage, and bold] (404/405). As an honorable knight, Erec is offended by Breus's dishonorable conduct and feels obliged to stop it if possible.

Erec's efforts to reform Breus take the form of a conversation, somewhat similar to the dialog between Tristan and the Signore della Rocca in *Romanzo Arturiano*, with the predictable difference that Breus is not at all receptive to the reform message. Erec begins by admonishing Breus for *fate villania* [committing villainy] and *grande disleeltà* [great disloyalty] by attacking a knight who is on foot while mounted (404/405). Breus justifies his dishonorable violence with the excuse of vengeance, but Erec attempts to correct him by pointing out the dishonorable and treacherous nature of such conduct, declaring "che più grande tradigione e fellonia non potrebbe cavalieri fare, cioè d'asaglire questo cavalieri a piedi essendo voi a cavallo" [a knight could do no greater treachery and felony than to assail this knight on foot while being on horseback] (404/405). This time, Breus feigns understanding, tricking Erec into believing that he will not attack Bliobleris. Of course, as soon as Breus is free from Erec's control, he attacks Bliobleris, drawing yet another condemnation from the knight: "Certo, cavalieri, voi non sete mica leale; anzi sete disleale e fellone!" [Knight, you are certainly not very loyal; rather, you are disloyal and wicked!] (404/405).

It is only when Breus, the *malvagio e traito* [wicked and treacherous] and "lo più disleale cavalieri del mondo" [most disloyal knight in the world], escapes that the knights realize they have been "astiati costui villanamente" [villainously deceived] (406/407). Bliobleris's reaction to Breus's ruse and escape aptly

summarizes the prevailing feeling among the honorable and loyal knights, for "Quando Briobreis intende queste novelle e elli s'incomincia a segnare dela meraviglia e dice, 'Ai, Dio! Fue unqua al mondo così disleale cavalieri e che tanto sapesse di tradimento e di fellonia?'" [he begins to cross himself in amazement and says, "Oh, God! Was there ever such a disloyal knight in the world who knew so much about betrayal and wickedness?"] (406/407).

Breus appears for a final time in the romance while Palamedes and Tristan are traveling to the tournament at Loverzep. Breus, once again incognito, ambushes them, attacking Tristan, who is unarmed (552/553). This dishonorable conduct, completely in keeping with Breus's past behavior, is once again condemned by honorable knights. When Palamedes bravely intercepts Breus and knocks him to the ground, it seems that this time Breus will not escape punishment for all of his dishonorable and treacherous deeds. Palamedes allows Tristan to decide whether or not to kill the *cavalieri di malo affare* [knight of evil deeds], and Tristan advises restraint and mercy, thus completely rejecting Breus's model of knighthood (552–554/553–555). Breus eventually escapes, and when Tristan and Palamedes realize his true identity, they become enraged, for "ch'elli è lo più disleale cavalieri del mondo e lo più traditore e quelli che peggio fa quando elli si trovi in lu[o]go che fare possa" [he is the most disloyal knight in the world and the most treacherous and who does the worst he can when he finds himself in a place where he can do it] (556/557). Thus, Breus is the only treasonous and dishonorable knight to avoid physical punishment for his manifold treachery and remain unreformed, although he has been so thoroughly dishonored that he no longer is deemed worthy of bearing the dignity of knighthood, an ignominious fate.[21]

Reform messages were not limited to the large corpus of Arthurian works that circulated in Tuscany during this period; indeed, they can also be found in works belonging to the "Matter of France," such as the anonymous fourteenth century Florentine prose romance, the *Storia e legenda di Messer Prodesagio*.[22] This romance promotes a similar reform message to historical knights through an exemplum of a dishonorable and treacherous knight, Andrea Maganza, whose fall from grace and power is spectacular and ignominious. Despite Maganza's initial prominence at the court of the emperor, he quickly becomes the

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21   Undoubtedly, this would have registered with historical knights. On the question of knightly readership, see: Bouchard, *'Strong of Body, Brave and Noble'*, 105–109; Kaeuper, "Literature as Essential Evidence," 1–15; and Aurell, *The Lettered Knight*, 39–97, 103–111, and 145–172.

22   *La legenda e storia di messere Prodesagio*, ed. Marco Maulu (Cagliari: Centro di Studi Filologici Sardi, 2010); all English translations are mine. Page numbers are given in parentheses.

romance's primary villain, a fact that is not supposed to be surprising to the audience of this work, given the Maganza family's long history of treachery. Andrea, like his uncle Ganelon who famously betrayed Roland, proves to be no exception.[23] Indeed, the family is described as "grande e nobile baronia di gente, ed erano tutti la magiore parte forti e arditi uomini dell'arme, se none ch'elli avevano la maladetta magagna ch'egli erano tutti traditori" [great and noble barons of people, and they were all for the most part strong and brave men at arms, if not [for the fact] that they had the cursed defect that they were all traitors] (3). This defect renders them unfit to bear the dignity of knighthood.

At the start of the romance, the eponymous hero, Prodesagio, is only a child, but his father, Ciattivo, is a great knight and nobleman at the court of the emperor (4). One day, Ciattivo has an altercation with a member of the Maganza family at the court of the emperor of France, resulting in the death of the Maganza man (3). Ciattivo decides to leave the court, but the narrator makes it clear that he does not flee out of fear of the Maganza or of their prowess, but rather "per paura di loro tradimenti" [through fear of their treachery], a sensible precaution given the family's long history of dishonorable conduct (3). This emphasis on treachery clarifies for the audience that Ciattivo did not flee out of fear of vengeance, which would have been a source of great dishonor, but rather because the Maganza family could not be trusted to pursue vengeance in an honorable manner.

Ciattivo's foreboding proves to be prescient, for a short time later, Andrea tricks Ciattivo into entering the Belvase woods unarmed, where Andrea ambushes him.[24] While ambushing an enemy in battle is not inherently dishonorable, Andrea's use of a counterfeit letter purportedly from the emperor requesting Ciattivo's presence at a meeting renders this a dishonorable and treacherous act, allowing the Maganza to secure vengeance through means unworthy of the dignity of knighthood (5). Compounding Andrea's treachery was his personal conduct during the ambush, when he rode down Ciattivo, who was on foot, killing him (7). The lesson seems to be that vengeance secured through dishonorable means was not actually a source of honor, but rather treacherous conduct unbecoming of a knight.

23　For Ganelon as a traitor, see: *La legenda e storia di messere Prodesagio*, 8. For discussions of other Charlemagne romances in this volume, see: Tina Boyer, "Legal Ramifications of Ordeals and Treason in *Morant und Galie*" and Ana Grinberg, "Religious Identity, Loyalty, and Treason in the *Cycle du roi.*"

24　For a description of the ruse and ambush, see: *La legenda e storia di messere Prodesagio*, 4–8.

When the only survivor of Ciattivo's party returns home and reports An-
drea's treachery, there is great sadness at the court.[25] The reaction of the young
hero of the romance, Prodesagio, who swears an oath to "fare la grande ven-
detta sopra lo traditore" [make great vengeance against the traitor [Andrea]] is
yet another salvo of this powerful reform message that spans the entirety of
the work (8). Unfortunately for Prodesagio, he is too young and not strong
enough to wear his father's armor and, thus, must wait for his vengeance. In-
deed, the entire romance from this point forward is the story of his pursuit of
vengeance, a quest to rid the empire and the chivalric community of the perni-
cious cancer represented by the dishonorable Maganza family.

Unlike many of the knights discussed earlier, however, Prodesagio's stead-
fast desire for vengeance does not lead him to act dishonorably or to betray the
chivalric community. Ostensibly, historical knights would have been able to
easily contrast Prodesagio's continuous honorable conduct with the actions of
members of the Maganza family and their Saracen allies, both of whom perpe-
trate numerous acts of treachery, threatening the empire and the entirety of
Christendom.[26] Not only does Prodesagio counter these threats through
praiseworthy acts of violence, but the hero never deviates from the path of
honor in his pursuit of vengeance. In the end, the author judges Prodesagio's
vengeance for the treacherous murder of his father positively, stating unequiv-
ocally that Ciattivo is *bene vendicato* [well avenged] (75). For historical knights
who heard or read this work, the lesson of Andrea's treachery and Prodesagio's
tireless pursuit of vengeance while maintaining his honor is two-fold: first, an
unreformed knight will not only lose his life but also his honor and member-
ship in the chivalric community; and second, the treasonous conduct of an
unrepentant knight must be cleansed by all honorable knights through valor-
ous violence.

The authors of the large corpus of romances composed and consumed in
late medieval Florence and Tuscany exposed historical knights to numerous
examples of dishonorable and treacherous knights being reformed and of un-
reformed, traitorous knights receiving violent justice. The former group saw

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25   *La legenda e storia di messere Prodesagio*, 9: "'quando noi passavamo per lo bosco di Bel-
      vase noi trovamo uno aguato che copriva tutta la contrada di cavalieri; e uno traditore ch'à
      nome Andrea da Pontieri [Maganza]'" ["when we passed through the forest of Belvase we
      discovered an ambush that covered the road traveled by the knights; and a traitor that had
      the name Andrea da Pontieri [Maganza]"].

26   For example, the knight Riccieri, a member of the Maganza family, employs magic to
      treacherously defeat one of Prodesagio's loyal knights, Rinieri (*La legenda e storia di
      messere Prodesagio*, 54). Likewise, the king of the Turks employs treacherous tactics to
      capture Prodesagio during battle (*La legenda e storia di messere Prodesagio*, 59).

their honor restored and identities affirmed, while the latter lost not only their honor and identities but also their lives. Such reform efforts offered a powerful and necessary, albeit subtle, balance to the effusive praise of excessive, valorized violence that generally dominates the narratives of chivalric romances and epics. The goal, after all, was not to stop historical knights from exercising the bloody violence that was central to their identities, but rather to encourage them to do so honorably, thus allowing prowess and valor to determine the outcome.

Royal Punishment and Reconciliation in Trastámara Castile

Samuel A. Claussen

> et d'esto los reis muy malas costumbres han;
> al rey que vós servides, servillo muy sin arte,
> assí vos aguardat d'él commo de enemigo mortal.
>
> [And in these things kings have evil customs;
> the king which you serve, serve him without any artifice,
> and guard yourself against him as a mortal enemy].[1]

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These words were written sometime in the second half of the fourteenth century by an anonymous Castilian author. He had good reason to counsel knights and nobles to be cautious in dealing with kings. Pedro (r. 1350–1369) had summarily executed numerous men and women in the mid-fourteenth century whom he suspected of disloyalty or treason. As a result, Pedro's half-brother led a rebellion against him, ultimately overthrowing and killing the Castilian king in what historians call the Castilian Civil War. The new Trastámara Dynasty, founded by King Enrique II (r. 1366–1379), was born out of a treasonous rebellion and quickly became focused on rooting out treason itself. For roughly the next century, the Trastámara monarchs struggled with the challenges of treasonous knights and noblemen who regularly rose in resolute rebellion, rejecting the royal regime. The Trastámara monarchs deployed two effective responses to noble and knightly treason: harsh punishment and full reconciliation. While other responses were attempted by some of the Trastámara monarchs such as exile, financial punishment, or submission to rebellious

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1 Matthew Bailey, ed. and trans., *Las Mocedades de Rodrigo: The Youthful Deeds of Rodrigo, the Cid* (Toronto: University of Toronto Press, 2007), 77.

demands, only harsh punishment and reconciliation successfully resolved the challenges presented by traitors and helped to discourage further treasonous action. The stability of the Trastámara state was only possible through the use of these two policy tools. Strong and decisive action concerning traitors, either through brutal punishment or through reconciliation with the Crown, were the only effective ways to either bludgeon the nobility into submission or give them a clearer stake in the success of the Trastámara Dynasty.

Treason (*traycion*) was a well-established concept in late medieval Castilian law. In the great law code of the late-thirteenth century, Alfonso X's *Las Siete Partidas*, treason is described as "una de los mayores yerros y denuestos en que los hombres pueden caer" [one of the greatest errors and injuries that a man can commit] (Part. 7, Tit. 11). The code compares treason to leprosy or another infectious disease that rots the body and destroys the community. The *Partidas* was familiar to the Trastámara monarchs, as they reissued it throughout the fourteenth and fifteenth centuries. It prescribes confiscation of property, capital punishment, and infamy for a traitor's sons, emphasizing the gravity of the crime (Part. 7, Tit. 11, Ley 11). When the code speaks of punishment, it allows for beheading, hanging, being thrown to wild beasts, or burning (Part. 7, Tit. XXXI, Ley VI). In short, the legal prescriptions of late medieval Castile took treason very seriously and the Trastámara kings would happily use these punishments.

Yet not every man was subject to any kind of execution; elite members of society were excluded from ignominious executions. Notably, "[c]onoscidas, e apartadas honrras han los Caualleros sobre otros omes" [Knights have well-known and separate honors above other men] (Part. 2, Tit. XXI, Ley XXIV). The law was very clear: as a result of knightly honor, dragging to death, hanging, or mutilation were ruled out. Instead, if a knight was convicted of or confessed to any crime, including treason, which carried a capital punishment, "hanle de descabeçar por derecho, o matalle de fambre" [he should be decapitated according to the law or starved to death] (Part. 2, Tit. XXI, Ley XXIV). Knights were considered a superior class of people, and their subjection to legal punishment reflected that status. The punishment for treason was still severe, but the laws of Castile also prescribed a level of restraint. The legal traditions and statutes of Castile, then, encouraged punishment of traitors and the suppression of treason through execution, but they also recognized that social hierarchy could modify legal principles. The Trastámara kings, facing regular civil war and dissent in their realm, embraced the legal priority of suppressing treason but were willing to move beyond the protections for knights when it came to extreme punishment; they deployed burning and mutilation against the

knights of their realm in order to more effectively quash challenges to their rule.

As medieval Castilian kings and knights considered treason, its repercussions, and how to deal with it, they had at their disposal not only legal traditions but an entire corpus of literature. Castilian chivalric literature offered a series of didactic texts that considered, among other things, the issue of treason, a real problem in society reflected in the time that knightly authors spent dealing with it. The problem of betrayal is one of the largest themes in Castilian chivalric understandings of knighthood, kingship, and history. The theme of punishing traitors recurs, for example, throughout the great Castilian romance of the late Middle Ages, *Amadís de Gaula* [*Amadis of Gaula*],[2] published in 1508, but with extant fragments dating to the fourteenth and fifteenth centuries. In one particularly potent example, a nobleman named Barsinán, the lord of Sansueña, colludes with the enchanter Arcalaus in order to overthrow the good Lisuarte, King of Great Britain.[3] Coveting the kingdom for himself, Barsinán gives treacherous advice to Lisuarte before rising up against the king and, together with Arcalaus, taking both the king and the queen captive and occupying the city of London. Amadís, a truly good knight and loyal servant of the king, carries the king's sword into battle and fights with Barsinán. Keeping with the traditions of chivalric literature, the author of the romance details every blow given in the ensuing battle. Amadís thrusts his lance halfway into Barsinán and breaks it off before grabbing the king's sword—an ancient symbol of royal justice and punishment—and slicing a chunk of flesh from the top of Barsinán's head. He then slices through Barsinán's arm all the way down to his leg, cutting off "bien la metad de ella" [a good half of it]. At this, Barsinán tries to flee, only to find that his wounds bring him to the ground. Amadís goes on to fight other traitors but returns moments later to find Barsinán still alive. Amadís escorts him back to Lisuarte's chambers to face the king's judgement (268).

The end of Barsinán reveals both King Lisuarte's available means and motives as he decides how to deal with a vile traitor. Although Amadís and other knights reclaim the city of London, the citadel of London remains in the hands of Barsinán's men. And so Lisuarte orders Barsinán to publicly confess his treason and then "mandólos llevar a vista del alcázar donde los suyos lo viesen, y

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2 "Gaula" is often translated as "Gaul," but it could also be "Wales." In 1955, Edwin B. Place, the leading American scholar of Amadís, argued that Gaula should be understood as a largely fictional place somewhere in northwestern Europe, perhaps Brittany. See: Edwin B. Place, "Amadis of Gaul, Wales, or What?," *Hispanic Review* 23.2 (Apr. 1955): 99–107.

3 Garci Rodríguez de Montalvo, *Amadís de Gaula, Libro I* (Lexington, KY: Plaza Editorial, Inc., 2012), 225–226. Hereafter, page numbers are given in parentheses.

los quemasen ambos, lo cual fue luego hecho" [ordered [Barsinán and the cousin of Arcalaus] to be taken to within view of the citadel where their men could see them, and that they should burn them both, which was then done] (269). The author then emphasizes that Barsinán's men surrendered and that they were either penalized or released. Barsinán can have no honorable or noble death; he is burned as a common traitor deserves, with neither mercy from the king nor any consideration of his knightly status. This is clearly extreme punishment that goes beyond the recommendations of the legal code and makes a profound political point. Barsinán's execution compels his followers to stand down from their war against the king. The author is clear: treason against one's king can only result in a violent and dishonorable death at the hands of the king and his loyal servants.[4]

The move toward more extreme punishment for knightly rebels was worked into fanciful and spectacular tales designed to capture the attention of knightly readers or listeners. The literature of the late Middle Ages attempted to demonstrate to knights that kings could and should favor the harshest possible punishments for traitors. The fourteenth-century Castilian romance *Libro del Caballero Zifar* [*The Book of the Knight Zifar*] features an episode wherein the nobleman Count Nason rebels against his king, the titular Zifar, ravaging his lands and attacking his vassals. Nason is defeated in battle and captured by the king, where he admits that he committed treason and begs for the king's mercy. But Zifar, a didactic character if there ever was one, commits to an incredibly graphic and specific punishment for Zifar: "[M]ando que vos saquen la lengua por el pescueço … e que vos corten la cabeça … e que vos quemen … que cojan los poluos e los echen en aquel lago … que dizen la lago solfareo" [I order your tongue to be torn out through your neck … and your head cut off … and that you be burned … and that your ashes be taken up and thrown into that lake … which they say is a sulfuric lake].[5] The treatment of Nason is similar to that of Barsinán in *Amadís*, with bodily mutation followed by a lowly traitor's death: burning. This literature enjoins this extreme punishment for treason and disloyalty in contrast to the legal norms that had been established a century earlier. Perhaps this was fitting for Castile as it was roiled by a brutal and destructive civil war. The chivalric literature of the thirteenth and fourteenth centuries in Castile witnessed a cultural and political shift in the appropriate punishment for knightly traitors who were treated as if they had no honor;

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4 For a framework of analyzing Barsinán's role as a treasonous model, see in this volume: Peter Sposato, "Treasonous and Dishonorable Conduct: The Private Dimension of Treason and Chivalric Reform in Late Medieval Florence."

5 *El Libro del Cauallero Zifar,* ed. Charles Philip Wagner (Norwood, MA: The Plimpton Press, 1929), 225.

they could be mutilated, burned, and condemned to an eternity of damnation for this most horrendous crime.

This chivalric author sharply elucidates the reasons behind his or her condemnation of treason with stunning and imaginative imagery. When Nason is finally brought before Zifar, the king offers a teachable moment, specifying that Nason must be punished harshly because his disease of treason will simply spread if he is allowed to go free. Indeed, even if Nason were to be banished from the kingdom, his treachery would infect others. He must be burned, for if his corpse were to remain whole, birds and animals feasting on his remains would become infected with his filth. Even his ashes must be thrown into a sulfuric lake in order to ensure that the pestilential remains cannot spread across the land (225). The fantastic and even ridiculous imagery of medieval overkill betokens a fairly simple message: Punishment of traitors must be extreme and terminal in order to ensure that other rebels, or would-be traitors, do not take up a similarly rebellious or treasonous cause. For late medieval kings, the conception of treason as a disease was particularly apt; the historical monarchs of Trastámara Castile found this approach to treason most useful. As they worked to secure their thrones, ensure the stability of their realm, and prevent the outbreak of civil war, chivalric literature recommended precisely the methods available to them. They harshly and brutally punished traitors in order to achieve these ends.

Sometime after Count Nason's execution for treason, one of the heroic knights errant of the story magically travels under the sulfuric lake where he encounters the deceased Count Nason. The traitor is sitting with his great-grandfather, and between them is a hideous demon who proclaims herself to be the Mistress of Treachery. The two men are being eternally punished for their treason, as "tenía los brazos sobre los condes, y semejaba que les sacaba los corazones y los comía" [the demon had her arms around the counts, and it appeared that she tore out their hears hearts? and ate them] (240). For individual knights, then, the lesson is that treason will lead to physical punishment in this life and damnation and torment in the next. And for the kings who must be wary of treason, the author provides a further lesson as well. As the knight errant looks on, the Mistress of Treachery "dio un grito muy grande y muy fuerte ... [y] fue luego hecho un terrmotus, que semejó que todos los palacios y la ciudad venía a tierra ... [y] este terrmotus sintieron dos jornadas ... de guisa que cayeron muchas torres y muchas casas en las ciudades y en los castillos" [gave a most great and strong cry ... and caused an earthquake, and it appeared that all the palaces and the city fell to the ground ... and this earthquake was felt for two days' journey ... such that many towers and many houses in cities and castles crumbled] (240). If treason were allowed to flourish, it would

surely result in deep chaos and privation of the kingdom. *Zifar*'s lessons may not be subtle, but they do enthrall with colorful and flamboyant imagery. The story and the lesson would be difficult for a knight or king listening to the story to forget. Treason was something that was discouraged in chivalric literature, strongly suggesting that it was a real problem in fourteenth- and fifteenth-century Castile. But the message was not simply a plea for knights to stop committing treason; it was also a direct recommendation to the kings of Castile who would have to address the reality of knightly treason. They needed to respond powerfully and seriously in order to preserve the peace and stability of their realm, and this path would be pursued by several of the Trastámara kings.

If the stories and lessons of *Zifar* seemed too fantastic, then surely knights and kings would have appreciated the lessons of history. Narratives regarding the loss of Spain to Islam had been creatively modified over the centuries, as authors and historians sought their own ends through their understanding of Castilian history.[6] In the fifteenth century, no history lesson was as important as the loss of Visigothic Spain to Islam in the eighth century. For Castilians of the late Middle Ages, it was accepted that Spain had been destroyed in the eighth century as Islamic troops invaded north Africa, crossed the Strait of Gibraltar, and swept across Christian Spain.[7] Yet the Muslim invasion of Iberia was understood not simply as an instance of Islamic military superiority or regrettable Christian defeat. Treason was the cause of the destruction of Spain, and, for the Trastámara kings and nobility, treason could just as much destroy society again if they did not guard their kingdom against it. Kings must not repeat the mistakes of the Visigothic past; rather, they must take strong and powerful actions to prevent treason in order to preserve a stable, moral, and

6 Two excellent works on medieval Iberian historiographical writing are Richard L. Kagan, *Clio and the Crown: The Politics of History in Medieval and Early Modern Spain* (Baltimore: Johns Hopkins, 2009) and Robert B. Tate, *Ensayos sobre la historiografía peninsular del siglo xv* (Madrid: Gredos, 1970). Thomas Devaney's analysis of changing concepts of nobility in late medieval Castile also provides a good sense of the way in which medieval histories were somewhat malleable. See: Devaney, "Loyalty, Authonomy, and Virtue: Redefining Nobility in Late-Medieval Castile," in *Prowess, Piety, and Public Order in Medieval Society: Studies in Honor of Richard W. Kaeuper,* ed. Craig M. Nakashian and Daniel P. Franke, 120–139 (Leiden: Brill, 2017). For a more general approach to the medieval writing of history and its political efficacy, see: Gabrielle Spiegel, *The Past as Text: The Theory and Practice of Medieval Historiography* (Baltimore: Johns Hopkins, 1997).

7 See, for example: Pedro de Corral, *Crónica del rey don Rodrigo* (*Crónica sarracina*), ed. James Donald Fogelquist (Madrid: Editorial Castalia, S.A., 2001), 55–57; Rafael Ramos, "A vueltas con la *Crónica del rey don Rod-rigo*," *Tirant* 16 (2013): 353–368; Patricia E. Grieve, *The Eve of Spain, Myths of Origins in the History of Christian, Muslim, and Jewish Conflict* (Baltimore: The Johns Hopkins University Press, 2009), 130–133. Hereafter, page numbers are given in parentheses.

Christian society. The lessons of the past were a warning for the vicissitudes of the present in fifteenth-century Castile.

If a single traitor responsible for the loss of Spain to Islam could be named, it was probably Count Julián. According to popular "histories" such as Pedro de Corral's mid-fifteenth century *Crónica del Rey don Rodrigo*, Julián was a vassal of the Visigothic King Rodrigo who controlled key territories in North Africa. According to Corral and others, Julián's daughter, La Cava, had been resident in Toledo, where King Rodrigo had lusted after and then raped her (451–456). The rape of La Cava was a moment of betrayal and treason. King Rodrigo betrayed both Count Julián and his own Christian faith by seducing and forcing himself on La Cava. And, from a fifteenth-century perspective, La Cava herself might have invited the rape, thus betraying her chastity and her Christian faith.[8] Aside from these "treasons," though, it is Count Julián who commits an unmistakable act of treachery against the king and kingdom. In order to have his revenge on King Rodrigo, Count Julián invites Muslim invaders into the Visigothic kingdom and fights on their side against his fellow Spanish Christians (474–480). Unlike the characters from romance, Count Julián does not suffer a uniquely grisly or fantastic death, but his treason causes what was called the "destruction" of Spain. Medieval Castilians would have been grievously aware of the effects of treason in this case: nothing less than the loss of Spain. Literature and history, then, provided condemnations of treason, prescriptions for punishing traitors, and moral and intellectual explanations of the problems caused by treasonous activities. This larger intellectual milieu emphasized that treason must be removed from the body politic. As the Trastámara kings sought to avoid the problems caused by treason, they would often employ harsh punishments to do so. When their actions paralleled the lessons of chivalric literature, they tended to maintain order and stability in their realm; when they ignored these lessons, they tended to endure civil strife and chaos in the realm.

Extreme punishment and execution were powerful and effective means of responding to treason in late medieval Castile. The benefits to the Crown of executing those who opposed it were straightforward. It meant that the traitor himself would no longer be able to resist the Crown's authority or cause political or military problems. Indeed, there was a perception that seems to have been borne out in reality that executing traitors helped to frighten other wouldbe rebels or traitors. A grisly and showy execution would, in theory, demonstrate to others what consequences might await them should they choose to

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8 For an assessment of the changing legend of La Cava in the late medieval and early modern period, see: Grieve, *The Eve of Spain*, 130–3.

disobey the Crown's orders or rise against royal hegemony. The Trastámara kings effectively deployed intense punishment against traitors as a policy tool in an effort to prevent further rebellion and to maintain the power and dignity of their hard-won throne.

Particularly in the aftermath of the Castilian Civil War, the lessons of chivalric literature rang true for the Trastámara kings. The ill feelings of the Castilian Civil War lingered for years and decades as the supporters of the deposed King Pedro—a group known as the *petristas*—resisted the Trastámaras actively and violently. After Enrique defeated and killed Pedro in battle, several *petristas* remained as leaders of the resistance. Two of the more prominent servants of King Pedro who refused to accept Enrique's victory were Pedro's chancellor, Matheos Ferrandez de Cáceres, and Martín López de Córdoba, the Master of the Order of Calatrava. In 1371, the two men were holed up in the city of Carmona, having rejected the possibility of making peace with the new king. As such, they were now considered rebels and traitors to Enrique II. That May, after Martín López realized that none of his allies were coming to relieve the city, he agreed to surrender the city, the chancellor, and Pedro's treasury to Enrique. In exchange, Enrique promised Martín the safety of his person and the guarantee that Martín could go into exile in any kingdom he wished should he choose not to remain in Castile at peace with King Enrique. This was not a good deal for Martín. On May 6, Enrique entered the city, and Martín pledged fealty to the king.[9]

In only a few weeks, Enrique was exacting his revenge on the traitors. The king returned to the city of Sevilla with the spoils of his reconquest of Carmona. Matheos Ferrandez was dragged through the streets of the city and had his hands and feet cut off before he was beheaded (22), echoing aspects of the story of Amadís and Barsinán wherein bodily mutilation precedes a public execution. Ferrandez' execution was a key moment for the early Trastámara Dynasty; one of the chief officers of Pedro's regime was now dead. But Enrique was not finished. About a week after Ferrandez' very public execution, the king's men arrested Martín López and "arrastraron á Martin Lopez por toda

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9   Pedro López de Ayala, *Crónicas de los reyes de Castilla, don Pedro, don Enrique II, don Juan I, Don Enrique III*, ed. Eugenio de Llaguno Amirola (Madrid: Antonio de Sancha, 1780), 2:21. Hereafter, page numbers are given in parentheses. Pedro López de Ayala was a supporter of the Trastámara regime. Ayala's hostility to the enemies of the regime and his branding them "traitors" helps to convey the position of King Enrique II. Cecilia Devia skillfully analyzes the propagandistic nature of Ayala's chronicles and the ways in which they helped condemn King Pedro and legitimize the rebellion of Enrique de Trastámara—an action that itself could easily be considered treason. See: Devia, "Pedro I y Enrique II de Castilla: la construcción de un rey monstruoso y la legitimación de un usurpador en la Crónica del canciller Ayala," *Mirabilia* 13, ed. Ricardo da Costa (Jun–Dec. 2011): 58–78.

Sevilla, é la cortaron los pies é las manos en la plaza de San Francisco, é le que-maron" [dragged Martín López through all of Sevilla, and cut off his feet and hands in the plaza of San Francisco, and burned him] (22). Chivalric literature resonates strongly; Count Nason had expected to be welcomed back to the king's peace but was executed by burning. The king's actions suggest that different segments of the intellectual atmosphere had come to the same conclusion concerning treason. Just as chivalric authors condemned treason, emphasized its danger to the realm, and recommended extreme royal action in order to prevent it, so Enrique, a historical figure, virulently reacted against challenges to his rule in an effort to prevent further civil war and damage to his realm. Enrique made a very crisp statement about the new Trastámara order: treason would not be tolerated, and incendiary traitors would be punished with severe measures.

Other Castilian nobles noted that Enrique's actions concerning Ferrandez, and especially López, were extreme. The chronicler Pedro López de Ayala remarks that when King Enrique decided to execute both men, "algunos que amaban servicio del Rey, especialmente Don Ferrand Osores Maestre de Santiago, fué muy quejado, é non le plogo, por quanto el Rey le mandára que asegurase de muerte al dicho Don Martin Lopez, é quejóse mucho dello al Rey; pero non le pudo aprovechar al dicho Don Martin Lopez que non moriese" [some who loved the service of the king, especially Don Ferrand Osores, Master of Santiago, complained very much, and were not pleased, for the king had ordered him to secure the death of the said Don Martín López, and [Osores] complained very much to the King; but it did not help the said Don Martín López not to die] (22). At the very least, then, there was some sense that Enrique's actions concerning traitors were seen as harsher than normal.[10] Yet complaints by individuals such as Osores—admittedly Enrique's supporter—did not make life more difficult for the new king. Osores and others who were already in the service of the king were not driven to leave his service as a result of Enrique's fearsome revenge. Indeed, Osores himself fades into the background in the chronicle, as he is never mentioned again. Presumably, Enrique exerted a firm grip on those who had supported him in the civil war. Enrique's

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10   Frank Domínguez has noted that the family of Martín López de Córdoba were very much frightened and upset by Martín's execution and that they likely continued to resist the Trastámaras in subtle ways. Nonetheless, the family was unable to resist the Trastámaras after Enrique's harsh punishments. See: Frank A. Domínguez, "Chains of Iron, Gold, and Devotion: Images of Earthly and Divine Justice in the *Memorias* of Doña Leonor López de Córdoba," in *Medieval Iberia: Changing Societies and Cultures in Contact and Transition*, ed. Ivy A. Corfis and Ray Harris-Northall, 30–44 (Woodbridge, Suffolk: Tamesis, 2007), 32–33.

use of powerful punishment successfully cowed others who might consider rebelling against the new monarch, rejecting his legitimacy, or causing problems within Castile. Harsh punishments were an effective means of maintaining order even though they led to complaint and unease among other nobles.

For those who did not support him in the civil war, Enrique's reign was the story of slowly restoring order throughout Castile. There may not be personal accounts of *petristas* who backed down because of the way he punished traitors, but there is evidence that fewer Castilians were willing to lend the *petristas* their aid. In other words, Enrique's policy of fierce punishment discouraged open collusion with rebels and traitors. As Enrique and his noble supporters targeted the remaining *petristas*, Enrique obsessively hunted them down, seeking their destruction. Two of these *petristas* were Ferrando de Castro and Ferrand Alonso de Zamora. These men had been imprisoned by Enrique after he killed his half-brother, and both were sent to different parts of the kingdom, presumably on the understanding that they were now loyal to the Trastámara Dynasty. Both rejected this arrangement and rose up against Enrique. Ultimately, Enrique and his supporters attacked the two, whom he explicitly called "traitors," and defeated them in battle. They then fled to Portugal, where most of the *petristas* eventually ended up living in exile.[11] The king decided that he could no longer abide their continued existence, and, in 1372, King Enrique marched into Portugal to make war against the *petristas* and the Portuguese king who sheltered them (37–38).

Enrique had to be committed to destroying any potential power of his enemies; the success of his reign and of his bourgeoning dynasty depended upon it. Moreover, the Treaty of Santarém, which ended the conflict with Portugal in 1373, specifically mentions the question of Enrique's political enemies, the "traitors" to the Trastámara Dynasty. Pedro López de Ayala lists the terms of the treaty: First, that the kings of Castile and Portugal should be friends; second, that the King of Portugal, to guarantee his friendship, should send hostages to the King of Castile; and finally, that the King of Portugal "enviase fuera de su Regno á Don Ferrando de Castro, é á Don Ferrand Alfonso de Zamora, é á todos los otros Caballeros é Escuderos de Castilla, que andaban en Portogal, que eran fasta quinientos de caballo" [should send out of his kingdom Don Ferrando de Castro and Don Ferrand Alfonso de Zamora, and all the other knights and squires of Castile, who go about in Portugal, which was some 50 knights] (44).

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11   The stories of these two noblemen is visited by Ayala throughout his chronicle. See: Ayala, *los reyes de Castilla*, 7–9, 13, 23, 36–40. For an excellent analysis of the behavior of *petristas* in exile in Portugal, see: Covadonga Valdaliso, "El exilio político de los petristas en Portugal (1369–1373)," *Erasmo: Revista de historia bajomedieval y moderna* 1 (2014): 152–168.

Although Enrique was unable to execute these men, he was willing to renew a war with his neighbor in order to further disperse them from the vicinity of his kingdom. In short, exile was acceptable if punishment were not an option, but it would be best to secure the harshest exile. Instead of Portugal, these rebels and traitors fled to Granada, Aragon, and England. Regardless, Enrique committed himself to extirpating treason fully in his kingdom. Additionally, the *petristas* were almost unanimous in exiling *themselves*. The fact that Castro and Zamora fled Castile *after* Enrique's execution of two other *petristas* suggests that his action was effective in cowing others. The extreme actions of the first Trastámara helped to firmly establish the principle that harsh punishment of treason would be an effective policy for maintaining order in Castile. It scared away the *petristas* and established a level of stability in the kingdom.

After Enrique died in 1379, the stability he had achieved became more evident. His son and successor, the 21-year-old Juan I (r. 1379–1390), came to the throne without contest and faced no serious resistance from old *petristas* or the rest of the Castilian nobility throughout his decade on the throne. In fact, some of the descendants of the old supporters of Pedro came humbly back to seek reconciliation with the Trastámaras. A few cases suggest Juan I was willing to reconcile these old families to some extent. For example, Martín López de Córdoba's son-in-law Ruy Gutiérrez de Hinestrosa, (who was himself the son of a *petrista*) humbly sought to receive some of his ancestral land back from Juan I, but the family did not quickly regain power. Ruy served loyally in Juan's wars, but he only was made *alcalde* of Córdoba, failing to reclaim any more of his father-in-law's holdings. Additionally, Ruy was rarely present at the royal court, signifying his family's fall from political grace.[12] In short, Enrique II's harsh punishments had been very effective in reducing the power of his political enemies and raising up a new nobility—a Trastámara nobility. Instead of worrying about fighting the *petristas*, Juan I had the luxury of undertaking a dynastic war for the Portuguese throne. This effort ended in disaster, but the fact that Juan could spend his time on foreign adventures suggests that his father had achieved considerable stability for the dynasty, not simply through his martial prowess, but also through his dogged persecution of traitors.

In fact, there was only one somewhat serious instance of a Castilian nobleman committing treason against Juan, and the monarch acted quickly and powerfully to prevent any possible resistance to his reign. In 1380, Juan heard a rumor that his *adelantado mayor* of Castile (one of the chief military and judicial officers of the realm), a man named Pero Manrique, "fablara con el Conde

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12   Margarita Cabrera Sánchez, "El destino de la nobleza petrista: La familia del maestre Martín López de Córdoba," *En la España Medieval* 24 (2001): 195–238 at 214–215.

Don Alfonso en algunas maneras de bollicio que non eran complideras á servicio del Rey" [spoke with the Count Don Alfonso in some manner of disquiet that was not fulfilling to the service of the king] (132). Even Pedro López de Ayala, a friendly chronicler and loyal servant of the Trastámaras, struggled to identify any actual offense on the part of Manrique. It may have been that Manrique actually said or did something that offended Juan, or perhaps Manrique was targeted by Don Alfonso in a sort of power play. After all, Manrique had himself been a loyal servant of Enrique II, participating in the campaign to hunt down and exterminate the *petristas* in Zamora. Whatever the case, King Juan summoned Manrique to the court and, before everyone assembled, asked Count Alfonso if Manrique had spoken in a dangerous manner; Alfonso confirmed Manrique's dangerous speech. Manrique then sought to preserve himself, denying Alfonso's accusations and saying "que él nunca tal cosa fablara" [that he had said no such thing] (133). Things looked bad for Pedro Manrique; the accusation of treasonous speech put his life in danger. In this case, the king showed some kind of mercy. Manrique was arrested, stripped of his titles, and placed under house arrest, where he died a little over a year later. For the early Trastámaras, just a whiff of treason resulted in powerful and debilitating punishment, even when it applied to a good and loyal servant of the king. Juan I continued a policy of harsh punishment for potential traitors, preserving the stability of the realm for the young dynasty. Refusing to treat treason lightly was a recurring decision by Trastámara monarchs as they dealt with the lingering effects of a civil war and a martial nobility that could potentially cause trouble for them.

Yet not all of the Trastámara kings learned how to deal effectively with treason. Juan II (r. 1406–1454) and Enrique IV (r. 1454–1474) both eschewed the regular use of brutal punishment for traitors. Most of the fifteenth century, as a result, was a period of instability and chaos in Castile. After he attained his majority, Juan II's reign was filled with political intrigue and dubious actions, many of which would easily be considered treason. Perhaps the most obvious acts of treason were those of the *Infantes* of Aragon, cousins of Juan II. In 1420, one of these cousins, the *Infante* Enrique, led a group of rebels who broke into the royal bedchambers in the dead of night in order to arrest the king's *privado* because they were concerned about the political power the *privado* was accumulating. Juan was deeply upset by this, demanding an explanation from the *Infante*. Enrique responded that he was simply removing a bad advisor from the king's circle and cleansing the government of Castile.[13] Although the

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13   Fernán Pérez de Guzmán, *Crónica del señor rey don Juan, segundo de este nombre en Castilla y en Leon*, ed. Lorenzo Galíndez de Carvajal (Valencia: Benito Monfort, 1779), 163–164. Hereafter, page numbers are given in parentheses.

chroniclers themselves do not explicitly identify Enrique's actions as treason, raising arms against the king and invading his personal chambers surely qualify as such. Enrique was successful not only in removing the *privado* from his position of power but also in dominating the king himself and accumulating wealth and power. Although Juan was upset, he was either incapable or unwilling to move seriously against his cousin. And so, for several years, Juan neither punished Enrique nor fully reconciled with him, allowing various confederations and leagues of nobles to develop in the realm instead (166–170).

The wheel of fortune turned, though, and Enrique was eventually overthrown by other Castilian noblemen who resented his position of power. In 1422, Juan II received a collection of letters that apparently showed how Enrique and other rebels had colluded with the Muslim King of Granada to allow that king to invade southern Castile. Echoes of the eighth-century traitor Count Julián resonate loudly here. Juan summoned the *Infante* and asked for an explanation. Enrique denied the charges against himself and his political allies, insisting that the king take the time to learn the truth of the matter. Juan agreed, but in the meantime decided to imprison the *Infante* and seize all the letters and written materials that the *Infante* had in his possession (211–212). The king apparently had sufficient evidence to punish Enrique more harshly, but he chose not to; neither did he reconcile with Enrique. It could be that Enrique was his cousin and the king was loathe to punish a member of the royal family seriously. And yet, he was clearly concerned about his cousin's ambitions, possibly even worried that Enrique had designs on the Castilian throne. It seems more likely that Juan kept Enrique imprisoned but invested with his lands and titles in order to use him as a bargaining chip with his other cousins, the kings of Aragon and Navarre. Indeed, in 1425, Enrique was released from prison and turned over to the King of Navarre in an effort to avoid a war with his cousins. This almost immediately resulted in several years of political intrigues in Castile, at the heart of which was the *Infante* Enrique, who had been vigorously seeking to claim his wife's (King Juan's sister) inheritance. Juan even agreed to grant Enrique a number of castles and territories in Castile in an effort to satiate his cousin's ambition. The king's success in this was only temporary, and in the months and years following the release of the *Infante* Enrique, Castile lurched clumsily toward war with both Aragon and Navarre.

Unlike Enrique II, Juan II often chose to respond to treason anemically, neither severely punishing his political enemies nor seeking to bring them hap-

pily back into the royal graces.[14] Juan was excellent at maintaining an angry grudge against traitors without effective punishment, but this did not help to discourage further treason or rebellion against his rule. In the years after the *Infante* Enrique was released, Castile continued to stumble from one political crisis to the next. Indeed, the later years of Juan's reign were marked by constant miniature civil wars and efforts to replace one *privado* with the next, a pattern which continued into the reign of his son, Enrique IV. Juan's weak policy toward treason was a fundamentally ineffective means of dealing with threats to his power. In contrast to the early Trastámaras, who had used harsh punishment to such spectacular effect, Juan's weakness helped to encourage political intrigues, the formation of leagues of nobles, and a general division in the realm. Ultimately, instability was the price of Juan's tepid policies on treason.

Enrique IV, like his father, doted on favorites (*privados*) to whom he had granted immense power and wealth. This practice led to serious problems when Enrique switched his patronage over the years from one *privado* to the next. In 1462, the king settled on a new *privado*, a man named Beltrán de la Cueva. Other nobles who had been jockeying for favor at court became disillusioned by this move. Juan Pacheco, the Marquis de Villena and a would-be *privado*, felt particularly alienated by the king's actions in favor of la Cueva.[15] In response, Pacheco organized a rebellion against Enrique, seeking to depose him and place the king's adolescent brother, Alfonso, on the throne (137–138). Pacheco's rebellion against Enrique was the beginning of a long story of the

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14   In this volume, Iain A. MacInnes discusses the similar attitude towards lenient kings in medieval Scotland. See: "'A somewhat too cruel vengeance was taken for the blood of the slain': Royal Punishment of Rebels, Traitors, and Political Enemies in Medieval Scotland, c. 1100–c. 1250."

15   Diego Enríquez del Castillo, "Crónica del rey don Enrique el cuarto de este nombre," in *Biblioteca de Autores Españoles,* vol. 70 (Madrid: M. Rivadeneyra, 1878), 119–122. Hereafter, page numbers are given in parentheses. María del Pilar Carceller Cerviño has the best analysis of the institution of the *privado* in the late Middle Ages, examining both the continuities of the institution over the years as well as the changes that occurred in the institution as different men became *privado*. See: Carceller Cerviño, "Álvaro de Luna, Juan Pacheco y Beltrán de la Cueva: un estudio comparativo del privado regio a fines de la Edad Media," *En la España Medieval* 32 (2009): 85–112. The riveting story of Pacheco's life and career has been told and analyzed by Alfonso Franco Silva. See: Franco Silva, *Juan Pacheco, privado de Enrique IV de Castilla: La pasión por la riqueza y el poder* (Granada: Universidad de Granda, 2012).

Pacheco family plumbing the depths of treason against the Castilian and Spanish Crowns.

Operating from a position of weakness, Enrique initially gave in to the demands of the traitors to the Crown and agreed to renounce his daughter's place in the line of succession in favor of his half-brother in 1464. Before long, though, Enrique changed course. Either he felt that he was in a stronger position against the rebels or he simply refused to be dominated by the nobility. Whatever the case, in 1465, Enrique proclaimed that he intended to build a stronger and more powerful royal government and that the nobility would not dictate terms to him. In response, Pacheco and his noble allies committed treason in the what is known as the Farce of Ávila, in which they abused and deposed an effigy of Enrique and declared Alfonso to be the true king. In an effective bit of political theater, the rebels ritualistically removed the symbols of royal authority from the effigy of the king before knocking it on the ground with the proclamation "¡A tierra, puto!" [Eat dirt, faggot!].[16] The rebels were committing a very clear act of treason at Ávila, seeking to overthrow the king and to call into question his political, royal, and sexual qualifications to rule. Indeed, the *Siete Partidas* explicitly characterizes attacking the king in effigy as an act of treason (Part. 7, Tit. 11, Ley 1). Unfortunately for Pacheco, Alfonso died in 1468. Instead of reconciling with Enrique, though, the rebels simply transferred their allegiance to Enrique's sister, Isabel (r. 1474–1504). Later that year, Enrique was forced to accept Isabel as his heir, once again giving in to the demands of the rebels.[17]

A marriage in 1469 complicated the situation in Castile. In violation of a settlement to which Enrique had agreed, Isabel chose to marry her cousin, Fernando, the heir apparent of the Crown of Aragon, so Enrique apparently renounced the terms of the agreement. Thus, in the last few years of Enrique's life, an atmosphere of hostility and suspicion permeated the realm. Enrique's partisans looked to his daughter, Juana, as the legitimate heir, while those who had rebelled against Enrique, supported Isabel.

When Enrique died in December 1474, both Juana and Isabel were proclaimed queen by their supporters, and the two sides took to fighting once

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16   I take this translation from Barbara Weissberger's examination of the Farce. Barbara Weissberger, "'¡A tierra, puto!': Alfonso de Palencia's Discourse of Effeminacy," in *Queer Iberia: Sexualities, Cultures, and Crossings from the Middle Ages to the Renaissance*, ed. Josiah Blackmore and Gregory S. Hutcheson, 291–324 (Durham, NC: Duke University Press, 1999).

17   Hernando del Pulgar, "Crónica de los señores reyes católicos don Fernando y doña Isabel de Castilla y de Aragon," in *Biblioteca de Autores Españoles,* vol. 70 (Madrid: M. Rivadeneyra, 1878), 234–236. Hereafter, page numbers are given in parentheses.

again (253–254). Pacheco, who had helped precipitate a wide and destructive civil war in the 1460s, died in 1474, a few months before the king. Pacheco passed out of this world before he could be either seriously punished or fully reconciled with the Crown. Ultimately, the fact that Pacheco escaped life without answering one way or another reflects the failure of Enrique IV to pursue the strong policies laid down by his predecessors. Enrique failed to harshly punish those who would rebel against him, and he failed to effectively reconcile with them. Instead, much of Enrique's reign was consumed by a renewal of the civil strife that had plagued Castile for much of the late Middle Ages. Indeed, Enrique's failure to deal with treason meant that, on his death, a new civil war broke out in Castile, pitting his daughter against his half-sister.

The struggle between these two would-be queens offered new opportunities for men who wished to follow in the footsteps of Juan Pacheco, namely Diego López de Pacheco, Juan's son and successor as the Marquis de Villena. As a teenager, the younger Pacheco had joined his father in the civil war and had supported the Alfonsine and Isabelline causes. When civil war broke out after Enrique IV's death, though, and it became clear that Isabel was not a queen who would promote a *privado* or be controlled by the nobility, Diego López de Pacheco switched sides. Pacheco demanded great offices from Isabel and threatened to cause terrible division in the realm, championing the cause of Juana. In 1475, Pacheco negotiated a marriage between Juana and the King of Portugal and promised to help the Portuguese monarch seize the Castilian throne (257–258). From the perspective of Isabel and her supporters, Pacheco was a horrid traitor to the new queen, particularly because he was the son of one of her earlier loyal supporters. For the next several years, Pacheco and other Castilian noblemen colluded with the King of Portugal and Juana and fought against Isabel. Given Enrique's weak policies concerning traitors, the Pacheco family saw an opportunity to dominate the monarch and achieve their own personal and familial goals. The stability of the Trastámara state was predicated in large part on the monarch's response to treason. Enrique's failure to respond to Pacheco treason caused intense problems for Castile. Only Isabel's embracement of stronger policies concerning treason ended the Pacheco threat to stability.

Isabel was persuaded in 1477 to extend an olive branch to her enemies. Her father-in-law, the King of Aragon, sought to soothe her fury against Pacheco and others, begging her to remember the good service that her noblemen had done in years past and to forget the more recent "disservices" that they had done to her. Begrudgingly, Isabel set aside her anger and reconciled with the rebels, including the Marquis of Villena. She pardoned Pacheco for his misdeeds and released his goods and money that she had seized during the war.

Though she apparently wanted vengeance and harsh punishment against the traitors, the queen chose reconciliation with the Pachecos, with the effect that she could restore peace more quickly to the realm and advance her own power. In exchange for his pardon, the Marquis surrendered a number of strategic fortifications to the royal party, including the alcázar of Madrid and the fortification at the city of Trujillo (313–314). Isabel was operating in a context that demanded a certain level of reconciliation in order to achieve her goals. Her brother's failures to deal with treason had cultivated a willingness among the Castilian nobility to challenge her directly. And though the war had begun to tip in her favor by 1477, an end was not yet in sight; the war for the Castilian throne would drag on for another two years. In the meantime, Isabel sought to consolidate her own power and reduce support for Juana by reconciling with the powerful nobles who had the ability and demonstrated willingness to rend the kingdom. In her reconciliation, Isabel did not accede to the demands of the rebels; she did not grant Pacheco the titles he was seeking, nor did she allow him a position of influence at court. Instead, she simply decided not to punish him and to allow him back into her service. She was showing Pacheco a certain level of grace, encouraging him to end his rebellion. Because she was engaged in a war for the throne, her policy had the same effect that Enrique II's policy of harsh punishment had in the 1370s. Her enemies were reduced, her own position was strengthened, and, when she finally won the war in 1479, she had a number of powerful supporters who were vested in her success.

The use of reconciliation as a royal policy in dealing with traitors bore fruit for Isabel within a year. In the city of Chinchilla in 1478, the Marquis of Villena raised arms against the royal governor. According to Hernando de Pulgar, the chronicler of Isabel and Fernando, the Marquis chose to do this because he was chafing under her stronger government and because he viewed the strength of royal authority as a violation of his oath of fealty. Pulgar goes on to claim that Pacheco made league with the King of Portugal, renewing his treason. Over the course of several months, Isabel and her husband made war against Pacheco in his lands and looked to be soundly defeating the Marquis. At that point, Pacheco wrote to the monarchs, insisting that he had not raised arms against the king and queen but only against an overly enthusiastic governor. He claimed that he never sought to renew the war or to collude with Portugal, but only to resist the governor's tyranny. The monarchs investigated and agreed with the Marquis, finding that it was another knight in the region who had colluded with the Portuguese. They reminded Pacheco that if he had grievances with the governor, the correct course of action was to seek recourse from the Crown, not to start a war. Isabel had finally secured peace in her realm and with the Kingdom of Portugal by 1479 (338–339). Once the peace was announced,

Pacheco went before the royal court to emphasize once again that he had not violated the terms of his reconciliation and that he had not colluded with Portugal. The monarchs found him innocent and pardoned the error that had led to a war in his lands (347–348).

At the same time, there may have been other calculi at work for Isabel and her advisors. Reconciliation with Pacheco and the papering over of his second treason might have been part of a policy looking toward a stronger settlement of decades of civil war in Castile. If Isabel hoped to reconcile with Pacheco and other rebels like him, it might have served her well to overlook Pacheco's actions in 1478. Isabel had a larger emprise in mind for the knights and nobility of Castile. Pacheco, together with his extensive and powerful family, would be a most useful ally.

Early in 1482, just a few years after the end of the war for the throne, Isabel and Fernando began pouring financial, military, and human resources into a war for the conquest of Granada, the last Muslim kingdom in Iberia (365–368). This effort lasted for a decade and required the support of the knights and nobles of the kingdom. Perhaps more accurately, the knights and nobles of the kingdom required the war against Granada for the fulfillment of their own violent impulses and chivalric ideology. Pacheco ended up in a position of honor in the war against Granada, which was conceived of at the time as a great historical imperative for the chivalry of Castile. The "destruction" of Spain, laid out so clearly by Pedro de Corral, was finally being reversed, and the peninsula was being reclaimed for Christendom. As Hernando de Pulgar recounted the deeds of King Fernando in the holy war, he frequently listed the knights and noblemen who were present at a given battlefield. Over and over, Pacheco, by virtue of his exalted title and his leadership on the field, is one of the first names mentioned. As the war progressed and Pacheco continued to demonstrate his commitment to the holy war, he was even named captain of the frontier, charged with maintaining the Castilian forces along the border with Granada (507). In 1492, when King Fernando came to the city of Granada for the final siege, the Marquis of Villena had already begun reducing the city, fighting with the defenders, and destroying surrounding villages and fortifications (509–510). Far from suffering some karmic punishment for his treason and his father's, Diego López de Pacheco ended up in a place of illustrious honor, playing a key role in one of the pivotal events of Castilian history.[18]

18   Pacheco was not the only example of a reconciled traitor in Isabel's Castile. Rodrigo Ponce de Leon, the Marquis of Cádiz, also took the side of Juana in the war of succession and ended up playing a significant role in the conquest of Granda after the war concluded. Like Pacheco, Ponce de León also yielded some of his fortifications and holdings to the Crown as part of the cost of his reconciliation. Pulgar, "Isabel de Castilla," 327–328.

Isabel's approach to dealing with treason was more nuanced; she used the tool of reconciliation as effectively as her ancestors had used the tool of punishment. The queen secured a more stable realm by forgiving a treason committed against her, an effective strategy because she had an eye turned toward how she might use a powerful and freshly loyal nobleman to her advantage in the future.

Queen Isabel was able not only to proclaim the power and grace of the royal government but also to co-opt noble military and political power into larger royal efforts. Reconciliation, when offered from a position of strength and command, helped Isabel's government move past the divisive destruction of the previous decades of Castilian history. Treason was not an acceptable action, but reconciliation offered traitors the opportunity to redeem themselves and to demonstrate their newfound loyalty in the service of their monarch. Not only did Pacheco avoid being mutilated and executed, he found a new level of honor and glory for himself and his family. Royal reconciliation provided an effective incentive for treasonous noblemen even as it provided the Crown more support and service from their noble subjects. In contrast to the weak, ineffective, and destabilizing policies of her half-brother and her father, Isabel's ability to use reconciliation to her advantage helped to strengthen the realm and preserve order for the Trastámara Dynasty.

The Trastámara monarchs ruled Castile during a difficult historical period. They came to power through the murder of the reigning king, they suffered through the devastation of the Hundred Years' War (1337–1453) as allies of France, and they faced a powerful martial nobility that jealously guarded its own independence. Their success was predicated, to a large degree, on their ability to respond to treason in the face of political and dynastic turbulence. The early Trastámaras imposed harsh punishments on traitors in new and fearsome ways, especially bodily mutilation and burning. These methods had previously been prohibited for knightly criminals; however, the Trastámaras insisted on them precisely to try to tame the wild nobility. Toward the end of the Trastámara period, Queen Isabel tried a different solution. Instead of relying only on fear to secure the loyalty of her noble subjects, the queen actively sought to rehabilitate traitors who had taken up arms against her during civil war. Her goal, it would seem, was to unite the nobility of her realm in a grander effort against external enemies. In forgiving treason, Isabel redirected some of the violent tendencies of the nobility outward and helped create a more effective body politic, giving violent knights and noblemen a stake in the success of her dynasty and the success of her state.

"A somewhat too cruel vengeance was taken for the blood of the slain": Royal Punishment of Rebels, Traitors, and Political Enemies in Medieval Scotland, c. 1100–c. 1250

Iain A. MacInnes

In c. 1230, forces representing the Scottish crown defeated the latest insurrection originating in northern Scotland in the name of the MacWilliam family. Representatives of this family had been raising rebellion against the royal dynasty for at least fifty years. The English *Lanercost Chronicle* (c. 1285–c. 1346)[1] describes the events that followed this most recent MacWilliam defeat:

> et inimicis prospere subactis, aliquantulum in sanguinem occisorum crudelius vindicatum est. Nam eiusdem Mac Willelmi filia, adhuc recens de matris utero edita, ante conspectum fori sub voce praeconia, in burgo de Forfar, innocens traditur neci, capite ipsius ad columnam crucis eliso et cerebro excusso, e contra dicente Domino, "non occidentur filii pro patribus …"

> [And after the enemy had been successfully overcome, a somewhat too cruel vengeance was taken for the blood of the slain: the same MacWilliam's daughter, who had not long left her mother's womb, innocent as she was, was put to death, in the burgh of Forfar, in view of the market-place, after a proclamation by the public crier: her head was struck against the column of the [market] cross, and her brains dashed out. Yet God says, to the contrary effect, "Sons shall not be slain for their fathers" …].[2]

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1 For discussion of the dating of this work, see: Antonia Gransden, *Historical Writing in England I, c. 500–c. 1297* (London: Routledge, 1996), 432–438; Andrew G. Little, "The Authorship of the Lanercost Chronicle," *English Historical Review* 31.122 (1916): 269–279. See also: *Chronicon de Lanercost*, ed. Joseph Stevenson (Edinburgh: Bannatyne Club, 1839), i–xxi; James Wilson, "Authorship of the Chronicle of Lanercost," in *The Chronicle of Lanercost, 1272–1346*, ed. Herbert Maxwell, ix–xxxi (Glasgow: James Maclehose and Sons, 1913).

2 *Chron. Lanercost*, ed. Stevenson, 41; *Early Sources of Scottish History, AD 500–1286*, ed. Alan O. Anderson, 2 vols. [hereafter *ESSH*] (Edinburgh: Oliver and Boyd, 1922), 2:471.

This event appears to represent the ultimate victory of the successors of Malcolm Canmore in what had been a long fight to establish legitimacy and authority in opposition to various claimants to the throne and territorial potentates with royal pretensions. The death of the MacWilliam infant was a very public display of royal justice against a rebellious family, and an obvious line in the sand after which there would be no more MacWilliams. The barbarity of this act and the extirpation of a family that this action symbolized have drawn consistent criticism from historians of this period. Such analysis has described this execution as "the deliberate extinction of a segment of the royal kindred" by "premeditated murder," a "savage extermination," and the "'final solution' for disposing of the MacWilliam kindred altogether."[3] Historians have also positioned the infant's execution at the terminus of a long period of perceived violent reprisals inflicted on rebels by the crown in a "chronicle of carnage," a time of unashamedly bloodthirsty and brutal behavior when "the road to success for the Canmore kings was littered with the corpses of their enemies."[4] Against this analytical framework, the apparent "better treatment" of rebels such as Fergus of Galloway is seen as "the exception rather than the rule."[5] This "violent" paradigm has also ensured that non-lethal and non-violent responses to rebellion are portrayed negatively by some historians as examples of royal weakness.[6] Rather than acts of clemency or kingly magnanimity, punishments

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3   Alasdair D. Ross, "Moray, Ulster, and the MacWilliams," in *The World of the Galloglass: Kings, Warlords and Warriors in Ireland and Scotland, 1200–1600*, ed. Sean Duffy, 24–44 (Dublin: Four Courts, 2007), 41; Geoffrey W.S. Barrow, "MacBeth and Other Mormaers of Moray," in *The Hub of the Highlands: The Book of Inverness and District*, ed. Loraine Maclean, 109–122 (Edinburgh: Inverness Field Club, 1975), 122. See also: Richard D. Oram, "Introduction: An Overview of the Reign of Alexander II," in *The Reign of Alexander II, 1214–49*, ed. Richard D. Oram, 1–48 (Leiden: Brill, 2005), 41.

4   Edward J. Cowan, "The Historical Macbeth," in *Moray: Province and People*, ed. W. David H. Sellar, 117–141 (Edinburgh: Scottish Society for Northern Studies, 1993), 134–135; R. Andrew McDonald, *Outlaws of Medieval Scotland: Challenges to the Canmore Kings, 1058–1266* (East Linton: Tuckwell Press, 2003), 140, 172. See also: Sean McGlynn, *By Sword and Fire: Cruelty and Atrocity in Medieval Warfare* (London: Weidenfeld & Nicolson, 2008), 5; Cynthia J. Neville, "The Beginnings of Royal Pardon in Scotland," *Journal of Medieval History* 42.5 (2016): 559–587 at 565.

5   McDonald, *Outlaws of Medieval Scotland*, 140.

6   See, for example: McDonald, *Outlaws of Medieval Scotland*, 82, 92, 100, 102. It has also been argued that kings had to balance their displays of magnanimity and violence to avoid contemporary perceptions of weakness by their subjects. See: Matthew Strickland, *War and Chivalry: The Conduct and Perception of War in England and Normandy, 1066–1217* (Cambridge: Cambridge University Press, 1996), 248–251; Kate McGrath, "The Politics of Chivalry: The Function of Anger and Shame in Eleventh– and Twelfth–Century Anglo–Norman Historical Narratives," in *Feud, Violence and Practice: Essays in Medieval Studies in Honor of Stephen D. White*, ed. Belle S. Tuten and Tracey L. Billado, 55–69 (Farnham: Ashgate, 2010), 68–69. For a recent alternative to this view, see: Neville, "Royal Pardon in Scotland," 567–569.

taking the form of fines, forfeiture, or submission are often considered the actions of monarchs who lacked the power and authority to deal with treasonous rebels as they supposedly wished, in a violent fashion.[7]

This "violent" paradigm also aligns with the perception of contemporary Scotland portrayed by historians of medieval England. In such analyses, the violent treatment of political enemies stands in stark contrast to a perceived "golden age" in English political society. Here, kings and nobles lived in a quasi-symbiotic relationship that allowed for noble rebellion without fear of violent and bloody retribution visited on the rebel's body.[8] Not until the mid-thirteenth century did this situation begin to change. In contrast to this Anglo-Norman ideal, Scottish violence towards political opponents is portrayed as being aligned more closely to the internecine succession wars of contemporary Wales and Ireland, which were "unquestionably a bloody business for the leading participants."[9] As a result of such analyses, John Gillingham could write with confidence that "it was by killing and mutilating rivals that the line of David [I] secured its hold on the throne of Scotland in the twelfth and thirteenth centuries."[10] This assumption of violent Scottish royal retribution against any who opposed kingly authority presumes, however, that all rebels were deliberately killed and that acts such as the execution of the MacWilliam infant were commonplace. They were not. Rather than the grizzly purveyors of random violence, hands soaked with the blood of those who opposed them, contemporary Scottish monarchs were rather different. In fact, they were more like their European contemporaries than has been recognized. They used vio-

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7   McDonald, *Outlaws of Medieval Scotland*, 100–102; R. Andrew McDonald, "'Soldiers Most Unfortunate': Gaelic and Scoto–Norse Opponents of the Canmore Dynasty, *c.*1100–*c.*1230," in *History, Literature, and Music in Scotland, 700–1560*, ed. R. Andrew McDonald, 93–119 (Toronto: University of Toronto Press, 2002), 110; John Gillingham, "Killing and Mutilating Political Enemies in the British Isles from the Late Twelfth to the Early Fourteenth Century: A Comparative Study," in *Britain and Ireland, 900–1300: Insular Responses to Medieval European Change*, ed. Brendan Smith, 114–134 (Cambridge: Cambridge University Press, 1999), 121. For alternative views of Scottish royal treatment of rebels and traitors, see: Cynthia J. Neville, "Royal Mercy in Later Medieval Scotland," *Florilegium* 29 (2012): 1–31; Neville, "Royal Pardon in Scotland," *Journal of Medieval History* 42.5 (2016): 559–587.

8   Danielle Westerhof, *Death and the Noble Body in Medieval England* (Woodbridge: Boydell Press, 2008), 117–120; John Gillingham, "Conquering the Barbarians: War and Chivalry in Britain and Ireland," in *The English in the Twelfth Century: Imperialism, National Identity and Political Values*, 41–58 (Woodbridge: Boydell Press, 2000), 57; John Gillingham, "1066 and the Introduction of Chivalry into England," in *The English in the Twelfth Century*, 209–231 at 222; Gillingham, "Killing and Mutilating," 119.

9   John Gillingham, "The Beginnings of English Imperialism," in *The English in the Twelfth Century*, 3–18 at 15; McDonald, *Outlaws of Medieval Scotland*, 139; Gillingham, "Killing and Mutilating," 124.

10   Gillingham, "Conquering the Barbarians," 54–55; see also: Gillingham, "Killing and Mutilating," 114–115.

lent punishment when it was needed, and when it was justifiable, but this did not necessarily mean death. And they employed a variety of additional non-violent punishments as part of a range of options open to them when dealing with treason.

William Barron has argued that contemporary "consciousness of the Dark Ages not long past [and] fear of … the return of chaos, made medieval Europe fiercely protective of the established order, and ruthless in punishing any attack upon its authority."[11] This fear of the natural order breaking down is reflected in the language employed by contemporary chroniclers when describing rebellious activities.[12] When Somerled of Argyll and his nephews rebelled in 1154, the *Holyrood Chronicle* (c. 1150 x 1186)[13] reported that they and their supporters "Scotiam in magne parte peturbantes inquietauerunt" [disturbed and disquieted Scotland to a great extent].[14] William of Newburgh, writing of rebellion against Malcolm IV, wrote that "Non tamen defuere, qui novis motibus intumescentes, vel eum impetendum censerent, vel consueta illi denegarent" [there were individuals whose anger boiled over into insurrections].[15] Further rebellion against Malcolm IV by a group of Scottish earls was described as *praesumcio illorum* [their presumptuous design].[16] The combination of an attack on the king's authority and on God's chosen secular representative placed rebels beyond the pale and open to violent retribution. It was not, however, a simple outcome of swift punishment inflicted on those accused of treasonous

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11   William R.J. Barron, "The Penalties for Treason in Medieval Life and Literature," *Journal of Medieval History* 7 (1981): 187–202 at 198.

12   R. Andrew McDonald, *The Kingdom of the Isles: Scotland's Western Seaboard, c. 1100–c. 1336* (East Linton: Tuckwell Press, 1997), 40–41.

13   For discussion of the dating of this chronicle, see: *A Scottish Chronicle known as the Chronicle of Holyrood*, ed. Marjorie O. Anderson (Edinburgh: Scottish History Society, 1938), 1–51; Antonia Gransden, *Historical Writing in England, II: c. 1307 to the Early Sixteenth Century* (London: Routledge, 1996), 82 n. 147.

14   *Chronicon Coenobii Sanctae Crucis Edinburgensis*, ed. Robert Pitcairn (Edinburgh: Bannatyne Club, 1828), 31; *Chron. Holyrood*, 187. See also: *Johannis de Fordun, Cronica Gentis Scotorum*, ed. William F. Skene, 3 vols. (Edinburgh: Edmonston and Douglas, 1871–2), 2:249–250; Walter Bower, *Scotichronicon*, ed. Donald E.R. Watt et al., 9 vols. (Aberdeen: Aberdeen University Press, 1987–98), 4:253; Alasdair Ross, "The Identity of the 'Prisoner of Roxburgh': Malcolm son of Alexander or Malcolm MacHeth?," in *Fil súil nglasi A Grey Eye Looks Back: A Festschrift in honour of Colm Ó Baoill*, ed. Sharon Arbuthnott and Kaarina Hollo, 269–282 (Ceann Drochaid: Clann Tuirc, 2007), 280.

15   *Chronicles of the Reigns of Stephen, Henry II, and Richard I, Vol. I*, ed. Richard Howlett (London: Rolls Series, 1884), 77; William of Newburgh, *The History of English Affairs, Book I*, ed. Patrick G. Walsh and M.J. Kennedy (Warminster: Aris & Phillips, 1988), 109.

16   *Chronica de Mailros*, ed. Joseph Stevenson (Edinburgh: Bannatyne Club, 1835), 77; *Mediaeval Chronicles of Scotland: The Chronicle of Melrose (from 1136 to 1264) and the Chronicle of Holyrood (to 1163)*, ed. Joseph Stephenson (Dyfed: Llanerch Enterprises, 1988), 11–12.

behavior. Scots law as recorded in *Regiam Majestatem* (fourteenth century, c. after 1318)[17] states that those accused of treason in Scotland had recourse to either trial by battle or to an assize by good men of the country.[18] Trial by assize appears to have been the recourse of Earl John of Orkney when accused in 1222 of involvement in the death of Bishop Adam of Caithness. Later Scottish chroniclers wrote that he "quamvis suam probaret innocentiam, bonorum virorum testimonio, quod eisdem flagitiosis nullum praestitisset favorem, vel consilium" [proved on the testimony of good men that he was innocent and had offered no support or advice to those ruffians].[19] Evidence of the use of trial by combat is provided by the Holyrood chronicler's brief statement that a certain individual named Arthur, "regem Malcolm proditurus, iii Martii duello periit" [who was about to betray King Malcolm, perished on 3 March in [trial by] combat].[20] Such instances of treason trials appear, however, rarely in written evidence.[21]

Instead, rebels from this period appear to have fallen largely into two categories. There were those who appear to have been considered manifest rebels whose acts of violence against the king's lands and subjects were so obvious as to require no trial. There were also those who, despite rebellious acts, were allowed to re-enter the king's peace by means of formal submission or other non-violent punishments.[22] Beginning with the first group, it is apparent that the majority of manifest rebels died in battle. Indeed, pitched battle may have acted as an alternative form of trial by combat in circumstances of rebellion and civil strife, with royal victory displaying God's judgement and reinforcing the justness of the king's cause to any who supported the rebels.[23] In some cases it appears, however, that victory was insufficient in itself as a symbol of royal might. In such circumstances, beheading of the defeated rebels appears

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17   Alice Taylor, "The Assizes of David I, King of Scots, 1124–53," *Scottish Historical Review* 91.2 (2012): 197–238.

18   *The Acts of the Parliament of Scotland*, ed. Thomas Thomson and Cosmo Innes, 12 vols. (Edinburgh, 1814–75), 1:632; David M. Walker, *A Legal History of Scotland: Volume 1 The Beginnings to AD 1286* (Edinburgh: W. Green & Son Ltd., 1988), 287–288.

19   *Chronica Gentis Scotorum*, 1:289; *John of Fordun's Chronicle of the Scottish Nation*, ed. William F. Skene, 2 vols. (Edinburgh: Edmiston and Douglas, 1872), 2:284–285; see also: *Chron. Bower*, 5:113–115.

20   *Chron. Sanctae Crucis*, 32; *Chron. Holyrood*, 188.

21   Walker, *Legal History of Scotland*, 286, 289, 292.

22   For a discussion on reconciliation rather than punishment for treason in late-medieval Castile, see in this volume: Sam Claussen, "Royal Punishment and Reconciliation in Trastámara Castile."

23   Maurice H. Keen, *The Laws of War in the Late Middle Ages* (London: Routledge & Kegan Paul, 1965), 92.

to have been relatively common. Indeed, Katherine Royer argues that such be-
havior was as customary in medieval warfare as it was in medieval justice, with
the head being used as "a trophy [to be] … sent to the king or displayed in the
city as a symbol of military victory."[24] The trophy-like use of the head was a
relatively common motif in Anglo-Scottish warfare both before and after the
period of this analysis, just as it was also in Anglo-Welsh warfare wherein the
taking of heads is said to have had its origins in pre-Christian conflict.[25]
Around 1006, the casualties of Malcolm II's army were beheaded, and "inter-
fectorum vero capita … fecit Dunelmum transportari eaque a quatuor mulieri-
bus perlota per circuitum murorum in stipitibus praefigi" [the heads of the
slain … [were] conveyed to Durham; and [were] well washed by four women,
and set up on stakes around the walls].[26] Similarly, in 1039, the defeated forces
of Duncan I were put to the sword and their heads hung up on stakes in the
market-place.[27] In later years, Edward I placed the heads of executed Scottish
rebels at various strategic points in northern England and Scotland as a warn-
ing to others, while the heads of defeated and captured Scots were also pre-
sented to the English king on several occasions.[28]

Beheadings in the context of Scottish rebellion appear to have been equally
common. In 1187, Donald Ban MacWilliam was defeated by a detachment of
the royal army. Apparently killed in battle, the troops beheaded the slain Mac-
William "et caput predicti Willelmi abscisum detulerunt secum, et prae-
sentaverunt illud regi Scotiae" [and carried [his head] away with them, and
presented it to the king of Scotland].[29] The later account of Walter Bower

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24   Katherine Royer, "The Body in Parts: Reading the Execution Ritual in Late Medieval Eng-
      land," *Historical Reflections* 29 (2003): 319–339 at 324. For further consideration of the sev-
      ered head as trophy, see several essays in *Heads Will Roll: Decapitation in the Medieval and
      Early Modern Imagination*, ed. Larissa Tracy and Jeff Massey (Leiden: Brill, 2012).
25   Frederick Suppe, "The Cultural Significance of Decapitation in High Medieval Wales and
      the Marches," *Bulletin of the Board of Celtic Studies* 36 (1989): 147–160 at 149; Strickland,
      War and Chivalry, 307.
26   Symeon of Durham, "De Obsessione Dunelmi," in *Symeonis Dunelmensis Opera et Collec-
      tanea*, ed. John Hodgson–Hind (Durham: Surtees Society, 1868), 1:155; *Scottish Annals from
      English Chroniclers, AD 500–1286* [hereafter *SAEC*], ed. Alan O. Anderson (London: D. Nutt,
      1908), 80.
27   *SAEC*, 83.
28   Matthew Strickland, "A Law of Arms or a Law of Treason? Conduct in Edward I's Cam-
      paigns in Scotland, 1296–1307," in *Violence in Medieval Society*, ed. Richard W. Kaeuper,
      39–78 (Woodbridge: Boydell Press, 2000), 52–54; Michael Prestwich, "Transcultural War-
      fare—the Later Middle Ages," in *Transcultural Wars from the Middle Ages to the Twenty-
      First Century*, ed. Hans-Henning Kort, 43–56 (Berlin: Academie Verlag, 2006), 48.
29   *Gesta Regis Henrici Secundi Benedicti Abbatis*, ed. William Stubbs, (London: Rolls Series,
      1867), 2:8; *SAEC*, 295. See also: *Chron. Melrose*, 25; *Chron. Holyrood*, 193; and *Chron. Fordun*,
      2:263–264.

emphasizes the trophy-like significance of MacWilliam's head, writing that it was "ad tocius spectaculum exercitus detulerunt" [to be displayed to the whole army].[30] Frederick Suppe argues that the presentation of enemy heads to the king was a common element in Anglo-Welsh warfare from at least the thirteenth century, and that "while such acts would certainly be a visible demonstration of success … the fact that two such important symbolic elements as the head and the king were involved suggests that these acts had ceremonial value as well."[31] The king's absence from the skirmish at which MacWilliam was killed allowed for this element of presentation of the trophy head. That this ritual took place during a period of civil conflict must have had significant symbolic resonance for any who were ambivalent in their support of the king.[32] Further examples of the head as trophy are provided from comparable instances of rebellion. The death of Somerled of Argyll at Renfrew in 1164 was followed by his decapitation and the presentation of his head to the bishop of Glasgow.[33] And, subsequent to the murder of Bishop Adam of Caithness in 1222, Earl John of Orkney was forced to submit to the king and promise to avenge the death of the cleric. This involved an undertaking to "et eorum omnium capita, qui dicto sceleri interfuerunt, detruncata ad pedes regis infra sex menses deportaret" [bring to the king's feet within six months the cut-off heads of all those who had taken part in the said crime].[34] The duty of upholding the king's law and insuring that justice was served for the bishop's murder by producing the heads of the guilty was therefore presented to the earl as part of the terms of his submission, reinforcing his own allegiance to the crown as well as visually displaying the force of royal justice.

Such an open display of royal might is reminiscent of the idea of the public execution of traitorous individuals; however, these examples are relatively rare in contemporary Scotland and there are only two executions which stand out. In 1211–2, Guthred MacWilliam launched a rebellion in northern Scotland. Captured during the campaign, Guthred was handed over to the earl of Buchan, the Scottish justiciar. In his fifteenth-century *Scotichronicon* (c. 1441 x 1449), Walter Bower writes that Buchan wished to bring Guthred

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30   *Chron. Bower*, 4:336–337.

31   Suppe, "Cultural Significance," 160, 147.

32   For in-fighting amongst the Scottish forces, and potential support of MacWilliam, see: *Gesta Henrici Secundi*, 2:7–9; Dauvit Broun, "Contemporary Perspectives on Alexander II's Succession: The Evidence of King-Lists," in *Reign of Alexander II*, ed. Oram, 79–98 at 83 n. 19. See also: Archibald A.M. Duncan, "Roger of Howden and Scotland, 1187–1201," in *Church Chronicle and Learning in Medieval and Renaissance Scotland*, ed. Barbara E. Crawford, 135–159 (Edinburgh: Mercat Press, 1999), 141–142.

33   "Carmen de Morte Somerledi," translated in *ESSH*, 256–258.

34   "Annales Prioratus de Dunstaplia," in *Annales Monastici*, ed. Henry R. Luard (London: Rolls Series, 1866), 3:78; *SAEC*, 336–337.

before the king alive and set out to meet William the Lion.[35] On his way, how-
ever, Buchan received word from the king "quod nollet eum vivum videre, cum
et ipse Gothredus iam pene defecisset quia postquam captus fuerat refici victu
renui, decollatum et tractum per pedes suspenderunt" [that he did not want
to see him alive, [and so] they beheaded Guthred, dragged him along by the
feet and hung him up].[36] Bower also writes that Guthred rejected food after his
capture, and if this was simply another means of saying that he was starved by
his captors, then it is possible that Guthred MacWilliam's execution is an ex-
ample of the traitor suffering from multiple deaths. The combination of starva-
tion, beheading, drawing the body, and hanging it up for public display appears
to reflect the idea that those who had committed treason against the king de-
served execution in more than one form to reflect the enormity of their crime.[37]
The physical action of hanging up Guthred's body is similar to the exhibition
of the severed head.[38] As Royer argues, such treatment "[made] the point that
this was not the honorable death of a defeated warrior. The rituals of inversion
that characterized these events advertised the condemned's dishonor, for the
king had been personally offended and his honor restored through the ritual."[39]
King William's dismissal of Guthred MacWilliam, denying him audience and
therefore removing any possibility of appealing to the king's mercy, is a potent
display of royal might that possibly contains an element of royal vengeance
against the MacWilliams' continued rebellion. Ecclesiastical writers were care-
ful in their judgement of lordly retributive action, drawing a clear dividing line
between just action and unjust reaction. As Daniel Baraz points out, "violence
was justified, with qualifications, as self-defense. ... The extent of this violence,
however, was limited; excessive violence—even in self-defense or in the ap-
plication of the law—ceased to be legitimate."[40]

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35 For the dating of this work, see: *Scotichronicon*, 9:204–208, 210–214.
36 *Chron. Bower*, 4:466–467. See also: *Memoriale Fratris Walteri de Coventria*, ed. William
    Stubbs, 2 vols. (London: Rolls Series, 1872–73), 2:206; McDonald, *Outlaws of Medieval Scot-
    land*, 41–42; Ross, "Moray, Ulster, and the MacWilliams," 30–31; Neville, "Royal Pardon in
    Scotland," 562–564.
37 John G. Bellamy, *The Law of Treason in England in the Later Middle Ages* (Cambridge: Cam-
    bridge University Press, 2004), 20–21; Barron, "Penalties for Treason," 189; Royer, "The Body
    in Parts," 330–332.
38 Westerhof, *Death and the Noble Body*, 21, 123–124.
39 Royer, "The Body in Parts," 330.
40 Daniel Baraz, "Violence or Cruelty? An Intercultural Perspective," in *"A Great Effusion of
    Blood?" Interpreting Medieval Violence*, ed. Mark D. Meyerson, Daniel Thierry, and Oren
    Falk, 164–189 (Toronto: University of Toronto Press, 2004), 166. See also: McGrath, "The
    Politics of Chivalry," 68.

The most (in)famous manifestation of such royal vengeance appears evident in the murder of the female MacWilliam infant in c. 1230 at Forfar market cross. One of the few occasions when the crown had physical possession of a member of this continuously rebellious family, Alexander II appears not to have missed the opportunity to make his point. The execution provided a very obvious demarcation in the sand, ending once and for all the line of the Mac-Williams in a very public ceremony, demonstrating the death of both the family itself and of any further opposing claims to the Scottish kingship.[41] Therefore, the public spectacle of the infant's execution had less to do with the death of the child herself and much more to do with the final removal of the MacWilliams from the Scottish political landscape.[42] However, there are issues with the construction of events presented by the Lanercost chronicler. Firstly, he is the only writer to describe the event. The chronicle's supposed author, Richard of Durham, appears to have had first-hand knowledge and experience with Scotland and its affairs, and personally knew notable Scottish figures including Devorguilla Balliol. This suggests an element of Scottish provenance for the *Lanercost Chronicle*.[43] He also appears to have utilized Scottish sources (including, perhaps, now-lost examples) to inform his account.[44] In spite of this, his work is increasingly strident in its denunciation of the Scots, a fact based most likely on his own experiences of war in the early stages of Anglo-Scottish conflict that erupted from the 1290s.[45] As such, it is problematic that the only source of the execution is an English one. The account itself is unsurprisingly moralistic in tone, with the final comment that "sons shall not be slain for their fathers" passing judgment on the inappropriateness of this course of action. For all its moralism such a statement is, however, not necessarily correct. Thirteenth-century legal discussions did envisage the possibility of executing the heirs of convicted traitors as the ultimate expression of familial forfeiture by removing any future claimants to escheated lands.[46] The sins of the father were, therefore, legally justifiable reasons for the execution of their heirs even if religious chroniclers were perhaps more ambivalent about such practice.

Another issue with the representation of events is the lack of the king's presence in the description of the execution. Although Alexander II may indeed

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41   Ross, "Moray, Ulster, and the MacWilliams," 42. For the use of the market as a location for punishment, see: James Masschaele, "The Public Space of the Marketplace in Medieval England," *Speculum* 77 (2002): 383– 421 at 405–406.

42   Ross, "Moray, Ulster, and the MacWilliams," 42.

43   Gransden, *Historical Writing in England I*, 433–434, 438; Little, "Authorship," 273–276.

44   Little, "Authorship," 275.

45   Gransden, *Historical Writing in England I*, 438.

46   Bellamy, *Law of Treason*, 9, 13.

have wished to distance himself from such an event that was morally, if not necessarily legally, problematic, the public display of traitors' severed heads suggests an intimate connection between such a spectacle and the king's majesty. Andrew McDonald suggests that the choice of Forfar as the site of execution was a deliberately symbolic one by the king. He argues that this location drew a conscious parallel with the defeat and death a century before of Angus of Moray, one of the earliest rebels against the Canmore dynasty and the progenitor of the MacWilliams, at nearby Stracathro. Therefore, according to McDonald, the beginning and the end of rebellion against the Canmore dynasty occurred in close proximity. This argument presupposes, however, that the various rebellions of those who opposed the Canmore dynasty were all linked, and, further, that they were viewed in such a way by Alexander II. That is a difficult argument to make. Forfar is said to have been "a favorite haunt of the thirteenth-century kings of Scots" and Alexander II himself celebrated Christmas there.[47] The king would use the burgh in the 1240s as the site of his court, and the location at which he made a judgement in a feud between the Comyn and Bisset families.[48] As such, it appears to have been a site of quite regular royal business, and so a logical location for this type of public royal statement of victory.

Still, the absence of the Scottish king in the chronicle narrative is puzzling. This was, after all, an English chronicler describing events in Scotland during a period when tensions between the two kingdoms were high. For him not to place Alexander II at the event appears to miss an opportunity to link him directly to a punishment the chronicler himself saw as excessive. It does appear possible that in relating this story, the Lanercost chronicler was attempting to emphasize the continued barbarity of the kingdom to the north. Lingering antipathy towards the Scots was a consequence of Alexander II's support of Prince Louis, the Dauphin of France, in his invasion of England to supplant King John in 1215–17, and the papal censure that followed. Indeed, the ecclesiastical punishments of excommunication and interdict were part of a wider strategy employed by Henry III's supporters to depict the Scots as "public

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47   Fiona Watson, "The Expression of Power in a Medieval Kingdom: Thirteenth-Century Scottish Castles," in *Scottish Power Centres from the Early Middle Ages to the Twentieth Century*, ed. Sally M. Foster, Alan I. Macinnes, and Ranald MacInnes, 59–78 (Glasgow: Cruithne Press, 1998), 68; Alexander Grant, "Thanes and Thanages in Scotland, from the Eleventh to the Fourteenth Centuries," in *Medieval Scotland: Crown, Lordship and Community: Essays Presented to G.W.S. Barrow*, ed. Alexander Grant and Keith Stringer, 39–81 (Edinburgh: Edinburgh University Press, 1993), 77.

48   Oram, "Introduction," 27–31.

enemies of Christendom at war with both the Pope and God."[49] The English and the papacy combined to decry the Scots as "worse than Saracens" for disturbing the peace of England.[50] It was during the 1230s, around the time that this execution took place, that Henry III renewed English claims to overlordship over Scotland and Alexander II counter-claimed lordship over Northern England. And when the chronicle was being written up, both kingdoms were once again divided by English claims to overlordship over Scotland. In this politically aggressive environment, therefore, an account of Scottish barbarity potentially reflects the propagandist depictions of the "Other" common at the time. The specific image of the barbarous Scots murdering a child may already have been a common enough motif in English narrative. Ailred of Rievaulx, in his account of the Scottish campaign that led to the Battle of the Standard in 1138, specifically describes the misbehavior of the men of Galloway. Entering a house and finding several children there, "stabat Galwensis, et unum post unum utroque pede arripiens, caput allidebat ad postem" [a Galwegian stood, and seizing one after the other by both feet struck their heads against the doorpost].[51]

While not directly suggesting that the execution of the MacWilliam heiress did not occur, the motif of a child having its brain bashed appears elsewhere in northern English sources when describing Scottish actions.[52] Ailred of Rievaulx's account seems to have been a source for the *Lanercost Chronicle*. Some of Ailred's other descriptions of violent and barbarous Scottish behavior on the 1138 campaign equally appear to have developed into motifs that reappear in the *Lanercost Chronicle*'s later reports of Scottish raiding in the thirteenth and fourteenth centuries.[53] Further, the account of Malcolm III's invasion of Northern England in 1070 by Symeon of Durham contains similar imagery.[54] Gillingham points out that, although describing earlier events, this account was actually written in the later twelfth century in Northern England, suggesting that the image of the brutal Scot had taken hold in the northern

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49   Keith J. Stringer, "Kingship, Conflict and State–Making in the Reign of Alexander II: The War of 1215–17 and its Context," in *Reign of Alexander II*, 99–156 at 141–142.

50   Stringer, "Kingship, Conflict and State–Making," 141–142.

51   Ailred of Rievaulx, "Relatio de Standardo," in *Chronicles of Stephen, Henry II and Richard I*, 3:188; SAEC, 180.

52   A Norse account of the earl of Ross's expedition against Skye in 1262 recorded "that the Scots had even taken the small children and raising them on the points of their spears shook them till they fell down to their hands, when they threw them away lifeless on the ground." See: *The Norwegian Account of Haco's Expedition Against Scotland, AD MCCLXIII*, ed. James Johnstone (Edinburgh: William Brown, 1882), 19.

53   Strickland, "A Law of Arms," 43–45.

54   Gillingham, "Conquering the Barbarians," 45.

English imagination.[55] Such images of an enemy killing children were not new. At their greatest extent, they refer to the Bible. For example, Psalm 137 includes a "curse-wish" against the Babylonians, stating "How blessed will be the one who seizes and dashes your little ones against the rock."[56] There is also the story of Herod and the massacre of the innocents, made popular in medieval art and theatre.[57] Gillingham argues that William of Malmesbury was the first to write consistently about the "barbarian other" in reference to the Scots, and of their "delight … to slaughter little children."[58] The depiction of such people, and in particular the cruelty they inflicted on the innocent, was part of a wider contemporary discourse where "the various categories of cruelty are used with an eye toward the desired rhetorical and propagandist effect rather than toward what fits best the actual circumstances and events."[59] The tale of the MacWilliam infant's execution may well have formed part of this discourse, portraying the Scots as well as Scottish "justice" in a derogatory light at a time when invective against the Scots was reaching something of a peak.

While there are several violent examples of royal punishment, other penalties were also employed to deal with rebellious vassals. Mutilation was a less severe alternative to capital punishment.[60] Such punishments were not intended to be lethal. Instead, judicial mutilation was often intended as a visible display of an individual's disgrace, their imposed disability or disfigurement acting as a public declaration of their crime.[61] Such punishments included putting out eyes, castration, removal of the tongue, and amputation of the hands

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55   Gillingham, "Conquering the Barbarians," 45–47. See also: Strickland, *War and Chivalry*, 293–328.

56   Psalms, 137:9. For discussion of the nature of Psalm 137, see: John Ahn, "Psalm 137: Complex Communal Laments," *Journal of Biblical Literature* 127.2 (2008): 267–289. My thanks to Professor Dauvit Broun for the reference to the quote from Psalms.

57   Matthew, 2:16–18; Anne E. Bailey, "Miracle Children: Medieval Hagiography and Childhood Imperfection," *Journal of Interdisciplinary History* 47.3 (2017): 267–285; Kerstin Pfeiffer, "'A stroke schalt thow beyre': Staging Anger in Plays of the Massacre of the Innocents," *The Mediaeval Journal* 5.2 (2015): 109–130.

58   Gillingham, "Beginnings of English Imperialism," 8, 18.

59   Daniel Baraz, *Medieval Cruelty: Changing Perceptions, Late Antiquity to the Early Modern Period* (Ithaca: Cornell University Press, 2003), 123; Neville, "Royal Pardon in Scotland," 566.

60   C. Warren Hollister, "Royal Acts of Mutilation: The Case Against Henry I," *Albion* 10 (1978): 330–340 at 332–333.

61   Michel Foucault, *Discipline and Punish: The Birth of the Prison* (New York: Random House, 1995), 34, 43–44; Patricia Skinner, "'Better off dead than disfigured?' The Challenges of Facial Injury in the Premodern Past," *Transactions of the Royal Historical Society* 26 (2016): 25–41 at 32–33.

or feet.[62] These punishments are particularly interesting because they seem to have largely fallen out of use in Scotland around the mid-thirteenth century. Scottish examples of mutilation include that of King Donald Ban who, following his capture by King Edgar in 1097, was apparently blinded.[63] Another example concerns the fate of Thorfinn Haraldson, who was castrated and had his eyes put out while in royal custody in c. 1201–2.[64] He died at some point thereafter. Thorfinn was the rebellious son of the recalcitrant earl of Orkney and Caithness, Harald Maddadson. Following more than one royal campaign in the north to bring both father and son to heel, Thorfinn was surrendered into King William's possession as a hostage for Earl Harald's future good behavior. Thorfinn, though imprisoned, was not ill-treated while his father remained in the king's peace. It was, however, Earl Harald's continued actions to undo the various royal attempts at pacifying the far north of Scotland, culminating in the mutilation of Bishop John of Caithness, which appears to have pushed the king into taking reparative action against the earl's son. Thorfinn's position as a hostage for his father's good behavior placed him at the king's mercy. Considering Earl Harald's subsequent rebellion, the king was justified and acted legitimately in punishing Thorfinn as he did.[65]

The act of castration, in particular, reinvigorated the king's honor and status in opposition to his enemy's physical and political emasculation and was "an appropriate form of royal revenge."[66] Alexander II may have employed dismemberment in similar fashion when dealing with the murderers of Bishop Adam of Caithness in 1222. Although the English Dunstable annalist wrote that Earl John of Orkney was ordered to collect the heads of those responsible, a Norse account describes eighty men having their hands and feet cut off.[67] Dis-

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62   For discussion of the history of these and other punishments in a British, Irish, and wider European context, see: *Castration and Culture in the Middle Ages*, ed. Larissa Tracy (Cambridge: D.S. Brewer, 2013); and *Capital and Corporal Punishment in Anglo-Saxon England*, ed. Jay Paul Gates and Nicole Marafioti (Woodbridge: Boydell Press, 2014).

63   *Chron. Fordun*, 2:215; *Chron. Bower*, 3:85, 87.

64   Thorfinn's punishment may relate to similar examples from England provided in law codes such as the *Leis Willelme*. See: Charlene M. Eska, "'Imbrued in their owne bloud': Castration in Early Welsh and Irish Sources," in *Castration and Culture in the Middle Ages*, ed. Tracy, 149–173 at 155–159.

65   Adam J. Kosto, *Hostages in the Middle Ages* (Oxford: Oxford University Press, 2012), 24–25; R. Rees Davies, *Domination and Conquest: The Experience of Ireland, Scotland and Wales 1100–1300* (Cambridge: Cambridge University Press, 1990), 57; McDonald, *Outlaws of Medieval Scotland*, 41.

66   Klaus van Eickles, "Gendered Violence: Castration and Blinding as Punishment for Treason in Normandy and Anglo–Norman England," *Gender and History* 16:3 (2004): 588–602 at 591.

67   *ESSH*, 451–452; see also *Chron. Fordun*, 2:284–285; *Chron. Bower*, 5:113–115.

figurement was also used in the aftermath of the rebellion of Bishop Wimund during the reign of David I. William of Newburgh wrote that some of Wimund's followers, in collusion with certain nobles:

> comprehensum vinxerunt, utrumque illi oculum, quia uterque nequam erat, eruerunt, causamque virulenti germinis amputantes, eum pro pace regni Scottorum, non propter regnum coelorum, castraverunt.

> [seized and bound him, and gouged out both his eyes because both were depraved; then they cut off the source of his poisonous seed, and made him a eunuch for the peace of the Scottish kingdom rather than for the kingdom of heaven].[68]

While Newburgh's account demonstrates disapproval of Wimund's rebellion, he also appears to have been somewhat dismayed at his punishment. Blinding appears less of an issue than Wimund's castration. The comment that this action was "for the peace of the Scottish kingdom" likely relates to the removal of Wimund's ability to produce heirs to further continue his claim to the throne.[69] This, coupled with his exile to a monastery, negated Wimund as a threat. However, Newburgh does imply that the mutilation employed in this instance was against God's will. This is perhaps because Wimund was, or had been, a cleric. In spite of this apparent sympathy, Wimund remains the villain of Newburgh's narrative, spending his last days at Byland Abbey and muttering empty threats of revenge against those who caused his downfall. These examples all represent the manifestation of kingly vengeance exacted against those who had incurred his anger. They do, however, also appear to have been justified, and justifiable, in light of the perceived crimes of the punished. More than this, they were non-lethal punishments exacted for quite extreme examples of rebellion. The kings' responses demonstrate that they were not the actions of excessively violent monarchs exacting revenge on all those who refused to obey the crown. They were instead the just actions of a monarchy that was increasingly confident of its position within the kingdom, that was able to utilize particular punishments in relation to specific crimes.

Other, non-violent, forms of punishment also remained available to Scottish monarchs who sought to reprimand those who rebelled against royal

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68   *Chron. Newburgh*, 75–76; *William of Newburgh*, 1:105–107; McDonald, *Outlaws of Medieval Scotland*, 27. For wider context of such punishments, see: Larissa Tracy, "'Al defouleden is holie bodi': Castration, the Sexualization of Torture, and Anxieties of Identity in the *South English Legendary*," in *Castration and Culture in the Middle Ages*, ed. Tracy, 87–107.

69   Eska, "Castration in Early Welsh and Irish Sources," 158–162.

authority. Indeed, non-violent punishments were at least as common as examples of execution or dismemberment. Imprisonment was one such sentence for those who challenged the king's position. An early example involves Prince Edmund, son of Malcolm III, who sided with his uncle Donald Ban in his successful rebellion against King Duncan II in 1094. William of Malmesbury's account describes Edmund being captured following his uncle's fall from power, imprisoned, and kept in chains for the rest of his life.[70] Donald Ban himself, following his own overthrow, was imprisoned after being blinded.[71] It has been suggested that long-term captivity was the only real punishment available to successive kings when they were dealing with members of the extended royal *familia*.[72] Long-term imprisonment was not, however, simply handed out to rebel pretenders to the throne. One of the longest periods of imprisonment endured by any one individual was that of Thomas of Galloway. Following his defeated insurrection in 1235–6, Thomas was imprisoned first in Edinburgh Castle and then Barnard Castle for sixty-one years.[73] Captivity of shorter duration was also meted out to individuals such as Malcolm, son of Alexander, in 1134, who participated in the rebellion of Angus of Moray in 1130, and to Malcolm's son Donald around 1153. Both men were held in Roxburgh Castle, although the length of either's captivity is unknown.[74] That imprisonment was not always a permanent punishment is emphasized by the case of Thomas Coleville who, in 1210, was imprisoned in Edinburgh Castle for rebellion against the crown.[75] However, Thomas was able to purchase his release from captivity soon after in return for a ransom and appears to have lived out the rest of his life free from further punishment.[76] Earl Harald of Orkney suffered a similarly short period of imprisonment after his rebellion in c. 1197.[77] Forcibly retiring rebellious individuals to the confines of a monastery was another available form of incarceration. This was the fate of Fergus of Galloway, who saw out the remainder of his

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70   *Willelmi Malmesbriensis monachi De gestis regum Anglorum*, ed. William Stubbs (London: Rolls Series, 1889), 2:477; translated in *SAEC*, 118–119. See also: *Chron. Fordun*, 2:213; *Chron. Bower*, 3:85.

