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The Construction of Gender through Violence in Medieval France from the Letters of Remission, 1410-1411

Bailey, Allison Tracy Maria

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The Construction of Gender through Violence in Medieval France from the Letters of Remission,
1410-1411

by

Allison Tracy Maria Bailey

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Abstract

Violence was pervasive in medieval society, and as such it was regulated by strong sociocultural norms, as well as judicial and customary laws. Violence, but also its acceptable or justifiable uses, therefore were socially constructed. Gender, like violence, was also strongly controlled and regulated through social norms that dictated how men and women were to behave. Because both violence and gender were socially constructed and regulated they should be studied together. This project seeks to investigate the relationship between violence and the construction and reinforcement of gender identities (masculinity and femininity) in medieval France from the year 1410-1411 based on the letters of remission. The letters of remission were pardons granted by the king in the form of a royal letter, given to supplicants who had committed crimes but could justify their actions. The letters under investigation here were granted to supplicants who sought remission for violent crimes. I will argue that violence was not only used to construct, reinforce, and maintain gender identities, but by seeking and especially being granted pardon on these grounds, these actions were legitimized and therefore perpetuated their social acceptability.

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Introduction

On a cold October night in 1410, Jehanne awoke to a man attempting to defile her. An elderly and ill woman, Jehanne had fallen asleep in Estienne Blancoup's bed at a local hostel in Rouen where they both resided.¹ Estienne had stumbled back to his room after a night of excessive drinking and finding a woman in his bed "and tempted by the enemy" attempted to rape her. Jehanne, despite her advanced age (about 70-80 years old) and alleged sickness, fought back hurting Estienne's penis in the assault. Upset, Estienne took Jehanne by the head and hit her against something, presumably the wall or another hard surface. Jehanne survived this initial attack, but fell quite ill in the ensuing days and passed away. Upon her death, Estienne was arrested and imprisoned, but friends on his behalf petitioned the French crown for his immediate pardon and release from prison. To justify his actions, Estienne noted that he was enraged by the counter-attack of the elderly woman, but also that there was no real way of knowing if Jehanne had died as a result of her injuries, a possible illness that was known to be going around, or her advanced age. It was also argued that Jehanne was a widow of ill repute in the community, possibly even a prostitute. The king, or the royal council on his behalf, agreed that Estienne was not to be punished for his indiscretion and he was granted a royal pardon in the form of a letter of remission in which the above account was recorded. Estienne's reputation, any confiscated goods, and his *fama* were all restored to their former standing and he was permitted to continue living his life in peace without fear of arrest.

Estienne's masculinity had been both figuratively and literally damaged by a woman who did not fit within the socially proscribed mold of femininity, and therefore her loss to the

¹ Paris, Archives nationales de France (hereafter ANF), JJ165 11v. For this and what follows. A full transcription of this letter can be found in the Appendix.

community was minimal and his actions acceptable. This royal pardon opens the door to many questions: How was a man, who attempted to rape and was most likely guilty of killing an elderly woman able to argue his way out of any form of punishment and culpability? And, how did Estienne's and Jehanne's two different uses of violence and gender identities impact how they were viewed by the legal system and the community? This thesis attempts to recover the lost voices of men (and more rarely, of women) from the past, in order to understand how violence was used to establish and reinforce gender constructs, masculinity especially, as evidenced through the royal letters of remission. Both violence and gender were socially constructed as well as socially policed, and as such should be studied together. Gender was both influenced by and could influence the use of violence. Through a close examination of the letters of remission, supported by other primary source documentation and secondary literature, I will demonstrate that violence had a powerful influence over the construction and reinforcement of gender identities in medieval France.

Medieval Gender, Masculinity, and Femininity

Gender is difficult to define in any time period. In the Middle Ages, as today, there were many cultural and social factors that impacted the construction of genders. Genders were diverse for there was not one way to be masculine or one way to be feminine. For masculinity, the focus of this thesis, there were many ways in which an individual could express his manhood. Several identities intersected to shape masculinity, which diverged from a clergyman to a humble worker. Different social behaviours were associated with the various roles undertaken by men (father, husband, young, artisan, nobleman, citizen, the list goes on) that shaped how they conducted themselves – and were expected to conduct themselves – in private or public.

Common expressions of masculinity were related to domination (intellectual, economical, physical), authority, and power, which tied men of most social backgrounds together.² As will be discussed later on, men in the letters of remission whose authority or power was being questioned or diminished would resort to violence as a means of restoring social order.

Historians have not ignored the discussion of gender at large in the Middle Ages: Sharon Farmer has argued that there was a "multiplicity of medieval gender categories" that were highly influenced by a man or woman's economic and social standing in their society.³ Other influences could be race, religion, or occupation. Farmer has demonstrated the significance of intersectionality in studying gender constructions. Social standing and status had a crucial influence on how gender, masculinity, and femininity were perceived by medieval people. This intersectionality also lead to a hierarchy within masculinity and femininity.⁴ Masculinity and femininity are not only binary oppositions, however in the medieval period these were the two recognized genders and were often studied in comparison to each other.⁵ Ultimately, there is no agreed upon definition of gender among scholars. However it has been commonly accepted that "gender is performative [and therefore] readings informed by gender require a complex process of decoding that includes an historically specific approach to the ways in which genders and

² See Ruth Mazo Karras, *Sexuality in Medieval Europe: Doing Unto Others* (New York: Routledge, 2005).

³ Sharon Farmer, *Surviving Poverty in Medieval Paris: Gender, Ideology, and the Daily Lives of the Poor* (Ithaca: Cornell University Press, 2002), 2.

⁴ For a discussion on the hierarchy of masculinity see Ruth Mazo Karras, *From Boys to Men: Formations of Masculinity in Late Medieval Europe* (Philadelphia: University of Pennsylvania Press, 2002). Karras argues that there were three types of masculinity – the knight, the youth, and the cleric – and within each of these categories there were levels of manhood that one could achieve. Sharon Farmer has also discussed in detail the hierarchies of femininity among the poor in Paris, see *Surviving Poverty in Medieval Paris*, as well as Barbara Hanawalt has also discussed the hierarchy of femininity showing that women's social value was predominantly based on their sexuality and sexual purity, *'Of Good and Ill Repute': Gender and Social Control in Medieval England* (Oxford: Oxford University Press, 1998).

⁵ Elizabeth L'Estrange and Alison More, "Representing Medieval Genders and Sexualities in Europe: Construction, Transformation, and Subversion, 600-1530," in *Representing Medieval Genders and Sexualities in Europe: Construction, Transformation, and Subversion, 600-1530*, ed. Elizabeth L'Estrange and Alison More (Farnham: Taylor & Francis Group, 2011), xvii.

sexualities were both understood and constructed in the past."⁶ Gendered behaviours were also expressed in ways that were meant to demonstrate that an individual was acting within their society's norms and sociocultural mores. Men for example, would act with authority and domination as an expression of their masculinity.

The medieval individual had to conform to the proscribed norms to such a degree that it resulted in the projection of a social self. The social self was how an individual consciously and unconsciously acted in public as a means of reinforcing their adherence to gender norms of their society.⁷ The concept of the social self is significant to the analysis of letters of remission because how men and women characterized themselves as being instigators, defenders, or victims was highly dependent on how they perceived their actions and how those actions would be understood by their peers and the royal authority. An individual's gender identity was unique to them. How a man or woman conducted themselves was dependent on their lived experiences, social standing, and social surroundings. The letters of remission under investigation here were predominantly granted to male supplicants and therefore the main focus of this thesis will be the masculine gender construct. Women who were present in the letters of remission analyzed here were primarily depicted as the victims of violence at the hands of men. Discussions of femininity are limited by the low representation of women.⁸ Their experiences as recorded in the letters of remission were being written by male notaries and narrated by male supplicants. However, women will not be ignored completely, and some attention will be given to the constructs and

⁶ L'Estrange and More, "Representing Medieval Genders and Sexualities in Europe," xvi.

⁷ Neal, *The Masculine Self*, 8.

⁸ Of the 185 letters of remission granted to violent offenders under investigation here, only two were granted to women supplicants. Women were the victims of violence in fifteen letters. Overall women were represented in nine percent of the letters analyzed for this project.

reinforcement of femininity to identify how their gender identities were represented in the letters of remission.

While gender is an umbrella concept that considers all constructions and projections of masculinity and femininity, and everything in between, in the Middle Ages there were strict social norms that influenced how men and women behaved. Medieval masculinity was measured depending on how well a man fit in with the rest of his male peers; he had to be accepted both formally and informally by other men within his immediate social circle.⁹ Masculinities were largely constructed and performative based on being dominant. For example, in Paris, male university students were known to publicly rape women as a means of bringing shame to their male sexual competition.¹⁰ Also, as noted in the example that opened this introduction, Estienne's masculinity had not only been challenged by an elderly woman of ill repute, but she had also injured his penis, that was the essence of his virility. His reaction of assaulting her was acceptable as a means of protecting and re-establishing his masculinity. In the same spirit sexual dominance over women was also a justifiable and often times acceptable means for some men to establish their masculine identities.

As seen, Estienne's attack on Jehanne was not only legitimized by the court because of his need to reassert his dominance, but also because of Jehanne's questionable sexuality – a major factor in shaping a woman's feminine identity. All this was detailed in Estienne's letter, narrated by him and recorded by a male notary, to be granted by an all-male council on behalf of the king. As such, defining medieval femininity as per the letters of remission is not an easy task,

⁹ Derek G. Neal, *The Masculine Self in Late Medieval England* (Chicago: The University of Chicago Press, 2008), 7.

¹⁰ Hannah Skoda, *Medieval Violence: Physical Brutality in Northern France 1270-1330* (Oxford: Oxford University Press, 2015), 148. It should be noted that this study focuses on student behaviours in Paris; students were not represented in the letters of remission as their crimes were dealt with in the Church courts, rather than the secular ones.

especially considering the low number of letters that featured women (only 2 female perpetrators and 15 female victims of the total 185 letters analyzed). Like gender and masculinity, femininity was regulated by social hierarchies. Noblewomen and the wealthy elite in general were seen as being learned and spiritual, while women of the lower social standing were associated with illicit activities – especially sexual deviancy.¹¹ First and foremost according to clerical doctrine, women were also associated with their reproductive state: virgin, wife, widow; whereas men's social value was based in large part on their manual labours.¹² The focus on women's reproductive activities also served to establish the patriarchal order that justified women's subordination to men.¹³ As will be demonstrated through the letters of remission, women were most commonly the victims of sexual and domestic violence, whether by their husbands or strangers. These acts of aggression towards women was one way of maintaining and reinforcing the patriarchal social structures of the medieval world. Gender dynamics extended beyond the individual, they also served to shape society. Many historians, including Ruth Mazo Karras who noted that "medieval Europe was a man's world," suggested that male power dynamics had a strong influence on how medieval society functioned.¹⁴ Despite Karras' assertion that the medieval world was a man's world, women had agency and acted on their own accord.

Violence in medieval Europe as a concept is also not entirely agreed upon by historians and in history in general. For the purposes of this project, I define "violence" as a physical altercation between two or multiple parties resulting in injury (either physical, symbolic, or both) or death. Many historians have studied medieval violence under the larger umbrella of crime in

¹¹ Farmer, *Surviving Poverty in Medieval Paris*, 106.

¹² Farmer, *Surviving Poverty in Medieval Paris*, 107.

¹³ Farmer, *Surviving Poverty in Medieval Paris*, 117.

¹⁴ Karras, *From Boys to Men*, 1.

the Middle Ages. Most notably, Claude Gauvard's extensive research on crime in medieval France has had a major influence on the study of crime and state building¹⁵. In her most significant work, *De grace especial*, Gauvard argues that the French state was formed through its control over crime as part of royal attempts to consolidate power through an increasingly centralized policing structure. Claude Gauvard's *De grace especial* is also arguably the most significant work on the letters of remission. In this thousand-page volume, she uses quantitative analyses of over 7500 letters, among other judicial documents, to argue that over the course of the late fourteenth and early fifteenth centuries, the French crown was slowly transforming into a state through control over crime. However, the book's most glaring omission is the lack of qualitative analyses of pardons. Gauvard uses the letters to support arguments surrounding population demographics, the nature of crimes and offences, the differences in the number of criminals between men and women, or the ages when crimes were most likely to occur; however, there is little to no details as to *why* the letters are significant beyond the numbers and broader information their statistical analysis provides. In an attempt to document every aspect of society and their relations to state building, Gauvard conforms more closely to the Annales School of history, a form of social history that focused more closely on quantitative and statistical analyses. In doing so, Gauvard omits the wealth of narrative detail the letters of remission provide to social history of medieval violence and gender. Gauvard's top-down approach to studying French served to demonstrate how the royal authority was using judicial power to form the state.

As the state became stronger, so too did the court system as it became a viable option for those seeking justice. Daniel Lord Smail argued in *The Consumption of Justice* that people in the

¹⁵ Claude Gauvard, <<*De grace especial*>>. *Crime, État et Société en France à la fin du Moyen Âge* (Paris: Publications de la Sorbonne, 1990); also see Claude Gauvard, *Violence et ordre public au Moyen Âge* (Paris: Éditions A. et J. Picards, 2005).

medieval period were encouraged to use the courts as a means of pursuing and advertising enmities.¹⁶ To actually seek legal sanction for enmities there was a two level approach to using the courts in medieval Marseille. The first was from the ground up, or from the street level, where the people of Marseille would use the courts to pursue their personal interests against rivaling parties; the royal power was the second level of those who used the courts. Princes of neighbouring provinces were attempting to consolidate their power and monopoly over violence by encouraging people to use the judicial system. This use of the judicial system has appeared in the sample of letters of remission from the JJ165 series. Barbara A. Hanawalt, Edna Ruth Yahil, and Susan A. McDonough have also noted the social and cultural significance of using the courts.¹⁷ Other historians, including Hannah Skoda, Trevor Dean, Robert Muchembled, William Ian Miller, and Robert Bartlett, have also noted the social and cultural significance of violence in medieval Europe.¹⁸ To varying degrees these historians have argued that violence was performative and communicative; it was used to propagate specific messages to all those involved, including the perpetrator, the victim, and the witnesses of the act. As will be discussed in the next chapter, violence took many forms, and the ways in which it was used was intended not only to convey a message about a person's foe, but also about their gender identity within their community.

¹⁶ Daniel Lord Smail, *The Consumption of Justice: Emotions, Publicity, and Legal Culture in Marseille, 1264-1423* (Ithaca: Cornell University Press, 2003), 5-18.

¹⁷ Hanawalt, 'Of Good and Ill Repute'; Edna Ruth Yahil, "A Rape Trial in Saint Eloi: Sex, Seduction, and Justice in the Seigneurial Courts of Medieval Paris," in *Voices from the Bench: The Narratives of Lesser Folk in Medieval Trials*, ed. Michael Goodich (New York: Palgrave Macmillan, 2006); Susan A. McDonough, *Witnesses, Neighbors, and Community in Late Medieval Marseille* (New York: Palgrave Macmillan, 2013).

¹⁸ Skoda, *Medieval Violence* (2015); Trevor Dean, *Crime in Medieval Europe 1200-1550* (London: Longman, 2001); Robert Muchembled, *A History of Violence: From the End of the Middle Ages to Present*, trans. Jean Birrell (Cambridge: Polity Press, 2012); William Ian Miller, "In Defense of Revenge," in *Medieval Crime and Social Control*, eds. Barbara A. Hanawalt and David Wallace (Minneapolis: University of Minnesota Press, 1999); Robert Bartlett, "'Mortal Enmities': The Legal Aspect of Hostility in the Middle Ages," in *Feud, Violence and Practice: Essays in Medieval Studies in Honor of Stephen D. White*, eds. Belle S. Tuten and Tracey L. Billado (Farnham: Ashgate Publishing Limited, 2010).