71   *Chron. Fordun*, 2:215; *Chron. Bower*, 3:85, 87; *ESSH*, 99.

72   McDonald, *Outlaws of Medieval Scotland*, 140; McDonald, *Kingdom of the Isles*, 45–46.

73   McDonald, *Outlaws of Medieval Scotland*, 50–51.

74   *ESSH*, 183; *Chron. Fordun*, 2:249–250; *Chron. Bower*, 4:253 (Malcolm); *Chron. Melrose*, 11; *Chron. Holyrood*, 188; *Chron. Fordun*, 2:249–250; *Chron. Bower*, 4:253 (Donald). For discussion of these prisoners, and who they were, see: Ross, "Prisoner of Roxburgh," 269–282.

75   *Chron. Mailros*, 109; *Chron. Melrose*, 34.

76   McDonald, *Outlaws of Medieval Scotland*, 42.

77   *Chronica Magistri Rogeri de Houedene*, ed. William Stubbs (London: Rolls Series, 1871), 4:10–11.

life at Holyrood Abbey, and Bishop Wimund, who lived out his latter days at Byland Abbey after his emasculation.[78]

A relative lack of administrative documentation has largely denied Scottish historians the opportunity of fully examining the extent to which forfeitures and fines were employed as a means of punishing those who led or supported rebellion against the Scottish crown.[79] However, one or two examples do exist, suggesting that such penalties were indeed part of the royal repertoire of punishments imposed on rebels and traitors.[80] A now-lost roll—recorded amongst a collection of documents in Edinburgh Castle in 1292—apparently listed the forfeitures of those who supported MacWilliam uprisings against William I and Alexander II.[81] A more detailed example relates to the MacWilliam revolt of 1187 when the castle of Auldearn was captured by MacWilliam forces after Gillecolm, the castellan, surrendered it. Gillecolm had his lands of Madderty (Perthshire) forfeited "sicut ille qui in felonia reddidit castellum meum de Heryn et postea sicut iniquus et proditor iuit ad inimicos meos mortals et cum eis stetit contra me" [on account of his felony, inasmuch as he yielded the king's castle … treacherously and then went over to the king's enemies as a wicked traitor and stood with them against the king to do him as much harm as he could].[82] In another case, the king's retribution for the murder of Bishop Adam of Orkney in 1222 appears to have included family forfeitures, with the men killed, their sons castrated, and their wives "thrown out" of their holdings.[83] In a further example, Alexander II marched with a royal army into Argyll in 1221–2:

> Timentes autem Erthgalenses, quidam datis obsidibus et multa pecunia in pace sunt recepti. Alii quidem, qui amplius regis animum offenderant, relictis praediis et possessionibus fugerunt.

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78   *William of Newburgh*, 1:105–107.

79   For use of fines as a recognized means of escaping criminal punishment, see: Neville, "Royal Mercy in Later Medieval Scotland," 19–21.

80   Richard Oram, *Domination and Lordship Scotland 1070–1230* (Edinburgh: Edinburgh University Press, 2011), 303.

81   *APS*, 1:114; McDonald, *Outlaws of Medieval Scotland*, 157; Alexander Grant, "The Province of Ross and the Kingdom of Alba," in *Alba: Celtic Scotland in the Medieval Era*, ed. Edward J. Cowan and R. Andrew McDonald, 88–126 (East Linton: Tuckwell Press, 2000), 124.

82   *Regesta Regum Scottorum, II: The Acts of William I, King of Scots, 1165–1214*, ed. Geoffrey W.S. Barrow (Edinburgh: Edinburgh University Press, 1971), no. 258.

83   Barbara E. Crawford, "Norse Earls and Scottish Bishops in Caithness: A Clash of Cultures," in *The Viking Age in Caithness, Orkney and the North Atlantic*, ed. Colleen E. Batey, Judith Jesch, and Christopher D. Morris, 129–147 (Edinburgh: Edinburgh University Press, 1993), 136.

> [The men of Argyll were frightened: some gave hostages and a great deal
> of money, and were taken back in peace; while others, who had more
> deeply offended against the king's will, forsook their estates and posses-
> sions, and fled].[84]

This example demonstrates quite succinctly the range of non–violent punish-
ments available to the king. Forfeiture in this case appears to have been im-
posed *in absentia*, the landholders having gone into enforced exile upon the
arrival of the king's forces. It also emphasizes that violent punishment was not
always required, although the apparent fear of those "who had more deeply
offended the king's will" in forsaking their lands and fleeing Argyll suggests
that perhaps they expected more than just fine and forfeiture as a result of
their actions.

The Argyll example also illustrates that submission to the king, and receipt
of his forgiveness, remained possible for those who rebelled. Several examples
demonstrate this possibility for those who gave hostages and paid fines to the
king and were, as a result, welcomed back into his peace. Submission was a
well-recognized method of re-establishing the lord-vassal relationship, partic-
ularly when solving the breach between king and lord caused by rebellion.[85]
Somerled of Argyll, who was involved in rebellion from c. 1153, returned to the
king's peace despite a prolonged period outside royal amity. Indeed, he did not
return to the king's peace until c. 1160, but his submission allowed his re–entry
into Scottish political life as demonstrated in his appearance at the king's
Christmas court.[86] The ritual of submission was often a ceremonial occasion at
which the hierarchy of the realm bore witness to the rebel's formal acknowl-
edgment of royal authority as well as the king's magnanimity in allowing the
rebel back into his peace.[87] The submission of Earl Harald Maddadson of
Orkney to William the Lion is a case in point. The earl first submitted to King
William c. 1197 in response to a royal army moving north into his territory.
According to one chronicler, "videns autem Haroldus quod rex terram suam ex
toto devastaret, venit ad pedes regis, et posuit se in misericordia eius … et iura-
vit regi quod adduceret illi omnes inimicos suos, cum rex alia vice rediret in

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84   *Chronica Gentis Scotorum*, 1:288–289; *Chron. Fordun*, 2:284; *Chron. Bower*, 5:105–107.

85   Davies, *Domination and Conquest*, 56–59; Neville, "Royal Pardon in Scotland," 575.

86   *Regesta Regum Scottorum, 1: The Acts of Malcolm IV, King of Scots 1153–1165*, ed. Geoffrey
      W.S. Barrow (Edinburgh: Edinburgh University Press, 1960), no.175; McDonald, *Outlaws of
      Medieval Scotland*, 28; Archibald A.M. Duncan, *Scotland: The Making of the Kingdom*
      (New York: Barnes and Noble, 1975), 166–167.

87   Gerd Althoff, "Satisfaction: Peculiarities of the Amicable Settlement of Conflicts in the
      Middle Ages," in *Ordering Medieval Societies: Perspectives on Intellectual and Practical
      Modes of Shaping Social Relations*, ed. Bernhard Jussen, trans. Pamela Selwyn, 270–284
      (Philadelphia: University of Pennsylvania Press, 2001), 271–273.

Murreviam" [seeing that the king would wholly destroy his land Harold came to the feet of the king and placed himself at his mercy. ... And he swore to the king that he would bring to him all his enemies when the king should return another time to Moray].[88] Earl Harald was also deprived of half the earldom of Caithness, with the other half granted to his rival, Harald *Ungi*. He did not, however, fulfill the promises he had given to the king and, following a brief imprisonment and the capture of his son, he rebelled once more. Earl Harald's eventual surrender, c. 1202, was facilitated by the intercession of important men, including the bishop of St. Andrews, and involved him submitting to the king and the Church, and undertaking to pay a fine of two thousand pounds.[89] Despite his various rebellions and manifest violence towards the king's representative in the north, when he mutilated the bishop of Caithness, Earl Harald was able to return to the king's peace, where he remained for the rest of his life.[90] That he was dealt with in this way and given the opportunity to submit, in spite of his various acts of rebellion, reinforces the point that the kings of Scots did not just execute and mutilate all who displeased them. Indeed, for the greater nobles of the realm, public submission and forgiveness were important and well-used methods of resolving the issues they had with contemporary kings.[91]

This is apparent in arguably more complex examples than that of Harald Maddadson, particularly in several cases relating to the lords of Galloway. In 1160, Malcolm IV intervened directly in the lordship, summoning a royal army and harrying Fergus of Galloway's territories. Such decisive military action and the display of royal military might played a large part in forcing Fergus to seek the king's peace. His submission included the surrender of his son, Uhtred,

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88   *Chronica Magistri Rogeri de Houedene*, 4:10; translation in SAEC, 316–317.

89   Althoff, "Satisfaction," 272–273; *Chron. Fordun*, 2:271–272; *Chron. Bower*, 4:427–429; *Orkeyinga Saga: The History of the Earls of Orkney*, ed. Herman Paulsson and Paul Edwards (London: Penguin Books, 1978), 223–224.

90   The earl of Orkney's submission is particularly interesting because he also rebelled against his other liege lord, the king of Norway. In 1195, Earl Harald went to Norway to submit to King Sverre. The detailed account of his submission in *Sverre's Saga*, in a public forum in front of the assembled Norwegian nobility, reinforced the king's authority following a period of internal unrest. At the same time, it also displayed the king's magnanimity in forgiving Earl Harald and allowing him to re-enter the royal peace, with punishment coming in the form of lost land and revenue, just as it had in Scotland. See: ESSH, 2:345–346; Crawford, "Norse Earls and Scottish Bishops," 130. See also: Rees Davies, "'Keeping the natives in order': The English King and the 'Celtic' Rulers 1066–1216," *Peritia* 10 (1996): 212–224 at 216.

91   For the public nature of Scottish justice, see: Neville, "Royal Mercy in Later Medieval Scotland," 21–22.

into the king's possession. Fergus himself was forced to retire to a monastery.[92] Submission by Fergus' son, Gilbert, following his own rebellion and the killing of his brother Uhtred in 1175 followed a similar pattern, although in this case, submission was required to both William the Lion and Henry II of England. Submission to the Scottish king was facilitated by the intercession of notable persons, and the rebel lord of Galloway gave hostages as symbols of his compliance. He also appears to have paid a monetary fine as part of his submission.[93] Submission to Henry II was facilitated by King William who brought Gilbert into the English king's presence, where he paid homage, a fine of 1,000 marks of silver, and gave his son Donnchad as hostage for his good behavior.[94] The submission of Roland of Galloway to Henry II after he fought with Gilbert's sons over the lordship occurred similarly, with William the Lion again interceding to ensure that Roland was allowed to submit to the English king's peace in 1186.[95] Submission was, then, a well-recognized and well-used means of repairing the breach between king and vassal. It was, moreover, a preferred means of ending internecine violence and of restoring order to the kingdom. This was recognized by kings of Scots just as much as it was by their contemporaries, and these examples demonstrate that the kings of England dealt with comparable situations in a very similar way.

The final acts of Galwegian rebellion in 1235–6, in support of Thomas of Galloway, illustrate the developing nature of the ritual of submission, offering a cautionary note that it did not always end in forgiveness. Defeated in battle by the forces of Alexander II, Thomas of Galloway fled to Ireland before returning once more to Scotland. On his return, he was met by the bishop of Galloway, the abbot of Melrose, and the earl of Dunbar who sought to intercede on his behalf and bring him before the king to seek royal pardon for his rebellion.[96] Unlike previous examples in which rebels who submitted were reconciled with the king, Thomas of Galloway was instead imprisoned in Edinburgh Castle before being moved to commence his sixty-year captivity in Barnard Castle. His followers were also treated differently. The Melrose chronicler writes that, following the defeat of the Galwegian forces by the royal army, "solita utens pietate, pacem ad se omnibus venientibus tribuit, Galweienses igitur qui remanserant, funibus in collo missis, ad regis pacem convenerunt" [acting upon his accustomed humanity, [Alexander II] extended his peace to as many as

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92   *Chron. Melrose*, 12; *Chron. Holyrood*, 189; *Chron. Fordun*, 2:251; *Chron. Bower*, 4:259; Richard
      D. Oram, *The Lordship of Galloway* (Edinburgh: John Donald, 2000), 90–91.
93   *Chron. Fordun*, 2:261; *Chron. Bower*, 4:323.
94   *Chronica Magistri Rogeri de Houedene*, 2:105; Oram, *Lordship of Galloway*, 97.
95   *Chron. Melrose*, 24.
96   *Chron. Melrose*, 61–62; *Chron. Fordun*, 2:286; *Chron. Bower*, 5:149–151.

came to him; and so the surviving Galwegians, with ropes round their necks, accepted his offer].[97] This powerfully symbolic submission, with the Galwegians presenting themselves and their lives as forfeit to the king before being benevolently forgiven by a just monarch, was a potent demonstration of royal justice and of royal victory. Interestingly, the English chronicler Matthew Paris, writing of the same battle's aftermath, comments that:

> Illos vero quos rex vel eius commilitones vivos apprehendit, sine redemptione ignominiosa morte punivit. Venientes autem ad suam misericordiam, vinculis et arctae custodias, donec deliberatum foret judicio quid de ipsis fieret, mancipavit; omnes autem cum sua posteritate non sine ratione exhaeredavit.

> [those whom the king or his supporters took alive, he punished without ransom by an ignominious death. But those who threw themselves upon his mercy he gave up to chains and strict imprisonment until it should be discussed in court what should be done with them; but all, not without reason, he disinherited with their posterity].[98]

Paris prefaces this account, however, with an account of the "barbarous customs" of the Galwegians—including the ritual drinking of blood—and places these actions within the context of royal justice, the king having been "provoked" into taking such action by their misdemeanors. Although these accounts present somewhat different portrayals of the same events, they both emphasize the right of the king to take retributive action against his rebellious subjects. While the Melrose account is more positive about Alexander II's actions, even Paris recognizes that the king was within his rights to disinherit the rebels. Moreover, his emphasis that punishment against those who surrendered would be decided at court provides a useful example of due process and of involving the Scottish political community in giving a final judgement. This was not simply the vengeful action of a tyrannical monarch. This was a Scottish king behaving as he should, and recognized as such by an English chronicler.

Discussing the perceived violent nature of warfare in the second decade of the thirteenth century, the chronicler of Melrose Abbey writes that:

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97   *Chron. Mailros*, 145–146; *Chron. Melrose*, 61–62; *Chron. Fordun*, 2:286; *Chron. Bower*, 5:149–151.
98   Matthew Paris, *Chronica majora*, ed. Henry R. Luard, 7 vols. (London: Rolls Series, 1876), 3:365; *SAEC*, 342.

Rex autem Gallie, terram regis Anglie in transmarinis partibus sibi suju-
gando, non modicum sanguinem effudit. Consimilem autem stragem rex
Anglie, terram Hybernie et Wales sibi subjugando, perpetravit. Sed et rex
Scotie filium Macwillelmi, Guthred scilicet, persequendo, propriosque
seductores destruendo, multorum cadavera inanimata reliquit.

[The king of France shed no small quantity of human blood in reducing
to his own power the land belonging to the king of England which was
situated on the continent. The like slaughter was perpetrated by the king
of England in conquering the land of Ireland and Wales. Then the king of
Scotland, while he was following up Guthred, the son of MacWilliam, and
destroying those persons who had led him astray, left his path strewn
with many dead bodies].[99]

The chronicler presents a clear picture of a violent period when contemporary
kings dealt death to those who stood against them. He does not, however, dif-
ferentiate between the behavior of contemporary monarchs and, indeed,
seems to draw parallels between the actions of the kings of Scotland, England,
and France. It is unsurprising that he should find fault in the behavior of these
kings who dealt violently with those who opposed them, considering his status
as a monastic chronicler. It is unclear, however, whether this comment was a
sign of religious displeasure at ongoing violence, or if this comment was evoked
by the realization that the early decades of the thirteenth century involved a
new and more vicious form of retributive violence against perceived rebels. In
a Scottish context, historians appear to have assumed the former, perceiving in
the behavior of Scottish kings an almost continuous campaign of vengeful at-
tacks on traitorous individuals. McDonald, in particular, develops this idea in
his portrayal of the murder of the MacWilliam infant as the end of a narrative
arc of rebellion and violent royal repression that had begun at least as early as
Angus of Moray's revolt in 1130. Men like Bishop Wimund and the MacWil-
liams, he argues, were treated harshly either because they claimed the throne,
or because of the cumulative effect that their rebellions had on increasing the
extent of retributive violence against them.[100]

 The presumption in McDonald's argument is that violent punishment of reb-
els against royal authority was the norm, therefore provoking a need to explain
the perceived "better treatment" of some erstwhile rebels. Reconsideration of
the examples from this period suggests, however, that violent repercussions as

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99 *Chron. Melrose*, 36.
100 McDonald, *Outlaws of Medieval Scotland*, 82, 102; Oram, *Domination and Lordship*, 64.

deliberate punishment for rebellion were not the norm and that, while receiving various forms of punishment, the majority of those who confronted the Scottish crown escaped punishment of life and limb. Like contemporary England, no Scottish earls were executed during this period by the Scottish crown. The best example of this is the case of Earl Harald Madaddson of Orkney. In spite of his continued insurrections against the Scottish crown's attempts at controlling northern Scotland, Earl Harald escaped with little more than the temporary loss of territory and a large fine of £2000.[101] Although Harald's son Thorfinn does appear to have paid the price for his father's indiscretions, his mutilation was in accordance with acceptable behavior. Thorfinn was surrendered as a hostage and was surety for his father's good conduct. His life was in the king's hands, and King William exacted just punishment on Thorfinn for Earl Harald's continued dissent.[102]

For those outside the elite, a more callous conduct towards the lower-born was a standard part of contemporary medieval life as demonstrated, for example, in the treatment of common infantry on the battlefield.[103] As such, McDonald may be partially correct in seeing the treatment of the MacWilliams as different. They were not earls, nor were they of the higher nobility. They did claim royal descent, but as royal pretenders, the MacWilliams' claim was for nothing less than the crown itself, and, additionally, this ensured a different attitude towards them by the crown. If they had chosen to display it, loyal service to the crown may have resulted in territorial and titular rewards, but this approach does not appear to have been one open to, or attempted by, the MacWilliam claimants. Moreover, in spite of their apparent support at various times within Scotland, they may have lacked appropriate noble backing. Following contemporary English example, such political support may have afforded them the opportunity to negotiate their way back into acceptance within the wider Scottish political community.[104] The formal acts of submission by men such as Harald Maddadson and Thomas of Galloway demonstrate the importance of noble intercession in resolving a conflict. That the MacWilliams lacked such support is suggested by the absence of any record of submission by any of the MacWilliam rebels. If they lacked recourse to noble support

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101   *Chron. Fordun*, 2:271–272; *Chron. Bower*, 4:427–429; Barbara Crawford, "The Earldom of Caithness and the Kingdom of Scotland, 1150–1266," in *Essays on the Nobility of Medieval Scotland*, ed. Keith J. Stringer, 25–43 (Edinburgh: John Donald, 1985), 32.

102   Davies, *Domination and Conquest*, 57.

103   Gillingham, "1066 and the Introduction of Chivalry," 226; Strickland, *War and Chivalry*, 176–182.

104   Karen Bosnos, "Treason and Politics in Anglo–Norman Histories," in *Feud, Violence and Practice*, 293–306 at 300–301, 305–306.

on their behalf, and if they recognized their lack of options in relation to the Scottish crown, then this may well explain why they rose incessantly in rebellion and why they met their end on the various battlefields of twelfth- and thirteenth-century Scotland. For the MacWilliams, it was the crown or death. They had made their play, and nothing short of outright defeat or victory were to be the result.

Medieval Scotland was a violent place, and the Melrose chronicler may have been correct in perceiving a change in the tenor of political violence in the thirteenth century. This is the apparent situation in England at this time, where increasingly violent forms of royal justice were demonstrated in the execution of William Marsh in 1242, and the slaughter of rebel barons at Evesham in 1265.[105] Historians acknowledge that the long period when nobles could rebel against the crown, safe in the knowledge that this was a normal part of the crown-magnate relationship, and, therefore, free of punishment of their bodies, was over.[106] In Scotland, a similar process may have been occurring, particularly during the reign of Alexander II.[107] There are several specific cases of unreserved violence perpetrated by Alexander II, culminating in the murder of the MacWilliam heiress. Indeed, Alexander II's violent nature may have been recognized by Scottish historians as early as the fifteenth century. Bower, describing the situation in Galloway following the defeat of Thomas of Galloway in 1236, wrote that Alexander II "benigne rex admisit in pacem suam, quia etsi, ut prediximus, justiciam suam semper exercuit, rigorem tamen suum misericordia interdum temperavit" [was kind enough to admit [the Galwegians] to his peace because although … he was always just in his actions, he nonetheless tempered his severity with mercy from time to time].[108] Although a king should indeed be severe in his treatment of those who rebelled against his authority, the just king should also exercise mercy. Bower's ambivalent comment suggests that, although Alexander II may have shown mercy to the Galwegian reb-

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105   Matthew J. Strickland, "*In coronam regiam commiserunt iniuriam*: The Barons' War and the Legal Status of Rebellion, 1264–1266," in *Law and Power in the Middle Ages: Proceedings of the Fourth Carlsberg Academy Conference on Medieval Legal History*, ed. Per Andersen, Mia Munster-Swendsen, and Helle Vogt, 171–198 (Copenhagen: DJØF Publishing, 2008), 177; Royer, "The Body in Parts," 323; Westerhoff, *Death and the Noble Body*, 115–120.

106   Royer, "The Body in Parts," 323; Strickland, "The Barons' War," 172, 177–180.

107   Duncan, *Scotland*, 546. For a contradictory view that Alexander II instead "consciously rejected as conduct unbecoming a Christian ruler the notion that the punishment of offenders must in every case be swift, brutal and corporal," see: Neville, "Royal Pardon in Scotland," 569–571.

108   *Chron. Bower*, 5:149–151.

els on this occasion, other rebels on different occasions were not so lucky.[109] The carrot and the stick could, and indeed should, be used by a monarch as and when the situation demanded. That Alexander II showed himself capable of dealing with political enemies through both means demonstrated his abilities as a ruler to his subjects, while emphasizing that violent repercussion could apply if the king so desired.

Alexander II may also have been particularly conscious of potential challenges to his authority. The instances of rebellion he faced during his reign were successors of the uprising that occurred upon his coronation. Indeed, Broun argues that the king's inauguration was held in acute haste in response to yet further MacWilliam insurrection and the very real possibility of a challenge to Alexander II's fledgling kingship.[110] In such circumstances, it is perhaps unsurprising that the king may have tended towards a more violent policy when rebels came into his hands. The MacWilliams, more than most, may have been targeted as a result. But even if it is accepted that royal treatment of rebels became more violent during his reign, it was a change that occurred only after a long period when it was not. It was also a change in policy that did not long outlast Alexander II. Although later Scottish kings increasingly standardized the punishments they imposed on their enemies, their actions were far-removed from the increasingly violent and vengeful actions of fourteenth- and fifteenth-century English kings.[111] During the twelfth and thirteenth centuries, and contrary to accepted opinion, the victory of successive Canmore monarchs over their opponents was not simply "achieved by blunt force and military might, and … through mercilessly crushing rivals and liquidating adversaries."[112] It was achieved by using different means to accomplish different ends. Although violent retribution was one recourse, it was often a final

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109   The 1236 Galloway campaign had a violent aftermath. The abbeys of Tongland and Glenluce were sacked, and some clergymen were killed by forces under the command of Walter Comyn (*Chron. Melrose*, 61–62; *Chron. Fordun*, 2:286; *Chron. Bower*, 5:149–151). Irish troops who had supported Thomas of Galloway were given leave to return home but were ambushed on their journey by the people of Glasgow. All were beheaded except two, who were instead torn apart by horses (*Chron. Melrose*, 61–62; *Chron. Fordun*, 2:286; *Chron. Bower*, 5:149–151). McDonald suggests that these events may have been crown-sponsored violence against the king's enemies, but this may be too much of an attempt to see royal involvement in every violent act against those who opposed the crown (McDonald, *Outlaws of Medieval Scotland*, 114).

110   Broun, "Contemporary perspectives," 83; Oram, "Introduction," 10.

111   Alexander Grant, "Crown and Nobility in Late Medieval Britain," in *Scotland and England, 1286–1815*, ed. Roger A. Mason, 34–59 (Edinburgh: John Donald, 1987); Neville "Royal Pardon in Scotland," 571–580.

112   McDonald, *Outlaws of Medieval Scotland*, 172.

resort rather than a principal weapon. Alternatives, such as imprisonment, fines, and the formal ritual of submission, were all available and were all used more often than the ultimate sanction. Like their contemporaries, Scottish kings were simply not able to slaughter all those who challenged them. The political community would not allow it. As Royer argues, "mercy and mitigation were as important to the keeping of the peace as the terrifying power of the scaffold."[113] Sparing the rod was no sign of weakness, but the behavior of a just monarch. Twelfth- and thirteenth-century kings of Scots realized this, as did their nobles. For those rebels who chose to meet the king's forces on the field of battle, their fate rested in God's hands. For the majority of those who rebelled, return to the king's peace was an attainable and honorable outcome. In the use of formal acts of submission, the public demonstration of the king's mercy created an image of spectacular peace-making that stood in stark contrast to the grisly and lesser-used display of spectacular justice.

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113   Royer, "The Body in Parts," 336.

Religious Treason and Heresy

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Revolt in Heaven: Lucifer's Treason in *Genesis B*

Daniel Thomas

The account in the tenth-century Old English poem *Genesis B* of Lucifer's revolt against God has attracted much praise and scholarly attention.* The dramatic presentation of Lucifer's *superbia* is integrated both thematically and structurally into the poem's account of the fall of Adam and Eve, so that the largely apocryphal story of the revolt in heaven, with its particular focus on Lucifer's motivations, stands in direct causal relation to the human fall.[1] Critical responses to this striking presentation have often analyzed Lucifer's role in the poem against the heroic ideals of loyalty familiar from the cultural world of Old English traditional poetry.[2] The idealized *comitatus* model of society depicted in this poetry is centered upon the competitive interactions of "a multitude of petty hierarchies, each self-sufficient, self-justifying, and opportunistic," within which hierarchies the lord "operates with a band of freely sworn but loosely committed followers for his own advantage in a situation of universal competition and equality among war bands."[3] The literary ideals of loyalty and

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1 Thomas D. Hill, "The Fall of Angels and Man in the Old English *Genesis B*," in *Anglo-Saxon Poetry: Essays in Appreciation for John C. McGalliard*, ed. Lewis E. Nicholson and Dolores Warwick Frese, 279–90 (Notre Dame: University of Notre Dame Press, 1975); Renée R. Trilling, *The Aesthetics of Nostalgia: Historical Representation in Old English Verse* (Toronto: University of Toronto Press, 2009), 90–96.

2 Most influentially, R.E. Woolf, "The Devil in Old English Poetry," *Review of English Studies* 4 (1953): 1–12. See also: J.M. Evans, "*Genesis B* and its Background," *Review of English Studies* 14 (1963): 1–16, 113–23 at 116–23; Alain Renoir, "The Self-Deception of Temptation: Boethian Psychology in *Genesis B*," in *Old English Poetry: Fifteen Essays*, ed. R.P. Creed, 47–67 (Providence: Brown University Press, 1967), 51–53; Michael D. Cherniss, "Heroic Ideals and the Moral Climate of *Genesis B*," *Modern Language Quarterly* 30 (1969): 479–97; Joyce M. Hill, "Figures of Evil in Old English Poetry," *Leeds Studies in English* 8 (1975): 5–19 at 5–6; Peter J. Lucas, "Loyalty and Obedience in the Old English *Genesis* and the Interpolation of *Genesis B* into *Genesis A*," *Neophilologus* 76 (1992): 121–35; Jeffrey Burton Russell, *Lucifer: The Devil in the Middle Ages* (Ithaca: Cornell University Press, 1984), 134–39; Fabienne L. Michelet, *Creation, Migration, and Conquest: Imaginary Geography and Sense of Space in Old English Literature* (Oxford: Oxford University Press, 2006), 64–65.

3 *The Saxon Genesis: An Edition of the West Saxon Genesis B and the Old Saxon Vatican Genesis*, ed. A.N. Doane (Madison: University of Wisconsin Press, 1991), 123. The text of both *Genesis B*

fellowship upon which such relationships depend, largely abstract and essentially timeless, provide one important context against which an audience—medieval or modern—might evaluate and condemn Lucifer's behavior. It is equally possible, however, to read the account of Lucifer's treasonous behavior in a more explicitly historicist manner as an expression of recurrent early medieval concerns with both the ideologies and the practical realities governing the operation of royal power. The unusual provenance of *Genesis B*—demonstrably a translation or adaptation of an Old Saxon exemplar of which only fragments now survive—offers both challenges and opportunities for such an approach. In its surviving form, the poem is a product of tenth-century Anglo-Saxon England, but as a partial instantiation of an earlier Old Saxon *Genesis* poem, the text reflects developments and disputes regarding the operation of royal authority current in Francia in the first half of the ninth century.[4]

The poem's account of Lucifer's revolt closely aligns with realities of treasonous behavior contemporary with the composition of the Old Saxon poem. As a result, the moral and ethical expectations of early ninth-century Francia provide an alternative framework for evaluating Lucifer's actions; in turn, the poetic account normalizes these same expectations, establishing Lucifer as a benchmark against which all subsequent traitors might be measured. The centrality of these ideas relating to royal authority and treason in the account of the revolt in heaven may also explain the interest in the Old Saxon text in Anglo-Saxon England—specifically in Wessex—in the late ninth and early tenth centuries. West Saxon political life was significantly shaped during this period by problematic negotiations of royal authority that coincided with an increasingly-evident interest in imperial-style rule and a concern with the articulation of treason as a legal concept. The moral and political subtext of the account of Lucifer's revolt would have particularly resonated in such an environment. This is likely to have been a factor behind the West Saxon engagement with the poem during this period.

The Old English text of *Genesis B* is preserved in Oxford, Bodleian Library, MS Junius 11, an anthology of biblically-inspired Old English verse probably produced during the years c. 960–990, in which it comprises an interpolation

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and the Old Saxon *Genesis* is cited by line number from this edition. Translations are my own.

4   The importance of the ninth-century Frankish context is similarly emphasized by Doane in *Saxon Genesis*. For a recent discussion of how the account of the temptation of Adam and Eve in the poem "reflects the intellectual milieu of the Carolingian mid-ninth century" (16), see: Daniel Anlezark, "The Old English *Genesis B* and Irenaeus of Lyon," *Medium Ævum* 86 (2017): 1–21. For a reading of the poem in light of contemporary Carolingian penitential theories and practices, see: Alexander J. Sager, "After the Apple: Repentance in *Genesis B* and its Continental Context," *Journal of English and Germanic Philology* 112 (2013): 292–310.

into the longer Old English poem *Genesis A*.[5] The interpolated text begins *in media res* with God's prohibition against eating the fruit of the tree before departing from the biblical source to describe the apocryphal revolt and fall of Lucifer and his followers. The poem then continues with a highly idiosyncratic account of the temptation, fall, and expulsion from Eden of Adam and Eve. Linguistic evidence suggests that the process by which the Old Saxon source was transformed into the extant Old English poem probably began in Wessex around the year 900, with the text being revised and recopied over a number of decades before its inclusion in Junius 11.[6] How or when the Old Saxon text arrived in England is unknown.[7] The composition of the original Old Saxon poem can, however, be dated with a fair degree of confidence to a relatively precise historical moment. Three surviving fragments of this poem are preserved, alongside a single extract from the *Heliand* (a ninth-century Old Saxon poetic Gospel harmony), as marginalia in Vatican, Biblioteca Apostolica, MS Palatinus Latinus 1447. These verse fragments were copied in three different hands, each of which is usually dated to the third quarter of the ninth century.[8] The poem's composition is likely to have taken place some years earlier than this. The Old Saxon poem is generally held to have been written after the *Heliand* (to which it seems to allude), which is unlikely to have been written before 819 at the earliest.[9] A plausible date range for the composition of the Old Saxon *Genesis* can thus be established as c. 820–850. The poem's place of origin is unknown, though it was presumably composed within one of the Frankish centers of learning. The Old Saxon poem partially preserved in the text of *Genesis B* was composed, therefore, within the Carolingian empire, either during the often-turbulent reign of Louis the Pious (r. 814–40), or during the years of dynastic struggle that followed his death.

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5   On the date of the manuscript, see: Leslie Lockett, "An Integrated Re-Examination of the Dating of Oxford, Bodleian Library, Junius 11," *Anglo-Saxon England* 31 (2002): 141–73.

6   *The Later Genesis*, ed. B.J. Timmer (Oxford: Scrivener Press, 1948), 19–42; Doane, introduction to *Saxon Genesis*, 47–54. On the process of adaptation, see especially: Michael J. Capek, "The Nationality of a Translator: Some Notes on the Syntax of *Genesis B*," *Neophilologus* 55 (1971): 89–96; René Derolez, "*Genesis*: Old Saxon *and* Old English," *English Studies* 76 (1995): 409–23; A.N. Doane, "The Transmission of *Genesis B*," in *Anglo-Saxon England and the Continent*, ed. Hans Sauer and Joanna Story with the assistance of Gaby Waxenberger, 63–81 (Tempe, Arizona: Arizona Center for Medieval and Renaissance Studies, 2011).

7   For speculation on this point, see: Barbara Raw, "The Probable Derivation of Most of the Illustrations in Junius 11 from an Illustrated Old Saxon *Genesis*," *Anglo-Saxon England* 5 (1976): 133–48 at 148; Doane, introduction to *Saxon Genesis*, 52–53.

8   For a full description of the manuscript, see: Doane, introduction to *Saxon Genesis*, 9–28.

9   Doane, introduction to *Saxon Genesis*, 46.

In the early ninth century, the legacy of the expansion and consolidation of Carolingian power during the reign of Charlemagne was an empire so vast as to be beyond the scope of purely centralized authority. The situation upon the emperor's death in 814 resembled, in the words of Janet Nelson, "a conglomeration of *regna*—regions, formally independent kingdoms, and sub-kingdoms […] all of which had a great deal of autonomy."[10] This regionalism was a potential source of tension and dissent that could be exploited by individual members of the ruling elite, whether aristocrats dissatisfied by the ill-defined and largely *ad hoc* nature of power-sharing arrangements within the polity or ambitious members of the royal family, divisions and rivalries amongst whom were exacerbated by the Frankish tradition of partible inheritance. In such circumstances, individual acts of treason, consisting of a breach of fidelity towards the emperor, could (and did) lead to serious revolts requiring a swift and usually violent response.[11]

The succession of Charlemagne's son Louis the Pious in 814 coincided with an increasingly visible attempt to assert an explicitly Christian ideology for the operation of power within a unified empire. On the one hand, the promulgation in 817 of the *Ordinatio imperii* articulated this developing ideology by establishing the formal basis for the division of royal authority within a unified imperial framework. The *Ordinatio* simultaneously established or consolidated sub-kingships for Louis' three eldest sons and, in a break with the tradition of partible inheritance, laid out Louis' vision for the continuation of imperial rule after his death. According to the *Ordinatio*, Louis' eldest son Lothar was appointed co-emperor during Louis' lifetime and was to succeed his father as Emperor after the latter's death; his younger brothers, Pippin and Louis the German, though distinguished by the name of king (*regiis insigniri nominibus*), were to hold power in their kingdoms subject to Lothar's overall imperial authority (*sub seniore fratre regali potestate potiantur*).[12] On the other hand, the ideological developments of Louis' early reign also sought to implicate royal followers—whether ecclesiastical or secular—within the operation of an imperial *ministerium*. A series of cartularies issued throughout the 820s, including, most significantly perhaps, the *Admonitio ad omnes regni ordines* (823–25),

10   Janet L. Nelson, "The Frankish Kingdoms, 814–898: The West," in *The New Cambridge Medieval History Vol. II c.700–c.900*, ed. Rosamond McKitterick, 110–141 (Cambridge: Cambridge University Press, 1995), 111.

11   See further: Jennifer R. Davis, *Charlemagne's Practice of Empire* (Cambridge: Cambridge University Press, 2015), esp. 152–57, 339–40.

12   *Ordinatio Imperii*, 817, prologue in *Monumenta Germaniae Historica: Capitularia Regum Francorum*, vol. 1, ed. Alfred Boretius (Hannover: Impensis Bibliopolii Hahniani, 1883), 1: 271.

describes how this *ministerium*—defined in terms of defending the Church and upholding peace and justice throughout the Empire—resides in its totality in the person of the Emperor, but is nevertheless shared in degree by each of his followers.[13] The concept of *ministerium* encapsulates what Mayke de Jong has described as the "corporate identity" of clerical and lay magnates, bound together by "a religiously articulated sense of 'ministry' and service to a public cause embodied by royal and imperial authority."[14]

These attempts, early in Louis' reign, to formalize the operation of imperial power, though intended to secure "perpetual peace" (*perpetuam pacem*) within the empire, were an inevitable cause of resentment, dissent, and treason.[15] The centralization of the resources of political authority in the hands of Louis and his sons was opposed by others with expectations of royal power, such as Louis' nephew Bernard, whose hereditary sub-kingship of Italy was conspicuously disregarded in the *Ordinatio*. Bernard responded with a revolt intended to secure the secession of Italy from imperial control. On the failure of this revolt, Bernard was tried for treason and condemned to death. Louis commuted his punishment to blinding, although Bernard nevertheless died from the resulting trauma. The *Ordinatio* was no more successful at preventing discord between Louis and his sons. From the beginning, the subordination of Pippin and Louis the German under Lothar's imperial authority was a source of resentment, and tensions were exacerbated when, in 829, Louis attempted to overturn the provisions of the *Ordinatio* in order to provide a kingdom for his youngest son, Charles the Bald (b. 823). Together with Louis' unwillingness to allow his sons total administrative freedom within their respective *regna*, the ongoing disputes regarding arrangements for the imperial succession led to a series of conflicts between Louis and his three eldest sons, both individually and separately, and between the sons themselves. These campaigns, which twice led to the emperor's capture and temporary deposition (in 831 and 833), marked the final decade of Louis' reign.[16]

Following Louis' death in 840, the division of the empire between Lothar, Louis the German, and Charles the Bald was ultimately secured after three years of fraternal conflict by the Treaty of Verdun in 843 (Pippin having predeceased his father by two years). Despite this apparent fragmentation of the Empire, the decade following the death of Louis the Pious is marked in

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13   *Admonitio ad omnes regni ordines*, 823–25, ch. 3, in *Capitularia*, 1:303.

14   Mayke de Jong, "The Empire that was always Decaying: The Carolingians (800–888)," *Medieval Worlds* 2 (2015): 6–25 at 13.

15   *Ordinatio Imperii*, 817, prologue in *Capitularia*, 1:271.

16   Cf. Eric J. Goldberg, *Struggle for Empire: Kingship and Conflict Under Louis the German, 817–876* (Ithaca: Cornell University Press, 2006), 59–77.

contemporary sources by a recurrent "Christian-imperial discourse."[17] As de Jong points out, this discourse tends to respond to the turmoil of the 830s and 40s by invoking a concept of *imperium* that privileges unanimity amongst those "participating in imperial rule" over the unity of the Empire as a territorial entity, so that *imperium* came to refer to "the exercise of imperial authority by the senior member(s) of the Carolingian dynasty."[18]

The concern with correctly articulating royal authority in an imperial context evident in the reign of Louis the Pious and in the decade following his death provides a telling context for the depiction of Lucifer's treason in *Genesis B*. In the poem, Lucifer's betrayal is founded upon his conception of his own authority as ruler. In his first speech, Lucifer declares "ic hæbbe geweald micel / to gyrwanne godlecran stol, / hearran on heofne" [I have great authority to prepare a better throne, higher in heaven] (280b–82a). Lucifer's claim to possess *geweald micel* is not simply a presumption of ability: the noun *geweald* means not only "*power* to do" but also "*power* of one in authority, *rule, dominion, sway*."[19] It is in this latter sense that the cognate noun *giwald* is used twice in the surviving fragments of the Old Saxon *Genesis*. The treasonous behavior of Lucifer, represented in *Genesis B*, contrasts pointedly with the idealized loyalty displayed by Abraham in the Abraham and Sodom fragment of the Old Saxon poem.[20] Not only does Abraham kneel before the Lord's angelic messengers, professing his loyalty in a form of commendation, but in his subsequent intercession on behalf of the inhabitants of Sodom, he is careful to acknowledge God's absolute authority over his creation:

> all bi thinun dadiun sted
> thius uuerold an thinum uuillean.   thu giuuald hauas
> oðar thesan middilgard   manna kunnias [...]
> Thu ruomes so rehtæs,   riki drohtin,
> so thu ni uuili that thar antgeldan   guoduuillige mann
> uuamscaðono uuerek   thuoh thu is giuuald habes
> te gifrummianna.   (192b–94, 198–201a)

[Through your works this world stands according to your will. You have authority over the race of men throughout this middle-earth [...] You strive so on behalf of justice, powerful lord, so that you do not wish that

17   De Jong, "The Empire that was Always Decaying," 15.
18   De Jong, "The Empire that was Always Decaying," 17, 14.
19   T. Northcote Toller, *An Anglo-Saxon Dictionary: Supplement* (Oxford: Clarendon Press, 1908–21), s.v. "ge–weald," I:4, 4a.
20   Doane, introduction to *Saxon Genesis*, 169–70.

men of righteous intention should have to pay the price for the deeds of the wicked, although you have the authority to do this].

In contrast to Abraham's humility before divine authority, Lucifer's claim to possess *geweald micel* represents a vainglorious refusal to recognize that the foundation of this authority lies not in himself, but in God.[21] The poet has already emphasized this point in the initial account of Lucifer's creation as the preeminent angel:

> ænne hæfde he swa swiðne geworhtne
> swa mihtigne on his modgeþohte,   he let hine swa micles wealdan,
> hehstne to him on heofona rice,   hæfde he hine swa hwitne geworhtne,
> swa wynlic wæs his wæstm on heofonum: þæt him com from weroda
>   drihtne.
> gelic wæs he þam leohtum steorrum.   lof sceolde he drihtnes wyrcean,
> dyran sceolde he his dreamas on heofonum   and sceolde his
>   drihtne þancian
> þæs leanes þe he him on þam leohte gescerede   þonne læte he his hine
>   lange wealdan. (252b–58)

[He had created one of them so great, so mighty in his intellect, permitted him to wield authority so extensively, highest after Him in the kingdom of heaven, had created him so radiant, so beautiful in heaven was the form that came to him from the Lord of hosts, that he was like the shining stars. He ought to have performed his Lord's praise, ought to have valued his joys in heaven, and ought to have thanked his Lord for the rewards that He gave him in that radiance—then He would have permitted him to wield authority over what was his for a long time].

The patterns of repetition in this passage express Lucifer's obligation to his lord. The reiterative progression "swa swiðne … swa mihtigne … swa micles … swa hwitne … swa wynlic" establishes the extent of God's generosity towards his follower; the subsequent sequence "lof sceolde … dyran sceolde … sceolde

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21   Alcuin describes how the vainglorious man "non dat Deo honorem sed sibi: nec divinae imputat gratiae quidquid boni facit, sed quasi ex se habeat vel saecularis dignitatem honoris, vel spiritualis decorem sapientiae" [gives honor not to God but to himself; and credits whatever good he does not to divine grace, but as though he has from himself the dignity of secular honors or the beauty of spiritual wisdom]. *De virtutibus et vitiis liber*, ch. 34, in *Patrologiae cursus completus: Series Latina*, vol. 101, ed. Jacques Paul Migne (Paris: Migne, 1851), 635.

… þancian" similarly establishes the reciprocal obligations that such generosity imposes upon Lucifer. The poet's emphasis on this point removes any possible mitigation for Lucifer's treasonous behavior, but it also conveys that, despite his exulted position, whatever *geweald* the angel possesses is derived from and subordinate to God's overall authority. In the statement that God "let hine swa micles wealdan" [permitted him to wield authority so extensively], the verb *lætan* has a precise and quasi-legalistic force. The verb is used in this sense shortly before this passage, in the opening lines of *Genesis B*. Following God's (fragmentary) injunction regarding the tree, Adam and Eve—like Abraham— bow humbly before God. It is after they have performed this obeisance that God bestows upon them the land of Eden: "he let heo þæt land buan" [he permitted them to occupy that land] (239b). That this beneficence represents a royal prerogative is suggested by a similar usage of cognate *latan* in the Old Saxon Abraham and Sodom fragment. In that fragment, Abraham petitions the Lord to operate his prerogative of mercy and grant the sinful city-dwellers life and land: "latan te liua that sia muotin that land uuaran" [grant them life that they might occupy the land] (216). The implication here is that the crimes of the Sodomites have led them to forfeit their lives and possessions to the Lord, who alone has the authority to grant them back—as he subsequently does.[22] The sense of a formal grant evident in these two passage pertains also in the use of the verb *lætan* in the account of Lucifer's devolved authority in *Genesis B*.

Each of these examples presents God as a gracious lord conferring *honores* on his followers. Lucifer, in contrast to Abraham, disregards this act of patronage, seeing his *honores* as his own inalienable possession rather than a mark of divine favor. In fact, the bestowal of *honores* is explicitly conditional. Adam and Eve will enjoy the land granted to them so long as they are loyal to God's word: "ðenden heo his halige word healdan woldon" [while they would obey his holy word] (245). So, too, Lucifer's *geweald* is conditional upon his obedience: "þonne læte he his hine lange wealdan" [then He would have permitted him to wield authority over what was his for a long time] (258b). The poem presents a divine polity in which authority is divisible but remains dependent upon the superordinate power of God. Lucifer, God's preeminent follower, holds office second only to God himself. In terms of contemporary Carolingian politics, Lucifer occupies a privileged position in the polity as a prominent participant in a divine *ministerium*. The poem makes clear, however, that this par-

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22   Cf. *Genesis*, 220–23 and 234–42. On the juridical force of line 216, see: Doane, commentary in *Saxon Genesis*, 337.

ticipation is predicated upon his continued obedience and fidelity to God, the ultimate source of this *ministerium*.

Lucifer's rejection of this dependent position can also be understood in terms of the realities of early ninth-century Carolingian politics. A notable feature of the *Ordinatio* of 817 is the stress that it places upon Lothar's status as elder brother (*senior frater*) and the corresponding juniority of Pippin and Louis (*iuniores fratres*). In so doing, the language of the *Ordinatio* reflects contemporary Carolingian conceptualizations of the moral basis of hierarchical relationships, according to which *iuniores* were required to show humility as well as obedience in their behavior towards their *seniores*.[23] As well as restricting the younger brothers' freedom to wage war, receive envoys, or even marry without Lothar's consent, the *Ordinatio* also required them to mark their fidelity to Lothar each year by coming to him for a ceremonial exchange of gifts. Such conditions were, according to the account of Thegan of Trier, perceived by Pippin and Louis as an affront to their royal dignity (*ceteri filii ob hoc indignati sunt*), and they contributed to the political unrest in the decades following the promulgation of the *Ordinatio*.[24]

The *indignitas* felt by Pippin and Louis on account of their subordination to Lothar offers a striking parallel to the proud resentment that leads to Lucifer's treason in *Genesis B*. Indeed, the language of the poem appears to draw upon precisely the same discourse of juniority and seniority. The first words spoken by Lucifer in the poem constitute a statement of his own self-sufficiency: "'hwæt sceal ic winnan?' cwæð he. 'nis me wihtæ þearf / hearran to habbanne'" ["Why must I toil?" he said, "There is no need for me to have a superior"] (278–79a). The Old English noun *hearra* is a relatively rare poetic word for a lord. Of the twenty-nine recorded usages of the word in the surviving corpus of Old English verse, all, save three, are found in *Genesis B* wherein the Old English term appears as an "assimilation" of the more common Old Saxon noun *hêrro*.[25] The frequent recurrence of the term, and its repeated collocation with

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23 Cf. Rachel Stone, *Morality and Masculinity in the Carolingian Empire* (Cambridge: Cambridge University Press, 2012), 212–13. Stone cites Alcuin's formulation of the virtues proper to different ranks in society: "potestatibus et iudicibus iustitiam et misericordiam; iunioribus oboedientiam humilitatem et fidem in senioribus" [for the powerful and for judges, justice and mercy; for subordinates, obedience, humility, and fidelity to their superiors]. *Epistola 184*, in *Monumenta Germaniae Historica: Epistolae*, vol. 4, ed. Ernst Dümmler (Berlin: Weidmann, 1895), 310.

24 Thegan, *Gesta Hludowici imperatoris*, in *Monumenta Germaniae Historica: Scriptores Rerum Germanicarum*, vol. 64, ed. Ernst Tremp (Hanover: Hahnsche Buchhandlung, 1995), 210. On Thegan's use of the term *indignati*, see: Goldberg, *Struggle for Empire*, 31.

25 *Dictionary of Old English: A–H*, s.v. "hĕarra, hĕrra": <https://tapor.library.utoronto.ca/doe/> (accessed May 29, 2018.)

the noun *hyldo* [favor], establishes a thematic concern with the operation of lordship that runs throughout the narrative of both the angelic and human falls.[26] More specifically, however, the Old Saxon word *hêrro* represents a substantivized form of the comparative of the adjective *hêr*, the original meaning of which was "old," and seems to have been formed by direct analogy with, and as a vernacular counterpart to, the Latin term *senior*.[27] Like the Latin term, it denotes not lordship *per se*, but seniority within a hierarchical social structure.

By contrast, Lucifer's own subordinate position within the heavenly polity is characterized in *Genesis B* by the use of the Old English term *geongra* [subordinate] and the related (and unique) forms *geongordom* [subservience] and *giongorscipe* [service], reflecting the cognate Old Saxon words *jungiro, jungardom*, and *jungarskepi*. The Old Saxon noun *jungiro* represents the "logical complement" of *hêrro*, being similarly formed by analogy with Latin *iunior*.[28] The use of the nouns *hearra* and *geongra* (and related forms) in the surviving Old English text of *Genesis B* thus preserves an echo of terminology associated with formal power in early ninth-century Francia, expressing the hierarchical distinction between *seniores* and *iuniores*. The hierarchical relations depicted in the original Old Saxon poem were governed by a precise, formal vocabulary that encoded both moral and social obligations. As the example of the *Ordinatio Imperii* shows, this vocabulary was socially freighted in ways that could intersect destructively with conceptions of personal *dignitas*. Thus, the poem's emphasis on the rejection of a subordinate position as a motivation for Lucifer's actions places his treason within a recognizable moral framework, according to which his pride is condemned as a specifically social evil.

According to the poet, God created the race of angels precisely that they might fulfill the role of royal followers: "þæt hie his giongorscipe fyligan wolden" [so that they would perform his service] (249). It is this obligation that Lucifer rejects. At first, Lucifer lacks the desire to serve the Lord: "ne meahte he æt his hige findan / þæt he gode wolde geongerdome, / þeodne þeowian" [he could not find it in his heart that he would serve God, the Lord, in subservience] (266b–68a). Subsequently, he expresses doubts about his continued

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26   Cf. Tom Shippey, "Hell, Heaven, and the Failures of *Genesis B*," in *Essays on Old, Middle, Modern English and Old Icelandic in Honor of Raymond P. Tripp, Jr.*, ed. Loren C. Gruber with Meredith Crellin Gruber and Gregory K. Jember, 151–71 (Lewiston, NY: Edwin Mellen Press, 2000), 165–66.

27   D.H. Green, *The Carolingian Lord: Semantic Studies on Four Old High German Words: Baldor, Frô, Truhtin, Hêrro* (Cambridge: Cambridge University Press, 1965), 405–87.

28   Green, *Carolingian Lord*, 440–41. Margaret J. Ehrhart, by contrast, thinks that these terms indicate a relationship based on "discipleship" rather than "service." "Tempter as Teacher: Some Observations on the Vocabulary of the Old English *Genesis B*," *Neophilologus* 59 (1975): 435–46.

obedience—"him tweo þuhte / þæt he gode wolde geongra weorðan" [it seemed doubtful to him that he would be a subordinate of God] (276b–77)—and questions his need to serve—"hwy sceal ic æfter his hyldo ðeowian, / bugan him swilces geongordomes" [why must I serve him for his favor, bow to him with such subservience] (282b–83a). His first speech culminates with the outright rejection of his subservient role: "ne wille ic leng his geongra wurþan" [I no longer intend to be his subordinate] (291b). The progress from initial unwillingness to this disavowal of his position as God's subordinate marks Lucifer's descent into treason. The driving force behind this movement is Lucifer's *superbia*, but this sinful pride is manifest in social terms as a sense of *indignitas* at his dependent position. Lucifer frames his complaint in terms of justice—"me þæt riht ne þinceð" [that does not seem just to me] (289b)—and characterizes his service to God as a form of flattery (*oleccan*) (290a). This account of Lucifer's pride recalls Alcuin's influential definition of *superbia* as contempt for divine authority (*contemptu mandatorum Dei*), which manifests in social relations as an arrogant and disruptive disobedience: "Fit etiam per contumaciam superbia, quando despiciunt homines senioribus obedire suis. Ex ipsa vero nascitur omnis inobedientia, et omnis praesumptio, et omnis pertinacia, contentiones, haereses, arrogantia" [*Superbia* also arises from arrogance, when people despise obeying their *seniores*. Truly, from that is born all disobedience, and all presumption, and all obstinacy, disputes, heresies, conceitedness].[29] This understanding of the moral and social ramifications of pride is closely mirrored in *Genesis B*, wherein Lucifer's treason is inseparable from his *superbia*, expressed as an arrogant rejection of his subordination within the social hierarchy of heaven.

In rejecting the role of God's *geongra*, Lucifer appeals to the strength of his following:

> bigstandað me strange geneatas   þa ne willað me æt þam striðe
> geswican,
> hæleþas heardmode.   hie habbað me to hearran gecorene,
> rofe rincas.   mid swilcum mæg man ræd geþencean,
> fon mid swilcum folcgesteallan.   frynd synd hie mine georne,
> holde on hyra hygesceaftum.   ic mæg hyra hearra wesan,
> rædan on þis rice.   (284–89a)

[Strong companions stand beside me, resolute heroes who will not betray me in the conflict. They have chosen me as their lord, brave warriors.

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29   *De virtutibus et vitiis liber*, ch. 27, in *Patrologia Latina*, 101:633.

With such as these may one devise counsel, make a start with such com-
rades. They are my eager friends, loyal in their hearts. I may be their lord,
rule in this kingdom].

The repetition of the noun *hearra* in these lines establishes a hierarchical rela-
tionship between Lucifer and his followers that mirrors that which should ex-
ist between God and Lucifer. Lucifer's speech places particular emphasis on
the loyalty of his supporters, both positively through the use of the adjective
hold [loyal] and negatively in the statement that they will not "betray" him
(*geswican*) when danger threatens. This appeal to the loyalty of his followers to
justify his own treasonous behavior has been frequently understood as a form
of irony.[30] A.N. Doane, for example, comments upon "the patent absurdity of
one who himself refuses to give service or recognize a hierarchy reaching above
but who nevertheless predicates his fortunes on services demanded as his due
from a hierarchy reaching below."[31] To an audience familiar with the complex
and negotiable operation of power in early ninth-century Francia, however,
this seeming absurdity may have looked like pragmatic reality.

   Doane's discussion of Lucifer's expectations in terms of hierarchies reach-
ing above and below reflects a familiar historiographical distinction between
"vertical" (formal) and "horizontal" (informal) power structures. In recent
years, however, the validity of such a binary distinction as applied to the early
medieval period has been strongly questioned. Matthew Innes and Stephen
Baxter stress that the effective operation of power in this period relied upon
the interactional relationship between formal structures of power and infor-
mal structures based on local and social bonds of loyalty.[32] As Charles West
argues, the construction of aristocratic retinues, such as that described by
Lucifer, depended upon such a combination of formal and informal power
structures, but it was nevertheless considered "morally binding," implicating

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30   Cherniss, "Moral climate," 496, 486; Jane Chance, *Woman as Hero in Old English Literature*
      (Syracuse, NY: Syracuse University Press, 1986), 71; Michelet, *Creation, Migration, and Con-
      quest,* 85–86; Andrew Lynch, "'Now evil deeds arise': Evaluating Courage and Fear in Early
      English Fight Narratives," in *Gender and Emotions in Medieval and Early Modern Europe:
      Destroying Order, Structuring Disorder*, ed. Susan Broomhall, 17–33 (Farnham: Ashgate,
      2015), 26–27.

31   Doane, introduction to *Saxon Genesis*, 122.

32   Matthew Innes, *State and Society in the Early Middle Ages: The Middle Rhine Valley, 400–
      1000* (Cambridge: Cambridge University Press, 2000); Stephen Baxter, *The Earls of Mercia:
      Lordship and Power in Late Anglo-Saxon England* (Oxford: Oxford University Press, 2007).
      Baxter defines informal power structures as "networks held together through social ties—
      lordship, kinship, community, religious affiliation" (11–12).

aristocratic followers in their lord's actions.[33] The existence of such retinues not only facilitated the operation of power at regional and local levels but also played a key role in wider power politics. The active role of aristocratic support networks was an important legitimizing factor that could govern the success or failure of bids for power, even where this involved challenging an existing ruler during his lifetime or disregarding arrangements for the succession after his death.[34]

Lucifer's expectations of support would seem to be based upon such an understanding of the moral bond between himself and his followers, and of the potential for their support to lend legitimacy to his bid for autonomy. Lucifer's speech does invoke formal power structures through the language of fidelity and betrayal and in the references to Lucifer's role as *hearra*. At the same time, however, the language of friendship (*frynd*) and the description of his angelic followers as *geneatas* [companions] and *folcgesteallan* [comrades] invokes informal ties based on friendship, kinship, and personal loyalty that operate at regional and local levels.[35] The repetition of the phrase *mid swilcum* [with such] similarly invokes the strength of his following as a legitimizing factor in his revolt. An audience familiar with the "polycentric" nature of the Frankish polity would surely have recognized in Lucifer's speech a negotiation between formal and informal or local power structures as part of his reconsideration of his role in the heavenly polity.[36] Lucifer's boast reflects pragmatic realities at least as much as much as it does an ironic failure of heroic ideals.

Lucifer's laments following the failure of his revolt also emphasize the local aspect of his bid for power. Addressing his loyal followers, who share his banishment, Lucifer (now Satan) compares their position in hell to the territory they previously occupied in heaven:

> is þæs ænga styde   ungelic swiðe
> þam oðrum þe we ær cuðon
> hean on heofonrice   þe me min hearra onlag.

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33 Charles West, *Reframing the Feudal Revolution: Political and Social Transformation Between Marne and Moselle, c. 800–c. 1100* (Cambridge: Cambridge University Press, 2013), 55. On the difficulties that such morally binding loyalties could cause for Carolingian rulers, see: Stone, *Morality and Masculinity*, 198.

34 Janet L. Nelson, "Hincmar of Reims on King-making: The Evidence of the *Annals of St. Bertin*, 861–882," in *Coronations: Medieval and Early Modern Monarchic Ritual*, ed. János M. Bak, 16–34 (Berkeley: University of California Press, 1990).

35 Personal ties of affection are also invoked in repeated statement that Lucifer was dear to God (261a, 339b–40a), but the relationship is in this case one-sided.

36 On the "polycentric" nature of the Frankish polity, see: Innes, *State and Society*, 165–250.

þeah we hine for þam alwaldan   agan ne moston,
romigan ures rices (356–60a)

[This narrow place is very unlike that other with which we were previ-
ously familiar high in the kingdom of heaven, which my lord granted to
me—although because of the ruler of all we were not allowed to possess
it, to strive on behalf of our kingdom].

According to Fabienne Michelet, the phrase *romigan ures rices* here describes
Lucifer's ambition to possess the whole of the kingdom of heaven.[37] Yet the
lines clearly refer to a specific place (*styde*) within the wider kingdom of heav-
en (*on heofonrice*) with which Lucifer had been endowed by God. The verb
romigan has caused confusion on this point. The word is otherwise unrecorded
in Old English, but the generally accepted translation of the cognate Old Saxon
romon is "to strive (for)," which seemingly supports the contention of Michelet
and others that Lucifer is concerned here with territorial expansion rather
than consolidation.[38] However, the single use of this verb in the surviving por-
tions of the Old Saxon *Genesis* suggests that it requires a more nuanced trans-
lation. In Abraham's petition on behalf of the Sodomites (quoted above),
Abraham describes how God "strives for justice" (*ruomes so rehtæs*). As Doane
notes in his commentary, the meaning of *romon* here cannot be to "strive for"
something not already possessed;[39] rather, the meaning must be something
closer to "strive on behalf of." A similar meaning can be ascribed to the Old
English verb *romigan* in Lucifer's speech. This again points towards the foun-
dations of Lucifer' revolt within a particular, local powerbase—in Carolingian
terms, the *regnum* that had been granted to him by God.

The language Lucifer uses to describe his ambitions is consistently compar-
ative. He aims to provide himself with a throne to rival that of God—more
splendid, stronger, higher in heaven (272b–74a, 280b–82a). He believes that his
following is more powerful than that of God (268b–271a). He can, he says, be as
good as God himself: "ic mæg wesan god swa he" [I can be as good/as godlike as
he] (283b). In one sense, this comparative language simply highlights Lucifer's
essential miscomprehension of the nature of God. As Doane explains, Lucifer's
mistake is to imagine that God's power is relative when it is, in fact, absolute.[40]
In another sense, however, this language also points to the poet's particular

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37   Michelet, *Creation, Migration, and Conquest*, 66–67.
38   Cf. Alain Renoir, "'Romigan Ures Rices': A Reconsideration," *Modern Language Notes* 72
      (1957): 1–4.
39   Doane, commentary in *Saxon Genesis*, 335.
40   Doane, introduction to *Saxon Genesis*, 123–24.

understanding of Lucifer's treasonous behavior. Lucifer's actions do not constitute a rebellion against a particular system of governance or an attempt to overthrow or disrupt the operation of power *per se*. As Paul Fouracre points out, such rebellions were rarely seen in the early medieval period.[41] Lucifer's revolt instead follows a more familiar ninth-century paradigm in aiming primarily at the redistribution of power amongst the members of an elite group rather than challenging the authority upon which such power was based. Lucifer seeks to redraw the balance of power within the heavenly polity. By providing himself with a higher, better throne, he effectively intends to re-center this polity upon his own particular geographical powerbase. Once again, the revolt in heaven mirrors the struggles that characterized the political life of Francia in the first half of the ninth century, as brother competed with brother and father with son in an ongoing struggle to maximize their own share of imperial power.

Lucifer's punishment also reflects contemporary practices of power. His relocation to hell is repeatedly characterized as a movement from light into darkness. The poet places great emphasis on the brightness of Lucifer's person before his fall (254b, 338b–39a), comparing him to the light of the stars: "gelic was he þam leohtum steorrum" [he was like to the bright stars] (256a). Lucifer's first boast concerns this brightness of his person: "cwæð þæt his lic wære leoht and scene, / hwit and hiowbeorht" [he said that his form was light and shining, white and bright-hued] (265–66a). This brightness is associated also with the kingdom of heaven itself. The poet plays on the polysemy of the word *leoht*— which, like its Old Saxon counterpart *lioht*, can carry an expanding meaning of "world" or "life"—in order to contrast heaven and hell. Lucifer is endowed with gifts "on þam leohte" [in that light/in heaven] (258a), but following his revolt, is condemned to dwell "on wyrse leoht … on þa sweartan helle" [in a worse light … in that dark hell] (310b; 312b). Though it is filled with fire, hell is "leohtes leas" [deprived of light] (333a). Lucifer twice complains of being cut-off from the light of heaven—"þæs leohtes bescyrede" [392b; 394b]—and despairs of ever regaining that light: "Ne gelyfe ic me nu þæs leohtes furðor" [I now no longer have hope of that light for myself] (401a). Hell is repeatedly characterized by adjectives denoting darkness: *þrosm* (326a); *þystro* (326a, 389b); and *sweart* (312b, 345b, 391a).

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41   Paul Fouracre, "The Incidence of Rebellion in the Early Medieval West," in *Making Early Medieval Societies: Conflict and Belonging in the Latin West, 300–1200*, ed. Kate Cooper and Conrad Leyser, 104–24 (Cambridge: Cambridge University Press, 2016). My use throughout this article of the term "revolt" to describe Lucifer's treason reflects Fouracre's distinction between "revolt" and "rebellion."

The poet's references to Lucifer's brightness relates, of course, to the usual interpretation of his name as "bearer of light," while the contrast between the light of heaven and the darkness of hell is so conventional that it might almost pass unnoticed. In the context of the poem's presentation of Lucifer treason, however, the stress that the poet places upon this aspect of Lucifer's punishment—the move from light to dark—calls to mind the use of blinding as a political punishment in Carolingian Francia. Geneviève Bührer-Thierry provides compelling evidence not only that this punishment increased in prominence during the reign of Charlemagne and his successors but also that it seems to have been specifically connected with the crime of treason.[42] As a supposedly merciful alternative to the death penalty, blinding is well attested as a punishment for revolt in this period, as in the case of Bernard of Italy. Similarly, Carloman, son of Charles the Bald, was blinded on his father's orders as punishment for his own failed revolt in 873.[43] The emergence of this form of punishment for treason coincided, moreover, with a growing tendency—especially in the reign of Louis the Pious—to conceptualize *imperium* in terms of radiant light, whose source was the person of the emperor himself, and in which participants in the *ministerium* could, to a degree, share. Bührer-Thierry explains the connection between this ideological trend and the rise of blinding as a punishment for treason:

> by revolting against the king or trying to usurp his functions, these men lost the capacity to participate in his *ministerium*; and the punishment that deprived them of their sight, which only the legitimate emperor had the right to pronounce, demonstrated that they had been cast forever into the world of darkness, incapable at one and the same time of seeing the king who radiated splendor and of reflecting the portion of brightness that had once been confided to them.[44]

In this context, Lucifer's representation of himself as a source of light gains added significance: he presents himself as the source of the radiance of *imperium*, failing to acknowledge that this brightness is rightly a reflection of the divine light. He is punished for his treason in a fitting manner by being cast into darkness, not through blinding, but through his fall. The depiction of his

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42   Geneviève Bührer-Thierry, "'Just Anger' or 'Vengeful Anger'? The Punishment of Blinding in the Early Medieval West," in *Anger's Past: The Social Uses of an Emotion in the Middle Ages*, ed. Barbara H. Rosenwein, 75–91 (Ithaca: Cornell University Press, 1998).

43   Janet L. Nelson, "A Tale of Two Princes: Politics, Text and Ideology in a Carolingian Annal," *Studies in Medieval and Renaissance History* 10 (1988): 105–41.

44   Bührer-Thierry, "'Just Anger,'" 87.

punishment in terms of a move from light to darkness literalizes the symbolic conceptualization of punitive blinding in cases of revolt and treason.

Lucifer's fall in *Genesis B* demonstrates how consistently and how meticulously the poetic account invokes the ideologies and realities of early ninth-century Frankish power politics to explicate Lucifer's behavior. The effects of this poetic strategy are two-pronged. On the one hand, contemporary ideological developments regarding the nature of imperial rule, together with an ideal of a corporate, Christian *ministerium* in which the aristocratic elite participated, provide the ethical and moral basis according to which Lucifer's actions can be condemned as treasonous, as well as the justification for his particularly appropriate punishment. On the other hand, by presenting Lucifer as an aristocratic lord or sub-king in revolt, the poem invites its audience to view any such treasonous act within the world as participating in Lucifer's originary sin, and it implicates those perpetrating such acts in Lucifer's punishment through immediate temporal penalties (such as blinding) and through the threat of coming damnation.[45] In this way, the poet both draws upon and simultaneously propagates the dominant political ideologies of the period.

The effectiveness of this strategy depends, crucially, upon presenting Lucifer in realistic and recognizable terms as a contemporary aristocratic figure—a dissatisfied subordinate, indignant at his inferior position and lack of autonomy and seeking to increase his share of imperial power.[46] Critical interpretations of Lucifer's behavior that rely solely on the timeless values of heroic verse, though valid in their own terms, potentially mask this specific and historical valence. Scholars have long been used to thinking about *Genesis B* in terms of abstract oppositions of ideals of loyalty and disloyalty, or obedience and disobedience.[47] Contextualizing the poem's account of Lucifer's fall in relation to its early ninth-century Carolingian provenance situates *Genesis B* within a specific, historically-grounded, and ideologically developed depiction of treason that is central to its interpretation of Lucifer's foundational act of sin for a contemporary audience.

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45 Cf. *Genesis B*, 297b–99a.

46 Compare Doane's interpretation of the revolt in terms of a fundamental opposition between a developing imperial ideology and an older, *comitatus*-based model of society. Introduction to *Saxon Genesis*, 123; "Transmission," 80. In my reading, the poet does not present Lucifer as an outmoded adherent of an outdated, superseded social model. Rather, the poet assumes the operation of an imperial ideology in which power works along both vertical and horizontal lines (that is to say, by negotiation of formal and informal structures) and positions Lucifer as an active player within the imperial *ministerium*.

47 Cf. J.R. Hall, "*Geongordom* and *Hyldo* in *Genesis B*: Serving the Lord for the Lord's Favor," *Papers on Language and Literature* 11 (1975): 302–07; Ehrhart, "Tempter and Teacher"; Lucas, "Loyalty and Obedience."

The kings of Wessex in the late-ninth and early-tenth centuries faced problems relating to the division of political authority and the ambitions of claimants upon royal power that parallel, albeit on a smaller scale, those faced by Louis the Pious and his sons. The career of Æthelwulf of Wessex (d. 858) parallels the Carolingian practice of sub-kingship. Following the successful expansion of West Saxon authority into areas previously under Mercian control during the reign of his father Ecgberht in the mid-820s, Æthelwulf ruled as sub-king of Kent until his father's death in 839. During this period, Æthelwulf issued charters as king, and may also have issued his own coinage, apparently enjoying a considerable degree of autonomy. Following his succession to the overall kingship of Wessex, Æthelwulf followed his father's example by appointing his own eldest son Æthelstan as sub-king of Kent, followed, after Æthelstan's death in the mid-850s, by his third son Æthelberht.[48] In contrast to his own relative autonomy within the region, however, Æthelwulf appears to have prevented his sons from either issuing charters or minting currency in their own names, a policy which Joanna Story interprets as a means of "restricting his sons' ability to establish their own patronage networks" comparable to the attempts made by Æthelwulf's contemporary Charles the Bald to limit his own sons' abilities to construct aristocratic powerbases.[49]

The adoption of this policy shows that, in the mid-ninth century, Anglo-Saxon rulers were as worried as their Frankish counterparts about the threat posed by ambitious subordinates backed by local networks of aristocratic support. With good reason. When he departed for Rome in 855, Æthelwulf apparently committed the kingdom of Wessex to Æthelbald. Asser, in his *Vita Alfredi regis*, records how, on Æthelwulf's return in 856, newly married to Charles the Bald's daughter Judith, Æthelbald moved to prevent him from regaining his kingdom:

> Nam Æthelbaldus rex, [*Æthelwulfi regis filius,*] et Ealhstan, Scireburnensis ecclesiae episcopus, Eanwulf quoque Summurtunensis pagae comes coniurasse referuntur, ne unquam Æthelwulf rex, a Roma revertens, iterum in regno reciperetur. (XII.4–9)[50]

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48 Simon Keynes, "The Control of Kent in the Ninth Century," *Early Medieval Europe* 2 (1993): 111–31.

49 Joanna Story, *Carolingian Connections: Anglo-Saxon England and Carolingian Francia, c. 750–870* (Aldershot: Ashgate, 2003), 224. See further: Nelson, "Frankish Kingdoms," 125.

50 Cited by chapter and line number from *Asser's Life of King Alfred together with the Annals of Saint Neots Erroneously ascribed to Asser*, ed. William Henry Stevenson (Oxford: Clarendon Press, 1904).

> [Then King Æthelbald, King Æthelwulf's son, with Ealhstan, Bishop of Sherbourne and Eanwulf the ealdorman of Sommerset are declared to have conspired that, on his return from Rome, King Æthelwulf should never again be received into his kingdom].

Asser's decision to list the chief supporters of Æthelbald's revolt testifies to the participation of aristocratic (and ecclesiastical) support networks in dynastic politics. In such a context, Lucifer's calculations regarding the strength of his following would surely have resonated with contemporary political realities, as much as with heroic ideals.

It seems quite likely, moreover, that it was during this period that the Old Saxon poem first travelled to England. Barbara Raw convincingly argues that the illustrations accompanying the composite Old English *Genesis* text in Junius 11 derive from a sequence designed originally to accompany the text of the Old Saxon *Genesis*; based on the similarities between these illustrations and surviving examples of ninth-century West Frankish Bible manuscripts, Raw suggests that the Old Saxon poem travelled to England in a high-status manuscript, probably illuminated in Tours during the reign of Charles the Bald (r. 843–77).[51] Both Raw and Doane posit Æthelwulf's marriage to Judith as a likely occasion for the bestowing of just such a high status manuscript.[52] This is an attractive speculation, but it should be noted that strong ties between Wessex and Francia dated back at least as far as the reign of Ecgberht. Ecgberht, who, according to the *Anglo-Saxon Chronicle*, achieved the imperial-style distinction of *Bretwalda* in the year 827, may have spent as long as thirteen years in exile in Francia before he succeeded to the West Saxon kingdom in 802.[53] His son Æthelwulf is known to have maintained good contacts with the West Frankish court even before his marriage to Judith, and was served by a Frankish secretary named Felix.[54] Æthelwulf's son and ultimate successor Alfred famously recruited continental scholars to assist him in his political and cultural endeavors.[55] There were ready conduits, therefore, by which both the Old

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51   Raw, "Probable Derivation," 146–48. Cf. Doane, "Transmission," 64–65.

52   Raw, "Probable derivation," 148; Doane, "Transmission," 66–67.

53   Story, *Carolingian Connections*, 214–24.

54   Story, *Carolingian Connections*, 225–40.

55   *Alfred the Great: Asser's Life of King Alfred and Other Contemporary Sources*, trans. Simon Keynes and Michael Lapidge (Harmondsworth: Penguin, 1983), 26–8. On the possible role of these scholars in the transmission of *Genesis B*, see: Doane, "Transmission," 67–70. The prominence of continental scholars at the West Saxon court is apparent also in the reigns of Alfred's successors. Cf. Michael Wood, "A Carolingian Scholar in the Court of King Æthelstan," in *England and the Continent in the Tenth Century: Studies in Honor of Wilhelm*

Saxon poem, and the Carolingian imperial ideologies that underpin it, might have been transmitted to the West Saxon court.

The process of linguistic adaptation of the Old Saxon poem that resulted in the text preserved in Junius 11 appears to have begun around the year 900.[56] This was, again, a period of probable dynastic tension in Wessex. In 898, King Alfred followed the practice of his father and grandfather by appointing his own son Edward the Elder as sub-king of Kent.[57] Janet Nelson suggests that the designation of Edward as sub-king late in Alfred's reign was the result of tensions regarding arrangements for Alfred's succession and that Edward's appointment may have coincided with a general diminution of Alfred's authority.[58] Equally, it may have been an attempt to consolidate Edward's position, as Alfred's designated successor, in the face of a potential challenge from his cousin Æthelwold, son of Alfred's older brother Æthelræd I. From his accession to the throne in 871, Alfred attempted to circumscribe the potential claims of his nephew by withholding from him lands that he may otherwise have expected to inherit, limiting his ability to construct a network of support for any future claim on the kingship, such as that on which Lucifer founds his rebellion in the poetic account.[59]

Despite these maneuvers, however, Æthelwold contested Edward's succession upon the death of Alfred in 899, presenting himself as a legitimate alternative candidate for royal power in a revolt that was only finally defeated with Æthelwold's death at the Battle of Holme in 902. Ryan Lavelle argues that the threat posed by Æthelwold's claim was sufficiently serious to have driven developing ideas of royal authority during Edward's rule.[60] These developments encompassed increasingly ambitious gestures towards imperial-style rule dur-

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Levison (1876–1947), ed. David Rollason, Conrad Leyser, and Hannah Williams, 135–62 (Turnhout: Brepols, 2010).

56   See above: n. 6.

57   Barbara Yorke, "Edward as Ætheling," in *Edward the Elder, 899–924*, ed. N.J. Higham and D.H. Hill, 25–39 (London: Routledge, 2001), 32.

58   Janet L. Nelson, "Reconstructing a Royal Family: Reflections on Alfred, From Asser, Chapter 2," in *People and Places in Northern Europe, 500–1600: Essays in Honor of Peter Hayes Sawyer*, ed. Ian Wood and Niels Lund, 47–66 (Woodbridge: Boydell, 1991), 62–64.

59   Ryan Lavelle, "The Politics of Rebellion: The *Ætheling* Æthelwold and West Saxon Royal Succession, 899–902," in *Challenging the Boundaries of Medieval History: The Legacy of Timothy Reuter*, ed. Patricia Skinner, 51–80 (Turnhout: Brepols, 2009), 55–61. See also: Ann Williams, "Some Notes and Considerations on Problems Connected with the English Royal Succession, 860–1066," in *Proceedings of the Battle Conference 1978*, ed. R. Allen Brown, 144–67 (Ipswich: Boydell, 1979), 148–49.

60   Lavelle, "Politics of Rebellion," 79–80.

ing the reigns of Edward and his son Æthelstan (r. 924–939).[61] The period of dynastic challenge, consolidation, and ideological development in the early years of the tenth century thus provides a rich potential context for, and perhaps an explanation of, interest in the Old Saxon poem and its account of Lucifer's revolt in precisely these years.

The poem's depiction of Lucifer as a subordinate aristocrat or sub-king pressing a claim to royal authority—founded upon a network of aristocratic support—in treasonous revolt against his rightful lord would surely have resonated with a politically engaged audience of early tenth-century Anglo-Saxons. This is not to say that all aspects of the political ideology encoded in the Old Saxon poem would have been intelligible to an Anglo-Saxon audience.[62] It seems doubtful, for example, that Lucifer's punishment could have been interpreted in the same way in Anglo-Saxon England. Evidence from the tenth and early eleventh centuries does suggest that punitive blinding was increasingly accepted as an alternative to execution, both as a judicial punishment and as a non-judicial or quasi-legal means of asserting political power and eliminating potential threats to that power.[63] The punishment seems not, however, to have carried a precise ideological significance in the way that it did in ninth-century Francia, and was apparently not considered a particularly appropriate punishment for treason in England before the Norman Conquest.[64] But the overall picture would have been clear enough, and the parallels that the poem draws between treason within the world and the crime for which Lucifer is damned would undoubtedly have recommended it to the West Saxon royal dynasty.

The interest in the Old Saxon poem at the turn of the tenth century also coincides, moreover, with an extension of the Anglo-Saxon understanding of

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61   For a succinct summary of the evidence for West Saxon imperial ambitions, and for the suggestion that successive West Saxon rulers may have conceived of themselves (or wanted to present themselves) as the heirs to Christian *imperium* in Western Europe, see: Francis Leneghan, "*Translatio Imperii*: The Old English *Orosius* and the Rise of Wessex," *Anglia* 133 (2015): 656–705, esp. 663–73.

62   Cf. Doane, "Transmission," 80–81.

63   Matthew Firth, "Allegories of Sight: Blinding and Power in Late Anglo-Saxon England," *Ceræ* 3 (2016): <http://openjournals.arts.uwa.edu.au/index.php/cerae/article/view/66> (accessed May 14, 2017).

64   Klaus van Eickels, "Gendered Violence: Castration and Blinding as Punishment for Treason in Normandy and Anglo-Norman England," *Gender & History* 16 (2004): 588–602; Charlene M. Eska, "'Imbrued in their owne bloud': Castration in Early Welsh and Irish Sources," in *Castration and Culture in the Middle Ages*, ed. Larissa Tracy, 149–73 (Cambridge: D.S. Brewer, 2013), esp. 156–62.

treason as a legal concept.[65] This is particularly evident in the law-code issued by Alfred in the final decade of the ninth century. The extensive Prologue to this code explains how systems of compensation were established by Christian law-makers as a merciful alternative to harsher punishments:

> hie ða gesetton, for ðære mildheortnesse þe Crist lærde, æt mæstra hwel-cre misdæde þætte ða weoruldhlafordas moston mid hiora leafan buton synne æt þam forman gylte þære fiohbote onfon, þe hie ða gesettan; bu-ton æt hlafordsearwe hie nane mildheortnesse ne dorston gecweðen, forþam ðe God ælmihtig þam nane ne gedemde þe hine oferhogdon, ne Crist Godes sunu þam nane ne gedemde þe hine to deaðe sealde, 7 he bebead þone hlaford lufian swa hine.[66]

> [Then, for the mercifulness that Christ taught, they established that for almost all wrong-doing, at the first offence, a secular lord could, by their leave and without sin, receive the monetary compensation which they established; except that they dared not declare any mercy for treason, because almighty God decreed none for those who scorned him, nor did Christ, God's son, decree any for him who gave him up to death, and he commended each person to love the lord as himself].

In exempting the crime of treason (*hlafordsearu*) from the operation of Christian mercy, the author of the Prologue draws an explicit analogy between the loyalty owed to the king by his followers and that owed by created beings to their God—to the extent that the divine Lord and the secular lord become linguistically confused in the reoccurrence of the lexeme *hlaford* in the final clause of this passage. The operation of absolute justice upon those who betray God establishes by analogy the right of kings to execute similar justice upon those guilty of worldly treason. The reference to Judas, betrayer of Christ, is clear enough, but the preceding reference to God refusing mercy to those who scorned him (*þe hine oferhogdon*) is more allusive. David Pratt interprets this as a reference to the prescription of the death penalty for sacrificing to idols in Exodus 22:20.[67] A more likely explanation, however, is that it refers to the dis-obedience of Lucifer and his followers, whose fall—unlike that of human-kind—is irredeemable. If this is correct, then the Alfredian code draws an

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65   David Pratt, *The Political Thought of King Alfred the Great* (Cambridge: Cambridge University Press, 2007), 232–38.

66   *Die Gesetze der Angelsachsen*, ed. F. Liebermann, 3 vols. (Halle: M. Niemeyer, 1898–1916), 1:44–46.

67   Pratt, *Political Thought*, 233.

ideological connection between worldly treason and Lucifer's revolt paralleling that found in a more developed form in the narrative verse of *Genesis B*. While there is no evidence for any direct connection between these two texts, the Alfredian law-code further suggests that the intellectual climate of the West Saxon court at the turn of the tenth century could very well have supported an interest in the account of Lucifer's revolt in the Old Saxon poem.

The account of Lucifer's revolt in *Genesis B* emerges as a text open to multiple layers of interpretation. Viewed in purely heroic terms, Lucifer's actions are condemnable as those of an ungrateful follower in a *comitatus* society. In that sense, the ethos and values of heroic poetry provide a simple moral framework within which to critique Lucifer's betrayal, aligning unproblematically with the judgement implicit in the underlying Christian narrative. A more complex picture appears, however, when the text is read in a precise historical context: that of the composition of the original Old Saxon poem in Frankia in the early ninth century. Lucifer emerges as a vividly realistic depiction of a Carolingian aristocrat embroiled in the murky realities of contemporary power politics. In such a context, evaluating Lucifer's actions is more complex. Although his behavior can still be condemned in moral and ethical terms as treasonous, the recognition that it aligns with pragmatic realities amongst the governing elite undercuts the simplicity of this judgement. Thus, the poem draws more heavily upon the underlying Christian framework to condemn Lucifer's behavior, reflecting back upon the political context from which it originated with a clear ideological statement about the moral and spiritual culpability of those who engage in treason.

To put this another way, where a reading of the text as heroically-infused verse sees the poet turning to familiar heroic values to contextualize and condemn Lucifer's originary sin, a historicist reading recognizes how the poet uses the inherently sinful nature of Lucifer's actions to contextualize and condemn familiar instances of treason within the real world. This concern with treason, and with the operation of royal power, would have carried a particular resonance at the time of poem's composition in Frankia in the second quarter of the ninth century. It would also have resonated with the concerns and interests of the West Saxon rulers at the beginning of the tenth century. It seems likely that the political and ideological subtext of the Old Saxon poem was a factor in the process of linguistic adaptation and appropriation that began in Wessex at this time.

Blessed Betrayal: The Opportunity of Treachery in Anglo-Latin Ecclesiastical Texts

Sally Shockro

Loyalty was among the most valued traits in Anglo-Saxon society, and it was often praised in both political and ecclesiastical contexts. Because of the cultural emphasis on honor, treason and betrayal were frightening outcomes, for both the individual and society.[1] In a culture centered on honor, a betrayal diminished the status of the perpetrator, and often the victim as well, destroying the personal fortunes of those involved along with the trust of the community. In Old English literature, treason against one's temporal lord is a frequent preoccupation and the highest offense.[2] Yet the way in which ecclesiastical authors portray incidents of betrayal in saints' *vitae* presents an amalgam of the horror inherent in the subversion of the social order, along with a powerful

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1   Early-medieval English culture was based on a system of honor and shame, in which individuals desired to maintain certain standards of public behavior to avoid censure from their communities. See: Rolf H. Bremmer, Jr., "Shame and Honour in Anglo-Saxon Hagiography, with Special Reference to Ælfric's *Lives of the Saints*," in *Hagiography in Anglo-Saxon England: Adopting and Adapting Saints' Lives into Old English Prose (c. 950–1150)*, ed. Loredana Lazzari, Patrizio Lendinara, and Claudia Di Sciacca, 95–120 (Barcelona: Fédération internationale des instituts d'études médiévales, 2014).

2   The threat and shame of treason against one's lord was a chronic topic, discussed by Alfred, Wulfstan, and Ælfric. Although they expressed it through the lens of their own preoccupations, all characterized treason against one's lord as unjustifiable and thoroughly unchristian behavior. See: Hugh Magennis, "Treatments of Treachery and Betrayal in Anglo-Saxon Texts," *English Studies* 1 (1995): 8–14. Treason is a topic that fascinated and horrified medieval English audiences and frequently appears in popular literature. For example, see: Gregory L. Laing, "Treason and Betrayal in the Middle English Romances of Sir Gawain," *The Hilltop Review* 3.1 (2009): 2–13; or Michael Hanrahan, "Seduction and Betrayal: Treason in the 'Prologue' to the 'Legend of the Good Women'," *The Chaucer Review* 30.3 (1996): 229–40. For more on the connection between the actual cases of treason that fueled this unease and the depiction of treason in literature, especially in the later Middle Ages, see: W.R.J. Barron, "The Penalties for Treason in Medieval Life and Literature," *Journal of Medieval History* 2 (1981): 187–202. In this volume, see: Tina Boyer, "Legal Ramifications of Ordeals and Treason in *Morant und Galie*"; Albrecht Classen, "Treason and Deception in Late Medieval German Romances and Novels *Königin Sibille, Melusine*, and *Malagis*"; Inna Matyushina, "Treacherous Women at King Arthur's Court: Punishment and Shame"; Melissa Ridley Elmes, "Treason and the Feast in Sir Thomas Malory's *Morte Darthur*"; and Larissa Tracy, "The Shame Game, from Guinevere to Cersei: Adultery, Treason and Betrayal."

message about the place of Christian rulers in an orderly society. When medieval English ecclesiastical authors discuss betrayal in the context of the lives of saints, they present a complex scenario in which the despicable actions of individuals are recast in a narrative of the unthwartable advance of God's power.

There are many ways to portray betrayal, but for English ecclesiastical authors from the seventh through twelfth centuries, an incident of treachery could be used to achieve a dual purpose. By linking the betrayal to a Christian narrative of treachery and triumph, an otherwise ambiguous incident acquires a definitive and powerful meaning. Through a Christian lens, ecclesiastical authors could orient the narrative to glorify the betrayed and condemn the traitor, emphasizing the holiness of spiritual figures. At the same time, by adopting the structures of biblical narratives, authors fashioned incidents of betrayal into subtle but direct statements about contemporary rulers mediated by the distance and authority of the biblical allusions.

Medieval English writers use the flexibility of the genre of hagiography to present examples of betrayal in a way that supported and advanced the goals of their work.[3] In these cases, the authors take examples of betrayal of holy and sometimes aristocratic figures that had frightening and negative cultural ramifications and incorporate them into a worldview in which that horror is subsumed and nullified by a greater power, using their texts to present a commentary on the responsibilities of Christian leadership. In some cases, the authors craft the portrayal of betrayal in such a way as to make it the narrative opening through which they emphasize the unstoppable nature of God's plan and the unique responsibility and power of Christian rulers. For other authors, especially later in the Anglo-Saxon period, the presence of betrayal in their narrative is the connection they use to cast the central figure in the mold of Christ, and in doing so, criticize the leaders of their own time.[4]

Some authors had no choice but to include incidents of treachery in their narratives, as the event was so well known or integral to the storyline that the narrative would be unrecognizable without it.[5] But other authors adapted

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3 For more on the ability of hagiography to accommodate many different kinds of evidence and satisfy many goals in a single text, often allowing authors to comment on contemporary society and politics, see: Ian Wood, "The Use and Abuse of Latin Hagiography in the Early Medieval West," in *East and West: Modes of Communication—Proceedings of the First Plenary Conference at Merida*, ed. Ian Wood and Evangelos Chrysos, 93–109 (Leiden: Brill, 1999).

4 This was not an exclusively English activity. See: Amy K. Bosworth, "Learning from the Saints: Ninth-Century Hagiography and the Carolingian Renaissance," *History Compass* 8/9 (2010): 1055–66.

5 Paul Fouracre, "Merovingian History and Merovingian Hagiography," *Past and Present* 127 (1990): 9–11; Jamie Kreiner, *The Social Life of Hagiography in the Merovingian Kingdom* (Cambridge: Cambridge University Press, 2014), 63.

their narratives to include or to emphasize betrayal for the dramatic opportunities it provides. The various versions of English King Edwin's conversion circulating in England in the late-seventh and early-eighth centuries provide multiple narrative opportunities for presenting competing views of betrayal. The two surviving accounts are those by the anonymous author of the *vita* of Gregory the Great, written in the late-seventh or early-eighth century, and by Bede (672/3–735) in his *Historia ecclesiastica gentis Anglorum* (731).[6] In the earlier, anonymous text, Edwin receives a revelation concerning his conversion to Christianity while taking refuge at Rædwald's court, an act made necessary because his enemy, Æthelfrith, desired his death. In the midst of this danger, a beautiful man (later revealed to be Bishop Paulinus) approaches Edwin. This man tells Edwin that his own safety will be assured and that he, Edwin, will regain his kingdom if he obeys the directions of the next man who comes to him with the same appearance as the speaker. When Edwin is later confronted by Paulinus, he remembers his vision and converts to Christianity. The noteworthy element in the anonymous author's version is the vision of Paulinus that Edwin experiences, expediting his later conversion. There is no villain in this story; everyone behaves in a respectable and honorable manner. Even Æthelfrith, Edwin's usurper and would-be murderer, behaves within established parameters of acceptable conduct, however vexing he is for Edwin personally.

According to the anonymous author, several versions of this story circulated in his time, and the same may well have been true during Bede's day as well. The version of the story that Bede records is significantly different from the anonymous version, both in the details and the emphasis of the story. Bede may have received the narrative he recounts fully formed, or he may have reshaped a contemporary version of the story to fit his needs. In his text, Bede introduces Edwin as a spiritually-uncertain man who delays his formal conversion despite having agreed to the principles of the faith. Edwin's reticence inspires Paulinus to receive a vision in which he learns of the events that Edwin himself had witnessed previously while seeking asylum at Rædwald's court. As Bede tells it, Edwin escapes Æthelfrith's homicidal attempts, but with Rædwald as his only remaining friend, Edwin knows he is in a precarious position and likely will never regain his kingdom. With all of his options exhausted, Edwin receives yet worse information: Æthelfrith has finally succeeded in

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6   *The Earliest Life of Gregory the Great, by an Anonymous Monk of Whitby*, ed. and trans. Bertram Colgrave (New York: Cambridge University Press, 1968); Bede, *Bede's Ecclesiastical History of the English People*, ed. and trans. Bertram Colgrave and R.A.B. Mynors (Oxford: Oxford University Press, 1969). Hereafter book, chapter, and page numbers are given in parentheses.

persuading Rædwald to betray him (2.12, 177). Whether through threats or bribes, Æthelfrith has found some way to break Rædwald's honor and convince him to violate his responsibilities both as Edwin's ally and as his host. With Rædwald's betrayal, Edwin realizes that there is no way to preserve his life against Æthelfrith's attempts. An acquaintance suggests that Edwin run away to safety, but Edwin refuses; in essence, he believes that to flee at that moment, before Rædwald's betrayal occurs, would indicate that he, Edwin, broke faith first. Even though he knows that his life likely depends on this decision, Edwin is unwilling to betray Rædwald because of the importance he attaches to his own honor.

Hopeless and broken, Edwin sits outside until he is approached by an unknown man, who inquires about his troubles. Although at first reluctant to share such private information, Edwin soon learns that the man already knows his situation and asks him what he would give to the person who could provide him with safety, with the removal of his enemies, with a powerful reign, and with superior information about salvation. The promised benefits are so extraordinary that Edwin immediately says that he would follow the advice of anyone who could provide the path to such rewards. The stranger then lays his right hand on Edwin's head and tells him to remember his promise when someone shows him that sign in the future. As soon as Edwin pledges to do so, the stranger disappears. When Edwin recovers from this vision, his acquaintance returns to him with good news: the queen has convinced Rædwald that betraying Edwin is beneath him and that he should continue to honor his word to protect Edwin and his interests. To show his loyalty (and perhaps to compensate for his near-treachery), Rædwald fights Æthelfrith on Edwin's behalf, clearing Edwin's path to the throne. Edwin rules successfully, eventually converting to Christianity after Paulinus shows Edwin the sign indicated in the latter's earlier vision.

The most telling aspect of Bede's adaptation is the centrality of betrayal, whereas the focus of the anonymous author's account is Edwin's vision leading to his conversion.[7] Edwin's and Paulinus's holiness dominates the anonymous author's story; indeed, the entire purpose is to prove the extent of Edwin's

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7   The story of Edwin's vision is not the only instance in the *Ecclesiastical History* in which someone betrays a trust. One of Edwin's sons, Eadfrith, betrays his side after the Battle of Hatfield Chase and goes to Penda's side (only to be betrayed and killed by Penda), and Caedwalla kills the apostate Eanfrith when the latter comes to negotiate. These other examples certainly contain perfidy, but the ultimate victim is himself already a traitor, and these are strategic decisions made from a distance, in the larger context of war. Bede passes over these instances quickly. For Eadfrith's betrayal and subsequent murder, see: Bede, *Ecclesiastical History*, 2:20, 202; and for Eanfrith's death, see: Bede, *Ecclesiastical History*, 3:1, 214–5.

sanctity. Without Rædwald's betrayal, Edwin is not in such imminent dan-
ger—Paulinus might ultimately rescue Edwin from damnation, but he does
not save his life in the short term. Without the added immediacy of Rædwald's
treachery, Edwin is at leisure to digest spirit-Paulinus's message without any
urgent consequences.

Bede's story, on the other hand, could not accomplish its narrative goal
without Rædwald's treachery and the perilous situation in which it places Ed-
win.[8] In Bede's version, Rædwald's treachery forces Edwin into a situation of
such extreme vulnerability that there is no plausible remedy before the spirit-
stranger's appearance. The Edwin of the anonymous text could survive with-
out Christianity, relying only on the social bonds of secular society, yet
Christianity is the only salvation for Bede's Edwin in the face of temporal trea-
son. The full breadth and power of Christianity, both of the omnipotence of
the Christian God and the power of Christian holy men, is on full display here,
but only because Rædwald's treason provides the narrative opening. Bede's Ed-
win cannot rely on the structure of secular society, because even though he is
blameless, it utterly fails him. Bede either chose to relate a circulating version
of this story in which Rædwald betrayed Edwin, or he adapted the story to in-
clude betrayal. In either case, Bede preferred a version of the story in which
Edwin's situation was hopeless because he had been betrayed by his sole
source of earthly comfort and protection, thereby heightening the unique
power of Christianity.