Historical Context: A Mad King, his Kingdom at War, and the Social Landscape of France

The focus of this project falls under the time period of the reign of King Charles VI, who ruled over France from 1380-1422. However, the letters of remission housed at the *Archives nationales de France* in Paris used for this project date between 1410-1. Charles VI ascended to the throne when he was only twelve years old, but because he was too young to rule, his uncle Philippe, Duke of Burgundy, would assist him.¹⁹ However, by 1389 Charles VI ruled the country on his own but his abilities to rule were soon questioned. In 1392 Charles VI suffered the first of many bouts of insanity that would render him incapable of governing his vast realm.²⁰ In 1404 Philippe Duke of Burgundy died, creating a power vacuum that allowed his son, the new Duke of Burgundy Jean the Fearless, to eventually assassinate the king's brother Louis d'Orléans, an event that would throw some provinces of France into civil war.²¹ This was a tumultuous time for the French people and the kingdom as a whole. Since civil war within the country and an ongoing warfare with England that would later be known as the Hundred Years War (1337-1453) and the Great Schism in the Church (1277-1418), meant that the French people were surrounded by violence and uncertainty in their everyday lives. The social landscape of late medieval France was ever changing and fluid. The high medieval understanding of social order – those who pray, those who fight, those who work – had become outdated with the rise of specialized trades in urban areas.²² In the thirteenth century, as France was experiencing significant changes, there was a recognition of the king's power and authority to control violence. The nobility were still

¹⁹ Daisy Delogu, *Allegorical Bodies: Power and Gender in Late Medieval France* (Toronto: University of Toronto Press, 2015), 5.

²⁰ Delogu, *Allegorical Bodies*, 5.

²¹ Delogu, *Allegorical Bodies*, 6.

²² Jo Ann McNamara, "The *Herrenfrage*: The Restructuring of the Gender System, 1050-1150," in *Medieval Masculinities: Regarding Men in the Middle Ages*, ed. Clare A. Less (Minneapolis: University of Minnesota Press, 1994), 3.

engaging in their private wars, but the people of lower social standings were becoming less inclined to participate. With the rise of commerce as a major facet to the economy, labourers and merchants were more supportive of the king's efforts to create order by limiting large-scale violence, as well as engaging in the court system to settle interpersonal conflicts.²³

In the thirteenth century, Louis IX (r. 1226-1270) issued a major ordinance that reformed the structure of royal power, reaffirming the king's full judicial authority over the French realm.²⁴ This ordinance did not quash hostility between the crown and the nobility. In the fifteenth century there were still power struggles between the princely authorities of French provinces – or the provinces themselves - and the king. It was an accepted practice that princes and cities' representatives pledge an oath to the king upon their coronation or election, demonstrating their fealty to their lord, however when it came time to impose royal laws within individual provinces, and the king faced resistance based on the regional customs.²⁵ Although by the fourteenth century a royal judicial framework had been established throughout much of the realm,²⁶ the importance of local customs remained strong. This means that determining the extent to which the royal pardon was accepted in individual regions can be difficult. Indeed, these letters were granted with the king's authority only and the supplicant still had to contend with their local customs before their pardon was implemented.

Legal procedure in the late medieval period had become increasingly formalized. Compared to the early Middle Ages where much of the proceedings were verbal, documentary

²³ Warren C. Brown, *Violence in Medieval Europe* (London: Longman, 2011), 256-8.

²⁴ Jean Dunbabin, "The Political World of France, c. 1200-1336," in *France in the Later Middle Ages*, ed. David Potter (Oxford: Oxford University Press, 2002), 36-37.

²⁵ Graeme Small, "The Crown and the Provinces in the Fifteenth Century," in *France in the Later Middle Ages*, ed. David Potter (Oxford: Oxford University Press, 2002), 140.

²⁶ Justine Firnhaber-Baker, "Jura in Medio: The Settlement of Seigneurial Disputes in Later Medieval Languedoc," *French History* 26, no. 4 (2012): 447.

evidence became highly valued in the high and late Middle Ages where it was common practice to make multiple copies of legal documents for every stage of a case. This practice of creating a paper trail started around the thirteenth century and became the norm by the fifteenth century.²⁷ With the development of the court system more people had access to justice through non-violent or retributive means. The large number of letters of remission, estimated at 53,829 dating from ca. 1302-1568, demonstrates that the French people knew how to use the courts to their advantage and that they did so with some regularity.²⁸

The social landscape of medieval France is a significant component to the study of violence. France was not a homogenous kingdom and there were customary laws that were in competition with the royal legal foundations throughout the realm. In 1388, for example, a royal decree by Charles VI demanded that the people of France stop attacking and impeding the royal sergeants who were attempting to serve arrest warrants for those who had acted against royal laws.²⁹ This royal ordinance demonstrates the disconnect between royal and local values, the people of France would not have revolted had they been in agreement with the practices of the royal authority. It can be assumed these sentiments were held throughout all regions of France to varying degrees, where customary laws could have been more highly regarded than the royal laws. The implications that this regional disparity has on the letters of remission is significant. Because each individual region presumably had its own customs and practices, they would have also had their own interpretations of what was considered acceptable or legitimate violence. Letters that were granted only represent acceptable violence under royal authority, but the

²⁷ James A. Brundage, *The Medieval Origins of the Legal Profession: Canonists, Civilians, and Courts* (Chicago: University of Chicago Press, 2008), 161.

²⁸ For a discussion on the rise in use of the courts see Smail, *Consumption of Justice* (2003).

²⁹ *Ordonnances des roys de France de la troisième race recueillies par ordre chronologique 1383-1394*, ed. Mr. Secousse (Paris: L'imprimerie royale, 1745), 197-199.

supplicant's actions may have been against their local norms. One way of measuring the discrepancies between royal authority and local customs would be to investigate the rates of ratification of the letters of remission in each individual region, however this is beyond the scope of this project.

Despite recurring plague epidemics, cities and towns in medieval France were thriving in the later centuries of the Middle Ages. With increased migration from rural to urban areas and the rise of professional trades in the high Middle Ages new social communities had emerged. Masters and apprentices alike formed their own social groups: artisans were those who were manufacturers, those who were creating the goods that were being sold in market or made to order. In the late thirteenth and fourteenth century there was increasing esteem for artisans. Men, and to a lesser extent women, were working with their hands but within an urban setting rather than rural labourers who toiled in the fields. Hierarchies among and within the trades soon developed with trades like goldsmiths among the top rankings and innkeepers near the lower rungs.³⁰ The social standing of the supplicants and victims in the letters of remission were largely from the labouring strata of society, while very few letters being granted to nobles who sought pardon from the king.³¹ Social status also shaped the perception of masculinities; in clerical literature poorer men (and women) were presented as less moral than richer, propertied men.³² Each individual person understood gender and violence differently depending on their social status, gender, race, location of residence, among other factors. It can be difficult in some letters

³⁰ Sabrina Corbellini and Magriet Hoogvliet, "Artisans and Religious Reading in Late Medieval Italy and Northern France (ca. 1400-ca. 1520)," *Journal of Medieval and Early Modern Studies* 43, no. 3 (2013): 521-522.

³¹ Of the 212 letters of remission for both violent and non-violent crimes analyzed for this project: 117 were granted to supplicants (114 male; 3 female) who were described as "poor," "labourers," or those who had professions listed; 10 letters were granted to nobles (8 male; 2 female); 85 letters were granted to supplicants who did not have their social standing recorded (80 male, 5 female).

³² Farmer, *Surviving Poverty*, 41-2.

of remission to determine the region or location from which a supplicant lived. However, it has been noted by historians that there were higher rates of violence in urban areas where population densities were greater and there was more anonymity.³³ The people who I term as being at the street level were those who I argue were the most likely to engage in small-scale interpersonal violence. By focusing on those who were at the street level shifts away from a popular avenue of research for medieval historians. Noble feuds and private wars have been a leading focus for the study of interpersonal violence. But with the rise of social history and a shift of focus away from the nobility, a new face of interpersonal violence appears.

The purpose of this project is to demonstrate that gender, especially masculinity, and violence were intrinsically linked together. How violence was used, against whom, and for what purpose was highly regulated based on the individual's gender and social standing who was engaging in the act. Men competing with each other to maintain their masculinity meant that they were engaging in many forms of violence, both against other men and women. Women who resorted to violence were doing so to also uphold their sexual purity and by extension their reputation, as was demonstrated by Jehanne's actions against Estienne. In what follows, I will demonstrate the value of the letters of remission in studying the links between masculinity and violence (chapter 1). As the letters show masculinity could be shaped and influenced by violence, for violence was used to establish and maintain one's reputation and honour – concepts that were integral to the medieval individual's identity (chapter 2). Moreover, violence was used

³³ Maryanne Kowaleski, "Medieval People in Town and Country: New Perspectives from Demography and Bioarchaeology," *Speculum* 89, no. 3 (2014): 573-600.

as a means of policing and reinforcing social hierarchies both within the private sphere as well as society at large (chapter 3).

Chapter 1 The *Lettres de rémission*

Perrin Guerin was a butcher in the town of Champagny-sur-Yvonne, in today's Bourgogne-Franche-Comté region of France.³⁴ Around the year 1410, according to the letter of remission he obtained, Perrin discovered that his wife, Jehanne, had been having an illicit affair with a known womanizer named Vieu. Perrin confronted his wife about her alleged affair, to which she admitted after a lengthy discussion. Extremely upset, Perrin demanded that Jehanne abstain from seeing Vieu and to stop living her dissolute life. But it had come to the attention of Perrin through common knowledge among the community that his wife had talked with Vieu on several occasions after he had asked her to stop. On the 18th of November 1410, Jehanne left their home and went to tend to some cows; after having been gone for a questionably long period of time, Perrin also left the hostel to find her. It was at this time that Perrin discovered that his wife had gone to have a drink with Vieu and he also believed that Vieu and Jehanne had had sexual relations. Moved by anger because of his wife's refusal to stop living her dissolute life, Perrin took a small knife that he had been wearing, and stabbed Jehanne several times. She died almost instantly and Perrin fled the country. But, said the letter, Perrin had been a man of good repute, honest conversation, and never convicted of any other villainous actions. He had also attempted to admonish his now-deceased wife to stop her illicit affair, an expected and accepted means of policing behaviour for husbands.³⁵ The narration of the letter attempts to demonstrate that the violence was just, therefore Perrin was worthy of remission. Perrin Guerrin obtained a royal pardon for killing his wife by King Charles VI's grace and mercy; he was restored to his former reputation within his local community and all his confiscated goods returned to him. The

³⁴ ANF JJ165 13r. For this and what follows.

³⁵ Hannah Skoda, "Violence Discipline or Disciplining Violence? Experience and Reception of Domestic Violence in Late Thirteenth- and Early Fourteenth-Century Paris and Picardy," *Cultural and Social History*, 6 no. 1 (2009): 10. For a discussion on domestic violence see chapter 3.

king would inform his lieutenants and officers to let Perrin live and work in peace, without any further apprehension or confiscations. This matter was hereafter closed and sealed under the king's authority on the 28th of November, 1410.

The details of this homicide were recorded in the form of a *lettre de rémission*. These letters were royally granted documents that were intended to absolve people from wrongdoings that they had committed. Although the letters are relatively short in length (an average of 1-2 pages each), their historical value is great; they are some of the few judicial documents that historians have that provide details about medieval people of the lower social standings, as well as social attitudes towards violence and gender. France was not the only realm of medieval Europe to grant pardons, England, Iberian, and Low Countries also had well documented processes for granting pardons, but the French letters of remission are unique in their structure and for focusing on the recitation of the suppliant.³⁶

1.1 The lettres de rémission: A History

The *lettres de rémission* were a long-standing tradition in medieval and Early Modern France. The earliest recorded letters date to 1302 under the reign of Philippe le Bel (r. 1285-1314) and ended in 1568 under Charles IX (r. 1560-1574).³⁷ These letters represent one of the

³⁶ Pascal Texier, "La part de l'ombre de la rémission: Remarques sur les requêtes en rémission et leurs rédacteurs," in *La part de l'ombre. Artisans du pouvoir et arbitres des rapports sociaux (VIIIe-XVe siècles)*, ed. Jacques Péricard (Limoges: Université de Limoges, 2014), 183-4.

³⁷ François Michel, "Note sur les lettres de rémission transcrites dans les registres du trésor des chartes," *Bibliothèque de l'école des chartes* 103 (1942): 317; Charles Petit-Dutaillis, *Documents nouveaux sur les mœurs populaires et le droit de vengeance dans les Pays-Bas au quinzième siècle* (1975 repr., Genève, Slatkine Reprints: 1908); Gauvard, *DGE* (1990); Davis, *Fiction in the Archives* (1987) – Davis' work on sixteenth-century letters of remission has been highly influential in the field of social history, especially when discussed the constructed narratives of judicial records. Because her book focused on the sixteenth-century the examples Davis used were not wholly relevant to this study. Her methodology though was very significant to how I analyzed the letters of remission.

only continuous chronological, full archives from medieval France, ranking them among the best documents to study crime in this period.³⁸ However, until recently and with the exception of Claude Gauvard and Natalie Zemon Davis' highly acclaimed *Fiction in the Archives*, these documents have been largely neglected by historians, for most early works focused primarily on statistical analyses of the letters, rather than the content.³⁹ Letters of remission from the fourteenth and fifteenth centuries provide two insights into medieval French criminality: first they provide a descriptive and data oriented look at crimes that were committed (whom, when, what and where – Gauvard's approach). Second, and more importantly for this project, they provide insight into the discourses about crime from the time period, both from the kings' and the people's perspectives.⁴⁰ Over the course of the 266 year tradition of granting letters of remission (ca. 1302-1568), there were 53,829 letters given to people who had committed serious crimes.⁴¹ The first letters of remission were written exclusively in Latin until the reign of Philippe VI (r. 1328-1350), where there was a shift from all-Latin letters, to about half the letters being written in Latin as well as Middle French; this transition was due in large part to French becoming the Chancery language preferred by the courts.⁴²

³⁸ Gauvard, *DGE*, 56.

³⁹ Gauvard, *DGE*, 64.

⁴⁰ Gauvard, *DGE*, 76.

⁴¹ Michel, "Note sur les lettres," 324. Michel notes that the total number of letters of remission includes letters of absolution that were also granted by the king. He argues that the reason for lumping these two categories of letters together was due to the fact that they both were granted through royal intervention, they were both judicial acts with the same effect of pardoning an individual: see Michel's discussion on page 318.

⁴² Michel, "Notes sur les lettres de rémission," 319. Not all pardons were recorded in the letters of remission. For larger scale pardons, such as for whole municipalities, the kings of France would include remission and pardon into larger judicial documents. One royal ordinance granted by Charles V from 1358 grants the whole town of Languedoil grace, remission, and pardon for using or buying false money from outside the French realm. But this remission had the caveat that those who engaged in false money dealings were to be punished according to the severity of their crime, see *Ordonnances des roys de France de la troisième race, recueillies par ordre chronologique*, ed. Mr. Secousse, 1355-1364 (Paris: L'imprimerie royale, 1732), 222.

1.1.1 The JJ165 Series: Letters of remission, 1410-1411

The letters under investigation for the purposes of this project are from 1410-1411 from the JJ165 series of documents at the *Archives nationales de France* (ANF) in Paris.⁴³ There were all granted by the king or by the royal council on the king's behalf in Paris. This specific series has 331 letters of remission, including 185 letters granted for violent crimes (i.e. altercations resulting in any kind of physical injury).⁴⁴ All 185 letters of this series were analysed for the present project. Of those 185 letters, 183 were granted to men and two to women. I used a mostly qualitative analysis looking at the narratives contained within the letters to make arguments about gender and violence. Statistics were not ignored and there are comparative numbers provided throughout the thesis to give insight into the proportionality of certain types of violence and the gendered behaviours that were present in the letters.