The treason in Bede's version not only allows for an exhibition of the power
of the Christian God and his representatives but also critiques the social order
in which Rædwald, Æthelfrith, and Edwin operate. Even before the miraculous
entrance of the spirit-stranger, society malfunctions. Æthelfrith's usurpation of
the rightful heir is troubling, but not nearly so much as Rædwald's betrayal, in
which he breaks faith both as a king and a host. Edwin, the most honorable
among the three because of his unwillingness to act dishonorably even to save
his own life, would have died without divine intervention. Bede's version sug-
gests that a society in which the most honorable are killed and the least honor-
able rule is not only flawed but seemingly irredeemable because those who
possess power are also the most egregious offenders. The conclusion of Bede's
version is that, in such a disordered and imperfect society, the only force that
can restore order—in which those in power honor their obligations, heirs

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8   Bede is not the only author to use his text to construct a narrative about the past that creates
    a communal memory. See: Sarah Foot, "Remembering, Forgetting and Inventing Attitudes to
    the Past in England at the End of the First Viking Age," *Transactions of the Royal Historical
    Society* 9 (1999): 185–200.

inherit their kingdoms, and the honorable have power—is Christian rulers. During the period in which Bede wrote this text, his concern for the piety and correct rule of secular powers is clear.[9] In criticizing Rædwald and the atmosphere in which his treachery could take place, Bede warns about the dangers of the power-hungry elite in an indirect way, supported by the irrefutable power of Christianity. The way Bede manages incidents of treason reveals both the malleability of hagiography in dealing with an uncomfortable situation and its ability to convey social commentary.

Bede's contemporary, Stephen of Ripon, chronicles the life of the highly controversial Bishop Wilfrid in his early-eighth century *vita*.[10] As a member of Wilfrid's inner circle, Stephen would have been aware of the combative elements in the well-known stories from Wilfrid's life.[11] Throughout the *vita*, Stephen exalts and exonerates Wilfrid in a variety of ways, but, significantly, he uses incidents of betrayal to highlight Wilfrid's own sanctity and expose the flaws of the rulers who wrong him.[12] For Stephen, as for Bede, such instances provide an opportunity to refine the presentation of their characters, to create associations that foreshadow their future choices, and to emphasize their importance in God's plan.

In Stephen's *vita*, Wilfrid, upon his return to England, hopes to end the unpleasant strife that marred his episcopacy; instead, he encounters escalating levels of betrayal from those who should protect him.[13] After his position and possessions have been usurped by a greedy king and his selfish court, Wilfrid appeals to the Pope. When Wilfrid produces a document from the Pope

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9   Bede's *Letter to Egbert* discusses his concerns about these issues at length. See: Bede, *Letter to Egbert*, in *The Ecclesiastical History of the English People*, ed. Judith McClure (New York: Oxford University Press, 2008), 341–57.

10   For the dating of the *vita*, see: Walter Goffart, *The Narrators of Barbarian History (AD 550–800): Jordanes, Gregory of Tours, Bede, and Paul the Deacon* (Princeton: Princeton University Press, 1988), 256–7, 281–3.

11   On the culture of Ripon as compared to other English ecclesiastical centers of the time, see: Ian N. Wood, "Ripon, Francia and the Franks Casket in the Early Middle Ages," *Northern History* 26.1 (1990): 9–19.

12   Goffart, *Narrators of Barbarian History*, 254–5. Goffart particularly discusses the way Stephen uses accounts of the past to criticize the present.

13   Stephen of Ripon, *The Life of Bishop Wilfrid by Eddius Stephanus*, ed. and trans. Bertram Colgrave (New York: Cambridge University Press, 1985), ch. 34.71. Hereafter, chapter and page numbers are given in parentheses. In the previous chapters, Wilfrid has defended himself against the dissatisfied subjects of the recently-deceased Frankish king Dagobert, who had once been Wilfrid's pupil. When faced with Dagobert's tyrannical behavior, his people rebelled against him and killed him. Interestingly, centuries later, Dagobert is regarded as a saint. See: David Rollason, *Saints and Relics in Anglo-Saxon England* (Oxford: Basil Blackwell, 1989), 126.

supporting his claim and demanding the return of his bishopric, the king and court refuse to honor the Pope's letter and accuse Wilfrid of purchasing it in Rome (34.70–1). Continuing his personal betrayal of Wilfrid, the king has Wilfrid imprisoned in a dank solitary cell, taking the treasures that Wilfrid brought back with him from the Continent, notably his reliquary, which is then worn as jewelry by the queen in an act of vanity rather than devotion.

Just as Stephen crafts this instance of betrayal, exposing the crimes of the disloyal and unchristian people in power, he also reveals Wilfrid's holiness and connection to divine authority that otherwise would not have been apparent. In his solitary prison cell, as Wilfrid begins to pray and sing psalms, a supernatural light illuminates the darkness, terrifying the guards (36. 73–5). This image recalls the biblical scene during St. Peter's unjust imprisonment by Herod, when a similar light shines in his cell before his angelic visitation and escape: "nunc in antro nimiae obscuritatis oranti lucem angelicae visitationis adhibere dignatus es, sicut Petro apostolo tuo, ab Herode impio rege catenato in carcere, angelus Domini adstitit et lumen refulsit in habitaculo; sit tibi gloria et gratiarum actio!" ["… now Thou didst deign to bring the light of an angelic visitation into the deep obscurity of the dungeon as he prayed, just as when thine Apostle Peter was chained in the prison by the impious King Herod, 'the angel of the Lord stood by him and a light shined in the cell'; to Thee be glory and thanksgiving"] (34.74–5).[14] When the king hears of this, he tries to correct the direction of events, but his attempt exposes his own inability to rule an orderly and moral society.

The biblical comparisons that Stephen makes in his account of Wilfrid's betrayal at the hands of the king and court are central to his message. By portraying Wilfrid as suffering under the same style of persecution as his biblical exemplars, Stephen not only explicitly connects his hero to a pedigree of piety but also provides his text with the authority it needs to engage in social criticism. This is an approach common in medieval saints' *vitae* generally, but the use of *vitae* as vehicles for social criticism was particularly strong in the Columbanan tradition, with which Stephen was familiar.[15] As Alexander O'Hara notes, the Columbanan biographer Jonas of Bobbio uses biblical comparisons in his work "because the facts of biblical salvation history incited, oriented,

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14   The passage quotes Acts 12:7: "Et ecce angelus Domini astitit: et lumen refulsit in habitaculo: percussoque latere Petri, excitavit eum, dicens: surge velociter. Et ceciderunt catenae de manibus eius" [And behold an angel of the Lord stood by him: and a light shined in the room: and he striking Peter on the side, raised him up, saying: Arise quickly. And the chains fell off from his hands]. All quotations are from the Douay-Rheims version of the Bible. See: Richard Challoner, ed., *Douay-Rheims* Bible (Oil City, PA: Baronius Press, 2012).

15   Wood, "Ripon, Francia and the Franks Casket," 11–9; Fouracre, "Merovingian History," 3–13.

and stimulated sanctity … saints' Lives were mini-continuations of the Bible in local contexts; they recorded God's continued intervention and action in historical time through the saints."[16] Jonas comments on the validity of the rulers who interacted with Columbanus through biblical comparisons, not only making claims about the holiness of his protagonist, but also strengthening his argument about contemporary society. In Jonas's *Vita Columbani*, Columbanus (543–615) is often opposed by those in power who do not recognize or respect the constraints he places on their behavior. Yet it is the biblical allusions in which Jonas wraps this episode that create the tension with his contemporary society. Jonas makes Brunhild and Theuderic's dismissal and persecution of Columbanus more than just a conflict by casting Columbanus as Elijah and Brunhild as Jezebel (reminiscent of the Book of Kings); rather, he enhances Columbanus's piety and power while at the same time warning rulers about the punishment waiting for them if they do not listen to God's true prophets.[17] By convention, *vitae* mirror and emulate the events of the Bible, but O'Hara points out that Jonas's use of biblical material serves a purpose beyond emphasizing the holiness of his main characters; it adds legitimacy to his argument that the kings and queens who opposed Columbanus were wrong because his assumptions and standards of behavior are subtly and passively reinforced by the Bible.[18]

In her study of Merovingian saints' *vitae*, Jaime Kreiner explains that hagiographical authors create a space in which the Merovingian elite could discuss and negotiate the obligations of kingship.[19] These *vitae* reinforce the status of the king as an exalted and protected figure in society, but they also stress that the ruler must adhere to accepted standards of behavior to warrant such protection.[20] These *vitae* criticize the kings, who are sometimes killed when they fail to fulfill their role as the guardian of Christian society, an expectation that Wilfrid shared with his Merovingian counterparts.[21] Saints' *vitae* are well-suited as the medium for such conversations as the judgment of their protagonists is unimpeachable and their sanctity puts the inadequacies of leaders into relief. In Kreiner's words, the authors "saw that the genre could propel criticism

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16   Alexander O'Hara, *Jonas of Bobbio and the Legacy of Columbanus: Sanctity and Community in the Seventh Century* (New York: Oxford University Press, 2018), 157.

17   O'Hara, *Jonas of Bobbio*, 160–1, 177–8; Wood, "Ripon, Francia and the Franks Casket," 13–7.

18   This argument is made more broadly for Merovingian *vitae* generally by Yitzhak Hen, "The Uses of the Bible and the Perception of Kingship in Merovingian Gaul," *Early Medieval Europe* 7.3 (1997): 277–90.

19   Kreiner, *Social Life of Hagiography*, 16–7.

20   Kreiner, *Social Life of Hagiography*, 83, 86.

21   Kreiner, *Social Life of Hagiography*, 78–9; John Blair, *The Church in Anglo-Saxon Society* (New York: Oxford University Press, 2005), 121.

that was much more nuanced and constructive, that long-form hagiography allowed for the gradual unfolding of a complex social argument, and that the power of this enterprise hinged on the persuasive deployment of un-miraculous *gesta*."[22] One of the ways in which authors justified these judgments and buttressed their arguments was by using biblical models throughout the texts. Beyond the traditional hagiographic trope of similarities between the events of the *vita* and the Bible, Kreiner describes how these authors also used the *vitae* as a vehicle for making biblical material contemporary and meaningful to their Merovingian audience.[23] Thus, these *vitae* are not simply exemplars of Christian behavior but also models for the responsible and appropriate ways in which Christian rulers should wield power in a Christian society.[24] In this way, Stephen asserts Wilfrid's sanctity throughout his text while transforming negative circumstances into an advantage for the protagonist.

In the narratives of both Edwin and Wilfrid, Bede and Stephen portray their betrayals as momentarily painful but ultimately beneficial, as blessings that allow for divine intervention. In other Anglo-Latin hagiography, authors depict instances of betrayal as opportunities, not only for showcasing the hero's possession of divine power, but also for connecting the protagonists and Christ. Felix's eighth-century *vita* of St. Guthlac recounts the life and miracles of Guthlac from his early life as a Mercian warrior to his performance of miracles in *imitatio Christi*. Felix, a monk in an East Anglian monastery, relates the story of the cleric Beccel, Guthlac's servant, student, and would-be murderer.[25] Beccel offers to visit Guthlac in his retreat both to provide his teacher companionship and to maintain his tonsure. But an evil spirit soon possesses Beccel, convincing him that Guthlac's death will bring him acclaim; specifically, that he will take Guthlac's place and receive Guthlac's worldly fame. Recognizing Beccel's intentions before he can enact his murderous plan, Guthlac exorcises the evil spirit, forgiving Beccel, and promising to help him avoid future incidents. Beccel's betrayal of Guthlac showcases the growth in Guthlac's spiritual power; the saint both recognizes the disturbance in Beccel and defeats the demon possessing him.[26] Although Guthlac is unquestionably holy before this

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22   Kreiner, *Social Life of Hagiography*, 63.

23   Kreiner, *Social Life of Hagiography*, 56.

24   Kreiner, *Social Life of Hagiography*, 7–8, 68–9.

25   Felix, *Felix's Life of Guthlac*, ed. and trans. Bertram Colgrave (New York: Cambridge University Press, 1956), ch. 35.111–13. Hereafter, chapter and page numbers are given in parentheses.

26   That Beccel's treachery was in part caused by his demon possession makes him no less culpable for the planned crime. As Felix's readers would know, the Devil had planted the plot to betray Christ in Judas's heart, but the blame still rested entirely on Judas (see, for example: John 13:2).

incident, much of his spiritual life had been spent resisting the torment of his own demons. At this point in the text, the Devil inflicts Guthlac with despair while demons repeatedly taunt and torture him, a state from which he is rescued by St. Bartholomew (29.95). Guthlac's own sanctity grows throughout the text, increasing substantially in the aftermath of the incident with Beccel.

Beccel's treasonous attempted murder of Guthlac not only confirms Guthlac's holiness but provides the holy man with the opportunity to imitate a pivotal moment in the life of Christ. The Devil orchestrates Beccel's betrayal because he could not gain power over Guthlac directly; he uses a demon to possess Beccel, as "an evil spirit entered his heart and began to puff him up with pestiferous arrogance and vainglory" (35.113). Felix's description of Beccel's possession is strikingly similar to the way in which Judas's own betrayal of Christ unfolds. When Judas begins to plot against Christ, the author of the Gospel of Luke notes that "Satan entered into Judas" (Luke 22:3). Guthlac recognizes the evil that infests his follower, just as Christ identifies Judas as the traitor among his disciples. The incident with Beccel firmly establishes Guthlac as living in the model of Christ and as a saint in his own right, but this is accomplished in a way unlike his other Christ-like experiences wherein he more directly mirrors events or actions in the life of Christ. In this instance it is a negative experience, not a positive power, that molds him. Rather than unmoored incidents of miraculous behavior, this betrayal creates a grounded connection to the narrative of Christ's life.[27]

The incident with Beccel seems like a minor event in Guthlac's *vita*, yet the way Felix uses even marginal moments in creating the narrative of Guthlac's sanctity is instructive. Throughout the *vita*, one of Guthlac's supporters and friends is Æthelbald, king of Mercia (r. 716–57). Unsure of his future during the reign of the despised Ceolred, Felix describes how Æthelbald visits Guthlac for advice and reassurance, meets with other visiting religious figures, and has his retainers spiritually and physically healed by Guthlac. Felix describes how Æthelbald forges a friendship with his visits to Guthlac, even spending the night in his hut after Guthlac dies. Despite the rosy relationship with Guthlac, Æthelbald had a less pleasant side; his bishops wrote to him disapproving of his wayward lifestyle. It was during this same period that Felix produced this *vita*, which served as a testament to Æthelbald's good character, portraying him as a pious king and a patron of Guthlac's shrine.

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27   As noted by Colgrave in the notes of his edition of Guthlac's *vita*, Benedict faces two similar incidents of betrayal and attempted assassination. See: Colgrave, "Beccel" and "Beccel's Attempt on the Saint's Life," in *Life of Guthlac*, 186.

Considering Æthelbald's political power and his need for a persuasive char-
acter witness at the time of Felix's writing, the *vita* of Guthlac takes on a more
relevant role in mid-eighth century English society. Within this context, the
episode with Beccel also acquires a weightier significance. Æthelbald fre-
quently visits Guthlac's cell, but this relationship takes on a more influential
role near the end of Guthlac's life. Felix explains that Æthelbald's eventual
reign is the result of Guthlac's request to God to let Æthelbald rule and that, in
the immediate aftermath of Guthlac's death when Æthelbald is sleeping in
Guthlac's cell, Guthlac appears to him in a vision. Æthelbald then generously
allows the translation of Guthlac's incorrupt body to a more prestigious loca-
tion. Thus, the *vita* allows Æthelbald to append his own credibility to Guthlac's
sanctity. Æthelbald was not the obvious heir to the throne, and if the letter of
reprimand from his bishops is any indication, his behavior was perhaps little
different from the immoral Ceolred who preceded him. In light of this, the
character witness implicit in Felix's *vita* becomes all the more pivotal for
Æthelbald's reign, and the strength of that testimony directly relates to the un-
assailable piety of Guthlac.[28] If Guthlac's sanctity is beyond question, then his
friendship with and advocacy for Æthelbald insulates Æthelbald from greater
scrutiny. The episode with Beccel illuminates the ways in which medieval Eng-
lish ecclesiastical authors used the narrative opportunity of treason to height-
en and extend the Christological connections in their texts, though the support
and patronage of Æthelbald is a poignant political commentary on the mutual
benefits of ecclesiastically-sanctioned rule.

The model provided by early English hagiographers like Felix persists into
the later Middle Ages, but it serves more than just an ecclesiastical purpose.
Later authors also recount instances of treachery, but these narratives largely
center on the betrayal and murder of kings and princes. The Norman Anony-
mous, an unidentified author writing c. 1100, articulates a widespread view of
the religious aspects and responsibilities of kingship, emphasizing the king's
affinity with Christ, which becomes an attribute of all legitimate rulers. The
Norman Anonymous explains that the king acquires the likeness of Christ in
his person at his coronation.[29] In the Norman Anonymous's concept of Chris-
tian kingship, as Ernst Kantorowicz explains, "the kings of the New Covenant
no longer would appear as the 'foreshadowers' of Christ, but rather as the
'shadows,' the imitators of Christ. The Christian ruler became the *christomētēs*—
literally the 'actor' or 'impersonator' of Christ—who on the terrestrial stage

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28   Colgrave, Introduction, *Life of Guthlac*, 6–8.
29   Ernst Kantorowicz, *The King's Two Bodies: A Study in Medieval Political Theology* (Prince-
        ton: Princeton University Press, 2016), 46–7.

presented the living image of the two-natured God, even with regard to the two unconfused natures."[30] As "the perfect impersonator of Christ on earth," the events of the lives of Christian kings were of more than political significance as they, by virtue of their position, could become advocates for their people to the highest King.[31]

Medieval Europeans saw kings as occupying a spiritually-exalted position in their society; therefore, it is unsurprising that the deaths—though worldly and often violent—of those individuals were religiously significant. Kings died at the hands of their enemies, families, and supporters, and sometimes in circumstances in which they clearly were not blameless. As John Blair notes, "royal males are either king-founders, honoured for their generosity (and attractive hero-figures for the laity) but usually too secular and violent personages to be wholly plausible saints, or prince-martyrs whose cults tended to be promoted for political or didactic ends."[32] Despite the superficial dissimilarity between medieval kings and their image as "imitation Christs," medieval authors portrayed their violent deaths in such a way as to enhance the spiritual power of these figures and, in some cases, to ensure their nascent sainthood. The violent deaths of kings and princes, often carried out through treachery and treason, are a form of martyrdom, one that they voluntarily accept or even desire. In the decrees of the twelfth canon of the councils that resulted from the mission of the papal legates to England in 786, the murdered king becomes a type of Christ, and his killers new Judases.[33] Likely formulated as a response to recent violence against kings or their heirs, this decree sought to stabilize the royal institution that supported the Church.[34] The twelfth canon states

> Let no one dare to conspire to kill a king, for he is the *christus Domini*, and if anyone take part in such a crime, if he be a bishop or anyone of the priestly order, let him be expelled from it and cast out from the holy heritage, just as Judas was ejected from the apostolic order; and everyone

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30   Kantorowicz, *King's Two Bodies*, 47.

31   Kantorowicz, *King's Two Bodies*, 58.

32   Blair, *Church in Anglo-Saxon Society*, 143.

33   William A. Chaney, *The Cult of Kingship in Anglo-Saxon England: The Transition from Paganism to Christianity* (Manchester: Manchester University Press, 1999), 251–2. The author of the entry for 1087 in the Peterborough Manuscript of the Anglo-Saxon Chronicle (E) also describes would-be traitors of William the Conqueror, particularly William, the bishop of Durham, who "thought to do by him just like Judas Iscariot did by our Lord." *The Anglo-Saxon Chronicle*, trans. Michael Swanton (New York: Routledge, 1996), 222.

34   D.W. Rollason, *The Search for St Wigstan, Prince-Martyr of the Kingdom of Northumbria* (Leicester: University of Leicester, 1981), 12.

who has consented to such a sacrilege shall perish in the eternal fetters of anathema, and associated with Judas the betrayer, be burnt in the eternal fires.[35]

For the authors of this canon, treason against the king is the defining act that establishes the connection between regicides and Judas, the arch-betrayer. Even when not discussing the religious nature of kings, the fear and hatred of regicide was a popular topic in the decades after Edward the Martyr's death.[36]

The memory of Edward the Martyr's (962/3–978) earthly reign and postmortem reputation hinged on the manner of his death (and the treatment of his corpse).[37] Edward's supporters had a rich tradition of holy kingship upon which to draw as they advanced his cult, yet Edward did not match the mold of most holy kings. With neither a close connection to the Church, nor a history of pious deeds, there was little in Edward's personal history to suggest sanctity.[38] In contrast, the supporters of kings who established reputations for piety in life could more easily reposition their patron as saintly using well-known biblical models. The Capetian dynasty used Louis IX's reputation for noble leadership and generous charity to cast him as a new David and a model of ideal holy kingship, all of which secured their own claim to power through the connection to such a patron.[39] But such a presentation has its challenges. When an account of a leader is written within decades of his death, the living memory of his deeds must be accommodated in the account if it is to have any chance of widespread acceptance.[40] So although the presentation of holy kings as virtuous patrons of the Church is a more common representation, for Edward's supporters, the chronological nearness of the events of his life made it impossible to characterize him as a new David, or even a pious king.

During Edward's life, the associates of his stepmother Ælfthryth made attempts to challenge the likelihood of Edward's succession by presenting Ælfthryth and her sons, notably Edward's younger half-brother Æthelred, as

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35   Chaney, *Cult of Kingship*, 252. Also, Dorothy Whitelock, ed. *English Historical Documents, c. 500–1042* (New York: Oxford University Press, 1955), 771.

36   Levi Roach, *Æthelred the Unready* (New Haven: Yale University Press, 2016), 168.

37   Nicole Marafioti, *The King's Body: Burial and Succession in Late Anglo-Saxon England* (Toronto: University of Toronto Press, 2014), 162–3.

38   Marafioti, *King's Body*, 163.

39   M. Cecilia Gaposchkin, *The Making of Saint Louis: Kingship, Sanctity, and Crusade in the Later Middle* Ages (Ithaca: Cornell University Press, 2008), 100–24.

40   Fouracre, "Merovingian History," 12–3. Although that is not to say that unflattering details necessarily had to be removed because, as Fouracre notes, the establishment of sanctity justifies all prior behavior.

the legitimate queen and heirs.[41] Yet after Edward's death at the hands of Æthelred's supporters, the political situation was complicated for both Edward's and Æthelred's factions, and the eventual development of Edward's cult may have satisfied the needs of many. Even if contemporary writers did not state any suspicions about Ælfthryth outright, accusations tended in her direction because of all that Æthelred had gained, perhaps prompting her to make conciliatory gestures toward Edward's memory in order to avoid scandal for her son. Æthelred's supporters also perhaps realized that Edward's missing, and then dishonored, body left his status undecided and debatable: he was neither a traitor who could be dismissed without a memorial, nor an honorably-buried former king with a grave, and, without the closure provided by one of those outcomes, a new king could not begin his reign.[42] It seems likely that Ælfthryth's relation and supporter, Ælfhere, buried Edward's body with the ceremony it was due at her request, as a conciliatory statement, made either from guilt or the appearance of it.[43] The manner in which Edward's body was lost and found may have contributed to his eventual status as a martyr. Nicole Marafioti posits that in the absence of some of the traditional elements of martyrdom, the more recognizable pattern of the travails of Edward's corpse might have helped secure his holy reputation, arguing that "in this context, accounts of Edward's obliteration would have helped frame his death as a martyrdom and his recovered body as a miraculously revealed relic. Given that the king had not died like a typical martyr in defence of the Christian faith, this recognizable hagiographical motif could reinforce claims of his sanctity."[44]

Once Edward's sanctity was established, the excuse that Edward was an unfit king, which would have justified or excused his death, was no longer tenable. In light of Edward's status as a saint, the only defensible position for Ælfthryth to take was to support the cult; any other response would constitute a challenge to the Church (and God), compromising Æthelred's ability to reign.[45] Once a saint, his supporters argued that, "if God saw fit to make Edward

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41   Roach, *Æthelred the Unready*, 54–5; Marafioti, *King's Body*, 161. The lack of immediate proper burial might have been an extension of the desire of Ælfthryth's supporters to suggest Edward was not a legitimate king. In the aftermath of the murder, Æthelred's faction may have tried to retroactively justify the murder by characterizing Edward as a tyrant. See: Marafioti, *King's Body*, 180.

42   Marafioti, *King's Body*, 164–91. Barbara Yorke discusses the possibility that an attempt to support Edith as a potential heir also may have been part of the uncertainty of this period. Barbara Yorke, *Nunneries and the Anglo-Saxon Royal Houses* (New York: Continuum, 2003), 170.

43   Roach, *Æthelred*, 76; Marafioti, *King's Body*, 173; Yorke, *Nunneries*, 171.

44   Marafioti, *King's Body*, 176.

45   Marafioti, *King's Body*, 184.

a saint, his reign must have been legitimate and just."[46] In the earliest years of Æthelred's reign, his mother and advisors seemingly pursued a program of conciliation (perhaps accounting for the delay in Æthelred's coronation), in which Edward's supporters were included as signatories in charters and given grants of land alongside Ælfthryth's faithful associates.[47]

In the late-tenth century, Oswald of Worcester's community at Ramsey (founded in the middle of the 960s) had little affection for Æthelred and his associates: Oswald had been a strong supporter of Edward, and Ælfhere, a prominent Mercian ealdorman and associate of Ælfthryth, had abused monastic foundations, including at least one monastery founded by Oswald himself.[48] Sometime in the late-tenth century, but certainly after Æthelred became king and Oswald was appointed both Bishop of Worcester and Archbishop of York, Oswald and the monks of Ramsey showed a sudden and intense interest in two seventh-century saintly princes, Æthelred (not to be confused with the current king) and Æthelberht. A benefactor of Ramsey, Ealdorman Æthelwine, possessed the site upon which the two saints were buried, and either under Æthelwine's or Oswald's direction (or both), the bodies of Æthelred and Æthelberht were translated to Ramsey.[49] Although there was no obvious link between the princes and Ramsey before the translation, this interest became a central focus of the Ramsey community for a considerable time.[50] The translation of the saintly princes appears to have been a meaningful one for the Ramsey community, and they became a part of Ramsey's identity. Eventually, the princes would be moved to positions flanking the choir at Ramsey, a location of constant prominence.[51]

In response to the translation, and a testament to its significance, Byrhtferth of Ramsey composed a *passio* for the princes, which survives in the early part of the text of Symeon of Durham's *Historia Regum*, in a section of the text long

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46   Marafioti, *King's Body*, 190–1.

47   Roach*, Æthelred*, 80.

48   Alan Thacker, "Saint-Making and Relic Collecting by Oswald and his Communities," in *St. Oswald of Worcester: Life and Influence*, ed. Nicholas Brooks and Catherine Cubitt, 243–68 (New York: Leicester University Press, 1996), 245, 251–2.

49   Thacker, "Saint-Making," 247–8.

50   Thacker, "Saint-Making," 247. For other examples of the ways in which cults were adopted and managed in response to contemporary politics, see: Giorgia Vocino, "Hagiography as an Instrument for Political Claims in Carolingian Northern Italy: The Saint Syrus Dossier (BHL 7976 and 7978)," in *An Age of Saints?: Power, Conflict and Dissent in Early Medieval Christianity*, ed. Peter Sarris, Matthew Dal Santo, and Phil Booth, 169–86 (Leiden: Brill, 2011).

51   Thacker, "Saint-Making," 260.

misattributed to Symeon.[52] Byrhtferth's text describes Æthelberht and Æthelered as two pious young princes who are murdered while under the protection of their cousin, King Egbert. Despite his responsibility to his cousins, Egbert follows the advice of his counselor, Thunor, who suggests that the king should either exile or kill the children to preserve his own power and that of his sons.[53] Egbert listens to the plan passively, allowing Thunor to assume that he approves of his plot to kill the young princes.[54] In the aftermath of their deaths, Byrhtferth notes that divine light shone over the spot of their burial and that later miracles were performed in proximity to their shrine. The earth swallows Thunor as punishment and, in an admission of his guilt, Egbert founds the monastery of Minster-in-Thanet.[55]

The Ramsey community was the first to recognize Edward's sanctity, and in its interest in the martyred princes of Kent, scholars have seen an attempt to use figures whose stories share the same vital elements as Edward's story as "a vehicle for potentially subversive comment upon the assassination and its aftermath."[56] Byrhtferth's story of the princes turns on two moments: their betrayal by Thunor and, by extension, their cousin, and then the restoration of justice expressed in their revealed sanctity and their murderer's fitting penance.[57] The princes' story was both like and unlike the events of the end of Edward's own life, which may be why it appealed to the community at Ramsey. The princes had a legitimate claim to the throne and were killed because of it,

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52   Michael Lapidge, "Byrhtferth of Ramsey and the Early Sections of the 'Historia Regum' Attributed to Symeon of Durham," *Anglo-Saxon England* 10 (1982): 97–122.

53   Symeon of Durham, *Symeonis Monachi Opera Omnia*, ed. Thomas Arnold (London; Longmans and Co., 1885), II.3, 6.

54   Symeon of Durham, *Opera Omnia*, II.3, 6.

55   Symeon of Durham, *Opera Omnia*, II.54, 52. In a later section of this text, Byrhtferth relates another story of treachery and holiness in the death of Ælfwald of Northumbria. Byrhtferth's version only has the most basic details of Ælfwald's death: he is king when an ealdorman in his kingdom, Sicga, forms a plot and kills him. Byrhtferth does not remark on Sicga's intentions, but Ælfwald's death in this manner results in his sanctity. See: Rollason, *Saints and Relics*, 127. See also: Janet Nelson, "Royal Saints and Early Medieval Kingship," *Studies in Church History* 10 (1973): 39–44 at 39–44. For more on medieval ideas of justice and punishment, especially concerning Judas (and traitors more generally), see: Otfried Lieberknecht, "Death and Retribution: Medieval Visions of the End of Judas the Traitor," lecture at St. John's University (Collegeville, MN) May 13, 1997, 1–19: <http://www.lieberknecht.de/~diss/papers/p_judas.htm> (accessed Aug. 9, 2018).

56   Thacker, "Saint-Making," 249; D.W. Rollason, "The Cults of Murdered Royal Saints in Anglo-Saxon England," *Anglo-Saxon England* 11 (1982): 1–22.

57   Rollason, "Cults of Murdered Royal Saints," 19; Thacker "Saint-Making," 247.

betrayed by (directly or indirectly) a close relation who made appropriate amends.[58]

The Ramsey community's promotion of the murdered princes may also have served another purpose, particularly in the years immediately after Edward's death before his cult was well established. During Edward's life, there are indications that Ælfthryth and her associates suggested that Edward was not suitably royal enough for the kingship. The story of the murdered princes of Kent provides Edward's supporters with an analogy that both affirms the martyrdom of betrayed royal victims and suggests that those responsible for such deaths should make an adequate restitution or they will face divine judgment. The timing and content of the story (along with the lack of previous direct association with Ramsey) suggest that the Ramsey community's enthusiastic embrace of these martyrs was a political statement to expose the treachery and poor behavior of Ælfhere, Ælfthryth, and perhaps even Æthelred.[59] The emphasis Byrhtferth places on the betrayal in the story is significant, as is the view that even if he did not physically strike the deadly blow, Egbert was responsible for the actions of his retainers. Egbert's acknowledgment of guilt was essential for balance to be restored to society, something that did not happen after Edward's death. As Alan Thacker notes, even though Ælfhere had Edward's body translated, saving it from near-obscurity, it was not enough: "he offered no munificent wergild such as that rendered by Ecgberht when he founded the great monastery of Minster in Thanet in expiation of the killing of the Kentish princes. The establishment of the cult of those princes at Ramsey can therefore plausibly be interpreted as a direct comment upon Ælfhere's actions in 978–80."[60] That Edward was later translated with the support of Æthelred onto land donated by Ælfthryth may indicate that the political pressure that Ramsey asserted with its elevation of the betrayed and murdered princes of Kent was successful.

By the late-tenth or early-eleventh century, when Byrhtferth of Ramsey, author of the story of the murdered princes of Kent, was writing his *Vita Oswaldi*, the political landscape had shifted. Although the topic of martyrdom was still central to Edward's story, the need to emphasize Æthelred's connection to the murder seems to have waned. The arrival of the Danish fleet in the 990s

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58   For further discussion of familial treachery, especially between uncles and nephews, see in this volume: Ana Grinberg, "Religious Identity, Loyalty, and Treason in the *Cycle du roi*," and Sarah J. Sprouse, "In Sickness and In Health: The Boethian Narrative of the Two Geralds of Brecon."

59   Thacker, "Saint-Making," 249. Thacker dates the translation to sometime between 978 and 992, favoring the earlier years in that span.

60   Thacker, "Saint-Making," 248.

presented Æthelred with two crises, one of security and one of image. Beyond
the physical threat of the Danish invaders was the suggestion that the English,
and perhaps Æthelred in particular, brought this calamity upon themselves
through the sin of regicide. By 1014, Wulfstan saw the connection between Eng-
lish faithlessness and God's punishment (in the form of the Danish invaders),
and specifically cites Edward's murder as a prime example of a betrayal worthy
of such punishment.[61] As Marafioti notes, Wulfstan's brief reference to Ed-
ward's death as a source of sin suggests that Wulfstan expected the details,
both of Edward's death and the subsequent mistreatment of his body, to still
be fresh in his audience's mind.[62] Although Æthelred never seems to be per-
sonally blamed, he benefitted from the murder, and the ambiguous status of
his mother's involvement cast aspersions on his own culpability.[63] In this at-
mosphere, the cult of Edward began to grow, fostered by the elite of Anglo-
Saxon society. Ælfthryth herself donated the lands for the establishment of a
monastic foundation to hold and honor Edward's remains. With England un-
der threat from the Danes, morally compromised by the murder of Edward,
Byrhtferth wrote his *vita* of Oswald, which includes a lengthy passage recount-
ing Edward's death.

It is possible that Byrhtferth saw the account in his *vita* of Oswald, one of
Edward's supporters,[64] as a vehicle for reconciliation because he does not ex-
plicitly blame Ælfthryth. Unlike later writers who note the convenience of Ed-
ward's death for Ælfthryth, Byrhtferth does not pursue the identity of the
mastermind behind the assassination or the individual killers.[65] This was per-
haps a trend of the time, as a contemporary poem takes this approach even
further, praising Ælfhere's efforts in translating the body of the exalted Edward,
yet omitting the murder entirely.[66] Instead of focusing on the guilt of the trai-
tors, Byrhtferth crafts the account of Edward's death as a story of the noble
death of a Christian king. By shifting his focus away from the dynastic struggles
that were the cause of the murder, Byrhtferth creates a *vita* (and supports a
cult) that unifies his audience both in their Englishness and their Christianity.
Instead of focusing on the animosity that led to Edward's death, and thus rein-
forcing factions, Byrhtferth crafts a narrative emphasizing Edward's role as

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61   As cited in Marafioti, *King's Body*, 167, 170.
62   Marafioti, *King's Body*, 167.
63   In the early *Passio* of Edward, Ælfthryth is blamed for Edward's death. See: Marafioti,
      King's Body, 168.
64   Roach, *Æthelred*, 63.
65   Roach, *Æthelred*, 74; Marafioti, *King's Body*, 171–2.
66   David Dumville, "The Death of King Edward the Martyr—18 March 979?," *Anglo-Saxon* 1
      (2007): 269–83 at 280–1.

king in both life and death, which is based on the idea that he was a legitimate king betrayed by his subjects.

Byrhtferth's description of Edward's character leaves little room for holiness: he is verbally and physically abusive to those around him, and the ealdormen consider his younger brother, Æthelred, a more promising king because of Edward's un-"gentle" character (137).[67] Byrhferth does not explain any extenuating circumstances excusing Edward's unkindness, nor does he add any other details about his behavior that would mitigate his ungracious attitude. Edward is not especially pious or attentive to the Church, nor does he possess the qualities of an admired king.[68] Yet, despite his shortcomings, according to Byrhtferth, Edward deserves the loyalty of his subjects by virtue of his position. Two years into his reign, when he is en route to a meeting with Æthelred, Edward is killed by Æthelred's *zealantes* [supporters] (138–9). Edward's death at the hands of his brother's supporters is transformational; Edward's character, thus far described in exclusively negative terms, is rehabilitated into "animam innocentis, quem Christus predestinauit et presciuit consortem fieri martirii dignitatis" [the soul of the innocent youth, whom Christ predestined and foresaw was to share in the glory of martyrdom] (138–9). In detailing the circumstances of Edward's murder, Byrhtferth relates a scene in which *uenerandus* [venerable] Edward, *christum Domini* [God's anointed] (138–9), is surrounded by men whose unjustifiable evil intent incites them to murder. Once the betrayal starts, Edward metamorphizes into a defenseless youth: "habebat enim satis paucos milites secum rex uenerandus, quia non timuit quemquam, confidens 'in Domino et in potentia uirtutis eius'" [the venerable king had with him a very few soldiers, since he did not suspect anyone, trusting "in the Lord and in the might of His power"] (138–9). Byrhtferth uses the words of St. Paul's Epistle to the Ephesians to describe the strength that Christians in duress can find in God (Eph. 6:10). Through the course of the treachery, Byrhtferth increasingly relies on biblical models in which Edward occupies the role of Christ. Byrhtferth writes that the attack on Edward "et velut Iudei summum Christum olim circumdarent" [was just as the Jews once surrounded our Lord], saying that "nequita pessima et dementia truculenta Beelzebutini hostis flagrabat in mentibus venenosorum militum; tum sagitte toxicate facinoris Pilati exsurrexerunt satis crudeliter 'aduersus Dominum et aduersus christum eius'" [the foul

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67   Byrhtferth of Ramsey, *The Lives of St Oswald and St Ecgwine*, ed. and trans. Michael Lapidge (Oxford: Clarendon Press, 2009), 137. Hereafter, page numbers are given in parentheses.

68   Similarly, the author of the later *Passio Edwardi* does not portray Edward as a pious king, nor does he attempt to connect Edward's behavior in life to his later sanctity. See: Susan J. Ridyard, *The Royal Saints of Anglo-Saxon England: A Study of West Saxon and East Anglian Cults* (New York: Cambridge University Press, 2008), 95.

wickedness and savage madness of the Beelzebutine Enemy was burning in the minds of these poisoned soldiers; then the poisoned arrows of Pilate's villainous deed rose up savagely "against the Lord and His anointed"] (138–141). Byrhtferth completes his transformation of Edward into a martyr by using the same description of the worldly leaders who attacked Christ in the Acts of the Apostles to describe Edward's attackers (Acts 4:26). In contrast to his tempestuous character at the beginning, once betrayed, Edward accepts his death without resistance, and Byrhtferth reminds his readers of Edward's right to rule, as he "erat electus ad tuendum dulcissime gentis regnum et imperium, derelicto patre" [had been elected to defend the realm and kingdom of this charming people, after his father had died] (140–1).[69] In Byrhtferth's telling, the betrayal is no longer contained within a family but is devised by Edward's subjects.

Acceptance of the betrayal completes the Christological narrative; the refusal to resist shows the victim's utter faith in the only truly powerful force. Just as Christ did not resist his persecutors, Edward "ipse intrepidus equo resedit" [remained sitting on his horse, fearless] "namque cum insidiatores eius ipsum uallarent" [when the conspirators surrounded him] (138–9). Byrhtferth's synthesis of the betrayals and deaths of Edward and Christ intensify as one of Edward's killers, Judas-like, "ipsum trahebat ad se, quasi osculum illi dare uellet" [drew him towards him, as if he wished to give him a kiss] (140–1). Once Edward is dead, he is a *martir Dei* [martyr of God] and Christ's "militem (et uice sui regiminis in terris constitutum et preelectum)" [champion, who had been appointed and pre-elected as His vice-regent on earth] (140–1). In the act of betrayal, Byrhtferth creates a parallel narrative with that of the betrayal and death of Christ, and through that fusion, Edward becomes a conduit for divine power in Byrhtferth's narrative. Rolf Bremmer makes this connection in regards to Ælfric's *Lives of Saints*: "In hagiography, saints eventually accept the shaming actions from their persecutors willingly, because in their own view suffering will add to their honour. To them, their physical destruction reflects the humiliation of Christ, the king of glory…."[70] Byrhtferth uses the analogous relationship between the role of Christian king and Christ to create a version of

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69   Ælfric of Eynsham used the status of kings in a comparison in one of his homilies to explain the irreversible act of sin. Ælfric explains that once one has attached oneself to the Devil, there is no way for a person to undo such an act. In the same way, once a man has become king, he is irreversibly king, regardless of the people's subsequent desires. Even without the direct recourse to ideas of holy kingship, Ælfric makes clear that holding the position of king is as irreversible a spiritual action as doing the work of the Devil. See: Malcolm Godden, "Ælfric and Anglo-Saxon Kingship," *English Historical Review* 102 (1987): 911–5; Roach, *Æthelred*, 75.

70   Bremmer, "Shame and Honour," 118.

Edward's death narrative that both provides the English with a saintly protector and surmounts the guilt of the murder.

It is through Edward's newly-sanctified state that God's power becomes apparent and active in this story. When Edward's incorrupt body is discovered a year after his death, those who find him immediately recognize the work of God and praise him (141). The power of God also manifests in the punishment of Edward's unnamed murderers, which Byrhtferth describes in terms similar to the punishment of Cain; God left them time to atone, but they did not use the respite to purify their souls (143). From this point forward in the narrative, the power of God results in the loss of the eyes of one of the murderers, and in innumerable miracles at Edward's tomb (143–45).

That the attackers in all of these saint's *vitae* are Christians only intensifies their perfidy. As Marafioti notes in her discussion of Abbo of Fleury's account of the murder of St. Edmund at the hands of the non-Christian Danes, the contrast of Edmund's and Edward's killers is between those who "did not know any better" and those who did.[71] The Danes act, in Abbo's view, out of jealousy for Christianity in their attack on Edmund, but since they owed no loyalty to Edmund, they did not break faith.[72] Edward is killed by his own subjects, who should have been bound by their allegiance to their king.[73] Before Byrhtferth even mentions Edward's murder, he describes the evil that follows Edgar's own death as "'sedition'" (137). His murderers break the social order by killing Christ's "champion, who had been appointed and pre-elected as His vice-regent on earth" (141).[74] Although both Edmund and Edward die from violent attacks, only Edward is betrayed. Marafioti connects this central element of betrayal in Edward's narrative to the frequency with which the events of his death are associated with stories of biblical "traitors," arguing that this is one of the reasons for the development of his cult.[75] She writes, "Edward, ambushed and killed by his own Christian nobles, represented a new model of saintly kingship, and this novelty is vital to understanding contemporary reactions to

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71   Marafioti, *King's Body*, 187.

72   Marafioti, *King's Body*, 187.

73   Marafioti, *King's Body*, 187.

74   Ridyard echoes Byrhtferth's sentiment here, explaining that, regarding the role of early-medieval Christian kings, "the kingdom, accordingly, had the status of a divine trust, in relation to which the ruler functioned not in or by his own right but rather as God's vice-regent upon earth—as the holder of an office with more or less well-defined rights and duties and with a more or less well-defined scope and purpose." See: Ridyard, *Royal Saints of Anglo-Saxon England*, 75. The role of early-medieval Christian kings then involved both the "protection of the Christian church and of Christian society" (Ridyard, *Royal Saints of Anglo-Saxon England*, 75).

75   Marafioti, *King's Body*, 187–8.

the assassination. The king's swift designation as a martyr was not an automatic response to regicide. Rather, it reflected his subjects' need to rationalize a particularly scandalous royal murder and explain it in the context of a broader Christian cosmology."[76]

Byrhtferth's text provides opportunity and direction for Æthelred and his supporters, and for England more broadly. Firstly, Edward's status as a martyr could both satisfy his supporters and enemies (who could now be seen as the unwitting hand of God). Secondly, the creation of a cult around Edward just as England was being threatened by an invasion provides a new and engaging saint, one with personal connections to the current Anglo-Saxon king himself. In life, Edward was tasked with protecting England, and he was alive recently enough that he would not have been out of place "fighting" the invaders. Byrhtferth's presentation of Edward's death avoids all issues of blame and guilt; Æthelred's unidentified supporters are given no encouragement for their evil deed (in fact, Byrhtferth even presents them as being out of their minds). But more importantly, Byrhtferth establishes Edward's sanctity by drawing on two distinct but complementary ideas: the exalted religious status of kings and the sanctifying act of voluntary martyrdom. Throughout Byrhtferth's text, Edward increasingly inhabits the figure of Christ, lessening the tragedy and guilt associated with his death. Once his death is cast in the model of Christ, granting him sanctity, it cannot be undone.[77] Here the ends, because they are so glorious in achieving unity with the Lord, justify, or at least mollify, the means. While the perfidy that enabled such an act could cause the audience to recoil, the act of martyrdom itself is not a regrettable event, and so Byrhtferth's text exculpates both the current king, Æthelred, and the English people more generally. The entry for 978 in the Peterborough Manuscript of the Anglo-Saxon Chronicle (E), written before 1000,[78] makes this point as well.[79] In discussing the murder of Edward, the author condemns the act of murder itself and the subsequent treatment of Edward's body. Throughout the passage, the author contrasts the immoral world of earthly events and men with the exalted heavenly realm and the actions of God. The author completes his comparisons by noting that "now we can perceive that the wisdom and deliberations of men, and their counsels, are worthless against God's purpose."[80] For both Byrhtferth

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76   Marafioti, *King's Body*, 190.

77   Wood, "Ripon, Francia and the Franks Casket," 1–19.

78   Marafioti, *King's Body*, 165.

79   Michael Swanton, trans., *The Anglo-Saxon Chronicle* (New York: Routledge, 1996), 123. For an alternative dating of Edward's murder and Æthelred's consecration, see: Dumville, "The Death of King Edward the Martyr," 269–83.

80   Swanton, *Anglo-Saxon Chronicle*, 123.

and the chronicler, the murderers' violent impulses were wrong, but Edward's martyrdom was part of God's plan; although betrayal is reprehensible, in this case, it was the opening for greater holiness.

Other foundations associated with Oswald developed an interest in saints who died through treachery and betrayal, emphasizing the connection between the renewed interest in the cult of the murdered princes at Ramsey and the aftermath of the murder of Edward. Since the ninth century, the body of St. Kenelm rested at Winchcombe, but the popularity of his cult diminished as the prominence of Mercia faded.[81] But in the 970s, the new abbot of Winchcombe, Germanus of Winchester (long-time associate of Oswald), resurrected the cult. The timeline of events during Germanus's time at Winchcombe is not entirely clear, but at some point after 975, Germanus attracted the anger of Ælfhere and fled Winchcombe for Ramsey, possibly in 978.[82] After Germanus departed Winchcombe for Ramsey, the cult of Kenelm was popular through the 990s, with Ramsey as the possible new nexus for the cult.[83] That Germanus endeavored to revitalize a traditional saint from the institution where he had just become abbot is perhaps unremarkable, but the dedication that Germanus and his fellow Oswaldian colleagues showed to a saint otherwise neglected suggests that there was perhaps more to this interest in Kenelm.[84] Thacker argues that by focusing on the neglected cult of Kenelm, much like Ramsey's newfound interest in the murdered princes, Germanus made a clear but oblique statement condemning Ælfhere, perhaps criticizing Æthelred, or even Ælfthryth by extension.[85] Even after Germanus left Winchcombe, he likely continued his promotion of Kenelm from Ramsey, and Kenelm's inclusion in calendars from the late-tenth century suggests that Germanus and his colleagues had some success.[86] Oswald's followers and successors continued to value their connection to Kenelm, gaining control of the site of his death for a time in the late-tenth and early-eleventh centuries.[87] The emphasis in the new texts written about the saint, which focused on Kenelm's royal status and the role of Kenelm's sister in his death, suggest that the resurgence of Kenelm's cult was meant as a vehicle for political commentary.[88] Oswald himself seems to

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81   Thacker, "Saint-Making," 252.
82   Thacker, "Saint-Making," 252.
83   Thacker, "Saint-Making," 252.
84   Thacker, "Saint-Making," 252.
85   Thacker, "Saint-Making," 252.
86   Thacker, "Saint-Making," 252.
87   Thacker, "Saint-Making," 260.
88   Thacker, "Saint-Making," 252.

have been a patron of this cult at Ramsey, and it was a connection that Oswald's followers continued into the first half of the eleventh century at least.[89]

The eleventh-century *vita* of St. Kenelm tells the story of a child-king betrayed and murdered by his ambitious elder sister, Cwoenthryth, and his tutor, Æscberht.[90] The author describes Kenelm as a blessed and promising child, but it is the treacherous actions of Cwoenthryth and Æscberht that provide the opportunity for divine intervention. Before the author describes the events leading to Kenelm's death, he provides the biblical parallels for Kenelm's story, revealing his understanding of the pivotal point of the narrative—their treachery. The author writes that Kenelm's sister Cwoenthryth "lay in wait for him as Herodias did for John, as Jezabel did for Elijah, as Cain did for Abel" (55), bribing Æscberht to perform the murder.[91] Once Cwoenthryth and Æscberht plan Kenelm's murder, the author describes Kenelm as a holy martyr—"the sacrificial victim of God"—and recounts Kenelm's new abilities (57). Christine Fell notes the thematic similarities in Edward's and Kenelm's processes of sanctification, using the term "boy victim cults" to describe the cults of saints such as Edward and Kenelm whose status as martyrs is entirely dependent on the description of their victimhood at the hands of their family enemies. She writes that "the royal boy-victims who die, not in battle with the heathen, nor for *justitia*, nor, as far as one can tell, confessing the name of Christ, but apparently purely as the result of political quarrelling are Edward King and Martyr, Kenelm of Mercia, Æthelbert of East Anglia and the princes Æthelbert and Æthelred of Kent."[92] Their status as saints depends on the treason against them. Once the plot against Kenelm is in place, the child has a dream-vision, like a "second Joseph," that his nurse interprets as the symbolic story of his upcoming murder and ascension to heaven (57). His nurse's distress after hearing his vision makes the interpretation clear: Kenelm is to be killed on his sister's order (57). Al-

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89   Thacker, "Saint-Making," 252–3.

90   The authorship of the *Vita Kenelmi* is uncertain, although arguments have been made for Ælfwine (possibly of Ramsey) and, more persuasively, for Goscelin. For more on the question of the authorship, see: Rosalind C. Love, "The Authorship of the *Vita et Miracula S. Kenelmi*," in *Three Eleventh-Century Anglo-Latin Saints' Lives: Vita S. Birini, Vita et miracula S. Kenelmi and Vita S. Rumwoldi*, ed. and trans. Rosalind C. Love (Oxford: Clarendon Press, 1996), xciii–ci.

91   *Vita Kenelmi*, in *Three Eleventh-Century Anglo-Latin Saints' Lives*, ed. and trans. Love. Hereafter, page numbers are given in parentheses.

92   Christine E. Fell, "Edward King and Martyr and the Anglo-Saxon Hagiographic Tradition," *Ethelred the Unready: Papers from the Millenary Conference*, ed. David Hill, 1–13 (Oxford: Oxford Univeristy Press, 1978), 8. Ridyard uses the term "martyred innocents" to discuss the emphasis that the authors of these texts place on the blamelessness of these individuals. See: Ridyard, *Royal Saints of Anglo-Saxon England*, 244.

though Kenelm knows his fate, he is not frightened, nor does he make an attempt to change the outcome of his vision (59).

The attempt on Kenelm's life begins with Æscberht, "like that other Iscariot, the betrayer of his lord" (59), taking his pupil, Kenelm, hunting. Kenelm enters the woods despite his awareness of his tutor's homicidal intent, which the author sees as Kenelm "emulating the Lord, like a lamb led to the slaughter with foreboding mind, followed the bloodthirsty foe to a crown of glory" (59). Kenelm naps while Æscberht digs a grave, yet when Kenelm wakes, he does not run away but rather tells Æscberht that the place God has ordained for his death is farther away (59). As a show of Kenelm's developing power and of God's own approval of his message, the wooden staff he pushes into the ground miraculously grows into an ash tree (59). The author describes Kenelm in increasingly Christ-like terms as he willingly progresses towards his death. Æscberht falters when looking for the spot in which he should kill Kenelm, but Kenelm "seemed with the voice of the Lord to rebuke him saying: 'That which thou dost, do quickly,'" using the words Christ spoke to Judas at the moment of his betrayal (61).[93] At the moment of Kenelm's beheading, he sings praise to the Lord, and the author refers to Kenelm as a saint, and a few lines later, as a martyr (61–3).[94]

In the aftermath of his death, the author describes the ways in which Kenelm's fame grows through miraculous interventions despite his sister's attempts to keep the crime secret. Bright light shines on his grave, a white cow is drawn to the spot and is abundantly nourished by endless grass, and a white dove delivers a golden-lettered parchment about Kenelm to the Pope while the latter is at mass. The letter prompts a papal delegation to find Kenelm's body, a healing spring emerges from his grave, and the author describes at length the many miracles performed in close proximity to Kenelm's body. As punishment for her crime, Cwoenthryth's eyes fall out, and she soon dies (73).[95] The stories

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93   John 13:27.

94   Rollason, *Saints and Relics*, 119. Thacker, "Kings, Saints, and Monasteries in Pre-Viking Mercia," *Midland History* 10.1 (1985): 1–25.

95   In both the *Vita Oswaldi* and the *Vita Kenelmi,* the perpetrators' eyes are a focus of punishment. In the *Vita Oswaldi,* one of the unidentified murderers loses his eyes, and, more dramatically, in the *Vita Kenelmi*, in disbelief Cwoenthryth says that if it is indeed Kenelm's body being brought back to the town, then her eyes should fall out, and they do. The inclusion of *vitae,* in which the perpetrators are exposed through such public and grotesque punishment, must have been appealing to a community that felt wronged or disadvantaged by Edward's murder and Æthelred's accession. Máire Johnson has shown that this theme is also prevalent in Irish *vitae*, in which the inner blindness of those who mistreat saints is manifested in the punishment of outer blindness. In many of the cases in Irish *vitae,* the physical reality of the blinding prompts the individuals to realize their

of child-martyrs, both in England and elsewhere, follow a similar pattern as "all legends revolve around issues of succession to political power and treacherous betrayal."[96] The betrayal is central to the author's creation of a pious identity for these victims, as the children in the narrative have not had the opportunity to establish their own.[97]

Kenelm's youth, royal status, and plotting sibling made him a poignant parallel to Edward, and Kenelm's popularity only increased with time. Unlike the cult of the murdered princes of Kent, the cult of Kenelm grew in prominence alongside Edward's cult during the challenging early years of the eleventh century when England faced increasingly-frequent Danish raids and invasion, famine, and Æthelred's own questionable judgment.[98] Thacker maintains that "Oswald's zeal in promoting these saints perhaps stemmed initially from his personal involvement (as lord of the church of Worcester) in the struggle

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errors and to better align their behavior with the expectations of Christian society. Once their inner vision has been corrected, their outer vision is restored. See: Máire Johnson, "'Vengeance is Mine': Saintly Retribution in Medieval Ireland," in *Vengeance in the Middle Ages: Emotion, Religion and Feud*, ed. Susanna A. Throop and Paul R. Hyams, 26–8 (Burlington, VT: Ashgate, 2010) and Máire Johnson, "Medicine and Miracle: Law Enforcement in the *Lives* of Irish Saints," in *Medicine and Law in the Middle Ages*, ed. Wendy J. Turner and Sara M. Butler, 288–316 (Leiden: Brill, 2014), 289–92, 297–315.

96 Patricia Healy Wasyliw, *Martyrdom, Murder, and Magic: Child Saints and Their Cults in Medieval Europe* (New York: Peter Lang, 2008), 74. Texts focused on child-martyrs, like Kenelm, are certainly not unique to Anglo-Saxon England, but it was the region in which these traditions were most popular and well established. The stories of child martyrs from outside of Anglo-Saxon England, although not as numerous, do present many of the same characteristics as the English examples, with an incident of betrayal acting as the centerpiece of the story and the action through which the power of Christianity is revealed. Wasyliw mentions the story of St. Melor from Brittany, whose legend describes his uncle's ambition-fueled murder of Melor's father, the king, and then his uncle's attack on Melor himself. Melor survived the attack but lost a hand and a foot in order to leave him unable to challenge his uncle for the throne. When Melor began to perform miracles and his prostheses appeared to have come to life, his frightened uncle orchestrated his murder. After Melor's death, Melor's body was illuminated by divine light, surrounded by angels, and his still-animated head continued to work miracles. The two acts of betrayal Melor suffered because of his uncle's greed both initiated the introduction of divine power into the narrative, highlighting Melor's uncle's unfitness to rule, and also initiated the need for divine justice. As Wasyliw notes concerning Melor's sudden powers, "these miraculous abilities were not ascribed to any qualities of piety demonstrated by Melor, but instead demonstrated divine compensation for the injustice suffered at the hands of his uncle." See: Wasyliw, *Martyrdom, Murder, and Magic*, 78–9.

97 "Physical death rather than spiritual triumph became the principal attribute of martyrdom, and consequently the focus of attention in the legends of various saints of this period" (Wasyliw, *Martyrdom, Murder, and Magic*, 64).

98 Thacker, "Saint-Making," 266; Roach, *Æthelred*, 116, 186–7, 190–2.

with Ælfhere."[99] Oswald was not interested in royal martyrs exclusively, and his foundations honored and promoted many saints, but the timing of the adoption of the cults of these royal martyrs by Æthelred's critics is suggestive. According to Thacker, Oswald "saw cults primarily as vehicles of propaganda, to condemn a royal murder and, perhaps, a political opponent, to promote the cause of reform and the inviolability of reformed communities, and to evoke the glories of the Bedan past."[100] Through these cults, Edward and his saintly proxies were perpetually present, never allowing Æthelred to establish the moral legitimacy his reign required when challenged with invasion. Cnut's decision to patronize Edward's cult, ensuring that Æthelred's honor could not be rehabilitated and ensuring Cnut's place on the throne, exhibits the efficacy of these cults in undermining Æthelred's authority.[101]

The adoption of politically-useful cults to criticize secular leaders was a constant in Oswaldian houses and, once under the control of Worcester in the late-tenth century, the community at Evesham began a similar program, with the translation of St. Wigstan, under the leadership of a monk from Ramsey (Wigstan's cult later received support from Cnut as well).[102] Wigstan's story would have resonated at Evesham, a community that had been one of Ælfhere's targets in the mid-970s.[103] The story of Wigstan's betrayal and martyrdom follows the same pattern as those of other saints whose cults were promoted by Oswaldian communities following Edward's murder. Although the early sources that attest to his life are complex, a constant theme in the texts recounting the ninth-century Mercian prince Wigstan's story is that he was betrayed and murdered. Although the heir to the throne, Wigstan rejects his royal position and chooses a life of religious devotion instead; however, his piety does not remove him entirely from worldly affairs. Although Wigstan does not object to someone else occupying the throne, he does intervene when Beorhtfrith, the would-be king, proposes marriage to Wigstan's mother, objecting on the grounds of Beorhtfrith's relationship to his mother's previous husband.[104] In response, Beorhtfrith plans to eliminate both Wigstan's objections and influence on his mother.[105] Beorhtfrith arranges to meet with Wigstan, but

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99   Thacker, "Saint-Making," 253.
100   Thacker, "Saint-Making," 256.
101   Rollason, "Cults of Murdered Royal Saints," 17–8.
102   Thacker, "Saint-Making," 260–1; Rollason, "Cults of Murdered Royal Saints," 16.
103   Thacker, "Saint-Making," 261.
104   Rollason, "Cults of Murdered Royal Saints," 8; Thacker, "Kings, Saints, and Monasteries," 12.
105   Rollason, "Cults of Murdered Royal Saints," 8.

Beorhtfrith kills him during the kiss of peace.[106] Wigstan had undoubtedly been pious in life, and his dedication to God was certainly shown in his voluntary renunciation of the throne, but the manner of his death is what sanctifies him. The resonance between Judas and Beorhtfrith, with their betrayal at the moment of the kiss of peace, connects Christ and Wigstan, fueling the author's narrative of Wigstan's martyrdom. Wigstan's story survives in multiple manuscripts, the earliest version of which probably originated in the late-ninth or early-tenth century.[107] Although the level of detail varies between versions, Wigstan is identified consistently as a saint and martyr after his treacherous murder by Beorhtfrith. According to Thacker, "Both Kenelm and Wigstan died young and by violence. The few pious stories which flesh out their exiguous legends suggest that almost nothing was known of their lives, perhaps that there was nothing remarkable to know. It was their deaths that were all-important. The key to the recurring pattern of the youthful prince's murder, followed by the miraculous disclosure of his unmarked grave and his enshrinement in a family monastery, seems to lie in dynastic politics and the important part which certain communities played in them."[108] In the aftermath of Edward's death, for some communities, cults honoring betrayed royal saints became touchstones of identity and political commentary, providing a means of enforcing ideas about the place of kings and the Church in contemporary society.

Royal saints are often the instruments of the dynastic or social fears of those left less secure by their deaths. The cults of royal murder victims served a variety of functions in medieval English society, as both a warning against regicide and as a means of protest and delegitimization by the disenfranchised group against those who had usurped their faction's power. There would be little recourse for the accused against those enfranchised by heaven, and so they would be "tolerated," in Thacker's words, referring to Beorhtfrith's acceptance of the cult of Wigstan, "either as a token of repentance or because he had no option."[109] Rollason argues that atonement could not be made to the earthly family of the victim because, once martyred, the true family of the victim was God, and, therefore, the *wergild* would consist of land donated for a religious purpose, emphasizing the transformative power of the victim's death.[110] The prominence of the cult was a continual reminder of the crime of the victor,

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106   Wasyliw notes that "although the events indicate a political assassination, the eleventh-century legend infused the murder with religious overtones." See: Wasyliw, *Martyrdom, Murder, and Magic*, 76.

107   Rollason, "Cults of Murdered Royal Saints," 7.

108   Thacker, "Kings, Saints, and Monasteries," 14.

109   Thacker, "Kings, Saints, and Monasteries," 14.

110   Rollason, "Cults of Murdered Royal Saints," 13–14.

and a means of challenging his authority, as Cnut used his promotion of the cult of Edward the Martyr to discredit the family of Æthelred.[111]

The way in which medieval English ecclesiastical authors adapted stories of betrayal to enhance their texts suggests the malleability of hagiographical material. Medieval authors frequently altered material to fit their purpose, and saints' cults were often used as leverage in contemporary politics. However, the methods they used to achieve those ends illuminates the broader process of reimagining narratives in this world. Authors took a complex and potentially-damaging situation and used their narrative abilities and the flexibility of the genre to support the mission of their text. The authors of medieval English saints' *vitae* enjoyed a wide latitude when writing their texts, and in recasting these betrayals, they could remake one of the ugliest realities of their contemporary world into a part of God's plan that advanced Christian society.

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111   Rollason, "Cults of Murdered Royal Saints," 17–8.

Legal Ramifications of Ordeals and Treason in *Morant und Galie*

Tina Marie Boyer

The cult of Charlemagne has a long tradition. When he was canonized on December 29, 1165, his veneration had already been firmly established and became the foundation for Emperor Frederick Barbarossa's (1122–1190) political and religious valorization of Staufian rule.[1] The use of Charlemagne in politics and religion merged in the German epic compilation *Karlmeinet*, which is based in the northern Rhine region, in the following century.[2] The second epic in the cycle, *Morant und Galie,* dates to about 1220–30, during Frederick II's reign, or earlier in the Staufian period. *Morant und Galie* incorporates the image of Charlemagne as a secular and religious power, focusing on the trial of the wrongfully accused Queen Galie and Charlemagne's best knight Morant.[3]

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1 Knut Görich, "Karl Der Große—Ein 'Politischer Heiliger' Im 12. Jahrhundert?," in *Religion and Politics in the Middle Ages: Germany and England by Comparison* (*Religion Und Politik Im Mittelalter: Deutschland Und England Im Vergleich*), ed. Ludger Körntgen and Dominik Waßenhoven, 117–155 (Berlin: De Gruyter, 2013), 117. The ideal image of Charlemagne as an exemplary ruler and unifier of Imperial power proved to be a potent image for the Staufer dynasty. Manipulation of that image (i.e. Charlemagne's canonization), was an invaluable asset for promoting the Staufer dynasty as part of Charlemagne's legacy.

2 Cola Minis gives an overview of the *Karlmeinet* cycle and the plot lines of the epics: "Diese frühe Dichtung ist zum ersten Mal (1858) in drei Hss. überliefert: In der großen von Adelbert von Keller herausgegebenen Karl Meinet-Kompilation (*Charlemagne inde Galie*: Charlemagne gewinnt Galie, die Tochter Galaffers, des Admirals von Toledo; *Morant inde Galie*: Karl wird König im deutschen Reich; als Karl gegen die Sachsen zieht, stirbt Galie in Paris; Eroberung des Langobardenreiches, wieder Krieg gegen die Sachsen, Karl baut die Pfalzen Ingelheim, Rheinbrücken, Köln und Mainz, im Jahre 801 wir Karl von Past Leo III. zum Kaiser gekrönt; *Rolandslied*: Das noch nie herausgegebene kurze Epos von dem bekehrten Heiden Otinelius/ Hospinelus; *Karel ende Elegast*: Karls Persönlichkeit und Tod) = die Darmstädter Hs. A, 15. Jh.; in der 1921 von Erich Kalisch herausgegebener Kölner Handschrift = Hs. C, 15. Jh.; in der von Karl Lachmann 1838 herausgegebenen ndrh. Fragmenten aus der Bibliothek des Legationrats Meusebach = Hs. M, 13.-14. Jh." In: "Zur Sprache Des Prozesses in 'Morant Inde Galie,'" in *Gedenkschrift Für Ingerid Dal*, ed. John O. Askedal, Cathrine Fabricius-Hansen, and Kurt E. Schöndorf, 75–85 (Tübingen: Niemeyer, 1988), 76–77.

3 Because this work is lesser known in an Anglophone environment and has not been translated into English, I have added an appendix to this chapter that outlines the work in its entirety. The bolded sections of the outline delineate the court proceedings and legalities.

The main accusation is treason, facilitated by adultery and heresy. During the trial, the villains who wrongfully accuse queen and knight attempt to destabilize the power of the court, and Charlemagne's authority in particular. Treason becomes the focal point of the trial in which Charlemagne's reactions to the accusations lead him to convict his wife and his loyal knight without ordeal. Ultimately, despite his jealousy and rage, he listens to his council and adheres to the law, announcing that the final judgment belongs to God. Humanity, law, and faith: these three aspects shape Charlemagne not only as the arbiter of the law but also as a devout king.

In *The King's Two Bodies*, Ernst Kantorowicz anchors his premise of the metaphorical king's body by using Charlemagne as an example of ideal medieval kingship. Bea Lundt supports this idea when she talks about the image of Charlemagne on a grand scale: "Die Körpermetapher erweist ja gerade die gedankliche Basis seiner Herrschaft, die universal, religiös und damit nicht an konkrete Räume und Grenzen gebunden sind" [The body metaphor proves Charlemagne's theoretical basis of his rule which is universal, religious and not tied to concrete areas and borders].[4] However, *Morant und Galie* links Charlemagne by language, place, and specific legal proceedings to the northern Rhineland, venturing a claim on him not only as an abstract historical and legal figure but as a tangible and empathetic person, imbuing him with very human emotions, such as excessive love for his wife. In effect, this connection ties the metaphorical notions of the king as judge and the historical Charlemagne to a specific region. His weaknesses (arrogance, love for his wife, and irrational anger) give Ruhart the pretext to commit treason. The political use—because treason is a political crime—of the social relationships that the king has to his wife and the court shows the danger of treason within a socio-political environment.

According to numerous scholars, the origins of the epic center on Cologne or Aachen, which validates the city and the surrounding region, or possibly a noble family or bishop, so that Charlemagne functions as the forefather of current political systems and legal proceedings.[5] Although the epic cycle was most

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4   Bea Lundt, "Der Mythos Vom Kaiser Karl: Die Narrative Konstruktion Europäischer Männlickeit Im Spätmittelalter Am Beispiel von Karl Dem Großen," in *Männer, Macht, Körper: Hegemoniale Männlichkeiten Vom Mittelalter Bis Heute*, ed. Martin Dinges, 37–51 (Frankfurt: Campus Verlag, 2005), 40. My translation.

5   Hartmut Beckers, Theodor Frings, and Elisabeth Linke believe that *Morant und Galie* can be dated to 1200 or 1220/30 with a general location of Cologne (written for the patricians of Cologne) or sometimes Aachen. Bernd Bastert, on the other hand, argues for an earlier dating in his evaluation. Because the extant manuscripts date from the first quarter of the fourteenth century upwards, he argues that the epic could have also been written for the archbishop of Cologne at the end of the thirteenth century, or that it was written for a Rhenish noble family

probably dedicated to this one region, the political and social use of Charlemagne as a figure of law transcends geographical and temporal specificity. Even though Charlemagne is a historical figure, more than anything else, he has become a utopian role model for social expectations. In the case of *Morant und Galie*, these social expectations circle around law as the foundation of a coherent and organized society. Treason, however, undermines the basis of the social and legal contracts, and it falls to an idealized king to reestablish them. However, the idealization in this epic undergoes a process, or at least the depiction of Charlemagne does. At first, he is prey to his emotions and ignores the strictures or legal proceedings; however, he listens to his council and decides to fulfill his legal obligations, and, therefore, lawfulness guarantees peace in the epic.

While the entire work revolves around the legal proceedings of the queen and the knight, the gendered spaces in which these legal proceedings occur highlight the inequities inherent in the judicial system. The law is not the same for the queen as for the knight. Morant, surrounded by family and loyal supporters, has oath helpers and can actively manage his trial ending in the ordeal by combat. On the other hand, Galie who has just married Charlemagne after his successful campaign in Spain, is only recently converted; she has no social network to support her, and, thus, is treated as an outsider and a foreigner. The villains take the opportunity to lay false charges of heresy at her feet, in addition to the manufactured charges of adultery, in a bid to undermine Charlemagne's belief in her, exploiting the political and social weaknesses of king and court. As a woman and wife, Galie is in a tenuous position in Charlemagne's court, in which he is her judge and, simultaneously, the supposedly injured party.[6] Morant must fight the ordeal for both of them, successfully extracting a confession of the false charges from the villains. In both instances, Charlemagne's actions and the gendered trial proceedings, treason destabilizes the courtly environment. It is the central threat of the narrative that occurs from inside the courtly structure because the villains are Charlemagne's supporters, unlike in other heroic and bridal quest epics where outsiders threaten courtly

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at the beginning of the fourteenth century. He draws this conclusion because the legal and procedural content of the epic would have been equally attractive to clerics, the nobility, and the Patriciate of a city. For more information on dating, see: Bernd Bastert, *Helden Als Heilige: Chanson de Geste-Rezeption Im Deutschsprachigen Raum*, vol. 54, *Bibliotheca Germanica* (Tübingen: A. Francke Verlag, 2010), 94.

6   King Arthur frequently finds himself in this position when Guinevere is accused of everything from murder to treason. In this volume, see: Inna Matyushina, "Treacherous Women at King Arthur's Court: Punishment and Shame"; Melissa Ridley Elmes, "Treason and the Feast in Sir Thomas Malory's *Morte Darthur*"; and Larissa Tracy, "The Shame Game, from Guinevere to Cersei: Adultery, Treason and Betrayal."

stability.[7] In *Morant und Galie*, treason is an internal threat to existing political power structures.

The first epic of the *Karlmeinet* cycle, *Karl und Galie,* deals with Charlemagne's youth, upbringing, and marriage to the Spanish princess Galie, while *Morant und Galie*, centers on the wrongful accusations of adultery and heresy brought by the villain Ruhart. The epic is specifically a *Prozessepos* [an epic of trial proceedings], detailing legal language of the thirteenth century.[8] As Elisabeth Linke explains:

> Im Bereich der weltlichen Epen ist dieses Denkmal in der Reihe der ausgesprochenen ‚Prozessepen' von besonderer Bedeutung. Hier wird in einem Fall der mittelalterlichen Literatur ein fränkischer Rechtsprozess des gottesgerichtlichen Zweikampfes als Haupthandlung mit aller Fülle der Rechtswörter, Formeln und Reden in ursprünglich meisterhafter Komposition gestaltet.

> [In the realm of secular epics, this work is of exceptional significance in the series of "trial epics." Here the proceedings of a judicial Frankish trial by combat are exemplified as the main storyline with an abundance of legal terms, formulas, oaths and speeches—an original composition].[9]

Unlike other epics and romances that include ordeals as motifs or plot points,[10] *Morant und Galie* focuses entirely on the legal, religious, and social aspects of the case.[11] Treason ensues from internal courtly strife and the godless nature of

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7   Nadine Krolla, *Erzählen in Der Bewährungsprobe: Studien Zur Interpretation Und Kontextualisierung Der Karlsdichtung "Morant Und Galie,"* vol. 239, *Philologische Studien Und Quellen* (Berlin: Erich Schmidt Verlag, 2012), 48–49. Krolla cites Jan Dirk Müller in this instance and maintains that in bridal quest and heroic epic, unlike courtly romance, the challenge to the court usually comes from another court or force from the outside. This cannot be said of all bridal quest epics. *Herzog Ernst* and *Salman und Morolf*, for example, show internal treasonous and deceitful behavior. In *Herzog Ernst*, Ernst is at first falsely accused of treason, which then turns into a real betrayal of his stepfather, the emperor, whereas in *Salman und Morolf*, the newly converted queen commits adultery and flees with her lover.

8   See: Krolla, *Erzählen in Der Bewährungsprobe*, 16–26.

9   Elisabeth Linke, "Der Rechtsgang in Morant Und Galie," *Beiträge Zur Geschichte Der Deutschen Sprache Und Literatur* 75 (1953): 1–130 at 1. All translations are mine.

10 In this context, *Tristan* by Gottfried von Strassburg comes to mind wherein Queen Iseut undergoes the trial by fire, one of many episodes in the disastrous affair between her and Tristan. However, unlike Galie, Iseut is guilty of adultery, even if she avoids being convicted after succeeding in her ordeal.

11 Scholars such as Theodor Frings, Elisabeth Linke, Dagmar Helm, Hartmut Beckers, and Cola Minis have primarily undertaken philological work in regard to dialect origin,

the villains, threatening to destabilize that very structure only to be redeemed and rectified by the ordeal. In the end, the ordeal is the only solution to the trial, indicating that while Charlemagne is the arbiter of the law, he leaves the final judgment to God,[12] and framing the epic in a secular and religious context.

The prologue of *Morant und Galie* sets the scene for all the ethical and moral dilemmas that need to be solved by the court case, introducing the accused and their accusers:

> Zů allen ziden in den dagen
> hort man singen inde sagen,
> wie truwe si cranc, ere si swanc, valsche gedanc
> mache geschal;
> doget si alt, valsche si balt mit gewalt
> over al;
> doget inde ere die sin sere
> achterwert gedreven;
> want untruwe is leider nuwe,
> unrecht is becleven;
> manich durch miede nu verriede
> leider sine mage. (vv. 1–12)[13]

> [While one lives one hears it sung and said that loyalty is low and honorable standing weak, evil minds are loud, virtue outmoded, falseness shows itself everywhere brazenly with force. Virtue and honorable standing have been pushed into the background: because disloyalty is enduring. Injustice grows. Some betray their relatives for the sake of a reward].

Honor, virtue, and loyalty are the grounding concepts of courtly society. Within this system, the social structures and legal ties that bind them function as

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placement, and history of the manuscript; see: Dagmar Helm, "Die Literarischen Denkmäler 'Morant Und Galie' Und 'Karl Und Galie' Und Ihre Ausgaben Im Vergleich," *Beiträge Zur Erforschung Der Deutschen Sprache* 6.1 (1986): 126–135, 130.

12 To note here: although Charlemagne's image in the High Middle Ages attained the level of a saint, which was reflected in the German epic cycles, in *Morant und Galie,* it is not the main focus. Bastert states that, instead both epics, *Karl und Galie* and *Morant und Galie,* show the path of the ruler to establish his domain and safeguard his kingship—the focus is on interior politics. *Helden Als Heilige: Chanson de Geste-Rezeption Im Deutschsprachigen Raum*, 336.

13 Theodor Frings and Elisabeth Linke, eds., *Morant Und Galie* (Berlin: Akademie Verlag, 1976), vv. 1–12. All translations are mine.

the surety that these concepts are upheld. Yet, the world has fallen to evil. Betrayal of family and, to a larger extent, the courtly community is the internal threat that has to be faced, rather than that from some foreign enemy. The social integration (or lack thereof) of each character points to their success in the trial proceedings or their death. Ruhart violently rids himself of all social ties and fails in denouncing the queen and knight, whereas Charlemagne reintegrates himself after losing his composure. On the other hand, Galie, initially an outsider, is quickly integrated and proves her innocence. Law-abiding behavior and social mindedness are the guarantees for peace.

The three traitors, Ruhart, Hertwich, and Fukart bring an accusation of adultery, (followed by one of heresy when adultery does not seem sufficient) against Queen Galie and the first knight Morant to Charlemagne. Besides being jealous over Charlemagne's favoritism for his queen and knight, the three traitors are also greedy; their ultimate goal is to depose Charlemagne. The prologue laments this greed for material wealth:

> dat wir ringen na den dingen,
> dan af komet groze plage
> nu in der werelt me
> dan hie bevoren e
> den die uns gewunnen.
> of wir't gemirken kunnen,
> so mogen wir wale ane zoren
> sprechen id si uns ane geboren
> baz dan ane gevallen.
> niet en meinen ich uns allen,
> die nu leven in den liven.
> sulche liezen sich verdriven,
> e si sich genieden
> dat si iemanne verrieden;
> dus vint man in den alden jaren
> lude die dit zwaren
> hedden gemeden schiere;
> ouch vant man me dan viere
> die't schiere hedden ane gegan:
> dus waren die lude underdan
> inde solen iemer also sin.
> des giet uns urkunde dat latin:
> quod nova testa capit,
> inveterata sapit;

> so wat die nuwe schale veit,
> der smach ir iemer ane heit.
> ouch mûz smachen die vrucht
> na ir erden inde ir lucht;
> ouch zount der minsche sinen smach
> des vazzes da he inne lach. (vv. 13–42)

[Out of the struggle for worldly belongings comes the great evil in the world, now more than ever. If we were to judge it truly, we can say honestly that it is inborn and not chosen. I do not mean all of us who are alive now. Some would rather be ruined than they would dare to betray someone. Thus, are people found at all times who avoid such things. But one also finds the ones that would try. In such a way, people were and will always be different. This is also told by the Latin quote: *Quod nova testa capit, inveterate sapit*. "Whatever a new bowl contains, that scent will always adhere."— just as a fruit has to taste of the earth and the air in which it has grown. In the same way, people are known by their inherited traits and milieu].

Weakening the king by accusing the queen and his best knight of adultery and heresy is supposed to give them enough opportunity to gain a political foothold in the court. The juxtaposition of Ruhart's actions with the ethical statements form the cornerstone of the epics' legal and moral dilemmas. The Latin saying "Quod nova testa capit, inveterate sapit" [Whatever a new bowl contains, that scent will always adhere] (vv. 35–36) features as the central argument foreshadowing Ruhart's betrayal and punishment; the concept of inherent evil that adheres to the person throughout his life threads through epic. Morant and Galie represent the other part of this spectrum that intrinsic goodness, despite potential suffering, leads to a reward. They reflect the author's argument: "sulche liezen sich verdriven,/e si sich genieden/ dat si iemanne verrieden" [Some would rather be ruined than dare to betray someone] (vv. 24–26). Morant, who has some legal standing, does not turn away from Galie when she needs a champion because Charlemagne, overcome by rage, believes the traitorous Ruhart and impulsively calls for punishment without due process (vv. 3344–56). The trajectory of Charlemagne's judicial and moral development can be traced from his favoritism to the instant rejection of those he loves. The framework for his growth to a wise and just king are the legal proceedings in which he eventually learns to moderate his actions and emotions. He inhabits the middle ground between the binaries of good and evil, represented by Morant und Galie and Ruhart, respectively.

The first part of the epic details the legal wrangling over Morant engaging in a trial by combat against the traitors. Eventually, the trial is put on hold because the traitors want to avoid the trial by combat that would require them to fight Morant. Therefore, Ruhart uses a disguise to bring additional charges of treason and heresy before Charlemagne. In his grief and in a moment of weakness that taints his entire kingship, Charlemagne convicts the queen and the knight without any legal proceeding at all. But his court reprimands him, holding him to judicial standards to which he adheres in ordering the trial by combat the traitors sought to avoid. Once they are defeated, the culprits are sentenced to be dragged by horses, beaten, and then hanged.

The court case also exposes the inherent nature of human fallibility because Charlemagne loses control of his emotions at the false accusation of his beloved wife that he is too willing to believe; indeed, it is the law that binds both him and his court to undergo the correct proceedings to see that justice is done. Basic human emotions like grief and jealousy are confined and controlled through the legal proceedings and ritualized courtly expectations ending in an ordeal by combat.[14] The ordeal is closely tied to all three charges brought against the accused:[15] adultery, heresy, and treason are all special crimes, and, in the thirteenth century, ordeals could be used in all three instances in the Holy Roman Empire.[16] According to Sarah Neumann, treason is

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14 According to Vickie L. Ziegler, if there was an accusation of adultery, the trial by fire would be chosen. She puts the ordeal into its historical context: "It is especially appropriate for women because of their limited capacity for battle. Accusations of adultery frequently forced medieval courts to resort to ordeals, since adultery is planned to occur when no witnesses are present. Even if there were witnesses, it was hard to get reliable testimony from them … . Such ordeals were used when the case in question could be settled in no other way and when rational proofs had failed." Ziegler, *Trial by Fire and Battle in Medieval German Literature* (Rochester, NY: Camden House, 2004), 6. In *Tristan*, Queen Iseut undergoes the ordeal with the hot iron, and *Morant und Galie* adheres to different judicial proceedings, relying on oaths, oath helpers, and champions to clear the queen's name.

15 See: Robert Bartlett, *Trial by Fire and Water* (Oxford: Clarendon Press, 1986). For a more in-depth look in the German speaking regions, see: Peter Kreutz, *Recht Im Mittelalter: Grundzüge Der Älteren Europäischen Rechtsgeschichte—Ein Studienbuch*, vol. 10, *Einführungen—Rechtswissenschaft* (Berlin: LIT Verlag, 2010).

16 The queen allegedly commits a personal sin against her husband, endangers the social courtly structure with her supposed behavior, and turns away from divine law. Adultery was a crime that, in German speaking countries, was typically handed over to the ecclesiastical courts. The *Sachsenspiegel* (1225) only punished the crime on a secular level with beheading when "Handhafter Ehebruch" [red handed deed/ adultery with witnesses] could be proven. See: Rudolf His, *Das Strafrecht Des Deutschen Mittelalters*, Neudruck der Ausgabe 1935, vol. 2 (Darmstadt: Scientia Verlag, 1964), 169. However, in the epic, Ruhart—the actual evil doer—falsely accuses the queen. Galie and Morant are and remain

a complicated umbrella term containing various crimes—from insult, refusal of service, assault, adultery, to attempted murder—and in cases of high treason, such as this, the focus is not on the crime or the perpetrator but the victim.[17] In this perpetrator-victim constellation, when trust and fealty break, political and social structures are in danger of dissolving. Furthermore, Neumann maintains that the king cannot be an uninterested party and the perpetrator cannot hope for just proceedings, and, since social standing is also a motivating factor, the trial by combat is the only acceptable solution.[18] Neumann sees treason as a declaration of war and finds the violence of the ordeal an appropriate challenge. However, the ordeal is not only a political and social tool, but a religious one as well. Leaving the decision to God, at least in *Morant und Galie*, portrays Charlemagne as a victim but also as a ruler, resolving social and political tensions on a secular and religious level simultaneously.[19]

In the historical context of the thirteenth century, "the bond between offenses of a traitorous nature and the judgment of God through battle" was so strong that Frederick II excluded accusations of treason when he abolished trial by combat for southern Italy in his *Konstitutionen of Melfi* (1231).[20] Even

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innocent of this crime throughout the narrative. Since there are no witnesses, purification oaths replace actual witnesses, ultimately ending in Morant's claim for a trial by combat to clear his name and that of the queen.

17   "Nicht die Tat selbst, sondern ihr Angriffspunkt begründet also den Verrat." Sarah Neumann, *Der Gerichtliche Zweikampf: Gottesurteil—Wettstreit—Ehrensache*, vol. 31, *Mittelalter Forschungen* (Ostfildern: Jan Thorbecke Verlag, 2010), 139.

18   Neumann, *Der Gerichtliche Zweikampf,* 139.

19   For all crimes, therefore, the trial by combat is the logical conclusion to show Morant's innocence. Peter Kreutz states that God's judgment is asked through the ordeal, either by combat of two champions, the trial by fire, or water—in each case, the guilty party would not succeed in the test ["Zahlreiche weitere Formen des Gottesurteils waren verbreitet, mit gewissen regionalen Unterschieden"]. Kreutz, *Recht Im Mittelalter: Grundzüge Der Älteren Europäischen Rechtsgeschichte—Ein Studienbuch*, 95–96: "Im Hochmittelalter wurde das Ordal allmählich abgelöst durch eine andere Form der Wahrheitsfindung, den Eid. Je nachdem, welchen Rang der Beschuldigte bekleidete, konnte er sich allein (Einereid) oder durch eine bestimmte Zahl von Eideshelfern, die mit ihm schworen, von dem gegen ihn erhobenen Vorwurf entlasten" [In the high Middle Ages the ordeal was slowly replaced by other forms of finding the truth, the oath. Depending on the rank of the accused, he could exonerate himself by swearing alone (Einereid) or with a certain number of oath helpers who swore with him]. Although oaths slowly gained a stronger footing throughout the high Middle Ages, ordeals were not abandoned, despite the ruling of the Lateran Council of 1215. Typically, the number of oath helpers was set by the law books. The oaths of purity and innocence increased during the high Middle Ages but did not exclude an ultimate judgment ending in an ordeal. Furthermore, not everyone was oath worthy since this was determined through social rank and standing.

20   Ziegler, *Trial by Fire and Battle in Medieval German Literature*, 8. Ordeals encountered a significant amount of skepticism from the Carolingian period onward (Archbishop

though other ordeals (water and fire) were outlawed by the Fourth Lateran Council in 1215,[21] the trial by combat continued in a limited capacity for treason. Rudolf His states that treason was considered *crimen lese maiestatis* from the Carolingian period up into the High Middle Ages.[22] The historical reality of legal proceedings and court cases is enmeshed with fictional and fanciful embellishments in the epic. Not only are treason and trial by combat portrayed accurately on a legal basis they are also, in the words of Sarah Neumann, "incredibly gripping."[23] The visual drama of the ordeal exemplifies Charlemagne's moral development within the narrative from an overly emotional, weak ruler who does not adhere to the law, to a king who finally accepts the social and religious expectations of his environment.

The queen's dilemma between swearing an oath of purity and finding a champion who will fight for her in the ordeal is historically accurate. In historical reality, the oath of purity or *Juramentum Purgatorium* was designed for cases in which there was not enough evidence for a conviction. Robert Bartlett states:

> In all these cases, the absence of evidence, or witnesses, or even of accusers has been a necessary precondition for the use of ordeal. But such

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Agobard of Lyons rejected ordeals that did not have precedence in the Bible). To force a miracle by using ordeals was considered suspect. The Fourth Lateran Council in 1215 argued against clerics participating in ordeals, while secular courts also abandoned the practice.

21 Peter Kreutz, *Recht Im Mittelalter,* 95. Also see: Bartlett, *Trial by Fire and Water*.

22 Jürgen Weitzel discusses the impact of the *crimen maiestatis* in the early Middle Ages in "Das Majestätsverbrechen Zwischen Römischer Spätantike Und Fränkischem Mittelalter," in *Hoheitliches Strafen in Der Spätantike Und Im Frühen Mittelalter*, ed. Jürgen Weitzel, *Konflikt, Verbrechen Und Sanktionen in Der Gesellschaft Alteuropas*, vol. 7 (Köln: Böhlau Verlag, 2002), 47–83. The concept of treason, however, is an umbrella term for various different offenses of a traitorous nature from Carolingian times to the thirteenth century, as Weitzel states; Sarah Neumann agrees in *Der Gerichtliche Zweikampf: Gottesurteil—Wettstreit—Ehrensache*, 138.

23 "Für die erzählerische Sinnstiftung birgt das Zweikampfmotiv zunächst einen großen Vorteil: Es ist ungemein griffig. Der gerichtliche Zweikampf ist ein Stück ritualisierte Gewalt und als solches von hoher Bildhaftigkeit; es ist eine Inszenierung, deren konkrete Bestandteile abstraktere gesellschaftliche Ordnungsvorstellungen transportieren" [The ordeal by combat proves a great advantage for expressive narration: It is incredibly gripping. It is a form of ritualized violence and therefore highly visual. The concrete components of its theatricality bear more abstract concepts of societal stratification]. Sarah Neumann, "Vom Gottesurteil Zur Ehrensache? Deutungsvarianten Des Gerichtlichen Zweikampfes Im Mittelalter," in *Das Duell: Ehrenkämpfe Vom Mittelalter Bis Zur Moderne*, ed. Ulrike Ludwig, Gerd Schwerhoff, and Barbara Krug-Richter, 93–104 (Konstanz: uvk-Fachverlag für Wissenschaft und Studium, 2012), 95.

situations need not lead to the ordeal if an oath were acceptable. The oath, the corner-stone of medieval judicial procedure, was, in some sense, an ordeal, but one which relied upon God's eventual rather than immediate judgment. Where this kind of ordeal was employed, however, the others need not be. Exculpation by oath alone and exculpation by ordeal were mutually exclusive; hence, where oaths were unacceptable, the ordeal became a natural recourse.[24]

The accused would swear to the falsehood of the accusation, usually with the help of a relic or sacred object to prove their innocence. The thinking behind this was that the oath taker would be punished by divine forces if they committed perjury. In some cases, oath helpers, mainly family members, supported the oath taker.[25]

Therefore, the freedom to take an oath was limited to certain people and was socially stratified. Freedom was defined in terms of the Latin *liber* as, not an autonomous person, but one who is "connected in a loving bond."[26] The freedom of a person was based upon his or her integration in a network of relatives (blood relationships). These relatives ensured and made a pledge regarding the innocence of the accused person. Freedom was essentially "integration into an interdependent relationship."[27] Morant, as man and courtier, has full social integration, whereas Galie, as recent convert with no familial ties who is judged by her husband, the king, is not afforded the same freedom. Therefore, the ordeal by combat with Morant as her champion is the only way for her to answer the wrongful accusations of adultery and heresy.

Treason as threat and ordeal as solution strengthen the king's position in court and uncover the false accusations in front of God and the world. The punishment of the three liars and real traitors for their slander and deception

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24 Bartlett, *Trial by Fire and Water*, 30.

25 For example, the famous oath of purity was the one that Pope Leo III gave before Charlemagne on December 23, 800. For an in-depth analysis of the purity oath in legal proceedings, see: Richard Loening, *Der Reinigungseid bei Ungerichtsklagen im deutschen Mittelalter* (Aalen: Scientia, 1982).

26 Günter Jerouschek, "Die Herausbildung Des Peinlichen Inquisitionsprozesses Im Spätmittelalter Und in Der Frühen Neuzeit," *Zeitschrift Für Die Gesamte Strafrechtswissenschaft* 104.2 (1992): 331.

27 Jerouschek, "Die Herausbildung Des Peinlichen Inquisitionsprozesses," 331. Jerouschek, also points out that, from a legal standpoint, the importance of the "Reinigungseid" underwent a change in the thirteenth century. Innocent III's attempts at legal trial reforms gave the oath of purity a subsidiary role and was only used when there was no evidence to substantiate the accusations (but still involving *infamia*); see: Jerouschek, "Die Herausbildung Des Peinlichen Inquisitionsprozesses," 335.

follow the legal precedent. The *Mainzer Landfrieden,* from 1235, lists the following as punishment for treason:

> Das Majestätsverbrechen ist grundsätzlich todeswürdig, doch kann der König aus Gnade eine gelindere Strafe, wie Verstümmelung, besonders Blendung, Verbannung oder Haft, eintreten lassen. ... Soweit die Todesstrafe angedroht oder verhängt wird, beschränken sich die Quellen häufig auf ganz allgemeine Wendungen. Mitunter wird aber auch die Todesart angegeben, und zwar bis zum Beginn des 14. Jahrhunderts regelmäßig Galgen oder Enthauptung.[28]

> [Crimes against the crown are worthy of death, but the king—in his mercy—can impose a milder sentence such as mutilation, especially blinding, banishment or imprisonment. ... On the whole, when someone is threatened or sentenced to death the sources limit themselves to general phrases. Occasionally, the type of death is mentioned, up to the fourteenth century this was regularly the gallows or decapitation].

According to His, these punishments could also include the wheel and being drawn and quartered,[29] but he attests these sentences mostly for the end of the fourteenth century to the beginning of the fifteenth century.[30] In the thirteenth century, banishment and loss of property were more common in an

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28   His, *Das Strafrecht Des Deutschen Mittelalters*, 2:37–38.

29   For an in-depth look at the punishment of the wheel, see: Mitchell Merback, *The Thief, the Cross and the Wheel: Pain and the Spectacle of Punishment in Medieval and Renaissance Europe* (Chicago: University of Chicago Press, 1998), 158–197.

30   "Bei einer Verschwörung (conspiratio, samensop) der Holsteiner gegen ihren Grafen 1306 wird der Rädelsführer geschleift, gerädert und dann gehängt. Im Stift Würzburg werden 1399 mehrere Aufrührer geviertelt, im Stift Lüttich ist die Vierteilung von Aufrührern neben Rädern und Enthauptung seit dem Jahre 1416 bezeugt" (His, *Das Strafrecht Des Deutschen Mittelalters*, 2:41). [During a conspiracy of the Holsteiner against their count in 1306, the ringleader is dragged, put on the wheel, and then hanged. In the monastery of Würzburg several rabble-rousers are drawn and quartered in 1399, in the monastery Lüttich the drawing and quartering of rioters is attested since the year 1416]. Ernst Schubert agrees that these punishments, especially drawing and quartering, were used for crimes of treason. However, he attests drawing and quartering to the later Middle Ages and only in the rarest of cases. So rare in fact, that city chronicles always had a special note when the punishment was enacted. Schubert cites the 1438 case of a citizen, Hans Bausback, who had committed treason in Würzburg. He cites another case in 1519 in Regensburg where a former judge had committed treason, but his sentence was commuted from drawing and quartering to the sword at the last minute. See: Schubert, *Räuber, Henker, Arme Sünder: Verbrechen Und Strafe Im Mittelalter* (Darmstadt: Wissenschaftliche Buchgesellschaft, 2007), 96.

Imperial context, and, depending on the severity of the crime, hanging and decapitation were the ultimate sentence. The epic reflects the legal punishments, as the three villains are hanged for their crimes, along with the penalty of being drawn and quartered.[31]

Galie and Morant are accused of three crimes, and, in the context of the thirteenth century, the charge of heresy was also considered a crime against the crown: "Die Gesetze Friedrichs II betrachten die Ketzerei als ein Vergehen gegen die göttliche Majestät und stellen sie dem crimen laesae maiestatis zur Seite" [The laws of Frederick II regard heresy as a crime against the divine majesty and place it in the same category as the *crimen laesae majestatis*].[32] Frederick II set up laws on heresy at his coronation in 1220 that were intended for the Italian part of the realm, but they did not gain as much of foothold in the northern, predominantly German-speaking, regions. The successive laws in 1220, 1232, and 1238 increase the punishment for heresy from banishment to loss of property and death by burning.[33] In Frederick's laws, as in the epic, heresy and treason are the same thing. Even though these punishments were not as vigorously upheld in regions across the Alps, the epic, originating from the Northern Rhine region, does show the influence of historical reality. The villains meet their end according to the laws for high treason. Because the laws and punishments reflect historical reality, the epic and Charlemagne's representation in it gains an added dimension of authenticity. The poem validates and enhances the image of its patron through the authentic judicial context.

Ruhart, the traitor, possesses no redeeming qualities and displays no nuanced behavior. Michael Heintze analyzes the entirety of the European Charlemagne cycle with particular interest in what he terms the traitor-family lines (*Verrätersippen*). He concludes that the older French *chansons de geste*, like those discussed by Ana Grinberg in this volume, contain several distinctive traits shared by traitors and their families. Heintze notes their isolation, a certain amount of secular and political power, the attempt to dissuade Charlemagne from fighting against Saracens, and the removal of faithful vassals from the king's inner circle. He argues that the younger *chansons de geste* build on these themes, and, while families still act as traitors, the isolation of a single traitor increases: they have immense power, they work hand in hand with Saracens, but they emphasize the absolute break with all oaths of fealty and honor, they misuse the Christian faith for their own purposes, and they strive to

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31   These punishments were in the law books up until the eighteenth century. See: Georg Steinberg, "Hochverrat," *Handwörterbuch Zur Deutschen Rechtsgeschichte*, 1064–1068 (Berlin: Erich Schmidt Verlag, 2012), 1064.

32   His, *Das Strafrecht Des Deutschen Mittelalters*, 2:20.

33   His, *Das Strafrecht Des Deutschen Mittelalters*, 2:20.

remove loyal subjects from the king's side.[34] Ruhart and his conspirators, therefore, fit the established pattern of traitorous villains within the Charlemagne cycle. Ruhart, a courtier, is socially isolated since he murders his entire family, tries to remove Morant and Galie from the king's regard, and abuses the Christian faith for his own purposes.