To open each chapter I have carefully selected letters of remission as case studies to introduce the topic of discussion. These introductory letters have been transcribed in the appendices, for they constitute exemplary case studies which are representative of the interplay between violence and gender in relation to each chapter's argument. The introductory letters highlight and exemplify patterns that were observed in the corpus of 185 letters studied for this project (1410-1411). Because so many of the letters follow similar patterns of violence, opening each chapter with a case study provides some insight into the common tropes that were used to justify pardon that can be found in many of the letters.

⁴³ Not all the documents contained within the ANF JJ165 series are letters of remission, also contained within this series are letters of nobility, and royal letters granting land to various parties.

⁴⁴ In total, 212 letters from the JJ165 series were read for indications of violent behaviours. From the 212, 185 letters granted pardon to violent offenders and comprise the corpus of letters analyzed for this project.

The letters of remission are ideal sources to analyze the interplay between masculinity and violence in medieval France. They constitute a growing corpus of sources historians have to study the voice of the lower strata of society in the Middle Ages. Not only are the letters a window into the lives and social attitudes of common people towards violence, but they also provide insight into the malleability of the justice system. The king had to balance the law with what was acceptable among individual communities.

1.2 Structure of the *lettres de rémission*

Because the medieval letters of remission were official legal documents, they had to follow a specific format. Each letter from the series under review opened with the same introductory sentence: “*Charles par la grace de dieu roy de France, savoir faisons a tous presens et avenir.*” This initiatory sentence was not unique to the letters of remission, but rather was used to open all legal documents created by most of the kings of medieval France; a testament to the formulaic nature of the letters. The king likely had no part in the creation of the letter, but rather the letters were written and granted on his behalf by his council. This appears to be the case for most letters in the JJ165 series, as each letter ends with a sentence stating that the letter was approved by the king through his council.⁴⁵ Following the declaration of the king, the letter continued with the formulaic structure that the Crown had received humble supplication from the either the supplicant themselves, their friends, or their family, or any combination thereof.⁴⁶ From there, the letter would usually describe a few details about the supplicant themselves, providing information about their occupation, if they had any children, or a spouse,

⁴⁵ Most letters end with the concluding sentence “Par le roy ala relacion du conseil.”

⁴⁶ The vast majority of the letters of remission say “Nous avoir rec[u]eu humble supplicacion des amiz charnelz/parens...”

as well as where they lived; however, it should be noted that these details were not always provided. The first few sentences were standard for every letter of remission. After all the formalities, the story of the event necessitating the pardon was recorded. The details of the crime took up the bulk of the letter, but the amount of description varied greatly depending on the crime, and it can be assumed by what the supplicant told the notary when the original letter was being written. These middle portions are where the supplicant would have provided all the information, and in some letters there is even the inclusion of dialogue that was alleged to have occurred between a rivalling party or those involved in the crime. Finally, the letters ended with another formula where the king argues that for reasons outlined in the letter that the supplicant was worthy of pardon for their actions. Simply stating that the supplicant was being reactive rather than the instigator was not enough to justify pardon: through the voice of the king the letter had to make clear that the supplicant was of good repute, honest conversation, and that the supplicant had not been accused of, or committed any other crime.⁴⁷

Although supplicants were receiving pardon, they were not necessarily free from punishment. In a small percentage of letters there were conditional pardon stipulating that the supplicant had to serve a prison sentence, or a *surpeine*.⁴⁸ Letters always ended with sentences about the king's mercifulness and benevolence, ensuring that the people knew that it was through his grace and authority that the pardon was being granted to the supplicant. The King also ensured that his sergeants were aware that the supplicant had received royal pardon, meaning

⁴⁷ Most of the letters will start the actual pardon portion by saying "homme be bon vie renommé et conversacion honneste sans avoir esté reprins, actant ou convaincu d'aucun autre vilain cas..." ANF JJ165 104 v.

⁴⁸ *Surpeine* was an extra punishment given to supplicants, usually a few months in jail subsisting only on bread and water. For a more detailed discussion of the *surpeines* see See Pierre Charbonnier, "Les limites du pardon des violences dans les lettres de rémission du XV^e siècle," in *La violence et le judiciaire*, eds. Antoine Follain, Bruno Lemelse, Michel Nassiet et al. (Rennes: Presses universitaires de Rennes, 2008), page 61-74.

they could not impede, prevent, or arrest the supplicant for the crime. Additionally, all the supplicant's confiscated goods were to be returned. To end, the letters were dated and the notary signed their name at the bottom.⁴⁹ The letters' formula is significant for several reasons: first, although it was written on behalf of the King, and made to sound as if he was the narrator of the letter, the final document was drafted by a notary and the King most likely took no part in its creation. Second, the letters were written in such a way to ensure that the community was aware that it was through the king's grace that this pardon was being granted, and by the king alone, solidifying his authority as divine ruler. Finally, the letters constitute some of the official, legal documents that gave a glimpse into the lives of those who were not nobles, nor clergy, but who were at the street level.

1.2.1 Letters as Constructed Narratives

There were many people, or stakeholders, involved in the creation of a letter of remission, and each played a significant role in granting the pardon. Starting at the street level, there was the supplicant and the victim (or their family on their behalf). The supplicant needed to ensure that when seeking pardon, they looked like the victim. Likewise, the victim needed to be painted in a negative light to safeguard the supplicant's request for pardon. Next were the notary and legal staff that would help with the initial creation of the letter. They were, in theory, unbiased legal experts who understood the process for obtaining pardon and were responsible for appeasing all other stakeholders. There was also the King and his representatives who needed to appear as benevolent but fair, not too lenient, but also merciful when circumstances called for it. And finally, there was the community from which the supplicant and victim were members. The

⁴⁹ See the Appendix for fully transcribed letters of remission from the ANF JJ165 series.

community, while not necessarily playing a major role in the process of acquiring a letter of remission, was significant for understanding the social constructions about violence and gender: what the supplicant says in their letter about violence would have been informed by their social surroundings.

What was eventually recorded in the *Trésor des chartes* is the final version of the letter of remission. These letters are the constructed narratives of all those involved in their creation. The original voice of the supplicant would have been transformed, their words changed and shaped to fit the royally prescribed format. Of all the parties involved in the process, notaries were integral to the production of a letter of remission. Notaries were “responsible for the wording of the introduction and the conclusion. He [the notary] would have learned the wording as a young man and might well have a Chancellery style book in his office,” further evidence that the letters had a specific and regulated structure.⁵⁰ Notaries were the mediators in the sense that they were expected to write things down as the supplicant said, but also to conform to legal proscriptions of transcribing: “the notary gives the document its frame and writes the king and the supplicant into the narrative, but collaborative product though it is, the letter of remission can still be analyzed in terms of life and values of the person saving his neck by a story.”⁵¹ There were transformations in the language, dialects were changed to French, and the first person was changed to the third.⁵² To refer to the narrative as a story, as Natalie Zemon Davis has done, would be to suggest that there is an element of fiction in the letters of remission. While the veracity of the details of the letter may not be inherently important to the social value of the narratives, they are also not purely works of fiction. For letters about violent events especially, there are some details that can

⁵⁰ Davis, *Fiction in the Archives*, 15-6.

⁵¹ Davis, *Fiction in the Archives*, 25.

⁵² Davis, *Fiction in the Archives*, 22-3.

be taken as fact: there was a definite altercation, a victim who most likely did not survive their injuries, and a supplicant. The questionable portions of the letter were relatively minor to the grand overall narration. The letters are most valuable for the ways in which supplicants understood their actions and placed themselves into situations where violence was acceptable. Whether the supplicant's version of the events was true does not detract from the significance of their narratives.

In the late Middle Ages there was a developing trend in legal practice to determine the truth of an event that was being tried in court or necessitating a remission.⁵³ Like the constructed narrative of the document, the details the supplicant included within the letter are most likely not an accurate depiction of the events that lead to the need for remission. The letters cannot (and should not) be taken as truthful, but once there had been a confession and the words written, approved, and granted they became real; letters of remission therefore became a judicial reality whether the details contained within were truthful or not.⁵⁴ It was the responsibility of the supplicant to plead their case and ensure that they appeared as the victim, or unwilling participant of the altercation, and, as Charles Petit-Dutaillis noted, historians should not be distracted by attempting to determine the veracity of the supplicant's story, but rather what the letters can tell us about everyday life in the Middle Ages.⁵⁵ What the letters contain about attitudes towards social issues, such as violence and gender, are what make the letters valuable.

As has been noted already, the letters of remission were the creation of multiple stakeholders. But the supplicant was responsible for ensuring that their version of the events was consistent with socially acceptable forms of violence and that their victim fit the mould of the

⁵³ Gauvard, *DGE*, 145-9.

⁵⁴ Gauvard, *DGE*, 66.

⁵⁵ Petit-Dutaillis, *Documents nouveaux sur les mœurs populaires et le droit de*, 11.

ideal victim. Notaries could help with this portion of the narration, they knew under what circumstances a supplicant could legally be in possession of a weapon (if it was on their person as an everyday tool for their trade), or to demonstrate that the victim had been remorseful for starting the altercation.⁵⁶ Some credit should be given to the supplicant and their ability to narrate their version of the events to the notary, including perpetuating attitudes towards acceptable violence. Those at the street level were not exempt from seeing and understanding the nuances of violence in their society. Popular works of fiction depicted violence between genders, including *Roman de Renart*. It was common for people to read aloud portions of literary works in public spaces for largely illiterate audiences.⁵⁷ These public performances would have had an impact on how a supplicant would recount their statement. I argue, therefore, that because it was the supplicant whose life was in danger, effectively their version of the events had to persuade the King. Notaries ensured that letters fit the legal format, but ultimately the core testimony in the letter was based on the supplicant's words.

Letters of remission were the work of several different stakeholders who all had their own vested interest in the creation of the letter. For the supplicant, they were seeking absolution for their actions, for their lives were in danger – should a letter of remission fail to be acquired they faced the death penalty. Letters of remission were reserved for crimes where if prosecuted would result in capital punishment, including murder, homicide, and rape. The notaries would have received some sort of financial compensation for their work in drafting a letter, which he did not have to do in the first place. And finally, the king's interest would have been in ensuring that both the royal power was being respected, as well as the laws being followed. Therefore, I argue that the narrative within the letter was predominantly the point of view of the supplicant.

⁵⁶ Davis, *Fiction in the Archives*, 17.

⁵⁷ Skoda, *Medieval Violence*, 23-4.

1.2.2 Defining Violence in the *Lettres de rémission*

The specificity of the language surrounding violence is essential to comprehend the medieval mind-set around it. Because violence is an anachronistic word, and has many definitions, for the purposes of this project "violence" is used to refer to a physical altercation resulting in injury or death.⁵⁸ Physically violent altercations were the most commonly pardoned crimes represented in the letters of remission. In the JJ165 series studied for this project, there were three predominant categories of violence: homicides, assaults, and rapes, the first being the most common since of the 185 letters about violent altercations 175 were for clashes that resulted in death. In order to understand violence in the Middle Ages effectively, however, there needs to be an analysis of the language of violence. Because there were varying degrees of severity for violent altercations, the language contained within the letters of remission, and other legal documents, had to be precise. In her study on violence in thirteenth century Northern France Hannah Skoda has noted that there were specific expressions in judicial documents to describe the types of violence:

'Ferir' designated the specific action of striking somebody, often with a single blow: Beaumanoir used it to evoke the idea of a poor man striking his lord. 'Battre', on the other hand, was used in the context of a struggle, suggesting blows being struck often indiscriminately: an alternative expression was 'colée donner' (to give a volley of blows)... 'Navrer' indicated a blood wound, and often occurred in the context of a murder or a mêlée. 'Mehaignier' referred to beating up causing near death, whereas 'afoler' implied damage necessitating the presence of a doctor.⁵⁹

These terms indeed occurred frequently in the letters of remission to describe events necessitating a pardon. Over time words evolve and their usages change which is why word usage is significant in the letters of remission as it was imperative that the supplicant provide

⁵⁸ Skoda, *Medieval Violence*, 3.

⁵⁹ Skoda, *Medieval Violence*, 29.

accurate depictions of the violence had occurred. The most common words found in the letters of remission were *navrer* and *ferir*: Guillaume la Veste was pardoned after he struck and killed Pret de Montelbus two or three times with a farm tool without drawing blood (*sans le navrer d'effusion de sang*).⁶⁰ And Thomas Boussay was pardoned for stabbing Guillaume Jubin (*getta dudit coustel contre ledit Guillaume, et en ataigny et fery plusieurs cops icellui Guillaume sur la teste et bras*).⁶¹

While homicides and assaults were the primary forms of violence contained within the letters of remission, there also several rape cases that were pardoned. The language surrounding rape was also significant to the narrative of the letters of remission. As Skoda demonstrates:

'Forcer (and other signifiers from the same root: 'esforcier', 'faire force', and so on) indicated non-consensual sexual relations... 'forcer' was also used in conjunction with 'despulcer', again evoking the idea of material loss, because a woman without her virginity was of less value on the marriage market... extra-marital sexual intercourse was defined as an act of public violence, rather than an activity affecting only the individuals directly involved.'⁶²

The choice of words was integral to the supplicant's narrative. In the letters of remission women who were raped were often acted upon *contre son gré*, suggesting that it was against her will, but few other details were available about what her actions would have been. For example, Pierre Aubrun was pardoned for raping a woman *contre son gré*, but there was not mention of what the woman's reaction was to her attacker.⁶³

The very specific language demonstrates that there was a medieval hierarchy of violence as noted by Philippe de Beaumanoir de Beauvaisis (ca. 1247-1296), in his legal treatise *The*

⁶⁰ ANF JJ165 76r. It should be noted that in this example, the supplicant Guillaume had struck his victim several times with the farm tool, despite the letter using the term *ferir*.

⁶¹ ANF JJ165 154r.-154v.

⁶² Skoda, *Medieval Violence*, 29-30.

⁶³ ANF 195r.

Coutumes de Beauvaisis. The treatise showed the many different forms that violence could take, which were ranked according to severity. This hierarchy was best exemplified for homicide and murder, but there were significant distinctions between the two deadly forms of violent actions. While legitimate violence as the result of enmities necessitated that there be common knowledge of discord between parties, violence could also be acceptable in heat of the moment altercations.⁶⁴ Homicide was the preferred term to designate actions that were in the heat of the moment, where the aggressor was provoked to resort to violence. In the *Coutumes de Beauvaisis*, homicide was defined as "when someone kills someone else in a fight... for example, it happens that a disagreement arises, and from the disagreement come harsh words, and from the harsh words the fight in which people often get killed."⁶⁵ In many of the letters of remission, this exact sequence of events occurred, resulting in the death of someone necessitating a pardon for the alleged killer.⁶⁶ By the fifteenth century, these definitions were still used in the French legal ordinances.⁶⁷ Although Beaumanoir was writing from a different time period and his treatise was localized to reflect the customary laws of the Beauvaisis region, it becomes clear that these laws were also applicable to other areas of France. In the event that the victim did not die immediately, customary law stipulated that should death occur within forty days of the altercation, the perpetrator was liable for homicide.⁶⁸ Much like homicide, murder resulted in the

⁶⁴ Bartlett, "Mortal Enmities"; Beaumanoir *The Coutumes de Beauvaisis*, 303, 316.

⁶⁵ Beaumanoir, *The Coutumes de Beauvaisis*, 303.

⁶⁶ Beaumanoir, *The Coutumes de Beauvaisis*, 305.

⁶⁷ *Ordonnances des roys de France de la troisième race recueillies par ordre chronologique 1383-1394*, ed. Mr. Secousse (Paris: L'imprimerie royale, 1745), 426.

⁶⁸ Claude Gauvard argues that the customary law of death within 40 days of an attack was not taken into account for the letters of remission because it was never explicitly mentioned in the sample of letters she analyzed. However, I argue that it could very well be that the 40 day rule was in effect, even if not explicitly alluded to, because when someone died at a later date after an attack, the number of days was always explicitly included in the narrative of the letter and the supplicant was obviously in need of pardon. One example comes from a father and son who sought supplication after they killed a man in a heated debate over pigs. (ANF JJ165 33r.-33v.) The son and his victim were arguing about sharing pigs at the butchery, when they got into a physical altercation. The son allegedly stopped his attack, but the victim continued and eventually the father and son teamed up to kill the victim. They stabbed the

death of someone, however murder was believed to be premeditated, under cover of darkness, and secretive.⁶⁹

Like homicides and murders, Beaumanoir also argued that there were varying degrees of severity to assaults, violent altercations that did not result in death. These distinctions were primarily contingent on whether blood had been drawn during the altercation. The punishments for assaults depended on the time of day, time of year, status of those involved, and the amount of blood and injuries done to one another.⁷⁰ Philippe de Beaumanoir paid much attention to the act of killing another, even providing details about the proper usage of self-defence. He defined the act of killing someone in self-defence as someone who was being attacked "being given without mercy blows from which he might die."⁷¹ But if a man were to be attacked without a weapon, he was not permitted to use a weapon to defend himself as that would have put the defender at an advantage.⁷² For example, Jameton Turpines used a bread knife to stab his alleged attacker four or five times after a verbal altercation had erupted between the two of them.⁷³ Turpines, who used physical violence first, was careful to note that he already had the bread knife on his person, therefore he had not intentionally sought out a weapon.

1.2.3 Weapons of Violence

The inclusion of weapons in the letters of remission could have been problematic for the supplicants, as this could have indicated that their violent actions had been premeditated. That is

victim in the head with a knife, but the victim died nine or ten days later (*que IX ou X jours après ensuivant ou environ il ala de vie à trespasement si comme l'en dit*). The father and son, fearing that they would not receive justice, fled the country, eventually receiving pardon. Gauvard, *DGE*, 93-4.

⁶⁹ Beaumanoir, *The Coutumes de Beauvaisis*, 303.

⁷⁰ Beaumanoir, *The Coutumes de Beauvaisis*, 305.

⁷¹ Beaumanoir, *The Coutumes de Beauvaisis*, 316.

⁷² Beaumanoir, *The Coutumes de Beauvaisis*, 316.

⁷³ Paris, Archives nationales de France, JJ165 23v. – 24r.

why it was imperative that supplicants noted that they either had an everyday object on their person at the time, such as a bread knife, or that there had been something lying around that was easily accessible in the heat of the moment during an altercation.⁷⁴ For example, after some insults were uttered against each other, Ylain Ricart pulled out a blade he had on his belt and struck a man named Michiel on the legs and drew blood.⁷⁵ In the letter granted to Jameton Turpines he was pardoned for stabbing a man to death with a bread knife that was within his reach.⁷⁶ Ensuring that the instrument had been accessible during the altercation was intended to indicate that the supplicant appeared as though they were acting in self defense or at the instigation of someone else.

The most common weapons mentioned in the letters of remission were knives, farm tools, or random pieces of wood that were lying about. It was rare that altercations were only fought with fists: weapons were much more the norm. Sometimes violence was initiated with hands, for example in the letter for Jameton Turpines who struck Jehan Courier three or four times and at least once in the face with his fist to cause blood to flow (*frappa ledit Courier troys ou quatre coup du poing un coup parmy le visage*); which escalated the altercation to the point where weapons were used and ultimately killed the victim.⁷⁷ In cases of domestic violence, husbands were at times pardoned for killing their wives with their bare hands, but also with knives, as will be discussed in chapter three.

Weapons were the tools used by supplicants to attack their victims. Words were the tools used by the supplicants and the notaires to ensure that the plea for pardon was convincing enough to receive supplication. But actually obtaining a letter was not simple.

⁷⁴ Natalie Zemon Davis, *Fiction in the Archives*, 17.

⁷⁵ ANF JJ165 53v.-54r.

⁷⁶ ANF JJ165 23v.-24r.

⁷⁷ ANF JJ165 23v.-24r.

1.3 Obtaining a Royal Pardon in Fifteenth-Century France

While the structure of the letter was relatively straightforward, actually getting a letter drafted was a process that required the involvement of many people, from different levels of society: there were the supplicants themselves, or their friends and family, the notaries who recorded the details of the letters, the royal authority who provided pardon, and finally the royal notary who recorded the final letter for archival purposes – the letters historians now have access to. The process of acquiring a letter was not necessarily quick and easy. After having committed the alleged crime necessitating a letter of remission, a supplicant or someone on their behalf would find a notary who could record the events. If the letter was deemed worthy of pardon by the king the supplicant would then be required to have the letter validated in the region in which they lived and the ratification process began.⁷⁸ The letter was read to the court, and there was a sort of interrogation to ensure that the supplicant's version of the events matched what was contained in the letter, as well as the information collected during the trial or investigation. Then the friends and family of the victim had the opportunity to dispute the letter, and the friends and family of the supplicant were interviewed to determine the repute and *fama* of the supplicant.⁷⁹ If all the interviews and opportunities for rebuttal showed that the supplicant had not been behaving disreputably or dishonourably, then the letter was granted.

While the above description outlines the standard process for having a letter drafted, there were three ways of acquiring a letter of remission. In the first case, after being found guilty of a

⁷⁸ Leah Otis-Cour, "Les limites de la grâce et les exigences de la justice: l'entérinement et le refus d'entériner les lettres de rémission royales d'après les arrêts du Parlement de Toulouse à la fin du Moyen Âge," in *Recueil de mémoires et travaux publié par la Société d'histoire du droit et des institutions des anciens pays de droit écrit* (Montpellier: Université de Montpellier, 1996), 74.

⁷⁹ Davis, *Fiction in the Archives*, 11.

crime a supplicant would obtain a letter of remission and would attempt to have it ratified in front of a royal representative, in theory in the jurisdiction where the crime was committed. The letter would then go to the Parlement where, as mentioned above, the opposing party would be given the opportunity to appeal the supplicant's account of the crime, and from there it would be decided if the letter were to be ratified. Should the letter be rejected, the supplicant could appeal the rejection and the whole case would be re-examined.⁸⁰ If the case, though, was being heard at the Parlement in Paris a letter could be requested during the trial. Finally, a letter could also be obtained after a supplicant had been arrested or after a warrant had been issued for their arrest. It is worth noting that in most of the letters under examination here saw the supplicant flee the country after the altercation, especially if the victim died.

But the process was not yet over, the supplicant still had to pay for the letter. Letters of remission were not inexpensive, as the official price of a letter in the late fourteenth and early fifteenth century was fixed at 32 sous, but there were other costs associated with obtaining a pardon.⁸¹ There was the added cost of hiring someone to draft the original letter, the cost of travelling to and lodgings in Paris, the cost of the official wax seal, and in some cases supplicants seeking out extra legal counsel before trying for a pardon. On top of all those expenses, the supplicant also faced lost wages for time away. All these added costs were also subject to possible abuses – historians may never know the actual cost of a letter of remission. If a supplicant could not pay for the letter it was rendered void, but in some cases letters were granted free of charge.⁸² Despite the overall high cost and time investment required in procuring

⁸⁰ Louis Carbonnières, "Les lettres de rémission entre Parlement de Paris et chancellerie royale dans la seconde moitié du XVI^e siècle," *Revue historique de droit français et étranger* (1922-) 79, no. 2 (Avril-Juin 2001): 179-80.

⁸¹ Gauvard, *DGE*, 68.

⁸² Gauvard, *DGE*, 66-71.

them, the letters of remission were very popular for the injured parties in the fourteenth and fifteenth centuries in large part because the victim or their family could receive their damages or restitutions without having to resort to extortion or blackmail.⁸³

Even after a letter had been granted by the king's authority, there was still the process of ratifying the letter in the local jurisdiction where the supplicant lived.⁸⁴ Simply obtaining a letter was not the end of the bureaucratic road; the ratification process was just as grueling as obtaining the letter. The local judge would again question everyone involved in the event and investigate inaccuracies or omissions, or whether the remission was obtained through false pretenses; inconsistencies would render the remission invalid and any legal protections that the supplicant had were revoked.⁸⁵ Records for ratifications of *lettres de rémission* are dispersed throughout France, in local archives, if these records survived at all, or existed to begin with. Furthermore, it has been estimated that at least one in five letters of remission that were granted during the reign of Philip VI were rejected by the Parlement; in Languedoc, for instance, in the latter half of the fifteenth and early sixteenth century at least half of the letters were rejected by the Parlement de Toulouse.⁸⁶

There were other issues surrounding the ratification process of letters that could have had drastic ramifications on the supplicant's fate. Data from Amiens shows that the ratification of a letter of remission was not immediate leaving the supplicant in limbo, while in Abbeville the mayor and the alderman appealed to the seneschal of Ponthieu to oversee the ratification of

⁸³ Gauvard, *DGE*, 71-2.

⁸⁴ Frédéric Lalière, "La lettre de rémission entre source directe et indirecte: instrument juridique de la centralisation du pouvoir et champ de prospection pour l'historien du droit," in *Violence, conciliation et répression*, eds. Aude Musin, Xavier Rousseaux, and Frédéric Vesentini (Louvain-la-Neuve: Presses universitaires de Louvain, 2008), para. 51.

⁸⁵ Gauvard, *DGE*, 67.

⁸⁶ Texier, "Le part de l'ombre de la rémission," 185, note 10. For a discussion on ratification in Toulouse see Otis-Cour, "Les limites de la grâce et les exigences de la justice," 73-89.

letters that dealt with supplicant who had been banished from their city; in Tournai, all remission granted for homicides were investigated before ratification.⁸⁷ Therefore, despite the King granting pardon, the supplicant's good *fama* and confiscated goods were not restored until the ratification was approved. It is important to note that letters of remission did not necessarily negate guilt, but rather they justified and legitimized the supplicant's actions as being acceptable under specific circumstances, at least according to the King.

Although the *lettres de rémission* were intended to pardon the supplicant from their wrongdoings, there were rare instances where they were given extra punishments. As introduced earlier "surpeines," literally translated in to "extra punishments," – a term coined by the historian Pierre Charbonnier – in the letters of remission were commonly prison sentences or penance that the supplicant had to pay to their local church.⁸⁸ The intent behind the *surpeines* was to promote an image that the king was not overly merciful – that those who were granted a letter of remission may still face some penalties for their transgressions.⁸⁹ In one letter of remission the male supplicant was sentenced to four months in prison subsisting on only bread and water after having killed a man at a wedding celebration.⁹⁰ Jehan de Houleau had been at the wedding, when a riotous, angry, and arrogant guest named Perrin Bernage attempted to steal a pot of wine under his robe (*qui tout son temps avoient esté homme noiseux et rioteux courroucié*). After a heated verbal altercation broke out between Jehan and Perrin, threats of physical violence became imminent. Two other guests attempted to hold Jehan back by his arms, but he was able to escape their grasp and stabbed Perrin with a small bread knife (*ledit Houleau sacha un bien petit coustel à tranchier pain qu'il portoit... et fery d'icelle coustel de chaudecole ledit Bernage par la*

⁸⁷ Gauvard, *DGE*, 67.

⁸⁸ Charbonnier, "Les limites du pardon," 61-74.

⁸⁹ Charbonnier, "Les limites du pardon," 61-74.

⁹⁰ ANF JJ165 71v.-72r. For this and what follows.

poitrine). Perrin Bernage fell to the ground after the attack and died as a result of the stab wound. Although Jehan de Houleau was fully pardoned for killing a man out of anger in the heat of the moment, he had to serve a prison sentence (*Parmy ce que ledit Jehan Houleau tendra prison fermée par l'espace de quatre moys au pain et à l'eaue*).

In another case, Jehanot Paingant said Papiot had been carrying on a sexual relationship with a married woman named Guillette.⁹¹ In his letter, Papiot suggests that their relationship had been consensual, noting that they had gone out drinking on multiple occasions. After one night of heavy drinking, Papiot and Guillette were on their way to their respective homes, when Papiot grabbed Guillette by the arms (something he claims that he had done before), threw her to the ground and knew her carnally against her will (*Jehanot s'arresta et print ladicte Guillette par le bras et lui dist qu'elle lui avoit plusieurs foiz permis qu'il avoit sa compaignie charnelle... ledit Jehanot la getta par terre et la cogneut charnelement contre son gré*). For this rape, Papiot was apprehended, put in jail, and was left there to live out his days “in great misery” says the letter. But, he was granted a letter of remission, on the condition that he spend two months in jail subsisting on only bread and water (*ce qu'il demourra en prison fermée par l'estpace de deux moys au pain et à l'eaue*).

It is difficult to conclude about the efficacy of the *surpeines* system because there were so few. From the 212 letters analyzed for this study, only 18 letters included a *surpeine* for violent altercations.⁹² There were also no apparent patterns that emerge for letters of remission that included the *surpeines*. These letters were granted to 17 men and one woman who had either killed or, in the case of men, raped someone but from. In the absence of academic research on the *surpeines* system, the most probable explanation could be that the *surpeines* were granted to

⁹¹ ANF JJ165 97v.-98r. For this and what follows.

supplicants who may have had some push back from their victims' families regarding the veracity of the letter and the nature of the crime.⁹³

1.4 The Limitations to the Letters of Remission

Like any primary source, there are limitations to what conclusions can be made about the past and the letters of remission are no exception. Despite limitations, these documents are valuable for discerning the sociocultural attitudes towards violence and its impact on gender. But historians need to be careful when applying their interpretations to a society as a whole. France especially is a difficult kingdom to make umbrella conclusions based on the letters of remission.

Because France was not a homogenous state in the early fifteenth century it is difficult to assume that the letters of remission were accepted full stop in all regions of the kingdom. As has been discussed already, the letters needed to be ratified in the region from where the supplicant was a resident. But there is another limitation to the geographical dispersal of the letters: customary laws and norms were highly localized to individual regions. That means that if a supplicant had been acting in accordance with their regional practices but not within the confines of royal laws their chances of receiving pardon were low. Conversely, supplicants may have committed a crime against royal laws but were subsequently pardoned because of extenuating circumstances surrounding their actions but not have their letter ratified because their crime had

⁹³ Pierre Charbonnier has argued that the *surpeines* were intended for more high profile supplicants, as well as given for crimes that were of greater gravity. However, from the sample of letters discussed here, this argument does not accord with the evidence in the JJ165 series of letters. Homicides comprise the bulk of the letters of remission, but only a select few were given the conditional pardon pending punishment. He also suggests that the punishments that made up the *surpeines* were dependent on the crimes (ie. treason and lèse-majesté) being pardoned with one man having to spend a month in jail and attend 100 masses for the deceased party; this assertion is also not supported in the letters of remission presented here. The supplicants who were sentenced served prison sentences were between one to four months, but for seemingly similar crimes. This apparent lack of consistency is a prime example of the difficulty the letters pose to the historian when attempting to determine patterns, as there simply is not always enough information available in the short text. See Charbonnier, "Les limites du pardon," 61-74.

been against their local customary laws. For historians studying only the series of letters housed in the national archives determining which letters were ratified or rejected is nearly impossible. Unless the letter was ratified in the Paris region and recorded at the Parlement, then ratification notices were housed in each individual region's archives. It is also beyond the scope of this thesis to delve into each regions' customary laws to discern whether a supplicant was acting within or against their regional norms. For the purposes of this study, the conclusions made about violence and gender in relation to the letters of remission were the result of judicial and the supplicant's individual understanding of their actions.