Ruhart's first transgression summarizes all of his subsequent actions: he stabs his wife and child on Easter without compunction: "zů sime kinde inde sime wive./ got geve leit sime live,/ mit eime metze he si erstach/ an den gůden paschdach" [to his child and wife he went, God grant him mercy, he stabbed them with a knife on good Easter day] (vv. 111–114).[35] No other reason, beyond dislike, is given for that first double-murder. He simply does not care for them much: "du he gevromede desen mort/ an sime wive inde kinde,/ die he vil cleine minde" [that he committed this murder of his wife and child, he did not think of it much] (vv. 126–128). This murder foreshadows his behavior for the rest of the narrative. Ruhart's one-dimensionality is replicated in the other protagonists so that the other two traitors fade into the background and become part of a trinity of treason in which Ruhart functions as the main culprit. This highlights the trial proceedings as the actual main protagonist in which humans are merely acting out their roles. This focus on specific themes and prominent character traits—such as the good but grieving ruler, the innocent queen, the valiant champion, or the traitorous liar—solidifies the social and political message of the work itself: Charlemagne learns to become a wise judge and king by adhering to the law. Instead of relying on character development (except the religious and judicial development of Charlemagne), the epic reflects social and political power structures specifically in the foundational legal terms, exposing ideals of gender, justice, and religiosity.

The primary emotional motivation for Ruhart's crimes is jealousy, similar to Marjodo and Melot in *Tristan.* Ruhart and his companions (Fukart and Hertwich) envy the attention and favors bestowed upon Morant by both Charlemagne and Queen Galie. Nevertheless, Ruhart is not the only one who acts incorrectly. The king's almost excessive favoritism for his wife and Morant suggests a particular weakness in his ability to balance the power structures at his

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34   Michael Heintze, *König, Held und Sippe: Untersuchungen zur Chanson de geste des 13. und 14. Jahrhunderts und ihrer Zyklenbildung*, vol. 76, *Studia Romanica* (Heidelberg: C. Winter, 1991), 413–447. See, in this volume: Ana Grinberg, "Religious Identity, Loyalty, and Treason in the *Cycle du roi,*" and Albrecht Classen, "Treason and Deception in Late Medieval German Romances and Novels *Königin Sibille*, *Melusine*, and *Malagis*." Samuel Claussen addresses what he calls the "Ganelon problem" in Castilian romances in "Royal Punishment and Reconciliation in Trastámara Castile," also in this volume.

35   Frings and Linke, *Morant Und Galie*. All translations are my own.

court. Although Ruhart's deeds are more flagrant, Charlemagne lacks the fore-sight that bestowing his love and regard unequally can lead to jealousy in his courtiers. It is foresight and wisdom that Charlemagne has to learn in the end. By favoring Morant and Galie above all others at court, the king destabilizes the established power structures and opens the door to treason. Excessive love and, in return, excessive jealousy should not be traits of a king and, in this epic, the judicial proceedings help balance the moral failings of the king.

The king's favoritism and weakness to control his court reflects on Ruhart, who commits many sins, but the most heinous of which is the "pilgrim scene." Ruhart's crime directly correlates to Charlemagne's indecisiveness. Ruhart kills a pilgrim coming back from Jerusalem, skins him, and puts on his face and clothes as a disguise.[36] His behavior can only be explained one way in the epic framework: he has aligned himself with the devil. Since he is evil from the start, he cannot change or atone for his sins at the end. Ruhart is the real heretic, and he uses this ruse to extract himself from the ordeal; in his new disguise, wear-ing the flayed face of the pilgrim, he attempts to bring more accusations against Galie and Morant, but this time, he does not stop at mere adultery. He accuses them of heresy, arguing that Morant and Galie have accepted the Muslim faith. Nadine Krolla describes the dual threat of heresy and treason from an insider and outsider perspective. Narratives in the Charlemagne Cycle use the exter-nal confrontation of the Saracen enemy repeatedly, and in those instances, the danger to the courtly world comes from the outside.[37] In *Morant und Galie*, the threat is inverted and internalized. The real heretic is Ruhart, who has made a pact with the devil; disguised as a holy pilgrim, the threat now comes from the inside to destabilize the courtly world, whereas Galie, a recent con-vert, is now a devout Christian.[38] Ruhart is driven by jealousy and a hunger for

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36   This scene is reminiscent of the bridal quest epic *Salman und Morolf* in which King Solo-mon's brother wants to help his king to bring back Queen Salme, who had run away with a lover. Morolf goes to an old Jewish merchant to ask his advice, but instead stabs the old man, flays him, and wears his skin as disguise. He calls himself a "pilgrim" and ventures to Salme's castle where he is discovered. Unlike *Morant und Galie* where the religious aspect of the "pilgrim" comes to the forefront and his status as pilgrim ensures that Charlemagne and the court believe his words, the scene in *Salman und Morolf* has more disturbing im-plications, mainly those of gratuitous and casual violence perpetrated against Jews. For more information, see: Tina Marie Boyer, "Murder and Morality in Salman Und Morolf," *Journal of English and Germanic Philology* 115.1 (2016): 39–60; Fredericka Bain, "Skin on Skin: Wearing Flayed Remains," in *Flaying in the Premodern World: Practice and Represen-tation*, ed. Larissa Tracy, 116–37 (Cambridge: D.S. Brewer, 2017); Sarah Bowden, *Bridal-Quest Epics in Medieval Germany: A Revisionary Approach* (London: Modern Humanities Research Association, 2012).

37   Krolla, *Erzählen in Der Bewährungsprobe*, 129.

38   Krolla, *Erzählen in Der Bewährungsprobe*, 129–130.

power, but his accusations are designed to exploit the king's weaknesses specifically. The excessive love for his wife is used in the false charge of adultery, and her and Morant's supposed heresy manipulates Charlemagne's continual fight against non-Christians.

Ruhart violates natural law by taking on another person's form, which is a reference to the prologue wherein the narrator states that whatever first filled the bowl will retain its taste long after. Following this premise, Ruhart cannot change into a devout pilgrim without being discovered because his very existence and behavior is predetermined and unchangeable. The fact that Ruhart cannot repent and convert violates not only natural but also spiritual laws. His one-dimensionality acts as a foil to the king's moral development; where Ruhart fails, Charlemagne ultimately succeeds. Ruhart's social and spiritual isolation points to the one aspect that enables Charlemagne to overcome his own failings. Charlemagne not only has to adhere to the law but enact it with the entire court in mind. He has to listen to his council, his family, and act as a part of his community, something that Ruhart is unable to do.

The internal threat from Ruhart and his conspirators, therefore, becomes the challenge for Charlemagne—to distinguish lies from truth, faith from heresy, fealty from treason—a challenge he cannot learn by himself and of which he is unaware at first.[39] Without the court and the rest of his social network who believe in due process, the king convicts Morant and Galie. But before Charlemagne can call for their punishment, his nephew stops him. This reintegrates the king into his court. The act of listening and understanding a different view point, of seeing beyond his own roiling emotions, differentiate him from Ruhart. He learns to balance his own perspective with that of others and implements the correct legal proceedings. Ruhart, still in disguise, has to offer himself for the ordeal, where Morant during the battle discovers his disguise and extracts a guilty plea. Ruhart states:

> "id is recht inde billich,
> Ich geven hie schuldich
> mich deser dede
> inde maniger boser rede,
> want ich han erslagen
> in minen levedagen
> so manich wif inde man,
> die ich gezellen niet en kan.
> hie wirt id nu gewrochen.
> ich han up gebrochen
> beide arme inde rich,

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39   Krolla, *Erzählen in Der Bewährungsprobe,* 133.

manich munster herlich,
die eltere ich endeckede,
die heiligen ich enbleckede.
allet dat ich darinne vant,
dat vůr zen juden al zů hant.
pfaffen, moniche, inde nunnen
wat ich in af mochte gewunnen,
id were in lief of zoren,
zů voren was id verloren.
dus hat mich lange
gevůrt in sime betwange
der duvel, des ich eigen bin." (vv. 4639–4661)

["It is just an equitable that I admit my guilt in all these deeds and various evil words. I have killed innumerable women and men. Now it will be avenged. I have forced open many minsters, uncovered altars and exposed the saints. Everything I found therein went immediately to the Jews. What I could claim from priests, monks and nuns, even if they disliked it, was lost from the start. Thus, the devil had me long in his thrall to whom I belong"].

Ruhart's sins are numerous (not excluding the murder of his family). His direct declaration of aligning himself with the devil in front of the court shows Charlemagne that Ruhart has broken allegiance and fealty to him and God. Ruhart is the true heretic at the heart of the epic. He represents the sin within the court rather than an outside threat, the spreading disease of sinfulness that can only be healed by a just and equitable leader who can control his emotions.

The pilgrim scene also shows two essential aspects of Charlemagne's moral development. Linke identifies the primary problem in *Morant und Galie* as the king's excessive egotism and self-love. His instability and self-centeredness generate a weakness in the social and political structures at court. A weak king provides a power vacuum that leads to opportunistic behavior on the part of his subjects. Ruhart's treason is a reaction to Charlemagne's failings. The arrogance of both characters is proportionate to each other. Linke explains that Charlemagne's egotism is exaggerated beyond all kinship and familial ties so that he is blinded and acts unjustly.[40] Similarly, Ruhart rejects all familial

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40   "... in Morant und Galie ist es die übermäßige Selbstliebe des Königs, die über alle echten Beziehungen hinaus gesteigert wird, so daß er in Verblendung unrecht handeln muß" (Linke, "Der Rechtsgang in Morant Und Galie," 16).

relationships through violence and treason. This two-pronged treason drives Charlemagne to the brink of his capabilities as ruler and man. A king, no matter how powerful, cannot isolate himself socially. As the epic shows, he has to learn inner truths, those of moderation and emotional control, and truths about his environment. His social and familial integration must be balanced with his judicial responsibilities with emotional challenges.

Ruhart, despite his avoidance technique, cannot escape the ordeal. The legal process and the trial by combat serve as the solution to the internal strife that his actions generate. The ordeal becomes the pivotal moment of rebalancing the social and political structure of the court. In this sense, *Morant und Galie* is a very straightforward work. Its binary composition leaves no doubt about the culprit. The political and historical message conveys the intricate placement of the king as a judge in the legal proceedings. In the epic cycle, the audience follows Charlemagne's development from a young, newly married king, to the emergence of his moral and judicial weakness, to his irrationality that is then tempered by the laws, and, finally, to the moment when the law is validated by God's favor in the ordeal. The work serves as a validation for Charlemagne as a German king and emperor who, within the legal context of the thirteenth century, upholds the law despite emotional distress. He is a human figure, not saint-like, but in the semi-utopian setting of the epic, he does become the ideal for a thirteenth century ruler.

While the judicial proceedings and Charlemagne's development go hand in hand, the epic creates tension by showing the gendered spaces in the legal process. Morant has the opportunity to redeem himself actively by choosing the trial by combat, but Galie does not. Her choices are limited, yet everything hinges on her and the false accusations. Adultery as treason is the ultimate destabilizer of the courtly social structures, which is negatively enhanced by her social standing as a foreigner and recent convert. Galie asks her husband (and judge) to allow her to use the *Reinigungseid* [oath of purity] to prove her innocence. Charlemagne denies her request. Galie laments this fact:

> "here, ich han uch trouwe
> na christen ewen gegeven,
> die sal ich halden die wile ich leven,
> so mich mit negeiner warheit
> van einiger hande dorperheit
> nieman en sal bezien,
> inde wille vur uren vrien,
> die uch lief sin inde holt,

gerne důn min unscholt
vur al sulche missedat
als ir mich bezegen hat,
inde mir urdeil wirt gegeven.
dat wil ich kiesen up min leven."
Charlemagnee der koninc here
he swůr harde sere
bi gode inde sente Marien
dat he can Galien
en neme negeine unscholt,
he were ere so unholt
umbe die groze bosheit,
inde he ouch hedde gereit
die si bezugen wolden
so wie dat si solden. (vv. 1584–1606)

["My lord, I have sworn you faithfulness according to Christian marriage customs, and I will keep to it as long as I live. No one should accuse me of a lapse under the semblance of truth. I will gladly swear an oath of purification before your free men, which are trusted and known to you, for the misdeed of which you have accused me and for which I am to be sentenced. I take this upon me at the risk of my life." Charlemagne, the noble king, swore by God and Holy Mary that he would not accept an oath of innocence from Galie, because he felt unmerciful towards her evil deeds. He had those at his disposal who were ready to prove, according to the law, that she was guilty].

Charlemagne is unwilling to believe in his wife's faithfulness because he has witnesses who can prove her guilt. Galie—as a recently converted heathen princess—cannot claim blood relationship with anyone at court and, as a woman, she suffers a dependent relationship to her husband, who is her judge at the same time. She has no oath helpers because she is not oath-worthy.[41] The

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41   According to Ziegler, "Oathworthiness depended to a large degree on status and reputation. If an individual were known to be untrustworthy, he could not clear himself with an oath. … Another group that could not clear itself through oaths comprised individuals who either by birth or circumstance, through no fault of their own, were not oathworthy. This group had two main categories: foreigners and slaves. The stranger is not grounded in the community: there is no one to vouch for his character" (*Trial by Fire and Battle in Medieval German Literature*, 5). Also see: Bartlett, *Trial by Fire and Water*, 30–32.

enforced passivity leads to a disastrous situation for the queen. Unable to take the oath and with no other legal help she notes her alienation:

> "inde ich ouch vil arme wif
> got bidden vur uren lif,
> dat ir mit eme sit bewart
> so wa dat ir hinne vart.
> o wi mi armen wive,
> wie bin ich dus keitive
> hie in deseme lande
> inde ich dese schande
> en weiz weme clagen,
> de mich moge verdragen
> na urdeile inde rechte.
> nu gebrichet mir geslechte,
> vrunt inde mach han ich verlorn.
> ai wat sold ich ie geboren.
> Charlemagnee durch ure gůde
> kert umbe ur gemůde,
> dat uch got berade,
> inde havet noch genade
> Morandes van Riviere,
> dat he niet also schiere
> umbe dese driegerie
> des lives en verzie." (vv. 1659–1680)

> ["I, poor woman will ask God for your eternal life when you will depart one day. Alas, poor woman I am. How am I so wretched in this land and I don't know anyone who I could tell about my disgrace and who would be able to be my champion in an ordeal by battle. I do not have any relations who act as legal help. Why was I ever born? Charlemagne, by your goodness, change your mind. Have mercy for Morant of Riviere that he does not have to lose his life for this slander].

The gendered aspect shows that Galie is isolated from the social network because of who she is, a foreign woman. Her deeds are automatically mistrusted. Ruhart, the actual traitor, isolates himself willingly and purposefully. Even his attempt at reintegration is just another endeavor at power and control. Galie as a woman has no active choices, whereas the men do. Luckily—and as an alternative to the oath—Galie has a champion who will fight for her, and there are

several instances in the epic in which she speaks to Morant to remind him of his duty to defend her and the law. Furthermore, it questions the successful integration of recently converted people. Galie converted to Christianity and left her home out of love for Charlemagne. He seems weak and easily duped by the three traitors. He cannot see through various deceptions and disguises and has to rely on divine will and the law for the truth. His moral blindness reinforces the primary focus of the narrative. The legal proceedings establish the belief that secular and divine law prevails even in the face of human fallibility.

While Charlemagne exhibits a certain amount of selfishness, the emphasis on the right of the law and the will of God ameliorates this specific weakness of the king. Even though the epic uses the image of Charlemagne for a political purpose, the equally strong focus on the legal process transforms the body of the king, as the embodiment of the law, into an abstract concept. The idealization of the legal process provides the reader with the perfect example of a ruler who bows to the law and, through the ordeal by combat, to God's decision. Charlemagne overcomes his blindness—the figurative and literal disguises of Ruhart in words and body—through the legal proceedings, thereby answering the epics' ethical issues. Treason is the ultimate threat to a king's rule, and the epic didacticizes the path to a just outcome in which the king maintains his power.

Of course, the treasonous characters in the work stand no chance in the light of the judicial proceedings. Treason—in the form of adultery and heresy—is the essential and pivotal crime for this work. No other offense would have been suitable in this regard because it threatens the very essence of the court and Charlemagne as its embodiment. Adultery is the secular threat to that foundation. At the same time as it is a personal dishonor to the king, it also puts the court and the realm at risk politically.

Ruhart, the villain, is the quintessential transgressor; he breaks divine law by aligning himself with the devil and simultaneously violates natural law by killing the old pilgrim and taking his face. The beginning of *Morant und Galie* states explicitly that whatever form a being takes, it is still the same and will not escape its final judgment. Alternatively, in the words of Horace: "Quo semel imbuta est recens servabit odorem testa diu" [The jar will long retain the flavor of that with which it was first filled]. He and his co-conspirators also receive a traitor's execution. In that sense, *Morant und Galie* argues for stasis in a time of changing attitudes. The choice of ordeal in this instance is less controversial than a trial by fire would be because, by then, the other ordeals had lost favor with the Church, as indicated by the rulings of the Lateran Council in 1215. At the same time, it reaffirms and enacts a regional specificity (Northern Rhine region) in matters of divine and common law. On the other hand, the epic

shows the transition towards secularization and the king's role in that process. Furthermore, it displays the legal confirmation of Cologne or Aachen and the surrounding regions by using the image of Charlemagne as the ancient forbear "Urahn," the human representative of divine will against heresy and guardian of the law, even if it is his wife who is accused. *Morant und Galie* is governed by the principles of law and the body of the king as the ideal embodiment of that law, a function that unifies divine and secular beliefs. However, it also looks at human fallibility, especially mortal weakness and the search for truth. However, the epic firmly adheres to the law as the will and ultimate decision of God, exemplified by Charlemagne as its arbiter.

The epic outlines the stratification in nobility, rank, and gender, reinforcing social behavior and expectations. Even though she is queen, Galie's rights during the trial are curtailed because she is a woman—she is not allowed to swear oaths. Morant's network of relatives and supporters defend him and manage to gain a trial by combat, which shows his standing in court and society. The traitor Ruhart is (even though of some noble descent), unmasked during the fight and revealed for his evil. God is victorious, Charlemagne bows to the wisdom of both secular and divine law, and the traitors are appropriately punished. For all its authenticity in its legal proceedings, the work retains a certain utopian sense of justice. It is, in the end, a work of validation, a highly visual affirmation of Charlemagne's rule and, ultimately, that of the patron or patrons who commissioned it.

Appendix

Structure and legal proceedings of *Morant und Galie*:[42]
Prologue 1–96
    1 1–62 About the transience of all human virtue
    2 63–72 Motif: the innocent queen wrongfully accused of adultery
    2 73–96 Personal stance of the poet, prayer, address to the audience and citing of sources
I   Introduction of the Protagonists 97–729
    1 97–200 Introduction of the three traitors Ruhart, Fukart, and Hertwich
    2 201–729 background story
        → **630–729 The traitors bring the charge of adultery before Charlemagne**

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42   Linke, "Der Rechtsgang in Morant Und Galie." The appendix is a translation of Elisabeth Linke's outline of the epic. The translation is mine. The bolded parts of the appendix deal with the legal proceedings.

Religious Identity, Loyalty, and Treason in the *Cycle du roi*

Ana Grinberg

In the vast and varied corpus of medieval epics, romances, and *chansons de geste*, the breach of loyalty to kin, king, and God bring about diverse forms of betrayal, which has concerned modern scholars interested in the repercussions of treason regarding the disloyalty to a feudal lord or king.[1] Also known as *lèse-majesté*, offences against a sovereign include "conspiring or attempting to kill the king, killing his eldest son and heir, aiding the king's enemy and levying war against him, harboring the children of his mortal enemy, debauching his eldest unmarried daughter, seeking the love of the king's wife, and, in cases where the defendant is the king's wife, sexual infidelity."[2] These "breach[es] of the feudal bond between lord and man" are the most common form of high treason in the Middle Ages, but they manifest in a variety of ways.[3] Narratives in the *Cycle du roi*, in which Charlemagne and his relatives play a central role, such as *Chanson de Roland* (composed during the late-eleventh century; hereafter the *Roland*),[4] *Fierabras* (late-twelfth century),[5] and *Gui de Bourgogne*

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1 See: F.W. Maitland, *The History of English Law before the Time of Edward I* (Cambridge: Cambridge University Press, 1895); and Karen Bosnos, "Treason and Politics in Anglo-Norman Histories," in *Feud, Violence and Practice: Essays in Medieval Studies in Honor of Stephen D. White*, ed. Belle S. Tuten and Tracey L. Billado, 293–306 (Farnham: Ashgate, 2010).

2 Stephen D. White, "The Ambiguity of Treason in Anglo-Norman-French Law, c. 1150–c. 1250," in *Law and the Illicit in Medieval Europe*, ed. Ruth Mazo Karras, Joel Kaye, and E. Ann Matter, 89–102 (Philadelphia: University of Pennsylvania Press, 2013), 92.

3 W.R.J. Barron, "The Penalties for Treason in Medieval Life and Literature," *Journal of Medieval History* 7 (1981): 187–202 at 188.

4 There are several extant versions of this narrative in Anglo-Norman, French, and Franco-Italian. Most notable and better studied among them is Oxford, Bodleian Library, MS Digby 23, which is the basis for most modern editions and dates from the twelfth century, approximately 1130–1170. Based on comparative paleography, Malcom Parkes (among others) dates the Oxford Digby 23 manuscript specifically between 1119 and 1149. See: "The Date of the Oxford Manuscript of *La Chanson de Roland* (Oxford, Bodleian Library, MS. Digby 23)," *Medioevo Romanzo* 10.2 (1985): 161–75 at 175. All references are to *Chanson de Roland*, ed. and trans. Ian Short (Paris: Livre de Poche, 1990). Line numbers are given in parentheses. Unless otherwise noted, all translations from French and Spanish are mine.

5 *Fierabras* is extant in six French or Occitan exemplars and seven fragments. Versions of it also survive in Italian (in diverse dialects), Anglo-Norman, Middle English, Middle Irish, and early

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(early-thirteenth century),[6] contain diverse accusations of treason, dishonor, and actual treacherous acts between family members that are driven by a divergent sense of religious belonging rather than simply recording political acts of betrayal against a lord or king.[7]

The Roncevaux narrative of the traitorous Ganelon, who betrays Charlemagne's nephew Roland and rear-guard to the enemy in the *Roland*, inspired many medieval *chansons de geste*, chivalric epics, and romances contained in the *Cycle du roi* wherein treason and felony pervade distressed familial relationships, exacerbated by the connections established between Christianity and other religions (particularly that of the Saracens), and centered in Iberian soil.[8] Among those narratives, *Fierabras* and *Gui de Bourgogne* are uneasy prequels to the battle in Roncevaux. According to the *Roland*, Charlemagne has been in the Iberian Peninsula for seven years; however, these two *chansons de geste* are set before these events. In *Fierabras,* there is no explicit reference to the time Charlemagne and his army have spent warring against the Saracens; but in *Gui de Bourgogne*, the Emperor has been away from France for twenty-seven years. Unlike the *Roland* that focuses on Ganelon and his lineage as the paradigmatic traitors, *Fierabras* and *Gui de Bourgogne* recognize Ganelon's disloyal nature but do not dwell on it more than narratively necessary. In both cases, Gui eventually becomes the ruler of Iberia, either as the suzerain over the kingdoms of Huidelon and Escorfaut (in *Gui de Bourgogne*) or as the king of half the dominion (the other half being under Fierabras' rule) and husband

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modern English. For a thorough list of all known manuscripts, incunabula, post-incunabula, and early editions of *Fierabras*, see: Ana Grinberg, "(Un)stable Identities: Impersonation, Conversion, and Relocation in *Historia del emperador Carlo Magno y los doce pares*," (PhD Dissertation, University of California San Diego, 2013), Appendix, 217–267. All references are from *Fierabras: Chanson de geste du xiie siècle*, ed. Marc Le Person (Paris: Honoré Champion, 2003). This edition is based on Madrid, Biblioteca de El Escorial M.iii.21, known as manuscript E. Line numbers are given in parentheses.

6   *Gui de Bourgogne* survives in two manuscripts: London, British Library, MS Harley 527 (ff. 1–32) and Tours, Bibliothèque municipale, MS 937. All textual references here are from *Gui de Bourgogne*, ed. François Guessard and Henry Michelant (Paris: Jannet, 1858). Line numbers are given in parentheses. For a discussion of familial betrayal in the Arthurian context, see in this volume: Melissa Ridley Elmes, "Treason and the Feast in Sir Thomas Malory's *Morte Darthur*" and Larissa Tracy, "The Shame Game, from Guinevere to Cersei: Adultery, Treason and Betrayal"; and, in historical narratives, Sarah J. Sprouse, "In Sickness and In Health: The Boethian Narrative of the Two Geralds of Brecon."

7   All the characters' names in these narratives have been normalized in English.

8   Though these texts refer to Spain ("Espagne"), this is an anachronism. Not all of the Iberian Peninsula was under Muslim (the fictional "Saracen") rule, there were various Christian kingdoms by the time these narratives were written down (twelfth century), and most importantly, the population of this area was religiously and ethnically diverse. In this volume, see: Samuel A. Claussen, "Royal Punishment and Reconciliation in Trastámara Castile."

to the heiress (in *Fierabras*). The intergenerational conflicts (i.e. the older re-
tainers vs. the younger knights) lead to the accusations of betrayal, though
these charges are not always about actual treason—at least not as *lèse majesté*.
Contrary to the consequences of treason and betrayal in the *Roland, Fierabras*
and *Gui de Bourgogne* imply that Roland and the rear guard would not have
died if Charlemagne had allowed the younger knights a stronger role in the
defense of the lands and possessions of Christian knights, and if he had com-
pelled the Saracens to become Christians for love and not by force. Whereas
the *Roland* focuses on the disastrous effects of treason against royal family lin-
eage and Christianity, *Fierabras* and *Gui de Bourgogne* offer an alternative solu-
tion wherein treason could be avoided among the generational factions if they
seek peaceful means of conversion.

In the *Cycle du roi*, the frequent conflicts between an older generation and a
younger one, and the ensuing charges of betrayal, are exacerbated due to reli-
gious rifts caused by conversion of some characters who decide (or are forced)
to take on the Christian faith or opt to become Saracens.[9] In *chansons de geste*
and related texts, besides the breach of feudal obligations, treason may imply
an infringement of family bonds, which are the basis of the polity during the
Middle Ages. In a study on traitors in Franco-Italian epics, Jean-Claude Valle-
calle notes that "les structures familiales constituent le fondement même de
l'ordre collectif" [familiar structures constitute the base of collective order].[10]
The inheritance of land and titles as determined through lineage and blood-
lines actually maintain the feudal system, so family bonds are essential to me-
dieval societies.[11] Geraldine Coats explains that treason in Roman law was
typified as *crimen laesae maiestatis* and *perduellio*—"an act hostile to the state
or *patria* [literally, 'fatherland'], particularly from a military point of view, such

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9   As Norman Daniel and John Tolan note, medieval Saracens are not part of Islam. They are
     a caricature of a religion that is polytheistic and nonexistent. See: Norman Daniel, *Heroes
     and Saracens: An Interpretation of the* Chansons de Geste (Edinburgh: Edinburgh Univer-
     sity Press, 1984) and John V. Tolan, *Saracens: Islam in the Medieval European Imagination*
     (New York: Columbia University Press, 2002).

10   Jean-Claude Vallecalle, "Le trâitre et son destin dans l'épopée franco-italienne," in *Crimes
     et châtiments dans la* Chanson de geste, ed. Bernard Ribémont, 179–202 (Paris: Klincks-
     ieck, 2008), 184.

11   Gary Lim comments that "the father-son relation took precedence over all other familial
     relationships and became increasingly concerned with the extension of lineage and
     guarding the integrity of inheritance." Lim, "In the Name of the (Dead) Father: Reading
     Fathers and Sons in *Havelok the Dane, King Horn*, and *Bevis of Hampton*," *Journal of Eng-
     lish and Germanic Philology* 110.1 (January 2011): 22–52 at 23.

as desertion or culpable dealing with the enemy."[12] A breach of loyalty to lineage and bloodlines results in a hostile act against the "fatherland" (with an emphasis on patriarchal power) jeopardizing the feudal system. Therefore, the inclusion of accusations of betrayal between relatives in chivalric narratives admonishes both fathers and sons among the audience (and the poet's patrons) who are part of the elite warrior caste—the *bellatores*.[13]

Familial obligations are entrenched in the Christian beliefs diligently followed in most of medieval Europe and based largely on the Fifth Commandment that reads, "honora patrem tuum et matrem tuam ut sis longevus super terram quam Dominus Deus tuus dabit tibi" ["Honour thy father and thy mother, that thou mayst be longlived upon the land which the Lord thy God will give thee"] (Exodus 20:12); on the prescription of what to do in case of "a stubborne and forward sonne, that wil not heare the commandments of his father or mother" (Deuteronomy 21:18); or on the cautionary passage about Esau and Jacob (Genesis 27).[14] Sons are expected to honor their father (and mother) as well as other blood relatives.[15] The Bible does not construe the breach of the fidelity and failure to honor one's relatives as treason, but as shame. As inheritors of this ideology, *chansons de geste* and chivalric romances centrally depict familial relationships, especially those between uncles and nephews, as based on loyalty and devotion.[16] *Chansons de geste* provided examples to the *bellatores*, the warrior caste that followed certain chivalric ideals. Richard W. Kaeuper explains that while there was no "rigid and singular code or detailed list of inalterable practices," chivalry was a "veritable template for understanding the social world and for living within it … [and] would include the valorizing of status and social dominance, the practice of licit violence, active lay piety, the demands of loyalty, the need of openhanded generosity, and the framework for heterosexual love and proper relations between the genders along with intense

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12   Geraldine Coates, *Treacherous Foundations: Betrayal and Collective Identity in Early Spanish Epic, Chronicle, and Drama* (Woodbridge: Tamesis, 2009), 23.

13   *Bellatores* "did not encompass all fighters … but was focused on the very grand lay figures, kings and princes in particular." Richard W. Kaeuper, *Medieval Chivalry* (Cambridge: Cambridge University Press, 2016), 80.

14   *Biblia Sacra Vulgata* (Stuttgart: Deutsche Bibelgesellschaft, 2007); *Holy Bible faithfvlly translated into English*, Douay-Rheims Bible (Iohn Cousturier, 1635).

15   Whereas the Fifth Commandment and Deuteronomy 21:18 refer also to the mother, clearly the Hebrew Scriptures favor the role of the father and, thus, of patriarchy.

16   One of the many examples of uncle-nephew relationships is that of Roland and Charlemagne in the *Roland*. This relationship is also mirrored in *Chanson de Guillaume* (and *Aliscans*), wherein Guillaume's nephew, Vivien, triggers the first part of the plot. See: *Chanson de Guillaume*, ed. and trans. Philip E. Bennett (London: Grant and Cutler, 2000) and *Aliscans*, ed. Claude Régnier (Paris: Champion, 1990).

friendship among elite warriors."[17] It is precisely in the (actual or apparent) breach of lineage solidarity that the narratives of the *Cycle du roi* highlight the intergenerational tensions related both to the concept of *patria* and to the obedience of Christian mandates. In other words, the accusations of betrayal between progenitors and descendants warn the audience mainly comprised of *bellatores* against treasonous, shameful acts against their own families and monarchs.

These conflicts between fathers and sons are further complicated by religious conversion. *Chansons de geste* and chivalric romances, particularly the *Roland* and *Fierabras*, depict the interaction between Saracens and Christians, the conversion of Saracens to Christianity or of Christians to the religion of Saracens, the resulting liaisons between former enemies, and the treason of former allies. Conversion, or even just an alliance with the religious Other, potentially threatens both faiths in these texts and constitutes a doctrinal betrayal as well as a secular one. Accepting a different system of religious beliefs, as a converted father or son, adds to the already problematic inheritance laws—of primogeniture, for instance—that pervade feudal society. The failure to honor the father established in Christian thought, together with the acceptance of another religion, upsets some of the most important ideological feudal tenets regarding lineage and, by extension, "fatherland." Not only do converted relatives betray the cohesion of their lineage, they also betray Christendom and its faith. In depicting confrontations between fathers and sons whose religious identities conflict, the *Roland* and *Fierabras* demonstrate a more nuanced sense of fealty and treason, which is marked by political allegiance and religious divergence. The betrayal of lineage and religious bonds in these narratives indicates social expectations of loyalty and belonging beyond feudal relationships. The instances wherein fathers accuse their offspring of treason, even if the narrator supports the son's actions against his own father, expose the highly intertwined dynamics of the medieval family with religious and feudal power structures. In the *Roland*, *Fierabras*, and *Gui de Bourgogne*, these complex moments, wherein the familial and the political intersect, demonstrate that (racial) identity is not fixed to religious belonging. These *Cycle du roi* narratives are a nuanced commentary on the relationship between Christians and Saracens—as a fictional representation of Islam.

While there are several studies on treason in the *Roland*, few scholars have expanded their horizons to other versions of the *Roland* and similar

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17   Kaeuper, *Medieval Chivalry*, 10 and 22. In this volume, see: Peter Sposato, "Treasonous and Dishonorable Conduct: The Private Dimension of Treason and Chivalric Reform in Late Medieval Florence."

narratives.[18] Adalbert Dessau includes other texts belonging to the *Cycle de Guillaume,* and Vallecalle considers treason in Franco-Italian epics;[19] however, the exploration of treason in the *Roland* often focuses on establishing Ganelon as an archetype rather than analyzing the familial relationships involved in the treasonous acts.[20] In the groundbreaking *Mimesis: The Representation of Reality in Western Literature*, where he devotes a chapter to Ganelon and Roland, Erich Auerbach looks into these two characters (and Charlemagne) only as "symbols or figures."[21] Auerbach focuses on Roland, Ganelon, and Charlemagne as "the hero or the traitor or the saint" rather than nephew, stepfather, and uncle.[22] Jessie Crosland compares Ganelon and his kin to Judas, not only in the *Roland* but also in other similar texts, but does not examine betrayal accusations among relatives.[23] Sandra Cheshire Obergfell, instead, examines the combat between fathers and sons as a widespread motif in Old French literature relating the encounters to "the natural opposition between pagan and Christian values."[24] However, besides this "natural opposition" related to religious alliance or belonging, in several of the *chansons de geste* included in the *Cycle du roi,* the combat between father and son—or even nephew and

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18   On the scholarly neglect of other Ronceveaux narratives, see: Margaret Jewett Burland, *Strange Words: Retelling and Reception in the Medieval Roland Textual Tradition* (Notre Dame: University of Notre Dame Press, 2007).

19   Adalbert Dessau, "L'idée de la trahison au moyen âge et son role dans la motivation de quelques chanson de geste," in *Cahiers de civilisation médiévale* 3.9 (January–March 1960): 23–26 and Vallecalle, "Le trâitre." Luke Sunderland's *Rebel Barons: Resisting Royal Power in Medieval Culture* (Oxford: Oxford University Press, 2017) investigates practices of conflict, resistance, and resolution that, in some cases, can be related to treason.

20   For a thorough analysis of Ganelon's trial vis-à-vis other literary treason trials, see: White, "Ambiguity," 98–102; Emanuel J. Mickel, *Ganelon, Treason, and the 'Chanson de Roland'* (University Park: Pennsylvania State University Press, 1989); and Larissa Tracy, *Torture and Brutality in Medieval Literature: Negotiations of National Identity* (Cambridge: D.S. Brewer, 2012). In her chapter "Resisting the Rod: Torture and the Anxieties of Continental Identity," Tracy considers Ganelon's trial and torture in the *Roland* based on the accusations of treason (75–96). Similarly, Bosnos examines treason trials in Anglo-Norman histories ("Treason and Politics"). Burland, instead, connects treason to vengeance (*Strange Words*, 31–34). See also: Mary Jane Schenck, "If There Wasn't 'a' Song of Roland, Was There a 'Trial' of Ganelon?," *Oliphant* 22.3 (1998): 143–157; Andrew Taylor, "Was There a Song of Roland?," *Speculum* 76.1 (Jan. 2001): 28–65 and Taylor, *Textual Situations: Three Medieval Manuscripts and Their Readers* (Philadelphia: University of Pennsylvania Press, 2002), 26–70.

21   Erich Auerbach, *Mimesis: The Representation of Reality in Western Literature*, trans. Willard R. Trask (Princeton: Princeton University Press, 1974), 116.

22   Auerbach, *Mimesis*, 116.

23   Jessie Crosland, *The Old French Epic* (Oxford: Blackwell, 1951).

24   Sandra Cheshire Obergfell, "The Father-Son Combat Motif as Didactic Theme in Old French Literature," *Kentucky Romance Quarterly* 26.3 (1979): 333–348 at 335.

uncle—is portrayed as a form of treason as characters feel betrayed when their relatives have either converted or established a political allegiance with the religious Other.[25]

While the *Roland* often receives scholarly attention in relation to treason and as paradigm of the Saracen-Christian binary,[26] Ganelon's treason primarily relates to the conflicting relationship between fathers and sons who have dissimilar religious beliefs. Early in the text, the *Roland*-poet sets up the animus between Ganelon and Roland (his stepson) when Roland proposes that Ganelon would be the best knight to serve as envoy to the Saracen enemy.[27] Charlemagne sends Ganelon (his brother-in-law) as his messenger to the Saracen King Marsile, and some might consider this an honor; however, being a messenger in a *chanson de geste* is usually a dangerous job.[28] As Margaret Jewett Burland points out, Marsile "has already killed messengers from Charlemagne in the past," and thus, the whole court is aware of the danger the task entails.[29] It may be that Charlemagne is reluctant to send Roland because he takes unnecessary risks and could hamper any peace agreement with the Saracens. But, significantly, it is such a dangerous mission that the Emperor refuses to send Roland—his own nephew—to the enemies' camp, even though his is willing to send his sister's husband.

Ganelon and Roland's difficulties may have started before the narrative, a conflict that R. Howard Bloch refers to as the "initial link" in a chain of events.[30] Yet the major quarrel between the two knights is not about the best way to

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25   Most early studies focused on familial bonds are not about not fathers and sons. See: William O. Farnsworth, *Uncle and Nephew in the Old French* Chanson de Geste (New York: Columbia University Press, 1913). R. Howard Bloch explores paternity in the *Roland*, reflecting on social organization rather than issues of betrayal within that familial structure, see: "Roland and Oedipus: A Study of Paternity in *La Chanson de Roland*," *The French Review*, *Special Issue: Studies in French Poetry* 46.5 (Spring 1973): 3–18. Bloch contends that "[i]n the absence of the real father, and in the splitting of paternal between sympathetic uncle and antipathetic stepfather, we begin to detect [in the text] the oldest of literary themes: the conflict of father and son" (4).

26   Most texts considering the binary identity in the *Roland* cite, "Paien unt tort e chrestïens unt dreit" [Pagans are in the wrong and Christians are in the right] (1015).

27   Bloch actually considers that "the nomination of Ganelon as ambassador [is] the equivalent of parricide" ("Roland and Oedipus," 6).

28   Tracy dubs this a "suicide mission to King Marsile," and adds that "Ganelon escapes through his own wit and cunning" (*Torture and Brutality*, 85 and 86). For a detailed study of legal standing of ambassadors in epic narratives, see: Jean-Claude Vallecalle, "L'immunité diplomatique dans les chanson de geste," in *Le droit et sa perception dans la littérature et les mentalités médiévales*: Actes du Colloque du Centre d'Études Médiévales de l'Université de Picardie, Amiens 17–19 mars 1989 (Göppingen: Kümmerle, 1993), 183–193.

29   Burland, *Strange Words*, 90.

30   Bloch, "Roland and Oedipus," 7.

respond to Marsile's request of a peaceful agreement, even though they dis-agree: Ganelon advises Charlemagne to accept the pact, while Roland *ne l'otrïet mie* [is dead set against the idea] (194).[31] The tension escalates from this point on: Ganelon rejects Roland's as a *cunseill d'orguill* [wrongheaded counsel] (228), obliquely calling his stepson a fool. Angry with Roland for proposing him as the envoy to Marsile, Ganelon exclaims that he will start an eternal feud, "'si grant contraire / Ki durerat a trestut tun edage'" ["such great vengeance on you / that will last you all your life"] (290–1). Ganelon eventually refers to these words during his trial, asserting "that his subsequent actions should not be termed *traïsun* … because he formally warned Charlemagne's entire council of his hostile intentions toward Roland (vv. 3775–78)."[32] Moreover, this act of defi-ance—literally so, as Ganelon claims, "Jo desfiai Rollant" ["I issued a formal challenge to Roland"] (3775)—would be "simply taking his proper vengeance against his sworn enemies."[33] The enmity between Roland and Ganelon can-not be reduced to intergenerational conflicts so prevalent in *chansons de geste*; instead, the issue here stems from jealousy over the emperor's favor and loyalty to kin and king.

After challenging Roland, Ganelon renounces any connection with his step-son. He tells Roland, "'Tu n'ies mes hom ne jo ne sui tis sire'" ["you're not my vassal and I'm not your lord"] (297). Thus, the stepfather recants any obligation he has to Roland and vice versa, so Roland cannot take his place in going to Marsile.[34] As Emmanuel Mickel explains, "to renounce one's feudal oath placed one in a state of open hostility [but t]o renounce kin deprived one of the normal communal support against and protection from one's enemies."[35] In renouncing his ties to Roland, Ganelon indirectly severs his ties to Char-lemagne without actually rejecting his wife, the Emperor's sister. Although Ganelon and Roland neither "have a formal feudal tie" nor are "lord and vassal" but stepfather and stepson, Ganelon should be well aware that there is no "communal support" in his mission to the Saracen king.[36] Moreover, just a few

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31   English translations are from *The Song of Roland: An Analytical Edition*: *Vol. II Oxford Text and English Translation*, ed. and trans. Gerard J. Brault (University Park: Pennsylvania State University Press, 1978).

32   Burland, *Strange Words*, 33.

33   Bruland, *Strange Words*, 33.

34   Another interpretation to Ganelon's rejection of any relationship to Roland is that, be-cause he is an envoy to Marsile and might not return alive, Ganelon transfers his fief to his son Baldwin and ensures that Roland does not receive any of it. This would be reinforced when Ganelon tells his relatives to "lui aidez e pur seignur le tenez" ["help (Baldwin) and be his vassals"] (364).

35   Mickel, *Ganelon*, 29.

36   Mickel, *Ganelon*, 51 and 58.

lines later, Ganelon adds that he is ready to do *un poi de legerie* [something a bit ill-advised] (300), planning to make a deal with Marsile, which starts as a threat:

> "Se cest' acorde otrïer ne vulez,
> Pris e lïez serez par poësted,
> A l siège ad Ais en serez amenét,
> Par jugement serez iloec finét :
> La murrez vus a hunte e a viltét."

> ["If you do not submit to this pact, / You will be seized and bound by force; / You will be brought to the judgement seat at Aix, / There you will be tried and executed, / There you will die shamefully and in vile fashion"]. (433–7)

Indeed, Ganelon obeys Charlemagne and goes to Saragossa as his envoy, but, at the same time, he contravenes his feudal obligations by interfering with the attempt at a peace treaty expressed in the Emperor's letter to Marsile. Ganelon's hostile speech potentially hinders the peaceful resolution of seven years of war between Saracens and Christians.[37] Nevertheless, Ganelon establishes a personal alliance with Marsile by convincing the Saracen king that Roland is the one urging Charlemagne to keep on warring. With this, he arranges his vengeance against Roland, his own stepson and Charlemagne's nephew, sealing the pact with "si l'ad bisét el col" [a kiss (Marsile) on the neck] (601) and "Sur les reliques de s'espée Murgleis / La traïsun jurat, si s'est forsfait" [by swearing on the relics of Murgleis' sword to become a traitor and commit a felony] (607–8). As Katherine Drew explains, an "oath might be taken on the Gospels or upon weapons that had been blessed for this purpose."[38] Thus, by swearing on Murgleis's sword and its relics, Ganelon breaches his fealty both to Charlemagne and Christianity.[39] Ganelon's treason (and subsequent trial) is not because of any deed directly performed against his rightful lord, Charlemagne, but against Roland, which Ganelon justifies as rightful vengeance, and their

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37   Moreover, Ganelon's threating speech actually mirrors his own fate by the end of the narrative: he is taken to Aix, judged, tried, and executed in a shameful way.

38   *The Lombard Laws*, trans. Katherine F. Drew (Philadelphia: University of Pennsylvania Press, 1973), 26.

39   The name of this sword has received some attention, most recently from James A. Bellamy in "Arabic Names in the *Chanson de Roland*: Saracen Gods, Frankish Swords, Roland's Horse, and the Olifant," *Journal of the American Oriental Society* 107.2 (1987): 267–77 at 274.

familial relationship.[40] Ganelon does not consider that, in arranging the slaughter of Roland (who commands Charlemagne's rear guard), he fails to protect his lord's (and his own) kin.[41] Furthermore, Ganelon crosses a religious divide in establishing an allegiance with the Saracen king at the expense of the Christian emperor. While Ganelon does not actually accept the Saracens' religion, he conspires with his king's foe and the enemy of Christendom, a hostile act to the state—*patria*, the fatherland.

The accusation of treason in *Chanson de Roland* differs in the various surviving versions. In the Châteauroux, before Roland departs with the rear guard, he publicly accuses Ganelon of scheming with Marsile in order to betray Charlemagne and the Twelve Peers.[42] Instead, in the Oxford (the *Roland*), Roland does not accuse Ganelon of treason despite all the evidence, in accordance with the Christian mandate to honor his father (figure) and mother. Duke Naimes (or Naimon de Bavière) faults Ganelon for his betrayal, and so does Oliver. In his role as faithful counsellor, Naimes confronts the traitor after Charlemagne hears the sound of Roland's Olifant three times. Twice Ganelon dismisses it, first as *grant mençunge* [a great lie] (1760), then as arrogance, claiming that "'De bataille est nïent / ... / Devant ses pers vait il ore gabant'" ["There's no battle / ... / he's showing off now before his peers"] (1770, 1781). In a scene reminiscent of Peter's denial of Jesus (John 13:31–38, 18:15–18, and 25–26), Ganelon dismisses the call of the Olifant to deter Charlemagne from helping his rear guard, his nephew, and his knights. The Emperor hears the sound of the Olifant three times; the last time, Naimes replies "'cil *l'at traït* ki vos en roevet feindre'" ["the one who begs you to pretend you have heard nothing *has betrayed him*"] (1792, emphasis added). Only when Naimes intervenes, calling him a traitor, does Charlemagne confront Ganelon, ordering the kitchen help, "'Ben le me guarde si cume tel felon! / De ma maisnee ad faite traïsun'" ["Guard him well, as befits the felon that he is! / He has betrayed my household"] (1819–

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40   The open enmity between Ganelon and Roland is almost exclusive to the Oxford *Roland*. The Châteauroux version, instead, "emphasizes that Charlemagne and Ganelon are the deadly enemies pitted against one other here, and the prayers of the two enemies in these last two laisses [28 and 29] suggest that the outcome of the battle will represent God's favor for Charlemagne rather than Ganelon" (Burland, *Strange Words*, 92).

41   Tracy comments that "there is a hint of earlier treachery against Ganelon ... [In lines 3758–60 t]here is a suggestion that Ganelon is only responsible for betraying Roland, and that Roland is responsible betraying his own men because he does not blow Oliphant early enough, preferring instead to fight a glorious fight (though futile and doomed) which ultimately results in the decimation of the entire rear guard" (*Torture and Brutality*, 85).

42   Burland, *Strange Words*, 93, refers to lines 1095–1103 in that version.

20). It becomes clear, then, that Ganelon has acted against the Emperor's own person, his *maisnee* [household]—his royal property.

Naimes is not the first to accuse Ganelon of treason in the *Roland*; indeed, Oliver does it as well when the Saracen armies encroach them. He exclaims that "'Guenes le sout, li fel, li traïtur / Ki nus jugat devant l'empereür'" ["Ganelon, the villain, the traitor, knew this, / He nominated us before the Emperor"] (1024–25). The term *fel* [felon or villain] in reference to Ganelon suggests "acts of infidelity towards God and ... breaches of the chivalric code."[43] In this case, Oliver's use of the term is apt because Ganelon commits an act against God by plotting with the Saracens, and, in the process, contravenes his obligation to Charlemagne by setting up Roland and the rear guard. Yet, even when confronted with evidence, instead of calling Ganelon a felon and a traitor, Roland replies, "'Tais, Olivier,'" adding "'Mis parrastre est; ne voeill que mot en suns'" ["Be still, Oliver ... / He is my stepfather, I don't want you to breath another word about him"] (1026–27). Though Ganelon repudiates his bond with Roland, the young knight still refuses to call him a traitor. Mickel contends that "Roland's refusal at first to accept Olivier's accusation that Ganelon had committed treason ... is based on the instinctive reflex that Ganelon is his own stepfather. He cannot believe that his enmity would lead him to commit murder against his own kin and betray his own people in the bargain."[44] Instead of considering that Roland is "unwilling to believe that his own kin would commit this most heinous of crimes,"[45] which is problematic due to the lack of actual bloodline between Ganelon and Roland, the *Roland*-poet explains that Roland expects Ganelon to fulfill his duty towards another retainer of his own liege lord and uncle. And yet, Roland reacts to Oliver's accusation as a son (even a step-son) should according to Christian doctrine: he defends Ganelon.

In the *Roland*, Ganelon and Roland do not accuse each other of treason, nor do they have obligations of blood between them—even though they do have obligations through marriage. As Mickel notes, these two knights are "of the

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43   Barron, "Penalities," 188. The word *traître* or *traîtour*, Dessau notes, "ne commence à jouer un rôle qu'à partir de 1130 environ" [would not be in use until after 1130] ("L'idée de la trahison," 23). In most of the early *chansons de geste*, the term used instead is *fel* or *felon*, which encompasses a wide arrange of actions, often a breach of fealty, and "acts of rebellion, aggression and violence," associated with treason. Glynnis M. Cropp, "Felony and Courtly Love," in *The Court Reconvenes: Courtly Literature Across the Disciplines*, ed. Barbara K. Altmann and Carleton W. Carroll, 73–80 (Woodbridge: Boydell and Brewer, 2003), 73. Felons are hostile to their monarch and do not perform the obligations of vassalage (such as giving counsel).

44   Mickel, *Ganelon*, 85.

45   Mickel, *Ganelon*, 29.

same family, not 'par linage,' as [Andrew] Horn defines it, but 'par affinite.'"[46] Despite the fact that Ganelon rejects any relationship to Roland when he says Roland is not his man and he is not Roland's lord, there is still a link that Ganelon seems to ignore. Planning against his own stepson means plotting against Charlemagne's lineage and the knights of his household, knights who have sworn fealty to him and whom he is sworn to protect as Emperor; Roland is not only one of the Twelve Peers but also Charlemagne's nephew. Ganelon's allegiance with Charlemagne's enemy, King Marsile and the Saracens, ratified by kissing the relics of Murgleis' sword, aligns him with Christianity's foes. Therefore, the slanted relationship between father and son—aggravated by the alliance with the Saracens—destabilizes the very fabric of feudal society that the *Roland* appears to support.

Intergenerational conflicts also pervade *Fierabras*, which echoes aspects of the *Roland*. Tensions between fathers and sons (or daughters, in the case of Fierabras' sister Floripes) exist amidst Christians and Saracens, though it is only among the latter that these clashes are marked by religious conversion. In *Fierabras*, the terms "treason" and "traitor" only apply to Ganelon and his lineage, but there are multiple forms of betrayal and treachery, particularly within the family structure. In the oldest extant French verse manuscript (mid-thirteenth century), the older relatives accuse the younger ones of bringing shame to them (*vergonder* or *honter*), two concepts that are closely related to the concept of felony. According to Stephanie Trigg, shame in medieval narratives is about courtly reputation and "is regularly invoked as an important threat to chivalric identity and a knight's obligations to his oath, his kin, his king, and to women."[47] Yet, these threats are exacerbated by religious conversion as the acceptance of a different religious belief amplifies the breach of lineage.

The clashes between different generations of Christians infringing on a knight's oath appear early on in *Fierabras* when Roland refuses to obey Charlemagne's order to fight against King Fierabras, "qui tant est redouté" [who is so feared] (135a). Roland wants to avoid the duel, not because of the enemy's prowess, but because Charlemagne praises "li viel chevaliers ... [that] l'avoient miex fait que li geune d'asé" [the old knights ... that had done better than the young ones] (160–1) after the encounter they just had with the Saracens. Roland feels that his uncle and liege lord is undermining him and his

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46   Mickel, *Ganelon*, 86. The reference is to Andrew Horn's *Mireur a justices*, late-thirteenth century (Cambridge, Corpus Christi College, MS258).

47   Stephanie Trigg, *Shame and Honor: A Vulgar History of the Order of the Garter* (Philadelphia: University of Pennsylvania Press, 2012), 130. Trigg emphasizes the performativity of courtly shaming which is "primarily an activity of the shamer, not the shamed" (133).

companions. Therefore, he retorts, "'Or i para des viex con vos en aidere[z]'" ["Thus, you should ask them to do it"] (164). Moreover, Roland mentions that the Emperor was drunk when he complimented these knights, dishonoring Charlemagne in a way analogous to Ham shaming Noah (Genesis 9:22). Roland openly brings shame on his uncle and liege lord, though Ogier le Danois reminds him that Charlemange "'par vos deüst estre serviz et honoré'" ["should be served and honored, it is your duty"] (189). This altercation between Charlemagne and Roland does not entail a specific accusation of treason, though the Emperor expresses his anger against Roland because he feels that he has been *vergondé* [dishonored] (174). But not one of the older retainers offers to confront Fierabras in Roland's place, suggesting that the famous Twelve Peers do not live up to their courageous reputation. Only Oliver, seriously wounded in battle, offers to defend his lord's honor when he hears that Roland "se vout a son oncle mesler" [had fought with his uncle] (205) and that nobody will accept Fierabras' challenge.

The Saracens capture Oliver, Guillemer l'Escot, Berart de Montdidier, Giefrei l'Anchevin, and Auberi, and the Emperor, prompted by Oliver's father pain, refuses to forgive Roland, telling him "'Biaux niers, ce dist li rois, mout sui por vos irés; / … / En tel leu vos metrai ains quatre jors passés, / Ke jamais ne verrez ne soleil ne clartés'" ["My dear nephew, you have made me very angry…. I'll put you in such a place before four days have passed that you will never see the light of day (again)"] (2369–71). Charlemagne commands his nephew to be his envoy to Balan, the *amirant* [emir]. The similarity to the *Roland* ends there. In *Fierabras*, not only does Charlemagne insist that Roland has to go, but all the other Peers express their concern for "'vostre niers et de vo seror nés'" ["he is your nephew, son of your daughter"] (2385), and so, consequently, they are also sent as ambassadors to Balan. What starts with the Emperor's desire to fulfill his duty to Regnier de Genes, Oliver's father—who has only one son and thus cannot be avenged for his son's capture otherwise—ends with a demonstration of Charlemagne's inflexible nature in the face of disrespect. Only Naimes willingly accepts their task and asks the Emperor "'que nos soit pardonné'" ["that you forgive us"] (2438) for the rebellious attitude. Neither Roland nor the rebel Peers are technically traitors, and there is no accusation of felony among them; yet, it takes an older, wiser retainer to ease Charlemagne's anger. The sense of betrayal comes from the strong animosity generated when a younger relative questions his elder's commands.

Conflicts between the older and younger generations also lead to shaming and betrayal among the Saracens. Unlike the clash between Roland and Charlemagne, nephew and uncle, as well as vassal and lord, who share the sense of religious belonging, Fierabras and Floripes cease to share religion with their

father, Emir Balan, and ally themselves with the Christians even before receiving baptism. The instances of betrayal between Balan and Fierabras, and Balan and Floripes, manifest differently because of their gender, but both demonstrate the expectation of shared ideological tenets of Christians and their fictional Other. Floripes fits the archetypical model of a Saracen enamored with a Christian paladin—the "Saracen princess" who is willing to be baptized because of love (or convenience).[48] Saving the Christian knights and defending the besieged city from her father's army mark Floripes as a heroine of sorts because without her intervention, there would no Frankish victory. Moreover, her heroism may be deemed "manly" because Floripes is aggressive and violent. In order to liberate the Peers from her father's prison, Floripes kills the jailer and has her governess thrown off a terrace to stop her from telling Balan about her rescue efforts. As Jennifer Goodman notes, the poet celebrates Floripes' deeds because she is protecting the Christian heroes, and "a man would have been praised for it."[49] Her motivation is not heroism, but marrying Gui de Bourgogne, after whom she has been pining for ten years without his knowledge. Gui's prowess, and, by extension, that of Christendom, strengthen her feelings about him. From her father's perspective, though, she is responsible for having "'mes honmes perdus et adirez, / Et ma grant tor saisie et mes palais listez'" ["my men lost and ruined, and my great tower and ornate palace taken"] (3535–6). Balan's complaint has nothing to do with his lineage when it comes to Floripes; instead, he blames her for making him lose his properties, power, and reputation. Earlier in the narrative, Balan trusted his own daughter, but now he recognizes that he was "mout fu… / et mal conseil crut" [very foolish and accepted ill advise] (5458) when he allowed Floripes to guard the Franks. Balan even tells his counsellor, Sortimbrant, that Floripes "'me veut vergonger'" ["wants to shame me"] (3917), and, therefore, "'Jë ardrai la putain, quil m'a fait desenor'" ["I will burn the whore, who has dishonored me"] (5375). Balan

48   Among the studies specifically about Floripes within this trope, see especially: Hans-Erich Keller, "La Belle Sarrasine dans *Fierabras* et ses dérivés," in *Charlemagne in the North*, ed. Philip E. Bennett, Anne E. Cobby, and Graham A. Runnalls, 299–307 (Edinburgh: Société Rencesvals British Branch, 1993); Kristi Gourlay, "A Pugnacious Pagan Princess: Aggressive Female Anger and Violence in *Fierabras*," in *The Representation of Women's Emotions in Medieval and Early Modern Culture*, ed. Lisa Perfetti, 133–163 (Gainesville: University Press of Florida, 2005); and Suzanne Conklin Akbari, "Woman as Mediator in Medieval Depictions of Muslims: The Case of Floripas," in *Medieval Constructions in Gender and Identity: Essays in Honor of Joan M. Ferrante*, ed. Teodolinda Barolini, 151–167 (Tempe: Arizona Center for Medieval and Renaissance Studies, 2005).

49   Jennifer Goodman, "Marriage and Conversion in Late Medieval Romance," in *Varieties of Religious Conversion in the Middle Ages*, ed. James Muldoon, 115–128 (Gainesville: University Press of Florida, 1997), 123.

expresses his anger at Floripes' mutable loyalty, and though he does not actually accuse Floripes of treason, his desire to burn her suggests it. Loyalty to kin, from her standpoint, is less important than love (or lust) for a Christian knight; she tells Charlemagne very clearly that "'moi ne caut së il muert, mais que Gui me donnés'" ["I do not care if he dies if you give me Gui (in marriage)"] (6146).[50] Floripes' obstinacy and her lack of empathy for her father, though she behaves otherwise towards the Frankish knights, admonishes the women among the audience and their fathers too. Only Saracen princesses are willful daughters who dishonor their relatives.

Balan's attitude towards his son is different because of Fierabras' prowess in battle and control over many lands.[51] Balan considers him more as an equal than as a vassal, or simply his son. When Fierabras converts, the Emir believes it is only out of fear for his life after his battle against Oliver, not a choice. Fierabras is fierce in battle but not as violent or aggressive as Floripes and his demeanor changes upon conversion. Suzanne Conklin Akbari notes that Fierabras' "violent nature is abruptly attenuated when … [he] chooses to convert to Christianity" and "virtually disappears from the plot … [and] does not reappear until the very end of the poem."[52] However, this holds only partially true. Fierabras exhibits knightly demeanor in battle, which he demonstrates multiple times in fighting against Oliver. Moreover, in most versions of this narrative, Fierabras neither "virtually disappears from the plot" nor changes sides automatically; rather, he gradually becomes an integral part of Charlemagne's Peers and Christendom.[53] For the Frankish army, and Charlemagne in particular, Fierabras becomes a loyal knight; the Emperor calls him "*mes privés*" ["my

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50 Inscribed within the trope of Saracen princesses enamored of Christians, Floripes reaches beyond what others have done. In *Fierabras*, both Sortimbrant and Brutamont articulate their concern about Floripes by referring to other *chansons de geste* as if they were historical cases. Sortimbrant refers to Galienne who causes her brother's (Marsile's) son to lose his inheritance when she falls in love with Mainet (young Charlemagne) (lines 2841–5). Brutamont, the jailer, mentions Aïmer le Chétif, who is a Christian character who marries a Saracen princess in *Aimeri de Narbonne*. The story of the converted Sorraimomde, as André de Mandach mentions "créant ainsi un précédent pour la carrière de Floripas" [creates a precedent for Floripes' path], qtd. in Gordon Knott, "Notes on Reality and Improbability in *Fierabras*," *Olifant* 20.1–4 (1996): 145–170 at 152.

51 According to the poem, Fierabras is the king of Alexandria, from Babylon to the Red Sea, governor of Cologne and Russia, receives tribute from Spain, and wants to reign Rome by force (50–4).

52 Suzanne Conklin Akbari, *Idols in the East: European Representations of Islam and the Orient, 1100–1450* (Ithaca: Cornell University Press, 2009), 166 and 168.

53 For a brilliant analysis of Fierabras' conversion in the French verse version, see: Marianne Ailes, "Faith in *Fierabras*," in *Charlemagne in the North*, ed. Bennett, Cobby, and Runnalls, 125–133.

close friend"] (6133). He fights side by side the Christians in Maltrible, and reprimands Ganelon's relatives when they tarry in helping Charlemagne, reminding them that "'porrez ester de traïson retez'" ["you can be charged with treason"] (5174). On the other hand, Fierabras asks the Emperor to send an envoy to his father to request his conversion, and he later repeatedly begs Balan to accept Charlemagne's fief conditions and to renounce his Saracen faith. That is to say, Fierabras cannot overlook his familial bonds even as he aligns himself with Charlemagne and the Christian community. He even tells Floripes, "'il [est] nostre pere, qui nous a engerrés; / Trop estes felenesse, se pité n'en avés'" ["he is our father, who engendered us. If you have no pity for him, you are a felon"] (6149–50). Fierabras' identity is interstitial: though he undergoes conversion and baptism, he retains the name he received from his father—a Saracen name. Because of his strong ties with the Franks, Fierabras experiences an intense internal conflict, a divided sense of belonging and loyalty, which signals his awareness of the unavoidable betrayal to either his kin and former religious allegiance or his king and newly acquired Christianity; however, he still maintains a sense of filial loyalty.

But after Balan realizes that his son has chosen to ally himself with the Christians, he takes Fierabras' conversion as a personal offense. Though not a literal accusation of treason, Balan curses his son telling him that "'Quant nostre loi guerpis, moult fesis grant folie; / Grans hontes t'en verra, le ne fauras tu mie, / Et t'ame en ert perdue et dampnee et perie'" ["When you renounced our law you acted foolishly. You will be greatly dishonored, you will not do well; and your soul will be lost, damn, and damaged"] (6045–47). This repudiation of familial ties is nothing but words because Balan cannot emotionally erase his bonds with Fierabras; as a result, Balan provisionally accepts to undergo baptism, not for the love of the Christian God, but for his son. And yet, Balan does not "veut guerpir le diable" [want to renounce the devil] (6124), as Charlemagne requests of him, so he recants his desire to convert, leaving him at odds with his son.

In *Fierabras*, despite Fierabras and Floripes' betrayal of their father and lord, only Ganelon's kin are actually branded traitors in the strictest sense of the term. Once Balan imprisons the Twelve Peers, Charlemagne has to depend on "Qui de grant felonnie estoient porpensé" [those who are prone to felony] (4661), making himself vulnerable to treason. The Emperor is well aware of the lineage's infamy; he threatens to have Ganelon killed and to disinherit his family if Oliver is killed in the encounter against Fierabras. Yet, whereas in the *Roland* and *Gui de Bourgogne* Ganelon is actively a traitor within the narrative, *Fierabras* only foreshadows his treason. Ganelon is a future traitor, "Ne tarja que .III. ans, che dist on par verté, / Kë il traï les Pers conme felon prouvé" [before

three years, it is truthfully told, that he will betray the Peers as a proven felon]
(298–9). When Ganelon recommends that Charlemagne returns to France
without rescuing the peers who are kept captive in Aigremore, it is not out of
spite for Roland—or any other in the Emperor's entourage—but because he
does not think they are in a position to win a battle against Balan. He explains,
"'[L]'amirant Balant est de mout grant fiertez, / De toute paiennie a ses honmes
mandez'" ["Emir Balan is very fierce and has summoned to him men from all
pagandom"] (4577–9). Charlemagne recognizes that his army might be weak-
ened without his retainers (both young and old), though he struggles with the
thought of not attempting to save or to avenge his loyal knights, which is his
obligation as overlord and it would be shameful to do otherwise. In *Fierabras*,
it is not Ganelon but his relatives who see this indecision as an opportunity
to take over France and the territories held by the missing Peers. In counsel-
ling Charlemagne to return to France rather than rescue the Peers, Ganelon's
relatives Macaire, Giefroi d'Autefoille, Hardrés, and Alori are explicitly called
traitors. Regnier, one of the few barons who stays with Charlemagne, advises
instead against leaving the paladins, leading to a conflict between the loyal
knights and Ganelon's disloyal relatives.

   In *Fierabras*, Ganelon is more nuanced than in the *Roland* and acts hero-
ically and loyally. Fighting in Maltrible, "Guenes et som barné … fist mout bien"
[Ganelon and his barons did really well] even if "la lëauté d'euz a mout petit
durré" [their (Ganelon's and his barons') loyalty was not long lasting] (5011,
5013). Though "Guenes et li suen sont pleins de felonnie" [Ganelon and his
family are full of felony] (4779), *Fierabras* explains that the source of treason is
Alori, Ganelon's nephew, rather than Ganelon himself. Ganelon rejects the
idea of leaving the emperor on his own during the battle in Maltrible, respond-
ing to Alori that "'Ne plache Dex … / Ke ja vers mon seignors fache traïtement;
/ … / Si le devons aidier et bien et lëaument'" ["It does not please God that I
betray my lord … we should aid him, well and loyally"] (5146, 5149). Ganelon
acts accordingly in combat, demonstrating his love and loyalty to Charlemagne,
"a Karlon mout grant amor mostré" (5025), and temporarily severing his asso-
ciation with his own lineage. As an act of rebellion—result of another inter-
generational conflict—Alori and Giefroi stay behind while Ganelon enters the
mêlée together with Fierabras. Betrayal is not predetermined in *Fierabras*, it is
not something that "runs in the family" regardless of Ganelon's deeds in the
narrative future, to which the poet alludes. Ganelon's responses to breaches of
fealty are multidimensional. Despite his desire for revenge against Char-
lemagne and Roland that Alori brings up twice during their argument, Gan-
elon "mout gran pieté l'em prent" [feels very compassionate] (5126) about the
fate of the Emperor and refuses to let him die *en tel maniere* [in such a way]

(5159). The preexisting dispute between Charlemagne and Ganelon is never clear. Alori exclaims that

> "De lui et de Rollant avons or vengement,
> Et dess auttres gloutons, ou douche Franche apent;
> ...
> Or porrons avoir Franche a nos conmandement,
> Vo pere sera rois, s'avra le tenement"

> ["we will be avenged of (Charlemagne) and Roland as well as of the other gluttons who hold France ... we will have France under our command, your father will be king and have fiefdom"]. (5138–43)

This may foreshadow what happens between Ganelon and Roland in Roncevaux. But if Ganelon acted treacherously in this prequel, he would never have been included among the Frankish knights in the *Roland*.

Besides his heroic demeanor in combat, other barons describe Ganelon as a *waillant chevalier* [brave knight] (5624). When Charlemagne decides which messenger to send to Balan, as Fierabras requests, Ganelon's heroism and valor make him ideal for this task. Whereas in the *Roland* Ganelon cannot opt out of being the envoy to Marsile because it would be shameful, in *Fierabras,* the Emperor considers "se le weut otroier" [if he (Ganelon) wants to accept] the mission (5616). Ganelon is given a choice, which suggests that he is more than willing to be Charlemagne's messenger to Balan. Knowing that Oliver, Roland, Gui, and other Peers were taken captive when sent as ambassadors to Balan,[54] Ganelon still accepts the mission willingly: "moult volentiers irons" (5639). In the *Roland*, Ganelon's disposition is strikingly different; he uses the opportunity to establish an agreement with Marsile and stage an attack against Roland in Roncevaux. In *Fierabras*, Ganelon is not a traitor. He acts as a loyal retainer, according to his lord's wishes, but more importantly, he gets the recognition he deserves for doing so. Upon Ganelon's return, Charlemagne praises him: "'pre-us estes et gentis'" ["you are doughty and noble"] (5756). Though Ganelon's lineage is disloyal at times in *Fierabras*, Ganelon does not betray his emperor and, unlike in the *Roland*, he never establishes an allegiance with the Saracens. He

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54   It is not only the Saracens who fail to respect the immunity of ambassadors in this text. Earlier in the narrative, when the second group of Christian knights are riding towards the Emir's court, they find seven "rois de Saragouchez" [kings of Saragossa] (2449) who are Balan's envoys and kill them.

even argues with his own nephew, Alori, because Ganelon is unwilling to betray his lord.

The primary contest of loyalty appears between Fierabras, who has only recently been baptized, and Ganelon's relatives, who are Christians but archetypical traitors. Though Fierabras has been "reborn" into a new social network with his baptism and acceptance among the Twelve Peers, he still feels pity for his father. When Balan is captured, "pour lui li cuers li atenrie" [(Fierabras') heart is softened] (6049). He is torn between his allegiances. Therefore, it is not surprising that he calls out Alori and Giefroi for not defending Charlemagne during the battle in Maltrible, carefully explaining that they can be accused of treason. While the former Saracen maintains a sense of filial loyalty as well as upholding his responsibilities to his new religion and temporal lord, the Christian traitors are willing to betray both their family and their coreligionists. Ganelon's relatives only enter the fight against the Saracens when "voient que pris est la chitez, / Avecque euz i entrerent, par vive poiestez" [they see that the city is taken, they enter with them (the other Frankish knights), with intense might] (5185–86). They try plotting against their Emperor, and when their own uncle opposes them, Alori and Giefroi openly disrespect Ganelon, saying "'vos estes foulz prouvez'" ["you are a proven fool"] (5152). In *Fierabras*, both Christians and Saracens act treacherously and dishonorably against their own kin; but whereas the *Roland* asserts that "Paien unt tort e chrestïens unt dreit" ["Pagans are in the wrong and Christians are in the right"] (1015), in *Fierabras*, a Saracen can claim that "'Il a tort et vos droit'" ["(the Franks) are wrong and you (Sortimbrant) are right"] (5593).

While the *Roland* implicates Ganelon as a religious traitor as much as a familial one, and *Fierabras* expands treason among family members with dissimilar doctrinal conviction, in *Gui de Bourgogne* "les sarracins seuls ... représentent le mal" [only the Saracens represent evil].[55] Intergenerational accusations of betrayal between the older generation of retainers and the younger knights suggest that both Christians and Saracens share the same understanding of treason. In this text, allegations of betrayal stem from a breach of loyalty to king and kin and are especially pervasive among Christians, between Christians and the Saracens, and among Saracens. In other words, the sense of common values despite religious rifts is enacted on both sides, enhancing the imagined similarities between the two religious cultures. In "Lignage et renouveau dans *Gui de Bourgogne*," Leslie C. Brook argues that this

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55   Jean-Claude Vallecalle, "Parenté et souveraineté dans *Gui de Bourgogne*," in *Les relations de parenté dans le monde médiéval*, *Senefiance*, vol. 26, 83–97 (Aix en Provence: CUER MA, 1989), 87.

narrative is unique in "le mélange d'hostilité et de co-opération" [the mixing of hostility and cooperation] in terms of intergenerational conflict.[56] Hostility and cooperation pervade the relationships between the younger knights and the older barons, which arise from Charlemagne's twenty-seven year absence, during which time the young knights have grown and require a monarchic figure who legitimizes landholding and deals with baronial complaints.[57] Bertrant, son of Duke Naimes, recommends the position be filled by Gui, the Emperor's nephew, "de son linage est né" [born of his lineage] (223). As Luke Sunderland notes, this is "a safe choice: Charles will not kill him when he finds out."[58] Vallecalle contends that while this does not amount to usurpation because both Gui and Charlemagne are blood relatives, the election of a new king of France while the Emperor is still alive "constitutes a rebellious act" even if the young knights "ne volen[t] mie Karlon deseriter" [do not wish to disinherit Charles] (225).[59] Gui does not intend to usurp Charlemagne as emperor; he becomes the king and recognizes his uncle as his feudal lord. The poet creates a "process of doubling" in the figure of the monarch,[60] criticizing Charlemagne's authority and, by extension, other rulers by emphasizing kinship and insisting on loyalty in Gui's readiness to serve his uncle, construed as cooperation.

To highlight the opposition of both generations, the poet describes the outward appearance of each in detail, signaling an already-weakened imperial army. Charlemagne recognizes that "'rompus est mes bliaus et ma broigne sartie'" ["my *bliaut* is tattered and my ring mail cuirass, damaged"] (60). Saracen Boïdans (or Boydans), identified as a "latiniers qui en France ot esté" [a translator who had been in France] (1336),[61] also observes decrepit state of the Emperor and his old retainers: "'lor escu ... [sont] plus noir c'arement en mortier, / lor chevaus desferez et ont tous nus les piez'" ["their shields are darker

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56 Leslie C. Brook, "Lignage et renouveau dans *Gui de Bourgogne*," in *L'épopée romane au Moyen Âge et aux temps modernes: Actes du XIVe Congrés International de la Société Rencesvals*, ed. Salvatore Luongo, 173–187 (Naples: Fridericiana, 2001), 187.

57 Sunderland, *Rebel Barons*, 62.

58 Sunderland, *Rebel Barons*, 62.

59 Vallecalle comments that Charles and Gui de Bourgogne's kinship "apparaît comme une justification, la garantie que l'élection du jeune homme n'est pas une révolte contre le souverain légitime" [appears as a justification, the warranty that the young man's election is not a revolt against the legitimate sovereign] ("Parenté," 87).

60 Sunderland, *Rebel Barons*, 64.

61 According to Vallecalle, *latiniers* are polyglot messengers or interpreters who, due to their extensive linguistic talents, can easily become an "espion" [spy]. *Messages et ambassades dans l'épopée française médiévale: L'illussion du dialogue* (Paris: Honoré Champion, 2006), 25.

than ink in the mortar, their horses are unshod, and their feet are shoeless"]
(420–1). In contrast, Gui de Bourgogne's army approaching the Saracen village
of Carsaude have shiny, golden shields and silk standards. According to Valle-
calle, the description of these two armies, the old and tired retainers compared
with the young and fully armed warriors, prefigures "un étrange antagonisme
entre Charlemagne et son neveu, entre ses guerriers et leurs fils" [a strange
antagonism between Charlemagne and his nephew (Gui), between his war-
riors and their sons].[62] Intergenerational strife is a common feature in *chan-
sons de geste*, as in the *Roland* with Ganelon's enmity towards his own stepson,
or in *Fierabras* between Fierabras and Balan; yet, in this case, the young knights
do not fight the older peers, and Gui is not a willing usurper or a traitor.

The terms *traïtor* or *fel* [traitor or felon] in *Gui de Bourgogne* relate to the
infringement of a shared honor code but not to *lèse majesté*. The accusations
begin with the first encounter between the old retainers and the young knights.
At first, unable to recognize their own sons, the Peers mistake these young men
for Saracens. Inspecting their armor more closely, particularly their crossed
and painted shields, Naimes realizes they are French. Their failure to identify
their "enemy" further emphasizes the older knights' weaknesses; Gui and his
army are outfitted as warriors, but Naimes (rather foolishly) asks if they are
merchants. Instead of using their own names and lineage, Bertrant tells his
own father "'ains some né de France … /…. / home somes au roi qui tant fait à
loer'" ["we are born in France … we are the men of the king that has done so
much to be praised"] (845). But when Huedes de Lengres's son and others
claim that they are "hons … le roi Guion" [King Gui's men] (893), serving as
ambassadors to bring Charlemagne *vitaille et garison* [food and backing] (878)
as gifts (an important component of diplomacy), the ignorant fathers call
them *fel* and *fil à putain, gloton, lechiere, pautonier* [felon … son of a whore,
glutton, lecher, rascal] (908). The accusations are inspired by the fact that there
is another French king, a usurper (according to the Twelve Peers), to whom all
these young knights have sworn loyalty because Charlemagne has been away
from France for so long. Sunderland explains that while "giving generously was
vital to attracting and retaining followers … gift-giving worked as a veiled asser-
tion of power."[63] The potential for treason results from an evident power vac-
uum that Gui fills that "symbolizes the inadequacy of the real [king] and
provides the means of expressing hostility towards [the Emperor]."[64] However,
this is not an act of treason because, despite going incognito to meet their

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62   Vallecalle, "Parenté," 85.
63   Sunderland, *Rebel Barons*, 64.
64   Sunderland, *Rebel Barons*, 64.

elders and regardless of what those elders think of them, Gui and his men are there to help Charlemagne attain his goals—to conquer the towns in "Spain" that have resisted him—in order for him to return to France.[65] Nonetheless, instead of serving his Emperor, Gui takes his place, not only as monarch but as a hero, further highlighting Charlemagne's inadequacy in the battlefield and his prolonged absence.

Ganelon, the well-known traitor who appears in this text as well, advises Charlemagne to quarter the young knights and attack Gui, *ce cuivert pautonier* [this infamous rascal] (1112). *Pautonier* is a term frequently used in Old French to refer to someone who commits an evil deed, a *scélérat* [scoundrel], which implies a traitor or a felon.[66] Ganelon specifically accuses Gui and his men of high treason against the Emperor, an appropriate charge in the case of an actual usurper to the throne. This advice not only alludes to his own end in the *Roland* (his limbs torn from his body) but also points to the fact that all envoys and ambassadors should be treated with hospitality, especially ones that are bringing Charlemagne ten thousand mules laden with diverse goods. Naimes stops any further action against these knights immediately because, firstly, this is *le consoil del felon* [the counsel of a felon] (1147), alluding to his literary reputation even though, in this text, Ganelon has not yet betrayed anyone.[67] Secondly, these young men are *né de nostre region* [born in our region or nation] (1134), Naimes argues, and they would be killing their own people. This not only suggests that Christians should not kill their coreligionists but it also alludes to the lineage of these young knights tying them to the fatherland. Regardless of Gui's supposed usurpation of the throne, Ganelon's recommendation is a crime against *lèse majesté* because the young "king" is related to Charlemagne. Making an attempt against the heirs of the Emperor is treason. Lastly, as Naimes explains, they are *messages Guion* [Gui's messengers] (1133), referring to the fact that messengers (just as pilgrims and merchants) have certain immunity, even when in the enemy's camp.[68]

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65   Gui has a clear sense of hierarchies: Jesus is the topmost power, followed by Charlemagne, and he is the liege lord of his men: "Après Jhesu de gloire, qui en crois fu penés, / et aprés Karlemaine, le fort roi coroné, / Sui ge vos liges sires" (2181–83).

66   scélérat. n. *Dictionnaire du Moyen Français (1330–1500)*, <http://www.atilf.fr/dmf/> (accessed July 15, 2018).

67   Ganelon's relatives, though, are referred to as "le riche linage qui ait maléicon" [the damned, powerful lineage] (1151).

68   In his chapter "La Diplomatie," Vallecalle explains that an ambassador in the Middle Ages, just like today, had "immunité, protocole, et … lettres de créance" [immunity, protocol, and credentials] (*Messages*, 110). For a somewhat different reading of this scene, see: Vallecalle, "L'immunité," 189–90.

Similarly, Gui claims to be Charlemagne's messenger to see Huidelon, the Saracen who holds King Marsile's city of Montorgeuil. Gui and nine other knights plan to "li ferons acroire et dire par verté / que nos i anvoia Karlemaines" [make him believe and tell it is true that we are Charlemagne's envoys] (1649–50). Although their identity as "ambassadors" or "envoys" is plausible, and several of them actually deliver a message, the young knights in *Gui de Bourgogne* fake an identity. They are not speaking for Charles but following Gui's orders to let him speak first and then, "'selonc ce que dirair, pansés de l'esploitier'" ["following my lead in what I say, think of expanding it"] (1833). As they deliver their "message" to Huidelon, their speech becomes harsh, threatening to burn his *cortoise moillier* [courtly wife] (1962). This scene parallels the passage where Naimes speaks against mistreating Gui's messengers.[69] However, the Saracen king recognizes that these are not pacific envoys who deserve immunity, and he orders them captured. The parallel pivots on treason: in the first case, Ganelon, who belongs to a lineage of traitors, counsels to have Gui's knights quartered; in the second, Bertrant recommends that his companions insist on their status and the understanding that "mesager ne doit bien oïr ne mal avoir" [messengers should neither hear good nor suffer evil] (2117),[70] challenging Huidelon by accusing him of treason. Gui is clearly aware of the exaggeration when he calls out to the Saracen king, telling Huidelon that he has treated the French knights as if they were traitors: "comme traïtres avés vers nos erré" (2155). Huidelon's honor is slighted "'traïtor m'osastes apeler'" ["you have dared to call me a traitor"] (2164), effectively leading to a judicial duel between Gui and Danemont, Huidelon's champion and son.

While these two scenes about messengers and traitors are parallel—regardless of the characters' religious observance—they have dissimilar outcomes. The earlier scene involves Christian knights, implying an expectation of shared lineage and a common understanding of hospitality to envoys. Yet it exposes Ganelon as an ambivalently loyal retainer with no scruples in admitting his lineage of traitors, whose advice, if followed, would have led to treason because of Gui's close familial relation to Charlemagne. Whereas the first episode is serious in tone, the second one, a masquerade between Saracens and Christians, is lighthearted, almost comedic. In this case, Gui's charge of betrayal is a ruse to fight against Charlemagne's foe. But both episodes demonstrate a shared understanding of treason, evident in the fact that Huidelon is offended at the charge to the point of engaging in a duel with the French knights.

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69   Also, this exchange between Saracens and Christians echoes Ganelon in the *Roland* and his threatening speech supposedly on behalf of Charlemagne.

70   I would like to thank Anne Latowsky for this translation.

In several medieval narratives, Saracens are depicted as radically different from Christians (and *actual* Muslims) in terms of religious and cultural practices. Yet, in *Gui de Bourgogne,* both groups share values—that often point out moral weaknesses among the audiences—and are represented as having a strong attachment to kin and as embracing the dictates of fair play in combat.[71] When Gui begins arming, Huidelon realizes that the young knight is famished and decides to feed the hero before the battle. The Saracen king offers the knight some form of hospitality even though he realizes that these men are neither messengers nor sent by Charlemagne. While Huidelon could be acting out of simple self-interest, or the interest of his son Danemont who must fight Gui, the judicial duel would not bring honor to the king if his opponent were malnourished, and he graciously offers food. This is not the behavior of a "traitorous" Saracen, and it prepares the audience for the Saracen's acceptance of Christianity.[72] Huidelon claims that "'il n'en a .I. meilior [chevalier] en la crestienté'" ["there is not a better knight in Christendom"] (2248) than Gui, calling out his own Saracen knights who disprove of their lord providing Gui with a substantial meal that could have fed four men.

The battle between Gui and Danemont, and Huidelon's adherence to expectations of kingship and chivalry, brings about an accusation of treason between family members among Saracens. Just before the combat, King Huidelon orders that no one should intervene in the encounter; yet Dragolant, his other son, gets three hundred men armed and ready because "escrit est en la loi ... / que li paiens ne puet vers le François durer" [it is written in the law ... that pagans cannot defeat the French] (2496–97). When Gui defeats Danemont, Dragolant orders the armed men to help his brother. Immediately, Archbishop Turpin exclaims "'il i a traïson'" ["this is treason here"] (2694), and Huidelon recognizes that his son's actions violate his orders and expectations of loyalty. Turpin invokes treason in response to the danger to Gui's life, suggesting that the older retainers have accepted the election of Gui as king. Moreover, the poet emphasizes this idea of loyalty, explicitly stating that Huidelon "envers le roi Guion tint bien sa loiauté" [is already loyal to King Gui] (2704). Characterized as "chevalier nobiles, / et preudome et loiaus et plain de seignorie" [noble knight, honest and loyal and full of seigneury] (2706–7), Huidelon saves Gui

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71   Fair play in battle, as an ideal, is equivalent to the practice of licit violence. For a thorough discussion on these terms, see: Kaeuper, *Medieval Chivalry*, 173–207.

72   Huidelon's attitude is quite similar to the truce established between Ferragut and Roland, and between Charlemagne and Aigoland, in the *Pseudo-Turpin.* Moreover, in the *Pseudo-Turpin* at least, these encounters between Christians and Saracens are moments of religious indoctrination. See: *The Pseudo-Turpin, ed. from BN Fonds Latin MS 17656*, ed. H.M. Smyser (New York: Krauss Reprint, 1970).

from his own son's men and claims that his son Dragolant has betrayed him. Huidelon asserts this again by voluntarily arriving in Charlemagne's camp for trial, explaining that "'Dragolans mes fils, qui cuer ot de felon'" ["my son Dragolant, who is a felon at heart"] (2967) should be beheaded unless he converts. Both the language used to describe Huidelon and the fact that he resolves to be tried as a traitor because of his son's actions idealize the cultural exchange between Christians and Saracens. Huidelon's willingness to submit to a foreign authority on grounds of treason—which includes a trial, just as in the *Roland*—prefigures this "good Saracen" as an almost-already Christian, even though he has not yet converted.[73] Dragolant, instead, jeopardizes patriarchal power by disobeying Huidelon's orders; he is disloyal to both kin and king. Yet Dragolant attacks Gui, despite his father's request, to defend his own brother and his father's kingdom.[74] Therefore, the son upholds all principles of loyalty except obedience to his father's desires. In order to defend his lineage, patrimony, and filial bond, he must commit treason against his father and lord.

Whereas the *Roland* has become the paradigmatic site of treason among epics within the *Cycle du roi*, with Ganelon's allegiance with the Saracens against Roland and Charlemagne's rear guard, *Gui de Bourgogne* explores a wider range of treacherous deeds associated with both sides, interrogating the complexities of familial loyalties and betrayal. In *Gui de Bourgone*, treason and felony do not arise from the clash between Saracens and Christians but from intergenerational conflicts between male family members. The older Peers deem Gui disloyal to Charlemagne because he has been elected King of France, even though his very first action as monarch is go to "aider leurs pères dans la guerre qui est cause de leur situation inacceptable" [help their fathers in the war that has caused an unacceptable situation].[75] Gui and his men similarly accuse Huidelon of treason when he threatens to put them in prison, though this is a subterfuge to engage in battle. Dragolant's disobedience is the only concrete instance of direct treason in this narrative, regardless of his motivations for doing it to save his father's kingdom. Dragolant's treason is more pronounced because Huidelon is already allied with the French and willfully seeks baptism. Naimes, always a wise counsellor to Charlemagne, pardons Huidelon's "offences," including the treachery of his son, explaining that

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73   Huidelon has not yet accepted Christianity, as he still invokes "Mahomet, mon Dieu, qui tot a en baillie" [Mohammed, my god, who has power over all] (2723).

74   When Huidelon requests Danemont to be his champion, he tells him "'Biaus fils, or perc ma terre et tot mon tenement / Et trestout mon roiaume, se tu ne le desfant'" ["Dear son, I will lose my land, all my property and my kingdom if you do not defend it"] (2295–6). Dragolant is actually trying to avoid these losses.

75   Brook, "Lignage," 175.

"Li hons qui ains ne fu bautisiés ne levés,
Ne onques ne crut jor sainte crestienté,
Se il aida son frere, n'en fait mie à blasmer;
Certes, on li en doit le mesfait pardoner,
Por qu'il voille reçoivre sainte crestienté."

["The man who has not been baptized or invested, nor believes in blessed Christianity, if he aids his brother he has nothing to be blamed of. He should have his misdeeds pardoned because he is willing to receive Christianity"]. (2986–90)

In other words, *Gui de Bourgogne* exemplifies a range of treason charges that criticize kingship *in absentia*—Charlemagne's prolonged absence creates instability in his realm—and territorial expansion through continuous warfare. Gui's rule is less rigid, favoring the conversion of the enemies rather than their destruction, despite the resistance offered from the young Saracen prince. In *Gui de Bourgogne*, the conflict between the two generations (with an added layer of religious struggle), admonishes rulers who fail to accept new approaches to governance.

Throughout the *Cycle du roi*, the concept of treason takes on added dimensions when it comes to the intersection of the familial and the political; while family members who betray their elders are not always branded legal traitors, they still commit treachery when they resist the elder's authority, especially if that authority figure is the king or emperor. In the *Roland*, *Fierabras*, and *Gui de Bourgogne,* family loyalties often collide with political loyalties. In the *Roland*, despite Ganelon's clear betrayal, Roland refuses to accuse his step-father of such felony. Though Ganelon claims that his intent is revenge against his peer rather than his stepson, which would justify severing his ties to Roland, treason in the *Roland* manifests both in the attempt against Charlemagne's lineage and his rule in conspiring with enemy, which is also a hostile act against Christendom. *Fierabras* also showcases an uneasy relationship between the young knights and their elders, which leads to accusations of shaming and treason. Roland shames Charlemagne by refusing to obey him; Floripes and Fierabras humiliate Balan through their involvement with the Christians and with their ensuing conversion; and Alori disrespects Ganelon while trying to convince him to betray the Emperor. The forms of treason in *Gui de Bourgogne* include a broader range of deeds, such as intergenerational rebellion and usurpation, rather than treachery. Actual treason is only applied to Ganelon's relatives who forsake Charlemagne in battle as revenge. Just as in the *Roland*, treason and vengeance go together in *Fierabras*. In *Gui de Bourgogne*,

accusations of treason are rife among Christians and Saracens, always across generations. The elder Christians, though weakened, see the younger ones as a threat: as Saracens, as merchants, and as felons. Young King Gui and his men use the accusation of treason against Huidelon, who, despite being a Saracen, is their elder, to force an exchange. Dragolant disobeys his father's order to not intervene in the duel between Gui and Danemont, leading to Huidelon's self-humiliation before Charlemagne. Archbishop Turpin calls Dragolant, the young Saracen knight, a traitor in defense of Gui, thus recognizing the new King of France. In the narratives of the *Cycle du roi*, treason is almost exclusively enacted by Ganelon's kin, who repeatedly make attempts against the person of the Emperor and his heirs—Roland and Gui. The sense of betrayal (to kin, king, and God) and shame in these narratives admonish the *bellatores* to follow a chivalric ideal that valorizes status and social dominance and respects the older generations and the figures of power, regardless of their divergent religious belonging; that practices licit violence, addressed in these poems as that only directed towards the Saracens, with the exception of messengers who deserve immunity; and that adheres to the demands of loyalty to lineage and bloodlines—familial obligations spelled out in the Bible—and to the monarch as a representative of the elite warrior cast, which buttresses the medieval polity.

Traitors Respond: English Catholic Polemical Strategies against Accusations of Treason at the End of the Sixteenth Century

Freddy C. Domínguez

Elizabeth I famously claimed that she did not wish to open windows into the souls of her subjects.[1] And yet, despite her best intentions—perhaps because of the worst intentions of some of her subjects—she could never comfortably live up to those aspirations. Although elements of the regime fought against strong impulses to see all Catholics as traitors, to many they seemed to threaten the stability of the state. To this group, Catholics carried the stench of sedition and treason.[2] Treason could be committed (and was deemed to have been committed) by Protestants, but the Catholic threat loomed so large that it thoroughly informed the understanding and articulation of treason laws during the Elizabethan era. Both the personalization of treason statutes meant to protect Elizabeth I herself and the expansion of how treason was defined emerged out of a context of real threats against the queen's life and attacks on her legitimacy by Catholic subjects.[3] The resulting legislation—haltingly, disputedly, and unevenly enforced—not only set up principles of justice and a rhetoric of persecution against confessional enemies but also framed how Catholics

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1   J.E. Neale, *Queen Elizabeth I* (Chicago: Academy, 2001), 180; David Loades, *Elizabeth I: A Life* (London: Continuum, 2003), 137. Though the sentiment conforms to Elizabethan principles, the quote comes from Francis Bacon and, as Diarmaid MacCulluch points out, he talks about "hearts" not "souls." Diarmaid MacCulluch, "The Latitude of the Church of England," in *Religious Politics in Post-Reformation England: Essays in Honor of Nicholas Tyacke*, ed. K. Fincham and P. Lake, 41–59 (Woodbridge: Boydell Press, 2006), 49.

2   Peter Lake, "Anti-popery: The Structure of a Prejudice," in *Conflict in Early Stuart England: Studies in Religion and Politics, 1603–1642,* ed. Richard Cust and Ann Hughes, 72–106 (London: Longman, 1989).

3   For what is still the most useful treatment of treason laws, see: Leslie J. Ward, "The Law of Treason in the Reign of Elizabeth," (PhD Dissertation, Cambridge University, 1985). See also a very useful, much shorter synthesis, in Michael Questier, "Historical Introduction," in *Papal Authority and the Limits of the Law in Tudor England*, ed. Peter D. Clarke and Michael Questier, 103–120 (Cambridge: Cambridge University Press, 2015). For a detailed description of laws against Catholics, see: Dom Hugh Bowler, introduction in *Recusant Roll no. 2 (1593–1594)*, ed. Dom Hugh Bowler, ix-xlvii (London: Catholic Record Society, 1965).

struggled to define treason and how to define *themselves*. Indeed, ideas about treason helped organize the development of intra-Catholic conflicts and fundamentally structured modes of Catholic strife and processes of internal "othering." Catholic responses to, and engagements with, accusations of treason show that the concept was far from self-evident and was subject to manipulations guided by a range of rhetorical and political concerns. Although treason had statutory definitions, the concept remained unstable because accusations of treason set off several acrimonious and public conversations about their validity. Such instability both ensured on-going confessional strife and secured (a very fragile) Elizabethan victory over Catholics who grew evermore divided about their understanding of loyalty.

After nearly a decade of mounting tension, but mostly muted confessional strife, in England, the floodgates of rebellion were flung open and the existential threat of Catholic radicalism reared its head. A rebellion led by Catholic nobles, together with the subsequent publication of *Regnans in excelsis*, a papal bull excommunicating Elizabeth and releasing her subjects from obedience (1570), portended more troubling times to come.[4] Further rebellion in Ireland (1578–81), the discovery of several plots to kill the queen (in the 1570s and 80s), and what seemed to be a coordinated politico-missionary plot carried out by deceitful priests (1581) had the Elizabethan court in panic mode. The regime reacted in line with their deep fears, doubling down on existing precedents of treason and expanding treason laws to deal with immediate circumstance. For example, the Treason Act of 1571 (13 Elizabeth I, c.1) personalized statute by defending the queen herself from any who might "compass, imagine, invent, devise, or intend the death or destruction, or any bodily harm tending to death, destruction, maim, or wounding of the royal person of the same our sovereign Lady Queen Elizabeth."[5] The statute called for the persecution of conspirators in and outside of England in response to the flight of traitors from England after a failed rebellion, and other rebellious activities, were linked to their activities on the Continent. With the papal excommunication still ringing in Elizabeth's ears, the most crucial element of the statute retroactively attacked the bull and any document like it, rendering treasonous all who "by writing, printing, preaching, speech express words, or sayings, maliciously, advisedly, and directly publish, set forth, and affirm that the Queen our sovereign Lady Queen Elizabeth is an heretic, schismatic, tyrant, infidel, or

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4   See: K.J. Kesselring, *The Northern Rebellion of 1569: Faith, Politics, and Protest in Elizabethan England* (Basingstoke: Palgrave, 2010).

5   J.R. Tanner, ed. *Tudor Constitutional Documents AD 1485–1603 with an Historical Commentary* (Cambridge: Cambridge University Press, 1951), 413. For a useful analysis of this law, see: Ward, "The Law of Treason," 14–21.

an usurper of the Crown ...."[6] This law, like all laws, tried to deal with present realities. It both protected the queen from clear and present dangers posed by the words and actions of Catholics and tried to delegitimize them. The long-term significance of the statute was uneven as it proved ineffectual in the prosecution of dangerous missionaries, but its enactment was significant because it emphasized royal authority and informed loyal subjects of the challenges that bad Catholics posed to it.[7] Thus, the importance of the document's personalization was that it humanized the struggle between the regime's confessional enemies and the regnant queen in an attempt to make subjects choose sides.

The 1571 law was only one of many episodes in the regime's ongoing struggle to define the parameters of treason consonant with immediate threats. Elizabeth and her counselors promoted its definition as it related to Catholics in sophisticated public relations campaigns that began after the arrival of missionaries from the Continent.[8] In 1581, a band of fifteen priests led by the Jesuits Robert Persons and Edmund Campion travelled around England giving comfort to beleaguered Catholics. As Leslie Ward suggests, treason laws of the previous decade were not sufficiently capacious to deal with this new threat. The regime soon realized "that not every missionary priest carried a papal bull under his hat, without which grounds for persecution were difficult to secure in accordance with the 1571 act."[9] Elizabeth's government faced an equally important challenge posed by Catholic efforts to pre-empt accusations of treason. Campion, prior to his capture and subsequent execution, had already predicted what he wanted to characterize as mendacious accusations that would be brought upon him. During his travels in England, he wrote a short text that he supposedly intended to be made public only after his capture. Those in charge of the manuscript's safe holding could not keep it to themselves, and so Campion's self-defense and challenge of the regime, popularly known as "Campion's Brag," entered the realm of public discourse.[10] In it, Campion argues that although he went to England to care for souls, Elizabeth and her advisors would no doubt accuse him of political misdeeds. But, he insists,

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6   Tanner, *Tudor Constitutional Documents*, 414.

7   Ward, "The Law of Treason," 65–66.

8   For a thorough discussion of show trials and their place in an emergent "public sphere," see: Peter Lake and Michael Questier, "Agency, Appropriation and Rhetoric under the Gallows: Puritans, Romanists, and the State in Early Modern England," *Past & Present* 153.1 (Nov. 1996): 64–107.

9   Ward, "The Law of Treason," 65–66.

10   Thomas M. McCoog, SJ, *The Society of Jesus in Ireland, Scotland, and England 1541–1588: 'Our Way of Proceeding'* (Leiden: Brill, 1996), 146–148.

"I never had mind, and am strictly forbidden by our Father that sent me, to deal in any respect with matter of state or Policy of this realm, as things that appertain not to my vocation, and from which I do gladly restrain and sequester my thoughts."[11] In light of these claims, the regime felt compelled to disentangle religious and political motives for punishment. According to Elizabeth and her close advisers, the death of those whom Catholics would come to think of as martyrs had nothing to do with their religious beliefs and everything to do with treason. As William Cecil, Elizabeth's chief advisor, explained in a pamphlet defending the executions, missionaries were prosecuted for "high treason, not being dealt withal upon questions of religion, but justly condemned as traitors."[12] To help underscore this, and to deal with the limitations of previous laws, English missionaries were tried under fourteenth-century treason laws established by Edward III (25 Edward III, st. 5, c. 2), which, since they were enacted well before the Reformation, did not have confessional overtones. The Edwardian law aimed to punish those planning or plotting the monarch's death, those trying to levy war against him, and those attempting to help his enemies at home. Missionaries, according to the regime—despite their priestly lies and obfuscations—took part in a cocktail of these dastardly activities. Reversion to medieval law suggests that the regime was still finding its bearings against the confessional enemy and that it chose to lean on tradition rather than the imputed innovations of recent statute.

Those who supported the missionaries predictably remained unsatisfied and undeterred. In fact, the shared acceptance of Edwardian laws created new polemical possibilities. No one doubted the legitimacy of medieval statute, but William Allen (a future cardinal) argued that there was absolutely no proof that the accused committed treason as defined by that law, of which he explained the two chief components were to "conspire or compass the death of the sovereign, or to levy men of arms against him."[13] He tries to prove that the regime could only justify its claims by employing a definition of treason imbued with the twisted logic of more recent laws that could not cohere with medieval ones enacted well before the religious divisions that beset early modern Europe. To take one example, Allen points out the absurdity of prosecuting anyone for the mere fact of introducing a papal bull of excommunication,

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11   Edmund Campion, "Campion's 'Challenge,'" in *A Jesuit Challenge: Edmund Campion's Debate at the Tower of London*, ed. James V. Holleran (New York: Fordham University Press, 1999), 180.

12   William Cecil, *The Execution of Justice in England*, ed. Robert Kingdon (Ithaca: Cornell University Press, 1965), 7.

13   William Allen, *A True, Sincere, and Modest Defense of English Catholics*, ed. Robert Kingdon (Ithaca: Cornell University Press, 1965), 78.

something that was most certainly not illegal during the reign of Edward III.[14] According to Allen, evoking Edwardian law provided a mere cover for the broadly decried censorship of conscience. This, he suggests, was symptomatic of a regime—if not a queen—that had given itself to rampant secularism. Such misguided use of statute, he asserts, was the product of a time and place "when the superiority temporal hath preeminence and the spiritual is but accessory, dependent, and wholly upholden of the other, error in faith is little accounted of, whatsoever their pulpit men (to make themselves and their patrons sport) brawl of such matters; and all our doings, endeavors, and exercises of religion are drawn to treasons and trespasses against the Queen."[15] Harping on this theme, he suggests that the shame of their own statutes compelled them to claim impartiality in matters of faith, while prosecuting religion under the veil of treason. In the process, they "wipe so hard as they draw blood."[16] Elizabethan attempts to remove religion from the regime's persecutory logic surely satisfied those who had come to see Campion and his companions as hypocrites and agitators, but it left others more desperate and angry than ever. Indeed, the use of established treason laws gave critics the opportunity to edge ever closer to public statements against the regime's legitimacy. The use of medieval law opened up a space wherein enemies could not only challenge legal outcomes based on evidence but could also point to a spurious use of statute that spoke to more profound corruptions.

By undermining the legal tools used by the Elizabethan regime, men like Allen set the stage for more assertive critiques of Elizabeth and her government. Few legislative acts horrified English Catholics more than a 1585 statute (27 Elizabeth I, cap. 2) that forcefully criminalized the very presence of Catholic priests. By it, all priests trained abroad had to leave within forty days of its enactment or be deemed treasonous. The regime now labelled as traitorous anyone trained in a Jesuit college or seminary who failed to return to England after six months of enactment and swear allegiance to royal supremacy.[17] In an anonymous pamphlet emphasizing English (or, as it says, Calvinistic) cruelty, the editors published the statute for Continental consumption, adding contumacious commentary on the margins. The editors assert that such a decree reminded them of past tyrants including Huneric, Maximanius, Licinius, and Valerian.[18] Along the lines of Allen's arguments, the editors claimed that

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14   Allen, *Modest Defense*, 83.
15   Allen, *Modest Defense*, 118–119.
16   Allen, *Modest Defense*, 119.
17   Ward, "Law of Treason," 64–66.
18   Anonymous, *Crudelitatis Calvinianae exempla duo recentissima ex Anglia* (n.p., 1585), 11v–12v, 15v.

while the regime continued to peddle the line that punishments were rendered only for political reasons, in fact the law emerged from "ab dissimulato odio religionis" [the dissimulated hatred of religion].[19] The editors found one element of the law particularly risible: the admonition that Catholics promise to abide by current and future regal pronouncements, thus forcing them to change religion whenever the queen decided to change her own.[20] Such legislation could only be tyrannical, and those subject to its whims found themselves in vile servitude, they argued.[21] If such laws mirrored the efforts of ancient tyrants, English Catholics of a certain stripe also pointed out how unprecedented they were in English history. Reflecting on the recent past, the editors of Nicholas Sander's *De origine ac progressu schismatis Anglicani* [On the Origins and Progress of the English Schism] (1585) marvel at the "New laws, and laws such as nobody heard of before, are made every year, and executed with the utmost severity, against Christians, subjects and members of the same state, and at the same time the robe of justice is thrown over such excessive wickedness."[22]

Either because Elizabethan actions looked like ancient tyranny or because they looked like "novelty" (a pejorative term at the time), Catholic critics thought the queen's efforts undermined the very foundations of Elizabethan rule. By the inversionary rules that mark so much early modern polemic, accusations of treason against Catholic agitators needed to be rejected in kind by turning the accuser into the accused.[23] Because the regime failed to rule well, they had in fact betrayed the Commonwealth and should be considered disloyal.

The promulgation and contestation of treason laws and their logic deepened divisions between the regime and Catholics. By stating their dislike of the Elizabethan authorities and arguing that they wrongfully used laws to achieve sinister ends, English Catholics provided potential fodder for those Elizabethans who wanted to tar Catholics as traitors. These were the words and ideas to be expected among a brood of men who, as contemporary playwright Anthony Munday reported (in a hostile account), relished the thought that "the

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19   *Crudelitatis*, 18r

20   *Crudelitatis*, 19r.

21   *Crudelitatis*, 18v.

22   Nicholas Sander, *De origine ac progressu schismatic Anglicani* (Cologne, 1585), 204r. Translation taken from: David Lewis, ed., *The Rise and Growth of the Anglican Schism* (London: Burns and Oates, 1877), 334.

23   On this dynamic, see: Stuart Clark, "Inversion, Misrule and the Meaning of Witchcraft," *Past & Present* 87.1 (May 1980): 98–127, and the expansion on these themes in: Stuart Clark, *Thinking with Demons: The Idea of Witchcraft in Early Modern Europe* (Oxford: Oxford University Press, 1997), 1–148.

dogs shall tear her [Elizabeth's] flesh and those that be her props and upholders."[24] Munday was well informed, and Elizabethan fears cannot be discarded as mere fantasies. The execution of Campion and other traitors undoubtedly inspired more radical action and plotting. Activities seen as treasonous from an Elizabethan perspective could be countenanced by hardline Catholics because some saw the queen's removal, indeed her violent death, as the just ends of just rebellion. This logic moved many individual Catholics (often with official backing in and outside of England) to plot the queen's murder or to overthrow the government.[25] This logic was promoted by those who clung to high papist ideologies and saw the pope's excommunication as a justification for revolt,[26] as well as those political theorists who espoused a contractual understanding of the Commonwealth and argued that an errant king might be dethroned—and indeed killed—especially if his errors of faith put souls in jeopardy. Should monarchs fail to live up to their contractual obligations toward subjects, they could be legally removed.[27] English Catholics could (and did) draw on a range of secular and spiritual tropes to justify violent action while the queen and her advisors felt that they had to annihilate traitorous Catholics for using those tropes to undercut the regime.

If, however, the very laws that the Elizabethan government instituted displayed marks of undeniable heresy and tyranny among hardcore resisters of the regime, their position was one of several. Amid the recent flourishing of English Catholic studies, early modern English Catholicism has emerged as a much more complex phenomenon than had once been supposed. Recent scholarship has revealed how internally divided and confessionally ambiguous English Catholicism could be, especially in a political context where its practice was essentially outlawed. Peter Lake, Michael Questier, Alexandra Walsham, and Thomas McCoog, SJ, among others, have shown that Catholics of different stripes could have slightly (and sometimes greatly) different takes on how faith could be expressed and, more specifically, how individuals should relate to the Elizabethan church settlement.[28] They could not agree on how to

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24   Anthony Munday, *The English Romayne Lyfe*, ed. G.B. Harrow (London: The Bodley Head Ltd, 1925), 20.

25   For an accessible summary of these plots, see: Stephen Alford, *The Watchers: A Secret History of the Reign of Elizabeth I* (New York: Bloomsbury, 2011).

26   Nicholas Sander, *De visibili monarchia ecclesiae libri octo* (Leuven: John Fowler, 1571).

27   This is a key argument in Robert Persons, *Conference about the Next Succession to the Crowne of Ingland, Divided into Two Parts* (n.p., 1594).

28   For example: Thomas McCoog, SJ, *The Society of Jesus in Ireland, Scotland and England, 1589–1597: Building the Faith of Saint Peter upon the King of Spain's Monarchy* (Abingdon: Routledge, 2016); Thomas McCoog, SJ, *The Society of Jesus in Ireland, Scotland, and England 1598–1601: Let Our Lamp be Entirely Extinguished* (Leiden: Brill, 2017); Peter Lake and

define allegiances to the queen, what kind of loyalties were owed to her, and on what terms. Over time, a discourse emerged among Catholics themselves that emphasized good versus bad members of the community, often in terms of loyalty or treason. Treason laws existed to draw lines in the sand between loyal subjects and disloyal ones, but the Catholics targeted by Elizabethan statute did not want the regime to have its way. The fervid responses by some Catholics put others who were less zealous or less eager to flaunt their allegiances in an uncomfortable position; as a result, the English Catholic community remained divided and fought over how best to construe, or even pursue, loyalty to the queen.

Elizabethan treason laws succeeded to the extent that unless individuals were prepared to cut ties with the queen, they had to find ways to claim loyalty based on how the regime defined it. Even hardliners had to bend to the will of the state sometimes. For example, while there is little doubt that Allen promoted activities that the Elizabethan regime deemed treasonous, he often tried to straddle the line between resistance and compromise, to use Peter Homes' phrase.[29] Thus, even as Allen assailed the regime for its tyrannical inclinations and condemned laws punishing religious beliefs, he nevertheless sometimes accepted the notion that some of his own kind really did go too far. Although he was behind the revival of several books by the theologian Nicholas Sander,[30] within the context of his *Defense*, Allen set him up as an outsider. Sander, a man who died fomenting rebellion in Ireland and who had written plain texts against the queen and in favor of the pope, could not be embraced wholeheartedly. Consequently, Allen mentions Sander and his defenses of Roman supremacy, but does not wholly condone his efforts. Sander encouraged rebellion for "special reasons" which Allen would not "defend or reprove."[31] This ambivalence has nothing to do with Allen's like or dislike of Sander himself but is the result of prudential considerations.

A similar dynamic is at play in a near-contemporary book, most likely written with the approval and connivance of Allen and his close intimate, Persons,

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Michael Questier, *Trials of Margaret Clitherow: Persecution, Martyrdom, and the Politics of Sanctity in Elizabethan England* (London: Continuum, 2011); Michael Questier, *Catholicism and Community in Early Modern England: Politics, Aristocratic Patronage and Religion, 1550–1640* (Oxford: Oxford University Press, 2006); and Alexandra Walsham, *Church Papists: Catholicism, Conformity and Confessional Polemic in Early Modern England* (Suffolk: Boydell Press, 1999).

29 Holmes, *Resistance and Compromise: The Political Thought of the Elizabethan Catholics* (Cambridge: Cambridge University Press, 1982).

30 Freddy C. Domínguez, "'We Must Fight with Paper and Pens': Spanish Elizabethan Polemics, 1585–1598," (PhD Dissertation, Princeton University, 2011).

31 Allen, *Modest Defense*, 122.

titled *Leicester's Commonwealth* (1584).[32] The book was a full-throttled, slanderous assault against Robert Dudley, Earl of Leicester, casting him as an evil counselor, all the while claiming complete loyalty to Elizabeth herself. Though it was most likely produced by those who were considered radical by other Catholics, it took on a moderating stance. In it, "the Lawyer"—an interlocutor described as being "inclined to be a papist" (65)—discussed several forms of treason among subjects adhering to a different confession from that endorsed by their ruler. There are those, he says, who aim to spread their own religion, "which is always either directly or indirectly against the state" (67). A direct assault is inevitable "when the said religion containeth any point or article directly impugning the said state" (67). But *any* deviance from an official Church will create the context for an indirect affront "for that every different religion divideth in a sort draweth from the state, in that there is no man who in his heart would not wish to have the chief governor and state to be of his religion if he could …" (67). Direct treason, he continues, leaves little room for questioning just punishment. Indirect treason, however, requires more reflection. Though individuals might betray a potential for treason, those guilty of it might not be condemned as traitors (67–8). Insisting on the moderation of most English Catholics, the lawyer nevertheless must concede that there are some who might be legitimately punished. The likes of Charles Neville, sixth earl of Westmoreland (conspirator in the northern rebellion), and Sander were "openly known to have been in the second degree or kind of treason" (70). But the text also tepidly legitimizes the execution of recent missionaries who being in the "first degree of treason (wherein no doubt they were) was sufficient to dispatch and make them away, especially in such suspicious times as these are; to the end that being hanged for the first, they should never be in danger to fall into the second …" (70). Here, the Catholic voice in the text not only shares the regime's opinions about undoubted traitors but also shows some empathy for the regime's impulse to punish for the sake of religion *tout court*, acknowledging latent dangers within a multi-religious state. While this might reveal a current in English Catholic thought, it does not reveal the point of view embraced by those involved in producing the polemic. People like Persons and Allen did not believe dialogue with the queen would be of any use. In the real world, they would have fiercely challenged anyone like the "moderate Catholic" depicted. The guise of moderation shows how deep Catholics waded in the Elizabethan logic of treason even when they harbored hatred of

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32   *Leicester's Commonwealth: The Copy of a Letter Written by a Master of Art of Cambridge (1584) and Related Documents*, ed. D.C. Peck (Athens, OH: Ohio University Press, 1985). Hereafter, page numbers are given in parentheses.

the regime itself. The decision to take such a stance was predicated largely on strategic calculations at a moment when Catholics spoke from a position of relative weakness before the launching of the Armada seemed like a real possibility. Just a year later, in 1585, the scene would change, the idea of a Spanish invasion of England seemed likely, and anti-Elizabethan discourse would become much sharper.[33] Save for the queen's removal or advocacy for it, those who opted for anything other than resistance had few options but to embrace a version of treason promoted by governing authorities.

Even if taking a moderate stance was a strategic necessity, Victor Houliston has rightly argued that *Leicester's Commonwealth* gave a voice to more "moderate" Catholics whom people like Persons otherwise disliked.[34] This voice became more emboldened in light of the regime's deepening commitment to obliterating the threat of a papist fifth column. Especially for those Catholics in England who had to face threats of fines, imprisonment, or even death for failure to conform to Elizabethan diktat, hard-liners seemed out of touch. Those who decided against recusancy tried to convince the regime of their loyalty by rejecting the affinity to extremists. Efforts to establish loyalist bona fides had been a part of English Catholic polemic and literature from the start of the regime, but it hardened during the last decade of Elizabeth's reign. Although Spain would not attack again after the failed Armada campaign of 1588, plotting was always afoot, and the Elizabethan regime never stopped fearing renewed aggression. In 1591, Elizabeth went so far as to publish a proclamation in which she encouraged the capture and punishment of Catholic missionaries deemed vile conspirators with the pope and the Spanish king, Philip II, against the realm.[35] In the subsequent blood-thirsty campaigns of men like Richard Topcliffe (the so-called priest-hunter), attestations of loyalty by some became more desperate to avoid further punishment.

In direct response to Elizabeth's pointed accusation of Catholic ties to papal and Spanish enemies, Thomas Wright (a renegade Jesuit) wrote a text that circulated in the highest echelons of Elizabethan government, *An licitum sit*

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33   Peter Lake, *Bad Queen Bess? Libels, Secret Histories, and the Politics of Publicity in the Reign of Queen Elizabeth I* (Oxford: Oxford University Press, 2016); See also: Domínguez, "Fighting with Paper and Pens." This radicalization will be the topic of my future monograph tentatively titled *Radicals in Exile: English Catholic Books during the Reign of Philip II*.

34   Victor Houliston, "Persons' Displeasure: Collaboration and Design in Leicester's Commonwealth," in *Publishing Subversive Texts in Elizabethan England and the Polish-Lithuanian Commonwealth*, ed. Teresa Bela, Clarinda Calma, and Rolanda Rzegocka, 155–166 (Leiden: Brill, 2016).

35   For the text of the proclamation, see: "Establishing Commissions against Seminary Priests and Jesuits," in *Tudor Royal Proclamations*, ed. Paul L. Hughes and James F. Larkin, 86–93 (New Haven: Yale University Press, 1969). See also: Lake, *Bad Queen Bess?*, 312–336.

catholicis in Anglia sumere, et aliis modis, reginam et regnum defendere contra Hispanos (1595) [*Whether Catholics in England may use arms and other means in defence of the Queen and the kingdom against the Spanish*].[36] In it, Wright forcefully urges fellow Catholics to embrace loyalism and rebukes those who allied with the Spanish king or the pope to effectuate a re-conquest, spiritual or otherwise. First, Wright had to detach English Catholicism from Spanish imperial aspirations. He does this by summarizing the concerns of those Catholics who were unsure about what to do should a new Armada be sent. Because the previous one had been launched with papal blessings, some feared that to resist Spain was akin to resisting the pope, "which is a sin of disobedience" (584). They also wondered whether the king had a just claim for aggression, given the queen's affronts. Should this be the case, it seemed to some that they could not act in favor of the wrongful participant in future potential warfare. Finally, Catholics could not possibly resist a king (Philip II of Spain) "who endeavors to restore and amplify the Catholic faith" (584). This is the kind of inconstancy that typified Catholic treason, inspiring the rage of the Elizabethan regime. This is precisely the kind of logic Wright rejects. He insists that the King of Spain continually offended the queen and that his aggression is not based on religion but on expansionist aspirations. Allowing disobedience to the pope proved a bit more ticklish. Although he does not reject the idea of papal intervention altogether, Wright suggests that the pope need not be obeyed as he "may err in sending the Spanyard to England" (589). Though he admits that it is "difficult business" to figure out when the pope may intervene, he does allow for the possibility only when "the subjects of one king, by an unanimous consent, (that is, the whole community, or the chief heads) have informed the pope of their state, and affirm the safety of souls are in extreme jeopardy" (590). Though this might still annoy Elizabeth, Wright renders the power of the pope against the Elizabethan regime impossible to execute. Neither Elizabeth nor her counselors would willfully ask for papal assistance. Such clawless authority (in political matters) created a space wherein Catholics could claim loyalty to the queen and implicitly legitimize the regime's actions against those who refused to let go of their hispano-papal allegiances. Wright wedged a space between purported loyalists (like him) and those who entered

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36   Thomas Wright, "*An licitum sit catholicis in Anglia sumere, et aliis modis, reginam et regnum defendere contra Hispanos*. Resolved by one Wryght, a priest as it seems, of the college of Doway," in John Strype, *The Annals of the Reformation and the Establishment of Religion, and Other Various Occurrences in the Church of England during Queen Elizabeth's Happy Reign: Together with an Appendix of Original Papers of State, Records, and Letters* (Oxford: Clarendon Press, 1874), III: II, 583–597 at 584. Hereafter, page numbers will be given in parentheses.

wrongful contact with the enemy. He argues that English men and women who had been "hispaniolized" deserved the punishment they got for helping (or wanting to help) a foreign power against their rightful monarch.

If Wright rejected Spanish allegiances forcefully, others would have to push further to help explain how loyalties to the queen and the pope, to English and Roman churches, could be reconciled. An anonymous manuscript from the end of the Elizabethan period, *A Plee for a Prieste* (c. 1598–1603), offers a template for mounting a proper defense of Catholic priests coming under the scrutiny of recent treason laws.[37] It does not reject those laws, but tries to explain how Catholics are not inherently opposed to the regime or the regime's conception of loyalty. The basic premise of the paper hinges on the reconcilable (though not friendly) relationship between the English and Roman churches. The author argues that being part of a Catholic establishment did not deny the queen's role as the ecclesiastical head in England. On the other hand, to assert the exclusivity of the English Church would be to suggest that "eythere the communion of saintes muste only be in England, or England they have sequestred out of the communion of saintes" (125). If England were "to be only the Churche of Christe, this were greatly to ympare the principallytie and signurie of our Saviour ..." (125). If the queen were not part of that mystical body, it would be an insult to her as she would be excluded from greater Christendom. If the English Church is represented by the English clergy, then no doubt the Roman church is represented by its clergy instituted by its bishops, thus rendering the priesthood (and even the Catholic priesthood in England) legitimate and its powers of absolution and reconciliation innocuous.[38] By arguing this, the author creates some distance between English clergy and Roman authorities as the clergy would be part of an English Church, which the queen was in charge of protecting. For such an argument to work, the author must neutralize papal authority, which threatened to sour his division between a mystical and terrestrial Church since it was well known that the pope often tried to intervene in earthly matters. His argument hinges on the role of the

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37   Michael Questier, ed.,"A Plee for a Prieste : And a Plee to Prove, that to Absolve Only From Heresy, Schisme, and Sinne to Reconsile Merely to the Unitie of the Holy Catholike Churche, and to Perswade to the Holy Catholike, and Apostolyke Religion, or to the Roman or Romishe Religion Merely and Only for Religion, Is Not Treason According to the Lawes, Promulgate by Hyr Majestie," in *Papal Authority and the Limits of the Law in Tudor England*, ed. Peter D. Clarke and Michael Questier, 121–149 (Cambridge: Cambridge University Press, 2015). Hereafter, page numbers are given in parentheses.

38   Questier, "A Plee," 125; Lucy Underwood, "Persuading the Queen's Majesty's Subjects from their Allegiance: Treason, Reconciliation and Confessional Identity in Elizabethan England," *Historical Research* 89.244 (May 2016): 247–267.

papacy, or its many roles, depending on the kind of jurisdiction being claimed. The pope is bishop of Rome and the leader of the church in general, not to mention a secular lord. Since Elizabethan statute discusses the "sea of Rome," it must be talking about the pope as bishop, which is not quite the same as the papacy or all-encompassing papal authority (with powers to excommunicate, loose, and bind) (130). The author argues against the conflation of allegiance to the pope with treason and criticizes attempts by prosecutors to put Catholics into a corner. Elizabethan law itself allows for different forms of absolution and reconciliation that leaves room for a range of engagements with Rome (136). In the end, though, the author accepts the premise that allegiance to foreign entities by those who belong to the Church (a point of contention from within) might indeed be treasonous, but he hopes good Catholics outnumber bad ones (145–6). Thus, the author formulates a language of defense for Catholics that could also appeal to the queen. The text tries to establish a rhetoric of conviviality by canvassing the legal coexistence of various ecclesiastical entities in England and, as a consequence, wittingly or unwittingly, deepens an allegiance to Elizabethan laws and a rejection of treasonous forms of Catholic behavior and practice.

Such arguments were meant to persuade the regime of loyalty, but they facilitated polarization among Catholics as well. Just as Catholics felt increasingly compelled to find a way to work within existing Elizabethan legal structures, the regime tried to exploit intra-Catholic strife by co-opting priests eager to smear other Catholics who typified the traitor of Elizabethan nightmares. Much of this vituperation took the form of anti-Jesuit discourse, wherein the Jesuits were portrayed by secular priests as corrupt elements within Catholicism that endeavored to overturn the existing political and religious order.[39] Elizabethan tropes were deemed useful and appropriate in a series of altercations over matters of ecclesiastical governance, be it within English Catholic colleges on the Continent or in Catholic prisons such as that at Wisbech where Catholic prisoners were at each other's throats. These conflicts culminated in what is now known as the Appellant Controversy during which secular priests and Jesuits fought a polemical war in England and Rome about whether or not to accept an "archpriest" as opposed to a bishop as the head of English Catholicism.[40] "The Plee" had been written within the context of

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39   For a recent take on this issue, see: Peter Lake and Michael Questier, "Taking it to the Street? The Archpriest Controversy and the Issue of the Succession," in *Doubtful and Dangerous: The Question of Succession in Late Elizabethan England*, ed. Susan Doran and Paulina Kewes, 71–91 (Manchester: Manchester University Press, 2014).

40   On this, see: McCoog, *The Society of Jesus in Ireland, Scotland, and England 1598–1601,* and Arnold Pritchard, *Catholic Loyalism in Elizabethan England* (London: Scolar Press, 1979).

these controversies, but the author of that text chose to appeal to the regime while avoiding aggressive attacks on his co-religionists. Others who had come to believe that the Jesuits posed a threat to Catholicism itself would go out of their way to say what went unsaid by more "moderate" voices as they intertwined promises of loyalty to the regime with attacks against Catholic disloyalty.

William Watson, a secular priest, is exemplary of Appellant crudeness, especially in his merciless attacks on the Jesuit, Persons.[41] According to Watson, Persons was behind plots to establish a novel form of church governance in England to facilitate dastardly plans of his own and

> to stop the discovery of his treacherous minde towards his countrey probatur for it came in … at that time when bothe in Spaine Italie & the lowe countries his dealings began to be odiouse for his tyrany against all priests & lay persons yt consented not to his Jappon kingdome & in England his bookes & all their dealings being by cathol[ics] generally disliked & by Seminarists condemned and reiected as full of ambition, bloodshed, infamy & crime intended to or whole contrey.[42]

In *A Decacordon of Ten Quodlibeticall Questions Concerning Religion and State* (1602), Watson examines the implications of tyrannical impulses for Catholics as a whole.[43] At first, he claims English Catholics, especially seminarians on the Continent, gave Jesuits the benefit of the doubt. However, charity gave way to reality when "they were intangled by penall lawes iustly made against them equally, as against the Iesuites: (whose plots and practises, they seemed at first to defend, or at least to winke at) and withal perceived that the Ies. religious pietie, being turned into meere secular, or rather temporall and laicall pollicie, did occasionate in them an aspire to soveraigntie." Watson asserts that only lately had these complicit priests been awakened to the fact that the Jesuits went about their Machiavellian, atheist, secular plotting only under a veil of religion. These men (the Jesuits) who had brought so much pain to Catholics

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41   Very little has been written on Watson, but mention of his work and a description of the polemics he took part in can be found in Peter Milward, *Religious Controversies of the Elizabethan Age: A Survey of Printed Sources* (Lincoln: University of Nebraska Press, 1977), 119–121.

42   "Watsons Thirty Reasons," in *The Archpriest Controversy: Documents Relating to the Dissensions of the Roman Catholic Clergy, 1597–1602,* ed. T.G. Law (London: Camden Society, 1896), 2:90–100 at 92.

43   William Watson, *A Decacordon of Ten Quodlibeticall Questions Concerning Religion and State* (n.p., 1602). References below are from the preface, which is not foliated.

were guilty as charged by the Elizabethan regime, according to Watson, and that guilt was defined by laws established by the regime to punish those who passed off worldly ends and holy ones. Those critical of Jesuits thus appropriated a language of tyranny that was diametrically opposed to that of strident Catholic critics of the regime, wherein the Queen was not the tyrant and the Jesuits were. Appellants embraced a version of the Elizabethan regime's take on extreme Catholics; far from innocents, many Catholics were very much the traitors they pretended not to be. Established treason laws were validated and embraced as an effort to win points against the confraternal enemy and to distance English Catholicism from the potential grip of legal prosecution. In doing so, Appellants not only accepted an Elizabethan position, but they separated themselves from what they portrayed as an extreme faction within the Catholic community. Although they did not eradicate the threat of treasonous Catholics from the regime's perspective, by parroting its exclusionary rhetoric, Catholic priests helped amplify efforts by Elizabeth and her counselors to divide and conquer. By adopting the regime's tactics toward other Catholics, aspiring allies of the regime cemented an idea of incommensurability that, though implicit in previous internecine battles, had not been so forcefully declared in public discussions.

The basic dynamic of the polemic described here in its most extreme versions conforms to an early modern mindset that often thought in black and white, hardened dichotomies, and narrative inversions. One person's saint was another person's sinner; one person's martyr was another's traitor. And yet, there are ambiguities evident here too. Though in the hearts of certain men there was little room for turmoil, most Catholics understood that things were not that simple and that loyalty and treason were moving targets. To say this is not to suggest that ardent enemies of the regime ever argued for submission but that notions of loyalty and its opposite could be subjected to manipulation for specific aims. Just as the regime struggled to define treason within changing circumstances and changing threats, Catholic subjects too had to accommodate to political realities and lived experiences. In light of Elizabethan persecution and no real hope of plausible resistance, virulent anti-Elizabethans could deploy moderate rhetoric when necessary. The absorption of Catholics into a rhetorical sphere established by the Elizabethan regime marks its greatest success against the threats posed by the confessional enemy. Laws in themselves would not ensure the capture and punishment of all dangerous Catholics, but a blend of exemplary punishments (like that of Campion) and the promise of severe punishment imposed by various laws against (Catholics) traitors elicited a set of conformist reactions that only further legitimized the regime and legitimized fears of Catholic "extremists." Thus, regardless of what form polemics

took, it was impossible to get away from the central concerns of the regime and their formulation of the Catholic problem. Some might (almost) escape the regime's impositions by rejecting it altogether, but by and large, Catholics tried to find ways to accommodate readings of the regime's intentions within their own viability. In the process, they deepened fissures with putative confreres and enhanced the power of the regime and the State.

PART 3

Treasonous Love: Adultery and Shame

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Treason and Deception in Late Medieval German Romances and Novels *Königin Sibille, Melusine, and Malagis*

Albrecht Classen

In a number of late medieval and early modern German verse romances and prose novels, a variety of themes come to the fore involving love, marriage, wealth, travel, political conflicts, and war, but remarkably also treason, both on the highest political level and within married life. Those prose novels were mostly first copied down in manuscripts, but once the printing press had been invented in c. 1450 and then gained technological maturity since the 1470s, many of them gained in popularity and even became bestsellers.[1] Some of those *Volksbücher* [chap books] drew from medieval sources, others were influenced by contemporary novels in France, Italy, or Spain, and only very few represented innovative works.[2] In particular, in *Königin Sibille* from Countess Elisabeth von Nassau-Saarbrücken (1437), Thüring von Ringoltingen's *Melusine* (1456), and in the anonymous *Malagis*, the motif of treason emerges most explicitly because the problem discussed there each time endangers the individual protagonists existentially in a variety of contexts.

Certainly, early and high medieval literature also includes numerous examples of treason, but those are normally handled and overcome in a military and legal fashion (*Rolandslied, Nibelungenlied*, Wolfram von Eschenbach's *Willehalm*, etc.). By contrast, there seems to be a heightened sense of political disloyalty and distrust expressed in late medieval narratives, wherein increasingly female protagonists and learned individuals become victims of treason.

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1 Albrecht Classen, "Bestsellers in the European Middle Ages? An Examination of Some of the Most Popular Books in the Premodern Era. With Reflections on Wolfram von Eschenbach's *Parzival*," in *Bestseller—Yesterday and Today: A Look from the Margin to the Center of Literary Studies*, ed. Albrecht Classen and Eva Parra Membrives, 83–103 (Tübingen: Narr, 2016).

2 Bodo Gotzkowski, *"Volksbücher": Prosaromane, Renaissancenovellen, Versdichtungen und Schwankbücher: Bibliographie der deutschen Drucke*, 2 vols., Bibliotheca bibliographica Aureliana, 125 and 142 (Baden-Baden: Valentin Koerner, 1991 and 1994); Albrecht Classen, "The Late Medieval 'Volksbuch' or 'Prose Novel'," in *Heroes and Heroines: "Volksbücher": Prose Novels in Late Medieval Society*, ed. Marion Hanke and Ina Nettekoven (Basel: Dr. Jörn Günther Rare Books, 2017), 7–9.

Much of medieval literature contains severe criticism against the social and political system of its own time, warnings against people's shortcomings and failures, and explicit admonishments to change certain types of behavior. Didacticism and idealism were intimately intertwined in medieval literature, closely following the Horatian model of *delectare et prodesse* [delight and instruct]. Much is wrong at King Arthur's court, for instance, and many famous knights quickly prove to be rather dubious and weak characters who have first to go through a long learning process before they can achieve the desired ideal standards.[3] As a close reading of countless romances and other verse narratives indicates, both the king himself and his courtiers, both the queen and her maids, are often the focus of severe criticism because of their selfishness, their misbehavior, or their character weakness, which might mirror, in general terms, common discomfort with the chaotic and unjust conditions in real time. The charge of treason emerges in many cases and indicates both that the political system was regarded with great suspicion and that the gender conflicts gained in preponderance.[4] Treason is discussed in a variety of ways, but the poets interlace the political with the personal dimension.

Court criticism was rather rampant in the Middle Ages, especially since the twelfth century, particularly in the works of Walter Map, Marie de France, John of Salisbury, and Walther von der Vogelweide. Discontent with the social, political, and economic conditions comes to the fore in numerous romances, which allows us to approach pre-modern texts from a variety of perspectives, certainly beyond a simple close reading with an analysis of philological or aesthetic issues.[5] As much as medieval poets depended on their patrons, they

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3   In this volume, see: Inna Matyushina, "Treacherous Women at King Arthur's Court: Punishment and Shame"; Melissa Ridley Elmes, "Treason and the Feast in Sir Thomas Malory's *Le Morte Darthur*"; and Larissa Tracy, "The Shame Game, from Guinevere to Cersei: Adultery, Treason and Betrayal."

4   Albrecht Classen, "The Cry-Baby Kings in Courtly Romances: What is Wrong with Medieval Kingship?," *Studi Medievali* 3a Series, 39.2 (1998): 833–63; Albrecht Classen, "Money, Power, Poverty, and Social Criticism in the Work of Heinrich der Teichner," *Studi medievali* 51.2 (2010): 671–99; Albrecht Classen, "Courtliness and Transgression at Arthur's Court: With Emphasis on the Middle High German Poet Neidhart and the Anonymous Verse Novella *Mauritius von Craûn*," *Arthuriana* 20.4 (2010): 3–19; Albrecht Classen, "Outsiders, Challengers, and Rebels in Medieval Courtly Literature: The Problem with the Courts in Courtly Romances," *Arthuriana* 26.3 (2016): 67–90. The issue that I address there pertains to social conflicts at court, lack of proper legal procedures, and the king's almost tyrannical behavior, but not treason, as in the present paper.

5   There were scores of social critics writing in the high and late Middle Ages; see, for instance: Walther von der Vogelweide, Hugo von Trimberg, or Heinrich der Teichner. Cf. Albrecht Classen, "Money, Power, Poverty." See especially: Claus Uhlig, *Hofkritik im England des Mittelalters und der Renaissance: Studien zu einem Gemeinplatz der europäischen Moralistik*,

also appear to have taken the liberty of challenging their society rather profoundly, profiling in surprisingly stark terms what appeared wrong to them. Medieval poets, at least in many cases, were, of course, spokespersons of their world, serving as a voice of public consciousness.

The human creature has always been determined more by ethical and moral weakness and shortcomings than by idealism and religious uprightness, as the countless efforts to reform society and revolutions throughout time have underscored most vividly. Much of human behavior proves to be political, driven by self-interests and, hence, egoism and greed. In order to realize personal agendas and enrich oneself at the cost of others, many strategies have regularly come into play, such as treason. Individuals commit treason because they hope to gain wealth, political power, or fame.

Treason can also be the result of fear and insecurity, but it always represents a severe conflict between an individual (or a special group of people) and society at large, between social norms and rules and private, secret efforts to enrich or empower oneself. Identifying a specific behavior as treason indicates that the majority regards certain actions or decisions as a transgression that deserves highest criticism and condemnation. But treason is not only an economic or a political issue; rather, it is also the result of ethical transgressions, the disregard of loyalty to a friend, a group, a leader, a religion, or the entire people.

As all the contributors to the present volume attest, treason is a heavy word, or concept, and is normally used in larger contexts, such as state treason, meaning that a certain action leads to the downfall or even destruction of all of society. At the risk of stating the obvious, which actually proves to be a much more complex issue than we might assume at first sight, it deserves to be highlighted that the person who commits treason commonly pursues his or her own agenda out of purely selfish reasons and in utter disregard of the well-being of society, or s/he turns against society at large and helps another to overcome its opponent in a universal struggle. At the same time, the charge of treason is mostly raised by those who lose their power and claim that the rioters or members of a *coup d'etat* broke all laws, oaths of loyalty, or the principles of feudal vassalage. Both medieval law and heroic epics are intimately concerned with this problem and emphasize the enormous importance of honor, loyalty, and honesty. As these literary cases illustrate, treason regularly occurs because some individuals or groups pursue their own agenda and disregard all traditional ethical pledges, commitments, rules, and regulations.

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vol. 56, Quellen und Forschungen zur Sprach- und Kulturgeschichte der germanischen Völker; N.F. (Berlin: Walter de Gruyter, 1973).

Consequently, the punishment for treason is normally very severe—brutal executions which serve as a warning for anyone who might consider following the same path.[6] Medieval laws were very specific in that regard and did not grant mercy to those convicted of treason.[7] The laws issued by the English King Alfred the Great (late ninth century) determined that treason was the only crime that could not be redeemed through repentance and payment.[8] But this mostly pertained to treason directed at the king himself; that is, an attempted coup-d'etat, which was part of the political reality throughout the Middle Ages, called *crimen laesae maiestatis,* or treason on a smaller scale, when a servant murdered his lord or a wife killed her husband. The concept of *lèse-majesté* can be traced from antiquity until the early nineteenth century, and it represents one of the most fundamental concerns in political law.[9]

Middle High and late medieval German poets dealt with this issue as well in a variety of ways, contributing to the same discourse as did the contemporary legal and political authors. In that context, literary sources offer a peculiar angle of great significance because here we can observe more clearly how the crime of treason was treated in a fictional, but at the same time also very specific, manner, outlining the conditions, reasons, and motivations that made treason possible in the first place and indicating thereby how it could be avoided or combatted in the future. The German literary discourse does not necessarily mirror the realistic circumstances, but clearly illustrates the mental-imaginary framework, signaling options for how to come to terms with treason, among many other problems.[10]

Often when a literary narrative is anchored within a political context, there is a growing focus on central concerns addressing the relationship between the individual and the ruler or his court. This is the case both on a European level

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6   Mary Lewis, "A Traitor's Death? The Identity of a Drawn, Hanged and Quartered Man from Hulton Abbey, Staffordshire," *Antiquity* 82.315 (2008): 113–24.

7   J.G. Bellamy, *The Law of Treason in England in the Later Middle Ages* (Cambridge: Cambridge University Press, 1970); Fabiano Fernandes, "Jacques de Armagnac, duque de Nemours e acusação de Lesa-majestade: A construção de um crime político por meio da memória escrita. 1465–1477," *Revista Diálogos Mediterrânicos* 9 (2015): 189–209.

8   *Lexikon des Mittelalters*, vol. 8 (Munich: Lexma Verlag, 1997), s.v "Verrat."

9   *Lexikon des Mittelalters*, vol. 6 (Munich: Lexma Verlag, 1993), "Majestätsverbrechen." See also the famous study by Michel Foucault, *Surveiller et punir: naissance de la prison* (Paris: Gallimard, 1975), 36–72, et passim.

10   W.R.J. Barron, "The Penalties for Treason in Medieval Life and Literature," *Journal of Medieval History* 7.2 (1981): 187–202; Paul Strohm, "Trade, Treason, and the Murder of Janus Imperial," *Journal of British Studies* 35.1 (1996): 1–23; Joanna Bradfield, "Canacee's Mirror: Gender and Treason in Medieval Literature," (PhD Dissertation, University of California, Riverside, 2011).

at large, and in medieval German texts as well. Some of the most dramatic examples occur in various major heroic epics where (military) honor matters most centrally and where committing betrayal or treason has always constituted a severe crime. Ganelon/Genelun in the Anglo-Norman *Chanson de Roland* (c. 1150/60), or in Priest Konrad's *Rolandslied* (c. 1170), represents one of the best-known traitors. He "sells" Roland and, ultimately, Charlemagne to the Muslims by robbing the ruler of his beloved nephew and causing the devastating defeat of the rear guard; thus, the traitor achieves his personal goal of avenging himself against his step-son, Roland, who eventually dies in the bloody battle, along with his entire company.[11] However, Charlemagne, alerted by the blow into the horn, returns and takes up the fight, finally defeating the Arab forces entirely, gaining both glory and the control over northern Spain. Nevertheless, both Roland and his paladins have died, and in his subsequent trial, Genelun is condemned to the gruesome death of quartering, being torn apart by four horses.[12]

In the Old Spanish *El Poema de Mío Cid* (c. 1000, or 1100), the Carrión brothers betray their father-in-law and attempt to kill their wives to dishonor El Campeador Rodrigo Díaz de Vivar—El Cid. However, the scene in the woods is observed by one of El Cid's loyal men who subsequently rescues the two women and takes them home to their father, who thereupon seeks justice through an ordeal and can regain his honor with the king to the utter shame of the two brothers and their family.[13] There are many more examples of treason, and each one involves a near-catastrophic development that endangers the well-being of the entire kingdom. Honor, ethical and moral ideals, and the survival of the court are commonly at stake.[14] Discussing cases of treason thus allows the poet/s to explore fundamental issues of state building, of establishing personal honor, and, hence, identity. Every social entity relies on trust, which seems to be at risk, however, all the time. Consequently, these medieval narratives shed important light on this ongoing discourse on honor versus treason.

At the same time, medieval poets dealt with treason on a more personal level, particularly involving husbands and wives, friends, neighbors, and relatives.

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11   For more on treason in the Charlemagne tradition, see in this volume: Ana Grinberg, "Religious Identity, Loyalty, and Treason in the *Cycle du roi*" and Tina Boyer, "Legal Ramifications of Ordeals and Treason in *Morant und Galie*."

12   Emanuel J. Mickel, *Ganelon, Treason, and the "Chanson de Roland"* (University Park: Pennsylvania State University Press, 1989).

13   For a discussion of ordeals, see in this volume: Boyer, "Legal Ramifications of Ordeals."

14   Research has dealt with this issue many times, of course; see, for instance: Roger M. Smith, "Did the Infantes de Carrion Intend to Kill the Cid's Daughters?," *Bulletin of Hispanic Studies* 56 (1979): 1–10. For a discussion on treason in medieval Castile, see, in this volume: Samuel A. Claussen, "Royal Punishment and Reconciliation in Trastámara Castile."

Committing treason involves breaking fundamental trust and destroying all social bonds. All communicative links and the sense of a shared community are undermined in that process, which forces everyone to reconsider his or her personal stance in that regard. While most other criminal activities find a relatively reasonable explanation and can be regarded as transgressions that society can fairly easily handle, treason threatens to destroy the very fabric of that world. Using this lens, the critical analysis allows access to crucial moments of existential fear concerning the stability of society and of the ruling house, and this both in the Middle Ages and far beyond, which fictional authors reflect upon by presenting personal cases of treason.[15] Much of Icelandic saga literature, for instance, is determined by the question to what extent honesty, loyalty, legality, and friendship can be upheld in face of ever-threatening treason, here commonly meaning breaking of traditional rules and laws.[16] Even though Icelandic culture was somewhat removed from the Continent, these texts still provide insights into that community insofar as they mirror the ongoing, constantly changing discourse on treason and honor also in other cultures. The notion of treason regularly pertained to physical wealth and political power, as reflected in numerous other literary genres and, hence, in other cultures throughout the medieval period, especially when a king, for

15   Karen Cunningham, *Imaginary Betrayals: Subjectivity and the Discourses of Treason in Early Modern England* (Philadelphia: University of Pennsylvania Press, 2002). One somewhat related case would be Heinrich Kaufringer's verse narrative "Der feige Ehemann" (c. 1400), in which "treason" results in the wife's rape. A knight woos a lady without any success, but when she tells her husband about this situation, the latter arranges a trap for the knight, hiding behind a barrel in the room where the affair is supposed to take place. He intends to appear in the nick of time to save his wife, but early on, the knight demonstrates his enormous physical strength, which frightens the husband so much that he stays hidden, which basically results in the wife's sexual abuse, although the knight does not fully understand her protests against his sexual approach. After the confused rapist has left, she severely criticizes her husband for his cowardice and, basically, his treason. He defends himself, commenting that a little harm (his wife's loss of honor and her being a victim of a sexual crime) would be less damaging than if he had confronted the knight to protect her and then died. Kaufringer agrees with this argument to some extent, but ultimately strongly criticizes the husband altogether for his foolish and unworthy behavior. This amounts to "treason" in a personal context. See: Heinrich Kaufringer, *Text*, vol. 1, *Werke*, ed. Paul Sappler (Tübingen: Max Niemeyer, 1972), 73–80. See also, in this volume: Dianne Berg, "'Tis Fearful Sleeping in a Serpent's Bed': *Arden of Faversham* and the Threat of the Petty Traitor." I have translated all texts by Kaufringer: *Love, Life, and Lust in Heinrich Kaufringer's Verse Narratives* (Tempe: Arizona Center for Medieval and Renaissance Studies, 2014).

16   Kim Esmark, Lars Hermanson, Hans Jacob Orning, and Helle Vogt, eds., *Disputing Strategies in Medieval Scandinavia* (Leiden: Brill, 2013).

instance, is endangered in his position by political machinations to undermine his authority, which then was regularly identified as treason.

While treason was a most dangerous transgression in political terms and treated extremely harshly, the poetic texts highlight to what extent treason could also destroy the hero's life in a very personal fashion. The same phenomenon, treason, can thus be evaluated from various perspectives, underscoring how much late medieval society, like many others, was deeply concerned with this problem and endeavored intensively to come to terms with it.

Insofar as it is possible to discover that treason, as the cause of personal suffering, is dealt with numerous times in the literary context, we may conclude preliminarily that the literary discourse thus interacted with the political one and commonly assumed an ethical, didactic posture. After all, treason constitutes the breaking of trust, which has severe consequences both for the individual and for society at large. In other words, exploring treason in late medieval German prose novels provides deeper insight into social, ethical, political, and moral issues, underscoring the conditions of mental history in the fifteenth century.

These prose novels, *Königin Sibille*, *Melusine*, and *Malagis*, have gained considerable interest in recent years in modern scholarship, but they continue to puzzle many researchers because they no longer belong to the Middle Ages and do not yet fall into the early modern period. However, what matters here is their representative relevance for fifteenth-century culture.[17] As a proviso, the question whether the issue of treason was of more relevance at that time compared to the high Middle Ages, or whether the ethical concerns continued on the same level, is beyond the scope of this study. Yet, concentrating on one verse romance and two prose novels makes it possible to examine the same issue in a cluster of formally, conceptually, and ideally similar examples all composed within the same time period of several decades, all achieving high popularity, and all serving well as representative literary reflections.[18]

The case of Queen Sibille and her conflict both with her husband, King Charlemagne, and the envious courtiers obviously attracted audiences across Europe; indeed, the text has survived both in a Spanish and French, and then also German, version, the latter most likely by Elisabeth von Nassau-Saar-

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17   For an overview of the research history and in-depth analysis of four major texts, see: Albrecht Classen, *The German Volksbuch. A Critical History of a Late-Medieval Genre* (Lewiston, NY: Edwin Mellen Press, 1995).

18   Xenia von Ertzdorff, *Romane und Novellen des 15. und 16. Jahrhunderts in Deutschland* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1989).

brücken.[19] Whether Elisabeth was the actual translator/author of this text, which her mother had composed in French, or whether she served as the nominal head of a translation team at her court, does not need to be addressed here.[20] However, the same text was also produced in medieval Spanish and French, and the conflict between this royal husband and his wife apparently intrigued audiences far and wide, probably because it transgressed the traditional myth of the glorious ruler Charlemagne and because it highlighted severe conflicts within royal families.

In the late Middle Ages, many authors explored the issue of court criticism, focusing on the tensions between Charlemagne and a group of evil courtiers, such as in the case of the very popular *Heymonskinder*.[21] The traitors want to overthrow the ruler and to gain power for themselves without having any legitimate reasons to support their case. One group of nobles regularly opposes another, and while Charlemagne's supporters often seem to be rather helpless, the other side ruthlessly resorts to all kinds of strategies to undermine the ruler's position. This is also the case in *Königin Sibille*, wherein the queen becomes

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19   *Der Roman von der Königin Sibille: in drei Prosafassungen des 14. und 15. Jahrhunderts mit Benutzung der nachgelassenen Materialien von Fritz Burg*, ed. Hermann Tiemann (Hamburg: Hauswedell, 1977); a new edition recently appeared: *Königin Sibille Huge Scheppel: Editionen, Kommentar und Erschließungen*, ed. Bernd Bastert and Ute von Bloh (Berlin: Erich Schmidt Verlag, 2018), which was not available in time to consult for this study. The editors do not even grant Elisabeth the title of author or translator of this work. See the comprehensive study by Ute von Bloh, *Ausgerenkte Ordnung: Vier Prosaepen aus dem Umkreis der Gräfin Elisabeth von Nassau-Saarbrücken: "Herzog Herpin," "Loher und Maller," "Hugo Scheppel," "Königin Sibille"* (Tübingen: Niemeyer, 2002).

20   Wolfgang Haubrichs and Hans-Walter Hermann, eds., *Zwischen Deutschland und Frankreich: Elisabeth von Lothringen, Gräfin von Nassau-Saarbrücken* (St. Ingbert: Röhrig, 2002). The debate has continued since then, with some of her works newly edited without name attribution, including *Königin Sibille* (see note 19). See, for instance: Bernd Bastert, ed., *Herzog Herpin: Kritische Edition eines spätmittelalterlichen Prosaepos* (Berlin: Erich Schmidt Verlag, 2014). Regarding the issue of translating, see: *Translatio or the Transmission of Culture in the Middle Ages and Renaissance: Modes and Messages*, ed. Laura H. Hollengreen and Laura Holden (Turnhout: Brepols, 2008); *Rethinking Medieval Translation: Ethics, Politics, Theory*, ed. Emma Campbell and Robert Mills (Cambridge: D.S. Brewer, 2012); *Translators, Interpreters and Cultural Negotiators: Mediating and Communicating Power from the Middle Ages to the Modern Era*, ed. Federico M. Federici and Dario Tessicini (New York: Palgrave Macmillan, 2014); Elizabeth Dearnley, *Translators and Their Prologues in Medieval England* (Cambridge: D.S. Brewer, 2016); and *The Medieval Translator: Translator and Authority*, ed. Pieter De Leemans and Michèle Goyens (Turnhout: Brepols, 2016).

21   Johann II. von Simmern, *Die Haymonskinder*, ed. Werner Wunderlich, vol. 35, Frühe Neuzeit (Tübingen: Max Niemeyer, 1997). Wunderlich traces the rich European reception of this text in great detail at 455–82. Hereafter, the relevant sections from the text will be given in parentheses.

the target of all the efforts by the envious courtiers since her destruction would help also to destroy the king.

Removing the queen by any possible means would facilitate their strategy of destabilizing the country and gaining power over the entire kingdom. Charlemagne is not identified here as a mature, calm, and self-composed individual, but as a ruler who is very much subject to many different kinds of manipulations. The author does not fully bother to explain the motivation of the group of envious courtiers; it suffices to understand that they are extremely angry and hostile, not caring about any individual needs or rights of the ruler and his wife.

Ominously, one day, an ugly black dwarf appears at court, who horrifies everyone, but the king welcomes him anyway and invites him to stay. This dwarf, Syweron, soon falls in love with the queen and would like to sleep with her, but she harshly repels him, hitting him in his face (121). Hiding the truth from the king, Syweron later pretends that he received his wound because he had fallen down the stair. But the dwarf has not yet given up, and he now pursues treacherous plans, as evidenced in the narrator's use of the term *verrederye* [treason] (121). His love, or sexual lust, being denied its fulfillment, turns into hatred, so he intends to destroy the queen, sneaking into her bedroom the next morning when the king is attending mass, and hiding under the blanket, without the queen noticing anything. He himself then falls asleep, which makes it possible for Charlemagne to discover the monster upon his return. This makes him believe that his wife actually had an affair with the dwarf, although she is entirely innocent, knows nothing about the dwarf's presence in her bed, and is also expecting her first child.

The subsequent events evolve rapidly: the king accuses his wife of adultery, she tries to defend herself, and the dwarf claims that she herself had carried him into the bed, although he had no desire to sleep with her and was very much opposed to all this, lying outrageously in his desperation to hide his own guilt (123). Tragically, the king does not believe his wife, and instead he trusts the set-up in the bedroom and the dwarf's words, almost sentencing his wife to be burnt at the stake as a punishment.

At this point, the nefarious group of traitors emerges and urges the king to pursue his adulterous wife with the full strength of the law and to put her to death; indeed, this same event occurs in *Herzog Herpin* (124), a novel also composed or translated by Elisabeth von Nassau-Saarbrücken as an additional example of the political conflicts under the rule of Charlemagne. The king does not hesitate for long. He has a fire started, and has his wife led there, which makes the entire crowd of knights and citizens who support the innocent queen break out in tears (124). But her husband remains obstinate and orders

his servants to tie her up and then to throw her into the fire, which makes all of the by-standers shriek and cry even further. Only then does a group of nobles, including Duke Nymo of Bavaria and Duke Otger of Denmark, take action, pleading with the king to show mercy (125) and convincing him to question the dwarf one more time. The latter, however, receives help from a group of hostile courtiers, the same treacherous group as mentioned before. They promise the dwarf large treasures if he testifies against the queen, which would guarantee that the latter would be burnt at the stake: "'Sage faste wider die konnigynne / das man sye verborne'" ["Testify firmly against the queen, so she will be burned at the stake"] (126). The narrator specifically identifies them as *verreder* [traitors] (126), but they cannot achieve their goal. Once the dwarf has lied to the king one more time, insisting that the queen asked him to come to the bedroom and then carried him into the bed, Charlemagne is so enraged that he orders the evil creature to be thrown into the flames immediately. His wife is freed from her ties since, as he admits, he would never be able to do anything to hurt her (126), but he orders her to leave his court for good, which satisfies at least the hostile courtiers, although they are not mentioned at this moment.

However, one particular traitor emerges, Markayr, who had wooed the queen for a long time and had tried in vain to gain her love. The narrator calls him "eynen bösen schalck / vnd verreder" [an evil rogue and traitor] (128), who now recognizes his opportunity to rape and then to murder her. A fight breaks out between him and the knight Abrye, who accompanies the queen to protect her, but the young man is poorly armed and is soon killed. Sibille takes flight in the meantime, making it impossible for Markayr to have his way with her. The dark forest provides her with the much-needed protection against the traitor and potential rapist, whereas the court of Charlemagne is the place where treason, envy, and jealousy dominate and endanger the female protagonist. Later, Abrye's loyal dog, mourning his master's death, appears at Charlemagne's court and thus eventually exposes Markayr's guilt, forcing the traitor to fight against the dog as a kind of ordeal.

Significantly, Markayr's friends, who all belong to the group of traitors (*verreder*, 135), intervene and try to help their relative, but to no avail. The dog defeats Marykayr and the traitor is then hanged, along with his relative Galleran who tried to assist the villain despite the king's strict order to stay out of the fight: "So mir der got / der alle ding geschaffen hait wirdet üwer dalig keyener so küne / das er in den kreyß trede, er müß dar vmb hangen" [By God who is the creator of everything, if anyone among you might be so bold as to step into the circle, he will have to suffer death through hanging] (140). Some justice is re-established at court with the death of those two evil characters, but it will take the entire novel for Sibille to reunite with her husband, who has to admit

at the end how wrong he had been in his assessment of the situation with the dwarf and that he had done much injustice to her as a result of the treachery orchestrated by the group of evil courtiers.

As the narrator, Elisabeth does not go into too much detail concerning the political conditions at Charlemagne's court. The narrator only comments on some basic structures, and the king proves to be an easy victim of the competing sides bitterly pitted against each other, gaining his favor or challenging his authority. There are his positively-depicted supporters who defend justice and the maintenance of traditional law and order, and then there is a group of evil courtiers who collectively endeavor to undermine the king's position for their own purposes. They fully recognize how weak Charlemagne is as a ruler and as an individual, that he is malleable and distrustful, jealous and insecure, which makes it possible for them to manipulate him according to their own intentions, amounting to a clear case of treason. They operate skillfully with the dwarf in arousing the king's enormous jealousy, which forces the king to direct his hatred against his own wife, although he loves her deeply. The narrator paints a black-and-white picture of the situation at court, with the one group pursuing justice and integrity while the other aims for treason and perhaps even a coup d'état. Both the king and his wife become victims of the factional in-fighting, which results from the treasonous behavior of Markayr and his friends and family.

At the end, after almost endless efforts, suffering, struggles, and the involvement of many forces, Sibille regains both her husband's love again and her position at court, but the damage has been done. Treason has wrought havoc upon, and almost destroyed, the king's reputation, not to mention his wife's, because he had given in to the persuasion of false evidence and his own fear and insecurity as a husband and ruler. Simultaneously, the traitors, although not having gained the victory, have demonstrated the extensive influence which they could exert over the entire court and, hence, the country. Without the intervention of the dog (God's instrument), Markayr's evil actions would not have been revealed, and he would not have publicly demonstrated his nefarious character, which is shared by his friend who disregards the king's order and tries to kill the dog.[22] Treason thus emerges as a huge topic in this novel, parallel to numerous other works of literature in which the battle for the king's ear determines the entire action, although Charlemagne regularly proves to be

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22   Albrecht Classen, "Tiere als Symbole der höfischen Welt," in *Tiere als Freunde im Mittelalter: Eine Anthologie*, ed. Gabriele Kompatscher, Albrecht Classen, and Peter Dinzelbacher (Badenweiler: Wissenschaftlicher Verlag, 2010), 20–31.

a weak character throughout who can be easily betrayed.[23] Although love bonds the married couple, although she is pregnant with his son, and although she consistently displays her complete loyalty, Charlemagne quickly distrusts Sibille when he is manipulated by the evil traitors. They know that she is a convenient target because, as the daughter of the Emperor of Byzantium, she is entirely alone at the Carolingian court and has no family member there to defend her. It might well be that the Countess Elisabeth, having originated from France but living now in Germany, felt similarly forlorn and suspicious of some evil-minded groups at court, thus projecting herself into this literary narrative. The poet may have intended to create a literary mirror of the political scene at court and to criticize the constant backstabbing, lying, and malignment going on all the time, especially victimizing those from outside, like the queen in the novel and like Elisabeth in the historical reality.

Both in late medieval French and German literature, the constant fight between that mighty ruler and a group of innocently pursued individuals, the *Haymonskinder*—in the eponymous novel—found great interest among the literate audiences, and each time the essential question surfaces about the true meaning of treason, how to determine treasonous behavior, and how to identify the danger of deliberate misinformation targeting a group of innocent courtiers who become victims of a jealous group of opponents through the process of systematic character assassination at court.[24] The literary reflections provided a valuable platform for the contemporary audience to explore the issue and to examine possible strategies to counteract treason and to solidify the well-being of the inner core of the royal household. The political configurations are presented in a starkly Manichean fashion, with the good courtiers opposed to the evil traitors, which simplifies the issue of treason, at least in the literary context.

In one of the great late medieval bestsellers, *Melusine*, the issue of treason also occupies central importance. For the present purpose, Thüring von Ringoltingen's German "translation" from 1456 allows further explorations of the issue of treason. There are specific distinctions from the earlier source texts

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23   Bernd Bastert, ed., *Karl der Grosse in den europäischen Literaturen des Mittelalters* (Tübingen: Niemeyer, 2004). There is a legion of relevant research on the reception of the myth of Charlemagne in medieval literature, culture, and politics; see: Albrecht Classen, "The Myth of Charlemagne: From the Early Middle Ages to the Late Sixteenth Century," peer-reviewed online article at <http://www.charlemagne-icon.ac.uk/further-reading/articles/> (accessed Nov. 26, 2018) or: <https://cpb-eu-w2.wpmucdn.com/blogs.bristol.ac.uk/dist/c/332/files/2016/01/Classen-2016-The-Myth-of-Charlemagne.pdf> (accessed Nov. 26, 2018).

24   Johann II. von Simmern, *Die Haymonskinder*.

by Jean d'Arras (1393) and Couldrette (1400), but those do not need to be addressed here.[25] Essentially, the plot focuses on the uncanny relationship between Raymond and his hybrid wife, Melusine, who disappears in her bathhouse every Saturday without her husband knowing of her whereabouts or being allowed to spy on her. He has no problem with this taboo for a long time, and the couple can quickly establish a mighty dynasty, with many children and numerous castles everywhere. Although each child carries a mark of monstrosity in its face, and even though the source of Melusine's power and wealth remains a mystery, her husband never inquires about it at all and simply accepts the conditions as she had presented them to him. He does well in this regard, until one day his brother, the Count of Vorst (Forest), arrives just at the time when Melusine is in hiding on a Saturday. Since his sister-in-law is not available, the brother freely formulates his great suspicion that she might be a ghost or a monster (80) who has cast a spell on Raymond. More specifically, he accuses Melusine of committing adultery behind her husband's back, which would already undermine his public reputation: "zuo einem toren gemachet und von ir geaffet werdent" [you are made to a fool and mocked at by her] (80).

Raymond immediately responds, without standing his ground, fully accepting his brother's words and rushing to the door behind which his wife disappeared, filled with anger and fury. With a sword, he drills a hole in the door and discovers to his great dismay that Melusine is situated in a bath—the most beautiful woman from her navel up, and a snake, or a dragon, from below (81). The subsequent development comes as a surprise for the audience because Raymond does not, as one would expect, condemn this monstrous being; rather, he remembers that he has broken his own vow not to spy on his wife and that he is in danger of losing his wife and, thus, his happiness. Returning from the bathhouse, he rages at his brother, who incited him to break the taboo, chasing him away angrily and indirectly accusing him of having caused him to commit treason against his own wife, who is completely innocent of this terrible charge, except that she turned out to be a hybrid creature. Of course, Melusine kept this secret from her husband, but he married her upon the mutual agreement that he would not try to find out about her true nature, as it is revealed on Saturdays. Thus, she does not commit treason against Raymond; however, her brother-in-law, probably representative of many others who were suspicious of this mysterious woman's enormous wealth and power, resorts to

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25   Thüring von Ringoltingen, *Melusine*, ed. Karin Schneider (Berlin: Erich Schmidt Verlag, 1958). See also the excellent edition with extensive notes and commentary: *Romane des 15. und 16. Jahrhunderts: Nach den Erstdrucken mit sämtlichen Holzschnitten*, ed. Jan-Dirk Müller, 9–176 (Frankfurt a. M.: Deutscher Klassiker Verlag, 1990). Hereafter, the relevant sections from the text will be given in parentheses.

the claim that she is betraying her husband, the only political argument (treason, or adultery) effective enough to trigger the desired reaction by Raymond.

At first, Raymond can pretend as if nothing happened, but later, when the news reaches them that their son Geffroy has murdered another brother in a fire that he set in the monastery that he had joined, the deep frustration and fear in Raymond break through. He publicly denounces Melusine, revealing her secret, thus constituting the absolute and final transgression of the taboo, to the profound chagrin of both marriage partners (92).

He uses the same words as in other contexts wherein an individual is accused of the crime of treason. The narrator comments on his demeanor, while looking at his wife, identifying his lack of humility and aggression: "schalcklich und zornlich und hochmütenklich" [roguishly, angrily, and arrogantly] (92). The narrator explicitly blames Raymond for losing his self-control, defending the innocent Melusine and qualifying the husband as a traitor insofar as he has disregarded his own promise and ignored her own pain over the murder of her son, thus hurting himself deeply. He is now forced to face the loss of all of his good fortune: "all dine fröude und ere süllent leider ietz haben ein ende!" [all your joy and honor will now sadly come to an end] (92). Overcome by pain and sorrow, knowing only too well that this public promulgation means that her destiny among humankind has come to an end, Melusine then faints.

Once she has recovered from her unconsciousness, Melusine attacks him for his failure, blames him for his weakness and deception, and tells him that she has to leave humankind now for good (92–93). As expected, she resorts to the same terms, accusing her husband of treason: "Din grosse verraterye und falsheit, din falsche zunge, din zörnlich grymme red und verwyssen" [Your great treachery and falseness, your false tongue, your wrathful, bitter words and blame] (93).

Moreover, as it now turns out, the fire at the monastery and the death of all the monks is God's punishment, as Melusine knows too well through her prophetic, otherworldly knowledge. Hence, the loss of her son, Froymond, through the criminal actions of her other son, Geffroy, suddenly appears in quite different light; that is, it seems to be part of a divinely structured history, especially since the latter will rebuild the monastery to redeem himself (94). She also foretells some of the future of their dynasty, putting all the blame on her foolish husband who betrayed all the trust and love that bound them together. The narrator thus projects a private and a public form of treason, which destroys the family and the married couple's happiness; Melusine calls Raymond's failure "din grosse missetat" [your great misdeed] (95). If her husband had kept the truth of her hybrid character a secret, his treason in private could have

been forgivable, but the public promulgation destroys the marriage bond for good.

However, a long time ago, Melusine and her two sisters had likewise committed a kind of treason against their own father, King Helmas, as Geffroy learns from an epitaph on the tombstone hidden in the mountain. Helmas, parallel to Raymond, broke the taboo that his wife Persina had imposed on him, forbidding him to sleep with her when she was in childbed (105). Persina called it *untrüw* [lack of faithfulness] (106), which is another form of treason—a betrayal of the marital trust. Once the daughters learned about this, they, under Melusine's leadership, kidnapped their father and imprisoned him in a mountain cave, where he was forced to stay until the end of his life, as the epitaph informs Geffroy (106). Overall, then, the entire novel is predicated on the experience of treason that destroys the family at the end. Essentially, the poet explores the meaning of loyalty within marriage and examines the disastrous consequences when treason enters the picture, both in personal and in public terms. While Raymond stays behind, a broken man, his brother is driven to his death by his own nephew, Geffroy, who arrives at his castle one day and attacks him because the count's treacherous suggestion to his brother instigated the latter to break the taboo, the catalyst of the catastrophe that forces Melusine to depart from this world (111).

However, Geffroy is also guilty and begs his father for forgiveness: he "bekante do, das durch in sin vatter Melusinen, sin gemahel, ouch Froymond, sinen suon, ouch synen bruoder, den grafen vom Forst verloren hette" [confessed that because of himself his father had lost his wife, Melusine, then also his son Froymond and his brother, the Count of the Forest] (112). As glorious as the rise of this new dynasty is at first, the novel concludes with somber, tragic perspectives because lack of trust, loyalty, and inner strength to uphold the taboo as promised brings them all down. Undoubtedly, there are many other issues at stake here, especially the marriage between the male protagonist and the hybrid creature, Melusine,[26] but treason emerges as one of the central issues because it destroys the happiness that the couple enjoyed and casts dark shadows on the entire family well into the future.

Treason might even originate from the king himself, such as Charlemagne, who cuts a very poor figure in the anonymous verse romance *Malagis* from the middle of the fifteenth century, preserved in two Heidelberg manuscripts (Cpg 340 and 315). The German text is a translation from a now almost completely

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26   Wei Tang, *Mahrtenehen in der westeuropäischen und chinesischen Literatur: Melusine, Undine, Fuchsgeister und irdische Männer: eine komparatistische Studie* (Würzburg: Ergon-Verlag, 2009).

lost Dutch version, *Madelgijs*, which, in turn, is based on a French source, *Maugis d'Aigremont*.[27] The focus here rests on the magician Malagis, who learned his craft from powerful family members and at the University of Paris and who enjoys the highest respect for his accomplishments in the occult arts.

At one point, the protagonist is asked by the king to demonstrate his skills in public, which Malagis is happy to do, except that Charlemagne then requests that he apply his magical powers to embarrass the entire court society: "'Dünt alle, die hie sint betagt, / Entkleiden und nackent stan / Und alle zumale danczen gan'" ["Make all who have assembled here to take off their clothes and stand there naked, and thus go dancing"] (3064–66). The king had already expressed his great admiration for the magician and acknowledged him as the master of all occult sciences (3046–53). Nevertheless, this personal request strikes Malagis as awkward, and he begs the king not to take it as an insult if he actually carries out his magical power to fulfill the request (3067–68).

To everyone's amazement, Charlemagne immediately disrobes and acts in the most foolish manner, dancing around with his wife, stark naked. He cannot help it because of the magic, but he also realizes the great embarrassment, taking out his anger upon the magician and suddenly blaming him for a grave misdeed and wanting to punish him most severely: "du hast myßdan, / Zu schanden sol es dir uß gan, / Das du mich verschemest hie zur steet, / Wann ich es alles in schercz det, / Und du hast mich des willen in ernst geschant'" ["You have done badly; you will suffer for that. You exposed me here in public. While I had done this in jest, you have shamed me in earnest"] (3085–89). The magician defends himself, insisting that he could not read the king's mind and simply followed his order (3091). If anyone should be blamed for the gross embarrassment, it is the king himself (3094). Malagis then concludes his magical trick, allowing everyone to put on clothes again. Charlemagne is now more than determined to avenge himself, threatening the magician with the death penalty, and nothing will ever prevent him from carrying out the punishment (3105). The other magicians intervene, pleading for Malagis's innocence and blaming the king instead for his own misdeed (3115), insisting that the magical trick had been done in jest (3117).

Malagis himself points out to the king that he had requested a demonstration of his magical powers in that specific way: "'Und gedenckt, von wem zu erst qwam / Die sach, und sint mir nit so gramm'" ["and keep in mind who had

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27   *Der deutsche Malagis: Nach den Heidelberger Handschriften Cpg 340 und Cpg 315*, Unter Benutzung der Vorarbeiten von Gabriele Schieb und Sabine Seelbach, ed. Annegret Haase, Bob W. Duijvestijn, Gilbert A.R. deSmet, and Rudolf Bentzinger (Berlin: Akademie Verlag, 2000). Hereafter, the relevant sections from the text will be given in parentheses.

come up with this idea at first, don't be so angry with me"] (3125–26). Both men continue with their arguments, but Charlemagne remains unresponsive to reason and flies into a fury of enormous disproportion, although Malagis urges him to treat it all as it had been intended, as a joke or a game (3141–42), which he had carried out in response to the emperor's own command. Unfortunately, Charlemagne then intensifies his accusations and blames Malagis, whom he wants to imprison, torture, and then execute. The king goes so far as to swear that he will refrain from eating bread until his new enemy is executed (3167–68). In his retort, the magician mocks the king, pointing out that he would hence have to starve himself for a long time (3169). This is the starting point for an extensive sequence of episodes in which the king tries to imprison or execute Malagis, though the latter always knows how to escape and to make a fool of the king, who turns into a tyrannical, irascible, and genuinely foolish ruler who does not understand the true significance and power of magic, especially magic in Malagis's hand.[28]

The novel is filled with many events and characters, but the subsequent details mostly follow the same pattern of Charlemagne persecuting the magician, who consistently outdoes him with his occult sciences, ridiculing the king in his deft manner, and exposing his mean spirit and ignorance. The king accuses him constantly of being a *verreder* [traitor] (3608), without having any real basis for this charge. He only claims that Malagis diminishes his honor and embarrasses him in public, but he has no evidence for this. In numerous conversations, the term *verretter* [traitor] (9835) is introduced, combined with the ethical charge of lack of loyalty: *ungetruwe* (9835). The discussion of treason thus turns into a critical component of ethical behavior as a standard of public norms that Charlemagne himself has broken, insofar as he assumes the attitude of an all-powerful dictatorial ruler who believes that he does not have to follow the same rules as everyone else and can mete out punishment to anyone he deems guilty, deserved or not.

Nevertheless, the king resorts to the very same term numerous times, accusing Malagis and his friends (the other magicians) of being guilty of that ethical shortcoming, so with respect to Vyvien: "'Eya, ungetruwer verreter'" ["Oh, you disloyal traitor"] (11930). Occasionally, the term "treason" can also apply to a deceptive situation in which the senses mislead the individual, a reference to the common appearance of magical tricks, such as when the audience believes

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28   Albrecht Classen, "Magic in Late Medieval German Literature: The Case of the Good Magician *Malagis*," in *Magic and Magicians in the Middle Ages and Early Modern Time: The Occult in Pre-Modern Sciences, Medicine, Literature, Religion, and Astrology*, ed. Albrecht Classen, 523–45 (Berlin: Walter de Gruyter, 2017).

that the devil had been at work to fool them all: "'Hat uns all verraden ditz'" ["he has betrayed us all"] (12866).

Both here and in *Königin Sibille*, the notion of "treason" matters primarily in ethical, religious, and moral, as well as legal or political, terms. The courtiers in Elisabeth's novel appear to aim for the destruction of Charlemagne's dynasty, probably out of jealousy, greed, political desires, and military hostility, but their aggression is primarily directed at the queen who is a "soft" target of their machinations. In *Malagis,* there is no political danger for the ruler in sight, and there are no political groups operating to undermine the king's position. However, Charlemagne himself resorts to the term "traitor" many times and identifies his opponent, Malagis, as an individual in command of enormous occult powers who wants to destroy his authority. Resorting to this charge allows the king to condemn the black arts altogether as a strategy targeting him personally, although he himself is consistently to blame for all his own failings. To call someone a traitor has been a universal strategy throughout history, and all dictators, both past and present, have resorted to that term to denigrate a group of critics and to eliminate them, seemingly by legitimately judicial means. In reality, however, the employment of a devious ideology is in play to silence a dangerous minority and to maintain control without a real legal basis.

Malagis never intends to challenge the king, but every time Charlemagne threatens him with imprisonment and then execution, he resorts to his mighty occult powers and defies Charlemagne without fail, to the king's great embarrassment. The more the king talks about treason, the less there is actual treason at play. The other characters employ the same term and thus extend the charge of treason to all of their opponents, which means that the word *verreder* [traitor] (16988) becomes a catch-all for everything perceived as ethically, politically, morally, and, possibly, religiously condemnable.

The character Yvorin, for instance, identifies the magical power wielded by Spiet as *verretteniße* [treason] (17004), rejecting it altogether, apparently out of a sense of weakness and insecurity. Identifying the enemy as a traitor thus develops into a standard formula in which the worst condemnation and insult can be formulated.[29]

To conclude, the concept of "treason," as dealt with in these late medieval German novels, cannot be identified and characterized with all desired simplicity and clarity. The word itself is used in a variety of contexts and assumes a range of meanings, almost like an insult within the courtly world. To call

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29   For further discussions of the internecine strife in *Malagis*, see: Viola Wittmann, *Adel im Konflikt: narrative Potentiale in spätmittelalterlicher Chanson de geste-Adaptation: Studien zum deutschen Malagis* (Göttingen: Vandenhoeck & Ruprecht, 2017).

someone a traitor is tantamount to declaring him or her the worst enemy, as someone who has challenged the official authority of the king or the queen. In all three texts discussed here, however, there is a strong sense of instability at work, both in public and in private. The factual (*Königin Sibille*) and the presumed presence of traitors (*Malagis*) signals unmistakably how much the public was afraid of losing control, of becoming subject to nefarious forces, and of eroding all ethics. Even within the private sphere, such as in *Melusine*, distrust and betrayal enter the general picture and are subsumed under the concept of treason.

This verse romance and these two prose novels were entertainment for the aristocratic and urban audiences, and they quickly gained in popularity at the end of the sixteenth century once they were offered in printed form. The frequency with which the idea of treason emerges in all three examples, and in other contemporary texts, underscores a deep sense of fear that the traditional framework upon which courtly society was predicated was seriously at risk. As much as the family bonds seemed to become weaker, so the political system appeared to fray both at its margin and then also in its center.

Treason was at work everywhere, as these literary examples indicate impressively, both privately and publicly. This very inflation of the term, however, also signals the arbitrariness of how the concept was formulated and directed against any kind of opponent. To commit treason was, as the poets indicate, one of the worst crimes and deserved very harsh and cruel punishment, especially because it threatened to undermine the well-being of the entire kingdom. Private treason reflected public treason, and the political dimension is regularly mirrored in private affairs. Our analysis of literary texts has made it possible, then, to grasp a critical discourse from the late Middle Ages slipping over from the world of politics and military power to the dimension of private life. The fictional accounts obviously mirrored a deep sense of unreliability, distrust, betrayal, and a fundamental lack of ethics.

Treacherous Women at King Arthur's Court: Punishment and Shame

Inna Matyushina

Revealing female treachery and searching for evidence of adultery, which could have been regarded as treason if it concerned royal families, became such an important issue in the Middle Ages that it gave rise to an entire literary tradition of chastity tests. The plot based on testing chastity and revealing treachery with the help of a magic horn is preserved in European literature in several variants. One of the earliest versions can be found in the Anglo-Norman *Lai du cor* by Robert Biket; later variants occur in the German poem *Diu Crône* by Heinrich von dem Türlin and in the even later English ballad *The Boy and the Mantle*. In contrast to the plot based on the motif of a magic horn, the plot in which female treachery is revealed by a magic mantle, present in the English ballad *The Boy and the Mantle* side by side with the horn test, is preserved in European literature in a single variant. In all medieval texts (the Old Norse *Mǫttuls saga, Samsons saga fagra,* and *Skikkju rímur*; the German *Der Mantel*, ascribed to Heinrich von dem Türlin; *Lanzelet* by Ulrich von Zatzikhoven), this variant of the plot goes back to the French *Lai du cort mantel*.

The origin of the plot in European literature has not yet been established. Scholars usually trace it back to the Celtic tradition, reflected in manuscripts of the fourteenth and fifteenth centuries; recently, Byzantine sources of the fifth and sixth centuries have been put forward.[1] However an earlier (third century) literary source can be proposed, which has not yet been discussed by scholars. Moreover, the medieval plots of testing chastity and revealing treachery may be viewed as genetically rooted in the oral tradition of wedding rituals, which is shown by analysing parallels drawn from Irish, Slavonic, and Central Asian folklore. Studying the implications of textual variations between the earliest extant literary versions of female chastity tests contributes to the tracing of their genealogy.

The first written reference to a chastity test with a magic drinking horn is in the Anglo-Norman *Lai du cor,* composed in England between 1170 and 1180

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1 Renée Kahane, "A Byzantine Version of the Telltale Mantle," in *Mǫttuls saga*, ed. Marianne E. Kalinke (Copenhagen: C.A. Retzels Forlag, 1987), xix–xx.

(Oxford, Bodleian Library, MS Digby 86) by Robert Biket, an otherwise un-known poet who mentions his name in the concluding lines of the poem.[2] As is stated in the *lai*, the horn, spilling wine on those betrayed by their wives, was made at the time of Constantine by a *preuz e senee* [skilled and wise] fairy (56), who is also referred to in the poem as *raumponeuse e irree* [taunting and spite-ful] (230).[3] The message on the horn, brought to King Arthur's court by a mys-terious messenger, says that "Que ja houm n'i bevra, / Taunt soit sages ne fous, / S'il est cous ne gelous, / Ne ki nule femme heit / Qui heit fol pensé feit / Vers autre kë a lui" [no one, however wise or foolish, will manage to drink from it if he is cuckolded or jealous, or if he has a wife who has had lewd thoughts about someone other than himself] (232–237). The first victim of the horn turns out to be King Arthur himself who spills wine *countreval dek'as pez* [right down over his feet] (295)[4] and in fury grabs his knife, intending to stab the queen in her heart, but is prevented by his three knights.

In response to the King's anger, Queen Guenièvre confesses her only trans-gression—giving a ring to a youth who killed a giant—and invites punishment upon herself if she ever loved any man except her husband. Allusions to atroc-ities in the Queen's speech, such as being cast on a fire of thorns or dragged along and torn asunder by a warhorse—are not entirely prompted by the Queen's imagination but mentioned in typologically earlier literary sources, such as the *Poetic Edda*, in which a similar punishment is inflicted by the Goth-ic king Jǫrmunrekkr (i.e. Ermanaric) on his wife Svanhildr, who is trampled to death by horses on suspicion of perfidy with his own son: "Syster var ykkor / Svanhildr um heitin, / sú er Iǫrmunrekkr / ióa um traddi / hvítom ok svǫrtom / a hervegi, / gram, gangtǫmom / Gotna hrossom" [Your sister was called Svan-hildr, whom Iǫrmunrekkr trampled with his chargers white and black on the common highway, with the gay, smooth-paced horses of the Goths] (*Hamðis-mál* 3); "Þat er mér harðast / harma minna / of þann inn hvíta / hadd Svanhil-dar— / auri trǫddo / und ióa fótom" [To me the cruelest of my griefs is for the flaxen locks of Svanhildr—they trod them with the mud under their chargers'

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2   The test by the drinking horn antedates the mantle test: Philip Bennett, *Mantel et Cor: Deux lais du 12 siècle* (Exeter: University of Exeter, 1975), xx–xxiii.

3   Quotations of the original are taken from C.T. Erickson, ed. *Le Lai du Cor* (Oxford: Basil Blackwell, 1973), 32–48; the translations are from *Twenty-four Lays from the French Middle Ages*, trans. Glyn S. Burgess and Leslie C. Brook (Liverpool: Liverpool University Press, 2016), 123–140. Line numbers are given in parentheses.

4   Kathleen Coyne Kelly suggests that drenching King Arthur from head to toe reveals the degree of the unnamed Queen's guilt in *Le Lai du Cor*. *Performing Virginity and Testing Chastity in the Middle Ages* (London: Routledge, 2000), 76.

hooves" (*Guðrúnarhvǫt* 15–16).[5] The *Poetic Edda* does not mention the cause of Svanhildr's punishment, which becomes clear from Snorri Sturluson's account in his *Edda*: "Þá leit Jörmunrekkr konungr Svanhildi, er hann reið ór skógi frá veiðum með hirð sína, hvar hon sat at haddbliki. Þá riðu þeir á hana ok tráðu hana undir hestafótum til bana" [Then king Jǫrmunrekk brought it about, as he was riding from the forest after hunting with his men, and Queen Svanhild was sitting bleaching her hair: then they rode over her and trod her to death under their horses' hooves].[6] Here, the description of the heroine's trampling by horses is preceded by the narrative of Jǫrmunrekkr sending his son Randver as an emissary to ask for the hand of the fairest of all women Svanhild for him, the evil counsellor Bikke advising Randver to marry Svanhildr himself and informing the king that the two young people are pleased with the proposed plan, and, then, Jǫrmunrekkr seizing his son and having him brought to the gallows. *Snorra Edda* does not elaborate on the motif of adultery, but rather implies it in the reference to the pleasure with which the young couple greets the advice directed against Randver's father and the future husband of Svanhild, who seems to be punished before even seeing her intended spouse.

In *Snorra Edda*, the king himself inflicts punishment on Svanhild without any advice from the third party by trampling the young woman with his horse when he sees her washing her hair while he is out hunting. However, in *Völsunga saga* the emphasis shifts towards the evil nature of the counsellor, who makes the king kill his wife: "Síðan var hún bundin í borgarhliði ok hleypt hestum at henni. En er hún brá í sundr augum, þá þorðu eigi hestarnir at sporna hana. Ok er Bikki sá þat, mælti hann, at belg skyldi draga á höfuð henni, ok svá var gert, en síðan lét hún líf sitt" [Then she was bound in the gate of the town, and horses were driven at her. But when she opened her eyes wide, then the horses did not dare to trample her. And Bikki saw that, and he ordered a bag be drawn over her head; and so it was done, and then she lost her life].[7] Although the account in *Völsunga saga* presents Svanhild as an almost supernatural being capable of ruling horses with the movement of her eyes, she cannot avoid the punishment inflicted by the evil counsellor manipulating her husband. Presumably the king approves of Bikki's actions leading to Svanhild's death as he does not try to save her, but, instead attempts to rescue his son, whom he orders to be reprieved after Bikki manages to organise the hanging in

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5   Quotations of the original and the translation are taken from: *The Poetic Edda*, ed. and trans. Ursula Dronke (Oxford: Oxford University Press, 1969), 161, 149.

6   Snorri Sturluson, *Skáldskaparmál*, in *Snorri Sturluson Edda*, trans. and ed. Anthony Faulkes (London: J.M. Dent, 2008), 104–105.

7   *Völsunga saga*, in *Fornaldarsögur Norðurlanda*, ed. Guðni Jónsson (Reykjavík: Íslendinga-sagnaútgáfan, 1959), 1:107–218.

advance—Bikki's ill will triumphs again. *Völsunga saga* specifies the reason for killing Svanhildr and Randver in terms similar to those in the *Snorra Edda*: when Bikki suggests that Randver should marry the bride himself rather than taking her to the old king, the young couple, hoping that he will intercede for them, find his suggestion attractive; but the counsellor informs the king of their intention to marry each other and insists on punishing them forthwith.

In the *Gesta Danorum* (c. 1185–c. 1222), Saxo Grammaticus emphasizes the king's attempt to save both his wife and his son, which, as in all other accounts, fails: after marrying Suanilda, Iarmenricus asks his son Broderus to look after her; the young people behave virtuously but the evil counsellor accuses Broderus of incest with Suanilda, demanding that he be hanged and Suanilda trampled by the horses: "Adulteram uero Swanildam, quo turpius e uita excederent, pecundum proculcari debere" [To guarantee that the adulteress Svanhild met a foul death, she must be trampled beneath the hooves of a herd of animals].[8] The king orders the queen to be tied very firmly on the ground, and delivers her to be mangled under the hoofs of horses. The animals shrink from crushing her beautiful limbs with their dirty feet and Iarmenricus interprets the horses' reluctance as a sign of his wife's innocence; when he wants to free her, Bicco makes her lie on her face so that she cannot use magic and has her killed. Although Saxo's account only presents the motif of adultery as an ungrounded suspicion, the punishment incurred takes place, as in all other sources, without fail.

The motif of adultery is entirely absent from Jordanes' *Getica* (c. 551), which gives a similar account of Sunilda's punishment, although her fault is not even suspected: "dum enim quandam mulierem Sunilda nomine ex gente memorata pro mariti fraudulento discessu rex furore commotus equis ferocibus inligatam incitatisque cursibus per diversa divelli praecipisset, fratrus eius Sarus et Ammius, germanae obitum vindicantes, Hermanarici latus ferro petierunt" [For when the king had given orders that a certain woman of the tribe I mentioned, Sunilda by name, should be bound to wild horses and torn apart by driving them at full speed in opposite directions (for he was roused to fury by her husband's treachery to him), her brothers Sarus and Ammius came to avenge their sister's death and plunged a sword into Hermanaric's side].[9] As

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8   Saxo Grammaticus, *Gesta Danorum: The History of the Danes*, ed. Karsten Friis-Jensen, trans. Peter Fisher (Oxford: Clarendon Press, 2015), 584–585.

9   The Latin original is from *Iordanis De origine actibvsqve Getarvm*, ed. Alfred Holder (Freiburg: Akademische Verlangsbuchhandlung von J.C.B. Mohr, 1882), 91. The translation is from Charles C. Mierow, *The Gothic History of Jordanes* (Princeton: Princeton University Press, 1915), chap. 24.

some scholars have argued, Jordanes' account of Sunilda is "pure legend" not based on historical facts, as Ermanaric's punishment of a woman trodden by horses seems not to suit the crime (i.e. the faithlessness of her husband).[10] On the other hand, as other scholars have suggested, it is unlikely that Jordanes' story is entirely fictional, because "the sensational execution of a deserter's wife would be a savage warning to other potential traitors."[11] Whether the account of Sunilda's punishment is historical or legendary, it is not unlikely that Jordanes' *Getica* could have been the source of literary accounts that had to supply the guilt in order to justify the severity of the punishment.

The literary sources describing executions of women considered dangerous to society are preceded by historical sources, such as *Liber Historia Franconum*, based on Gregory of Tours' *Decem Libri Historiarum*: "Tunc coadunato agmine Francorum et Burgundionum in unum, cunctis vociferantibus, Brunchilde morte turpissima esse condigna, tunc, iubente Chlothario rege, in camelo levata, toto exercitu girato, deinde equorum indomitum pedibus legata, dissipatis membris, obiit. Ad extremum sepulchrum eius ignis fuit, ossa ipsius conbusta"[12] [Then the army of the Franks and Burgundians joined into one, all shouted together that death would be most fitting for the very wicked Brunhild. Then King Chlotar ordered that she be lifted on to a camel and led through the entire army. Then she was tied to the feet of wild horses and torn apart limb from limb. Finally she died. Her final grave was the fire. Her bones were burnt].[13] Although the crime committed by Brunhild, the Queen of Austrasia, was related not to adultery but rather to treason (she was accused by Chlotar of the death of ten Frankish kings), the description of her death, is similar to the punishment for infidelity described in the *Poetic Edda* and in *Snorra Edda*, with the added touch of her bones being burnt. Trampling by horses and burning alive were not uncommon punishments for adultery, as confirmed by numerous medieval historical sources.[14] The aim of these punishments is not only to scatter and disperse the body of the guilty person through trampling by horses

10   Theodore M. Andersson, "Cassiodorus and the Gothic Legend of Ermanaric," *Euphorion* 57 (1963): 28–43 at 42.

11   Ursula Dronke, *The Poetic Edda*, 195.

12   *Liber Historiae Francorum, Scriptores Rerum Merovingicarum: Monumenta Germanica Historica*, ed. Bruno Krusch (Hannover, 1888), 2:40.238–328.

13   Translation: *Liber Historiae Francorum*, ed. and trans. Bernard S. Bachrach (Lawrence: Coronado Press, 1973), 96. For a discussion of "dangerous" women in early modern England, see in this volume: Dianne Berg, "'Tis Fearful Sleeping in a Serpent's Bed': *Arden of Faversham* and the Threat of the Petty Traitor."

14   Katherine Fischer Drew, "*The Law of the Family in the Germanic Barbarian Kingdoms: A Synthesis*," in *Law and Society in Early Medieval Europe*, ed. K.F. Drew, 17–26 (London: Variorum reprints, 1988), 18–19.

but also to completely destroy it through burning, prefiguring the eternal flames awaiting a fornicator (cf. Jude 1:7). Thus, the punishments for adultery mentioned in *Le Lai du cor* clearly existed not only in the queen's imagination but also in noble courts where they could have been inflicted on any royal woman whose adultery was regarded as treason.

Le Lai du cor includes a motif which is unusual for chastity tests, that of male jealousy. Men at King Arthur's court are tested no less than their wives, and perhaps rather more, because the *lai* names mostly male characters: the King of Snowdon, King Nut, Aguisant of Scotland, the King of Cornwall, King Gohor, King Glovien, King Lot, Caratoun, two kings from Ireland (the only two women listed are not called by name: the queen and Garaduc's wife). King Arthur is responsible for his own failings because he is so jealous that he only reconciles with the queen after all his knights fail to drink from the horn without spilling. This contrasts with Garaduc who fully trusts his wife looking *si resemble ben fee* [very much like a fairy] (512) and, therefore, takes the horn without hesitation and acquires honor in the test.

Responsibility for revealing the wives' betrayal is transferred to the magic object: "Kar ki cest corn crerreit / sa mulier honereit" [for anyone who puts his trust in this horn would bring shame on his wife] (455–456). The outcome of the test is not punishment of any kind but a universal increase of love at King Arthur's court, where the men intend to become better husbands: "Les femmes remenerent / cil ki plus les amerent" [They took their wives back and loved them all the more] (581–582). The magic horn does not test female chastity or male jealousy as such, but rather the relationship between men and women.[15] Therefore, it is unnecessary to test all the women at King Arthur's court or indeed several of them; it is enough to condemn one false relationship and to praise one ideal, to contrast a flawed couple and a faultless one. The function of the chastity test narrated in *Le Lai du cor* could be described as restoring social stability and achieving harmony in human relations.

The position of *Le Lai du cor* in relation to the Arthurian tradition is not entirely clear, and it is frequently considered a *fabliau* or a parody on Arthurian romance.[16] However, it is composed in an archaizing style with formulas, repetitions, parataxis, unvaried syntactical constructions, and reproducible types

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15   Most scholars have noted this outcome. See: Philip Bennett, "Some Reflections on the Style of Robert Biket's *Lai du Cor*," *Zeitschrift für Romanische Philologie* 94 (1978): 321–41 at 344; Emmanuèle Baumgartner, "*Caradoc* ou de la Séduction," *Mélanges de langue et de littérature médiévales offertes à Alice Planche* (Nice: Les Belles Lettres, 1984), 1:62; Jeff Rider, "Courtly Marriage in Robert Bicket's *Lai du Cor*," *Romania* 106 (1985): 173–197 at 176.

16   Erickson, *Le Lai du Cor*, 11, 13–16.

of clauses,[17] bringing it close to the oral folklore tradition from which it could have originated. Odd lines usually contain semantically important information, while even lines provide variation (cf. 129–134).[18] Such distribution of semantics is characteristic of the folklore tradition, as it assists the listener in following the narrative structure of the poem.[19] Oral tradition is referred to by the creator of the *lai*, who, while ascribing its composition to one of the characters (Garaduc), gives away his own name, "Ceo dist Robert Bikez, / Qui mout par set d'abez" [Robert Biket says this, who knows a great many good yarns] (589–590), and claims that he heard the tale from an abbot (591–592). The presence of the archaizing style in the *Lai du cor* may point to the folklore sources of the test inherited from the entertainments traditionally accompanying wedding ceremonies, highlighting the potential for public shaming of those who commit adultery.[20]

Folklore imagery, probably inherited from its oral sources, is present in the trial of the drinking vessel, which constitutes a part (lines 918–2455) of the German poem *Diu Crône* attributed to Heinrich von dem Türlîn (1220–1240).[21] The time and place of the trial, during the cold mid-winter in a frozen landscape in which Arthur's castle is located (466–469)[22]—as well as the wondrous messenger of the sea-king, a child-sized fish man with eyes as large as ostrich eggs who is mounted on a fantastic winged animal, half-seal, half-dolphin (933–1002), and who brings a *kopf* [tankard] made from a human skull to the Arthurian court—possibly go back to folklore sources of the test narrative. Unlike the French *lai*, the trial-by-magic-drinking-vessel episode in the German poem involves not only men but also women. The properties of the drinking vessel also differ in the French and the German variants of the chastity test. In the latter, it exposes not only infidelity but any kind of falseness: "wie er gemeiletez herze treit / Oder ob er mit valsche pfleit / Sîner âmîen mine" [if his

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17   Bennett, "Some Reflections," 329–333.

18   Bennett, "Some Reflections," 329–333.

19   Joseph J. Duggan, *The Song of Roland: Formulaic Style and Poetic Craft* (Berkley: University of California Press), 1–15.

20   The variant of the chastity test in the Anglo-Norman *Le Lai du cor* by Robert Biket probably served as a basis of the chastity test in the French *Livre de Carados* in the First Continuation of Chrétien's *Perceval*.

21   Quotations are from *Diu Crône von Heinrich von dem Türlîn*, ed. Gottlob Heinrich Friedrich Scholl (Stuttgart: Literarischer Verein, 1852). Line numbers are given in parentheses.