There was a bias for severe violence in the letters. Of the 185 letters analyzed, all but two resulted in the death of someone. This high representation of homicide suggests that letters were only granted when there was death. It could be that if there were injuries as the result of an altercation, the guilty party would have had to pay a fine or restitutions to the injured party, not necessitating a full pardon. The fact that the letters were granted to killings further skews the data surrounding the severity and frequency of violent altercations. Homicide was also a highly gendered crime, where men were the primary perpetrators, women engaging violence on much smaller scales.⁹⁴

As was discussed above, letters could have also been prohibitively expensive. Not all those who may have been in need of pardon could have been financially able to acquire one. This is another distortion of the data of the letters: the supplicants who were able to successfully receive pardon represent only a fraction of the total unknown number of petitioners who attempted but were unsuccessful in obtaining a letter.

⁹⁴ Dean, *Crime in Medieval Europe*, 77.

Aside from the issues surrounding regional dispersals of letters, another limitation is the conclusions that can be made about gender. Letters of remission were granted to men in almost all cases. From the 185 letter corpus studied for this thesis, only nine percent included women either as supplicants or victims. Further, Claude Gauvard discovered that overall only around four percent of letters were granted to woman.⁹⁵ The letters therefore are promising resources for discussions of masculinity, however conclusions surrounding femininity are limited. What was recorded in letters of remission granted to women must also be scrutinized closely as notaries were exclusively men. Letters granted to women were recorded by men as notaries were an exclusively male occupation. That being said, there does not appear to be a significant difference between letters granted to men and women, most likely due to the highly structured nature of the letters.

In spite of the limitations of the letters of remission, they are still a valuable resource to historians. The letters that do remain in the national archives were those that were successfully granted by the king to a supplicant suggesting that those crimes were deemed justifiable. That the supplicant was able to narrate their version of the events in such a way as to obtain the king's grace further suggests that there was some level of universal understanding of legitimate uses of violence.

Violence could be experienced on a large scale, such as through wars and noble feuds, but was also common among individuals and their immediate communities.⁹⁶ As revealed in the

⁹⁵ Gauvard, *DGE*, page #

⁹⁶ Communities here referring to the people directly associated with an individual, including kin and those with whom they had direct interactions with on a regular basis.

letters of remission, there were many stakeholders in violent altercations, all with different vested interests. The royal authority viewed violence differently than the nobility and the clergy, and the nobility and clergy understood violence as something completely different than those at the street level, and they all understood violence on their own individual terms.⁹⁷ As argued in the opening letter of remission, violence was both used as a means of self-defence and as a reaction to someone else's actions. Just from the letters presented in this project, it can be observed that violence was used for different reasons depending on the circumstances surrounding the altercation – some deemed acceptable and others not. Hence, violence in medieval society was a contentious behaviour that had different meanings to those involved. Violence could be used as a form of communication, as a means of mitigating or perpetuating enmities, as well as a means of shaping and enforcing gender identities and gendered behaviours.

⁹⁷ Barbara A. Hanawalt and David Wallace, "Introduction," in *Medieval Crime and Social Control*, eds. Barbara A. Hanawalt and David Wallace (Minneapolis: University of Minnesota Press, 1999), ix-x.

Chapter 2 Establishing, Maintaining, and Reinforcing Gender Identities

Symon Cronay was a sergeant in the area of Saint-Père-le-Moustier, he was married with a wife and kids, and was economically stable enough to employ a young domestic servant.⁹⁸ For seven years, Jehanne, the servant, worked in the home of Symon and eventually succumbed to his romantic advances and allowed him to know her carnally. In fact, Symon had great love for Jehanne. After her services were no longer required, Symon moved Jehanne out of his home into her own hostel, with the understanding that she would never give herself to anyone else, for doing so may dishonour or defame him. However, on Monday June 11, 1411 it came to the attention of Symon through public talk that Jehanne was sleeping with Jehan Soichon – information that greatly angered and troubled Symon. So enraged was Symon, that he went to the hostel of the new lover and there found Jehanne sleeping with Soichon; a sight that made Symon even more irate and heated to the point where he began beating Jehanne with his hands, striking her head, shoulders, and arms. But since the beating did not ease his anger, Symon pulled out a large knife that was hanging from his belt and hit Jehanne on the shoulders drawing blood. After the attack, Jehanne went to her home. A couple days later she went out to run some errands and had supper with Symon without showing any signs that she was feeling unwell. But the next Thursday, she awoke feeling quite ill, even going so far as to give her last confession to a priest and others who were present at her bedside. It was during this confession that she made mention of the beating that Symon had given her a few days prior. Her visitors, however, told her that the injuries she had sustained from the beating would not have resulted in the illness that she was now suffering, but rather it was food poisoning. Jehanne remained bed ridden for eight days,

⁹⁸ ANF JJ165 166v. For this and what follows. A full transcription of this letter can be found in the Appendix.

but succumbed to her illness and injuries. Symon fled the area out of fear that it was his beating that had killed her. But the Crown decided that he merited pardon because the victim most likely died of an illness and not the beating. Symon was granted his letter of remission for his role in the death of Jehanne. Despite the cause of death being blamed on illness, it was more than likely that Jehanne had become ill as a result of the beating, or that the beating exacerbated an existing condition. Symon's reaction to the infidelity of his mistress was a result of his need to have his masculine authority upheld; he could not allow a woman that he had in his charge to shame him by being unfaithful. Jehanne was the instrument through which Symon could assert his honour and masculine identity. This letter is also reminiscent of the letter that opened the thesis, where Estienne attempted to rape a sick and elderly woman while she slept. While Estienne's masculinity was both physically and symbolically damaged, Symon's masculinity was only damaged symbolically. The women in both letters were also depicted as women that could be controlled and overpowered; the old woman was thought to be an ideal target (until she fought back), and Jehanne was a mistress for Symon who imposed rules around how she ought to behave.

This chapter will discuss the medieval conception of gender identities, that is how masculinity and femininity were understood and performed, as well as what was the relationship between gender and violence. Sex (biology), gender (sociocultural), and sexuality (orientation) to the modern historian are different categories. In the Middle Ages this was not the case: these terms were not distinct, "the three worked together."⁹⁹ Sexual desire for women, to the medieval mind, was a masculine trait and therefore an expression of masculinity. With this in mind it can be difficult to find an appropriate modern interpretation of gender that can be applied to the

⁹⁹ Karras, *Medieval Sexuality*, 6.

Middle Ages. For the purposes of this project, I adhere closely to the definition of gender developed by Joan Scott. In brief, Scott argues that gender could be defined in two parts: first that "gender is a constitutive element of social relationships based on perceived differences between the sexes," and second that "gender is a primary way of signifying relationships of power."¹⁰⁰ Medieval men and women were expected to adhere to strict socially constructed norms associated with their biological sex. To veer away from the proscribed gender norms of an individual's birth sex was considered deviant behavior, and was largely frowned upon by medieval societies.¹⁰¹ Therefore, the medieval person was to act according to the social expectations of masculinity and femininity.¹⁰² The relationships of power were especially apparent in the medieval period owing in large part to the social structure typical of that era.

To perform their gender identities, men and women were expected to behave in certain ways and to follow the sociocultural foundations of their society. One way a man could enter into manhood was by expressing his masculinity through violence, a consideration that is the dominant focus of this chapter. The representation of women as perpetrators of violent acts found in the letters of remission was extremely limited, which suggests that violence was not a norm used to shape their feminine identities – though women could resort to violence to protect their honour and reputation, a topic explored in the subsequent chapter. Women were, however, featured as victims of male perpetrators attempting to establish their masculine identities as we shall see in this chapter.

¹⁰⁰ Joan W. Scott, "Gender: A Useful Category of Historical Analysis," *The American Historical Review* 91, no. 5 (1986): 1067.

¹⁰¹ Michelle M. Sauer, *Gender in Medieval Culture* (London: Bloomsbury Academic, 2015), 68-9.

¹⁰² While Joan Cadden has noted that there was a medieval conception and understanding of hermaphroditism, this identity was not present in the letters of remission and as such is excluded from this discussion, see Joan Cadden, *Meanings of Sex Difference in the Middle Ages: Medicine, Science and Culture* (Cambridge: Cambridge University Press, 1993). There were also crossdressers in the Middle Ages, but they do not appear in the letters of remission and have been omitted from the discussion on gender. It is also worth noting that while today there is increased understanding and acceptance of LGBTQ2S identities, these too will be excluded from the following discussion.

2.1 Masculinity and Violence

Masculinity, like gender and femininity, was highly structured by the medieval sociocultural climate. Men were at times in need to assert and maintain their masculine identities, and oftentimes they would resort to violence to do so. The masculine identity was based on several different factors, including their economic status, religious affiliation, sexual activity, race, social strata and the list goes on. The intersectionality of masculinity put all men into a larger hierarchical structure within their societies and communities, but even within a single stratum of people, there were micro-hierarchies among men. The following sections will investigate the establishment of medieval masculinity, as well as how the hierarchies of masculinity were organized, and finally how men could navigate through this complicated and highly patriarchal society.

Following the sections discussing the establishment of masculinity, I will argue that violence was normalized and acceptable when used by men when they were attempting to communicate to their peers and social superiors that they were in fact dominant figures. The use of violence to establish masculinity was often through the domination of others, whether against women in the form of sexual violence, or against their peers as the result of competition with each other – both forms of violence especially common among medieval youth. The letters of remission are an ideal source to support these arguments because they contain a wealth of data and examples that demonstrate that men were resorting to violence as a means of domination and by extension the establishment of their manhood.

Finally, this section will conclude with an analysis of the common excuses supplicants (or the notary on their behalf) used to appeal for pardon. Emotions, alcohol, and outside forces were often used to shift blame in an attempt to negate guilt and make this violence appear as

“normal” and part of their nature. That the king allowed these excuses only further legitimized and normalized some forms of violence.

2.1.1 Masculinity and Masculine Identities

Masculinity was not (and is not) a static and one dimensional gender identity. There were many competing conceptions of masculinity in the Middle Ages. There were many ways of expressing manhood and there was more than one form of masculinity. The hegemonic traits that formed masculinity were fluid and changed over time, and a man could embody more than one masculine identity or masculine role depending on his sociocultural surroundings.¹⁰³ This multiplicity of masculine identities informed their behaviours. It shaped how men could react to a given situation. Historically, some traits have been predominantly associated with masculinity: authority, power, and dominance. These traits are recurring themes in the letters of remission and most commonly expressed when there was a perceived threat to a man's gender identity through attacks on his reputation and *fama*.

From a medieval medical standpoint, men were hotter and more balanced creatures than women, meaning that they were thought to be more powerful and stronger than their cooler, and therefore weaker female counterparts.¹⁰⁴ Because men were thought to be more balanced, it was also believed that they were more reasonable and considered to be less prone to emotional outbursts. However, as per the letters of remission, in actual day-to-day situations the calmness ascribed to men was not always present: when threatened, either verbally or physically, they would often react with angry outbursts causing disturbances and engaging in violence.

¹⁰³ Sonya O. Rose, *What is Gender History?* (Cambridge: Polity Press, 2010), 58.

¹⁰⁴ Sauer, *Gender in Medieval Culture*, 26.

Simply being born male and coming of age did not necessarily grant one full acceptance into masculinity and manhood; this was a privilege and something that was to be earned. The masculine identity was more complex than the physiological form of the male body; social and cultural influences were equally important. Social categories (nobility, clergy, commoners) shaped how men expressed their masculinities in the Middle Ages. Within these categories were hierarchies of manhood in which men could compete with each other to achieve dominance over, or respect from, their peers.¹⁰⁵ Despite a man's social standing, there were common threads that shaped masculinity for most men of the late Middle Ages (excluding clerics, in theory). Medieval men were at times attempting to maintain and reinforce their masculine identities through "potency, power, patriarchy, and politics."¹⁰⁶ In other words, men were accepted as being sexual creatures who could dominate their enemies, maintain a male-dominant social structure, and could navigate the complexities of public affairs. These four themes were expressed to varying degrees depending on the status and age of a man, but their ability to adhere to these patterns had an impact on their success as men in society.

Two significant categories of men were largely, but not completely, absent from the letters of remission, yet both had an enormous influence on the culture of violence and gender constructs: the nobility and the clergy. Although they were not the primary focus of the letters, a brief analysis of the ways by which their masculinities were formed and intersected with violence is significant to the larger discussion of medieval masculinity. The nobleman was groomed from a young age to engage in violent altercations, while clerics were trained to be peaceful but would most commonly engage in violence based on circumstance.

¹⁰⁵ Karras, *From Boys to Men*, 109.

¹⁰⁶ Clare A. Lees, "Introduction," in *Medieval Masculinities: Regarding Men in the Middle Ages*, ed. Clare A. Lees (Minneapolis: University of Minnesota Press, 1994), xxi.

The medieval European masculine noble identity was largely derived from violence; however their violence was highly structured and ritualized. From a young age, noble boys were taught how to fight, how to wage war, as well as the proper etiquette when engaged in combat. Many of the pastimes for the nobility were also centered around organized violence, including jousts and festivals where they would fight for pleasure and practice in the event of potential future conflicts.¹⁰⁷ Not only did this training serve to establish a norm that violence for nobles was acceptable but it also normalized violence among the nobility. These public displays of violence as entertainment also perpetuated the notion that violence was acceptable, and inherent to the noble identity. This normalization further perpetuated the idea that violence among the nobility was a way of life defining their function in society. When nobles did engage in small-scale wars with each other, they did so to arbitrate perceived political and personal wrongs; these wars were a show of dominance over other lords.¹⁰⁸ To engage in private war was a noble tradition in feudal society. They were expected, and at times forced, to wage war against other nobles and princes when questioned or if they attempted to contravene the authority of their peers.¹⁰⁹ Because a male noble's identity could be associated with his strength on the battlefield, as well as his ability to govern his lands, he engaged in warfare as a means of maintaining and reinforcing his masculine role as a powerful lord. To show weakness or to succumb to the attacks of his rivals was a direct hit to his reputation and therefore diminished his public masculine identity.

Boys and youth who entered the clergy at a young age, whether they were from the aristocracy or non-nobility, were not groomed to be men in a similar fashion. Being a member of

¹⁰⁷ Karras, *From Boys to Men*, 29-30.

¹⁰⁸ Justine Firnhaber-Baker, "Techniques of Seigneurial War in the Fourteenth-Century," *Journal of Medieval History* 36, no. 1 (2010): 91.

¹⁰⁹ Howard Kaminsky, "The Noble Feud in the Later Middle Ages," *Past & Present* 177 (2002): 58.

the clergy was perhaps the most difficult masculine identity to form as they could not engage in similar displays of dominance and authority. They were men of the Church and were therefore not supposed to be associated with violent behaviours. The image of a clerical man that the Church attempted to perpetuate was one of respectability and control over earthly desires.¹¹⁰ A cleric's masculinity in theory, therefore, was based on his self-control in the face of vice.

Domination over one's urges was a true mark of a devout clergyman, however this inability to prove oneself as a sexual being – something that was of great importance to masculinity for laymen and nobles – made them appear to be unmanly to lay society.¹¹¹ As a clergyman he was expected to live by certain rules, including pacifism and celibacy especially reinforced after the Fourth Lateran Council in 1215. According to Church doctrine, being celibate was especially important for clerics as this control over sin was what made the clergy superior to the laymen.¹¹² But because part of entering manhood was to show sexual potency and physical prowess, clerics were faced with a paradoxical social construct of masculinity – how were they to be perceived as true men when they could not engage in hegemonic masculine activities? As Jennifer D.

Thibodeaux noted,

Clerical masculinity represented, in many ways, an adoption of values that stood in opposition to those of secular manhood. Yet it was, at the same time, a transferral of certain features of secular manhood to the spiritual life. While ecclesiastical reformers insisted upon abstinence from sex, hunting and tavern-frequenting (among other things), they also applied warrior and paternal ideals, distinctly masculine attributes to the priesthood.¹¹³

¹¹⁰ Sauer, *Gender in Medieval Culture*, 104; "Twelfth Ecumenical Council: Lateran IV 1215," Medieval Sourcebook, Fordham University, Accessed May 16, 2018, <https://sourcebooks.fordham.edu/basis/lateran4.asp>. Canons 16, 17, and 27.

¹¹¹ Neal, *The Masculine Self*, 89-90.

¹¹² "Twelfth Ecumenical Council: Lateran IV 1215," Medieval Sourcebook, Fordham University, Accessed May 16, 2018, <https://sourcebooks.fordham.edu/basis/lateran4.asp>. Canons 14 and 15. Also see Paul Beaudette, "'In the World but not of It': Clerical Celibacy as a Symbol of the Medieval Church," in *Medieval Purity and Piety: Essays on Medieval Celibacy and Religious Reform*, ed. Michael Frassetto (New York: Garland, 1998), 23-46.

¹¹³ Jennifer D. Thibodeaux, "Man of the Church, or Man of the Village? Gender and the Parish Clergy in Medieval Normandy," *Gender & History* 18, no. 2 (2006): 383-4.

Appropriation of traditional masculine traits into the priesthood demonstrated that the Church understood that there was potential for clerics to feel emasculated, and risked having their clergy seek out ways of proving their masculinity to the common laymen. The Church attempted to perpetuate a notion that male clerics were members of a superior masculinity in contrast to their lay counterparts.¹¹⁴ And while clergymen were never supplicants in the letters of remission, they did appear in the letters as bystanders and participants engaging in behaviours that would have normally been acceptable for laymen who were expressing accepted behaviours of men, despite these actions being against the strictures established by the Church.¹¹⁵

And finally, there were the lay commoners – the primary seekers of the letters of remission and this project. These were the men that were neither members of the nobility nor the clergy; they were the artisans, peasants, merchants, royal officers, and many more. For the purposes of this project, I focus on those men who were most likely to be in the streets, frequenting taverns, working the fields, were members of guilds or fraternities, among others. These were the men who were more likely to engage in small-scale interpersonal violence, much of which stemmed from competition with their peers as a means of demonstrating that they performed as true men, seeking to determine who was the more successful masculine figure.

For many laymen, they were members of guilds and worked in the trades. As young men apprenticing in shops, they had to form pseudo-paternal relationships with their masters in order to set themselves apart from their young peers. The ultimate goal of a young apprentice was to

¹¹⁴ Thibodeaux, “Man of the Church,” 381.

¹¹⁵ Jehan le Hourt was pardoned in 1410 for killing a priest in Moulin after the two of them got into a heated and physical altercation. The priest was actually accused of having started the physical attack on the supplicant, the letter noting that the priest had hit the supplicant on the head several times with a plank of wood. To which the supplicant, who was already a little drunk, would eventually become so angry that he grabbed a knife and stabbed the priest in the stomach. The priest died of his injuries a day later. ANF JJ165 160v.-161r.

become a master himself and open his own shop. In so doing, he could then support a family and become his own head of household, performing the accepted roles that most laymen were expected to follow – one who was self-sufficient, able to financially support a family, and have the power and authority to train other young men. Masters were recognized as respectable figures in their local communities.¹¹⁶ In reality only a handful of apprentices were able to become masters creating tensions in the workshops given that so many apprentices would fail to be received in the trades as full masters.¹¹⁷ Men who were regarded as more masculine were those who successfully embodied multiple roles at the same time: fathers, providers, sexually active beings, authoritative public figures, etc. All these roles shaped a man's reputation and *fama*, a type of social currency where should a man not be able fulfill his duty in one of his roles, his reputation would be diminished. Conversely, a man could aggrandize his social standing and by extension his reputation through visible acts of charitable giving and active, positive participation in the local community. Whether they were tradesmen, merchants, or otherwise, once their status was established, they could face competition from within and outside their social strata to prove that they were in fact strong masculine figures. But masculinity was fragile.

2.1.2 Hierarchies of Men, Competition, Domination

Once formed, men were compelled to maintain, defend, and when possible aggrandize their masculine identities. There were both violent and non-violent means of expressing masculinity in the medieval period. I do not attempt to argue that all men achieved their identities through violence; however, violence was a justifiable, and at times an acceptable

¹¹⁶ Karras, *From Boys to Men*, 110-4.

¹¹⁷ For a discussion on labour relations in medieval Marseille see Francine Michaud, *Earning Dignity: Labour Conditions and Relations During the Century of the Black Death in Marseille* (Belgium: Brepols, 2016).

method of demonstrating their authority. As evidenced in the letters of remission, men were quick to resort to violence when their masculinity was questioned or diminished in a public setting, or that they could use it to dominate others especially women through sexual assault.

Laymen and youth were at times in need of performing their masculinity to convey to their community at large that they were acting within the norms of masculinity. One way of communicating this message was through competition. Consciously, men could openly engage in competitive behaviours, often through physical domination of both men and women to influence their social image with their peers and social superiors.¹¹⁸ Competition and domination were not limited to a demonstration of physical prowess. Men could also attempt to prove themselves as being stronger than their peers through non-violent and altruistic activities, including economic and religious engagement that were common to male industries. Artisans competed with other local guilds and craftsmen to demonstrate that they were economically superior to their rivals. Young men who were employed in craft shops would seek to liberate themselves from dependence on their masters. If this independence was not attained, they would be relegated to subordinate positions, both literally and symbolically.¹¹⁹ Men were also competing with other men from the same strata for public political positions, a status that could aggrandize a man above his social equals. This political competition was demonstrative of the competition some men could face creating hierarchies within a small and relatively equal community of workers.¹²⁰ But not only did men in guilds and fraternities attempt to dominate each other for the business of consumers, they were known to also compete for Church favour by donating to charities and

¹¹⁸ Neal, *The Masculine Self*, 134.

¹¹⁹ Karras, *From Boys to Men*, 110.

¹²⁰ Karras, *From Boys to Men*, 112.

participating in fundraising activities in their local communities.¹²¹ These acts of charitable giving, physical dominance, and economic superiority were meant to be communicative to the community at large as to who was the more authoritative and influential man. Women also participated in charitable giving in similar capacities as their male peers, however, women's charitable giving was in large part to form creating and maintaining community networks rather than a show of strength.¹²²

Stronger men, those who conformed to the socially accepted masculine roles within their strata were ranked higher than their peers, and also created hierarchies of masculinity. A means of ascending to the upper echelons of an all-male hierarchy within their social groups could be through dominance, something particularly common among the youth. If men were not putting on a show of economic competency and religious ardor for their male peers and community at large to prove their superiority as masculine beings, they were attempting to prove themselves as physically strong and sexual. It was when men attempted to prove and defend their masculinity when faced with adversity or opportunity that violence was prominent.

2.2 Normalized Violence

Violence was pervasive in medieval culture. Historians have noted that violence permeated all facets of a medieval society; from the very destructive and impactful nature of wars, particularly at this time the Hundred Years War, to interpersonal street violence that was the dominant theme of the letters of remission.¹²³ Violence was culturally expressed either in the

¹²¹ James William Brodman, *Charity and Religion in Medieval Europe* (Washington: The Catholic University of America Press, 2009), 206.

¹²² Reyerson, *Women's Networks in Medieval France*, xxvii.

¹²³ For a discussion on medieval warfare, see Richard W. Kaeuper, *War, Justice, and Public Order: England and France in the Later Middle Ages* (Oxford: Clarendon Press, 1988); C.T. Allmand, *The Hundred Years War: England and France, c.1300-c.1450* (Cambridge: Cambridge University Press, 1988).

streets in the form of public readings of popular literature or performed in plays that had violent overtones.¹²⁴ It was also present in many hagiographies, where saints would resort to painful and brutal lessons imposed on their followers.¹²⁵ The very public performativity of violence serves to show that it was embedded in medieval culture, and perceived by medieval men and women as an appropriate and necessary tool to navigate through society under the right circumstances. In what follows will be a discussion of the normalization of violence, especially among the male youth, as well as the common excuses that were given by supplicants and accepted by the Crown in the letters of remission as a form of perpetuating acceptable and legitimate masculine violence.

The sheer number of letters of remission is a stunning example of the normalization of interpersonal violence, particularly for male perpetrators. While not all letters of remission were for violent crimes, the bulk of them arguably were. Of the 185 letters from the JJ165 series regarding violence, all were for violent incidents involving men, especially as the perpetrator. The fact that men could be pardoned for acting with violence fed into the notion that it was an acceptable means of solving offenses. When they resorted to violence in the letters of remission, men argued that physical altercations were required to demonstrate or defend their *fama* and reputation, from which their masculinity and manhood was in part shaped. Socialized since infancy to conform to these expectations, men were not necessarily violent creatures but were trained to use violence when the need arose. Under the right circumstances violence was acceptable and often fell under the trope of "boys will be boys."

¹²⁴ Jody Enders, *The Medieval Theater of Cruelty: Rhetori, Memory, Violence* (Ithaca: Cornell University Press, 1999), 4.

¹²⁵ For a discussion on public displays of theatrical violence, see Skoda, *Medieval Violence* (2015), 19-26. One example of violence from saints comes from the hagiography of Saint Foy, which describes the account of a man who had disrespected Saint Foy so much that she beat him in his sleep until he died, see Angers, Bernard of. "Miracles of Saint Foy," in *Liber miraculorum Sancte Fidis*, ed.A. Bouillet (Paris: Alphonse Picard, 1897), 319-326.

2.2.1 Youth Violence

It was not uncommon that the medieval youth be socialized to be violent to prove their masculinity to their peers. Youth and what it means to be young was also a sociocultural construction that has changed through time.¹²⁶ Groups of young men, however, have been difficult to define for medieval historians. There were no clear and set parameters that defined youth or adolescence. Unlike today, where it is a common practice in Western society to classify children by their age (infant, toddler, pre-teen, teenagers, young adults, etc.), in the medieval period this was not always the norm, where there were different means of describing life stages apart from numerical age. Ultimately, historians have been conflicted on how to define medieval youth. For example, in her discussion about the stages of a man's life, Ruth Mazo Karras did not assign firm age ranges to categories such as childhood, adolescence, or adulthood; rather, she identified the mechanisms by which medieval men came of age: *moreso* through action and not by years alive.¹²⁷

Other historians have noted that there were different techniques of measuring the stages of a man's life without referring to age. Hannah Skoda has suggested that lay youth were those who were between childhood and being their own heads of family or having their own occupations.¹²⁸ However, Claude Gauvard argues that young men could include any man between teenager to thirty years old – perhaps even as high as forty years old – meaning that they could very well have been married, had families, and been established tradesmen.¹²⁹ In Gauvard's case, she used evidence presented in the letters of remission to demonstrate that there were some

¹²⁶ Aude Musin and Élise Mertens de Wilmars, "'Considéré son joesne eaige...' Jeunesse, violence et précarité sociale dans les Pays-Bas bourguignons et habsbourgeois (XIV^e-XVI^e siècles)," *Revue d'histoire de l'enfance "irrégulière"* no. 9 (2007): 25.

¹²⁷ Karras, *From Boys to Men*, 110.

¹²⁸ Skoda, *Medieval Violence*, 63.

¹²⁹ Gauvard, *DGE*, 359.

instances where a number was assigned to an individual's age, but this was not necessarily the norm. In the letters of remission, Gauvard noted that *jeunesse* was a common rhetorical device used as an extenuating circumstance to justify pardon or to describe a supplicant whose age was not explicitly recorded. As an extenuating circumstance a supplicant's young age suggested that they had not yet reached a mature enough mentality to know that their actions had been wrong, and were therefore not worthy of punishment for their indiscretion and were in need of pardon.¹³⁰ Peter J. Arnade and Walter Prevenier go on to suggest that many medieval lay youth were those who were "not fully formed morally or politically as men, nor permitted adult men's independence, they comprised a fluid social bloc whose members were understood to have a high capacity for violence and sexual misdeeds."¹³¹ Given these considerations, many medieval youth were shown leeway in the judicial system because it was believed that they did not understand the severity of their actions. Also, given the broad definition and applicability of the concept of *jeunesse* to men from a wide age range, varied backgrounds, and who encompassed many masculine roles it can be difficult for the historian to fully understand who exactly the youth were.

That being said, young men were commonly featured in the letters of remission as supplicants but their exact ages were rarely given. In the letters of remission analyzed for this project, 17 that were granted to supplicants who were between the ages of eighteen to thirty-five years old, many of whom were working men with wives and children who were referred to as being young in their letters without their actual age noted.¹³² Young men were recorded as also being able to use their youth status as a "get out of free jail card," where the king would grant

¹³⁰ Gauvard, *DGE*, 360-1.

¹³¹ Peter J. Arnade and Walter Prevenier, *Honor, Vengeance, and Social Trouble*, 83.

¹³² This number represents the letters that explicitly stated the age of the supplicant. Others who were listed as being *jeune* or acting because of *jeunesses* did not provide the exact age.

pardon to a supplicant because they were simply behaving as young men did, performing the intrinsic relationship between male youth and violence. As a result, their violence was normalized by the king's pardon. Young men who could claim that they were acting out because of their *jeunesse* suggests that there was some normality surrounding young men and violence – young men could engage in violently competitive and destructive behaviours that demonstrated to their peers and community that they were acting as youth do. In 42 letters of remission, *jeunesse* was used as a reason why the king was providing his grace and mercy further supporting the notion that *jeunesse* was an acceptable excuse for seeking pardon in both the eyes of the supplicant and the Crown. It has been argued by Aude Musin and Xavier Rousseaux that young men were granted letters of remission less often for physical altercations than their adult counterparts, but that they were pardoned more often for sexual assaults.¹³³ For example, Symon Nyot and Jehan Lachot, aged about twenty-five and twenty-eight years old respectively, were pardoned after raping a young woman. The justification given in their pardon letter was that they were worthy of mercy on account of their youth (*à partie le jeune aage [sic] d'iceulx Symon et Jehan... nous leur vueillons impartre nostredit grace*).¹³⁴

Youths fell into an ambiguous position in medieval society. Many were not yet married and not yet established as a master of a trade, yet they were still active participants in the social landscape. Groups of young men were known to roam the streets and behave noisily and disruptively. This boisterous behaviour was often more than simply being playful: many young men were negotiating their place in society and challenging those men in authoritative roles by

¹³³ Aude Musin and Xavier Rousseaux, "De la jeunesse belliqueuse à la délinquance juvénile : Jeunes, violence et urbanité dans les sociétés médiévales et modernes (1300-1850)," in *Violences juvéniles urbaines en Europe*, ed. Xavier De Weirt (Louvain-la-Neuve : Presses universitaires de Louvain, 2011), para. 5.

¹³⁴ ANF JJ165 34v. – 35r.

acting against social norms and disturbing the peace.¹³⁵ But too often, their acts of violence amongst their peers started playfully and ended tragically. Youth who behaved violently was to a degree tolerable: it was expected and to at times accepted that young men could engage in violent altercations to prove themselves. If someone died as a result of a fight, it could be seen as normal because “homicide was [a ritual] of competition” among youths.¹³⁶ In two separate letters of remission, Colin Quarie aged eighteen, and Perrinot Puisson whose age was not recorded, were pardoned in each for the act of homicide, justified in their letters because of their young ages (*comme dient sediz amis charnelz requérans qu'attendu sa jeunesse; et lors par hastiveté, chaleur et jeunesse*).¹³⁷ Groups of youth could also use violence as a means of dominating those who were weaker, especially women, to convey their physical prowess and demonstrate their ability to overpower others.

In some instances medieval youth were known to prey on women, often resorting to sexual assault to enter manhood. It was a common grey area in medieval society that young men were expected although perhaps not socially accepted to be sexually active despite not being married, even though in principle sexual intercourse was deemed legitimate only within the bonds of marriage.¹³⁸ Indeed there were traditional clerical writings that promoted the idea that men should remain virgins, completely abstaining from sexual intercourse to be virtuous and moral, however in practice this preaching was not closely followed.¹³⁹ There was a general need for young men to have sex to prove their masculinity, resulting in the youth often seeking out

¹³⁵ Skoda, *Medieval Violence*, 63.