22   For a detailed description of the location in the Tankard Test, see: Madelon Köhler-Busch, "Pushing Decorum: Uneasy Laughter in Heinrich von dem Türlîn's Diu Crône," in *Laughter in the Middle Ages and Early Modern Times: Epistemology of a Fundamental Human Behavior, its Meaning, and Consequences,* ed. Albrecht Classen, 266–79 (Berlin: De Gruyter, 2010), 268.

heart is mean or if he treats his love with falsehood], i.e. deceives her (1136–1138). As in all the texts, only men possess full knowledge: women do not know that the tankard shows whether their "ob sie valsches herzen pfligt" [heart is false] (1146), i.e. deceitful. It is not only women's treachery that is revealed here but also men's deceit or meanness. The first half of the test is dedicated to women, the second to men; the failures of both are clearly explained and exemplified.

The first woman to drink from the tankard is not Gînôver (Guenièvre in the French *lai*), but Queen Lanphuht, who spills so much wine that it pours over her in a wide and deep stream (1222–1229). Lanphuht is not the only one "welher geschicht sie sich schamt" [ashamed of what had happened] (1230), but all the other women also feel mortified because the whole court has seen the incident. The universal female embarrassment caused by the violation of propriety is physically manifested in their blushing: "und wurden allesament rôt" [and became all red] (1236). Keiî mocks them by ironically ascribing the spilling to the heaviness of the tankard and urges the Queen Gînôver to hold the tankard firmly. The Queen takes the tankard "sorgliche und mit scham" [sorrowfully and with shame] (1274) and only spills a drop of wine on her lap. The audience understands that the quantity of spilt wine and how far it covers each woman is determined by the degree of her betrayal: the more a woman spills, the guiltier she is.

Gâwein's beloved Flori has every reason to blush, as a lot of wine gushes over her face, revealing much evil in her heart. Keiî supplies humorous and obscene commentary on each failure, as more women including Laudine, Enite, Parthie, Galaida, Blanscheflur, and twenty-two others are tested and all, to their extreme humiliation, spill their wine as they attempt to drink from the tankard. The ladies are said never to have felt worse than at the time of their public shaming: they are punished not only by Keiî's mockery but also by the loud laughter it evokes. Although men laugh, many listen with hidden embarrassment and uneasily observe signs of their beloved's treachery. But just as men conclude, to their amusement, that the tankard shows only ladies to be *valches und unstœte* [false and inconstant] (1431), the messenger reminds them that it is their turn to try the magic tankard.

The failure of nine knights (the names of fifty-nine others are added) in Heinrich's poem reveals their own faults rather than betrayal by their wives. Their inability to pass the goblet test is accounted for by their transgression of the chivalric code of behavior rather than infidelity or treachery: Erec spills his wine because, in marrying Ênite, he forgot his chivalric duties as a knight and a ruler; Lanzelet's failure lies in having ridden in a cart when pursuing Gînôver's abductor; and Keiî fails because he is too fond of mocking others. The narrator

explains that all are embarrassed by their faults, and Keiî makes fun of them all. The only man who does not fail the test turns out not to be Karadok, whose name is not even mentioned in the poem, but King Arthur, who invariably suffers from his wife's betrayal in other chastity accounts. Even the glory of an ideal knight, Gâwein, who is presented as the protagonist in the poem, is marred by a small spot because he once spoke ill of women (1999–2008). In *Diu Crône*, there is no mention of punishment as such, but all are reminded that no-one (except the best of kings) is without fault. The absence of punishment clarifies the significance of the trial scene for the audience, which is both entertained and comforted by those results: women are not the only ones at fault; their failure is shared by their husbands and lovers who have their own flaws, for which they are ridiculed.

An additional trial, that by a magic glove (22973–24692), which tests constancy of heart and past shame, and reveals deception in any relationship outside marriage as well as any falsity of speech, thought, or deed, clears only Gâwein, who, like King Arthur, manages to cope with it. Thus, the extent of possible offence is so large that the victim can hardly be aware of all specific instances.[23] The glove must be put on the right hand, and if the wearer is faithful and has nothing for which he or she should be ashamed, the right part of her or his body will become invisible (23096–99). For an inconstant or false person, the glove makes visible those parts of the body associated with betrayal and shame. The punishment is inflicted by the glove itself; for example, it traps Keiî and burns and squeezes him so painfully that he confesses against his will all the offences he has committed. Only after he publicly acknowledges his disgrace does the glove relax its grip. Gînôver takes the same test, and it finds her almost without fault—her right side becomes invisible except for her lips, one side of which turns red while the other fades, which is explained by her "begrudging Sir Gasozein a kiss" (23647–48). Other ladies try it on, including Gawein's mother, whose naked breast is exposed; Enite, whose foot and hip show; and Galaida, whose eyes disappear but the rest of whose body becomes bare so that everybody can see it. The ladies' punishments, to "ir schande und ir scham" [their distress and their shame] (24271), result in their nakedness, which creates ample opportunities not only for Keiî's obscene remarks but also for the narrator's double entendres. The narrator directly interferes in the trial scene, inviting the audience to share the comic side of the situation.[24] The test

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23   Lewis Jillings, *Diu Crone of Heinrich von dem Türlin*: *The Attempted Emancipation of Secular Narrative* (Göppingen: Kümmerle Verlag, 1980), 24.

24   As in the trial of Flursensephin: "Der verswant der lîp halber sâ / An dem rehten teile: / Niuwan von unheile / Beleip ir des lîbes / Ze sehene, dâ man wîbes / Niht offenliche ze sehen gert, / Und dâ muoz mite gewert / Sîn, daz man loben sol. / Was ich mein, daz wizt

by the glove may be an invention of the creator of *Diu Crône*,[25] most probably Heinrich von dem Türlîn, because this is the only text where it appears, unlike the tests by the drinking vessel and by the mantle.

The test by a drinking vessel is united with the mantle test in the English ballad, *The Boy and the Mantle*, which is preserved in the seventeenth-century Percy folio manuscript though it undoubtedly goes back to an earlier oral tradition.[26] The mantle test comes first in the ballad and is longer (6–36 stanzas) than the drinking vessel test. Unlike Heinrich's treatment in *Diu Crone*, the ballad reveals Queen Gueneuer's (Guinevere) infidelity because the mantle fits her badly: "It was from the top to the toe / as sheeres had shred" (10.3–4).[27] The queen is punished both by the mantle and by her own shame: she throws down the mantle, blushes "a redd rudd" (13.3), flees to her chamber, curses the weaver, declares vengeance on the one who brought it to King Arthur's court, and wishes she were in a wood rather than in King Arthur's court "shamed for to be" (15.4). The second lady who tries on the mantle, Kay's beloved, suffers three punishments: the mantle leaves "bare all aboue the buttocckes" (18.3–4); then she is shamed by "every knight" (19.1) who "talked, laughed and showted, / full oft att that sport" (19.3–4); and finally, her own shame physically manifests itself in her blushing and desire to hide herself away. The refrain emphasizes that she behaves exactly like the queen: "Shee threw down the mantle, / that bright was of blee / Fast with a rudd redd/ to her chamber can she flee" (20). The mantle also inflicts three punishments on the third lady (the wife of an old knight): nothing is left on her except "a tassell and a threed" (23.4), the knights "bade euill might shee sped" (23.6), and her own shame is stressed in the refrain (13, 20, 24). The mantle fits only the fourth lady, Craddoccke's beloved, but it crinkles at her big toe, which makes her confess that she gave Craddoccke a kiss before they were married.

The queen expresses anger when Craddoccke's beloved gets the mantle as a reward, accusing her of lechery, after which Gueneuer, like other ladies,

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ir wol, / Wan sie ist reht schol" [The whole half of her body vanished, on the right side, the only visible part of women was the one which they do not wish to see publicly exposed, although it is the part which should be praised. What I mean you certainly understand, she is the issue of life] (23972–81). On the implications of the passage, see: Madelon Köhler-Busch, "Pushing Decorum," 277.

25   Jillings, *Diu Crone,* 84.

26   Joseph Donatelli, "The Percy Folio Manuscript: A Seventeenth Century Context for Medieval Poetry," *English Manuscript Studies 1100–1700*, ed. P. Beal and J. Griffiths. (Toronto: Brepols, 1993), 4:114–133.

27   Quotations are from Francis James Child, *The English and Scottish Popular Ballads* (New York: Dover Publications, 1965), 1:256–274. Stanzas and line numbers are given in parentheses.

receives her third and hardest punishment. She is proclaimed "a bitch and a witch, / and a whore bold" (36.1–2); moreover, her husband, the king, is called "a cuckold" (36.4). The verbal defamation, coming from the boy who delivered the mantle to Arthur's court, is provoked by the queen's own envy and comes at the very end of the mantle test, summarizing it and serving as its logical conclusion.

The mantle episode is followed by two shorter tests (37–42 and 43–45). In the second test, the little boy asks each knight to carve a wild boar's head with his own knife, stating that this cannot be done by a cuckold. Craddoccke cuts up the boar's head with his little knife and offers pieces to other knights. In the third test, the little boy produces a magic horn from which a cuckold cannot drink. Cuckolds become immediately conspicuous through their punishment: spilling wine on their shoulders or their knees, missing their mouths, and putting the horn into their eyes instead. Craddoccke receives both the horn and the boar's head, and his beloved is given the mantle. Additional tests may have been introduced in the ballad to confirm the results of the main test, which is conducted with the help of the mantle. Although these additional tests involve men and not women, it is female, not male, faithfulness that is being tested, suggesting that female chastity and loyalty is what mattered most in a male-dominated society, while the polygamous nature of men was usually taken for granted. Although male testing by fear and laughter was a common element of wedding rituals, according to numerous anthropological investigations, it was always a test of courage, endurance, dexterity, and verbal wit, rather than chastity, which was not expected of a man changing his marital status.[28]

The chastity tests conducted with a knife, as in the English ballad, and the glove, as in Heinrich von Turlin's *Diu Crône,* are unique to these texts.[29] Other

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28   The study and synopsis of Slavonic, Finno-Ugric, Caucasian, and Central Asian wedding rituals and the male testing preceding them is given in: Морозов И.А. *Женитьба добра молодца. Происхождение и типология традиционных молодежных развлечений с символикой "свадьбы" / "женитьбы"* (Москва: Лабиринт, 1998), 113–148 [Igor A. Morozov, *Marriage of a Young Hero: The Origin and Typology of Traditional Young People Entertainments with the Symbolism of Marriage* (Moscow: Labyrinth, 1998), 113–148].

29   However, a magic knife, which could simultaneously serve twenty-four men, a horn containing any drink (depending on the choice of a drinker), and a magic mantle of Tegau Eurvron, which only a chaste woman could wear, are mentioned in the list of thirteen treasures of Britain (Tri Thlws ar Ddeg Ynys Brydain), included in the Welsh Triads. Rachel Bromwich, ed. *Trioedd Ynys Prydein: The Welsh Triads* (Cardiff: University of Wales Press, 1961), 240–243. Welsh sources also mention that Tegau possessed a knife, a horn, and a mantle. See: Margaret Jane Cornfute Reid, *The Arthurian Legend: Comparison of Treatment in Modern and Mediaeval Literature*, 3rd ed. (New York: Routledge, 2015), 121.

objects are also sporadically found in chastity tests in medieval romances, ballads, fables, and fabliaux, including bridges (treacherous women are thrown into the water, or stumble and fall on a bridge), arches (which treacherous women cannot pass under), partly withered garlands (becoming fresh in the presence of a chaste woman), stones by beds (on which an unchaste woman cannot tread), trees (which a treacherous woman cannot climb), chairs (on which an unchaste woman cannot sit), statues (biting hands of treacherous women), and pictures (darkening in the presence of an unchaste woman).[30] However, the drinking vessel and the mantle commonly occur in European texts from the beginning of the twelfth century as a key structural element of chastity testing plots.

The earliest example of the mantle test is preserved in the French *Lai du cort mantel* or *Mantel mautaillié* [The Lai of the Short Mantle or The Ill-Cut Mantle], composed at the end of the twelfth century.[31] The French *lai* centers on a magic mantle that shrinks or stretches to expose a woman's treachery. The *lai*, with its *esprit gaulois* similar to the fabliaux, is an early parody of certain aspects of Arthurian romance, a hybrid between comic tale and romance.[32] The ribaldry and lewdness permeating the narrative of the chastity test in *Le Lai du cort mantel* echoes wedding folklore songs (which are also frequently bawdy and obscene) about preserving maidenhood, losing virginity, and keeping faithfulness.[33]

The entertainment function of *Le Lai du cort mantel* could have made it popular in medieval literature. In the thirteenth century, the French version was rendered into Old Norse prose in *Mǫttuls saga* [The Saga of the Mantle] or *Skikkju saga* [The Saga of the Mantle] at the court of the Norwegian King Hakon Hakonarson.[34] The saga opens with a prologue that does not correspond

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30   See: Stith Thompsson, *Motif Index of Folk-literature*: *A Classification of Narrative Elements in Folktales, Ballads, Myths, Fables, Medieval Romances, Exempla, Fabliaux, Jest-books and Local Legends* (Indianapolis: Indiana University Press, 1955–1958), in which chastity tests by magic objects or ordeals are singled out as a special group, H410; and Child, *The English and Scottish Popular Ballads*, 256–274.

31   Philip Bennett, *Mantel et Cor: Deux lais du 12 siècle* (Exeter: University of Exeter, 1975), xxiii.

32   Philip Bennett, "Some Reflections on the Style of Robert Biket's *Lai du Cor*," *Zeitschrift für Romanische Philologie* 94 (1978): 329–333.

33   The study of the semantics and symbolism in Slavonic folklore tradition, which accompany wedding rituals and the chastity testing associated with them, is given in Гура А.В. *Брак и свадьба в славянской народной культуре: семантика и символика* (Москва: Индрик, 2012), 607–624 [A.V. Gura *Marriage and Matrimony in Slavonic Folk Culture: Semantics and Symbolism* (Moscow: Indrick, 2012), 607–624].

34   The saga is preserved only in Icelandic copies of the Norse original, but it survives in fourteen manuscripts dated between the thirteenth and the nineteenth centuries. These

with the French original since it praises King Arthur as the best ruler and his court as unequalled in the world. However, the rest of the saga is at odds with the prologue in that its plot concerns the denunciation and punishment of the ladies of Arthur's illustrious knights for failing a chastity test, thereby casting doubt on the reputations of the knights, which would imply instability in the social structure of the whole Arthurian court.

The main narrative in the saga closely follows the French original, with considerable amplifications and few reductions. Both start, adopting a standard Arthurian trope, with a description of King Arthur celebrating Pentecost with his court. Both mention King Arthur's custom of refusing to eat until he hears of some adventure, so Sir Valven (Gauvain of the French *lai*) expresses hope that dinner will come soon, and then a young man rides into King Arthur's hall. The young man (corresponding to a *vallet* in the French *lai*) dismounts and declares that "Ein hin frijdasta mær … fiærre ydro landi" [a most beautiful maiden far from your land] (4.16),[35] in the French *lai*: "une pucele … de mout lointain païs" [a maiden … from a very distant land] (170–171),[36] has sent him to King Arthur's court with a request to grant her a boon. The king agrees, and the young man takes out of a gold-embroidered pouch (in the French *lai*: *aumonière* [192]) a beautiful silk mantle woven by an elf-woman. He asks the ladies at King Arthur's court to try the mantle on, explaining that it has the power to reveal the misdeed of every maiden who "spilltzt hafde af unnasta sinum" [had been defiled by her beloved] (4.40), by becoming too long or too short. In contrast to the French *lai,* in which the stress is on testing women's faithfulness to their husbands, "se ele a de rien meserré / Vers son bon seignor" [has done wrong in any way towards her good husband] (204–205), or to their lovers, "cele qui vers son bon ami / avra mespris en nul endroit" [any one of them who towards her beloved has erred in any respect] (208–210),[37] the cre-

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manuscripts include: Stock. Perg. 4to nr 6, dated to 1400; AM 598 4to 1a, dated to 1400; AM 598 4to 1b, dated to 1300; AM 179 fol., dated to the seventeenth century, AM 181b fol., dated to 1650; AM 588h 4to, dated to the seventeenth century; and AM 588i 4to, dated seventeenth century.

35   Quotations and translations are taken from: Marianne E. Kalinke, ed., *Mǫttuls saga* (Copenhagen: C.A. Retzels Forlag, 1987). Section and line numbers are given in parentheses.

36   Citations and translations are taken from: Glyn S. Burgess and Leslie C. Brook, eds., *The Lay of Mantel* (Cambridge: D.S. Brewer, 2013).

37   Marianne E. Kalinke points out that the context determines the meaning of the verb "avra mespris" as implying sexual transgression, which makes it possible to deduce that the woman's transgression in the *lai* is "infidelity to one's beloved" (Kalinke, ed., *Mǫttuls saga,* 72).

ator of the saga implies that women will be tested on whether or not they kept their virginity.[38]

The ladies at King Arthur's court are invited to try the magic mantle on but are not told about its properties. As in the French *lai*, the queen in the saga is the first to be tested, but the mantle turns out to be too short for her and does not reach her heels—in the *lai* "a poine au soller li ataint" [it scarcely came down to her shoes] (289). The queen not only becomes the first victim of the test but also of public derision, articulated by the page Meon (Yvain in the *lai*), who points out that the mantle is at least an ell too short on her and in no way befits her. The queen's shame acquires visual expression: a deep blush follows a pallor, betraying anger at her public humiliation; in the *lai* "Tot le vis li nercist et taint / De la honte que ele en ot" [her whole face became dark and discoloured from the shame she felt at this] (290–291). The second victim of the mantle test is the beloved of King Artus's son (Aristes) for whom the mantle becomes even shorter; in the *lai* "et li manteaus plus acorça / Qu'a la roïne n'avoit fet" [and the mantle became shorter than it had done on the queen] (310–311). The scorn of the assembled social élite at her failure is again voiced by Meon, who ironically remarks that the mantle had shrunk a lot though it had not been worn long (in the *lai* the same remark is made by Kay the seneschal). Valven tries to save the queen's reputation, contrasting her with Aristes's beloved and remarking that there is *minni svik* [less falsehood] (6.35) in the former than in the latter. In the *lai*, Kay mockingly comforts the queen by stating that she is more faithful than the other woman but by a very small amount, adding that there is less villainy in her (318–321). At this point, Kay, the steward, reveals the truth about the *kraptr* [power] (6.54) of the mantle, declaring that it tests the fidelity, purity, and steadfastness of the ladies' love. The motif of purity which appears in the amplification of Kay's speech, stressing how much the maidens' virginity is valued by knights—"ok suo su ast er riddarar hafa á ydrum meydom" [and also the love which the knights have for your virginity] (6.48)—is absent in the French *lai*, in which faithfulness—"la bonne foi" [good faith] "et la leauté des amors" [and the loyalty of love] (341, 344)—rather than chastity is tested.[39]

The mantle's oblique threat to the stability of the Arthurian court makes the King suggest that the magic object should be returned to the young man and

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38   In one of the manuscripts of the saga (AM 588i 4to) the noun *meydom* [virginity] is added to the verb *spilla* [spoil, destroy] which, as was pointed out by Marianne E. Kalinke, implies that the maiden's fault is "loss of virginity *through* one's beloved" (Kalinke, ed., *Mǫttuls saga*, 72).

39   As was pointed out by Kalinke, the saga "adds a dimension not found—nor implied—in the lai that the knights appreciate the virginity of their true loves" (*Mǫttuls saga,* 72).

taken away, but the young man reminds the King that going back on his prom-ise is "eigi er þatt rett ... eda sæmilikt" [neither right ... nor honorable] (7. 4–5). The test continues with Kay's beloved who refuses, expressing fear with the help of an aphoristic rhymed binary formula that she would suffer public *hatr ok hlatr* [hatred and laughter] (7.27). Kay warns that declining to undergo the test would itself shame her, which makes her go ahead with it, only to find that "ok vard henni mottullínn suo stutr ath bakí ath valla tok j knesbætur henni" [the mantle became so short on her at the back that it barely reached the hollow of her knees] (7.31–32), and at the front did not reach them at all. The *lai* gives a longer description of the woman's nakedness: "li manteaus plus acorça / As jarez, et noient avant. / Et li dui acor de devant / Ne porent les ge-nouz passer" [the mantle became shorter around the thighs, with nothing be-low. The two flaps at the front could not cover her knees] (402–405). The third public mockery comes from all the assembled nobles, who express their judg-ment by declaring that there could be no one like Kay's beloved in the whole country, thus specifying the degree of her disgrace as unique. The lady is fur-ther punished by her beloved, about whom the narrator comments in indirect speech that he would have preferred her never to have appeared at court rath-er than to have brought such shame and disgrace on them both. In the *lai*, Kay's shaming is expressed more explicitly, for he "ne pot sa honte covrir" [could not disguise his shame] (414). The double shaming of both lovers before their whole social world greatly hurts Kay's beloved—in the *lai* "La damoisele est angoissie" [the maiden was distressed] (422) and "o sa honte s'ala seoir" [filled with shame she went and sat down] (432)—and she retires to her seat in hu-miliation and disgrace.

Unlike Kay, Valven does not wish his beloved to try on the magic mantle, but when she does, the cloak stretches to four and a half ells at the back but in front barely reaches her knees, and it is even shorter on her left side. In the *lai,* the position of the mantle on Gauvain's beloved is described similarly as trail-ing a full foot at the back, revealing her right knee and leaving her left knee covered, though no explanation of that covering is given. However, in the saga, Kay not only expresses the public derision of Valven's lady but also interprets the position of the mantle as showing the exact manner in which she betrayed her lover: "þesse mæy hin frijda ... hefer vpplypt sinum hægra fæte, enn hinum vinnstra hefur hun kyrr leigit medann hun leifdi þat er hun villdi þeim er henne lijkade" [this beautiful maiden raised up her right leg but the left leg she let lie quietly while she allowed what she wished from him who pleased her] (8.22–25). Although it is only the saga, and not the *lai*, that relates the position of the mantle to the manner in which a woman committed adultery, both texts men-tion that the adulterous woman is led to the shameful seat next to Kay's own

disgraced beloved. In contrast to the *lai*, the saga explains: "þui þid erud mióg lijkar þat er hun villdi þeim er henne lijkade" [because there are no women more alike] (8.44), justifying the change of location and, therefore, the displacement of the punished woman.

The fourth victim of public humiliation in the saga is King Urien's daughter (in the *lai,* his daughter-in-law), on whom the mantle drags on the ground on the right and rises over her knee on the left. One of the courtiers (Geres the Little), interprets her betrayal: "skickian er henne suo sijd hinum hægra meiginn. Þa synist oss þat ad hun lætur giarnann fallazt æ þa sijd med godumm vilia sïnum, enn vinnstra meiginn þar sem mottullinn er vpphlaupinn syner oss ad hun ängrast ei vid þo ad þar sie vpptekinn klæde hennar" [The mantle is so long for her on the right side that it shows us that she more than willingly let herself fall on that side, but the left side—there where the mantle is raised—shows us that she was not annoyed should her dress be lifted up there] (8.47–50). The revelation of such details obviously intensifies the sense of mortification when they are made public. Sir Kay makes King Urien's daughter change places and sit with the three disgraced women, as they are equal in humiliation and none can blame the others. The individual shaming is universalized in a lengthy and largely tautological verdict on all women: betrayal is committed by those from whom it is least expected, all women deceive their beloved because they all desire novelty, and, therefore, no woman should be trusted.

The only additional individualized victims of the mantle test, the ladies of Paternas and Ideus, become objects of public condemnation and ridicule as the mantle falls right off the first and exposes the loins of the second. The public mockery and derision is followed by their physical displacement: Kay leads them to the shameful place where the others, whose betrayal has been made public, are already sitting: "enn Kæi tok i hond sier hverre þeirra og leiddi til sætiss i þann mykla hrinng er þar var af þeim æ hallar golfinv" [Kay took each one of them by the hand and led her to a seat in that large circle that they made on the floor of the hall] (10.4–6). The disgraceful position on the floor at the feet of all other guests further signifies the humiliation of the punished victims of the chastity test. By this time, the audience has fully understood the extent of the women's betrayals and the consequent shaming they endure, so more examples are unnecessary.

The narrator summarizes that all women at King Arthur's court fail the test: the mantle bares those parts of their bodies that should not have been exposed and shows exactly how the women had sinned. As Carolyne Larrington points out, "What is written on the female body becomes readable through the cloak's

interpretative power."[40] The ladies' nudity results in public derision and disgrace, loss of status and safety,[41] manifested in their sitting, not in ladies' seats at table, but in a "circle," suggesting that they are all the same, at the social bottom *æ hallar golfinv* [on the floor of the hall] (10.6). All women are punished for their betrayal through public humiliation and social demotion: they transgressed the border themselves and are thus forced to physically cross the border that separates the hierarchies of decent society from the individuals who betrayed the official (male) social codes.[42] In the saga, the mantle test brings dishonor not only to the women but also, by the social code of courtly culture, to all men and to the whole of Arthurian society, thus threatening its viability.

The creator of the saga continues to follow the *lai*, relating the events after the public humiliation and punishment of all the women at King Arthur's court. The king's jester, Gerflet, is sent to search for other ladies who did not take part in the chastity test. He brings in Caradin's beloved (unnamed in both the saga and the French *lai*) who had been unwell and could not appear in public before. Her beloved, Caradin (Karados in the *lai*), loves her so much that he does not want to know the truth about her behavior. However, the mantle fits her perfectly, reaching the ground evenly on both sides, and it is given to her as reward for her chastity. The king's jester confesses that he took the mantle to many places and that it exposed more than a thousand of those who were called maidens, but he could not find any purity of maidenhood. In the *lai*, the emphasis is placed, not on maidenhood, but on villainy: "Onc nule n'en vi en ma vie, / Nule ou il n'eüst vilenie" [I have never seen in my life any woman in whom there is not some villainy] (847–848). The appearance of a single lady faithful to her lover saves Arthur's courtiers from the worst punishment: the loss of the magic mantle that would have been taken away from a dishonored court. However, the stability of Arthurian society is hardly restored because the saga ends with the only man who had not suffered betrayal leaving King Arthur's court together with his faithful beloved. The narrator of the saga concludes by saying that he had received more news of the magic mantle and that it would soon be put to the test again, but that he would not want to accompany it, lest mighty men receiving this gift might not treat him fairly. Thus, the

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40   Carolyne Larrington, "The Translated Lais," in *The Arthur of the North. The Arthurian Legend in the North and Rus' realms,* ed. Marianne Kalinke (Cardiff: University of Wales Press, 2011), 89.

41   Cf. similar observations in Monica L. Wright "Their Clothing Becomes Them: The Narrative Function of Clothing in Chrétien de Troyes," in *Arthurian Literature xx*, ed. Keith Busby and Roger Dalrymple, 31–42 (Cambridge: D.S. Brewer, 2003) 35.

42   As Kalinke writes, "the honour or dishonour of a single member of Arthurian society may be said to redound to that as a whole" (*Mǫttuls saga*, lix).

end of the saga is concerned more with didacticism than with entertainment, perhaps as a veiled warning to King Hakon's court.

The creator of the saga further denigrates the unfaithful women at King Arthur's court by depriving them of their proper names, which, in his opinion, they do not deserve. Each woman in the saga is referred to by her husband's or partner's (more rarely father's) name, though in the French *lai* two proper names are mentioned: Androete and Venelas. The prevalence of formulaic genitive constructions in the *lai* (i.e. "l'amie mon seignor Gauvain" [444], "l'amie mon seignor Yvain" [488], "l'amie au damoisel galois" [540]), as well as in the saga (i.e. "unnasta Paternas" [9.2], "dottur Uriens kongs" [8.30]), underlines the idea of female subordination to their lords in a society in which a man has full possession of his beloved's mind and body.

The object for testing chastity must have been considered of such importance in Old Norse culture that it acquired its own "genealogy": the origin and history of the magic mantle before it appeared at King Arthur's court is told in *Samsons saga fagra* [The Saga of Samson the Fair]. The *Saga of Samson* most likely inherited the chastity test[43] from *Mǫttuls saga,* as it was composed considerably later.[44] Chapters fifteen and eighteen of *Samsons saga* relate the story of four elf-women weaving a magic mantle *ok kolors* [of all colors], without sleep for eighteen years in an underground dwelling, for King Skrýmir from Jǫtunheimr, as punishment for their theft of wool from the fleece of a beautiful ram.[45] The magic mantle woven by fairies from this wool cannot not be put on by treacherous or lazy women who waste their time in vain (ch. 20); moreover, it can expose a thief: its clasps will break and it will fall off his shoulders (ch. 24). In *Samsons saga*, the magic qualities of the mantle are tested (without much motivation) at Samson's own wedding: no woman except Valentina, Samson's bride, can put the mantle on. Samson nevertheless gives it to another lady called Ingiam, but a Viking, Guimar, seizes it and takes it to Africa, from where it is sent to the British Isles by a lady called Elida (the action of *Mǫttuls saga* takes place when the mantle appears at King Arthur's court). As Marianne Kalinke points out, two nineteenth-century versions of *Mǫttuls saga*

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43 A different opinion was suggested by Rudolf Simek, who thought that the mantle test in *Samsons saga fagra* was derived from a lost Lancelot romance. Rudolf Simek, trans., *Zwei Rittersagas. Die Saga vom Mantel und die Saga vom schönen Samson: Möttuls saga und Samsons saga fagra* (Vienna: Wilhelm Braumüller, 1982), 32–33.

44 On the dating and the manuscript of *Samsons saga fagra*, see: Rolf Badenhausen, *Sage und Wirklichkeit. Über Dietrich von Bern und die Nibelungen, Ritter Samson, König Artus. Mit einer Übersetzung der Samsons saga fagra.* (Münster: Monsenstein und Vannerdat, 2007), 211.

45 Citations are taken from: John Wilson, ed., *Samsons saga fagra,* vol. 65 (Copenhagen: Samfund til Udgivelse af gammel nordisk Litteratur, 1953).

mention Elida's name as that of the woman who sent the magic mantle to King Arthur's court and thus brought shame and disgrace upon it.[46] It is likely that the creator of the saga knew about the existence, in Arthurian tradition, of a powerful female enemy of King Arthur's court who had particular hatred for Queen Guinevere. In the Old French narrative cycle, she is identified with King Arthur's half-sister, Morgan la Fée, a powerful sorceress and an indirect cause of the King's death, who would have had special interest in revealing women's treason at King Arthur's court.

The plot of *Mǫttuls saga* is also a basis for the plot of *Skikkju rímur* [Mantle *rímur*],[47] which most probably dates to the fourteenth century, but the story told in the *rímur* incorporates additions from other sources, especially *Samsons saga*.[48] It includes the elf-women (only three of them rather than four, as in *Samsons saga*),[49] who also weave a wondrous garment (for fifteen years, instead of eighteen); the garment itself, which is made of white velvet and embroidered with beautiful flowers and brought in a painted chest (as opposed to the gold-embroidered pouch in the saga); and explanations of the messenger, telling the audience about the power of the mantle to reveal ladies who have not kept faith with their lovers. The main story is the same as in *Mǫttuls saga* and in the French *lai*, but contrary to what a few scholars have suggested,[50] some narrative elements in the *rímur* go back only to *Mǫttuls saga*, not to the *lai*. For example, in the saga and the *rímur*, the queen sends Gawain to King Arthur to ask why the king is postponing the feast, whereas in the *lai*, Gawain sends Kay. Thus it is hard to agree with scholars who suggest that the *rímur* go back directly to the French text.

The action of the *rímur* is set in Yarmouth, England; the prologue eulogizing King Arthur is shorter than that of the saga, as are the praises to the queen,

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46   Kalinke, ed., *Mǫttuls saga*, lxxxiii.

47   Rímur are stanzaic narrative poems with rhyme and alliteration composed in Iceland from the fourteenth to the twentieth century; their origin goes back to Eddaic and skaldic poetry, and their plots evolve from existing sagas, romances, and novels. See: Vésteinn Ólason, "Old Icelandic Poetry," in *A History of Icelandic Literature*, ed. Daisy Nejmann (Lincoln: University of Nebraska Press, 2006), 55–59.

48   *Skikkju rímur* were preserved in several manuscripts, the oldest of which is *Kollsbók* (Wolfenbüttel, MS nr.42 4to) dated to 1500. See also: Vésteinn Ólason, *The Traditional Ballads of Iceland. Historical Studies* (Reykjavík: Stofnun Árna Magnússonar, 1982), 52–53.

49   The topos of several elf-women working on a garment for an extended period of time is discussed in Marianne E. Kalinke, *King Arthur North-by-Northwest: The Matière de Bretagne in Old Norse-Icelandic Romances* (Copenhagen: C.A. Reitzels Boghandel, 1981), 218.

50   The relation between *Skikkju rímur* and *Mǫttuls saga* is discussed in Kalinke, *King Arthur North-by-Northwest*, 216–218.

which are abbreviated even more. As in *Mǫttuls saga,* Guinevere is the first woman to try on the mantle after King Arthur's vague remark that conceals rather than reveals its properties (it will be won by a lady who is without blemish). As soon as the Queen tries on the mantle, "fell svo slétt um fangið niður / að foldin þótti hlæja viður. / En á bak var stutt um stef, / sem stungið hefur einhvör ref; / heyrði eg á því hvörs manns orð; / huldi hún varla kálfa sporð" [it fell down so smoothly over her lap that it played upon the ground / But in the back it was rather short, as though someone had stuck a "fox" there. I heard it from everyone: the cloak barely hid her calf] (III.11–12).[51] The second lady to try it on is the beloved of Prince Estor (in the saga, Prince Aristes), but the mantle barely reaches her knees (cf. in the saga: "ok stytti hann mycklo meir á henni enn drottningu" [and it was much shorter on her than on the queen], 6, 29–30). On the third woman, the mantle barely reaches the middle of her left thigh (III.23). Kay's beloved tries the mantle next, and her test is preceded by the dialogue between the two lovers verging on mutual mockery: the lady claims courteously that "Hér eru margar fremri en eg; / hvatvísi má heita nær. Ef hleyp eg fram fyrir alla þær" [there are here many more prominent than I; it would be judged temerity were I to spring ahead of them all] (III. 26). She fails the test as the mantle reaches her knees at the back but only to her navel in the front. In the saga, the mantle becomes so short that it hardly reaches the back of her knees. The *rímur* poet concludes, regarding the second property of the mantle, that it not only shows that a lady is treacherous but reveals the manner in which she transgressed "nú er það sýnt hvé brugðust þær" [now it is shown how they failed] (III, 29.4). Although the relation of the position of the mantle to the manner in which the woman committed adultery is established in the saga, the *rímur* takes the narrative a step further in providing a direct explanation for the variation in the shape of the mantle. Thus, the mantle's exaggerated revelations diminish the wit of the saga and place more emphasis on the punishment of the women.

After more ladies are publicly humiliated, they are led to "var þeim ætlað rúm til þess / að þær mætti húka í hring; / heitir þetta kvenna þing" [a place had been made for them, so they could huddle there in a circle, that's what is called a women's forum] (III, 37). The significance of the displacement in the *rímur* is made more explicit than in the saga. One thousand one hundred women fail the chastity test, suffer humiliation by being displaced, and are

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51   Citations of the texts and translations of *rímur* are from: Matthew James Driscoll, ed. and trans., *Skikkjurímur,* in *Norse Romance: Knights of the Round Table,* ed. Marianne E. Kalinke (Cambridge: D.S. Brewer, 1999), 269–325. The number of the *ríma* or fit (*Skikkjurímur* consist of three fits) is given in Roman numerals and the stanza number is given in Arabic numerals in parentheses.

subjected to the public derision of the knights.[52] The mantle is given to the only faithful woman at King Arthur's court—Kardon, the wife of Kaligras—after which the shame of treacherous wives becomes physically visible: "hinum tok hekdur að hitna kinn" [their cheeks began to redden] (III, 70, 3). Unfaithful women curse the person who brought the mantle and the place where it was made (III, 52): "Engin vildi auðar gná / yfir sig leggja möttul þá, / heldur en ganga á heitan eld; / hallar degi en líður á kveld" [None of them then wished to try on the mantle any more than to walk over hot coals] (III, 54). The *rímur* poet clearly envisaged another punishment beyond that of shame for "sem höfðu falsað bóndann sinn" [those who betrayed their husbands] (III, 70, 4), comparing the trial of the mantle to walking on "hot coals." The reference to hot coals relates the mantle test to traditional ordeals by fire (hot iron, hot ploughshares),[53] transferring the punishment in the *rímur* into the sphere of the physical, the corporeal, threatening the body more than the mind and thus making those punishments more explicit and prominent than they are in the saga.

The ending of the *Skikkju rímur* also differs from the saga in that a further punishment is added by King Arthur, who sends all the disgraced women away from his court (III, 74) and all his knights to the wars, where he says they will find better wives: "þér munuð vekja vigra-skúr / vér skulum sækja oss betri frúr" [you must go to the war, we shall find for us better women] (III, 77). Thus the *rímur* subverts the motif of performing heroic feats in order to gain a woman's love: the knights hope to find worthier wives instead of those who have shown themselves capable of betrayal.[54] All the women, including the queen, are told by the king to leave his court, where they would be afforded little honor, and live in shame as they deserve. The poet makes a significant omission in comparison with the saga: he fully excises the string of superlatives praising the queen in *Mǫttuls saga*. The focus in the *rímur* thus shifts to the transgression of the women, making the motif of more severe punishment central to the narrative.

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52   The creator of the *rímur* must have been acquainted with *Erex saga* and borrowed from it a number of guests at Arthur's court who undergo and fail the chastity tests, such as the queen from the land of dwarfs, the eight-year-old wife of a beardless king of the land of small-maidens (mentioned in *Samsons saga*), and the huge fat wife of King Felix, to whom he had been married for 200 years. As the composition of the chastity test plot presents essentially an open frame structure, it easily allows the addition of new trials not mentioned in *Mǫttuls saga*.

53   Robert Bartlett, *Trial by Fire and Water: Medieval Judicial Ordeal* (Oxford: Clarendon Press, 1986), 15–18, 25–32, 72–80.

54   Kalinke, *King Arthur North-by-Northwest*, 219.

In his final authorial intrusion, the poet wishes punishment on those of his envisaged female readers who have found it amusing. The ending of the *rímur* could be taken either literally as a highly misogynistic piece (in keeping with the rest of the text) or as ironic, a reading confirmed by the very last line of the poem: "Svo skal lyktast þetta spil" [so ends this entertainment]. The word *spil* [entertainment] prompts the latter interpretation. The poet asserts that any woman, who hears his poem and laughs at it, is clearly treacherous and should be burned till she acknowledges her guilt: "sé þeim rétt sem snæra sé / sett frá nafla og ofan á kné; / slokkni ei fyrr en segja þær til" [it is fitting that they are made as if to burn from navel down to the knee; may the fire not go out until they confess] (III, 85, 1–3). The torture envisaged by the poet recalls the teaching of the Church concerning the punishment awaiting the lecherous in the other world.

The literal or humorous threat of the narrator to all treacherous women can also be related to ordeals recorded in historical sources, which show that as early as the eighth century, chastity tests were usually conducted with the help of fire and water.[55] Trials by fire (as well as water), founded on the expectation of a miracle violating the normal laws of nature, include several basic variants. Most frequently, the woman being tested was asked to take hold of a hot iron, carry it for a few steps, and then place it on the ground. After that, the hand was bandaged and inspected three days later. If the wound was clean and free from pus, the woman was declared chaste.[56] An ordeal by hot iron is mentioned in one of the king's sagas, *Hákonar saga Hákonarsonar,* one of the most important sources of the history of Norway from Hákon's accession in 1217 to his death in 1263. The ordeal, however, does not take place immediately, though Hákon's mother, Inga of Varteig, is ready to undergo it to prove that her son is the descendant of King Hákon Sverreson. Inga goes to the church and fasts before the ordeal: "En Inga, móðir konungssonar, fór til Pétrskirju ok fastaði þar til járns, sem siðr er til. … En þá er járn skyldi bera var því í brot skotit, ok vissi engi hvar komit var" [But Inga, the mother of the king's son, went to St. Peter's Church and fasted for the (*ordeal by*) iron, as was the custom. … But when the iron should have been brought it was pushed away and nobody knew where it went] (1:17.194).[57] The second time the trial does take place, also after fasting: "Eftir þessa stefnu gekk konungsmóðir til kirkju at fasta til járns" [After this

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55   Bartlett, *Trial by Fire and Water*, 16–19, 33, 132. In this volume, see: Tina Boyer, "Legal Ramifications of Ordeals and Treason in *Morant und Galie.*"

56   Bartlett, *Trial by Fire and Water*, 21, 40

57   *Hákonar saga Hákonarsonar, Bǫglunga saga, Magnúss saga lagabœtis,* ed. Sverrir Jakobsson, Þorleifur Hauksson, and Tor Ulset, Íslenzk fornrit, 2 vols. (Reykjavík: Hið íslenzka fornritafélag, 2013), 31–32. Volume chapter, and page are given in parentheses.

meeting the king's mother went to the Church to fast for the (*ordeal by*) iron]
(1: 46.218). Inga passes it successfully: "Um daginn eftir prímamál bar ko-
nungsmóðir járn eftir réttum tíma, ok greiddisk þat hit bezta af hennar hen-
di. ... Ok er leyst var hönd konungsmóður þá gerði Guð miklar jarteinir með
sinni miskunn at hon var vel skír, ok sögðu þat allir þeir er sá at miklu var þá
fegri hönd hennar en áðr hon tók undir járnit [On the day after the first hour
the king's mother took the iron after the right time and it turned out in the best
way for her. ... And when the hand of the king's mother was loosened, then God
showed great signs of his mercy, so that she was well clear, and all those who
saw it said that the hand was more beautiful than before she took the iron]
(1:48.219–220). After the successful outcome of the ordeal, there could be no
further dispute about Hákon's royal descent, and not only his friends but also
his enemies acknowledged him as the justly elected king of Norway.

Variants of the ordeal by fire or water include walking on hot iron (as in the
Thüringian laws, written in 802 during the reign of Charlemagne, which men-
tion punishment for a woman accused of causing her husband's death, who
had to take nine steps on red hot ploughshares),[58] immersing a hand into boil-
ing water, and total immersion in cold water (a lake or river). In the latter case,
if the woman floated to the surface, it was understood that the water did not
allow her to drown and was rejecting her as guilty.[59] If she did drown, she had
proved her chastity but lost her life, further reducing the vanishingly small
number of chaste women on earth.

Ordeals were banned by the Fourth Lateran Council in 1215, and the practice
of exposing adultery by fire or water was abolished in the twelfth and thir-
teenth centuries,[60] just at the time when chastity tests—some by magic man-
tle—found their way into medieval literary texts. Chastity in literary traditions
is tested by means not only of mantles but of various other objects (like the
glove and drinking horn), sublimating the desire to test female faithfulness
and transforming a maximally traumatic ordeal into the literary sphere. In a
chivalric society, humorous literary versions, verging on satire, are likely to sup-
plant the need for physical revenge.

The literary life of the magic mantle used in chastity tests extended well
beyond Scandinavia; it came from France, but it was also popular in England
and Germany, where a second (later) translation of the French *Le Lai du cort
mantel* must have been made, if the Norse translation is considered to be the

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58   Claudius von Schwerin, ed., *Lex Thuringorum* in, *Leges Saxonum et Lex Thuringorum*,
        Monumenta Germaniae Historica 4 (Hanover, 1918), cap. 52, 65.
59   Bartlett, *Trial by Fire and Water*, 74.
60   Bartlett *Trial by Fire and Water*, 153.

first. The Middle High German metrical paraphrase of the same plot, *Der Mantel* (late-twelfth century), was ascribed to Heinrich von der Türlîn by Otto Warnatsch, who thought that it was meant as an introduction to a longer poem narrating the heroic feats of Lancelot. He based his hypothesis on the analysis of Heinrich von der Türlîn's only known poem, *Diu Crône* (1230), which contains two chastity tests.[61] Only a 1000–line fragment of the German version survives (the text breaks off at the point where Enite tries on the mantle), and, on the whole, its poetic form of rhymed couplets is closer to the French original than the saga prose.[62] However, the German version also resembles *Mǫttuls saga,* in that it introduces a panegyric prologue devoted to King Arthur, and *Skikkju rímur*, in that it adds the characters from Chrétien's *Érec et Énide*, who are not mentioned in the French original.[63]

The Middle High German poem *Der Mantel* is the basis of one of the episodes in the poem by Ulrich von Zatzikhoven, *Lanzelet*, which dates to the end of the twelfth century. The magic mantle forms the center of a single scene in *Lanzelet* (5679–6157), reproducing the same names but not the same story. A *wîse merminne* [sea fairy] (5767),[64] Lanzelet's guardian, sends a maiden to King Arthur with a gift, a magic mantle of all colors. More than two hundred ladies try the mantle on but prove unworthy of it, even "Ginovere hübsch unde guot" [Guinevere, the beautiful and kind] (5870); the mantle only fits Iblis, Lanzelet's wife, who longs for her husband.

In Ulrich's poem, the maiden who brings the mantle explains the reasons for the ladies' failures: Guinevere's transgression is not in deed, but in thought, caused by King Arthur watching over her too strictly; Prince Torfilaret's wife turns her thoughts to other men because her husband is not attentive enough to her; Kay's beloved never refuses to grant what is desired of her; stalwart Loifilol's wife leaves men unrewarded; the wife of King Gyivrez is embarrassed

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61   Otto Warnatsch, ed., *Der Mantel. Bruchstück eines Lanzeletromans des Heinrich von dem Türlîn, nebst Abhandlung über die Sage vom Trinkhorn und Mantel und die Quelle der Krone* (Breslau: Wilhelm Koebner, 1883), 106. However, on the basis of the study of vocabulary and style, it has been argued that his authorship was dubious. See: Bernd Kratz, "Die Ambraser Mantel-Erzälung und ihr Autor," *Euphorion* 71 (1977): 1–17.

62   Kalinke, ed., *Mǫttuls saga*, xxii.

63   It is possible that the German poem *Der Mantel* borrowed its characters not directly from Chrétien's romance but from Hartman von Aue's poem *Erec*, just as the *rímur* borrowed its characters not directly from Chrétien's poem but from its Old Norse translation *Erex saga*. See: Foster W. Blaisdell, ed., *Erex saga Artuskappa,* Editiones Arnamagnæanæ, series B (Copenhagen: Munksgaard, 1965), 4.

64   Citations are taken from: Kenneth G.T. Webster, trans., *Ulrich von Zatzikoven, Lanzelet: A Romance of Lancelot translated from the Middle High German by Kenneth G.T. Webster* (New York: Columbia University Press, 1951).

by her husband's inadequate height; Sir Kailet's wife resents that her husband forced her to go where she did not wish to; and the wife of wise Malduz fails because of her sharp tongue. In contrast to all previous versions of plots based on mantle chastity tests, Ulrich's poem describes transgressions of feeling and relates them to failures to observe the conventions of the courtly game of love (in the spirit of the *De amore* by Andreas Capellanus).[65] Thus, the emphasis is on the personal transgression of individuals rather the problems of a social structure based on the concept of honor, as in the *rímur*. Unlike its predecessors, especially the *rímur*, Ulrich's poem places at least part of the blame (and therefore shame) on men as well as women; for example, it is Kay, rather than his beloved, who "dô wart er vor schame rôt" [turns red for shame] (5957). The stability of Arthurian society is not threatened by the test but rather by Lanzelet's captivity: all ladies quickly forget their embarrassment arising in the course of the chastity test because their failures are largely caused by the knights. The implication in Ulrich's poem is that if men were more attractive, women would have no reason to break the social code. The motif of punishment is totally absent from the narrative, with its emphasis on nobility and chivalry. In the realm of *amour courtois*, any hint of punishing a lady would have struck a discordant note.

The main plot of the mantle chastity test retains the same structural elements in all its versions: the magic mantle of supernatural origin (originating from the elf-women or the dwarf), the chastity test imposed on all women at Arthur's court, the way in which the magic mantle exposes the nakedness of lecherous women (being short or of uneven length), the triumph of one who is chaste and who receives the mantle as a reward, the shame and derision of all others, and, finally, the three punishments on all who prove treacherous. Variations in the punishment for female betrayal inflicted by the mantle largely depend on the nature and the chronology of the texts. In all the variations, the initial punishment is the public revelation of infidelity within the social circle of the court, through the way the mantle fails to fit, revealing the way in which the woman was unfaithful. A second punishment comes from the lover of the treacherous woman, who declares his loss of love. A third punishment by shaming is imposed by the court: the woman becomes an object of public derision and mockery. This punishment is manifested materially in a change of social status and seat; each dishonored woman must leave her place and move to a shameful one, sitting with the other treacherous women. The lovers of the unfaithful women are punished less severely; they become objects of scorn and derision to other men, who are usually not regarded as culpable at all

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65   Webster, trans., *Ulrich von Zatzhikhoven*, 209; Kalinke, ed., *Mǫttuls saga*, xxiv.

(except Ulrich's *Lanzelet*). In typologically later texts, the women are punished further in physical ways: the ballad *The Boy and the Mantle* gives further details of women's nakedness and *Skikkju rímur* adds the additional punishment (though only in passing) of burning unfaithful women with fire. Thus, it is very likely that Old Norse, English, and German traditions preserve variants of the same plot, which may go back (more or less directly) to the French *Le Lai du cort mantel*, the earliest known literary rendering of the chastity test plot.[66]

The origin of the plot before *Le Lai du cort mantel*, with all its variants, is far from clear. According to the Welsh folklore tradition, only reflected in manuscripts of the fourteenth and fifteenth centuries, the mantle that revealed a woman's betrayal belonged to Tegau Gold-Breast (Eurvron), wife of Caradawc Strong-Arm (Vreichvras), and was counted among the Thirteen Treasures of the Island of Britain. Tegau also possessed a horn, which may have had the same properties as the mantle. Tegau's mantle could reveal violation of virginity or infidelity to marriage: "ac yr neb y byddai lân y'w gwr, y byddai hyd y llawr, ac i'r neb a dorrai i ffriodas ni ddoe hyd i harffed" [And for whoever was faithful to her husband it would reach to the ground, and for whoever had violated her marriage, it only reached to her lap].[67] Though Roger Loomis and Warnatsch argue that the plot of the mantle chastity test goes back to Welsh folklore tradition,[68] it is unclear whether the reference to the magic mantle predates the composition of the French *Le Lai du cort mantel* or follows it, elaborating and expanding the plot.[69] As Rachel Bromwich points out, references to Tegau in the Welsh Triads "imply a widespread knowledge of it in Wales in the 15th and 16th centuries,"[70] and therefore, it is possible that the Welsh source is later.

Renée Kahane has suggested that the chastity test plot was known in Byzantine folklore, as it is included in the collection of historical and monumental works of the Byzantine imperial capital of Constantinople called Πάτρια Κωνσταντινουπόλεως [*The Patria of Constantinople*].[71] The collection was probably first compiled c. 995 in the reign of Basil II (976–1025), then revised and expanded in the reign of Alexios I Komnenos (1081–1118). The first part, which

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66   Kalinke, ed., *Mǫttuls saga,* xxi.

67   Bromwich, ed., *Trioedd Ynys Prydein*, 241.

68   Roger Sherman Loomis, *Arthurian Tradition and Chrétien de Troyes* (New York: Columbia University Press, 1949), 99; Warnatsch, *Der Mantel,* 69.

69   Kalinke, ed., *Mǫttuls saga,* xix.

70   Bromwich, *Trioedd Ynys Prydein*, 248.

71   Renée Kahane, "A Byzantine Version of the Telltale Mantle," in: Kalinke, ed., *Mǫttuls saga*, xix–xx. The discussion of the Byzantine origin of the magic mantle in the present article draws on Renée Kahane's analysis.

possibly dates to the sixth-century pagan writer Hesychius of Miletus, includes a story going back to the time of Constantine the Great (285–337) about a column adorned with a statue of Aphrodite. The statue tested the chastity and faithfulness of any woman, married or single. Chaste women could pass by the statue unharmed, but those who had not kept their virginity or had been unfaithful had to suffer a public punishment: their mantle or cloak (*himátia*) was lifted and exposed parts of the body not meant for the public eye.[72] As Kahane points out, the verb meaning "to lift" appears in two versions of the text in different grammatical forms: "The one version, using the medio-passive, with the garments as subject, stresses the interference of the numen: 'her garments lifted (*esēkoûnto*) through a sudden [supernatural] incursion and she showed her private parts.'"[73] In the other version, the subject of the sentence is "the woman" and the verb is used in the active voice: "… all at once a demoniacal incursion made them dizzy and caused them lifting (*aírousai partic.* pres. fem. plur.) their garments."[74] Thus, the stress in the two versions is different: in the first, it is on the supernatural power lifting the garment; in the second, the woman possessed by this power lifts the garment herself. In both versions, supernatural agency drives the event, but in the second, the woman is humiliated further in that she reveals her own shame. Most modern scholars contend that the mantle chastity test has its origins in Byzantine rather than Welsh tradition and assert that Loomis and Warnatsch were mistaken in positing a Celtic origin.[75]

It is not impossible that the creator of the French *lai* may have been familiar with the Byzantine folklore tradition; however, chastity tests are recorded in earlier literary sources, such as Αἰθιοπικά [*Aethiopica*], composed by Heliodorus of Emesa in the third or fourth century.[76] In this ancient Greek romance, a trial by fire is carried out on the orders of the heroine's own father, who wishes to test his prisoners' chastity by making them stand on a brazier (not knowing that his own daughter is among them):

3. μηδέ κελεῦσαι τούς ἐπιτεταγμένους ἀναμείνασα ἐνέδυ τε τον ἐκ Δελφῶν ἱερόν χιτῶνα, ἐκ πηριδίου τινός ὅ ἐπεφέρετο προκομίσασα, χρυσοῦφή τε ὄντα

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72   Kahane, *A Byzantine Version*, xx.

73   Kahane, *A Byzantine Version*, xx.

74   Kahane, *A Byzantine Version*, xx.

75   Kahane, *A Byzantine Version*, xix–xx; Kalinke, ed., *Mǫttuls saga*, xx.

76   Although Heliodorus' *Aethiopica* was mentioned in connection with chastity tests in: Child, *The English and Scottish Popular Ballads*, 270 and in Coyne Kelly, *Performing Virginity*, 63, it has never been analyzed in the context of Mantle tests before.

καὶ ἀκτῖσι κατάπαστον, τήν τε κόμην ἀνεῖσα καὶ οἷον κάτοχος φανεῖσα προσέδραμέ τε καὶ ἐφήλατο τῇ

ἐσχάρᾳ καὶ εἱστήκει πολὺν χρόνον ἀπαθής, τῷ τε κάλλει τότε πλέον ἐκλάμποντι καταστράπτουσα, περίοπτος ἐφ᾽ ὑψηλοῦ πᾶσι γεγενημένη, καὶ πρὸς τοῦ σχήματος τῆς στολῆς ἀγάλματι θεοῦ πλέον ἢ θνητῇ γυναικί προσεικαζομένη. 4. Θάμβος γοῦν ἅμα πάντας κατέσχε. καὶ βοὴν μίαν ἄσημον μέν καὶ ἄναρθρον δηλωτικήν δὲ τοῦ θαύματος ἐπήχησαν τῶν τε ἄλλων ἀγασθέντες καὶ πλέον ὅτι κάλλος οὕτως ὑπεράνθρωπον καὶ τὸ ὥριον τῆς ἀκμῆς ἄθικτον ἐτήρει καί ἔχειν ἐνεδείκνυτο σωφροσύνη πλέον ἢ τῇ ὥρᾳ κοσμούμενον.⁷⁷

[… and then, without tarrying for any command from those who had charge of that matter, she put upon her the holy garment that she had brought from Delphi, which she always carried in a little fardell about her, wrought with gold and bright gleaming spangles. Then casting her hair abroad, like one taken with a divine fury, she ran and leapt into the fire and stood there a great while unharmed, her beauty shining the more, so that every man marvelled at her, and by reason of her dress thought her more like a goddess than a mortal woman. Thereat was every man amazed and muttered sore, but nothing they said plainly; and above all things they wondered that she, being more beautiful than any mortal woman and in her best youth, had not lost her virginity].⁷⁸

In the Byzantine tradition, chastity was tested by the statue of a goddess, whereas, in Heliodorus' *Aethiopica*, the heroine, proving her chastity, looks more like a goddess herself than a mortal woman (cf. in *Le Lai du cor*, the image of Garaduc's wife who successfully passes the chastity test looking *si resemble ben fee* [very much like a fairy], 512). *Aethiopica* undoubtedly describes a chastity test, conducted with the help of a hot object, i.e. a brazier (cf. the ordeal with red hot burning ploughshares in Thüringian laws). Like all the medieval plots originating from the French *lai*, the test in *Aethiopica* is preceded by putting on a sacred garment. The wondrous garment is described in all texts including *Aethiopica,* in which it is wrought with gold and bright gleaming spangles. The heroine carries it with her in a little fardel or wallet. In *Mǫttuls saga*, the mantle is carried in a *púss* [small bag or wallet]; in the German tradition, it is taken out of a bag that is hardly a span wide; in the English, it is en-

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77   Citations of the Greek original are taken from Héliodore, *Les Éthiopiques* (*Théagène et Chariclée*)*: Tome III*, ed. R.M. Rattenbury and Rev. T.W. Lumb, trans. J. Maillon, 2nd ed. (Paris: Société d'Édition Les Belles Lettres, 1960), 10:85–86.

78   Citations are taken from Heliodorus, *An Aethiopian Romance*, trans. Thomas Underdowne, rev. Frederick Adam Wright (New York: Routledge, 1923), 292–293.

closed between two nut-shells. In all the sources, the sacred garment is of foreign origin: in Heliodorus, it comes from Delphi; in *Mǫttuls saga*, it is brought from an undefined distant land; in *Samsons saga*, it appears from King Skrymir of Jǫtunheimr; and in Ulrich's *Lanzelet*, it originates from a sea-fairy. The near coincidence of motifs is striking and supports the hypothesis of a single point of origin. It is likely that Heliodorus, author of what is probably the earliest literary source mentioning a garment in connection with a chastity test, inherited it from ancient Greek folklore tradition. Public demonstration of chastity or infidelity, as well as public shaming for the unchaste behavior, is a constant motif, with potential physical punishment in typologically, though not always chronologically, earlier versions of the test, reflecting the relative cultural state of society.

The use of the mantle, as well as of the drinking vessel as an instrument for testing betrayal and for punishment in Greek, Byzantine, and Celtic folklore sources, suggests that chastity test plots in literary texts may be related to folklore oral traditions accompanying wedding rituals. These included tests of the bride's chastity in archaic cultures and in cultures subject to ethnographic investigations: Samoan, African, Mexican, Persian, Chinese, Arabic, and Chuvash, to name a few. In these cultures, chastity was required of a woman both before and after marriage, and only virgins could marry.[79] Wedding rituals included not only chastity tests but also the rituals of dressing the bride and changing her clothing, feasting after fasting, and ritual hostility of the male group to the female in an exchange of insults. Some of these motifs were retained in the medieval texts that have survived: the chastity test is preceded by fasting (King Arthur does not wish to start eating till he hears the news or about some adventure); ladies are compelled to put on somebody else's garments (the foreign-made mantle); and the husbands of treacherous ladies pour insults on them (subjecting them to public humiliation).

Wedding rituals often include punishments for an unchaste bride:[80] in Malorossiya, for example, the legs of a girl who failed to preserve her virginity were exposed, her dress was tied to her waist with straw ropes,[81] her chemise

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79   Edward Westermack, *The History of Human Marriage* (New York: Macmillan, 1891), 123.

80   Пушкарева Н.Л. Позорящие наказания для женщин в России XIX—начала XX в. В: *Вина и позор в контексте становления современных европейских государств (XVI-XX вв.)* Ред. М.Г.Муравьева. (СПб: Европейский университет в *Санкт-Петербурге*, 2011), 190–216 [N.L. Pushkareva, "Shameful Punishments for Women in Russia in the 19th–early 20th Centuries," in *Guilt and Shame in the Context of the Origin of Modern European States (16th-20th centuries)*, ed. M.G. Muravyeva (Saint-Petersburg: European University of Saint-Petersburg Publishing Press, 2011), 190–216].

81   Смирнов А.Г. Очерки семейных отношений по обычному праву русского народа. В: Пушкарева Н. Л., Бессмертных Л.В. *А се грехи злые, смертные ...* Русская семейная и

was covered with soot, and she was led in the streets without a skirt.[82] In medieval Welsh laws, the punishment for being unchaste consisted of publicly cutting a woman's shift as high as her pelvis in the front and as high as her buttocks at the back: "Three thrusts not to redressed ... The third is giving a mature maiden to a man with surety as to her virginity, and the man making a genital thrust at her and having connexion with her once and finding her a woman: he is to call the marriage guests to him, candles are to be lighted and her shift cut before her as high as her pubes and behind her as high as her buttocks, and she is to be sent off with that thrust without any reparation to her; and that is the law for a deceitful maid."[83] This is similar to the punishment of Ideus's beloved in *Mǫttuls saga*, for whom the mantle is so short at the back that it does not reach her loins, or the punishment of Kay's beloved in *Skikkju rímur*, on whom the mantle only reaches the bend in her knee and in the front, only her navel (III. 27). An unchaste maid could be punished not only by depriving her of her garment, or shortening it, but also by making it dirty or covering it with soot, which may be related to the English ballad where the mantle on the queen is torn and some parts of it turn black, i.e. acquire "the worst colour": "another while was it blacke, and bore the worst hue" (12.1–2).[84]

Manipulations with garments were not the only means of punishing a girl for her lack of virginity. An unchaste bride could also be punished with the help of a perforated drinking vessel, which was a key object in the Serbian wedding ritual.[85] During a wedding feast, the parents of the bride were offered a

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сексуальная культура глазами историков, этнографов, литераторов, фольклористов, правоведов и богословов XIX— начала XX вв. Книга 1 (Москва: Ладомир, 2004), 247 [A.G. Smirnov, "Studies in Family Relations According to Customary Law of the Russian People," in *"And these are the sins evil, mortal...": Russian Family and Sexual Culture through the Eyes of Historians, Ethnographers, Men of Letters, Folklorists, Lawyers and Theologians of the 19th- beginning of the 20th centuries*, ed. N.L. Pushkareva and L.V. Bessmertnyh (Moscow: Ladomir, 2004) 1:247].

82   Тенишев В.В. П*равосудие в русском крестьянском быту*. Свод данных, добытых этнографическими материалами покойного князя В.Н. Тенишева (Брянск, 1907), 26 [V.V. Tenishev, *Jurisdiction in Russian Peasant Society. The Outline of Data Acquired through Ethnographic Materials of the Late Count V.N. Tenishev* (Bryansk, 1907), 27].

83   *Welsh Medieval Law, being a text of the Laws of Howel the Good namely The British Museum Harleian MS. 4353 of the 13th century with translation, introduction, appendix, glossary etc. by Arthur W. Wade-Evans* (Oxford: Clarendon Press, 1909), 132, 276.

84   Similarly, women could be forced to publicly walk naked or in their shift for both adultery and treason, according to both English tradition and French customary law. In this volume, see: Larissa Tracy, "The Shame Game, from Guinevere to Cersei: Adultery, Treason, and Betrayal."

85   Пушкарева 2011:190–216. [Pushkareva, "Shameful Punishments for Women in Russia," 190–216].

perforated tankard from which wine was spilled on anybody who tried to drink from it. Nineteenth-century historian Nikolay Kostomarov describes the ritual of a perforated drinking vessel: "But if it happened that the bride did not keep her virginity, then the common happiness was darkened. Shame awaited the poor parents of the bride. The husband's father offered them a tankard, with a hole at the bottom, having covered it with his finger; when the bride's father accepted it, the bridegroom's father took his finger away, and the wine spilled on his clothes, which was met with by universal derision and mockery."[86] In Slavonic folklore, as in European literature, the punishment was inflicted not only on a woman but also on the man responsible for her (father or husband). Punishments in wedding rituals may have been reflected in legends about magic clothing shortening and exposing the nakedness of unchaste or unfaithful women or about a drinking vessel punishing the men who are in charge of them.

Wedding rituals, as described by ethnographers, included dramatic performances with comical or farcical elements, consisting of lengthy dialogues or monologues by participants.[87] A necessary part of the wedding ritual was ensured by the presence of a singer performing couplets of frivolous content, corresponding to the inebriated state of the audience, sometimes to the accompaniment of a musical instrument; for example, in Central Asia (Kyrgyzstan), a performer (*yrchy*) accompanied his declamation of folk poems with the help of a musical instrument (*komuz*).[88] These folk songs may have included plots concerning the testing of female chastity and based on wedding rituals, threatening women with punishments for impurity. In folklore texts based on oral tradition accompanying wedding rituals, the emphasis is on punishment for the loss of chastity rather than on shame. Ballads, which are the closest to folklore as well as the earliest literary sources (Celtic, Byzantine, and Greek), retain this focus on punishment. When an oral plot is adapted into courtly chivalric surroundings and becomes associated with a particular legendary figure, namely King Arthur (a knight *par excellence*), thus finding a new temporal, local, and social existence, the emphasis shifts to shame rather than

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86   Костомаров Н.И. *Очерк домашней жизни и нравов великорусского народа в XVI и XVII столетиях* (СПб., 1860), 172. [N.I. Kostomarov, *The Study of Domestic Life and Customs of the Russian People in the 16th and 17th Centuries* (Saint Petersburg, 1860), 172].

87   Морозов И.А. *Женитьба добра молодца,* 271–282 [Igor A. Morozov, *The Marriage of a Young Hero*, 271–282].

88   Симаков Г.Н. *Общественные функции киргизских народных развлечений в конце XIX—начале XX века.* Историко-этнографические очерки (Ленинград, 1984), 160–164 [G.N. Simakov, *Social Functions of Kirgyz Folk Entertainments at the end of the 19th- early 20th centuries* (Leningrad: Historical-Ethnographic Studies, 1984), 160–164].

punishment, invariably ascribed to a woman (French, Old Norse, and German *Diu Crône*). Women are shamed for unfaithfulness and betrayal in all literary traditions, but in Old Norse, the loss of chastity is an additional cause for public derision. The only exception is Ulrich's *Lanzelet*, wherein the emphasis shifts from deed to thought and from blame of a woman to blame of the man who is in charge of her, threatening his public reputation. In contrast to the mantle test, which is usually one-sided in ascribing the guilt either to a man or to a woman, therefore jeopardizing the marital and social harmony, the test by a drinking vessel, that goes back to the wedding rituals, includes punishment of the man responsible for a woman, revealing the fault in the relationship and, thus, contributing to the restoration of a stable society.

Treason and the Feast in Sir Thomas Malory's *Morte Darthur*

Melissa Ridley Elmes

Queen Guinevere is rarely viewed as a powerful figure in the Arthurian literary tradition. However, for Sir Thomas Malory, Guinevere possesses one power that is essential to his narrative: the power to elicit great emotion from textual knight and text audience, alike. In Malory's version of the Arthurian legend, *Le Morte Darthur* (completed 1469–70; published 1485),[1] Camelot is King Arthur's center of governing power; it is also a center of emotional power tied to the central issue of treason at the heart of Malory's romance. Guinevere's narrative role in Malory's Arthuriad as the catalyst for heightened emotions—excessive increases in individualized, sometimes conflicting, and always problematic emotional responses, including suspicion, fear, anger, dismay, pride, consternation, and vengeance, unique to Malory's interpretation of the story and essential in the development of his version's *dénouement*—is most apparent in her feast and its aftermath in the "Tale of Sir Launcelot and Queen Guinevere." Treason, and the potential for treason, in its many varieties is woven throughout the *Morte Darthur* (hereafter *Morte*) as an anchoring theme, both in major narrative events, as with the kings brought into submission during the early uprisings as Arthur secures and builds his kingdom, the Orkney brothers' feuding practices, Meleageant's machinations, Balin's slaying of the Lady of the Lake, the Lady Aunowre's attempt to seduce, then to kill, King Arthur, and of course, Tristram's and Lancelot's adultery, and in smaller but no less telling moments, such as when Bedivere seeks to keep Excalibur rather than return it to the lake as Arthur bids him to do. Despite its essential presence throughout the *Morte*, prior to Guinevere's feast, Malory confines his discussion of treason to Arthur's efforts to curtail it, as with the Pentecostal oath, and to mitigate it, as when he forgives his disgraced knights, choosing to view their transgressions as acts of dishonor more generally rather than treason explicitly. It is only when Guinevere is accused of the murder of a knight at her table—a significant venue—that the extent of treason at Camelot and the damage it has done to individuals and community alike is revealed. The feast is a public spectacle:

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1   Sir Thomas Malory, *Le Morte Darthur*, ed. P.J.C. Field (Cambridge: D.S. Brewer, 2017). Hereafter, page and line numbers will be given in parentheses.

what transpires at a feast is witnessed by everyone present, and therefore cannot be ignored. The feast is also a site of community. When a feast erupts into calculated violence it is intended to be seen, and is usually the result of latent issues that cannot or have not otherwise been addressed by existing codes of governance. Violence at the feast reveals the tensions at the heart of a community that threaten to destroy it—in this case, tensions caused by Arthur's unwillingness or inability thus far to deal with treason effectively. In Malory's *Morte*, Guinevere's feast brings the community together to witness collectively a murder that reveals the treachery that threatens its core, and the individual responses of knight, king, and queen to this event showcase the limitations of law or custom to deal effectively with it. Malory employs the feast as a crucible of treason, which Camelot fails.

In medieval texts generally, feasts are also events intimately tied to gendered constructs of power and agency. A man throws a feast as a display of his wealth and largesse to convince others of his prominence, an act which highlights either their better fortune or their complete humiliation under his lordship.[2] When women oversee feasts not directly tied to a formal occasion such as a coronation or wedding, they are either acts of retaliation or of persuasion.[3] In the Arthurian tradition specifically, the meals overseen by Guinevere clearly articulate this gendered approach to feasts. Every feast Guinevere hosts is an effort on her part to sway one or more knights' opinion of her, either to conceal or to commit an act of treason that is intimately linked to her sexuality.[4] Mal-

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2   For example, King Arthur's coronation feast in Geoffrey of Monmouth's *Historia Regum Britanniae*, which provides an opportunity for Arthur to demonstrate the bounty of his realm and expanse of his reputation, or conversely Albinus's insistence that Rosamund drink from the skull of her father, taken in battle, as evidence of his sovereignty in John Gower's "Tale of Albinus and Rosamund." See: Russell A. Peck, ed., "The Tale of Albinus and Rosamund," in John Gower, *Confessio Amantis,* Vol. 1 (Kalamazoo: Medieval Institute Publications, 2000), 167–176.

3   For example, Guðrun feeding Atli's sons to him at a feast in *The Saga of the Volsungs* as retaliation for the death of her brothers; the Sultaness ordering the wedding guests massacred at the feast in retaliation for her son's marrying Custance and converting to Christianity in *The Man of Law's Tale*; and Wealtheow's use of the feast to persuade *Beowulf* to support her sons. See, respectively: Jesse L. Byock, *The Saga of the Volsungs* (New York: Penguin Books, 1990); Geoffrey Chaucer, "The Man of Law's Tale," in *The Riverside Chaucer*, ed. Larry Benson, 3rd edn. (Boston: Houghton Mifflin Company, 1987), 89–103; Roy Liuzza, ed., *Beowulf*, 2nd edn. (Peterborough: Broadview Press, 2013).

4   Besides the *Morte Darthur* and its source texts, this pattern is also evident in the group of texts—Marie de France's twelfth-century Breton *lai*, an anonymous early fourteenth-century Middle English romance, and Thomas Chestre's late fourteenth-century version—that focus on the figure of Sir Lanval, in which Guinevere throws a sumptuous banquet in an effort to seduce Lanval, which is inherently an act of treason since she is married to the king. See: *Lanval* in *The Lais of Marie de France*, ed. and trans. Robert Hanning and Joan Ferrante (Grand

ory's *Morte*, the summative and most comprehensive treatment of the Arthurian legend in medieval England, includes the most famous of these feasts, employing it as the inciting incident in the narrative's final, treachery-driven episodes. In "Sir Mador de la Porte," the opening chapter of the penultimate portion of the *Morte*, Guinevere throws a feast for a host of Camelot's knights after exiling Lancelot following a quarrel over his loyalty and love for her. She deploys the resources at her disposal to convince the other knights that she cares equally for them as for him in an effort to quench the rumors that she and Lancelot are embroiled in an affair (790–793). The feast goes awry in spectacularly violent fashion, resulting in the death of an innocent knight. The events which unfold eventually reveal, rather than occlude, Guinevere's treasonous affair with Lancelot, and they lay bare several other threads of treason both familial (Mordred and Agravaine, and the Orkney brothers) and chivalric (Lancelot and Bedivere) that are woven into the various subplots of the overall narrative.[5] For Malory, the treachery of the knights is far more significant than Guinevere's affair, and he locates the fall of Camelot in knightly, rather than adulterous, activity. Guinevere throws her feast to distract everyone from her adultery, but more importantly and consequentially, it reveals the extent of treachery at Camelot—treachery participated in by knights of all degree of worship from Sir Mador up to the king, himself.

Malory's sources for Guinevere's feast devote much of the scene to narrating the queen's guilt, explicitly underscoring her fault and subsequent fear of being punished for the deed. In using these sources, the *Morte* engages with a textual tradition that presents Guinevere in increasingly negative terms and that is nearly ubiquitous in the French Arthurian legends and their English and Old Norse/Icelandic adaptations. This pattern of negative characterizations of Guinevere that focus on her adulterous acts with Lancelot is found, for example, in the late twelfth-century anonymous Old French *Lai du cort mantel* [The Tale of the Mantle] and *Mantel mautaillië* [*The Ill-Cut Mantle*] and their thirteenth-century Old Norse adaptation, *Möttuls saga* [*The Saga of the Mantle*];[6] in Marie de France's twelfth-century Anglo-Norman lai *Lanval* and its thirteenth-century (the anonymous *Sir Laundevale*) and fifteenth-century (Sir

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   Rapids: Baker Books, 1978), 105–125; *Sir Laundevale* and *Sir Launfal*, both in Stephen H.A. Shepherd, ed., *Middle English Romances* (New York: W.W. Norton and Company, 1995), 352–364; 190–218.

5   For a discussion of the significance of familial treason in the Charlemagne tradition, see, in this volume: Ana Grinberg, "Religious Identity, Loyalty, and Treason in the *Cycle du roi*."

6   In this volume, see: Inna Matyushina, "Treacherous Women at King Arthur's Court: Punishment and Shame."

Thomas Chestre's *Sir Launfal*) English adaptations;[7] and in the thirteenth-century French *Mort le Roi Artu* and its late fourteenth-century English adaptation, the stanzaic *Morte Darthur*.[8] Malory eschews this authorial bias against Guinevere, instead describing a variety of responses from the characters, mining the scene's emotional effect to three ends: first, underscoring the essential theme of treason present throughout the narrative; second, allowing Sir Gawain to stand out at this moment for his gallantry in refusing to engage in the emotional extremes to which every other figure involved succumbs; and third, presenting Guinevere as both victim and source of the violence at court. These changes complicate the moment, heightening its dramatic, emotional impact in direct contrast to his source materials and supporting Larry Benson's claim that "Malory's response to his characters is more direct and emotional [...] he repeatedly appeals to our hearts rather than to our heads."[9] Malory's source materials emphasize Guinevere's guilt and the knights' immediate, certain, and uniform response that she is to blame and must be punished. In reworking this event in the Lancelot-Guinevere affair, Malory incorporates ambiguities that address the very real, very personal, and too-often insurmountable stakes that treason produces within a chivalric community, inflected by his own experience. That Malory wrote the *Morte* while imprisoned on various charges of robbery, extortion, rape, and possible conspiracy against the king; that he was

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7   See: n. 4 above.

8   Strikingly, in the first-known of the French Arthurian romances to feature the Lancelot and Guinevere love affair, the twelfth-century Old French *Lancelot, Le chevalier de la charette* [Lancelot, The Knight of the Cart] Chrétien de Troyes painstakingly details their affair but assigns no blame to Guinevere in the manner of these later texts, a point that may be worthy of further consideration in future studies. See: *The Knight of the Cart* in Chrétien de Troyes' *Arthurian Romances*, ed. William Kibler, 207–294 (New York: Penguin Books, 1991). The negative reception of Guinevere in scholarly sources is found as early as 1960 with the publication of Charles Moorman's "Courtly Love in Malory," *English Literary History* 27.3 (1960): 163–176 and continues through much of the influential Malorian scholarship of the 1980s, including: Mary Etta Scott, "The Good, the Bad, and the Ugly: A Study of Malory's Women," *Mid-Hudson Language Studies* 5 (1982): 21–29, and John Michael Walsh, "Malory's 'Very Mater of *Le Chevaler du Charyot*': Characterization and Structure," in *Studies in Malory*, ed. James W. Spisak, 199–226 (Kalamazoo: Medieval Institute Publications, 1985). More recently, feminist scholars like Sarah J. Hill have sought to reclaim Malory's Guinevere as a powerful and upright queenly figure. See: "Recovering Malory's Guinevere," in *Lancelot and Guinevere: A Casebook*, ed. Lori J. Walters, 267–278 (New York: Routledge, 2002). Kenneth Hodges urges a consideration of Guinevere from a political standpoint rather than a romantic one in "Guinevere's Politics in Malory's *Morte Darthur*," *The Journal of English and Germanic Philology* 104.1 (2005): 54–79. In this volume, see: Larissa Tracy, "The Shame Game, from Guinevere to Cersei: Adultery, Treason, and Betrayal."

9   Larry Benson, "The Ending of the *Morte Darthur*," in *A Companion to Malory*, ed. Elizabeth Archibald and A.S.G. Edwards, 221–238 (Cambridge: D.S. Brewer, 1996), 221.

imprisoned without trial for these various crimes; and that he was the only prisoner who did not benefit from two general pardons issued by Edward IV, is well documented by his biographers.[10] As Megan Leitch has shown, many writers during the Wars of the Roses focus on the issue of treason, developing and engaging in an ethical discourse "in which treason receives focused attention as the act most threatening to social cohesion."[11] For Malory, this issue was personal and immediate, an observation that finds purchase in the ways in which he adapts his source materials, particularly concerning the individualized responses of the knights to the poisoning of one of their own and how those responses, in turn, set the stage for the final treacheries that bring about the fall of Camelot. In prison himself for a variety of transgressions, Malory is deeply preoccupied with how Arthur and his knights use, and misuse, the governing codes that are meant to provide structure, safety, and security to the community and, in turn, how those individual responses, either to follow the rules of law and custom or to manipulate or abandon them entirely in favor of some unexpected course of action, affect everyone involved.

While the thirteenth-century French *Mort le Roi Artu* is the original source for the scene, the fourteenth-century stanzaic *Morte Arthur* (hereafter s*MA*) presents the story in more or less the same terms. In the feast scene in the s*MA*, Queen Guinevere sits at the table with Sir Gawain to one side of her and an unnamed Scottish knight on the other. A squire empoisons an apple intended for Sir Gawain (840–843).[12] No motive is given for his desire to kill Gawain. He places the apple on top of the basket of fruit and sets the basket before the queen, "For he thoughte the lady bright / Wold the beste to Gawayne bede" (848–849). However, "she it yaff to the scottisshe knight" (850) who eats a bit of the apple, and "there he loste both mayne and might / And died sone" (854–855).[13] The other knights pull the Scottish knight's body onto the table, and Guinevere laments that she will be blamed for this death:

10   See, for example: P. J. C, Field, *The Life and Times of Sir Thomas Malory* (Cambridge: D.S. Brewer, 1993) and Christina Hardyment, *Malory: The Knight Who Became King Arthur's Chronicler* (New York: Harper Collins, 2005).

11   Megan Leitch, *Romancing Treason* (Oxford: Oxford University Press, 2015), 3. Leitch argues that the secular English literature of the Wars of the Roses (c. 1437–c. 1497) "can be distinguished and understood in terms of its intense and admonitory concerns with the breakdown of social and political faith expressed in the idea of treason" and that "such texts dwell upon treason in a fashion that is characteristic of their literary culture, and that insistently engages with the problems of contemporary England" (2).

12   Citations from the Stanzaic *Morte Arthur* are taken from J. Douglas Bruce, ed., *Le Morte Arthur: A Romance in Stanzas of Eight Lines*, o.s. 88, EETS (Oxford: Oxford University Press, 1903; repr. 1959); line numbers follow in parentheses.

13   In Middle English, "soon" used without a preposition indicates an immediate action or event, rather than one that occurs shortly thereafter as in its contemporary English usage,

"Wellaway!" than sayd the quene,
"Jhesu Criste! What may I sayne!
Certis, now will all men wene
My-self that I the knight haue slayne." (860–863)

The s*MA*-poet does not explain why Guinevere believes she will be blamed for
his death. She administers first aid, but it is too late. The knight is buried and,
on his tomb, "A Crafty clerke the lettres droughe, / how there lay the Shottysshe
knyght / That Quene Genure with poyson slough" (877–879). After a short time,
the dead knight's brother, Sir Mador, arrives at court, seemingly with no knowl-
edge of his brother's fate, which he learns when he comes across the tomb in
the woods. He then returns to the court and formally charges Guinevere with
his brother's death, based on the tomb's inscription, and sets into motion the
events that reveal the extent of treason and adultery at Arthur's court, which
leads to its demise. The s*MA*-poet is not so much concerned with ensuring that
the story follows through sensibly and logically as he is in playing up Guinev-
ere's role as suspected killer, in keeping with the French tradition of pillorying
Guinevere and compounding her crimes of adultery and treason with murder.
After these events, as Larissa Tracy points out, Guinevere must depend upon a
trial by combat to determine whether or not she will be burned at the stake,
and once her innocence is determined, the narrative explicitly refers to torture
as the means used to locate the actual culprit (1648–1655).[14] This use of torture,
an expedited process to locate the guilty party, reinforces both Guinevere's role
as the cause of courtly strife and Arthur's poor judgment because, in his desire
to ferret out the true culprit and further clear her name beyond the trial-by-
combat, he resorts to such extreme methods that were not part of standard
English legal practice either in the historical period assigned to King Arthur or
in that of the s*MA* (nor in Malory's time).[15] Thus, the inclusion of this torture

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so that the modern equivalent of this phrase should be construed as "he [immediately]
dropped dead." See the entry for "sōne" (adv), Electronic Middle English Dictionary:
<http://quod.lib.umich.edu/cgi/m/mec/med-idx?type=id&id=MED41559> (accessed
March 12, 2019).

14   Larissa Tracy, "Wounded Bodies: Kingship, National Identity, and Illegitimate Torture in
the English Arthurian Tradition," *Arthurian Literature* 32 (2015): 1–29 at 6–10.

15   Torture to exact a confession was, by comparison, common in the French tradition and,
in fact, one of Malory's contemporaries, Sir John Fortescue, Lord Chief Justice of the
Court of the King's Bench (1394–1479), devoted the entirety of chapter 22 of his *De laudi-*
bus legum Angliæ [*In Praise of the Laws of England*] (1468–71) to describing French prac-
tices of torture, concluding that such practices allowed innocent individuals to be charged
with crimes they did not commit, in comparison to the English judicial system, which

scene reinforces the s*MA*'s overarching program of examining the nature of good governance and the exercise of justice.

Reworking his source materials, Malory revises the plot holes tied to Guinevere's culpability and excises the problematic scene of torture, creating a narrative that is more unified in structure and less contentious in subject to focus on treason, rather than distract with torture. As in his source texts, Lancelot and Guinevere argue over their relationship and Guinevere banishes Lancelot from court. Whereas the s*MA* simply states that she sits to table, in Malory's version Guinevere "lete make a pryvy dyner in London" (793.6); this gathering is described further as "a grete feste of all maner of deyntees" (793.20–21), to which she invites twenty-four knights of the Round Table to mask her sorrow at Lancelot's departure and to demonstrate her equal love for the other knights: "all was for to shew outwarde that she had as grete joy in all other knyghtes of the Rounde Table as she had in Sir Launcelot" (793.7–9). Rather than simply giving the fruit to the best knight, as in s*MA*, Guinevere offers it to Gawain because:

> Sir Gawayne had a custom [...] that he loved well all maner of fruyte, and in especiall appyls and pearys. And therefore whosomever dyned other fested Sir Gawayne wolde comonly purvey for good fruyte for hym; and so ded the quene: for to please Sir Gawayne she lette purvey for hym all maner of fruyte. (793.22–27)

Malory also supplies a motive for the poisoned apple; in retribution for the earlier death of his brother Lamorak at Gawain's hands, Sir Pyonell "enpoysonde sertayn appylls for to enpoysen Sir Gawayne" (793.30–31). Over the course of the meal, however, Sir Patryse (as Malory names the heretofore anonymous Scottish knight) grows tipsy from the wine and takes an apple to eat, and "whan he had etyn hit he swall sore tylle he braste, and there Sir Patryse felle downe suddeynly dede amonge hem" (794.1–2). The knights leap from the table "ashamed and araged for wratthe nyghe oute of hir wittis, for they wyst

privileged a presumption of innocence. Full text of *De laudibus legum Angliæ is available* on the "Internet Archive": <https://archive.org/stream/delaudibuslegumooclergoog/de laudibuslegumooclergoog_djvu.txt> (accessed March 12, 2019). Larissa Tracy reads Fortescue's discussion and comparison of the French system, including torture, and the English system, as a critique of the introduction of torture into English legal practice; see her introduction to *Medieval and Early Modern Murder: Legal, Literary and Historical Contexts*, 1–18 (Woodbridge: Boydell, 2018), 8. This point that torture is an illegitimate action in English legal practice is also the focus of her article "Wounded Bodies" (see: n. 14, above).

nat what to sey; considerynge Queen Gwenyvere made the feste and dyner they had all suspeccion unto hir" (794.2–6). Gawain tells her, "all folkes that knowith my condicion undirstonde that I love well fruyte. And now I se well I had nere be slayne. Therefore, madam, I drede me leste ye woll be shamed." While, present at the event rather than learning about it later, "there opynly Sir Mador appeled the quene of the deth of hys cousyn Sir Patryse" (794.17–18).[16] The rest of the knights stand silent, unwilling to speak because they all suspect Guinevere of the poisoning, which is legally understood as an act of murder, since it is a shameful death caused by secret means, and also an act of treason "by custom," as Malory points out parenthetically when Mador accuses Guinevere, referring both to fifteenth-century public discourse on treason and also to the Pentecostal Oath to which all of Arthur's knights are sworn—an oath of chivalric, and thus customary, rather than technically legal, terms of conduct: "For the custom was such at that tyme that all maner of shamefull deth was called treson" (794.25–26).[17] Malory foregrounds the question of treason because although the knights suspect Guinevere, and Mador accuses her of it, even if she is not guilty of treason, *someone* is. Prior to this moment, while there have been acts of vengeance that could be viewed as treasonous (but

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16   Here, Malory converts the death of a brother into the death of a cousin.

17   As Ruth Lexton points out, "In fifteenth-century England, the legal definition of treason focused primarily on high treason, an act of betrayal against the king, but in public discourse treason was also used to refer to underhanded actions and the betrayal of a trust between individuals." See: *Contested Language in Malory's Morte Darthur: The Politics of Romance in Fifteenth-Century England* (New York: Palgrave Macmillan, 2014), 139. Larissa Tracy discusses the English laws concerning what deaths constitute murder, noting that "[i]n England, the word *murder* (c. 1300), from Old English *morþor* (plural *mortras*), meant 'secret killing of a person, unlawful killing', as well as 'mortal sin, crime; punishment, torment, misery'. The Latin *Bracton*, which predates the Middle English appearance of *murder*, distinguishes between 'homicide committed openly and in the presence of many bystanders; and of homicide committed in the absence of witnesses, which is called murder'." See: "'Mordre Wol Out': Murder and Justice in Chaucer," in *Medieval and Early Modern Murder,* ed. Tracy, 115–36 at 16. The Pentecostal Oath, introduced in Book 3 of the *Morte*, lays out the behavioral expectations for the chivalric community in response to repeated violent offenses primarily on the part of Sir Gawain; in it, Arthur "charged them [his knights] never to do outerage nothir mourthir, and allwayes to fle treson, and to gyff mercy unto hym that askith mercy, uppon payne of forfiture of theire worship and lordship of Kynge Arthure for evir more; and allwayes to do ladyes, damesels, and jantilwomen and wydowes soccour, strengthe hem in hir ryghtes, and never to enforce them uppon payne of dethe" (97.28–33). For a different reading of this same poisoned apple scene focusing specifically on the point of murder and its ramifications for the knights, especially Gawain and Lancelot, see: Dwayne Coleman, "Murder, Manslaughter and Reputation: Killing in *Malory's Le Morte Darthur*," in *Medieval and Early Modern Murder,* ed. Tracy, 206–226.

have not been named so), and while there has been suspicion but no proof of Guinevere's adultery, there has been no instance of open treason since the earliest pages of the narrative when Arthur first secured his reign.[18] Now, with Patryse's poisoned body lying on the table in front of them, everyone at this dinner is confronted with incontrovertible proof of treachery in their midst. This poisoning, regardless of who performed it, thus constitutes what Megan Leitch describes as an act of horizontal treason,[19] so that the violence at this feast forces the community to acknowledge and deal with treason in Camelot, treachery that has long been percolating under the surface of the community.

Significantly, Malory incorporates neither the s*MA*'s description of Guinevere's certainty that she will be blamed for this deed, nor the damning inscription on the Scottish knight's tomb. Instead, Malory depicts Guinevere as both source and victim of the violence at the feast. Although she is the one who hosts this feast and is, therefore, responsible for, and the prime suspect in, the knight's death, in fact (at least, this time) she is wholly innocent of wrongdoing. She is unaware of the poisoned apple and genuinely upset by the knight's death. Unlike her s*MA* counterpart, she does not immediately wail that she will be accused of murder; it is not until after the knights have voiced their suspicions that she becomes "abaysshed" so that she "cowde none otherwayes do but wepte so hartely that she felle on a swowghe" (794.20–22), only then fearing for her safety in the face of the accusations. Whereas the s*MA*-poet (and the knights) explicitly figure her as the murderer, reinforced by her own words and by Sir Mador's demand for justice by means of trial by combat, in Malory's version, neither Malory nor Guinevere, herself names her as the killer; Guinevere's guilt is determined only by trial by combat, so that she becomes a suspect

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18   This struggle to secure the kingdom, with its attendant instances of treason, is the preoccupation of most of the first chapter, "Uther Pendragon and Merlin," and the first page of the second chapter, "Balyn le Sauvage," especially 14–47.

19   Leitch argues that treason can be viewed as operating on an axis of social structure, so that vertical treason occurs between those of greater or lesser social rank, while horizontal treason operates among those of similar social rank: "The more familiar hierarchical idea of treason in late medieval England rests in the legal definition of treason as an attempt to harm or kill one's king, master, husband, or prelate. In addition, however, horizontal betrayals of one's neighbor, brother-in-arms, friend, or even foe could be considered treasonous: according to the law of arms [...] according to non-institutional ideas of betrayal of bonds of affinity or expectations of chivalric conduct; and, especially significantly, according to the concept of the commonweal, which gained political currency from c. 1450 onwards [...] Thus, treason was antithetical to community, and what community meant was shaped by ideas and accusations of treason as well as the other way around [...] The romances of the Wars of the Roses are informed by both hierarchical and horizontal understandings of treason" (*Romancing Treason*, 4).

put to trial rather than a killer convicted in the court of public opinion, including her own. As Tracy argues, the lengthy description of Guinevere's accusation and trial, which first appears in the s*MA* and is retained (with substantial alterations) by Malory, underscores the preoccupation of the Arthurian romances of the fourteenth and fifteenth centuries with the question of good governance and justice explicitly concerning the English legal system. Where the s*MA* criticizes the justice system by including the torture scene, Malory leaves that scene out of the *Morte*, rejecting the French practice of torture in English legal proceedings and suggesting an aversion to the depiction of torture in Arthurian romances.[20] The omission of the torture scene centers the question of treason at Arthur's court and, thus, serves a specifically narrative and thematic function as well as a critical one. Malory is not invested in Guinevere's guilt, but rather in how everyone involved reacts to Sir Patryse's death; that is, how everyone negotiates this unexpected instance of treason at the heart of Arthur's court (Guinevere's table) and its aftermath.

Malory is more interested in the individual than his counterpart, the s*MA*–poet, because he refuses to openly blame Guinevere for the death of the knight and gives that knight a name, an identity, rather than simply referring to him by his country of origin. From the original cluster of generic knights in attendance, Malory develops individuals with distinct identities who negotiate Sir Patryse's death at the feast in very different ways. Gawain does not accuse Guinevere outright but states that the circumstances do not look good for her: "My lady the quene! [...] I drede me leste ye woll be shamed" (794.7–11). Guinevere is struck dumb with shock only when Gawain has spoken: "Than the queen stood stylle and was so sore abaysshed that she wyst nat what to sey" (794.12–13). In contrast, Sir Mador "opynly [...] appeled the quene of the deth of hys cousyn Sir Patryse" (794.17–18). The other knights "stood they alle stylle, that none wolde speke a word ayenste hym, for they all had grete suspeccion unto the quene bycause she lete make that dyner" (794.18–20). Malory's focus on the relationships in this scene connects it to the larger web of political intrigue grounded in the concept of treason that is the thematic backbone for the *Morte* and, indeed, that is at the heart of a number of the later medieval English Arthurian tales.[21] Despite the fact that Sir Patryse dies eating an apple

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20   Tracy, "Wounded Bodies," 27–29.

21   See, for instance, Thomas Chestre's late-fourteenth century *Sir Launfal* in which Guinevere and Launfal both stand charged with treason. Chestre, like Malory, deliberately develops the centrality of treason in his version of the story in comparison to its twelfth-century Anglo-Norman and thirteenth-century Middle English iterations. See: *Sir Launfal*, in *Middle English Romances*, ed. Stephen H.A. Shepherd, 190–218 (New York: W.W. Norton and Company, 1995). Contrast this as well to earlier English Arthurian romances such as

he might well have reached for himself, Gawain negotiates the situation by explicitly reinforcing his relationship with Guinevere—"*my lady the quene*!"—and signaling his concern over the repercussions of this moment for her. Not only does he display the courtesy for which the English Gawain figure is famous, and which some scholars find to be lacking in Malory's characterization,[22] but also, and more importantly, he indicates that, while like his fellow knights he harbors his suspicions, he does not reject his relationship with the queen over a situation that is not clearly her fault. He perceives doubts in Guinevere's favor and refuses to speak against her without more evidence. Sir Mador, on the other hand, accuses Guinevere directly without the courtesy of calling her "my lady" or "my queen," refusing to acknowledge a specific relationship between them, even as he reinforces his blood ties to the dead knight: "for here have I loste a full noble knyght of my bloode" (794.14–15). The other knights remain silent at Mador's accusation. Their silence holds both their complicit accusation of Guinevere and their loyalty to Mador, their fellow knight who

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    Sir Gawain and the Green Knight, wherein the focus is more on questions of loyalty and proper chivalric conduct and there is no development of the theme of treason as a legal concern, although W.R.J. Barron argues for a theme of spiritual treason in *Trawthe and Treason: The Sin of Gawain Reconsidered* (Manchester: Manchester University Press, 1980).

22   There is a longstanding debate in Malory criticism over whether or not Gawain follows the English tradition of being one of Arthur's most heroic knights, as he is first presented in Geoffrey of Monmouth's twelfth-century *Historia regum Britanniae*, or the French tradition of being known as a dissolute and violent man, as he is presented in the thirteenth-century *Queste del Sant Graal*. For a discussion of the Gawain character in these traditions, see: Thomas Hahn, "General Introduction," in *Sir Gawain: Eleven Romances and Tales*, ed. Hahn (Kalamazoo: Western Michigan University Publishing, 1995). For discussion of Malory's Gawain as a murderer and, thus, following the French tradition moreso than the English, see: Coleman, "Murder, Manslaughter and Reputation," esp. 207–213. Larissa Tracy views Malory's Gawain as a more complex figure; he exhibits the French tendency towards excessive violence, but those proclivities are tempered with remorse and, ultimately, a deathbed confession and repentance. See: "'So He Smote of Hir Hede by Myssefortune': The Real Price of the Beheading Game in *SGGK* and Malory," in *Heads Will Roll: Decapitation in the Medieval and Early Modern Imagination*, ed. Tracy and Jeff Massey, 207–31 (Leiden: Brill, 2012), 227 (also cited in Coleman, "Murder, Manslaughter and Reputation," 213). Bonnie Wheeler argues that Gawain's bad reputation in Malory's *Morte Darthur* is the result of slander thanks to Gareth's preference for Lancelot. See: "Romance and Parataxis and Malory: The Case of Sir Gawain's Reputation," in *Arthurian Literature XII*, ed. James P. Carley and Felicity Riddy, 109–32 (Cambridge: D.S. Brewer, 1993). Kevin Whetter argues that "despite the importance of character in the *Morte*, Malory's characters are often misunderstood. In particular, the typical scholarly dismissal of Gawain [...] overlooks Gawain's heroic attributes—something long recognized by Bonnie." "Characterization in Malory and Bonnie," *Arthuriana* 19.3 (2009): 123–135 at 123. These views are also discussed in Coleman, "Murder, Manslaughter and Reputation," 213–215.

shares the same threatened position as they in the face of this death, and who voices their suspicions for them.

When Mador accuses the queen of treason before the king, Arthur points out that as the king, his relationship to everyone in the situation must be as judge; therefore, although he believes Guinevere to be blameless, he cannot fight on her behalf: "Fayre lordys […] me repentith of thys trouble, but the case ys so I may nat have ado in thys mater, for I muste be a ryghtfull juge. And that repentith me that I may nat do batayle for my wyff, for, as I deme, thys dede com never by her" (794.27–30). He requests that Mador name the day for a trial by combat, adding that one of the other knights must agree to fight as Guinevere's champion in order to avoid shaming the queen: "And therefore Sir Madore […] desyre thou thy day of batayle, and she shall purvey hir of som good knyght that shall answere you, other ellis hit were to me grete shame, and to all my courte" (794.33–35–795.1–2). Mador excuses the knights collectively from this act of service by reminding Arthur that:

> "thoughe ye be oure kynge, in that degré ye ar but a knyght as we ar, and ye ar sworne unto knyghthode als welle as we be. And therefore I beseche you that ye be nat displeased, for there ys none of all thes four-and-twenty knyghtes that were bodyn to thys dyner but all they have grete suspeccion unto the quene." (795.4–8)

This appears to be a straightforward statement with a clear intention behind it: by reminding Arthur that he has sworn the same oaths of knighthood as they, Mador reminds him of the alliance that binds them together, the Pentecostal oath that Arthur himself originated in an effort to ensure that the knights operated as a unified community with coherent standards. However, Mador also reminds Arthur that since these knights were at the dinner, they are now witnesses to Patryse's death, and witnesses to the murder cannot also fight for the defendant in the ensuing trial by combat. The s*MA*-poet makes this explicit point when both Arthur and the queen entreat their knights—Gawain, Bors, Lionel, and Ector—to fight for her and they answer that they all witnessed the event: "'Agayne the Ryght we wille not Ryde / We saw the sothe verely I-noughe'" (1338–9). Each one of them refuses, suggesting that because they saw what happened, they cannot fight to defend her. In Malory, when Mador then turns to the other knights and asks them whether they will serve as Guinevere's champion, their collective "no," although justified, suggests that Arthur is no longer the unchallenged king of Camelot: in refusing to accept his word that Guinevere simply could not have done this deed or to comply with his request for a champion on her behalf from their midst, they demand that Arthur's

sovereignty align with correct judicial practice, and this is the first time in the *Morte* when Arthur cannot simply handle a situation according to his own view of how it ought to be resolved. Arthur's vassals hold him responsible for deciding who he will support—the knights siding with Mador in the charge of treason, or his wife and political partner, Guinevere—and in this public and highly visible moment, that decision, regardless of where he chooses to place his loyalties, must occur according to law, and not custom and courtesy. This moment signals a turn in the politics of Camelot that ties directly to the fear and suspicion Guinevere's feast raises; where heretofore the knights have been satisfied with the rule of custom, the immediacy of the death of one of their own raises the stakes. No one who was present at the feast is willing to put his life on the line as the queen's champion in a trial by combat to determine her innocence because, as witnesses to the event, they genuinely believe her to be guilty, and because Arthur's assurance as their king is no longer enough to overcome their doubts and insecurities. Malory pivots sharply from the socio-political focus he has sustained through the first three-quarters of the *Morte* to a specific instance in which the justice system that offers the only sure way to deal effectively with the emergent treachery at Camelot is nearly undermined by the individual reactions of the knights to the poisoning and its aftermath, underscoring how limited the legal system is in the face of a dissembling community where "every man for himself" supplants the chivalric bond, even temporarily. While the system holds (this time), it is weakened, so that the final outcome of Malory's Arthuriad is predetermined by the damage wrought by the deep mistrust which this first instance of open treason brings into the community's midst. Guinevere's feast, heretofore understood to be tragic because of the death of a knight, in fact is the real crisis point in the *Morte*: the moment wherein the collapse of the chivalric oath leads to the manipulation of the judicial code and, thus, the point at which it is clear that Arthur's sovereignty, sustained so far by custom and law, cannot withstand the stress placed on it by individual knights who do not comply with one, the other, or both governing codes.

In the aftermath of the feast, as the knights negotiate how to handle the trial by combat, their individual choices either uphold or whittle away at the integrity of Arthur's rule and the community he has built. Mador presses his claim for justice while also using the initial violence that began this episode as a means of destroying the fabric of the community; in fact, his claim of justice is really a thinly-veiled desire for vengeance. If he has his way, Guinevere will have no champion and Arthur will have no choice but to burn her in an act of retribution for the death of Mador's cousin. Mador's desire for vengeance, while couched in terms of adhering to the justice system, is not in the best

interests of the community since Guinevere's death will leave Camelot without the presence of a queen. Malory's construction of Guinevere as both source and victim of the violence at the feast is especially poignant because her unwitting participation in the death of Sir Patryse may lead to her own death. In turn, her death, nominally justice for the knight's death, could ultimately lead to the unraveling of the knightly community at whose heart Guinevere's patronage serves as a grounding force, despite the rumors and accusations attached to her. Of course, Guinevere is actually guilty of many of these accusations, and her actions do actually lead to the unraveling of the knightly community; however, Malory's refusal to assign her guilt in this instance, even where his source texts do in no uncertain terms, reveals an ambivalence about her character that is, perhaps, rooted in an idealized view of her role at Camelot. Guinevere and Arthur's wedding is the occasion upon which the Round Table is founded, the date of Gawain's knighting, and the beginning of Arthur's vision of the perfect chivalric community; Guinevere as Arthur's queen is bound up in that vision. Up until this point in the narrative, Malory has carefully maintained the illusion that this ideal court is attainable and sustainable. Now, that idealized image of a noble community with a stabilizing queenly figure at its heart is stripped away, exposing the problems in Camelot's power dynamics—the fear of treason on a widespread, interpersonal level—and, in the case of Mador, how an individual knight can then weaponize that fear in the service not of justice, but of vengeance. As Malory makes clear, Mador's accusation of treason is not a straightforward claim with a straightforward solution: rather, it reveals how complicated such judicial moments are not in spite of, but precisely because of, the chivalric bonds that are meant to tie the community together, a theme that continues as the episode unfolds.

Malory's particular interest in the web of alliances at court and how they affect the negotiation of treason throughout this episode is clearest in contrast to the moment in the s*MA* version of events when Guinevere goes to Gawain and asks him to stand as her champion in this trial, and Gawain refuses because he witnessed the death and believes her to be guilty:[23]

> And to syr gawayne than she yede,
> On knes downe be-fore hym felle […]
> "Me[r]cy," she cryed […]

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23   For further discussion of these webs of alliances in the *Morte Darthur*, see: Hyonjin Kim, *The Knight Without the Sword: A Social Landscape of Malorian Chivalry* (Cambridge: D.S. Brewer, 2000), 84–93 and Kenneth Hodges, *Forging Chivalric Communities in Malory's Le Morte Darthur* (New York: Palgrave, 2005), 133–138.

"Lord, as I no gilt haue of thys dede [...]
To-day [to] helpe me in thys nede?"
Gawayne answeryd [...]
"Dame, saw I not And sat be-syde,
The knyght whan thou with poyson sloughe? [...]
A-gayne the Ryght wille I not Ryde." (1357–1370)

Malory omits this moment entirely; rather, once the knights collectively refuse to serve as her champion, Arthur orders Guinevere to ask Sir Bors to champion her and there is no mention of approaching Gawain.[24] This alteration protects Gawain for the time being from having to refuse and, thus, straining his relationship with Guinevere as his aunt as well as his queen. Later, when he turns on her and Lancelot following his brothers' death at Lancelot's hands, it is a far more dramatic shift in allegiances, highlighting the ruptures within Arthur's fellowship.[25] This scene also now foreshadows those very ruptures by reinforcing how they develop through Arthur's idealistic reliance on the chivalric oath to influence outcomes in the legal system, which in turn showcases Bors's ambivalence concerning his loyalty to Arthur and Guinevere and his unwavering loyalty to Lancelot, whom he summons to fight in his stead as a way of reintegrating him into the court following his exile. When Arthur tells Guinevere to ask Sir Bors to fight in the trial, he emphasizes that she should do so on Sir Lancelot's behalf, rather than on her own:

I woll counceyle you [...] that ye go unto Sir Bors and pray hym for *to do batayle for you for Sir Launcelottis sake*, and uppon my lyff he woll nat refuse you. For well I se [...] that none of the foure and twenty knyghtes that

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24   In the s*MA,* Arthur and Guinevere approach Sir Lionel, Sir Bors, Sir Gawain, and Sir Ector, and they all reiterate that she deserves to burn for the crime, reinforcing that they will not act "against the right," a meaning out of sync with the agreed-upon determination that she is guilty because they saw the knight die before their eyes. Lionel and Ector take the further step of berating Guinevere for having sent Lancelot away from court. Guinevere approaches Bors a second time and he takes pity on her, saying that he will fight for her if no one else will. He holds parlay with the other knights who steadfastly refuse; at this point, Bors, Lionel, and Ector go to a chapel in the forest to pray that Bors will claim victory in the impending combat trial, and in the forest they find Sir Lancelot, who has heard that Guinevere is to be put to trial and is *en route* to Camelot. Bors fills him in on what has transpired (1324–1495). Malory's substantial revisions remove most of this material in which the knights simply reiterate their solidarity to focus on Bors's ambivalence and how he works through the moment as an individual.

25   See: "The Vengeance of Sir Gawain," in *The Works of Sir Thomas Malory,* 3 vols., ed. Eugene Vinaver, rev. P.J.C. Field, 3rd edn. (Oxford: Oxford University Press, 1990), 1179–1205.

were at your dyner where Sir Patryse was slayne woll do batayle for you,
nother none of hem woll sey well of you, and that shall be grete sclaundir
to you in thys courte." (795.35–796.1–6, emphasis mine)

Up to this point in the *Morte*, Malory has focused on treachery among the
knights, but here, Arthur himself participates in that same culture. Arthur be-
lieves "uppon my lyff" that where Bors will not fight for Guinevere because he
was a witness to Patryse's death, he will fight in Lancelot's stead on behalf of
Guinevere because of their knightly bond. Where Mador weaponizes the
knights' fear of treason to twist the justice system to his use as a tool of ven-
geance for Sir Patryse's death, Arthur counsels Guinevere to weaponize Bors's
loyalty to Sir Lancelot against Mador, using the chivalric oath in an attempt to
influence the outcome of the judicial battle. It is a shrewd move, bypassing the
immediate issue of the knight's suspicion of Guinevere and refusal to stand as
her champion by emphasizing the knights' willingness to fight for one another
instead, but it is also a calculated and intentional misuse of the chivalric oath
to sway a judicial outcome. While the king cannot technically commit treason
against himself, putting a knight into bodily danger through the manipulation
of his loyalty to another knight violates the relationship between king and
knight established both by law and custom, undermining the knight's worship,
by asking him to fight on behalf of someone he believes to be guilty, and the
king's sovereignty, because of the underhanded nature of the request. Arthur's
motives may be pure, but his actions place him firmly within the culture of
treachery uncovered at Guinevere's feast.

   Bors rebuffs Guinevere's initial request, reminding her that "I may nat with
my worship have ado in thys mater, because I was at the same dyner, for drede
that ony of tho knyghtes wolde have me in suspeccion" (796.18–21). After this
initial statement, in which he aligns himself with the other knights and dis-
plays his concern that he not be viewed with suspicion by them, he continues
by berating her for her role in fracturing their community by sending Lancelot
away: "I mervayle how ye dare for shame to requyre me to do onythynge for
you, insomuche ye have enchaced hym oute of your courte by whom we were
up borne and honoured" (796. 27–29). Guinevere kneels in further supplica-
tion, at which point Arthur enters the room to witness Bors tell Guinevere:
"Madam, ye do me grete dishonoure" (797.2–3). Arthur counters the refusal in
a speech calculated to remind Bors of his oath both to king and to fellow
knight:

   A, jantill knyght [...] have mercy uppon my quene, curteyse knight, for I
   am now in sertayne she ys untruly defamed. And therefore, curteyse

> knyght […] promyse her to do batayle for her, I requyre you, for the love
> ye owghe unto Sir Launcelot." (797.4–8)

Invoking mercy, courtesy, the love born for another knight, and Guinevere's
role as Arthur's queen and a damsel in need of aid, Arthur here uses the chival-
ric oath as a tool of coercion, leaving Bors no choice but to agree to this request
or to refute the Pentecostal oath he has heretofore upheld so adamantly. Bors's
answer makes clear his awareness of what it will cost him to do Arthur's bid-
ding, and it proves that Arthur has read him correctly as a knight whose loyalty
to the oath he swore can be used to press him into its service, potentially
against his own best interests:

> My lorde […] ye requyre me the grettist thynge that ony man may requyre
> me. And wyte you well, if I graunte to do batayle for the quene I shall
> wretth many of my felyship of the Table Rounde. But as for that […] I woll
> graunte for my lord Sir Launcelottis sake and for youre sake: I woll at that
> day be the quenys champyon, onles that there com by adventures a bettir
> knyght than I am to do batayle for her. (797.9–15)

Until this moment, Bors has stood his ground as one of the knights at the din-
ner, in solidarity with the rest of the knightly community. Isolated from that
community and confronted with the letter of the oath he took, he is persuaded
to act in accordance with the points of the oath in defiance of the knightly
community. His situation demonstrates the limitations of the bond that that
oath creates by reinforcing that an individual knight seeking to adhere to the
letter of the oath may well find himself incapable of doing so and at odds with
his brothers-in-arms if he tries—a message that is reinforced throughout the
final pages of the *Morte*, especially as that oath comes into direct conflict with
the law regarding Lancelot's and Guinevere's adultery and its aftermath.[26] Ac-
cording to Malory, when Bors is confronted by the other knights this is a ques-
tion of being forced to privilege either knightly loyalty to the oath he has sworn,
or knightly loyalty to the chivalric community the oath creates. They are angry
that he has agreed to fight on her behalf and call Guinevere a "destroyer of
good knyghtes" (798.11–12) to which Bors responds:

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26   Most explicitly, in Lancelot's dilemma as he attempts, and fails, to negotiate his love for
      Guinevere with his responsibility to Arthur, and in Gawain's inability to reconcile his need
      for vengeance for the deaths of his brothers with his chivalric responsibility to uphold
      Arthur's rule.

> Fayre lordis [...] mesemyth ye sey nat as ye sholde sey, for never yet in my dayes knew I never ne harde sey that ever she was a destroyer of good knyghtes, but at all tymes, as far as ever I coude know, she was a maynteyner of good knyghtes [...] and therefore hit were shame to us all and to oure moste noble kynges wyff whom we serve, and we suffred her to be shamefully slayne [...] I woll nat suffir hit, for I dare sey so much: the quene ys nat gylty of Sir Patryseys dethe, for she ought hym never none evyll wyll nother none of the foure and twenty knyghtes that were at that dyner, for I dare sey for good love she bade us to dyner and nat for no male engyne. And that, I doute nat, shall be preved hereafftir, for howsomever the game goth, there was treson amonge us. (798.13–27)

Bors initially stood in solidarity with his companions because they suspected the queen of killing Sir Patryse, and, as a member of that dinner party, his dissent with this collective opinion would have brought suspicion onto himself. Following Arthur's intervention, he appears to speak in service of the Pentecostal oath more specifically in contrast to the mob mentality he has previously participated in, pointing out that this incident is the first in which Guinevere stands accused of bad behavior. He reminds them that heretofore, her reputation has been that of a queen engaged in correct behavior, such as her patronage of the knights at court. Bors adopts Arthur's stance that she is not guilty (of this particular act of treachery), although he does hold firm in the opinion that Patryse's death is an act of treason caused by someone among them that should be dealt with. But while Bors's speech to his fellow knights at this juncture invokes the chivalric oath (and Malory's own sympathy for Guinevere), it may not accurately represent Bors's stance on the matter. Bors knows that Lancelot is nearby and intends to enter into the trial by combat, discharging him of the responsibility, and it is possible that this speech is an effort to stave off the ill-will of his comrades-in-arms until Lancelot's arrival, more so than any actual belief that Guinevere is innocent until proven guilty and that she deserves a champion in the trial.[27] Like Arthur before him, Bors uses the oath as a means of persuading others to adopt an unpopular position in what he believes to be in the best interest of the community; whereas Arthur does so

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27   In the scene just following Bors's agreement to serve as Guinevere's champion, and just prior to his confrontation with the other knights, Malory writes "Than Sir Bors departed secretly uppon a day and rode unto Sir Launcelot thereas he was with the ermyte Sir Brascias, and tolde hym of all thys adventure. "'A, Jesu,' Sir Launcelot seyde, 'thys ys com happely as I wolde have hit. And therefore I pray you make you redy to do batayle, but loke that ye tarry tylle ye se me com as longe as ye may'" (797.22–27).

to ensure Guinevere's safety and continued presence as queen and patron for his knights, Bors does so to create an opportunity for Lancelot's return to the court. However, in both instances, using it for an ostensibly positive outcome for the community still constitutes misuse of the oath in support of that aim, weakening it as a governing code through the exploitation of its mutable elements. Further, while in both cases the anticipated outcome of the oath's manipulation appears to be in the best interests of the court, it is undeniably in the best interests of the individual manipulating it—in Arthur's case, to avoid the shame of his wife, the queen, being found guilty of murder, and in Bors's case, to avoid the shame of having to fight on her behalf. The code that was designed to shield the community from the negative repercussions of individual choices that undermine it, in fact, proves to be the very tool by which the community will be dissolved.

Having revised the episode specifically to interrogate the question of treason and its negotiation, Malory aligns Guinevere's feast—already an inciting moment of violence in the earlier source texts—with the overall narrative of the *Morte*, turning it into a sustained discussion of the struggle to uphold chivalric ideals in the face of treacherous human interactions that threaten the community. Unlike his earlier counterparts, Malory capitalizes on this scene, revealing the fractured power dynamics that ultimately lead to the *Morte*'s final showdown, in the process also developing an emotional power that drives the narrative. This emotional power, centered within the figure of Guinevere, ultimately highlights the gallantry of Gawain, complicating any straightforward reading of him as excessively vengeful and rendering his final battles and death all the more tragic.

Malory does not locate the instability of Camelot fully in Guinevere's and Lancelot's adultery, as do his source texts, but rather in the limitations of law and custom to withstand an event that breaches the fragile trust of the community and lays bare the extent of treachery at Camelot—a treachery brought into being by the exploitation and manipulation of the governing codes of conduct by knight, king, and queen, alike. The legal system and the chivalric oath should work together to uphold community standards; and yet when Sir Patryse is poisoned at Guinevere's feast, there is no consensus on how this incident should be handled, and, therefore, no consensus about how the law functions. This lack of consensus leaves room for doubt concerning the king's authority, the individual knight's position at court, and the relationship between the king, the queen, and the knights. Such doubt, in turn, provides room for dissent, and that dissent, for insurrection. Camelot is doomed not only, or even essentially, because Guinevere and Lancelot are sleeping together (though

that is treasonous) but because despite the chivalric oath that binds the knights to Arthur, the wedding oaths that bind Arthur to Guinevere, and the patronage that binds Arthur, Guinevere, and the knights into a community, a poisoned apple can find its way into a bowl at the dinner table of a feast given by the queen.

'Tis Fearful Sleeping in a Serpent's Bed': *Arden of Faversham* and the Threat of the Petty Traitor

Dianne Berg

On Valentine's Day, 1551, Alice Arden, the wife of a Kentish customs official, conspired with her lover, several servants, and two hired criminals to kill her husband at his own dinner table before disposing of his corpse in a nearby field. The crime—along with details of Alice's and her co-conspirators' apprehension and execution for (respectively) petty treason and murder—was documented in official records, popular prose accounts, and historical chronicles including Raphael Holinshed's *Chronicles of England, Scotland, and Ireland* (1577, 1587) and John Stow's *Annals of England* (1592).[1] The murder also inspired the Elizabethan domestic tragedy *Arden of Faversham* (1592) and at least one ballad*, The Complaint and Lamentation of Mistresse Arden of Feuersham in Kent, Who for the Love of One Mosbie, Hired Certaine Ruffians and Villaines Most Cruelly to Murder her Husband; with the Fatall End of Her and Her Associats* (1633), which ventriloquizes the treacherous Alice's remorse in forty-eight quatrains, just before her spectacular death at the stake. That this middle-class murder continued to stimulate fresh literary interpretations decades after it occurred attests to the crime's grip on the contemporary imagination, in a period when the analogical framing of the household as "a little commonwealth, by the good government whereof God's glory may be advanced" made murderous wives agents of profound discord, akin to political dissidents and religious heretics, and in equal need of suppression.[2]

According to the social paradigm of *coverture,* married women were "subjects" in the family home, and to kill one's husband was not merely murder but an act of *petit* or "petty" treason, a crime against the state made punishable by

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1   Raphael Holinshed devotes five quarto pages to the Arden murder, describing it as a crime "impertinent to this historie" if not for "the horribleness thereof." Raphael Holinshed and William Harrison et al., *Chronicles of England, Ireland, Scotland, and France* (London: 1587). Tufts University Libraries, Early English Books Online: <http://eebo.chadwyck.com.ezproxy.library.tufts.edu/home> (accessed June 7, 2016).

2   John Dod and Robert Cleaver, "A Godly Form of Household Government: For the Ordering of Private Families According to the Direction of God's Word," in *The Taming of the Shrew: Texts and Contexts,* ed. Frances E. Dolan, 204–206 (Boston: Bedford/St. Martin's, 1996), 204.

death in the Treason Act of 1351.[3] Upon their marriage, a man and woman became "one legal agent … by means of the husband's 'subsumption' of his wife into himself. In this process, the wife became a *femme covert*, meaning she was 'vailed, as it were, clouded and over-shadowed.'"[4] In early modern England, where wedlock was the normative condition for adults, the radical female subjectivity of the petty traitor's *coup d'etat* was deeply unsettling.[5] A man who lost control of his household risked being censured as unfit for the position, and the necessary regulation and "ordinance" of wives was a recurring theme in sermons, conduct literature, and polemical discourse. Beyond the obvious danger to her family's welfare, the homicidal wife threatened the greater social order, giving her violent rebellion enormous cultural and psychological power, especially as the long reign of an unmarried, childless queen drew to its close with no clear (and optimally male) successor in view.

But masculine anxieties about domestic partners becoming "home-rebels and house-traitors"[6] reveal less about the realities of early modern marriage than they do about the family as a microcosmic state, and the associated urge to maintain patriarchal authority, making instances of petty treason disproportionately notorious given their relative rarity. Although there is no evidence for a sudden increase in husband-killing in this period, there are clear indications that some men feared just such a thing. Catherine Belsey observes that, although Essex county records from the latter half of the sixteenth century show no convictions for petty treason, they contain several cases of frightened husbands seeking the protection of the courts and refusing to live with their wives lest they be murdered by them.[7] These largely unfounded fears about a

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3   coverture, *n.* "The condition or position of a woman during her married life, when she is by law under the authority and protection of her husband; "petit or petty treason, *n.* treason against a subject; *spec.* the murder of one to whom the murderer owes allegiance, as of a master by his servant, a husband by his wife, etc." *Oxford English Dictionary Additions Series*, 1997. *Oxford English Dictionary Online*: <http://www.oed.com.ezproxy.library.tufts.edu/advancedsearch> (accessed June 10, 2016).

4   Frances E. Dolan, *Dangerous Familiars: Representations of Domestic Crime in England, 1550–1700* (Ithaca: Cornell University Press, 1994), 27.

5   David Cressy notes that "[m]ore than 90 per cent of those reaching adulthood in the sixteenth century would marry, and more than 80 per cent in the seventeenth century." *Birth, Marriage, and Death: Ritual, Religion, and the Life Cycle in Tudor and Stuart England* (Oxford: Oxford University Press, 1997), 285.

6   Frances Dolan, "Home-Rebels and House-Traitors: Murderous Wives in Early Modern England," *Yale Journal of Law & the Humanitie*s 4.1 (1992): 1–31.

7   See: Catherine Belsey, *The Subject of Tragedy: Identity and Difference in Renaissance Drama* (London: Routledge, 1985), 135. Belsey recounts how in 1574, "a Barnston man complained that he …'stand in great fear'" of his wife and two suspected accomplices, and that in 1590, "a man called Philpott complained that John Chandler, then living with Philpott's

mortal enemy lurking within one's most trusted intimate challenged popular notions of a man's house as his castle and the figurative concept of the embodied home, in which the husband functioned as the head, and a well-run household was likened to a healthy body. Vigilant governance was necessary to ensure order, since even when contained within her designated sphere a wife might deploy her homely skills to subversive ends. Many accounts of petty treason contain an unsettling theme of emasculation and/or the inversion of sexual roles, especially given the fact that the women involved are often adulterous as well. In these narratives, treacherous wives frequently transform ordinary domestic tasks into occasions of violence by using household implements as weapons and by subverting their "natural" role in the body politic, either by poisoning food or by concealing murderers—sometimes their illicit lovers—who surprise the master in his own home. In a further indignity, some of these women dismember their husband's corpses and deposit them in spaces associated with household waste disposal, such as privies, dunghills, and kitchen middens.

The urge to neutralize and contain the threat (whether real or imagined) of wifely insubordination made ideal fodder for ephemeral literature: broadsheets, ballads, and prose pamphlets with titles like *A Warning for All Desperate Women* (1628) and *The Adulteress' Funerall Day in Flaming, Scorching, and Consuming Fire* (1635) attest to a fascination with women who rebel against the matrimonial state. In the playhouse, the emerging genre of domestic tragedy appropriated and manipulated cases of petty treason to give audiences a voyeuristic glimpse of spousal insurgency before the guilty women are chastised and chastened in what J.A. Sharpe calls "a theatre of punishment."[8] Many of these narratives also feature scaffold speeches like the one attributed to Alice Arden in *The Complaint and Lamentation of Mistresse Arden*; as Michel Foucault notes, these final statements are not protestations of innocence, but public declarations of guilt that reaffirm the justice of their punishment. Observing that historical chronicles record many such addresses by the condemned, Foucault questions whether they were actually delivered or "fictional speeches that were later circulated by way of example and exhortation," and suggests that the latter was more frequently true.[9] This drive to defuse the

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8   wife, had given his consent to Philpott's death, and Rowland Griffith deposed that he had been hired to carry out the murder" (135).

8   J.A. Sharpe, "'Last dying speeches': Religion, Ideology, and Public Execution in Seventeenth Century England," *Past and Present* 107 (1985): 144–167 at 148.

9   Michel Foucault, *Discipline and Punish: The Birth of the Prison* (New York: Vintage Books, 1995), 65. Foucault cites the case of the eighteenth-century female bandit Marion Le Goff, who was "supposed to have cried out from the scaffold: 'Fathers and mothers who hear

criminal's perceived menace is apparent in the way plays, ballads, broadsheets, and polemic lay claim to petty treason scandals; through their presentation and manipulation of female crime narratives, these texts attempt to retroactively restrain the women within them. Such accounts bolster patriarchal domestic hegemony by repackaging and reinterpreting female violence to show how a woman who revolts against her state in life becomes a cautionary figure in death.

Stuart A. Kane describes literary representations of petty traitors as "the interiorized voice of state regulation speaking … through the body of the condemned … [to] carefully display the legal discourses, court apparatus, and punitive technologies which formulated, maintained, and ultimately claimed a prerogative to disrupt that subject."[10] Indeed, the women in these texts are contained by and even *within* men: the ventriloquizing authors of ephemeral prison confessions and scaffold speeches, the narrators of ballads, the playwrights who put words into the women's mouths, and the cross-dressed actors who portrayed them on stage all participated in a concerted, public effort to contain the perfidious female. If the petty traitor attempts to subvert or escape the highly gendered systems that enclose her, these accounts are at pains to demonstrate that such defiance is both wicked and ultimately futile.

Given that narratives of petty treason typically feature a subtext of sexual insecurity on the husband's part, the impulse to suppress the unruly woman is often a retrospective one. Many of the disobedient wives who gained infamy for killing their husbands were "dishonest" before becoming violent, making their stories even more salacious. As Subha Mukherji observes, "both murder and sexual immorality were highly marketable subjects. When the two combined, there could be no better"; moreover, "penalties for sexual sins are often discussed in terms identical with the punishment for homicide," and it was thought to be a slippery slope from adultery to murder.[11] Arthur Golding illustrates the link between the two in the popular imagination in *A Brief Discourse*

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me now, watch over your children and teach them well; in my childhood I was a liar and good-for-nothing; I began by stealing a small six-liard knife.… Then I robbed pedlars and cattle dealers; finally, I led a robber band and that is why I am here. Tell all this to your children and let it be an example to them.' … Such a speech is too close, even in its turn of phrase, to the morality traditionally to be found in the broadsheets and pamphlets for it not to be apocryphal. But the existence of the 'last words of a condemned man' genre is in itself significant. The law required that its victim should authenticate in some sense the tortures that he had undergone. The criminal was asked to consecrate his own punishment by proclaiming the blackness of his crimes" (65).

10   Stuart A. Kane, "Wives with Knives: Early Modern Murder Ballads and the Transgressive Commodity," *Criticism* 38.2 (Spring 1996): 219–237 at 219–20.

11   Subha Mukherji. *Law and Representation in Early Modern Drama* (Cambridge: Cambridge University Press, 2009), 102.

of the Murther of Master George Sanders, a worshipful citizen of London, his prose account of the 1573 killing depicted in the domestic tragedy *A Warning for Fair Women,* which cautions that "the steps of a harlot leade downe unto death."[12] A married woman's infidelity was a much more serious matter than her husband's, and brought harsher legal consequences. This double standard has deep historical and cultural roots,[13] but it acquired more official, institutional power in 1650, when an Act of Parliament made female adultery a capital offense on par with murder and political treason. This "Adultery Act" was the culmination of numerous prior attempts to employ the apparatus of the state to enforce women's chastity; bills for punishing adultery (along with incest and "repeated fornication") were put forward in 1576 and 1604, with similar acts proposed in 1626, 1628, and 1629, and at every session between 1644 and 1650, when it finally passed.[14] That official governmental restraints upon women's sexual behavior were deemed not merely reasonable but necessary (and debated on so regular a basis) attests to the discomfort that female sexuality aroused, and the strength of the masculine imperative to curb it.

One prominent feature of the Elizabethan state was surveillance, which included an elaborate network of "watchers" on the lookout for potential traitors. Members of the nation's little, household "commonwealths" were also subject to scrutiny; since proper regulation was vital to preserving domestic order, women were accountable to their husbands (or fathers, brothers, or other male relatives if unmarried) for their public and private activities. They were also open to scrutiny by the greater community, and observation and interference by what the character of Alice Arden calls "narrow-prying neighbors" was a commonplace in this period (*Arden of Faversham,* 1.135).[15] Private relationships were matters of general curiosity, particularly in regard to matters of love and

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12   Arthur Golding, *A Brief Discourse of the Murther of Master George Sanders, a worshipful citizen of London* (London: H. Binneman, 1573;1577), Tufts University Libraries, Early English Books Online: <http://eebo.chadwyck.com.ezproxy.library.tufts.edu/home> (accessed June 8, 2016).

13   On the question of medieval adultery in this volume, see: Tina Boyer, "Legal Ramifications of Ordeals and Treason in *Morant und Galie*"; Albrecht Classen, "Treason and Deception in Late Medieval German Romances and Novels *Königin Sibille*, *Melusine*, and *Malagis*"; Inna Matyushina, "Treacherous Women at King Arthur's Court: Punishment and Shame"; Melissa Ridley Elmes, "Treason and the Feast in Sir Thomas Malory's *Le Morte Darthur*"; and Larissa Tracy, "The Shame Game, from Guinevere to Cersei: Adultery, Treason, and Betrayal."

14   See: Keith Thomas, "The Puritans and Adultery: The Act of 1650 Reconsidered," in *Puritans and Revolutionaries: Essays in Seventeenth-Century History Presented to Christopher Hill*, ed. Donald Pennington and Keith Thomas (Oxford: Oxford University Press, 1978), 257.

15   Anonymous, *Arden of Faversham*, ed. Martin White, 2nd ed. (London: New Mermaids, 1997). Hereafter cited parenthetically in the text.

marriage, and this interest took negative as well as positive forms. In addition
to the religious and family festivities surrounding their nuptials, early modern
couples could be subjected to elaborate shaming rituals that crossed the line
from community surveillance to outright harassment. Many of these customs,
such as the *charivari* and the Skimmington, stressed the omnipresent threat of
infidelity and the need to keep close watch on married women. The *charivari*,
enacted on a couple's wedding night, was an all-male "parodic doubling" of the
marriage feast, featuring "a carnivalesque wardrobe corresponding to a triad of
domestic agents—the clown (who represents the bridegroom), the transves-
tite (who represents the bride), and the 'scourge of marriage,' often assigned a
suit of black (who represents the community of unattached young men)" with
whom the bride might betray her new husband.[16] The Skimmington was a sa-
tirical representation of marriages in which the wife was seen as an insubordi-
nate, emasculating scold or "brawler," and it occasionally ended in violence, as
when Agnes Mills, the "shrewish" wife of a Wiltshire cutler, was assaulted by a
group of costumed men armed with stones and ram's horns, the traditional
symbol of cuckoldry.[17] These formalized enactments of feminine betrayal and
masculine humiliation functioned as an instrument of social, moral, and (by
extension) state control, and illustrated the degree to which the threat of wife-
ly rebellion informed contemporary ideas about the husband-wife relation-
ship.

For a married woman, even speaking with a man to whom she was unrelat-
ed could prove problematic, and to permit access beyond the appropriate ex-
change of civilities risked compromising her "honest" reputation. Peter
Stallybrass writes that in the conceptual relationship between female verbal
and sexual (in)continence "silence, the closed mouth is made a sign of chastity.
And silence and chastity are, in turn, homologous to women's enclosure within
the house."[18] Expanding on this connection, he notes how closely the wom-
an's mouth was aligned with the integrity of the female body as a whole, and
the house that confined that body within its circumscribed limits: "The surveil-
lance of women concentrated on three specific areas: the mouth, chastity, and
the threshold of the house. These three areas were frequently collapsed into

16   Michael D. Bristol, "Charivari and the Comedy of Abjection in Othello," in *Materialist
      Shakespeare: A History*, ed. Ivo Kamps, 142–156 (London: Verso, 1995), 145.
17   E.P. Thompson, "Rough Music Reconsidered," *Folklore* 103.1 (1992): 3–26 at 5.
18   Peter Stallybrass, "Patriarchal Territories: The Body Enclosed," in *Rewriting the Renais-
      sance: The Discourse of Sexual Difference in Early Modern Europe*, ed. Margaret W. Fergu-
      son, Maureen Quilligan, and Nancy Vickers, 123–144 (Chicago: University of Chicago,
      1986), 123.

each other."[19] The quotidian reality of such ongoing scrutiny is reflected in dramas based on household crimes, lending an additional voyeuristic thrill to their presentation of real life characters engaged in forbidden and treacherous activities. Domestic tragedies often take place in urban or suburban surroundings, in which the action is informed by the communal nature of daily life, and liminal zones such as marketplaces, streets, doorways, thresholds, and windows, existing at the intersection of public and private, expose female characters to a range of gazes, from friends and neighbors to casual passers-by.

More insidiously, the porous nature of such spaces allows the disruption of social constraints by making women, proverbially weaker vessels, vulnerable to contamination by outside forces. The subversive possibilities lurking at domestic boundaries are explored and exploited in *Arden of Faversham*, along with the vexing realities of constant observation. In her first speech, Alice complains that her lover "dares not come / Because my husband is so jealous," while Arden laments that "Love letters pass betwixt Mosby and my wife," and the pair's "privy meetings in the town" make their affair "common table-talk" (*Arden*, 1.133–34; 1.15–16; 344). Undeterred by spousal edicts or social convention, Alice arranges for Mosby to "come this morning but along my door / And as a stranger but salute me there / This may he do without suspect or fear" (*Arden*, 1.128–30). By creating this breach in the household perimeter, Alice flouts her husband's authority and sets personal desire above marital fealty and public opinion. Affairs that occur "within doors" are ostensibly private, but as marginal spaces that provide access to the outside world, doors, windows, and thresholds are an objective representation of the permeability of such boundaries, blurring the lines between inside and outside, public and private, family and state. Because she is so keenly aware of her neighbors' watchful eyes and listening ears, Alice Arden's treason is conducted under the pretext of a friendly evening's entertainment, with guests expected and a pre-dinner game of backgammon in progress when the hired killers burst forth from their hiding-place. After Arden is dead, Holinshed reports how, "the doubly wicked Alice and her companions danced, and played on the virginals, and were merrie," lest people living in neighboring houses should think anything amiss.[20] Unfortunately for the conspirators, these efforts prove futile; Arden's corpse is dragged out a back door as "all the watch … with glaives and bills" comes in at the front, but his freshly shed blood "cleaveth to the ground and will not out,"

19   Stallybrass, "Patriarchal Territories," 126.

20   Holinshed, *Chronicles*, Tufts University Libraries, Early English Books Online: <http://eebo.chadwyck.com.ezproxy.library.tufts.edu/home> (accessed June 11, 2016).

and so Alice's crime is discovered, her treachery exposed, and her public reckoning assured (*Arden*, 14.337–39; 252).

An adulterous, insubordinate wife chipped away at the very foundations of the domestic economy: emasculating her husband, undermining his authority, exposing him to public scorn, and potentially disrupting the chain of patrilineal inheritance by placing the orderly transfer of property from father to son in doubt. Sandra Clark observes that "crime is not just an act in itself, but a consequence of the application of rules and sanctions to behavior so as to classify some forms of it as deviant," and a woman who invited an outsider into the marital bed transgressed in multivalent and pernicious ways.[21] The social, economic, and personal ramifications of cuckoldry are a recurring theme in early modern drama, with betrayed husbands running the gamut from Thomas Middleton's complaisant Allwit in *A Chaste Maid in Cheapside*—a *wittol* who wears his horns cheerfully, acting *in loco parentis* for a houseful of bastards while his wife's lover pays the bills—to Shakespeare's Othello, whose "soul and body" are "ensnared" by doubts about his wife's virtue (*Othello* 5.2.299). The hoodwinked or jealous husband was also a stock character in comedy; in his diatribe against "the hell of having a false woman," *The Merry Wives of Windsor*'s Master Ford provides a fine example of the figure's portrayal on stage: "My bed shall be abused, my coffers ransacked, my reputation gnawn at … Cuckold! The devil himself hath not such a name!" (*The Merry Wives of Windsor* 2.2.276–78; 283–85). The experience was less amusing in practice since a man who failed to control his own household might well be judged incompetent elsewhere, making an unfaithful wife a major liability for his emotional wellbeing, his professional prospects, his standing in the community, and his perceived ability to govern his affairs responsibly.

If the treacherous woman who passed off another man's child as her husband's legitimate heir compounded her moral crime by threatening the family's material fortunes, the wife who ended her marriage through violence undermined the stability of a well-ordered, godly nation. Given her inferior rank within the conjugal body politic, a wife's failure to exhibit the deference appropriate to her station constituted a betrayal—domestically treacherous, if not legally treasonous—of personal, social, and legal contracts. Moreover, in an era when society was seen as being comprised of households rather than individuals, wifely disobedience and its resulting domestic turmoil were an affront to the nation *and* the Almighty since every family was meant to be a model Christian state in miniature. In an ideal marriage like that extolled in

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21   Sandra Clark, *Women and Crime in the Street Literature of Early Modern England* (New York: Palgrave Macmillan, 2003), 34.

John Dod and Robert Cleaver's *A Godly Form of Household Government* (1603), the wife should exhibit "constant obedience and subjection":

> For the husband is the wife's head, even as Christ is the head of the church. And even as the church must fear Christ Jesus, so must the wives also fear their husbands. And this inward fear must be shewed by an outward meekness and lowliness in her speeches and carriage to her husband.... But contrarily, if she behave herself rudely and unmannerly in her husband's sight, to grieve him and offend him, she faileth in the first and main duty of a good wife, and so far shall surely come short of all the rest of the duties that God requireth of her. For if there be not fear and reverence in the inferior, there can be no sound and constant honor yielded to the superior.[22]

But while women were subject to their husbands within the home, the joint marital persona implied by *coverture* made the homicidal wife particularly problematic since coverture rendered a woman and her husband "one flesh," a single corporate unit in which the woman's subjectivity was conceptually merged with her husband's. Consequently, she could not do violence to her "other half" and escape harm; in practical, spiritual, and rhetorical terms, a woman who killed her husband effectively killed herself. Ironically, this suicide mission was among a married woman's few available routes to legal as well as personal independence since one of the rare exceptions to the period's monolithic conception of conjugal identity occurred in cases where the woman committed a crime. As Belsey points out, "in criminal or capital matters wives were required to answer without their husbands.... Thus, while men became legally both capable and accountable when they reached the age of majority, and stayed that way, women became capable while and only while they had no husbands, but were always accountable. Their relationship to the law ... was paradoxical at best, and unfixed in that it was dependent on their relationship to men."[23] A virtuous, obedient wife had no individual rights or status under the law,[24] nor could she bring suit against another person or seek redress for

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22   Dod and Cleaver, "A Godly Form of Household Government," 206.

23   Belsey, *The Subject of Tragedy*, 153.

24   Belsey, *The Subject of Tragedy*, 153. Belsey notes that except "in the exceptional case of a woman as sovereign of the realm, women exercised no legal rights as members of the social body," and quotes from the 1632 handbook "Woman's Lawyer" by T.E., which asserts that "'Women have no voyse in Parliament, they make no laws, they consent to none, they abrogate none. All of them are understood either married or to be married.' (T.E. 1632:6)" (153).

grievances on her own, but a wife who broke the law bore sole responsibility. Moreover, murderous wives merited more serious consequences than their male counterparts: men who killed their spouses were hanged as murderers, while women who committed the same crime were sentenced to be burnt alive.

The worrisome spectacle of female agency run amok also posed a troubling challenge to the sixteenth century Protestant ideal of companionate marriage, in which couples should "apply their minds in most earnest wise to concord, and must crave continually of God … that they be not disseevered by any division of discord."[25] Given the amount of attention given to marriage and the family in religious and secular rhetoric, the need to avoid such "division of discord" was clearly a matter of concern, and many petty treason narratives portray love—or at least marriage—as a sort of domestic battlefield.[26] Frances Dolan draws attention to the ways these texts "construct both marriage and the household as arenas of contest and striving, but refuse the concept of shared heroism that Protestant discourses of marriage attempt to idealize and disseminate, suggesting instead that there will be only one winner—indeed, only one survivor."[27] The petty traitor's frequent appearances in contemporary literature indicate that the pyrrhic nature of her "victory" failed to diminish her psychological power. Even more unsettling, the legal subjectivity to which her crime and conviction restored such women constituted a loophole in the ostensibly shared identity implied by early modern marriage: a space through which the *femme covert* might escape, however briefly.

Given the anxiety it aroused, wifely insubordination made a titillating subject for the playhouse, and *Arden of Faversham* is the earliest extant English example of an actual crime inspiring what would eventually be labeled

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25   "A Homily of the State of Matrimony," in *The Second Tome of Homilies* (London: 1623). Tufts University Libraries, Early English Books Online: <http://eebo.chadwyck.com.ez-proxy.library.tufts.edu/home> (accessed June 10, 2016).

26   S.D. Amussen writes that, "The familial metaphor in political writings, and the political metaphor in familial writings was a commonplace in the manuals and treatises which poured forth from the presses of Elizabethan and early Stuart England," and the analogical framing of the household was propagated not only in polemical literature, but by the church: "The Elizabethan homilies on obedience, marriage, and brawling echoed conventional conceptions of social relations. The homilies reflected official—and widely shared—assumptions about the need for obedience, deference, and submission. Sermons reinforced the messages of the homilies. Even sermons which disagreed with government policy projected a conception of government, law, and order that was unifying rather than divisive." "Gender, Family, and the Social Order," in *Order and Disorder in Early Modern England*, ed. Anthony Fletcher and John Stevenson, 196–217 (Cambridge: Cambridge University Press, 1985), 204–205.

27   Dolan, *Dangerous Familiars*, 31.

"domestic tragedy" (although the titles of lost plays like *The History of Murderous Michael* and *The History of the Cruelty of a Stepmother* hint at similar themes). The Arden scandal also established the precedent for featuring protagonists of middling social stature in household drama, although the story of an adulterous woman doing away with her spouse had parallels higher up the social scale, including Mary Stuart's implication in the 1567 assassination of her second husband, Lord Henry Darnley.[28] Considering that more glamorous, cosmopolitan versions of the same story were available, the comparatively humble Faversham tragedy had greater staying power in the popular imagination than the superficial facts might seem to merit. This enduring interest in a local, relatively small-time murder is made more legible by the ways it coincided with broader English concerns about post-Reformation religious identity, the redistribution of monastic lands following Henry VIII's Dissolution of the Monasteries between 1536 and 1541, and the uncertain dynastic future posed by an unmarried, childless female ruler. Catering to the public interest in otherwise "ordinary" wives who subvert domestic power paradigms, *Arden of Faversham* situates familiar dramatic themes of personal ambition and desire among the middle class, framing broader social concerns through prevailing rhetoric about the role of married women outside the elite aristocratic group. As Lena Cowen Orlin observes, such narratives "played out some of the most bitter contestations of Elizabethan private life … the nature of authority in the household and its uncertain gendering, and transgressions against social order and community responsibility … may have been at least as compelling to the playgoing audience as was true crime."[29] With its heady mix of illicit desire, vexed gender relations, social and economic anxiety, private familial violence, and public reckoning, the Arden murder provided excellent raw material for addressing complex and multivalent issues within the controlled setting of the playhouse.

When Alice Arden—"descended of a noble house, / And matched already with a gentleman"—opted to replace her husband with Mosby, a "cheating steward and base-minded peasant," she went far beyond simply rejecting her role as *femme covert* (*Arden*, 1.202–03). By enlisting her husband's servants (and her daughter, in the historical record) to bring about Arden's overthrow and

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28   There are also later examples such as the 1585 Italian case involving Vittoria Accoramboni and Francesco Peretti, on which John Webster based *The White Devil* (1612), and the 1613 Jacobean court scandal surrounding Lady Frances Howard and her lover, the Earl of Somerset, among others.

29   Lena Cowen Orlin, "Domestic Tragedy: Private Life on the Public Stage," in *A Companion to Renaissance Drama,* ed. Arthur F. Kinney, 367–383 (Oxford: Blackwell Publishers, 2004), 368.

paying killers with his own money to "have [her] will," she fomented a domestic revolution and set a dangerous precedent for other headstrong wives (*Arden*, 1.22–23). Alice Arden was simultaneously the stuff of feminine fantasy and masculine nightmare, setting personal desire above wifely duty, her household's welfare, and the moral standards of her community, and risking her own life to pursue that desire. In the play, her character repeatedly scorns the fealty putatively owed her husband in terms both treasonous and heretical, declaring that "marriage is but words" and "Oaths are words, and words is wind, / And wind is mutable; then, I conclude, / 'Tis childishness to stand upon an oath" (*Arden*,1.101; 436–8).

Jennifer Jones notes that such openly seditious mockery was an extremely "dangerous notion for a society that relied on the power of words, particularly those of the Bible, to enforce the control of masters over servants and husbands over wives," frequently invoking Eve's culpability in the Fall as the exegetical reason for women's subordinate legal, spiritual, and political status.[30] By dismissing her marriage vows as so much empty rhetoric, Alice Arden flouts the laws of personal loyalty, social and cultural convention, the state, and God himself. In an even more disturbing speech, following a brief attack of conscience in which she accuses Mosby of enchanting her with "spells and exorcisms," Alice commits blasphemy by way of reconciliation:

> I will do penance for offending thee.
> And burn this prayer-book, where I here use
> The holy word that had converted me.
> See, Mosbie, I will tear away the leaves,
> And all the leaves, and in this golden cover
> Shall thy sweet phrases and thy letters dwell
> And thereon will I chiefly meditate.
> And hold no other sect but such devotion. (*Arden*, 8.94–95;115–22)

Alice's cavalier disdain for sacred oaths, religious norms, and her own marital status would have been recognizably treasonous to a 1590s audience; *Arden of Faversham* grants its mercurial protagonist a remarkable degree of behavioral and rhetorical license, allowing Alice to display, enact, and embody the most terrifying qualities of a "disloyall and wanton wife" before bringing her into line via the retributive trifecta of exposure, repentance, and punishment outlined on the play's title page. In addition to Alice's disregard for conventional

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30   Jennifer Jones, *Medea's Daughters: Forming and Performing the Woman Who Kills* (Columbus: Ohio State University Press, 2003), 8.

morality, there are worrisome class issues in evidence, which threaten to de-
stabilize established social hierarchies. The play's gentry-class matron enlists
a servant, Michael, in the murder plot, making him a petty traitor in his own
right for participating in his master's overthrow. Michael agrees to the con-
spiracy in exchange for the hand of Mosby's sister Susan in marriage; Alice
hopes to marry Mosby when Arden is dead, so according to this arrangement,
her former servant would become her brother-in-law should their plan suc-
ceed. Worse yet, Alice's assertion that "Sweet Mosby is as gentle as a king," in
combination with the latter's declared intention to "play [her] husband's part"
and "sit in Arden's seat" suggest a subversive degree of socio-economic self-
fashioning in the play's class-conscious world (*Arden*, 8.140; 1.638; 7.31). Most
troubling of all is Alice's remark to Mosby that "my saving husband hoards up
bags of gold / To make *our* children rich, and now is he / Gone to unload the
goods shall be thine," which raises the unwelcome specter of bastardy and
usurped inheritance (*Arden*, 1.220–22, my emphasis).

The historical Arden and his character within the play share a profound in-
terest in obtaining land, property, and status. Master Arden received his lucra-
tive appointment as a customs official through his wife's influential family
connections, and his acquisitive zeal apparently extended to a complaisant
view of her extra-marital activities, an attitude that is conspicuously absent
from the play.[31] The *Wardmote Book of Faversham* relates how "Alyce the said
Morsby did not onely Carnally kepe in her owne house here in this towne Butt
also fedd [him] with dilicate meats and sumptuous app[ar]ell All which things
the said Thomas Ardern did well know and willfully did [permytt] and suffred
the same."[32] Holinshed likewise mentions that Arden knew of Alice and Mos-
by's ongoing affair, but cast a blind eye on his wife's "filthie disorder" because it
was in his best financial interests to do so.[33] This spousal *sangfroid* is a far cry

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31   Alice Arden's stepfather, Sir Edward North, was appointed by Henry VIII to the Court of
     Augmentations, an administrative body established in the late 1530s to redistribute
     Church property confiscated during the Dissolution. Through his marriage, Thomas Ar-
     den's gained preferment, land belonging to the former Faversham Abbey, and a large,
     well-appointed house. See: M.L. Wine, ed., introduction to *Arden of Faversham* (London:
     Harper & Row Publishers, 1973), xxxv.

32   "The Wardmote Book of Faversham," in *Arden of Faversham*, ed. M.L. Wine, 161.

33   "Arden perceiued right well their mutuall familiaritie to be much greater than their hon-
     estie, yet because he would not offend hir, and so loose the benefit which he hoped to
     gaine at some of hir freends hands in bearing with hir lewdnesse, which he might have
     lost if he should have fallen out with hir: he was contented to winke at her filthie disorder,
     and both permitted, and also inuited Mosbie verie often to lodge in his house." Holinshed,
     Chronicles, Tufts University Libraries, Early English Books Online: <http://eebo.chadw-
     yck.com.ezproxy.library.tufts.edu/home> (accessed June 7, 2016).

from the stage Arden's cry, "Can any grief be half so great as this?" (*Arden*, 1.19). But if the play's cuckold is not prepared to wink at his wife's treacherous behavior, neither is he prepared to assert his domestic sovereignty and put a stop to it. While the historical murder victim seems to have been an archetypal *wittol*, the play puts Alice's "filthie lust" center stage and makes her insubordination a source of suffering to an Arden unable (or unwilling) to regain control of his household. By downplaying Arden's economic motivation for ignoring Alice's affair and replacing it with an emotional vulnerability missing from the prose accounts, *Arden of Faversham* renders a petty treason narrative rooted in finance-driven *Realpolitik* comprehensible according to familiar dramatic tropes: the complaisant Arden becomes an abused, feckless Everyman, rather than a cynical *arriviste* with an eye for the main chance, more complicit in his cuckoldry than a victim of it.[34] The play performs a similar maneuver by making Alice's adulterous relationship a passionate affair, as opposed to the tawdry fling the chronicles describe. Alice's overwhelming desire for Mosby drives her to assume control of the action, and the conjunction of her unchecked will and Arden's morally weak and ineffectual leadership lead inevitably to tragedy.

Domestic tragedies often manipulate their source material to reinforce the conventional roles of "wronged husband," "adulterous wife," and "unworthy lover" via an emerging theatrical mode that catered to the contemporary taste for plays based on true crime narratives, while gesturing backwards to earlier dramatic forms such as the medieval morality play tradition that privileged broad moral strokes with minimal individuation. This crossbreeding is symptomatic of a larger dramaturgical shift in the latter half of the sixteenth century, as English plays gradually transitioned from an older, metaphorical approach to the more naturalistic style found on Elizabethan and Jacobean stages. Household dramas synthesize emerging and more traditional modes, rendering sensational crimes comprehensible within a set of established theatrical conventions while delivering a message about contemporary social issues.[35] While the ostensible goal of chronicle histories was to provide a fact-based "true relation" of important events, the plays they inspired serve a more

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34 Dolan, *Dangerous Familiars*, 36.

35 This generic hybridity is even more apparent in *A Warning for Fair Women*, a play that dramatizes a well-known case of petty treason by alternating "realistic" scenes of the historical crime with elements of the morality tradition, including an Induction by the figures of History, Comedy, and Tragedy, dumb shows featuring Lust, Chastity, and Murder, and an Epilogue in which Tragedy praises "the lances that have sluiced forth sin, / And ripped the venomed ulcer of foul lust" in the foregoing "true and home-born tragedy." Anonymous, *A Warning for Fair Women* (Classic Reprint), ed. A.F. Hopkinson (Hong Kong: Forgotten Books, 2012), Epilogue, 1–2, 12.

diverse, if related, agenda. Martin White notes that domestic tragedies are largely "concerned with precisely the same issues of rule, legitimacy, and national identity as that other great genre of the 1590s, the English chronicle history play."[36] Both dramatic forms re-enact and interpret significant and/or troubling events in the real world via the public spectacle of the stage; given its concern with private affairs influenced by the period of socioeconomic flux surrounding the Dissolution, *Arden of Faversham* arguably has a foot in each camp since it shares the history play's objective—as characterized by Thomas Nashe—to "show the ill success of treason, the fall of hasty climbers, the wretched end of usurpers, the misery of dissension, and how just God is ever-more in punishing of murther," albeit in a more homespun or "middling" context.[37]

But where histories treat exalted subjects as examples for what Nashe termed "these degenerate effeminate days of ours," domestic tragedies re-animate subversive characters from the more recent past to serve as cautionary figures for an equally domestic audience, portraying bourgeois English crimes that might not rate inclusion in a "real" history play devoted to the trials and triumphs of kings and emperors.[38] Applying the conventions of the playhouse to "home-borne" subjects, domestic tragedies represent ordinary households plunged into rebellion and chaos, and offer a compelling spectacle in which characters onstage suffer the same weaknesses and temptations as their audiences, accompanied by the comforting certainty that order will be safely restored before the Epilogue. This complex didactic agenda is readily apparent in *Arden*: for all the verbal bravado, radical notions of self-determination, and personal, emotional, and sexual agency with which she is invested, Alice Arden remains a subordinate subject in the eyes of the law and the broader contemporary English worldview. In the end, her domestic mutiny is suppressed: the petty traitor is neutralized, restored to her proper place, and ultimately reduced to the stock character of sinful but repentant woman. In the final scene, Alice retains none of her former revolutionary swagger; with no further interest in "worldly things," her only remaining desire is to "meditate upon my saviour Christ" and "Let my death make amends for all my sins" (*Arden*, 18.9–10.33). Thus, *Arden of Faversham* performs a recreational, admonitory, and recuperative function in its depiction of unregulated feminine will, its consequences, and its ultimate futility, even in a nation ruled by a woman who eschewed mat-

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36   Introduction to *Arden of Faversham*, ed. Martin White, xv.

37   Thomas Nashe, *Pierce Penniless, His Supplication to the Devil* (London: Abell Jesses, 1592): <http://www.uoregon.edu/~rbear/nashe1.html> (accessed June 10, 2016).

38   Nashe, *Pierce Penniless.*

rimony. For the *Arden* playwright and his audience, female sovereignty must remain conceptually "repugnant to nature; contumely to God, a thing most contrary to his revealed will and approved ordinance; and … the subversion of good order, of all equity and justice" despite—or because of—the realities of the state.[39]

In their theatrical depictions of historical petty treason scandals and their aftermaths, domestic tragedies demonstrate how a rebellious wife—by seizing control of the household, supplanting its rightful sovereign, conspiring with outsiders, and otherwise subverting the "natural" order—condemns not only herself but also those foolish enough to follow her. For all Alice Arden's force of will and desire for agency, her attempted *coup* fails in all of its objectives except Arden's death (which she claims to regret), and ends in disaster for everyone concerned. If we accept Dolan's assertion that such plays "[hold] the husband accountable for his wife's adultery and insubordination," then the women's crimes would simply caution male playgoers to mistrust, fear, and silence their wives since "the wife's enlargement into volition, speech, and action necessarily implicates, diminishes, and even eliminates the husband."[40] But plays like *Arden of Faversham* do more than this. In their appropriations of petty treason scandals, domestic tragedies contain and confront uncomfortable contemporary concerns about the slippages between sexuality, obedience, sovereignty, the family as a microcosm of the state, and the fragile nature of the state itself, all within the relatively safe context of a playhouse entertainment. By warning their female audience to abjure the petty traitor's path and escape her fate, and their husbands to maintain strict control of their domestic subjects lest their power be usurped, these plays (acted and almost certainly authored by men) seek to demonstrate not only the wages of wifely insurrection and uncontrolled female sexuality but also the essentially dysfunctional nature of women's power at an historically paradoxical moment when the realm's future stability seemed deeply uncertain, towards the end of a long and successful period of feminine rule.

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39   John Knox, *The First Blast of the Trumpet Against the Monstrous Regiment of Women* (London: 1558), Tufts University Libraries, Early English Books Online: <http://eebo.chadwyck.com.ezproxy.library.tufts.edu/home> (accessed June 10, 2016).

40   Dolan, *Dangerous Familiars*, 36.

The Spatial Configuration of Shame in *La Princesse de Clèves*

Susan Small

Moral cartography sits squarely at the crossroads of the representation of space and the graphic configuration of affective states. From the allegorical elegance of the Garden of Love in the medieval *Romance of the Rose* to the "spoof cartography" of the Romantic-era "Map of the Road of Love," the genre has a ludic quality that lends itself to risk and dynamic resolution, and a semiotic complexity that belies its reputation as a "drawing-room novelty."[1] Poised between the medieval and the modern period, the literary salons of seventeenth-century France explored the genre as they fashioned, fetishized,[2] and literalized the "game of love" and the acts and emotions associated with it. This led, in turn, to the literary narrativization of these amorous and erotic adventures with their attendant tropes of desire, betrayal, adultery, guilt, and shame. Among the works written by the habitués of one of the most famous salons, Madeleine de Scudéry's *samedis* [Saturdays], are two novels whose eponymous heroines both play and challenge the rules of the game: Scudéry's 10-volume *roman-fleuve*, *Clélie: Histoire romaine* (1654–1660) [*Clélia, An Excellent New Romance*], and that masterpiece of sixteenth-century amorous angst, Madame de La Fayette's *La Princesse de Clèves* (1678).[3]

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1   T.P. Hydrographer [pseud., *A map or chart of the road of love, and harbour of marriage* (London, 1748), London, British Library, Maps CC.2.a.16: <https://www.bl.uk/collection-items/map-of-the-road-of-love> (accessed June 18, 2018). See also: Gillian Hill, *Cartographical Curiosities* (London: The British Library Board, 1978). For a discussion of the seventeenth-century *Carte de Tendre* [*Map of Tenderness*] as both a "frivolous salon game" and a "network of semiotic possibility," see: Jeffrey N. Peters, *Mapping Discord: Allegorical Cartography in Early Modern French Writing* (Newark: University of Delaware Press, 2004), 87.

2   See: Bernadette Höfer, *Psychosomatic Disorders in Seventeenth-Century French Literature* (Burlington: Ashgate, 2009), 167.

3   All quotes from the original French version of *La Princesse de Clèves* are from Madame de La Fayette, *La Princesse de Clèves,* ed. Émile Magne (Genève: E. Droz and Lille: F. Giard, 1950). All quotes from the English translation of the novel are from Madame de Lafayette, *The Princesse de Clèves*, trans. Terence Cave (Oxford: Oxford University Press, 2008). Page numbers from both editions will be indicated in parentheses after the quote. All otherwise-unattributed translations are my own.

Scudéry first popularized the cartographic representation of the course of love by inserting between the pages of *Clélie* what would become an enormously important engraving, known as the *Carte de Tendre* [*Map of Tenderness*]. Attributed in the novel to its heroine, Clélie, but, in reality, designed by Scudéry herself and produced by the painter and engraver, François Chauveau (1613–1676), the engraving is part-map, part-parlor game. La Fayette was among those who knew the game intimately,[4] and Daniel Maher's description of the *Carte de Tendre* as a "jeu de cache-cache érotico-sentimental" [game of erotico-sentimental hide-and-seek], with its heady mix of the ludic, erotic, illicit, and codified, can be aptly applied to the love story between the married Princesse de Clèves and the playboy Duc de Nemours as well. The emotion that drives their story is not, however, as one might expect, desire; it is the overwhelming shame the princess feels as a result of her own failure to reject the erotically repressive morality instilled in her by her mother, to betray her husband, and to act on her desire for the duke.

The plot of La Fayette's *La Princesse de Clèves* is simple: A naïve young woman, Mademoiselle de Chartres, marries the decent but dull Prince de Clèves, who is in love with her though she does not reciprocate his feelings. Soon after her marriage, she meets and falls madly in love with another man, the playboy Duc de Nemours, who also falls madly in love with her. Riddled by guilt and shame at what she perceives as her emotional adultery, and equally frustrated by her own inability to act on her feelings for Nemours, the princess constantly finds excuses to run away from him and the world of the court in Paris, retreating to her country house in Coulommiers. Eventually, however, unable to sustain what Maher terms this "game of erotico-sentimental hide-and-seek," she confesses her feelings to her husband, stressing that she has not acted on them. Her husband, shamed, suspicious, and consumed with jealousy, finds out the identity of his wife's "lover" and has him followed to Coulommiers. Devastated at discovering that his wife and Nemours share a love that she has never felt for him, the Prince dies of a broken heart. The princess, racked with guilt, rejects Nemours' claim that she is now free to be with him and withdraws from the world, dividing her time between her house in the Pyrenees and refuge in a convent until she, too, dies of a broken heart. Nemours' love for her eventually fades away.

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4   See: Gabriel-Paul-Othenin de Cléron d'Haussonville, *Mme de La Fayette* (Paris: Hachette, 1891): "[O]n y étudiait ensemble la carte du *pays de Tendre*" (78) and "Mme de Sévigné, Mme de la Fayette elle-même se complaisaient à étudier la carte du *pays de Tendre*" (160). Italics in original.

In a literal sense, the linearity of the narrative replicates that of a map; roads and rivers, parallels and meridians, become lines of print.[5] The *Carte de Tendre*, as a representation of figurative moral cartography,[6] offers an immediate perception of the various romantic entanglements and moral constraints perceived only sequentially by the reader, but the text, in deferring resolution, allows for a semantic and syntactic complexity that the map cannot provide. Indeed, as A.-J. Greimas and Jacques Fontanille point out, "passion appears to be constituted syntactically as a series of activities: manipulations, seductions, tortures, investigations, construction of scenarios, and so on."[7] It is in this sense that Perfidie [Betrayal, Deception, Treachery], for example, is represented on the *Carte de Tendre* as a simple spatial coordinate, an isolated stop on the road between Indiscrétion [Indiscretion] and Orgueil [Pride], while in the narrative of both *Clélie* and *La Princesse de Clèves*, it becomes not only spatialized, as on the map, but also what Greimas and Fontanille would term "spatialized, temporalized, actorialized, and semanticized."[8] Betrayal, deception, and treachery are, then, in the novel, no longer simple moral signposts but, rather, fluid concepts, modulated by recurrence, repetition, context, synonymy, nuance, and overdetermination, and surrounded, as the story unfolds, by increasingly fertile semantic fields, encompassing and intersecting, among others, those of Indiscrétion itself, as well as those of Perfidie's synonym, Tromperie [Betrayal, Deception, Treachery], Adultère [Adultery], and Honte [Shame].

It is in this sense that the *Carte de Tendre* acts as a blueprint and an overlay for non-figurative moral cartography in *La Princesse de Clèves*, and the journey that Clélie traces across the map acts as a model for the journey of the princess herself. For although the *Carte de Tendre* was indeed the slightly naughty party game it is purported to be, it was first and foremost a literary device designed to chart the progress of two fictional characters attempting to negotiate the notoriously blurry lines separating desire from duty, and love from friendship, and to deal with the consequences of straying too far off the beaten path. Furthermore, etched into the plot-lines of *La Princesse de Clèves* are the cartographic signposts of departures, journeys, and arrivals, and stamped onto its

5   See: Marie-Josée Caron, "La cartographie morale au XVIIe siècle: la carte ou l'espace figuratif du texte moral," in *Pratiques de l'espace en littérature*, ed. François Foley and Rachel Bouvet, 57–82 (Montréal: Figura, 2002), 66–7.

6   See: Caron, "La cartographie morale," 67, and Louis Van Delft, *Littérature et anthropologie: nature humaine et caractère à l'âge classique* (Paris: Presses universitaires de France, 1993), 69–86.

7   Algirdas J. Greimas and Jacques Fontanille, *The Semiotics of Passions: From States of Affairs to States of Feeling,* trans. Paul Perron and Frank Collins (Minneapolis: University of Minnesota Press, 1993), 23.

8   Greimas and Fontanille, *The Semiotics of Passions*, 157.

pages are the watermarks of its own affective lexicon. Therefore, although the novel contains no explicit reference to cartography itself, the progression of the protagonist's moral dilemma is mapped out in the mind of the reader.

The shifting sands of the Princesse de Clèves's moral ground provided rich fodder for the conversations and *questions d'amour* [questions of love] that entertained the *salonniers*.[9] Like the travelers pictured on the *Carte de Tendre* who are engaged in an animated discussion about the journey they are about to undertake, the *salonniers* were fascinated by the quandary facing the Princesse de Clèves, caught between the pull of passion and the shame of betrayal. A review of the novel in the April 1678 special issue of the *Mercure Galant* posed the question at issue as follows:

> ... je demande, dis-je, si cette Femme [la Princesse de Clèves], voulant se retirer dans un lieu où elle ne soit point exposée à la veüe de cet Amant [Nemours] qu'elle sçait qu'elle aime sans qu'il sçache qu'il est aimé d'elle, et ne pouvant obliger son Mary [le Prince de Clèves] de consentir à cette retraite sans luy découvrir ce qu'elle sent pour l'amant qu'elle cherche à fuir, fait mieux de faire confidence de cette passion à son Mary, que de la taire au péril des combats qu'elle sera continuellement obligée de rendre par les indispensables occasions de voir cet Amant, dont elle n'a aucun moyen de s'éloigner que celuy de la confidence dont il s'agit.[10]

> [... I ask, I say, if this Woman [the Princesse de Clèves], wanting to retreat to a place where she will never be exposed to the sight of this Lover [Nemours] whom she knows that she loves without his knowing if he is loved by her, and being unable to make her Husband [the Prince de Clèves] agree to this retreat without letting him know what she feels for the lover from whom she is trying to flee, is better to confide in her Husband about this passion, than to silence it at the peril of the combats that she will continually be obliged to wage on the occasions when it will be

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9   See: Charles Jaulney, *Questions d'amour, ou Conversations galantes, dédiées aux belles* (Paris, J.-B. Loyson, 1671) and, more specifically, Jean Baptiste Henri Du Trousset de Valincour, *Lettres à Madame la Marquise*** sur le sujet de La Princesse de Clèves* (Paris: Sebastien Mabre-Cramoisy, 1678) and Jean-Antoine de Charnes, ed., *Conversations sur la critique de La Princesse de Clèves* (Paris: Claude Barbin, 1679).

10 *Extraordinaire du Mercure galant*, quartier d'avril 1678, 11:298–300: <http://obvil.paris-sorbonne.fr/corpus/mercure-galant/MG-1678-06e#MG-1678-06e_298> (accessed June 18, 2018). See: Jules Brody, "La Princesse de Clèves and the Myth of Courtly Love," *University of Toronto Quarterly* 38.2 (1969):105–35 at 110, and Marie-Jeanne Durry, *Madame de la Fayette* (Paris: Mercure de France), 1962, esp. 8, for other formulations of the *question galante* posed by the novel.

necessary for her to see this Lover, from whom she has no way to distance herself than that of the confidence of which it is a question].[11]

The question is posed in terms that foreground the princess' response to Nemours as movement across space: *se retirer* [to retreat], *lieu* [place], *retraite* [retreat], *fuir* [to flee], and *s'éloigner* [to distance oneself]; her flight from Paris to her country house in Coulommiers follows a trajectory that can be mapped. Like the lovers on the *Carte de Tendre*, she measures her journey in terms of distance from a romantic ideal.[12] However, unlike the lovers' journey across the map, which is measured in *lieues d'amour* [leagues of love], the princess' one-hour journey from the temptations of Paris to the safety of Coulommiers is marked in increments of disconnection from her lover and recognized as such by her husband, who is well aware of the allure of adultery: "quelque bonne opinion qu'il eust de la vertu de sa femme, il voyait bien que la prudence ne vouloit pas qu'il l'exposast plus longtemps à la veue d'un homme qu'elle aimoit" (158) [although he had a high opinion of his wife's virtue, he was well aware that it would hardly be prudent for him to expose her any longer to the gaze of a man she loved] (121).[13] Indeed, the princess' first meeting with Nemours

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11   Joan DeJean notes that this issue of the *Mercure Galant*, "in which the publicity campaign for *La Princesse de Clèves* was launched has as its frontispiece a 'Carte de l'empire de la poésie' that refers unmistakably to the 'Carte de Tendre.'" Joan DeJean, *Tender Geographies: Women and the Origins of the Novel in France* (New York: Columbia University Press, 1991), 249 n. 49.

12   Claude Filteau explains: "En tant qu'allégorie du désir, la *Carte de Tendre* trace les parcours possibles qui peuvent rapprocher ou éloigner un amant de l'Idée de perfection amoureuse" [As an allegory of desire, the *Carte de Tendre* traces the possible trajectories that can move a lover toward, or distance him from, the Idea of perfection in love]. Claude Filteau, "Le Pays de Tendre: l'enjeu d'une carte," *Littérature* 36 (1979): 37–60 at 44.

13   The word "Coulommiers" also has a remarkably galvanizing and disorienting effect on Nemours, whose headlong dash toward his beloved is described in the same obsessive spatial detail that characterizes Alain Robbe-Grillet's 1957 novel, *La Jalousie*: "A ce mot de Colomiers, sans faire aucune réflection et sans sçavoir quel estoit son dessein, il alla à toute bride du costé qu'on le luy montroit. Il arriva dans la forest, et se laissa conduire au hasard par des routes faites avec soin, qu'il jugea bien qui conduisoient vers le chasteau. Il trouva au bout de ces routes un pavillon, dont le dessous estoit un grand salon accompagné de deux cabinets, dont l'un estoit ouvert sur un jardin de fleurs, qui n'estoit séparé de la forest que par des palissades, et le second donnoit sur une grande allée du parc. Il entra dans le pavillon, et il se seroit arresté à en regarder la beauté, sans qu'il vid venir par cette allée du parc M. et Mᵐᵉ de Clèves..." (123) ["As soon as he heard the name [Coulommiers] without reflecting on what he was doing and with no precise intention, he went off at full gallop in the direction that was pointed out to him. He found himself in the forest and allowed himself to be guided at random by well-marked paths, guessing that they would lead him to the château. At the end of these paths he came across a pavilion, the

sparks a cycle of what Susan W. Tiefenbrun terms "the EXTERIOR / INTERIOR patterns, the movement from outside to inside, from circumference to center, and the multiple forms of APPROACH / AVOIDANCE" that defines the actantial structure of her relationship with him throughout the novel.[14] Bernadette Höfer argues, furthermore, that the princess' final rejection of Nemours and her subsequent shuttling between her house in the Pyrenees and her refuge in a convent is itself "veiled in an ambiguity about place" that betrays a still un-resolved conflict between duty and desire, shame and hunger.[15]

This hunger is mobilized by "inclination,"[16] which is, in its geographical ac-ceptation, a slope or descent, and in its affective one, a *penchant*, a natural impulse, a gravitation or leaning toward someone or something that Samuel Johnson's *Dictionary of the English Language* (1768) gives as one of its primary meanings: "Love; affection." The naturalness of the princess' inclination for the Duke is, however, blocked by the moral norms imposed on her by her late mother, setting up an untenable stalemate between eroticism and obedience.

Moreover, as the princess soon discovers, the slope from inclination into infidelity is a slippery one: "Veux-je m'engager dans une galanterie? Veux-je manquer à M. de Clèves? Veux-je me manquer à moy-mesme? […] Je suis vain-cue et surmontée par une inclination qui m'entraisne malgré moy. […] Il faut m'arracher de la présence de M. de Nemours; il faut m'en aller à la campagne, quelque bizarre que puisse paroistre mon voyage …" (121) [Am I ready to em-bark on a love affair? to be unfaithful to M. de Clèves? to be unfaithful to my-self? […] I am conquered by an inclination that carries me with it in spite of myself. […] I must tear myself away from M de Nemours' presence; I must go to

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lower part of which was occupied by a large room with a smaller room on either side. One of these looked out onto a flower garden which was only separated from the forest by a fence; the second opened onto a broad avenue in the park. He went into the pavilion, and he would have stopped to admire its beauty had he not seen M. and Mme de Clèves com-ing down the avenue …"] (93).

14   Susan W. Tiefenbrun, *A Structural Stylistic Analysis of La Princesse de Clèves* (Paris: Mou-ton, 1976), 47. Capitals in original.

15   Höfer, *Psychosomatic Disorders*, 171.

16   For a list and a discussion of the terms for love used in the novel, see: John Campbell, *Questions of Interpretation in 'La Princesse de Clèves'* (Amsterdam: Rodopi, 1996), 15–21. Campbell notes that "… inclination can suggest the same overwhelming, irrational feel-ings expressed by amour and passion, reminding us that in *Clélie* the river of Inclination is described as flowing so fast that one cannot settle down anywhere on its banks, on the way from Nouvelle Amitié to Tendre" (16). Greimas and Fontanille define *inclination* as "a desire, as a constant wanting characteristic of the individual" (*The Semiotics of Passions,* 50). For an earlier analysis of the use of the word *inclination* in the novel, see: Donna Kui-zenga, *Narrative Strategies in La Princesse de Clèves* (Lexington: French Forum Publishers, 1976), 123–4.

the country, however strange my journey may appear ...] (91–2). The need to repress her hunger exposes the emotional fissure that tears the princess apart in what Höfer calls "an oppressive scotomization, a tear between what is permitted and the prohibited space of her passion."[17] Pathological in nature, this tear is presented as a series of impossible choices (the security of confession or the risk of exposure, the safety of flight or the dishonor of retreat, the luxury of surrender or the shame of disclosure). In his *De l'amour* [*On love*] (1822), Marie-Henri Beyle, known as Stendhal, famously weighed in on the question by stating flatly that "la princesse de Clèves devait ne rien dire à son mari et se donner à M. de Nemours" [the princesse de Clèves should have said nothing to her husband and given herself to M. de Nemours].[18] Stendhal observes that, while it is admirable for a woman to resist the pull of passionate love, the moral courage that it takes to do so is undermined firstly by her need to keep it secret, and then by the unhappiness the secrecy causes her. Secrecy itself proves impossible, however, since the very sight of Nemours generates that most seemingly transparent of Peircian indexes, blushing; "blushing," writes Charles Sanders Peirce, "is a sign of shame."[19] And yet, the relationship between *inclination*, *trouble*, and *rougeur* in the novel is perhaps more complicated than Peircian semiotics, or, indeed, the princess herself, might acknowledge.[20] For when her future husband complains that her relationship with him has nothing to do with *inclination* or *trouble*—what the *Carte de Tendre* calls *Indifférence*—the princess adroitly side-steps the question of *inclination* and counters by saying that the sight of him does cause her *trouble*. However, when she offers as proof the fact that she often blushes when she sees him, the prince, suggesting that her inclination does, in fact, put her security at risk, responds by saying that he is not deceived by her blushing, that it is a "sign of modesty" and not "a move-

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17   Höfer, *Psychosomatic Disorders,* 158. "To scotomize" is "To avoid or deny (an undesirable fact or reality) through the creation of a mental 'blind spot.'" *Oxford English Dictionary Online*: <https://en.oxforddictionaries.com/definition/scotomize> (accessed June 18, 2018).

18   Stendhal concludes: "Je crois que si madame de Clèves fût arrivée à la vieillesse ... elle se fût repentie" [I believe that if madame de Clèves had lived to old age ... she would have changed her mind]. Stendhal, *De l'amour* (Paris: Michel Lévy Frères, 1868), 73. More recently, Marie Darrieussecq, speaking of her own novel, *Clèves*, exclaims, "*ma* Princesse, elle couchera" [*my* Princess will go to bed with him]. Italics in original. Quoted in Chiara Rolla, "*Clèves* de Marie Darrieussecq: parcours de lecture et tentative(s) de définition(s)," *Cahiers de Narratologie: Analyse et théorie narratives* 23 (2012): 1–35 at 10.

19   Charles S. Peirce, *Writings of Charles S. Peirce: A Chronological Edition*, Volume 2: 1867–1871, ed. Edward C. Moore (Bloomington: Indiana University Press, 1984), 446.

20   The passage below continues: "Mademoiselle de Chartres ne sçavait que répondre, et ces distinctions estoient au-dessus de ses connaissances" (32) [Mlle de Chartres did not know what to reply, these distinctions being beyond her comprehension] (20–1).

ment of her heart." Their exchange is remarkable in its semantic and emotional complexity:

> Je ne touche ni votre inclination, ni votre coeur, et ma présence ne vous donne ni de plaisir ni de trouble.
> —Vous ne sçauriez douter, reprit-elle, que je n'aye de la joie de vous voir, et je rougis si souvent en vous voyant, que vous ne sçauriez douter aussi que votre veue ne me donne du trouble.
> —Je ne me trompe pas à votre rougeur, répondit-il; c'est un sentiment de modestie, et non pas un mouvement de votre coeur, et je n'en tire que l'avantage que j'en dois tirer. (32)

> ["I am unable to touch your affections or your heart, and my presence neither pleases nor disturbs you."
> "You cannot be in doubt," she returned, "that I am glad to see you, and I blush so often in your company that you also cannot doubt that the sight of you disturbs me."
> "I am not taken in by your blushes," he replied. "They come from a sense of modesty, not from a movement of your heart, and I only take from them what little advantage I can"]. (20)

In other words, it is not the princess but, rather, her husband who knows how "to dicipher [*sic*] this huge map of shame."[21]

Jean Fabre presents a panoramic view of the complex combination of emotions experienced by the princess over the course of the novel:

> Curiosité, attente, surprise, admiration, déguisements de l'amour, puis sa révélation brutale par la jalousie, honte, remords, dépit, révolte, suspension apparente sous le coup d'un grand chagrin, illusions qui s'écroulent à la deuxième apparition de la jalousie, effroi, douleur, jalousie encore, pauvres joies, résolutions désespérées, tristesse profonde, flambée nouvelle de la passion au lendemain d'une mort ressentie, malgré soi, détachement, mélancolie, luttes dernières des ombres au fond de la mémoire.[22]

> [Curiosity, expectation, surprise, admiration, the disguises of love, then its brutal revelation by jealousy, shame, remorse, contempt, apparent

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21   Henry Hutton, *Follie's Anatomy* [1619], ed. Henry Hutton, *Early English Poetry, Ballads and Popular Literature of the Middle Ages* (London: Percy Society, 1842), 6:23.

22   Jean Fabre, *L'art de l'analyse dans la Princesse de Clèves* (Strasbourg: Publications de la Faculté des lettres de l'Université de Strasbourg, 1970), 58.

retreat in the throes of great heartache, illusions that founder on the
second appearance of jealousy, fear, pain, jealousy again, paltry joys, des-
perate resolutions, profound sadness, new flaming of passion following a
death felt, in spite of oneself, detachment, melancholy, the final struggles
of shadows in the depths of memory].

Fabre conceives of the emotions associated with the chain of events in *La Prin-
cesse de Clèves* not as a succession but, rather, as a landscape or a backdrop on
which, "chacun d'eux projette sur les autres son ombre portée" [each of them
projects onto the others its projected shadow].[23] It is a formulation that recalls
psychoanalyst David Bernard's definition of shame as "l'ombre de l'abject tom-
bée sur le Moi" [the shadow of the abject fallen onto the ego], projecting onto
the subject an *au-delà de la honte* [afterlife of shame] that taints his or her en-
tire emotional spectrum with its effects.[24]

The extent of this shame in the novel is further complicated by the fact that
it is, for the princess, infected with the lure of emotional infidelity; she is
ashamed of both her lack of feeling for her husband and her excess of feeling
for Nemours, but she is unable to deny the reality of either: "… elle trompait le
mari du monde qui méritoit le moins d'estre trompé, et elle estoit honteuse de
paroistre si peu digne d'estime aux yeux mesme de son amant. Mais, ce qu'elle
pouvoit moins supporter que tout le reste, estoit le souvenir de l'estat où elle
avoit passé la nuit, et les cuisantes douleurs que lui avoit causé la pensée que
monsieur de Nemours aimoit ailleurs et qu'elle estoit trompée" (120) [… she
was deceiving the husband who least of all deserved to be deceived. She felt
ashamed to appear, even in the eyes of her lover, so unworthy of esteem. But
what was more intolerable to her than anything was the memory of the state in
which she had passed the night, the dreadful pain she had suffered at the
thought that M. de Nemours was in love with another woman and that he was

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23   Fabre, *L'art de l'analyse*, 58. This mix of emotions recalls La Rochefoucauld's notion that
      "[s]'il y a un amour pur et exempt du mélange de nos autres passions, c'est celui qui est
      caché au fond du cœur, et que nous ignorons nous-mêmes" (Maxime 69) [[i]f there is a
      love that is pure and exempt from the mixture of our other passions, it is the one that is
      hidden at the bottom of the heart, and of which we ourselves are unaware]. Quoted in
      Jérôme Pourcelot "L'espace sentencieux : une mystérieuse ontologie," *Études littéraires*
      341.2 (2002): 55–70 at 55. Although he notes that "the terms do not lead to a smooth chain,"
      Kenneth C. Hockman charts the sequence of actions and reactions that form what he
      calls the "schedule of desire" in the novel. See: *The Differential Calculus as the Model of
      Desire in French Fiction of the Seventeenth and Eighteenth Centuries* (New York: Peter Lang,
      1997), 19.
24   David Bernard, "Les objets de la honte," *Cliniques méditerranéennes* 1.75 (2007): 215–26 at
      223.

unfaithful to her] (91). In geographical terms, she is stranded somewhere between the *Lac d'Indifférence* [Lake of Indifference] and *Tendre sur Inclination* [Tender on Inclination], on her way back to *Perfidie* [Betrayal, Deception, Treachery] with no hope of ever reaching *Tendre sur Estime* [Tender on Esteem]. In losing her mother, she lost her moral compass. By playing the game of love, she is now at risk of losing both her husband and her lover as well.

Many modern critics have described the seventeenth-century game of love itself in spatial terms: its "tender geographies,"[25] its *espace restraint* [restrained space].[26] Even more specific are the topographical studies of *La Princesse de Clèves* itself, such as those by Michael Danahy,[27] who argues for the pervasiveness of gendered space(s) in the novel; Keren M. Smith, who compares the imaginative structure of the novel with the architecture of the Château de Versailles and Lacan's concept of the fortress;[28] and two more general studies like the feminist analysis by Patricia Hannon,[29] and that of J. David Macey, Jr., who describes the garden as the ideal *mise en scène* of seclusion and amorous reverie.[30] Indeed, as Giuliana Bruno observes: "Both the map and the garden are imaginary topographies. As systems of representation, they are organized and shaped as itineraries. [...] [T]he landscape is experienced in a viewing that demands motion. Scudéry's map functions in the same way: it is a site that is meant to be traveled through by the beholder, who becomes inscribed in the map itself."[31] In this way, literary representations of both figurative cartography, like Scudéry's *Clélie*, and non-figurative cartography, like *La Princesse de Clèves*, served as moral guidebooks for the seventeenth-century reader, plotting out the possibilities and the perils inherent in the game of love.

In this precarious landscape, the house and gardens at Coulommiers serve as a *locus amoenus* for La Princesse de Clèves. The emotional distance she travels from the closed world of the court to the haven of her country house is far

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25   See: Joan DeJean, *Tender Geographies: Women and the Origins of the Novel in France* (New York: Columbia University Press, 1991).

26   Frank Lestringant, *Le livre des îles : Atlas et récits insulaires de la Genèse à Jules Verne* (Geneva: Droz, 2002), 299.

27   Michael Danahy, "Social, Sexual and Human Spaces in La Princesse de Clèves," *French Forum* 6.3 (1981): 212–24.

28   Keren M. Smith, "Towers and Mirrors: Aspects of Space in *La Princesse de Clèves*," *Mosaic: An Interdisciplinary Critical Journal* 33.1 (2000): 113–31.

29   Patricia Hannon, "The Erotics of Topography," *Atlantis* 19.1 (1993).

30   J. David Macey, Jr., "'Where the World May Ne'er Invade'?: Green Retreats and Garden Theatre in *La Princesse de Clèves, The History of Miss Betsy Thoughtless*, and *Cecilia*," *Eighteenth-Century Fiction* 12.1 (1999): 75–100.

31   Giuliana Bruno, *Atlas of Emotion: Journeys in Art, Architecture, and Film* (New York: Verso, 2002), 219.

greater than the one-hour journey it appears to be on the map.[32] For the princess, Coulommiers is not only a sanctuary; it is a site of erotic reverie. Jean-Pierre Richard remarks: "Tout autant que comme sensation, ou rêverie (au sens bachelardien du terme), le paysage m'apparaît aujourd'hui comme fantasme: c'est-à-dire comme mise en scène, travail, produit d'un certain désir inconscient. Le texte qui l'écrit réclame donc une lecture autre, plus profonde, plus détournée, peut-être, qui tienne compte, aussi, de sa singularité libidinale" [As much as it is a sensation, or rêverie (in the Bachelardian sense of the term), the landscape appears to me today as a fantasy: that is to say as a *mise en scène*, a work, the product of a certain unconscious desire. The text that writes it therefore demands another kind of reading, one that is more profound, more indirect, perhaps, one that takes into account, as well, its libidinal singularity].[33]

Nancy K. Miller's argument, then, that the princess's "retreat to Coulommiers [...] must be thought of not as a flight from sexuality but as a movement into it" seems persuasive.[34] And yet, Miller's formulation recalls that of the Lacanian notion of hontology (*honte* [shame] and *ontology*), in which "[s]hame is not a failed flight from being, but a flight into it."[35] There is no doubt that the princess' retreat to Colommiers is a flight from the amorous adventures and incestuous intrigues of the court and into sexuality, as Miller suggests, for immediately before she sinks into her passionate reverie, she is lying on her bed holding her lover's almost palpably phallic cane.[36] In spite of her claim that she did not act on her feelings for Nemours, at Coulommiers, she is nonetheless involved in a secret, subversive, and, in her mind, shameful, erotic

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32   Jeffrey N. Peters, *Mapping Discord*, 84.

33   Jean-Pierre Richard, *Microlectures* (Paris: Éditions du Seuil, 1979), 8.

34   Quoted in Hannon, "Erotic Topographies," 81.

35   Joan Copjec, "May '69, The Emotional Month," in *Lacan: The Silent Partners*, ed. Slavoj Žižek (London: Verso, 2006), 90–114 at 111.

36   What Hannon, in "Erotic Topgraphies," terms "the princess' fantasy of sexual possession" (81). See also: Michel Butor : "Il n'est, certes, pas besoin d'un diplôme de psychanalyste pour percer et goûter le symbolisme de cette scène. [...] il était évident aussi pour les gens du xviie siècle." Butor, "Sur la Princesse de Clèves," in *Répertoires: Études et conférences 1948–1959*, 74–8 (Paris: Éditions de Minuit, 1960), 76. However, Michael G. Paulson's interpretation of this scene, in which he calls the cane a "phallus-dildo" (25), Nemours a "mental rapist" (21), and the forest a "sign for pubic hair" (20), and speculates on various acts of peeping, masturbation, penetration, orgasm, undressing, violation, rape (of the princess by Nemours) (18), attempted rape (of Nemours by the princess) (24), "mental post-coital blues"(20), sadism, and "the Freudian 'need for punishment'" (22), seems somewhat excessive. See: Michael G. Paulson, *Facets of a Princess: Multiple Readings of Madame de La Fayette's 'La Princesse de Clèves'* (New York: Peter Lang, 1998), 18–25. Paulson is, however, correct, I believe, in referring to this "chain of events" as what Massimo Romano considers "un gioco di specchi" (xviii) or game of mirrors (23).

fantasy studded with images of chivalric domination.[37] It is a landscape that provides a counterbalance to the hothouse world of the court and enables her, therefore, to indulge in her fantasy of an affair with Nemours without having to confront the reality of her social situation.

That is not to say that the princess is fully in control of her fantasy, nor even fully conscious of its significance, for, as psychoanalysts Nicolas Abraham and Maria Torok argue, "[t]hat fantasies are often unconscious does not mean they pertain to something outside the subject but that they refer to a *secretly perpetuated* topography."[38] It is the seclusion of this terrain that makes it fertile ground for the incursion "de jeux interdits, de sensations, de jouissances inavouables […], jalousement gardés par des sentiments de honte" [of forbidden games, of sensations, of unmentionable pleasures […], jealously guarded by feelings of shame].[39] This is a game whose rules, like those of the *Carte de Tendre*, are based on a series of binary choices: husband or lover, love or passion, despair or desire, stasis or flight. As a representation of the platonic ideal of *préciosité* itself, it presents a complex and ludic, but ultimately closed, mapping of the vagaries of love, relieving the princess of the responsibility of having to come to terms with the consequences of her choices:

> Tout l'effort pour fuir au-delà des bornes de la carte vers des territoires agités par les désordres de l'amour se trouve ainsi détourné de son but au profit d'une scénographie de l'objet du désir, que représente le tableau inscrit sur la carte. La scène imaginaire, qui canalise le regard-désir autour de cette espèce de fenêtre qu'encadre la carte, organise apparemment la seule ouverture possible sur un ailleurs inaccessible.
>
> Ailleurs inaccessible, si ce n'est aux mouvements optiques qui vont désormais prendre en charge les déplacements de l'Amant sur la carte.[40]

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37 We might read in this a *mise en scène* of the Lacanian concept of desire. Peter Brooks explains: "Lacan helps us to understand how the aims and imaginings of desire—its enactments in response to imaginary scenarios of fulfillments—moves us from the realm of basic drives to highly imaginative fictions." See: *Reading for the Plot: Design and Intention in Narrative* (New York: Alfred A. Knopf, 1984), 105. These fictions might, indeed, star her lover in the guise of the historical M. de Nemours, the "lusty Renaissance soldier" and paragon of chivalry on whom he is based. Brantôme, quoted in Brody, "The Myth of Courtly Love," 112–3.

38 Nicolas Abraham and Maria Torok, *The Shell and the Kernel: Renewals of Psychoanalysis, vol. 1*, ed. and trans. Nicholas T. Rand (Chicago: University of Chicago Press, 1994), 125. Italics in original.

39 Claude Rouchy, quoted in Albert Ciccone and Alain Ferrant, *Honte, culpabilité et traumatisme* (Paris: Dunod, 2015), 120.

40 Filteau, "Le Pays de Tendre: l'enjeu d'une carte," 52.

[All the effort to escape beyond the limits of the map toward territories troubled by the disorders of love thus finds itself turned away from its objective in favor of a scenography of the object of desire represented by the scene inscribed on the map. The imaginary scene, which channels the desire-gaze around this kind of window that frames the map, organizes what is apparently the only possible opening onto an inaccessible beyond.

A beyond that is inaccessible, unless it is to the optical movements that are from then on going to take charge of the movements of the Lover on the map].

Myriam Maître suggests that, although the *Carte de Tendre* cannot compare to the great medieval maps of courtly love, it nonetheless offers to the lover an itinerary that is long enough to allow him or her to complete the steps necessary for a sentimental education.[41] However, none of the three major players—the princess, her husband, and her lover—in the game of love played out in *La Princesse de Clèves* manages to complete the course. Monsieur de Clèves, his masculinity shamed, bitterly expires in the elegant wastelands of *Tendre sur Estime* [Tender on Esteem]: "Je mouray, ajouta-t'il; mais sachez que vous me rendez la mort agréable; et qu'après m'avoir osté l'estime et la tendresse que j'avois pour vous, la vie me feroit horreur" (177) ["I shall die," he added, "but you should know that you have made me welcome death: now you have taken away all the tenderness and esteem I felt for you"] (136). The princess effectively withdraws from the game and covers her tracks, secreting them beneath a slough of silence and shame. The shameless Nemours—the morpheme *hont* (*honte*, *honteux*) is never applied to him in the novel—trudges doggedly on until the flame of his passion for the princess is finally extinguished in the Lake of Indifference. His feelings for the princess now effectively mirror her own feelings for her husband.

Although the Princesse de Clèves plays by the rules of the *Carte de Tendre*, where her *amour d'inclination* leads to shame, suffering, and death, her adventure would, perhaps, have had a happier ending had she and her lover followed instead Tristan Lhermite's *Carte du Royaume d'Amour* [Map of the Realm of

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41   "… si on la compare aux grands cycles courtois ou au *Roman de la Rose*, la Carte de Tendre propose un itinéraire amoureux tronqué, raccourci, mais qui conserve cependant suffisamment d'étapes pour permettre la transformation morale de l'amant, son éducation sentimentale." See: Myriam Maître, *Les Précieuses: Naissance des femmes de lettres en France au XVIIe siècle* (Paris: Honoré Champion, 1999), 588.

FIGURE 15.1   Gravure: *la Carte de Tendre*, Paris, BNF (1654).

Love],[42] where "les plaisirs succèdent souvent aux douleurs, on se console fa-
cilement" [pleasure often follows sorrow, one is easily consoled],[43] and where
they might have left Monsieur de Clèves resting in peace on (or under) the
broad and lovely *Plaine d'Indiference* [Plain of Indifference] and taken up resi-
dence in the village of *Feu déclaré* [Passion Declared], where "[o]n les prend-
rait pour être des gens fort vertueux, car ils ont toujours sur le teint la rougeur

42   "Le Royaume d'Amour est situé fort pres de celuy des Pretieuses. C'est une contree fort
      agreable, où il y a de la satisfaction de voyager, quand on en sçait la Carte en perfection, et
      qu'on n'est point en hazard de s'y fourvoyer" [The Realm of Love is situated very close to
      that of the Précieuses. It is a very pleasant land, where it is satisfying to travel, when one
      knows the Map perfectly, and one is in no danger of going astray]. See: Tristan L'Hermite,
      *La Carte du Royaume d'Amour ou la description succincte de la contrée qu'il régit, de ses
      principales villes, bourgades et autres lieux, et le chemin qu'il faut tenir pour y faire voyage*,
      in *Recueil de pieces en prose, les plus agreables de ce temps. Composées par divers autheurs*,
      ed. Charles de Sercy (Paris: Charles de Sercy, 1658), 324.
43   L'Hermite, *La Carte du Royaume d'Amour*, 328.

d'une honneste honte" [they would be taken for very virtuous people, for they always have on their face the blush of an honest shame].[44]

The Royaume d'Amour is, however, an idyll that La Fayette never allowed her heroine to experience. The princess' shame at her undeclared passion for Nemours leads directly to the confession of emotional infidelity that causes her husband's death, her own seclusion, and, ultimately, the loss of Nemours' love for her. As a non-figurative map of the course of love, *La Princesse de Clèves* charts in chilling detail the route that leads from passionless marriage and re-pressed erotic longing to disaster and destruction.

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44   L'Hermite, *La Carte du Royaume d'Amour*, 328.