¹³⁶ Muchembled, *A History of Violence*, 52.

¹³⁷ ANF JJ165 76r. – 76v.; ANF JJ165 164v. – 165r.

¹³⁸ Muchembled, *A History of Violence*, 55.

¹³⁹ Ruth Mazo Karras, “Women's Labors: Reproduction and Sex Work in Medieval Europe,” *Journal of Women's History* 15, no. 4 (Winter 2004): 156.

prostitutes. Gang rapes performed by youths as a means of entering manhood were also not uncommon.¹⁴⁰ In a letter of remission from Paris, Colin, the “young and ignorant” supplicant, and a group of his young peers, sought to solicit an alleged prostitute; although it was noted in the letter that the young woman, nicknamed Goupille (“Vixen”), claimed that she was indeed married, but had been abandoned by her husband.¹⁴¹ One young man from the group claimed that he knew the young Goupille, and as a group they broke into her home in the hopes of engaging her services. However, upon entering her domicile, the group of boys found another unnamed man in Goupille’s bed – she claimed that he had forced himself on her. There was a disagreement among the boys and the man; such a disturbance caused the neighbours to investigate the noise. The neighbours escorted some of the men out, except one of their companions who stayed behind and presumably had relations with Goupille. After the youth had been kicked out, some of them managed to get back into Goupille’s home, found their companion in her bed claiming that he had not touched the woman. Due to all the commotion, Goupille fled to the neighbours’ home for refuge, but the young men pursued her there and pulled their swords and threatened her to return to her home. Once they arrived back at the woman’s home, the young men took turns with her, Colin being the last. He would end up spending the night with her. In the morning, one of the companions who had been kicked out of the house and who had had no part in the rest of the events of the evening, came back to Goupille’s house and found Colin in her bed. This discovery angered him greatly to the point where he assaulted Colin and stole his clothes. When Colin did eventually leave Goupille’s home, he was arrested and imprisoned in the Chatelet of Paris.¹⁴² Colin was eventually pardoned

¹⁴⁰ Muchembled, *A History of Violence*, 93-4.

¹⁴¹ ANF JJ165 57v. – 58r. For this and what follows. See the ATILF Dictionnaire de Moyen Français, notice “Goupille 2”.

¹⁴² It remains unclear as to why Colin was arrested. For a full transcription of this letter, see the Appendix.

for his role in the solicitation and probable rape of Goupille. The actions of Colin and his companions were quite violent in nature: the likely gang rape of a young woman, threats of violence with weapons, and assaults – all of which were crimes, rape being a capital offense – received pardon from the king.¹⁴³

The letters of remission for young men serve to exemplify and perpetuate the notion that violence was an acceptable and legitimate means of assuming a more adult and mature masculine identity. Many medieval youth not only had to compete with each other for work placements and the affections of women in the hopes of establishing their own businesses and families, but they also had to demonstrate to their peers who was the superior man. That the letters of remission were granted to young men based on their youth status establishes that the Crown was legitimizing youth violence on the grounds that “boys will be boys,” further normalizing violence used by young men as acceptable, and that they were not necessarily responsible for their actions, nor deserving of punishment. When a man could not rely on youth status for pardon, he could claim other extenuating circumstances to justify his actions.

2.2.2 Drinks, the Devil, and Emotions

The state of mind of the supplicant was often explicitly stated in the letters of remission. Common excuses provided by supplicants in the letters for resorting to violence were alcohol, emotions, and *temptacion de l'ennemy*, or translated to tempted by the Devil. These three explanations were often used to suggest that the supplicant had been impaired in some capacity when they committed their offense, and were therefore not necessarily guilty of their actions. That much of the violence that occurred as a result of these "external" forces was in taverns is

¹⁴³ While the letter granted to Colin does not explicitly mention that it was because of his *jeunesse* that he was being pardoned, it was stated throughout the letter that Colin and his companions were young men. This letter is a clear example of how youths would roam in groups to seek out nefarious activities.

not entirely surprising. Taverns were a significant locale for alcohol and emotion fuelled violence and were a recurring setting for altercations in the letters of remission, especially for male supplicants engaging in male-on-male violence. This was due in large part to the easy access to alcohol and the mixing of social groups that could have tempted some men to behave poorly or get into arguments that had the potential to become heated and emotional. Hannah Skoda has noted that tavern violence usually resulted in relatively minor injuries and were not commonly reported to the authorities.¹⁴⁴ But, as will be demonstrated with the letters of remission, tavern violence would often result in death, suggesting that the tavern was much more lethal locale as per the letters of remission. When violent altercations that occurred in taverns were reported to the authorities, it was due in large part to a perceived threat to the common good, or where the social implications would have had a greater impact than a small-scale interpersonal conflict.¹⁴⁵

Taverns were an intriguing institution of the medieval world. They were commonly considered to be ambiguous spaces, taking the identities of both the public and private spheres of society. Because taverns often ran double duty as hostels, there was a combination of the private and public spheres. Women and men frequented taverns both as consumers as well as employees.¹⁴⁶ That there were so many altercations in taverns, many of which were deadly, is not all that surprising considering the mixing of alcohol, people from all walks of life and social backgrounds, as well as the probable chance that incidents were unlikely to be reported and would resolve themselves.

¹⁴⁴ Skoda, *Medieval Violence*, 94-5.

¹⁴⁵ Skoda, *Medieval Violence*, 94.

¹⁴⁶ Hanawalt, *'Of Good and Ill Repute'*, 104-5.

In the medieval period, alcohol was a contentious substance. Not only was it a potential threat to the common good because it impaired the consumer, but it was also used as an excuse to justify ill conceived actions.¹⁴⁷ But alcohol was also a medieval food staple that people consumed from morning until night. The actual alcohol content of ales and wines was relatively low, however, so those who did imbibe to excess and caused problems would have likely been consuming great amounts of alcohol.¹⁴⁸ As was the case in many of the letters of remission, alcohol, often being consumed in large amounts in taverns, was used as a mitigating factor as to why the king was granting pardon to a supplicant. One example comes from a letter granted to Seguin Barleret, a poor man with a wife and children, who along with some friends went drinking at a local tavern.¹⁴⁹ But when it came time to pay the bill, Seguin and his companions began arguing because not everyone had enough money to cover their portions of the tab. One of the men unable to pay, named Regnault, began to behave noisily and was hurling insults at Seguin (*ycellui Regnault qui estoit très rioteux, noisif et plain de sa voulens dist plusieurs grans injures et villenies audit Seguins en le menacent*). Seguin left the tavern and Regnault followed him into a field, where Seguin "graciously" asked that Regnault stop his verbal attack and also accused Regnault of being disruptive. But because Seguin was so angry at the insults he took out a baton and struck Regnault two or three times on the head causing Regnault to collapse to the ground (*ycellui Seguin qui estoit ynré et courroucié de sesdictes injures et villenies par chaudecole ou autrement donné deux ou trois cops d'un baston de hayes sur la teste dont ycellui Regnault chey à terre*). Afraid that he mortally injured Regnault, Seguin took his limp body and hid it in a ditch where Regnault died a short while later. Seguin was arrested for killing Regnault,

¹⁴⁷ Skoda, *Medieval Violence*, 89 n. 4; Gauvard, *DGE*, 449.

¹⁴⁸ Jessica Warner, "Before there was Alcoholism: Lessons from the Medieval Experience with Alcohol," *Contemporary Drug Problems* no. 19 (1992): 409-14.

¹⁴⁹ JJ165 17r. For this and what follows.

but because he had been drinking and was enraged by insults uttered by Regnault the king granted Seguin full pardon after serving two months in prison and doing penance. Seguin's drunkenness and anger were the reasons for his actions, but were also the legitimizing factors that the king used to justify the pardon demonstrating that these were acceptable excuses to engaging in violence.

Seguin Barelet and Regnault has also been arguing over who ought to pay for the tavern bill. It was likely that Regnault was being emasculated in front of his peers or strangers who may have also present at the tavern due to his inability to cover his portion of the bill. Regnault was not able to take care of himself in a public setting and that would have had a damaging impact on his image as a successful man as well as an impact to his public reputation and *fama*. Seguin for his part had been behaving in an exemplary fashion: he presumably paid for at least his portion of the bill, and went on his way. As detailed in the letter, when confronted by an upset Regnault, Seguin was gracious and level-headed, as per the hegemonic construction of medieval masculinity, and he asked Regnault to stop hurling insults. Seguin's violent reaction to Regnault could have been justified because he was pushed to use extreme force against a verbal assailant who had just suffered a public humiliation and to protect his own image as a strong male figure.

When women were present in letters of remission in cases of violent altercations in taverns, they were included in the narrative usually as bystanders. Alcohol as an excuse for violence, therefore, was predominantly masculine. It was also likely that men in general consumed higher quantities of alcohol, increasing the likelihood of tavern violence.¹⁵⁰

Anger, or as commonly referred to in the letters of remission *chaudecole*, could be as inebriating as alcohol according to the pardon narrative, as was the case in the letter granted to

¹⁵⁰ A. Lynn Martine, *Alcohol, Sex, and Gender in Late Medieval and Early Modern Europe* (New York: Palgrave, 2001), 17-18.

Seguin Barelet detailed above. Anger, as opposed to hatred, was considered to be a quick and sudden outburst that faded quickly.¹⁵¹ Michel Oubert was granted pardon for his angry outburst that left one man dead after a night of drinking.¹⁵² Oubert, along with several companions, were out on a Sunday night partying and drinking and having an all-around good time when Oubert began insulting George Bouchet seemingly unprovoked, claiming that Bouchet had had carnal knowledge of the chambermaid of a local chaplain. Oubert took his insults one step further claiming that he had caught Bouchet with the chambermaid and another man in the middle of illicit activities. Bouchet vehemently denied the allegations, but Oubert stuck to his story. Bouchet had no other option but to insult Oubert back, claiming that he was lying by his throat (*menti par la gorge*). This retaliatory affront enraged Oubert; he pulled out a small knife and hit Bouchet once on the shoulder. Bouchet retaliated by pulling out a small bread knife and struck Oubert once in the arm forcefully enough that the blade went clean through. This stab wound only served to further anger Oubert, and he struck Bouchet once on the head with his knife. For this altercation both men were taken to prison, but Bouchet died a short while later. In his letter of remission, the king granted pardon to Oubert because he was angry (*que ledit cas est advenu par chaudecole*). Not only had Oubert been the instigator of the altercation, he was also the one responsible for killing his target. Michel Oubert may have been attempting asserting his masculinity by emasculating one of his companions and making himself seem like the more moral of the two. When this did not work, Oubert used violence to demonstrate his dominance over his victim.

¹⁵¹ Cynthia J. Johnson, "Kinship, Disputing, and *Ira*: A Mother-Daughter Quarrel in Southern France," in *Feud, Violence and Practice: Essays in Medieval Studies in Honor of Stephen D. White*, eds. Belle S. Tuten and Tracey L. Billado (Farnham: Ashgate Publishing, 2010), 270.

¹⁵² ANF JJ165 105v. For this and what follows.

Anger was not the only emotion present in the letters of remission, although it was by far the most common. Love was also featured in several letters as a reason why a supplicant engaged in violence. This theme was especially common when fathers were protecting their kin from outside attackers. A father's role was largely performative, at times he had to demonstrate that he was a strong, authoritative male figure.¹⁵³ A father named Colin Police, for example, was made aware that his son Jehan had been imprisoned in the Chatelet of Paris. Moved by great natural love for his son, he sought to break him out of prison (*meu d'amour naturelle*).¹⁵⁴ However, as they were attempting to escape, they were discovered by a sergeant, so Colin stabbed the officer to death – all in the name of love for his son and anger and the situation in which he found himself (*a esté fait par chaudecole et comme lui meu d'amour que le père avoir naturelement à son filz*). Similarly, another father named Huguet Brachet was "moved by love" for his son, Jehan, when he was called out to the streets by his friends to an alleged altercation that was occurring between Jehan and another assailant. Huguet acting out of necessity with the help of one of his friends attacked his son's assailant to the point where the assailant died the next day.¹⁵⁵ Male supplicants could also use love for woman as justification for violent acts when they raped or killed their female victims.

Finally, the last excuse often found in the letters was *temptacion de l'ennemy* a common euphemism for the Devil, which when used as a justification suggested that supplicants were attempting to argue that they were not responsible for their actions and that their crime had not been premeditated.¹⁵⁶ Claude Gauvard notes that this excuse was frequently used when crimes

¹⁵³ Grace, *Affectionate Authorities*, 44.

¹⁵⁴ ANF JJ 165 37v.-38r. For this and what follows.

¹⁵⁵ ANF JJ165 58r.-58v.

¹⁵⁶ Gauvard, *DGE*, 439.

were inexplicable, or for offences that carried capital punishment.¹⁵⁷ By suggesting that the Devil had had an influence in committing their crime, supplicants were arguing that they had been persuaded by forces out of their control and therefore not to blame. The fact that the Crown accepted this excuse only further perpetuated the notion that anyone could be susceptible to the Devil at any time. It should be noted that both male and female supplicants could use temptation of the Devil in excusing their actions, although according to the letters of remission from the JJ165 series, women would use this excuse most commonly for thefts, whereas men used it both for thefts as well as sexual assaults, and less frequently for violent altercations. In the case of Estienne Blancoup who attempted to rape the elderly Jehanne, he was drunk and tempted by the enemy to assault the woman; on the other hand, Jehanette, wife of Jehan Boileau was pardoned for stealing the chests of travellers who were staying in their hostel because she had been tempted by the enemy.¹⁵⁸

When looking at all three of these common excuses the trend that appears is that men could be more prone to violence, especially under these conditions. Whether alcohol, emotions, or the Devil were to blame, it was men who were perpetrating these violent assaults. However, formulating conclusions about the gendered nature of these excuses based on the letters of remission can be difficult. Because male supplicants comprise the bulk of the corpus the numbers are skewed in their favour. Similarly, it would be unrealistic to assume that women did not engage in similar behaviours as their male counterparts when alcohol, emotions, or the Devil were involved. But, due to the very few letters where women were the supplicants, conclusions cannot be made about them. However, women were present in the letters of remission as victims.

¹⁵⁷ Gauvard, *DGE*, 439.

¹⁵⁸ ANF JJ165 11v.; ANF JJ165 27v.-28r.

How they were described by their male assailants was determined by their feminine identities within their community.

2.3 Medieval Femininities

Medieval women's identities were shaped quite differently from that of their male counterparts. While there were some similarities between masculinity and femininity, such as the need to maintain good repute and *fama* within their community, women faced different social expectations when it came to expressing their reputation and feminine roles. Like masculinity and violence, there was ambivalence towards the hegemonic construction and maintenance of femininity in the Middle Ages. The life-cycle model of a woman's identity shaped her public image and impacted her role in and access to her community. This model was based primarily on a woman's age and marital status.¹⁵⁹

Our understanding of women in medieval society has evolved among historians. Early historiography on medieval women was rather parochial and fell within a male-dominant historiography with women as background characters. These historians argued that medieval women had few, if any, legal rights, that they were to be subservient to their male kin, and that they had little exposure outside the private sphere.¹⁶⁰ With the rise of feminist theory, gender studies, and social history, however, there has been a marked shift in focus on the part of the historians to look beyond the patriarchal structure of medieval society and actually investigate to what extent women could and did act with agency and on their own behalves.¹⁶¹ A notable

¹⁵⁹ Kim M. Phillips, "Introduction," in *Young Medieval Women*, eds. Katherine J. Lewis, Noël James Menuge, and Kim M. Phillips (New York: St. Martin's Press, 1999), xi.

¹⁶⁰ Katheryn Reyerson, *Mother and Sons, Inc. Martha de Cabanis in Medieval Montpellier* (Philadelphia: University of Pennsylvania Press, 2018), 5-6.