The Shame Game, from Guinevere to Cersei: Adultery, Treason, and Betrayal

Larissa Tracy

A woman steps out into harsh, bitter sunlight.* Naked and shorn, she faces a public that only weeks before feared her, revered her, heralded her every move, and worshipped her as their queen, or queen mother. Publicly shamed, she affects contrition and begins her penance. Each step is agony on her bare feet; each movement is torment to her limbs, weakened by starvation and dehydration. She steps gingerly through puddles of filth and feels the slime of the street upon her skin as she winds her way through the narrow city streets thronged with people who taunt her, hurling insults and rotten food at her. But this is her only option: Confess to fornication, incest, treason, and the murder of her husband, the king, endure public humiliation and shame; or face death—execution as a traitor, an even more shameful end. So, the people see her naked, and they stare at the body that has given birth to kings. This she can endure.[1]

The last three episodes of Season 5 of HBO's *Game of Thrones*, adapted from George R.R. Martin's fantasy series *A Song of Ice and Fire* (1991–), leads up to this moment as Queen Mother Cersei Lannister's grand plans for wresting control of the throne and her youngest son, Tommen, away from his guileful bride Margery Tyrell and her House, backfire. Cersei's uncle Kervan, called to King's Landing to serve as the Hand (the King's chancellor), urges her to confess to adultery with her cousin Lancel, take her punishment—a public walk of shame, naked, through the streets of King's Landing—and spare the Lannisters, and her son, any further embarrassment.

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1   George R.R. Martin, *Song of Ice and Fire: Vol. 5, A Dance with Dragons* (New York: Bantam Books, 2011), 931–41; this is also the final scene of the fifth season of the HBO series *Game of Thrones*: "Mother's Mercy," S5 E10 (June 14, 2015).

Cersei's punishment echoes numerous medieval literary accounts of public humiliation for adultery, providing a visual framework for understanding the gravity of this penance and the accusations of adultery as treason that necessitate it. As Carolyne Larrington writes, in addition to its elements of high fantasy, the *Game of Thrones* series encompasses "very real questions about the politics of kingship, religious faith and social organization."[2] Often, the events of Westros and contemporary politics mesh together in uncomfortable ways for modern audiences, especially regarding treason and justice.[3] In the case of all queens who fornicate with someone other than their king, Cersei is also guilty of treason (not to mention the *regicide* of planning her husband King Robert Baratheon's untimely demise).[4] Even more than Guinevere, one of the most famous adulteresses in medieval literature—known in modern popular culture and a significant amount of the medieval tradition for her disastrous liaison with either her husband's best knight, Lancelot, or his nephew/son Mordred, and whose *mauvaise renommée* [bad reputation] resounds through the centuries—Cersei's reputation will suffer from this spectacle more than she realizes. This moment in the modern series *Game of Thrones/A Song of Ice and Fire* (hereafter *GoT/SoIF*) captures the essence of medieval punishment for adultery, when the aggrieved party is not simply the wronged husband but the King, while ignoring the larger question of that betrayal as treason.[5] However, numerous medieval literary accounts of infidelity emphasize the treacherous nature of adultery itself, when the betrayal of a royal

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2   Carolyne Larrington, *Winter is Coming: The Medieval World of Game of Thrones* (London: I.B. Tauris, 2016), 1.

3   Larrington, *Winter is Coming*, 5. Katha Pollitt makes this point in her article "This Season, 'Game of Thrones' Cut Deep: In a Fantastically Misogynist Imaginary World, A Highly Qualified Woman gets Close to Winning Power," *The Nation* (August 31, 2017), observing that "Daenerys is Hillary Clinton with dragons." <https://www.thenation.com/article/this-season-game-of-thrones-cut-deep/> (accessed August 31, 2017).

4   The adultery and incest between Cersei and her brother Jaime produces the heirs to the throne that have been passed off as the children of Robert Baratheon. King Robert is killed while hunting boar, having drunk drugged wine, to cover this up as other characters close in on the truth. This is major thread running through most of the novels and is alluded to repeatedly. George R.R. Martin, *Song of Ice and Fire: Vol. 1, Game of Thrones* (New York: Bantam Books, 1997), esp. 485–8, 507–13, and 528 and George R.R. Martin, *Song of Ice and Fire: Vol. 2, Clash of Kings* (New York: Bantam Books, 1999), 61–2, 410–2.

5   While Cersei's punishment comes long after the death of her husband, her adultery and treason are running plot lines throughout the books and the HBO series, and, essentially, it is only when she is in a position of political weakness that she is tried for adultery. She faces other charges but avoids another trial by blowing up the Sept at King's Landing with most of her political enemies inside it at the very end of Season Six: "The Winds of Winter," S6 E10 (June 26, 2016).

husband by his wife is not a private or personal act against the body of the king but a public act against the body politic that legally amounts to treason. Medieval literary sources like Marie de France's twelfth-century Breton lai *Lanval* (c. 1155–1170), the early-fifteenth-century adaptation *Sir Launfal*, and the late-fourteenth century stanzaic *Morte Arthur* (hereafter s*MA*) echo chronicle accounts like those of Elizabeth Shore, employing legal definitions of adultery and treason as symbiotic acts wherein the betrayal of a king by his wife results in not just a private sexual crime but in a public crime against the entire state.

The scene in *GoT* could just as easily have been that enacted in front of St. Paul's Cathedral in 1483, as Elizabeth (Jane) Shore, mistress to the late King Edward IV, was forced to walk in her shift (technically "naked"), carrying a lighted taper around the church in a public display of humiliation.[6] This is not as dramatic as Cersei's punishment, but one more in keeping with the sensibilities of the fifteenth century. Sir Thomas More, who knew Shore at the end of her long life and spoke kindly of her,[7] gives the first complete account of Shore's punishment and the accusation of treason by Richard, Duke of Gloucester, that precipitated it, as well as her association with Gloucester's political enemies as he himself sought to commit treason by placing himself on the throne as Richard III. In fact, the Wars of the Roses were part of Martin's inspiration for *GoT/SoIF,* "and filtered through Martin's powerful imagination and the epic vision of show creators David Benioff and Dan Weiss, the facts of history are transmuted into something richer, stranger and more archetypal."[8] Similarly, the story of Elizabeth Shore's penance reverberated through literary and dramatic history after the release of More's sixteenth-century account. Both More's *History of Richard III* and Thomas Heywood's *King Edward IV* depict the middle-class Shore as worthy of admiration.[9] Thomas Churchyard's contribution to the second edition of *The Mirror of Magistrates* (1563) rewrites the tale as the life of a woman of meager beginnings who was ill-matched in marriage, betrayed by friends, and accused by Richard III of treason.[10] Her adultery is depicted as intersecting with class politics in ways that form the

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6   Alison Weir, *The Princes in the Tower* (London: Pimlico, 1993), 107. Larrington makes a similar comparison between Cersei's walk of shame and Jane Shore (*Winter is Coming*, 112–3). For a detailed discussion of hair-shearing and public humiliation of women, see: Barbara A. Hanawalt, *'Of Good and Ill Repute': Gender and Social Control in Medieval England* (Oxford: Oxford University Press, 1998), 26–7.

7   Weir, *The Princes in the Tower*, 55.

8   Larrington, *Winter is Coming*, 2.

9   Katherine Crawford, "Privilege, Possibility, and Perversion: Rethinking the Study of Early Modern Sexuality," *Journal of Modern History* 78.2 (June 2006): 412–33 at 419.

10   Mary Steible, "Jane Shore and the Politics of Cursing," *Studies in English Literature, 1500–1900* 43.1 (Winter 2003): 1–17 at 1.

gendered discourse on sexual betrayal.[11] She has been used as a symbol of class and gender inequity, while variously being portrayed as a victim of tyranny, a stalwart defender of her sex, and an unrepentant harlot who maneuvered herself into a position of influence (if not power) by moving from the bed of one powerful man to another (Edward IV, the Duke of Hastings, and the Marquis of Dorset, respectively).[12] Citing Richard Helgerson, Katherine Crawford explains that "Shore serves as a marker of the relationship between the domestic and the high state politics—a marker passed between men."[13] In other historical narratives, Shore was defamed; charged with witchcraft by Gloucester, she was considered a treasonous and subversive figure.[14]

But Shore's adultery was with a king (Edward IV) not against one; her crime was an act of treachery against her husband, who was not the embodiment of the state.[15] Indeed, Gloucester's accusation of treason was based on his claim that she and Edward IV's wife, Elizabeth Wydville, withered his hand through witchcraft.[16] Shore was further implicated in the exchange of information between Wydville and Hastings when Wydville took sanctuary in Westminster Abbey, allegedly carrying missives between them to plot against Gloucester.[17] Thus, Shore became embroiled in Gloucester's moves to displace, discredit, and destroy Hastings—whom he had executed for treason contrary to law, according to the *Great Chronicle,* because he was denied the trial of his peers guaranteed by *Magna Carta*.[18] As Alison Weir points out, crimes against the Protector, Richard's position at the time, were not actually treason, but "Gloucester was not concerned with such niceties."[19] Gloucester's accusation of treason against Shore was a political maneuver aimed, not only at Edward's former mistress, but also at Edward's wife, and Eleanor Cobham, the Duchess of Hastings. Cobham was also subjected to open penance. However, it was

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11   Crawford, "Privilege, Possibility, and Perversion," 419.

12   Weir, *The Princes in the Tower*, 65.

13   Richard Helgerson, *Adulterous Alliances: Home, State, and History in Early Modern European Drama and Painting* (Chicago: University of Chicago Press, 2003), 38–43; Crawford, "Privilege, Possibility, and Perversion," 419.

14   Steible, "Jane Shore and the Politics of Cursing," 3.

15   In fact, Elizabeth Shore's marriage was annulled in 1476 on the grounds of her husband's impotence, though she became Edward IV's mistress prior to that (Weir, *The Princes in the Tower*, 54–5).

16   Weir, *The Princes in the Tower*, 104. Richard III makes a similar charge in William Shakespeare's *Richard III* (III.iv.67–72). Shakespeare is drawing primarily upon More's account for his play.

17   Weir, *The Princes in the Tower*, 100.

18   Weir, *The Princes in the Tower*, 105.

19   Weir, *The Princes in the Tower*, 104.

Shore, rather than the duchess, who became popular with dramatists, poets, and ballad authors.[20] The treasonous Gloucester, later Richard III, accuses these women of treason—the hypocrisy of tyranny. More even mocks Gloucester's hypocrisy for punishing Shore's adultery as though he were free from sin himself, irony that becomes less playful and more bitter after he relates the murder of the princes.[21] Arthur Kincaid notes that the public reaction to the usurping Richard III in More's account becomes more clearly defined in the episodes of Shore's penance. What had been a "shadowy, secret thing which those who felt it could not verbalize, even to themselves" is exposed by a schoolmaster's comment, and there is outright laughter at "Richard's suddenly charging Jane Shore with the adultery which had been common knowledge for many years past."[22]

In this affair, the bodies of women linked sexually to royalty and nobility are the parchment upon which treason is written, but not simply because of adultery. In "Inscriptions of the Law on the Body," Michel de Certeau writes, "it remains that the law constantly writes itself on bodies. It engraves itself on parchments made from the skins of its subjects. It articulates them in a juridical corpus. It makes its book out of them[.]... The skin of the servant is the parchment on which the master's hand writes."[23] Treason is the significant point in most of these narratives, one that resonated throughout medieval society. Treason could also be seen as something to overcome, a spiritual test. Thus, for instance, in Felix's *vita* of Guthlac (674–715 CE), according to Sally Shockro, the perfidy of the traitor allows the holy man to exhibit his connection to divine power in a way that would not otherwise have been possible. God's plan is not only intact after the treachery, but was furthered through the process of overcoming the betrayal.[24] Treason was also useful for organizing processes of internal "Othering," as Freddy Domínguez contends in terms of intra-Catholic conflicts of the sixteenth century: "Thus, Catholic responses to, and engagements with, accusations of treason show the concept was far from self-evident and was subject to manipulations guided by a range of rhetorical and political concerns."[25]

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20   Steible, "Jane Shore and the Politics of Cursing," 7.

21   Arthur Noel Kincaid, "The Dramatic Structure of Sir Thomas More's History of King Richard III," *Studies in English Literature, 1500–1900* 12.2 (Spring 1972): 223–42 at 236.

22   Kincaid, "The Dramatic Structure," 238.

23   Michel de Certeau, *The Practice of Everyday Life*, trans. Steven Rendall (Berkeley: University of California Press, 1984), 140. I am grateful to Asa Simon Mittman for this reference.

24   Sally Shockro, "Blessed Betrayal: The Opportunity of Treachery in Anglo-Latin Ecclesiastical Texts," 191.

25   Freddy C. Domínguez, "Traitors Respond: English Catholic Polemical Strategies against Accusations of Treason at the End of the Sixteenth Century," 251.

Adultery was only one such wide-ranging component, and it was often a convenient excuse for levying charges of witchcraft and other kinds of treachery and collusion, including defining mariticide as "petty treason." Dianne Berg argues that within the socio-political context of late Elizabethan England, the petty traitor in the emerging theatrical genre of domestic tragedies like *Arden of Faversham* and *A Warning for Fair Women* (composed c. 1590, published 1599) appropriates and manipulates 'true crime' narratives to allow audiences a voyeuristic glimpse of wifely violence and insubordination, while serving a conservative social agenda.[26] This voyeurism is certainly present in the public penance of Shore, and enacted all the more so in the case of Cersei Lannister. The gaze of men who witness the punishment of adulterous women, or who witness the adultery itself, reifies the sense of social justice in the spectacle that maintains the primacy of the patriarchy.

The act of committing adultery, regardless of the historical period, is treacherous because it involves a breach of trust and of the marriage contract; however, in the Middle Ages, that treachery evolves into actual legal treason when the act is committed by the consort of a king. Accusations of adultery undermined the queen's political and moral position, signaling a wider mistrust of women in positions of strength.[27] As Joanna Laynesmith argues, because women's reputations relied so much on their chastity, to accuse a queen of being unchaste implied that there was no virtue of any kind in her, and, thus, that she was not fit for the role of political leader or equal to her husband.[28] So, accusations of adultery against a queen not only amounted to the woman being charged with a legal act (treason), but also to the king being exposed to the threat of deposition; for fundamentally, a king who cannot control the body of his queen was considered weak and unfit to rule. And a kingdom wherein the queen gives her body to other men is one whose king has lost control, whose court is riven by internal strife, that slides into war and the destruction of its king.[29] The essays in this volume address treason in a variety of medieval and early modern legal, political, and social spheres, but treasonous adultery features prominently in many of the literary sources. This specific form of treason is a staple of the medieval Arthurian tradition that was produced across Eu-

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26   Dianne Berg, "'Tis Fearful Sleeping in a Serpent's Bed': *Arden of Faversham* and the Threat of the Petty Traitor," 353.

27   Joanna Laynesmith, "Telling Tales of Adulterous Queens in Medieval England," in *Every Inch a King: Comparative Studies on Kings and Kingship in the Ancient and Medieval Words*, ed. Lynette Mitchell and Charles Melville (Leiden: Brill, 2013), 195–214 at 205.

28   Laynesmith, "Telling Tales of Adulterous Queens," 211.

29   Laynesmith, "Telling Tales of Adulterous Queens," 212.

rope for centuries.[30] As Tina Boyer writes, the epic thirteenth-century *Morant und Galie* incorporates the accusation of adultery and treason into one charge; by betraying the king with his best knight, Galie, like Guinevere, commits treason. Similarly, in Thomas Malory's *Morte Darthur* (completed 1469–70; published 1485), as Melissa Ridley Elmes explains, Guinevere is both a victim and a source of the violence at court, revealing the "very real, very personal, and too often insurmountable stakes that acts of treason produce within a chivalric community."[31]

According to the *Mirror of Justices*, those who "should defile the king's wife or his eldest legitimate daughter before her marriage or the nurse suckling the heir of the king" were classified as traitors.[32] It did not matter if the queen was willing or was complicit in the adultery. Any sexual act with the queen by anyone who was not the king could be classified as treason. This volume attests to the close link between adultery and treason in both the medieval and early modern imagination. Inna Matyushina, Susan Small, Boyer, and Ridley Elmes all address the complexities of adultery and shame within courtly society, and the profound effect public revelations of even the most minor indiscretions had on women and on the men in their lives. Albrecht Classen surveys the prevalence of adultery in chivalric literature, particularly *Königin Sibille* by Countess Elisabeth von Nassau-Saarbrücken (1437), Thüring von Ringoltingen's *Melusine* (1456), and the anonymous *Malagis* (c. 1460).[33] Small examines the consequences of adultery, shame, and suffering in Madeleine de Scudéry's 10-volume *roman-fleuve*, *Clélie: Histoire romaine* (1654–1660) and "the masterpiece of sixteenth-century amorous angst," *La Princesse de Clèves* (1678), first published anonymously, but now attributed to Madame de La Fayette.[34] Berg explores the public accusations of treason against both adulterous and murderous women. As Ana Grinberg explains, familial betrayal has deep roots in not only the Arthurian texts that involve Mordred's betrayal of his uncle, Arthur, but in the Carolingian romance tradition as well. Treason plays out frequently in chivalric narratives all over medieval Europe, including Florence and Tuscany (Sposato) and Trastámara Castile (Claussen). But the ramifica-

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30   See the special issue of *Arthuriana* dedicated entirely to adultery and its excellent range of essays that cover French and English material: C.M. Adderley, ed., *Arthuriana* 7.4 (1997).

31   Melissa Ridley Elmes, "Treason and the Feast in Sir Thomas Malory's *Morte Darthur*," 323.

32   J.G. Bellamy, *The Law of Treason in England in the Later Middle Ages* (Cambridge: Cambridge University Press, 1970), 15–6.

33   Albrecht Classen, "Treason and Deception in Late Medieval German Romances and Novels *Königin Sibille*, *Melusine*, and *Malagis*."

34   *Madeleine de Scudéry, Clélie, Histoire romaine* (Paris: Augustin Courbé, 1654). See: Susan Small, "The Spatial Configuration of Shame in *La Princesse de Clèves*."

tions of adultery have a much deeper impact than public shaming when coupled with allegations of treachery, or when the adultery itself is an act of treason.

The relationship between the literary lovers Lancelot and Guinevere has framed many scholarly discussions on medieval adultery largely because it influenced many medieval discussions of adultery as well. Chrétien de Troyes first introduces the iconic lover Lancelot to the Arthurian tradition in his *Le Chevalier de la Charrette* [*The Knight of the Cart*] (c. 1177–78): in Derek Brewer's pithy phrase, "Lancelot seems ... to spring fully-formed from the mind of Chrétien de Troyes in the late twelfth century," and once he does spring forth, he almost immediately establishes himself as simultaneously "the loyal servant, the loyal lover, and the supreme [and adulterous] traitor."[35] But Guinevere's penchant for adultery predates the introduction of Lancelot into the Arthurian canon. In *Trioedd Ynys Prydein* [*The Triads of the Island of Britain*], three Guineveres are listed as Arthur's wives (Triad 56), but she is also condemned as worse than the "Three Faithless Wives of Britain" (Triad 80): "Ac un oed aniweirach nor teir hynny: Gwenh6yuar gwreic Arthur, kanys gwell g6r y gwnai hi gyweilyd ida6 no neb" [And one was more faithless than those three: Gwenhwyfar, Arthur's wife, since she shamed a better man than any (of the others)].[36] In the legendary histories, Arthur is the established government; he is king, but he will be brought down by the treachery of others, not specifically Lancelot and Guinevere (though she is usually involved). From the earliest Arthurian narrative of Geoffrey of Monmouth in his *Historia regum Britanniae* [*The History of the Kings of Britain*; hereafter *Historia*] (c. 1138), Guinevere is the object of adulterous intentions. In some cases, like the *Historia*, she participates in adultery with Arthur's usurping nephew Mordred, but does not actively precipitate it, nor does Geoffrey indicate (contrary to some late versions) her willingness. In others, like the Middle English adaptation of Geoffrey's *Historia* by Laȝamon, she embraces not only the attentions of Mordred but the act of treason it represents. In Arthur's second prophetic dream in Laȝamon's *Brut* (early thirteenth century), she rips down his hall roof with her bare hands as Mordred hacks away at the foundations with an ax: "Þer ich

35   Derek Brewer, "The Presentation of the Character of Lancelot: Chrétien to Malory," *Arthurian Literature* 3 (1983): 26–52.

36   *Trioedd Ynys Prydein: The Triads of the Island of Britain*, ed. and trans. Rachel Bromwich (Cardiff: University of Wales Press, 2009), 161 (Triad 56), 210 (Triad 80). See also: Siân Echard's summary of the development of Guinevere's character: <http://faculty.arts.ubc.ca/sechard/344guen.htm> (accessed June 18, 2018). I am grateful to Kevin Whetter for directing me to this reference. Cf. Inna Matyushina, "Treacherous Women at King Arthur's Court: Punishment and Shame," 298, 313.

iseh Wenheuer eke, wimmonnen leofuest me; / al þere muche halle rof mid hire honden heo todroh" (13992–3).[37] The hall sways and Arthur falls, breaking his right arm (13995), symbolizing the loss of his most trusted knight and vassal. At Mordred's delighted exultation, Gawain topples beside Arthur, breaking both arms (13997), signifying his death at the hands of the traitor and his inability to stop Mordred's treason. Arthur grabs his sword, strikes off Mordred's head, as befits a traitor, and then hacks the queen into pieces, thrusting her down into "ane swarte putte" (13999–14001). As Karen Cherewatuk explains, the dream "indicates both the decisive justice that the *Brut* advocates as well as its intolerance for female characters who transgress morality."[38] The dream-vision of Mordred's treachery is vivid enough, but his treason is compounded by Guinevere's complicit participation. Unlike earlier versions of the Arthurian tragedy, she is not a victim of Mordred's plots and designs; in the dream vision, she literally brings the roof of Arthur's kingdom down upon his head with her bare hands before he can exact swift and total justice. Cherewatuk argues that "the king's kin thus rely on their hands to uphold or undermine his rule" represented by the hall.[39] While the familial treachery of his nephew undermines the heart of Arthur's rule—just as it does Charlemagne's in the *Cycle du roi* (Grinberg)—the intimate betrayal of his wife, who willingly unites with the traitor in adultery, destroys the institutional structure of his kingship.

The legacy of the chronicle accounts is felt throughout Arthurian romance, which often emphasizes the destabilizing effect adultery and treason have on the Arthurian court. In *Lanval*, Guinevere launches herself at the young, newly-enriched knight, slandering him when he rejects her and accusing him to the king.[40] Lanval courteously refuses, citing his loyalty to Arthur (269–74). Annoyed at his refusal, Guinevere accuses him of not being interested in women:

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37 W.R.J. Barron and S.C. Weinberg, ed. and trans., *Layamon's Arthur: The Arthurian Section of Layamon's* Brut, rev. ed. (Exeter: University of Exeter Press, 2001). For more on this dream, see: Eithne M. O'Sharkey, "King Arthur's Prophetic Dreams and the Role of Mordred in Layamon's *Brut* and the Alliterative *Morte Arthure*," *Romania* 99.395 (1978): 347–362.

38 Karen Cherewatuk, "Dying in Uncle Arthur's Arms and at his Hands," in *The Arthurian Way of Death: The English Tradition*, ed. Karen Cherewatuk and K.S. Whetter, 50–70 (Cambridge: D.S. Brewer, 2009), 65.

39 Cherewatuk, "Dying in Uncle Arthur's Arms," 64–5. She also argues that Gawain and Mordred are cast as opposites: loyalty and disloyalty. Since they are brothers, and Arthur's nephews, they represent the two sides of Arthurian treachery (62).

40 Marie de France, *Lanval*, trans. Claire M. Waters, in *The* Lais *of Marie de France: Text and Translation* (Peterborough, ON: Broadview Press, 2018), 162–95. Waters' critical edition and translation of the Anglo-Norman text are based on London, British Library MS Harley 978. Line numbers are given in parentheses.

"'Vallez avez bien afeitiez, / ensemble od eus vus deduiez'" ["You have shapely young men / and take your pleasure with them"] (281–2). In his defense, Lanval reveals the existence of his faery lady, claiming that she is far more beautiful and worthy. Guinevere plots to destroy Lanval, complaining to the king that the knight insulted her greatly when *she* refused *his* advances (315–24) and when he boasted of his lady.[41] Later Middle English adaptations of *Lanval*, like Thomas Chestre's *Sir Launfal*, expand on her adulterous and treasonous behavior, making her reputation for extra-curricular sexual appetites well-known and well-reviled among the knights: "For the lady bar los of swych word / That sche hadde lemmannys under her lord, / So fele ther nas noon ende" (46–8).[42] Her reputation of having *so* many lovers besides her lord that there is no end precedes her and casts doubt on her accusations of treason against Launfal. In fact, Launfal's refusal is based entirely on his desire *not* to commit treason by being her lover: "'I nell be traytour, day ne nyght'" (683). For his fidelity to Arthur, Guinevere threatens Launfal with hanging, calling him a coward who "'lovyst no woman, ne no woman the'" (689). The queen accuses Launfal to the king of propositioning her, and the king's response is to order a traitor's death: hanging and drawing (729). Launfal, whose magical armor turns black at his true treason—revealing the existence of his faery love (Tryamour) against her express wishes—is declared a "Fyle ataynte traytour'" (761) for boasting that Tryamour is more beautiful than Guinevere, as well as for dishonoring the queen by seeking an adulterous affair (766–8). Arthur's declaration that Launfal is a vile, attainted traitor adds the legal definition of treason in fourteenth-century England to a text that is rife with legal procedure and references, giving weight to the severity of the charge. The act of attainder declared someone a traitor and disinherited their heirs in a parliamentary act without due process.[43] By the 1320s, any case in which final legal judgment had been made and the accused found guilty was an act of attainder, but after Richard II's revenge on his rebellious barons in 1397–8, the judicial process almost disappeared and

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41   I examine the implications of these accusations and proceedings for the perception of justice and good governance in the Arthurian tradition in Chapter 4 and 5 of *England's Medieval Literary Heroes: Law, Literature, and National Identity*, in progress.

42   *Sir Launfal*, ed. Stephen H.A. Shepherd, in *Middle English Romances* (New York: W.W. Norton, 1995), 190–218. Line numbers are given in parentheses. *Sir Launfal* survives in London, British Library MS Cotton Caligula A.II, fols. 35v–42v, which dates from the first half of the fifteenth century, though the poem itself dates from the end of the fourteenth century (Shepherd, introductory note, 190). For a discussion on the female power of patronage in *Sir Launfal*, see: Amy Vines, *Women's Power in Late Medieval Romance* (Cambridge: D.S. Brewer, 2011), esp. 115–39.

43   Bellamy, *The Law of Treason*, 177.

the pronouncement of penalty stood by itself.[44] When the poem was written, ideas and laws about treason were shifting, as was public perception in the wake of civil unrest among the English nobility.

As with the contemporary s*MA*, Guinevere's reputation among Arthur's knights works against her; they believe Launfal, blame her immediately, and work to free him, pressing Arthur to follow the laws that he is entrusted to uphold (794–5).[45] The knights announce to the king that they find fault with Guinevere, not Launfal, but he still needs to produce his faery love or be "hongede, as a thef" (803). While Arthur still rages at Launfal's alleged insult to his wife, still orders him punished, and pre-judges him, he also empanels a jury of twelve knights. These knights all

> seyde ham between
> That knewe the maners of the Quene
> And the queste toke,
> The Quene bar los of swych a word
> that sche lovede lemmannes without her lord.
> Har never on hyt forsoke. (878–92)

Arthur appears to side with Guinevere in *Sir Launfal*, but there is also a sense that everyone is aware of Guinevere's reputation and that Arthur is stretching the limits of justice in prosecuting him. Until Launfal proves his integrity and honor with the appearance of Tryamour, Arthur consistently refers to him as a traitor. Of course, the true treason will be revealed when Tryamour does appear: "[w]yth that, Dame Tryamour to the Quene geth / And blew on her swych a breth / that never eft might sche se" (1006–8). Guinevere's punishment echoes the actual penalty for treason instituted by William I after the Conquest, which

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44   Bellamy, *The Law of Treason*, 177.

45   For a more favorable reading of Gaynour/Guinevere in the stanzaic poem, see: Fiona Tolhurst and K.S. Whetter, "Standing Up for the Stanzaic-poet: Artistry, Characterization, and Narration in the Stanzaic *Morte Arthur* and Malory's *Morte Darthur*," *Arthuriana* 28.3 (Fall 2018). In both their article and the introduction to the volume, "Re-evaluating the Stanzaic *Morte Arthur*: Content and Contexts," Tolhurst and Whetter argue that the s*MA*-poet sympathizes with the two lovers by presenting their separation as a heart-rending scene: "A poet who did not know the love story or who expected his audience to be completely hostile to the adultery committed by Arthur's queen would have been unlikely to go out of his way to create an extended and emotionally intense separation scene that enhances the poem's already sympathetic portrait of Launcelot and Gaynour" (3). I am grateful to Whetter for this reference and to Tolhurst for providing me with pre-production copies of this issue of *Arthuriana.*

allowed for castration and blinding.[46] Thus, the long tradition of treason committed through adultery becomes a staple of the Arthurian tradition, despite variations in some French Arthurian texts (like those of Chrétien) and Malory, in which Guinevere is much more sympathetic (Ridley Elmes). Malory famously says that Guinevere, "whyle she lyved she was a trew lover, and therefor she had a good ende" (3:18.1120.12–13).[47] English Arthuriana does not always dwell on the adultery of Guinevere (with or without Lancelot), focusing instead on the familial treachery of Mordred who usurps his uncle's throne while the latter is facing a challenge from Rome. The familial betrayal, like that of Ganelon in the Charlemagne tradition discussed by Grinberg, has far-reaching consequences, explored by Claussen, Sposato, and Sprouse in this volume, as well.

The treachery of family, whether it amounts to legal treason or not, is insidious in its intimacy of blood relation rather than the marriage bed. Frank Battaglia argues that in *Beowulf*, ties of kinship are betrayed in the interests of forming a new political identity. In the poem, "the complicated sequence that brings Wiglaf's sword to aid Beowulf inscribes an opposing discursive formation, undermining, and in fact betraying, those kinship avowals in a transcendent endorsement of an emerging political principle."[48] Daniel Thomas argues that the Old English *Genesis B* is a fragmentary witness to an originally Carolingian, Old Saxon poem and, as such, Lucifer's act of betrayal in *Genesis B*, when he abandons his lord through pride, echoes historical concerns among the power-sharing Carolingian elite whose behavior was often treasonous.[49] Sarah Sprouse details Gerald of Wale's lament for both the treason of his nephew and the treachery of his world. Treason within the family cut deeply in medieval society as it would in any society that relied on close bonds of kinship. In the late-fourteenth century alliterative *Morte Arthure* (hereafter a*MA*), Lancelot does not even appear; the poet returns to the material of the chronicles and emphasizes the treachery—and adultery—of Arthur's nephew instead. In this epic narrative, the poet focuses on the imperial endeavors of Arthur and his knights as they conquer much of western Europe and ultimately head towards

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46   See: *Castration and Culture in the Middle Ages*, ed. Larissa Tracy (Cambridge: D.S. Brewer, 2013). Since castration was not an option for women, some laws called for them to be mutilated by cutting off their noses as punishment for adultery. See: Valentin Groebner, *Defaced: The Visual Culture of Violence in the Late Middle Ages*, trans. Pamela Selwyn (New York: Zone Books, 2008) and Larissa Tracy, "Sympathizing with the Werewolf's Wife: The Dynamics of Trust, Betrayal, and Bestiality in *Bisclavret*," in *Animal Husbandry: Bestiality in Medieval Culture*, ed. Jacqueline Stuhmiller (Leiden: Brill, forthcoming).

47   All textual citations of Malory are from *The Works of Sir Thomas Malory*, ed. E. Vinaver, 3rd edn., rev. P.J.C. Field, 3 vols. (Oxford: Oxford University Press, 1990). Volume, book, page, and line numbers are given in parentheses.

48   Frank Battaglia, "Wiglaf's Sword: The Coming of the State," 27.

49   Daniel Thomas, "Revolt in Heaven: Lucifer's Treason in *Genesis B*."

Rome to answer the emperor's demand for tribute with a good sacking, leaving Arthur's kingdom open to treason.

When Arthur entrusts Mordred with his kingdom at a parliament in York while he answers the threat from Rome (644–7), he gives full instructions to his nephew to honor Guinevere, keep his kingdom intact, maintain the law and justice of the land, and, above all, remain loyal.[50] If Mordred carries himself honorably, then, if he returns, Arthur will crown him king with his own hands:

> "Of all my wordles wele   and my wife eek;
> Look thou keep thee so clere   there be no cause founden
> When I to countree come,   if Crist will it thole;
> And thou have grace goodly   to govern thyselven,
> I shall crown thee, knight,   king with my hands." (674–8)

Part of Mordred's charge includes looking after Guinevere in addition to Arthur's castles and his lands, and giving her free dominion over them so that she can take her solace when she chooses:

> "I will that Waynor, my wife,   in worship be holden.
> That her want no wele   ne welth that her likes;
> Look my kidd casteles   be clenlich arrayed,
> There sho may sujourn herselve   with seemlich bernes;
> Fonde my forestes be frithed,   of frendship for ever,
> That none warray my wild   but Waynor herselven,
> And that in the sesoun   when grees is assigned,
> That sho take her solace   in certain times." (652–659)

However, when Arthur takes his leave of Guinevere in private (696–704), he specifies that Mordred is under *her* rule (710). He also notes that Mordred has been chosen regent because Guinevere has given him much praise (711). Unlike the earlier accounts of Wace and Laȝamon, Guinevere seems to be loyal at this early point in the poem, but later she is a willing lover, bearing children to Mordred and exchanging letters. She reveals the full extent of her complicit treason when she steals Arthur's ceremonial sword from his cabinet and gives it to Mordred who will later use it to kill the king (4189–218, 4235–41).

Arthur sets out the rule of law that Mordred blatantly flouts, giving him leave to replace local officials, magistrates, and justices:

> "Chaunceller and chamberlain   change as thee likes,
> Auditours and officers, ordain them thyselven,
> Both jurees and judges,   and justices of landes;
> Look thou justify them well   that injury works." (660–663).

Arthur's trust in Mordred is misplaced, but his desire to maintain the peace and surety of the nation in his absence make Mordred's betrayal even worse.

> "As I traist upon thee,   betray thou me never!
> As thou will answer before   the austeren Judge
> That all this world winly   wisse as Him likes,
> Look that my last will   be lely perfourned!
> Thou has clenly the cure   that to my crown longes." (669–673)

Despite Arthur's best intentions to leave his kingdom in order, in peace, and in justice while he confronts Rome, he will be betrayed by those closest to him—his nephew and his wife.

While the a*MA* focuses on the justice and good law of Arthur based on the chronicles,[51] the s*MA* and Malory draw directly from the French romance

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51   The dominant reading of the alliterative poem argues that Arthur, sooner or later, becomes a failed king, guilty of sin, ambition, and, for some critics, even tyranny. See, for example: Patricia DeMarco, "Inscribing the Body with Meaning: Chivalric Culture and the Norms of Violence in *The Vows of the Heron*," in *Inscribing the Hundred Years' War in French and English Cultures*, ed. Denise N. Baker, 27–53 (Albany: State University of New York Press, 2000); Patricia DeMarco, "An Arthur for the Ricardian Age: Crown, Nobility, and the Alliterative 'Morte Arthure'," *Speculum* 80.2 (Apr. 2005): 464–493; Christine Chism, "Friendly Fire: The Disastrous Politics of Friendship in the Alliterative 'Morte Arthure'," in *Arthuriana* 20.2 (Summer 2010): 66–88; Chism, *Alliterative Revivals* (Philadelphia: University of Pennsylvania Press, 2002), esp. 189–236. However, I contest this position in *England's Medieval Literary Heroes*. See also: Fiona Tolhurst and K.S. Whetter, "An Argument

tradition, refocusing the motivations of Arthur and many of his knights on the enactment of justice. Like the a*MA*, the s*MA* and Malory engage in the discourse of governance and correct rule but in the context of tournaments, love, and betrayal. The s*MA* draws from the thirteenth-century French *La Mort le Roi Artu*,[52] the final part of the *Vulgate Cycle* or *Lancelot-Grail Cycle*, and arguably reshapes the adultery of Lancelot and Guinevere in terms of the English laws on treason. However, unlike its source, the s*MA,* influenced perhaps by contemporary political events in England (possibly even Henry IV's removal of Richard II), presents Arthur's fall as a tragedy, a portrait that Malory found appealing, so much so that he follows the s*MA* closely in his version of Arthur's final battle and death.[53] The s*MA* and its legal action revolve around the adulterous and treasonous affair of Guinevere and Lancelot, an affair that is absent from much English Arthuriana, except Malory. The late-fourteenth century *Sir Gawain and the Green Knight* (hereafter *SGGK*), for instance, notably begins and ends with an evocation of Troy—foreshadowing the destruction of the Round Table and Arthur's kingdom through adultery, treachery, and betrayal.[54] But Lancelot does not appear except to be named (and then ignored) as one of several of Arthur's knights (553). Gawain is the central focus, and it is upon him that Morgan's test of the renown of the Round Table rests. Lynn Staley Johnson argues that *SGGK* is a warning to fourteenth century society, as "adultery and treason were the obvious causes for [the Round Table's] fall, but the luxury, worldliness, and laxity of Camelot were constant components of

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in Favor of Retracting the Dominant Interpretation of the Alliterative *Morte Arthure*," *Arthuriana* 28.3 (Winter 2018). Tolhurst and Whetter convincingly argue that the poem celebrates Arthur as a just and heroic king who engages in brutal warfare only when necessary, rather than casting him as a good-king-turned brutal tyrant. I am grateful to Tolhurst for providing me with an advance copy of this article.

52   *La Mort Le Roi Artu: Roman du XIIIe Siècle*, ed. Jean Frappier (Paris, 1936, rptd. Geneva: Droz, 1996). For an English discussion of the text, see: Karen Pratt, *La Mort le Roi Artu* (London: Grant & Cutler, 2004). See also: *Lancelot-Grail: The Old French Arthurian Vulgate and Post-Vulgate in Translation*, Vol. IV, ed. Norris J. Lacy (New York: Garland, 1995). The *Vulgate Cycle* includes: *Lancelot*, *Queste*, *Mort Artu*, *Estoire del Saint Graal*, and *Estoire Merlin-Suite*. See: Carol Dover, ed., *A Companion to the Lancelot-Grail Cycle* (Cambridge: D.S. Brewer, 2003).

53   Kennedy, "The Stanzaic *Morte Arthur*," 107. See also: Edward Donald Kennedy, "Malory and His English Sources," in *Aspects of Malory*, ed. Toshiyuki Takamiya and Derek Brewer (Woodbridge: Boydell Press, 1981), 27–55. On the generic influence of the stanzaic poem on Malory, see: K.S. Whetter, "The Stanzaic *Morte Arthur* and Medieval Tragedy," *Reading Medieval Studies* 28 (2002): 87–111.

54   *Sir Gawain and the Green Knight*, ed. J.R.R. Tolkien and E.V. Gordon, 2nd edn. ed. Norman Davis (Oxford: Clarendon, 1967).

descriptions of Arthur's court from Geoffrey of Monmouth onward."[55] The singular reference to Lancelot in *SGGK*, and the decision of the s*MA*-poet, and then Malory, to foreground the love of Lancelot and Guinevere, suggests that a fourteenth-century English audience would have known the story of Lancelot and Guinevere and, perhaps, would have recognized the association of Troy with Camelot that is raised by the *Gawain*-poet and the a*MA*-poet in their frame narratives.[56] Certainly, the *Gawain*-poet seems to foreshadow the dissolution of the Round Table through adultery and betrayal in a simple allusion.

The affair of Guinevere and Lancelot provides a template for understanding modern interpretations of medieval adultery—it is one of the most recognizable tropes in medievalism. Most modern adaptations sympathize with the lovers, as in the film *First Knight* (1995) wherein Guinevere (Julia Ormond) and Lancelot (Richard Gere) are torn between their love for each other and their duty to Arthur (Sean Connery). *GoT/SoIF,* however, focuses on the treachery and betrayal of Cersei's adultery—with the emphasis on *her* adultery, not that of the men with whom she engages in it, nor even on the rampant adultery of almost all the men in the series, including her murdered husband. As Larrington points out, no shame seems to attach to male promiscuity, even if their wives disapprove.[57] The remaining three episodes of Season Five touch upon Cersei's time in prison; waiting for her final trial, Cersei ponders the nature of her impending punishment, plotting her vengeance if her son restores her, vengeance that she exacts in brutal and sweeping measures at the end of Season Six. But at the end of Season Five, Cersei is shorn, her golden crown of hair cut, and her noble scalp scraped bare. All the hair of her body is subjected to the shears and the ice-cold razor. The very locus of her adultery and fornication is plucked out in a symbolic exercise of judicial chastity. She is completely naked, "not even a hair to hide behind" (S5 E10). Barefoot and bald, denied even sandals to protect her feet, Cersei is forced to face the masses. Her procession is the public spectacle of the shamed, her reputation in tatters; she becomes an inversion of Lady Godiva, whose nudity was covered by her hair and the public prohibition against peeking. The city is summoned to witness Cersei's shame, for what good is public penance if the public does not witness it?

Within this spectacle lies the grain of medieval historical fact that underlines the concept of treason and adultery and the punishment of both. Public

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55   Lynn Staley Johnson, *The Voice of the* Gawain-*Poet* (Madison: The University of Wisconsin Press, 1984), 45.

56   See: Elizabeth Archibald, "Lancelot as Lover in the English Tradition Before Malory," in *Arthurian Studies in Honour of P.J.C. Field,* ed. Bonnie Wheeler, 199–216 (Cambridge: D.S. Brewer, 2004), 200 n. 4.

57   Larrington, *Winter is Coming*, 31.

perception, knowledge, and acknowledgement are key. Throughout the medieval Arthurian corpus, too, it is the "discovery" of the adultery, not the act itself, that propels the narrative to the climax of conflict and destruction.[58] This implies that the treasonous nature of the adultery can continue as long as no one publicly acknowledges that it is happening. Certainly, Malory suggests as much in his famous statement that Arthur had long had "a demyng of" the affair, one he can ignore until Aggravain and Mordred prove that Lancelot "is a traytoure" to Arthur by making it public (3:20.1163.11, 20–25). Proving adultery was a tricky business in the Middle Ages. In the southern French province of Agen, adultery had to be seen by witnesses who caught the lovers *in the act.* According to the thirteenth-century Occitan *Costuma d'Agen*, the witnesses themselves had to be above reproach; very specifically, they must include a local judge and two council members. Ordinary citizens would not do.[59] Once the crime of adultery was established, the guilty party was punished by public humiliation: the man and woman were roped together naked and forced to walk through the town preceded by trumpeters for all to see; the public could even beat the adulterers with clubs.[60] If the man could escape before, or even after, arrest, he could get off without any kind of punishment. If not, then he had to face the punishment with his partner. But if he did flee, his partner had to face her punishment alone. This is exactly what happens in the s*MA* when Lancelot and Guinevere are "discovered" by knights who have been looking for an opportunity to make their affair public throughout the poem (1806–15).[61] Lancelot escapes, killing Agravain in the process, leaving Guinevere to face her accusers and the judgment of Arthur alone (1920–53). But he does come back to rescue her later—albeit with disastrous results (1954–65).

When faced with the public confrontation and accusation of his wife by members of his Council (and his family), Arthur has no choice but to respond and to act as Guinevere's judge. Her reputation makes it impossible for him to do anything else—a reputation that has already tested the acceptable boundaries of law in the text. Agravain has been trying to catch Guinevere and Lancelot *in flagrante delicto* since the beginning of the narrative when Lancelot fakes

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58 See, for example, at the end of the *La Mort Le Roi Artu*, Agravain's denunciation of lovers to Gawain and then later to Arthur in s*MA* (1676–1715; 1728–35), and Agravain and Mordred's denunciation of the lovers in Malory.

59 F.R.P. Akehurst, "Name, Reputation, and Notoriety in French Customary Law," in *Fama: The Politics of Talk and Reputation in Medieval Europe,* ed. Thelma Fenster and Daniel Lord Smail, 75–94 (Ithaca: Cornell University Press, 2003), 89.

60 Akehurst, "Name, Reputation, and Notoriety," 89.

61 All textual citations of the s*MA* are from *Le Morte Arthur: A Critical Edition,* ed. P.F. Hissiger (Paris: Mouton, 1975). Line numbers are given in parentheses.

an illness to abide with the queen rather than participate in the king's tournament (49–56; 59–64). In the s*MA* and Malory's later adaptation, Guinevere is accused more than once of treacherous crimes, most notably the murder of a Scottish knight by poison at her own table. As Ridley Elmes explains, Malory draws greater attention to the poisoning at the feast as a powerful revelation of the treachery at court.[62] In both, Guinevere is exonerated of murder in a trial by combat that Lancelot wins for her. But that does not excuse (or even stop) her adultery, which is the greater crime. In fact, the murder of the Scottish knight is facilitated by Guinevere and Lancelot's affair. She has sent Lancelot away (834–40) and, in his absence, she holds a feast for all the other knights of Arthur's court. In Malory, she holds the feast to deflect the rumors of her specific affection for Lancelot, showing preference for none (2:18.1048.13–15). But even in the s*MA*, Guinevere's public display of this largesse backfires when an attempt on Gawain's life ends in the murder of the other knight (840–55). Immediately after the knight drops from the poison, Guinevere worries that she will be blamed: "'Certis, now will all men wene / Myself that I the knight have slayne'" (862–3). She tries fruitlessly to save him (865–7).

Accused by Sir Mador (the victim's brother) of treasonous murder, Guinevere must find a champion to fight for her since the King, "fulle sore than gan hym drede,/ For he myght not be ageyne the right" (912–13). Here, Arthur acts as a just king who will follow the requirements of law, even against his own personal interests.[63] Though she is innocent (of murder): "She moste there byknow the dede/ Or fynde a man for hyr to fight,/ For welle she wiste to deth she yede,/ Yif she were on a queste of knightis" (916–19). She must confess (despite her innocence) or find a knight to acquit her through combat because she fears she will be put to death if it is left up to a knightly jury. Beverly Kennedy explains that in the s*MA*, the knights *must* find her guilty because they can "judge only on the basis of circumstantial evidence," and many of these knights actually *saw* her give the poisoned apple to the victim.[64] This is only one half-

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62 K.S. Whetter also discusses this scene in *The Manuscript and Meaning of Malory's* Morte Darthur: *Rubrication, Commemoration, Memorialization* (Cambridge: D.S. Brewer, 2017), 187. See also: Megan Leitch, *Romancing Treason: The Literature of the Wars of the Roses* (Oxford: Oxford University Press, 2015), 107.

63 Cf. Chaucer's *Wife of Bath's Tale*, in which Arthur hands over the judgment of the unnamed rapist knight to Guinevere and the ladies of the court who sentence him to a solve a riddle in a year and a day, suggesting that they do not believe that he will be able to find the answer to what women want most and will lose his head.

64 Beverly Kennedy, *Knighthood in the* Morte Darthur (Cambridge: D.S. Brewer, 1992), 281. I go into greater detail about the implications of this murder trial and the use of torture to discover the truth in "Wounded Bodies: Kingship, National Identity, and Illegitimate Torture in the English Arthurian Tradition," *Arthurian Literature* 32 (2015): 1–29, and "'Mordre

proof (a rather suspect one at that), but there is also a serious chance of bias. To a late-fourteenth or early fifteenth-century audience, her fears were justified. People believed that juries could be bribed, so trial by battle was often preferable.[65] The poet emphasizes Arthur's conundrum: as king and as her judge, he must remain impartial and uphold the law, even against his wife. Arthur must carry out justice, and once Sir Mador and Guinevere 'bothe there handis upheld/ And trewly there trouthis plighte' (926–7), Arthur is committed.

Both Arthur and the queen entreat their knights—Gawain, Bors, Lionel, and Ector—to fight for her. They answer that they all witnessed the event:

> "The knyght when she with poyson sloughe;
> And sythe in herte is nought to hyde,
> Syr Gawayne over the bord hym droughe.
> Agayne the ryght we wille not ryde;
> We saw the sothe verely inoughe." (1335–9)

Gawain, as the intended victim, cannot fight for her even if he were so inclined, and he is not (1324–39). Each one of them refuses (not all of them nicely), suggesting that the law regarding circumstantial evidence is not her only problem. *Publica fama*—the testimony of two reputable witnesses that the accused was widely *believed* to be guilty, or capable of guilt—works against her.[66] Just as in *Sir Launfal*, Guinevere's reputation among the knights is tarnished by their perception of her relationship with Lancelot, a perception which is actually correct, despite the couple's protests. Though, several of the knights, like Bors, are more bothered by the fact that she has driven Lancelot from court than by the affair. The most important aspect of this is the idea of *fama*—Latin for "fame," "reputation," or "good name," which had several equivalents in medieval vernaculars. In French: *renoun, renommée, nom*; in English: *name, worship*; in Italian: *riputazione*, *notorieta, famigerato*, *rinomanza* (rarely used), and so on. The standing of individuals before the law was often based on their reputations, what others thought of them, and how they behaved in public. These distinctions of having a good or bad reputation governed the legal existence of

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wol out': Murder and Justice in Chaucer," in *Medieval and Early Modern Murder*, ed. Larissa Tracy, 115–36 (Woodbridge: Boydell Press, 2018). Some of that material is included here.

65   Bellamy, *The Law of Treason*, 143.

66   Henry Ansgar Kelly, "Inquisition, Public Fame and Confession: General Rules and English Practice," in *The Culture of Inquisition in Medieval England*, ed. Mary C. Flannery and Katie L. Walter, 8–29 (Cambridge: D.S. Brewer, 2013), 11.

most people—common and noble—in the Middle Ages. In legal proceedings, *publica fama* was probable cause to charge someone with a crime and elicit a confession.[67] In the decree *Qualiter et quando* of the Fourth Lateran Council (1215), Innocent III perfected the *inquisitio* wherein *clamor et fama* [public outcry] replaces the accuser, and the judge conducts the case, presumably after *publica fama* had been proven.[68] As such, when someone was accused of a crime, that person's *fama* was used as either evidence for or against the individual. Crimes could also affect a person's *fama*; public crimes had public consequences. The Old French customary laws, the *Coutumes de Beauvaisis* (1283), the *Etablissements de Saint Louis* (ca. 1257), the *Counseil a un ami* (1253), and the *Costuma d'Agen* all address the issues of good name and notoriety as proof and social standing.[69] People were generally assumed to be of *bonne renomee* [good reputation] until they showed that they were not. If someone was found guilty of a particular crime, then that person's *fama* generally suffered as a result, and she or he would no longer be deemed a trustworthy or honorable member of society. If that person transgressed again, his or her previous crimes would be used as hostile evidence. In Guinevere's case, her reputation precedes her, and the men are reluctant to stake their reputations and their lives on it.

Arthur will serve as judge, but his own knights raise the public outcry, along with the victim's brother. Bors even says that Guinevere deserves to be burned for driving Lancelot away (never mind about the murder) (1348–55), though he relents later and offers to do combat on her behalf. In fact, only Gawain seems concerned about the death of the Scottish knight and repeats: "Agayne the ryght wille I not ryde" (1370), insisting that he cannot fight for her because he *believes* she is guilty—or at least that the public evidence of dinner-apple-dead knight makes her guilty. In this instance, the personal antipathy of all the knights (except Gawain) prevents them from fighting for her cause.[70] Here, the knights believe the accusation of murder because they also believe (rightly) that she is guilty of fracturing the Fellowship and adultery and, therefore, treason.

When Guinevere submits to a trial by combat for the accusation of murder, she pins her hopes on Bors, who offers to fight for her unless someone better comes to her rescue (1431–4). Ultimately, Lancelot saves her, but it compounds

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67   Kelly, "Inquisition, Public Fame and Confession," 11.

68   Kelly, "Inquisition, Public Fame and Confession," 10–11.

69   Akehurst, "Name, Reputation, and Notoriety," 76

70   For a detailed discussion on the use of torture to illicit confessions of adultery and treachery from literary queens in other Arthurian narratives like *Bisclavret* and *Arthur and Gorlogon*, see: Tracy, "Wounded Bodies."

the adultery and treason of her actions, even if it acquits her of homicide. Similarly, Cersei's other option (besides the walk of shame) is a trial by combat, the same option afforded her brother Tyrion in Season Four that goes very badly for him and his champion, Oberon.[71] Cersei had hoped for trial by combat, but for that, she would need a champion, and Jaime (her brother and primary lover) cannot fight for her and he is not even there to try. Her Lancelot will not face these charges with her nor defend her in the eyes of the gods or the law. *GoT/SoIF* echoes the Arthurian struggle with the legal implications of queenly adultery but makes the guilty queen far less sympathetic.

There was a certain amount of skepticism regarding the efficacy and justice of judicial duels.[72] In the folk-law tradition, the judicial duel was the last resort and could not be used when there was a clear presumption of guilt or when there were witnesses of good reputation who swore for or against the defendant.[73] It is a prominent literary motif, but judicial combat was designed to prove the truth of the defendant's oath, not necessarily her innocence.[74] In the s*MA*, Guinevere, unlike Cersei, also, legally, has the option of a "jury trial." English literary audiences would have recognized the importance of a jury trial, enshrined in the *Magna Carta* (1215), which established the right to one. The Assize of Clarendon (1166) established the grand jury system in England that used the ordeal of water in the actual trial until its abolition in 1215; a full jury trial took its place under Henry III.[75] But Guinevere does not trust the justice of a jury of knights, most of whom thought so ill of her that they believed she was capable of murder. Nor does Cersei trust the septas (nuns) or the Faith (the religious authorities) to administer justice (it does not help that Cersei is very, very guilty). However, the ethical validity of trial by combat depends on knights only participating to defend the truth.[76] In the s*MA*, there is a troubling distinction: when Lancelot fights for Guinevere in the murder trial, they are both innocent of that particular crime; but later, when Lancelot rescues her from the stake after the accusation of adultery, Lancelot is not defending the truth. He is as guilty as Guinevere of both adultery and treason, perhaps more so because, as Arthur's most trusted knight, he should never have engaged in an affair with Guinevere, even if she was willing. As Larrington writes, once

71   HBO, *Game of Thrones*, "The Mountain and the Viper," S4 E8 (June 1, 2014).

72   Robert Bartlett, *Trial by Fire and Water: The Medieval Judicial Ordeal* (Oxford: Oxford University Press, 1986), 116.

73   Richard Firth Green, *A Crisis of Truth: Literature and Law in Ricardian England* (Philadelphia: University of Pennsylvania Press, 2002), 89–90.

74   Green, *A Crisis of Truth*, 90.

75   Edward Peters, *Torture* (Philadelphia: University of Pennsylvania Press, 1985), 58.

76   Larrington, *Winter is Coming*, 41.

"Lancelot's chivalric morality has become corrupted …. Arthur's justice system is shown to be irredeemably compromised, a critique that reflects poorly on his kingship."[77] Likewise, as Matyushina explains here, in the thirteenth-century *Mǫttuls saga* or *Skikkju saga*, adapted from the twelfth-century French *Le Lai du cort mantel* or *Le Mantel mautailliéi,* the women of Arthur's court fail a chastity test, thereby casting doubt on the reputations of the knights themselves.[78] Thus, the sins of the wives, especially adultery, are visited on the husbands, particularly when they compromise the stability of the state.

The idea of justice is inextricably linked with the concept of treason. In a just society, treason is unconscionable; in a corrupt society, treason is almost imperative to re-establish justice and good governance. Treason, as a crime against a king rather than a nation, can seem warranted if the king is not just. In the stanza of the s*MA* following the defeat of Sir Mador, Mordred and Agravain argue with Gawain and Gaheret about revealing the treasonous affair of Lancelot and Guinevere in the interests of justice (though Mordred and Agravain's motives are less than pure) (1672–1719). Agravain tells Arthur about the affair, despite Gawain's protests, revealing that the whole court knows and sees it every day (1728–33). He (perhaps disingenuously) also acknowledges that they have all been false traitors for not coming forward before now (1734–5). The way Arthur handles the revelation of their betrayal and further treason at the siege of the Joyous Guard reaffirms his commitment to justice, even when it touches him deeply and very personally. Arthur is put in another impossible position, but, while lamenting Lancelot's capacity for treason, he also asks Agravain's counsel. He is neither rash nor vengeful, even though he may have a right to be (1736–51). While Arthur regrets having to act against Guinevere and Lancelot, he takes counsel and acts decisively but deliberately, ordering Agravain and Mordred to obtain evidence, which accords with medieval laws regarding adultery, like the *Costuma d'Agen*.[79] Arthur recognizes the depth of their treachery, for which there can be no redress but death. The poet argues that their love is so great, "For sothe they nevyr wolde wene / That any treson was ther dyght" (1802–3), but it is a profound betrayal. Lancelot and Guinevere clearly go to bed (probably not for the first time) but have barely been there before they are caught by Agravain, Mordred, and twelve knights—a veritable

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77   Larrington, *Winter is Coming*, 41. Malory, perhaps significantly, modifies the Knight of the Cart story to make Lancelot's defense of Gueni`vere an explicit trial by combat, and also makes clear that Lancelot and the Queen are innocent only on a technicality: she is accused of sleeping with one of the injured knights, not with Lancelot. See: Whetter, *Manuscript and Meaning*, 189.

78   Inna Matyushina, "Treacherous Women at King Arthur's Court: Punishment and Shame."

79   Akehurst, "Name, Reputation, and Notoriety," 89.

jury of their peers—and Agravain charges them, especially Lancelot, with treason (1806–15). Lancelot attacks and kills Agravain (1858), and Mordred flees (1862–3), allowing him to make a full report to Arthur.

The king seeks the counsel of his knights again before condemning Guinevere, but then the pyre is hastily built, and she is led there for execution (1920–25). Laynesmith contends that if possession of a queen was a marker of legitimacy and maturity, then losing control of her to another man necessarily implies a serious weakness.[80] That was certainly the case in medieval Scotland, as Iain MacInnes points out here. However, in the s*MA*, Arthur is not weakened by the betrayal and adultery. Lancelot has already been indicted by Arthur (and the poet) for his treatment of the Maid of Astolat (1029–31, 1099–1103), which is outlined in her testimonial letter (1056–95), and despite his joy and relief when Lancelot saves Guinevere from the murder charge, the evidence of treason keeps mounting against them both. Arthur may be dismayed that he must act, but act he will, and he does not hesitate. Guinevere's guilt is established by the eyewitness accounts of those who "discover" her and Lancelot together (1808–39). Only her punishment for adultery and treason remain, perfectly in keeping with English law at the time.[81]

The two legal proceedings are juxtaposed: in the first instance, Guinevere is innocent of murder and is proven so by combat and by the torture of the squires who are interrogated by Arthur to revel the truth of the murder plot; in the following, she is judged guilty by the king, without a full trial, as soon as the adultery is made public. The use of torture in the murder case undermines the sense of justice because it is a practice alien to England. It reveals that all the knights were wrong about Guinevere's guilt in that instance, and while, within this narrative, torture does discover truth, it is a very uncomfortable truth about the fragility of Arthurian justice. The process for adjudicating adultery and treason attempts to restore the sense of justice through its reliance on proofs rather than interrogation under torture, but it still leads to the fracturing of the Fellowship and the destruction of the realm. The discussion of legal procedure in the s*MA* particularly reflects the societal unrest at the end of the fourteenth century, when a large segment of the English nobility committed treason by rebelling against their king, Richard II, who was also their kin. They justified his removal in a variety of ways, including charges of tyranny and injustice. Arthur, perhaps like Richard II, finds himself grasping at legal straws as

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80   Laynesmith, "Telling Tales of Adulterous Queens," 204–5.

81   Robert L. Kelly offers a differing view on this legal matter in terms of Malory in "Malory and the Common Law: *Hasty jougement* in the 'Tale of the Death of King Arthur,'" *Medievalia et humanistica* 22 (1995): 111–40.

his nobles divide further into factions and as he faces the dissolution of his kingdom and the violent end of his reign.

Cersei's punishment for her crimes seems, to the modern reader or viewer, to be woefully inadequate for the crimes that everyone knows she has orchestrated—especially considering how the next two seasons play out. What Cersei does agree to, but Guinevere does not (nor is it even offered as an option), was a relatively common form of medieval punishment in cases of adultery. Contrary to popular belief, adulterers were rarely subjected to the more violent of brutal punishments available, and torture could only be used to extract a confession from people of low repute. Guinevere, however, faces a much more dire punishment, one that accords far more with the crime of treason than with adultery—being burnt at the stake. It is the recognition of her crime as one against the state, against not only her husband but her king, that compels such a capital punishment. This is not simply about sex, or love, or romance, but about the threat the adultery of the queen poses to the stability of the realm.

Eventually, Lancelot will return Guinevere to Arthur at the pope's bidding (under the threat of interdict), but not before the Fellowship has fractured and good knights have been maimed or slain (2278–85). Arthur has larger considerations here than the adultery and treason of his wife and his best knight. He must do the pope's bidding (take his wife back) or risk endangering not only the physical bodies but the souls of his people. Historically, the queen's infidelity would threaten the line of succession, and the king would be perfectly within his rights to appeal to the pope for an annulment, but in this circumstance, Arthur must end the siege first. Lancelot responds defiantly, listing all the battles he has won for Arthur and lamenting that this is how Arthur repays him for all his service (2286–2293). The bishop sent as an emissary entreats him, saying that women are weak-willed and that he should not let England be destroyed for one (2300–01). Lancelot will finally return her to Arthur, but not without a show and spectacle, lying about their innocence in the process (2356–87). Arthur faces a conundrum constructed by those he trusted most. And while Arthur is fully willing to follow the demands of the pope, Lancelot's refusal to admit fault and his denial of any crime makes complete reconciliation impossible. He protests that he rightfully saved her life "'As lady that is feyre and shene, / And trewe is, bothe day and nyght. / Iffe any man says she is noght clene, / I profre me therefore to feyght'" (2384–7). He does not deny being present at the killing of Gawain's brothers, but insists "'Myself thy brethren slow I noght'" (2415), blaming it on "'Other knyghtis fele ther were'" (2416). Lancelot lies to Arthur's face and to Gawain's face, and persists in his lie—and everyone knows it. If Arthur accepts Lancelot's protestations of innocence despite the

preponderance of evidence, then he would undermine his own authority and further destabilize his rule.

The final cost of Guinevere and Lancelot's adultery is exceptionally high. In dealing with the treason of Lancelot and Guinevere in the s*MA*, Arthur leaves his kingdom vulnerable to Mordred's treachery. While Arthur is still contending with Lancelot, Mordred proclaims himself Arthur's son and nephew, announcing his plan to marry Guinevere (2946). He holds feasts and gives gifts so that people will say that his time as steward was full of joy and wealth, while Arthur's rule was full of sorrow and woe. Thus, right goes wrong and the council sides with Mordred (2966–9). Mordred forges letters announcing Arthur's death (which is treason all by itself) and says they must choose another king. The people agree because they say that the Arthur loved nothing but war, sought it out, and so it is right he should die that way (2975–7). Mordred calls a parliament together and the *people* crown him king (2977–85). But Arthur will land, and the two will fight each other to the death on the field. Thus, the treason of the Arthurian tradition that begins in Geoffrey's *Historia* comes full circle; however, the s*MA*-poet emphasizes the treasonous adultery of Lancelot and Guinevere as a driving force of Arthur's destruction. Mordred and Agravain are at fault, but neither traitor could succeed in their treachery if Guinevere and Lancelot had not been guilty of adultery.

Treason is the highest crime. It weakens the fabric of society, the idea of a nation; traitors, modern and medieval, threaten the very idea of civilization. Cersei madly accuses as many other people of treason as possible to deflect from the stark reality of her own treason. Just as Lancelot denies his adultery with Guinevere to try and ameliorate Arthur and Gawain, Cersei denies that she committed treason in her adultery. Additionally, she is still hiding the fact that she orchestrated Robert's death at the hands of her (other) lover and cousin, Lancel. She avoids the inevitable charge of treason by blowing up the Sept (with the Tyrells inside) and taking the throne for herself when Tommen commits suicide (S6 E10). It is a veritable nuclear option. Very often those who commit treason destroy the country or realm they would rule. Cersei certainly does when she commits treason to take power and uses that power to obliterate, not only her enemies, but countless innocent people and, in the process, wipes out the social and religious institutions of King's Landing. Treason, betrayal, and adultery discredit political systems that are based on a sense of honor and integrity. When power is vested in a single individual, it is easy to topple; when it rests in an institution—a nation, a government, a constitution—it is more deeply grounded. But then treason still exists. The language of treason can be employed by corrupt powers—those who rebel are labelled traitors unless they succeed, at which point they can dub themselves revolutionaries.

Familial treachery often manifested as political treason, both literary and historical (Battaglia, Sprouse, Grinberg). Religious betrayal, either by those who practiced a specific faith or by religious "Others" who subverted one, was often couched in terms of treason (Grinberg, Domínguez). Adultery and shame are presented in terms of treason when that betrayal occurs within the structure of royal authority—a queen commits treason when she commits adultery (Classen, Grinberg, Boyer, Matyushina, Tracy). In modern reality, just as in the Arthurian world and in Westros, treason weighs heavily on the popular imagination. Journalist Charles Pierce wrote a scathing piece for *Esquire Magazine* before the 2016 American presidential election in which he summed up the fears of many Americans by arguing that the then-impending nomination of Donald Trump as the Republican candidate threatened American democracy:

> Damn all the people who will vote for him, and damn any progressives who sit this one out because Hillary Rodham Clinton is wrong on this issue or that one. Damn all the people who are suggesting they do that. And damn all members of the media who treat this dangerous fluke of a campaign as being in any way business as usual. Any support for … [Trump] is, at this point, an act of moral cowardice. Anyone who supports him, or runs with him, or enables his victory, or even speaks well of him, is a traitor to the American idea.[82]

But underlying those accusations is a very palpable and very real crime.

Since the election of Trump on November 9, 2016 (and even months before, during the campaign),[83] America has been faced with the very real possibility that the sitting President of the United States was helped into office by treason—on the part of his aids, his advisors, and his family who may have engaged in a criminal conspiracy with a hostile foreign government (Russia) to influence the outcome of the election for a variety of political and personal reasons, including potential blackmail and financial gain. This possibility was reinforced during a joint press conference in Helsinki, Finland on July 16, 2018 when, standing beside President Vladimr Putin of Russia, President

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82   Charles P. Pierce, "Reminder: Anyone Who Supports Donald Trump is a Traitor to the American Idea," *Esquire* (July 14, 2016): <http://www.esquire.com/news-politics/politics/news/a47720/trump-threatens-american-democracy/> (accessed December 28, 2017).

83   Kali Holloway, "Donald Trump: Traitor, Liar, Danger to the World: Were a Democratic Politician Embroiled in this Mess, Trumpites would be Lobbing Accusations of Treason with Gusto," *Alternet* (July 31, 2016): <https://www.alternet.org/election-2016/donald-trump-traitor-liar-danger-world> (accessed December 28, 2017). See also, consistent reports and coverage from news publications like *Slate.com*, *MediaMatters.org*, *Mother Jones*, *Newsweek, The Washington Post*, *The New York Times*, *The Guardian*, and many, many others from 2016–2019.

Trump explained that he trusted Putin's word over that of the American Justice Department, three days after the Department of Justice indicted twelve Russian intelligence operatives for actively interfering with the 2016 election. Cries of "treason" echoed through the media in the days following this public statement.[84] Since then, several of Trump's closest advisors, including his personal lawyer Michael Cohen, have pled guilty to numerous felonies connected to both the possible conspiracy to defraud the people of the United States by influencing the election and other criminal activities.[85] The president himself may have engaged in treason to achieve that office, and if he did, he, like Cersei, may well destroy the very country and institutions he committed treason to rule. If the ongoing investigation of Robert Mueller into the question of both criminal conspiracy and collusion reveals that treason was indeed committed during this last presidential election, it will have profound implications for modern democracy—not just in the United States—going forward. Andrew Elliott writes that the Middle Ages, "in the sense of a popularly held idea of the past, do not always lie behind us in the past, but continue to exist alongside us and continually rupture the fabric of the present."[86] In this modern political moment, understanding the historical nature of treason in all its forms—adultery, betrayal, and shame—illuminates the urgency of exposing the treachery of those in power.

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84   David Smith, "Trump 'Treasonous' after Siding with Putin on Election Meddling," *The Guardian* (July 16, 2018): <https://www.theguardian.com/us-news/2018/jul/16/trump-finds-putin-denial-of-election-meddling-powerful> (accessed July 16, 2018); John O. Brennan on Twitter @JohnBrennan (July 16, 2018); Eric Boehlert, "Trump believes Putin's 'Strong and Powerful' Denial over US Intelligence," *ShareBlue Medi*a, (July 16, 2018): <https://shareblue.com/trump-putin-denial-over-us-intelligence/> (accessed July 16, 2018); Eric Boehlert, "Trump Winks at Putin, Ignores Questions on Russian Election Hijacking," *ShareBlue Media* (July 16, 2018): <https://shareblue.com/trump-putin-helsinki-summit-opening-remarks-election-hijacking/> (accessed July 16, 2018); Jack Holmes, "Donald Trump's Press Conference with Vladimir Putin Was Among the Most Disgraceful Moments," *Esquire.co*m (July 16, 2018): <https://www.esquire.com/news-politics/a22164229/donald-trump-vladimir-putin-press-conference-disgrace/> (accessed July 16, 2018).

85   See: Paul Waldman, "Yes, there was 'collusion.' Now what should we do about it?" *Washington Post* (Dec. 17, 2018): <https://www.washingtonpost.com/opinions/2018/12/17/yes-there-was-collusion-now-what-will-we-do-about-it/?utm_term=.4e68099dd81d> (accessed Dec. 19, 2018); Charles P. Pierce, "We Made it Easy for the Russians," *Esquire* (Dec. 17, 2018): <https://www.esquire.com/news-politics/politics/a25603972/russian-hackers-target-african-americans-gun-owners-2016/> (accessed Dec. 19, 2018); and Jonathan Capehart, "Is Mueller's investigation nearing the 'worst-case scenario'? Garrett Graff thinks so," *Washington Post* (Dec. 18, 2018): <https://www.washingtonpost.com/opinions/2018/12/18/is-muellers-investigation-nearing-worst-case-scenario-garrett-graff-thinks-so/?utm_term=.ec246e75ed6a> (accessed Dec. 19, 2018).

86   Andrew B.R. Elliott, *Medievalism, Politics and Mass Media: Appropriating the Middle Ages in the Twenty-first Century* (Cambridge: D.S. Brewer, 2017), 10.

Select Bibliography

Primary Sources

Alliterative *Morte Arthure.* In *King Arthur's Death: The Middle English* Stanzaic Morte Arthur *and* Alliterative Morte Arthure, edited by Larry D. Benson, revised by Edward E. Foster. 131–284. Kalamazoo, MI: Medieval Institute Publications, 1994.

Arden of Faversham, edited by Martin White, 2nd ed. London: New Mermaids, 1997.

Attenborough, F.L. *The Laws of the Earliest English Kings.* Cambridge: Cambridge University Press, 1922.

Bede. *Bede's Ecclesiastical History of the English People*, edited and translated by Bertram Colgrave and R.A.B. Mynors. Oxford: Oxford University Press, 1969.

Bennett, Philip, ed. *Mantel et Cor: deux lais du 12 siècle.* Exeter: University of Exeter, 1975.

Boethius. *De Consolatione Philosophiae*, edited by Wilhelm Weinberger. Corpus Scriptorum Ecclesiasticorum Latinorum 67. Vienna, 1934.

Burgess, Glyn S. and Leslie C. Brook, eds. *The Lay of Mantel.* Cambridge: D.S. Brewer, 2013.

Burns, Robert I. S. J., ed., and Samuel Parsons Scott, trans. *Las Siete Partidas*. Vol. 5. Philadelphia: University of Pennsylvania Press, 2001.

Byrhtferth of Ramsey. *The Lives of St Oswald and St Ecgwine*, edited and translated by Michael Lapidge. Oxford: Clarendon Press, 2009.

Chanson de Roland, edited and translated by Ian Short. Paris: Livre de Poche, 1990.

Child, Francis James. *The English and Scottish Popular Ballads*. Vol. 1. New York: Dover Publications. 1965.

Chronicon de Lanercost, edited by Joseph Stevenson. Edinburgh: Bannatyne Club, 1839.

Corral, Pedro. Crónica del Rey don Rodrigo (Crónica sarracina), edited by James Donald Fogelquist. Madrid: Editorial Castalia, S.A., 2001.

Early Sources of Scottish History, AD 500–1286, edited by Alan O. Anderson. 2 vols. Edinburgh: Oliver and Boyd, 1922.

El Libro del Cauallero Zifar, edited by Charles Philip Wagner. Norwood, MA: The Plimpton Press, 1929.

Erickson, C.T., ed. *Le Lai du Cor*. Oxford: Basil Blackwell, 1973.

La Fayette, Marie-Madeleine Pioche de La Vergne, comtesse de. *Lettres de Mme de la Fayette au chevalier de Lescheraine, secrétaire du cabinet de Mme Royale Jeanne Baptiste de Savoie Nemours 1678–1681.* Paris: Nizet, 1970.

La Fayette, Marie-Madeleine Pioche de La Vergne, comtesse de. *Correspondance*. 2 vols. Paris: Gallimard, 1942.

Fierabras: Chanson de geste du XIIe siècle, edited by Marc Le Person. Paris: Honoré Champion, 2003.

Frings, Theodor, and Elisabeth Linke, eds. *Morant und Galie*. Berlin: Akademie Verlag, 1976.

Giraldus Cambrensis. *Speculum Duorum*, edited by Yves Lefèvre & R.B.C. Huygens and translated by Brian Dawson. University of Wales, Cardiff, 1974.

Gui de Bourgogne, edited by François Guessard and Henry Michelant. Paris: Jannet, 1858.

Kalinke, Marianne E., ed. *Mǫttuls saga.* Copenhagen: C.A. Retzels Forlag, 1987.

Malory, Sir Thomas. *Le Morte Darthur*, edited by P.J.C. Field. Cambridge: D.S. Brewer, 2017.

Marie de France. *Lanval*, translated by Claire M. Waters. In *The Lais of Marie de France: Text and Translation.* 162–95. Peterborough, ON: Broadview Press, 2018.

Le Morte Arthur: A Critical Edition, edited by P.F. Hissiger. Paris: Mouton, 1975.

The Pseudo-Turpin, ed. from BN Fonds Latin MS 17656, edited by H.M. Smyser. New York: Krauss Reprint, 1970.

The Saxon Genesis: An Edition of the West Saxon Genesis B and the Old Saxon Vatican Genesis, edited by A.N. Doane. Madison: University of Wisconsin Press, 1991.

Scottish Annals from English Chroniclers, AD 500–1286, edited by Alan O. Anderson. London: D. Nutt, 1908.

Scudéry, Madeleine de. *Clélie, Histoire romaine*. Paris, Augustin Courbé, 1654.

Scudéry, Madeleine de. *Conversations sur divers sujets*. 2 vols., Paris: C. Barbin, 1680.

Scudéry, Madeleine de. *Conversations nouvelles sur divers sujets*. 2 vols., Paris: C. Barbin, 1684.

Shepherd, Stephen H.A. *Middle English Romances*. New York: W.W. Norton and Company, 1995.

The Song of Roland: An Analytical Edition, edited and translated by Gerard J. Brault. Oxford Text and English Translation, Vol. 2. University Park: Pennsylvania State University Press, 1978.

Stephen of Ripon. *The Life of Bishop Wilfrid by Eddius Stephanus*, edited and translated by Bertram Colgrave. New York: Cambridge University Press, 1985.

The Works of Sir Thomas Malory. 3rd edn, 3 vols., edited by Eugene Vinaver, revised by P.J.C. Field. Oxford: Oxford University Press, 1990.

Willingham, Elizabeth M. *La Mort le Roi Artu: Roman du 13 ème siècle*. Turnhout: Brepols, 2007.

Secondary Sources

Akbari, Suzanne Conklin. *Idols in the East: European Representations of Islam and the Orient, 1100–1450.* Ithaca: Cornell University Press, 2009.

Akehurst, F.R.P. "Name, Reputation, and Notoriety in French Customary Law." In *Fama: The Politics of Talk and Reputation in Medieval Europe,* edited by Thelma Fenster and Daniel Lord Smail. 75–94. Ithaca: Cornell University Press, 2003.

Barron, W.R.J. "The Penalties for Treason in Medieval Life and Literature," *Journal of Medieval History* 7.2 (1981): 187–202.

Barron, W.R.J. Trawthe *and Treason: The Sin of Sir Gawain Reconsidered.* Manchester: Manchester University Press, 1980.

Barrow, J.S. "Gerald of Wales's Great-nephews." *Cambridge Medieval Celtic Studies* 8 (1984): 101–6.

Bartlett, Robert. *Trial by Fire and Water.* Oxford: Clarendon Press, 1986.

Bastert, Bernd. *Helden als Heilige: Chanson de Geste-Rezeption im deutschsprachigen Raum.* Bibliotheca Germanica 54. Tübingen: A. Francke Verlag, 2010.

Battaglia, Frank. "*Beowulf* and the Bracteates." In "The Dating of *Beowulf*: a Reassessment." Harvard University Conference, September 2011.

Battaglia, Frank. "*Beowulf*: A Regime of Enforcement." In *Reframing Punishment: Reflections of Culture, Literature and Morals,* edited by Bhavana Mahajan and Raja Bagga. 39–60. Freeland, UK: Interdisciplinary Press, 2013.

Bauman, R.A. "Maiestatem Populi Romani Comiter Conservanto." *Acta Juridica* 19 (1976): 19–36.

Beasley, Faith E. *Salons, History, and the Creation of Seventeenth-Century France.* Burlington, VT: Ashgate, 2006.

Bellamy, J.G. *The Law of Treason in England in the Later Middle Ages.* Cambridge: Cambridge University Press, 1970.

Belsey, Catherine. *The Subject of Tragedy: Identity and Difference in Renaissance Drama.* London: Routledge, 1985.

Bosnos, Karen. "Treason and Politics in Anglo-Norman Histories." In *Feud, Violence and Practice: Essays in Medieval Studies in Honor of Stephen D. White*, edited by Belle S. Tuten and Tracey L. Billado. 293–306. Farnham: Ashgate, 2010.

Bradfield, Joanna. "Canacee's Mirror: Gender and Treason in Medieval Literature." PhD Dissertation. University of California, Riverside, 2011.

Bryan, W.F. "The Wægmundings—Swedes or Geats?." *Modern Philology* 34 (1936): 113–118.

Bührer-Thierry, Geneviève. "'Just Anger' or 'Vengeful Anger'? The Punishment of Blinding in the Early Medieval West." In *Anger's Past: The Social Uses of an Emotion in the Middle Ages*, ed. Barbara H. Rosenwein. 75–91. Ithaca: Cornell University Press, 1998.

Byrne, Philippa. "Instructing the Disciples of Nero." *Haskins Society Journal* 25 (2014): 187–204.

Chadwick, H. Munro. *The Heroic Age.* Cambridge: Cambridge University Press, 1912, reptd. 1967.

Cherewatuk, Karen. "Dying in Uncle Arthur's Arms and at his Hands." In *The Arthurian Way of Death: The English Tradition*, edited by Karen Cherewatuk and K.S. Whetter. 50–70. Cambridge: D.S. Brewer, 2009.

Classen, Albrecht. "The Cry-Baby Kings in Courtly Romances: What is Wrong with Medieval Kingship?" *Studi Medievali* 3a Series 39.2 (1998): 833–63.

Classen, Albrecht. "Money, Power, Poverty, and Social Criticism in the Work of Heinrich der Teichner." *Studi medievali* 51.2 (2010): 671–99.

Classen, Albrecht. "Courtliness and Transgression at Arthur's Court: With Emphasis on the Middle High German Poet Neidhart and the Anonymous Verse Novella *Mauritius von Craûn*." *Arthuriana* 20.4 (2010): 3–19.

Classen, Albrecht. "Outsiders, Challengers, and Rebels in Medieval Courtly Literature: The Problem with the Courts in Courtly Romances." *Arthuriana* 26.3 (2016): 67–90.

Ciccone, Albert and Alain Ferrant. *Honte, culpabilité et traumatisme.* Paris: Dunod, 2015

Coates, Geraldine. *Treacherous Foundations: Betrayal and Collective Identity in Early Spanish Epic, Chronicle, and Drama.* Woodbridge: Tamesis, 2009.

Coleman, Dwayne. "Murder, Manslaughter and Reputation: Killing in *Malory's Le Morte Darthur*." In *Medieval and Early Modern Murder,* edited by Larissa Tracy. 206–226. Woodbridge: Boydell Press, 2018.

Cressy, David. *Birth, Marriage, and Death: Ritual, Religion, and the Life Cycle in Tudor and Stuart England.* Oxford: Oxford University Press, 1997.

Danahy, Michael. "Social, Sexual and Human Spaces in La Princesse de Clèves." *French Forum* 6.3 (1981): 212–24.

DeJean, Joan. *Tender Geographies: Women and the Origins of the Novel in France.* New York: Columbia University Press, 1991.

de Jong, Mayke. "The Empire that was always Decaying: The Carolingians (800–888)." *Medieval Worlds* 2 (2015): 6–25.

Dessau, Adalbert. "L'idée de la trahison au moyen âge et son role dans la motivation de quelques chanson de geste." *Cahiers de civilisation médiévale* 3.9 (January–March 1960): 23–26.

Dod, John, and Robert Cleaver. "A Godly Form of Household Government: For the Ordering of Private Families According to the Direction of God's Word." In *The Taming of the Shrew: Texts and Contexts,* edited by Frances E. Dolan. 204–206. Boston: Bedford/St. Martin's, 1996.

Dolan, Frances E. *Dangerous Familiars: Representations of Domestic Crime in England, 1550–1700.* Ithaca: Cornell University Press, 1994.

Dolan, Frances E. "Home-Rebels and House-Traitors: Murderous Wives in Early Modern England." *Yale Journal of Law & the Humanitie*s 4.1 (1992): 1–31.

Donato, Antonio. "Boethius's *Consolation of Philosophy* and the Greco-Roman Consolatory Tradition." *Traditio* 67 (2012): 1–42.

Elmes, Melissa Ridley. "Negotiating Violence at the Feast in Medieval British Texts. " PhD Dissertation. University of North Carolina, Greensboro, 2016.

Fortin, John R. "The Nature of Consolation in *The Consolation of Philosophy*." *American Catholic Philosophical Quarterly* 78.2 (2004): 295–305.

Fouracre, Paul. "The Incidence of Rebellion in the Early Medieval West." In *Making Early Medieval Societies: Conflict and Belonging in the Latin West, 300–1200*, edited by Kate Cooper and Conrad Leyser. 104–24. Cambridge: Cambridge University Press, 2016.

Fredona, Robert. "Baldus de Ubaldis on Conspiracy and *Laesa Maiestas* in Late Trecento Florence." In *The Politics of Law in Late Medieval and Renaissance Italy*, edited by Lawrin Armstrong and Julius Kirshner. 141–160. Toronto: University of Toronto Press, 2016.

Gillingham, John. *The English in the Twelfth Century: Imperialism, National Identity and Political Values.* Woodbridge: Boydell Press, 2000.

Gillingham, John. "Killing and Mutilating Political Enemies in the British Isles from the Late Twelfth to the Early Fourteenth Century: A Comparative Study." In *Britain and Ireland, 900–1300: Insular Responses to Medieval European Change*, edited by Brendan Smith. 114–134. Cambridge: Cambridge University Press, 1999.

Goldberg, Eric J. *Struggle for Empire: Kingship and Conflict Under Louis the German, 817–876.* Ithaca: Cornell University Press, 2006.

Greimas, Algirdas Julien and Jacques Fontanille, translated by Paul Perron and Frank Collins. *The Semiotics of Passion: From States of Affairs to States of Feeling*. Minneapolis: University of Minnesota Press, 1993.

Grinberg, Ana. "(Un)stable Identities: Impersonation, Conversion, and Relocation in *Historia del emperador Carlo Magno y los doce pares.*" PhD Dissertation. University of California San Diego, 2013.

Hanawalt, Barbara A. *'Of Good and Ill Repute': Gender and Social Control in Medieval England.* Oxford: Oxford University Press, 1998.

Harris, Jill. *Law and Crime in the Roman World.* Cambridge: Cambridge University Press, 2007.

Hedeager, Lotte. "Migration Period Europe: The Formation of a Political Mentality." In *Rituals of Power*, edited by Frans Theuws and Janet L. Nelson. 15–57. Leiden: Brill, 2000.

Hegemoniale Männlichkeiten vom Mittelalter bis Heute, edited by Martin Dinges. 37–51. Frankfurt: Campus Verlag, 2005.

Heintze, Michael. *König, Held und Sippe: Untersuchungen zur Chanson de Geste des 13. und 14. Jahrhunderts und ihrer Zyklenbildung.* Studia Romanica 76. Heidelberg: C. Winter, 1991.

Helgerson, Richard. *Adulterous Alliances: Home, State, and History in Early Modern European Drama and Painting.* Chicago: University of Chicago Press, 2003.

Hill, Sarah J. "Recovering Malory's Guinevere." *Lancelot and Guinevere: A Casebook.* Ed. Lori J. Walters. 267–278. New York: Routledge, 2002.

His, Rudolf. *Das Strafrecht des deutschen Mittelalters.* Neudruck der Ausgabe 1935. Vol. 2. Darmstadt: Scientia Verlag, 1964.

Hodges, Kenneth. "Guinevere's Politics in Malory's *Morte Darthur.*" *The Journal of English and Germanic Philology* 104.1 (2005): 54–79.

Hodges, Kenneth. *Forging Chivalric Communities in Malory's Le Morte Darthur.* New York: Palgrave, 2005.

Hutchison, Emily J. "Defamation, a Murder *More* Foul?: The 'Second Murder' of Louis, Duke of Orleans (d. 1407) Reconsidered." In *Medieval and Early Modern Murder*, edited by Larissa Tracy. 254–80. Woodbridge: Boydell Press, 2018.

Jillings, Lewis. *Diu Crone of Heinrich von dem Türlin: The Attempted Emancipation of Secular Narrative.* Göppingen: Kümmerle Verlag, 1980.

Jones, Timothy S. *Outlawry in Medieval Literature.* New York: Palgrave MacMillan, 2010.

Kaeuper, Richard W. *Medieval Chivalry.* Cambridge: Cambridge University Press, 2016.

Kalinke, Marianne E. *King Arthur North-by-Northwest: The Matière de Bretagne in Old Norse-Icelandic Romances.* Copenhagen: C.A. Reitzels Boghandel, 1981.

Kane, Stuart A. "Wives with Knives: Early Modern Murder Ballads and the Transgressive Commodity." *Criticism* 38.2 (Spring, 1996): 219–237.

Kantorowicz, Ernst. *The King's Two Bodies: A Study in Medieval Political Theology.* Princeton: Princeton University Press, 2016.

Karras, Ruth Mazo, Joel Kaye, and E. Ann Matter, eds. *Law and the Illicit in Medieval Europe.* Philadelphia: University of Pennsylvania Press, 2008.

Kelly, Henry Ansgar. "Inquisition, Public Fame and Confession: General Rules and English Practice." In *The Culture of Inquisition in Medieval England*, edited by Mary C. Flannery and Katie L. Walter. 8–29. Cambridge: D.S. Brewer, 2013.

Kelly, Kathleen Coyne. *Performing Virginity and Testing Chastity in the Middle Ages.* London; New York: Routledge 2000.

Köhler-Busch, Madelon. "Pushing Decorum: Uneasy Laughter in Heinrich von dem Türlîn's Diu Crône." In *Laughter in the Middle Ages and Early Modern Times*, edited by Albrecht Classen. 266–79. Berlin: De Gruyter, 2010.

Kreiner, Jamie. *The Social Life of Hagiography in the Merovingian Kingdom.* Cambridge: Cambridge University Press, 2014.

Kreutz, Peter. *Recht im Mittelalter: Grundzüge der Älteren Europäischen Rechtsgeschichte—Ein Studienbuch*. Einführungen—Rechtswissenschaft 10. Berlin: LIT Verlag, 2010.

Krolla, Nadine. *Erzählen in der Bewährungsprobe: Studien zur Interpretation und Kontextualisierung der Karlsdichtung 'Morant und Galie.'* Philologische Studien und Quellen 239. Berlin: Erich Schmidt Verlag, 2012.

Lavelle, Ryan. "The Politics of Rebellion: The *Ætheling* Æthelwold and West Saxon Royal Succession, 899–902." In *Challenging the Boundaries of Medieval History: The Legacy of Timothy Reuter*, edited by Patricia Skinner. 51–80. Turnhout: Brepols, 2009.

Laynesmith, Joanna. "Telling Tales of Adulterous Queens in Medieval England." In *Every Inch a King: Comparative Studies on Kings and Kingship in the Ancient and Medieval Words*, edited by Lynette Mitchell and Charles Melville. 195–214. Leiden: Brill, 2013.

Lear, Floyd Seyward. *Treason in Roman and Germanic Law.* Austin: University of Texas Press, 1965).

Leitch, Megan. *Romancing Treason: The Literature of the Wars of the Roses.* Oxford: Oxford University Press, 2015.

Lewis, Mary. "A Traitor's Death? The Identity of a Drawn, Hanged and Quartered Man from Hulton Abbey, Staffordshire." *Antiquity* 82.315 (2008): 113–24.

Linke, Elisabeth. "Der Rechtsgang in Morant und Galie." *Beiträge zur Geschichte der Deutschen Sprache und Literatur* 75 (1953): 1–130.

Loening, Richard. *Der Reinigungseid bei Ungerichtsklagen im deutschen Mittelalter*. Aalen: Scientia, 1982.

Marafioti, Nicole. *The King's Body: Burial and Succession in Late Anglo-Saxon England*. Toronto: University of Toronto Press, 2014.

McDonald, R. Andrew. *Outlaws of Medieval Scotland: Challenges to the Canmore Kings, 1058–1266.* East Linton: Tuckwell Press, 2003.

McDonald, R. Andrew. "'Soldiers Most Unfortunate': Gaelic and Scoto–Norse Opponents of the Canmore Dynasty, c.1100–c.1230." In *History, Literature, and Music in Scotland, 700–1560*, edited by R. Andrew McDonald. 93–119. Toronto: University of Toronto Press, 2002.

Mickel, Emanuel J. *Ganelon, Treason, and the 'Chanson de Roland'.* University Park: The Pennsylvania State University Press, 1989.

Moorman, Charles. "Courtly Love in Malory." *English Literary History* 27.3 (1960): 163–176.

Musson, Anthony. *Medieval Law in Context: The Growth of Legal Consciousness from Magna Carta to the Peasants' Revolt.* Manchester: Manchester University Press, 2001.

Neumann, Sarah. *Der Gerichtliche Zweikampf: Gottesurteil—Wettstreit—Ehrensache*. Mittelalter Forschungen 31. Ostfildern: Jan Thorbecke Verlag, 2010.

Neville, Cynthia J. "The Beginnings of Royal Pardon in Scotland." *Journal of Medieval History* 42.5 (2016): 559–587.

Neville, Cynthia J. "Royal Mercy in Later Medieval Scotland." *Florilegium*, 29 (2012): 1–31.

Oliver, Lisi. *The Body Legal in Barbarian Law.* Toronto: University of Toronto Press, 2011.

Pollock, F. and F.W. Maitland. *The History of English Law before the Time of Edward I.* 2 vols. Cambridge: Cambridge University Press, 1968; reprinted Indianapolis: Liberty Press, 2010.

"Principles of International Law Recognized in the Charter of the Nürnberg Tribunal and in the Judgment of the Tribunal." *Yearbook of the International Law Commission, 1950*, Vol. 2 para. 97. legal.un.org. Accessed July 14, 2017.

Ridyard, Susan J. *The Royal Saints of Anglo-Saxon England: A Study of West Saxon and East Anglian Cults*. New York: Cambridge University Press, 2008.

Roach, Levi. *Æthelred the Unready*. New Haven: Yale University Press, 2016.

Rollason, D.W. "The Cults of Murdered Royal Saints in Anglo-Saxon England." *Anglo-Saxon England* 11 (1982): 1–22.

Scarry, Elaine. *The Body in Pain: the Making and Unmaking of the World*. Oxford: Oxford University Press, 1985.

Scott, Mary Etta. "The Good, the Bad, and the Ugly: A Study of Malory's Women." *Mid-Hudson Language Studies* 5 (1982): 21–29.

Sharpe, J.A. "'Last dying speeches': Religion, Ideology, and Public Execution in Seventeenth Century England." *Past and Present* 107 (1985): 144–167.

Stallybrass, Peter. "Patriarchal Territories: The Body Enclosed." In *Rewriting the Renaissance: The Discourse of Sexual Difference in Early Modern Europe*, edited by Margaret W. Ferguson, Maureen Quilligan, and Nancy Vickers. Chicago: University of Chicago, 1986.

Strickland, Matthew. *War and Chivalry: The Conduct and Perception of War in England and Normandy, 1066–1217.* Cambridge: Cambridge University Press, 1996.

Strohm, Paul. "Trade, Treason, and the Murder of Janus Imperial." *Journal of British Studies* 35.1 (1996): 1–23.

Sunderland, Luke. *Rebel Barons: Resisting Royal Power in Medieval Culture.* Oxford: Oxford University Press, 2017.

Thacker, Alan. "Saint-Making and Relic Collecting by Oswald and his Communities." In *St. Oswald of Worcester: Life and Influence*, edited by Nicholas Brooks and Catherine Cubitt. 244–68. New York: Leicester University Press, 1996.

Thomas, Keith. "The Puritans and Adultery: The Act of 1650 Reconsidered." In *Puritans and Revolutionaries: Essays in Seventeenth-Century History Presented to Christopher Hill*, edited by Donald Henshaw Pennington and Keith Thomas. 257–282. Oxford: Oxford University Press, 1978.

Tolhurst, Fiona and K.S. Whetter. "Standing Up for the Stanzaic-poet: Artistry, Characterization, and Narration in the Stanzaic *Morte Arthur* and Malory's *Morte Darthur*." *Arthuriana* 28.3 (Fall 2018).

Tolhurst, Fiona and K.S. Whetter. "An Argument in Favor of Retracting the Dominant Interpretation of the Alliterative *Morte Arthure*." *Arthuriana* 28.4 (Winter 2018).

Tracy, Larissa, ed. *Medieval and Early Modern Murder: Legal, Literary and Historical Contexts*. Woodbridge: Boydell Press, 2018.

Tracy, Larissa. "Wounded Bodies: Kingship, National Identity, and Illegitimate Torture in the English Arthurian Tradition." *Arthurian Literature* 32 (2015): 1–29.

Tracy, Larissa, ed. *Flaying in the Pre-modern World: Practice and Representation.* Cambridge: D.S. Brewer, 2017.

Tracy, Larissa, ed. *Castration and Culture in the Middle Ages*. Cambridge: D.S. Brewer, 2013.

Tracy, Larissa. *Torture and Brutality in Medieval Literature: Negotiations of National Identity.* Cambridge: D.S. Brewer, 2012.

Tracy, Larissa. "'So He Smote of Hir Hede by Myssefortune': The Real Price of the Beheading Game in *SGGK* and Malory." In *Heads Will Roll: Decapitation in the Medieval and Early Modern Imagination*, edited by Tracy and Jeff Massey. 207–31. Leiden: Brill, 2012.

Valdaliso, Covadonga. "El exilio político de los petristas en Portugal (1369–1373)." *Erasmo: Revista de historia bajomedieval y moderna* 1 (2014): 152–168.

Vallecalle, Jean-Claude. "Parenté et souveraineté dans *Gui de Bourgogne*." In *Les relations de parenté dans le monde médiéval, Senefiance* 26. 83–97. Aix en Provence: CUER MA, 1989.

Vallecalle, Jean-Claude. "Le trâitre et son destin dans l'épopée franco-italienne." In *Crimes et châtiments dans la Chanson de geste*, edited by Bernard Ribémont. 179–202. Paris: Klincksieck, 2008.

van Eickels, Klaus. "Gendered Violence: Castration and Blinding as Punishment for Treason in Normandy and Anglo-Norman England." In *Violence, Vulnerability & Embodiment: Gender and History*, edited by Shani D'Cruze and Anupama Rao. 94–108. Oxford: Blackwell, 2005.

van Eickels, Klaus. "Gendered Violence: Castration and Blinding as Punishment for Treason in Normandy and Anglo-Norman England." *Gender & History* 16 (2004): 588–602.

Walsh, John Michael. "Malory's 'Very Mater of *Le Chevalier du Charyot*': Characterization and Structure." In *Studies in Malory*, edited by James W. Spisak. 199–226. Kalamazoo: Medieval Institute Publications, 1985.

Westerhof, Danielle. "Amputating the Traitor: Healing the Social Body in Public Executions for Treason in Late Medieval England." In *The Ends of the Body: Identity*

and Community in Medieval Culture, edited by Suzanne Conklin Akbari and Jill Ross. 177–92. Toronto: Toronto University Press, 2013.

Whetter, K.S. *The Manuscript and Meaning of Malory's* Morte Darthur: *Rubrication, Commemoration, Memorialization.* Cambridge: D.S. Brewer, 2017.

White, Stephen D. "The Ambiguity of Treason in Anglo-Norman-French Law, c. 1150–c. 1250." In *Law and the Illicit in Medieval Europe*, edited by Ruth Mazo Karras, Joel Kaye, and E. Ann Matter. 89–102. Philadelphia: University of Pennsylvania Press, 2013.

Wormald, Patrick. *The Making of English Law, King Alfred to the Twelfth Century*, Vol. 1. Malden, MA: Blackwell, 2001.

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