¹⁶¹ Kathryn Reyerson, *Women's Networks in Medieval France: Gender and Community in Montpellier, 1300-1350* (New York: Palgrave Macmillan, 2016), xxv-xxvi.

addition to this wave of historiography is the edited volume compiled by Judith M. Bennett and Ruth Mazo Karras who put together a remarkable range of essays investigating not only the constructions of medieval femininities, but also the various roles that medieval women played in Western society in the early, high, and late Middle Ages.¹⁶² An increased focus on women's studies has also served to reshape how women were studied in the past.

Like men, medieval women could embody many roles and identities depending on their social status, reputation, and *fama*. Lay women from the middling and lower strata of society were the predominant characters in the letters of remission. The ways in which their feminine identities were recorded in the letters will be of great importance for investigating how violence was legitimized against them.¹⁶³ This section will investigate the multiplicity of female identities, how women were portrayed in the letters of remission, primarily as victims, and how a woman's reputation and *fama* impacted their public image.

2.3.1 Femininity and the Hierarchies of Women

Women and femininity were associated with saintliness through the image of Virgin Mary but were also be seen as irrational and weak compared to men.¹⁶⁴ Theological teachings from the early in the Middle Ages (and earlier) promulgated and established the belief that in general women were largely inferior to men. It has been well documented that medieval scholars argued that men were thought to be biologically hotter, have more balanced humours, and were

¹⁶² Judith M. Bennett and Ruth Mazo Karras, eds. *The Oxford Handbook of Women and Gender in Medieval Europe* (Oxford: Oxford University Press, 2013).

¹⁶³ Noblewomen and nuns were largely absent from the letters of remission and are therefore not a focus of discussion here. There were two letters of remission from the total 212 that were granted to noblewomen, but these were granted on behalf of noblemen and were for non-violent offenses.

¹⁶⁴ Farmer, *Surviving Poverty*, 41-2.

reasonable; women were the opposite. Generally speaking, they were cool, at times even cold, they were considered to be weak, and were passive.¹⁶⁵ Women were also believed to have stronger sexual desires, perpetuating an image that women could not control their bodily urges. Their increased sexual appetites were discussed throughout the Bible and used in part as the foundations of gender differences in the Middle Ages. These assumptions lead many medieval scholars and doctors to further argue that women were less able to control their sexuality to which men could fall victim.¹⁶⁶ However, the ideal physical state of a woman, until she was married, was to be chaste and remain a virgin.

Theological writers were skeptical of women's abilities to live up to the Virgin Mary. Spiritually, it was believed that most women were not able to achieve the same devotion and holiness as their male counterparts, in large part due to their association with Original Sin and that their physical form was argued to be imperfect. The female body was also physically weaker compared to men and that was seen as another indication of their inferiority.¹⁶⁷ Even when women were not being compared to men, their physical form was highly scrutinized. The contrasting sociocultural constructs ascribed to women compared to men also perpetuated the opinion that they were at times expected to be sexually submissive to men, especially their husbands; to turn down a man's advances was considered to be dissention and a detriment to society as a whole.¹⁶⁸

Like men, women were placed into social hierarchies, including within their own social stratum. However, even putting aside the social stratum to which a woman belonged, women

¹⁶⁵ Cadden, *The Meaning of Sex Difference in the Middle Ages*, 26.

¹⁶⁶ Yolanda Beteta Martín, "The Servants of the Devil. The Demonization of Female Sexuality in the Medieval Patristic Discourse," *Journal of Research in Gender Studies* 3, no. 2 (2013) : 54-5.

¹⁶⁷ Sauer, *Gender in Medieval Culture*, 30-1.

¹⁶⁸ Alcuin Blamires, *The Case for Women in Medieval Culture* (Oxford: Clarendon Press, 1997), 82.

were often universally valued in terms of their reproductive cycle, as compared to men who were closer to nature with animal-like status and often esteemed for their productive potential.¹⁶⁹ Clerics especially ranked women based on their sexual purity, rather than their social standings, dividing women into four main categories: virgins, nuns, married, and widowed.¹⁷⁰ Ranking women based on their sexual and reproductive activities was not a new concept in the Middle Ages, and comfortably dates back to the fifth century A.D. where the widows – spouses – virgins categories were considered to be the moral standard for women.¹⁷¹ When this classification system became the norm in the Early Middle Ages, it was not only a standard for women, but also applicable to men and how they related to each other. Throughout the centuries, however, there was a shift to how men were categorized: by the High and Late Middle Ages, men were seen as how they related to their professions. Women, on the other hand, were now referred to based on their stage in life in relation to their marital status.¹⁷² In order to maintain the male-dominated social structure of medieval society, which was not a conscious effort, it was widely believed that the natural status for a lay woman was that of a wife, the only acceptable arrangement where a woman could also be sexually active. Should a woman become a widow, she was persuaded to remain single and free of the sexual vices that she was thought to be at risk.¹⁷³

At the top of the female sexual hierarchy were virgins, those who were pure and untouched. Much theological literature was circulated and disseminated in the Middle Ages

¹⁶⁹ Farmer, *Surviving Poverty*, 107.

¹⁷⁰ Farmer, *Surviving Poverty*, 107.

¹⁷¹ Bernhard Jussen, “‘Virgins-Widows-Spouses’: On the Language of Moral Distinction as Applied to Women and Men in the Middle Ages,” *The History of the Family* 7, no. 1 (2002): 13-4.

¹⁷² Jussen, “‘Virgins-Widows-Spouses,” 27-8.

¹⁷³ Sauer, *Gender in Medieval Culture*, 107-8.

perpetuating the notion "that virginity was preferable and that even sexual relations between spouses was suspect."¹⁷⁴ Virgins embodied the ideal state of the human condition for both men and women. Not only was it a physical state, but also a signifier of spiritual purity.¹⁷⁵ Feminine identities were primarily linked to the Virgin Mary, she was "obedient to God and her spouse, a loving and nurturing mother, chaste and virtuous, and humble and kind."¹⁷⁶ These characteristics were foundational attributes that nearly all medieval women were expected to embody. Medieval women could also be associated with softness and were oftentimes thought to be able to soften men. Finally, women were largely considered to be caring and compassionate, often having to be peacekeepers in times of conflict. While these were popular beliefs about the roles and social expectations of women, they were not necessarily universally applicable to all women.

Laywomen, the only ones present in the letters of remission, formed a large portion of the medieval population and were represented across elite and non-elite social groups. Like laymen, these women could exercise their agency and take active roles in trades especially either as apprentices themselves or if their husbands owned shops. They were also participants in their local markets selling goods.¹⁷⁷ Not all female-dominant professions were highly regarded though. Some professions for which women were associated with loose sexual morals were those of the laundress and domestic servants. These associations were in large part because laundresses and servants would often enter male spaces and also came into contact with their intimate pieces of clothing. Female servants especially were expected to be at the disposal of their masters. It was believed that women would use sex for advancement or as a means of gaining more

¹⁷⁴ Karras, "Women's Labors," 155.

¹⁷⁵ Sauer, *Gender in Medieval Culture*, 51-2. 6

¹⁷⁶ Sauer, *Gender in Medieval Culture*, 107.

¹⁷⁷ Reyerson, *Mother and Sons, Inc.*, 32-3.

privileges, especially peasant women.¹⁷⁸ Finally, laywomen were often active in charities and participated in charitable giving, especially as a means of creating communities and networks with other women.¹⁷⁹ Many women too were known to be active in the courts and other public forums, often taking on the role of witnesses in legal actions. That women were called on as witnesses challenges the notion that their testimony was often dismissed or devalued; rather their participation in the legal process suggests that women were valued for the testimony that they could provide. There were still some limitations as not all women had equal access to the courts, as Susan A. McDonough has noted: wives and mothers – seen as more respectable - had the most credibility and were most commonly the women who acted as witnesses in the courts.¹⁸⁰ Ultimately, though, laywomen were mobile, participated in local activities, and could engage with the court system. Laywomen were also the women who were present in the letters of remission dealing with violence. Both married and unmarried women were represented in the letters of remission, however the only two letters in which women were supplicants for violent offenses were married, their husbands both having active roles in the letter's narrative.

Although being married could be a symbol of success in the medieval world for both men and women, some women (and men) opted to remain single and never marry. While it can be difficult to find single women in archival sources, due in large part to naming conventions in medieval France where women were recorded in terms of their association with male kin, they were present in at the street level and represent a significant group feminine population.¹⁸¹ But, they were seen as being of less value or moral standing because they were not under the protection or associated with a male figure. Single women were also present in the letters of

¹⁷⁸ Karras, "Women's Labors," 153-4.

¹⁷⁹ Reyerson, *Women's Networks in Medieval France*, 129-145.

¹⁸⁰ McDonough, *Witnesses, Neighbours, and Community*, 33-4.

¹⁸¹ Farmer, *Surviving Poverty in Medieval Paris*, 140-1.

remission under investigation here, but only as victims of sexual assault or homicide; there were no letters granted to single women from the selected corpus.

Where a laywoman went during her day also had an impact on her reputation. A woman who was active in traditionally male spaces, especially taverns, was commonly thought to be there for illicit sexual activities.¹⁸² And despite some tolerance towards single and young men who engaged in sex, women who were sexually active outside the strictures of marriage were often seen as being of ill-repute and had bad *fama* in their communities compared to married women. Because the purpose of marriage was in large part to procreate and raise offspring, those women who had sexual relations while not married could not legitimately bear children. To be reputable and honourable, a laywoman was to marry legitimately and to behave appropriately. Sexual relations were only legitimate between married partners. The Church promoted that there was a debt between spouses where sex was owed. The marital debt, according to the Church, was that neither spouse could withhold sex from their partner, and therefore sex was to be given on demand. In practice however, the “collection” of the debt was most commonly demanded by the husband.¹⁸³ For women, marriage and especially child rearing “was the one role for women that most medieval people held as a norm.”¹⁸⁴

Men and women's gender identities were constructed differently and their differences had an impact on how they were presented in the letters of remission. This was especially true when men and women were being described as the victims of violence at the hands of the (predominantly male) perpetrator supplicants. Women were not expected to engage in violence as it was not a behaviour tied to femininity, rather they were to be obedient, passive, and soft.

¹⁸² Karras, “Women’s Labors,” 153.

¹⁸³ Karras, “Women’s Labors,” 155.

¹⁸⁴ Karras, “Women’s Labors,” 154-5.

Yet, a fundamental dimension of a woman's reputation was her sexual behaviour and marital status. Women could engage in violence to defend their honour in cases of sexual assault, as we shall see in the next section.

2.3.2 Victims and Perpetrators

From the 185 letters studied here, women did not feature prominently as perpetrators of violence. In fact, they were hardly represented at all as supplicants in all the JJ165 series, except for a handful of thefts and one violent altercation instigated by a woman. They were, however, more commonly present as victims of violence in the letters of remission. In total, women were the supplicants in only two of 185 letters where violence was used, whereas they were the victims in fifteen letters. In total women were active characters in nine percent of the letters from the selected corpus. Women could be used as instruments for men to assert their masculinity, especially in cases of sexual violence, which enabled a masculine show of dominance.

In one of the two rare cases where a woman was the perpetrator of violence, she was using it as a tool to maintain her honour and defend her reputation, much like men. In what follows, are the details of a letter where two supplicants, a husband and wife, were seeking pardon for killing another woman. Jehanne du Quesne and Jehanne the widow of Colin Part, respectively eighty years old and the other ninety, were doing some chores around the manor of the Saint Gernier abbey where they had both lived in peace for seven years, when the two began arguing over cleaning the dishes.¹⁸⁵ Jehanne du Quesne attempted to mitigate the argument by complimenting the widow, but the widow turned and started calling the widow Jehanne names. The compliments did not assuage the widow and the argument became heated, insults were made

¹⁸⁵ ANF JJ165 44v.-45v. For this and what follows. For a full transcription of this letter see the Appendix.

about Jehanne du Quesne's poor housekeeping skills. Quesne was so mad at the insults that she grabbed the widow by the neck and threw her to the side. Then the widow started insinuating that Quesne was a procuress or madame. Still holding the widow, Quesne told her that if she continued to make false claims, she would beat her so hard that her tongue would fall out. After this threat, Quesne started beating the widow with her hands striking her several times. While Jehanne du Quesne was beating the widow, her husband Guillaume came upon them and the widow started hurling insults at him, calling him a pimp, just as she had done to his wife. Guillaume was so angered by the injurious insult that he struck the widow across the face with the back of his hand so hard that she started to bleed. Guillaume was also insulting the widow right back, calling her a *faulse normande*. The widow finally raised a cry and was yelling that the two Quesnes were "murdering and killing her," to which they presumably stopped the assault (although it is not stated in the letter). The widow went to bed feeling ill and eight days later she died. The Quesnes "fled the country out of fear of not receiving justice." They were eventually granted pardon, justified because the death of the widow was arguably due to weakness given her age.

In this letter, as well as all the other letters where the victim of violence was a woman, the woman's death was justified as a means of maintaining the perpetrators' reputation and by extension their gender identity. Jehanne du Quesne's reputation was being questioned and insulted by another woman and she needed to defend herself against these accusations. Guillaume, the husband, was not only defending his wife's honour, but also his masculine identity because he was being called a pimp, a highly injurious insult to men and women alike. Similarly, in the letter that opened this project, Estienne's manhood had been physically and symbolically damaged by a woman who had been attempting to defend herself and by extension

her honour against an attacker, and in order to re-establish and maintain his strong masculinity he resorted to violence to assert his dominance. In the case of the Quesnes, their reputations had been explicitly attacked, they had to maintain their public image.

2.4 Reputation and *Fama*

Whether attempting to establish, reinforce, or maintain one's gender identities and public image within their community, the main factor that was of the utmost importance was one's reputation and *fama*. These two interconnected social constructs were the foundations of any medieval men and women's identities. The significance of reputation and *fama* are not new concepts to the medieval historian, nor is there any lack of scholarship about the topic.¹⁸⁶ However, for the purposes of this project, the ways in which reputation and *fama* were used to justify or legitimize violent actions in the letters of remission is worth exploring, especially when victims were acting against expected gender norms or roles. But, the ways in which reputation was established for men and women was vastly different. The sections that follow will define reputation and *fama* and investigate how they were formed, how they could be lost, and how these concepts were presented in the letters of remission.

2.4.1 Reputation and *Fama* in the Middle Ages

Fama was what reputation was built from. Translated to "public talk" or "common knowledge," the Latin word *fama* was a commonly used term by people in the medieval period, with many contemporary legal experts writing on the topic.¹⁸⁷ Philippe de Beaumanoir defined

¹⁸⁶ For discussions on the construction of reputation, *fama*, and the significance of public talk throughout medieval Europe see the collection of essays in Thelma Fenster and Daniel Lord Smail, eds., *Fama: The Politics of Talk and Reputation in Medieval Europe* (Ithaca, Cornell University Press, 2003).

¹⁸⁷ Claude Gauvard, "La *fama*, une parole fondatrice," *Médiévales* no. 24 (1993): 7.

fama in the thirteenth century as talk that was spoken by a large group of people, whereas in the tract *La très ancienne coutume de Bretagne* published in the fifteenth century, *fama* was described further as something that was spoken about at fairs, markets, and in the parish.¹⁸⁸ Should the public talk about someone be negative those with bad *fama*, or *infama*, could even be subject to torture should there be a need for it.¹⁸⁹ Regardless of gender, all medieval people's *fama* was structured around the same principles of public talk and knowledge of each other.¹⁹⁰

For the medieval individuals living in close-knit, dependent communities, their reputation was a most valuable asset. Reputation was measurable and visible, “a man’s [or woman’s] legal good name is something he possesses until it has been taken away from him,” it was a form of social capital.¹⁹¹ Having a good reputation, or being of good repute ensured that someone had full access to society, both legally and through local customs. But it was also something, like a person's gender identity, that needed to be maintained and protected. To be of good repute and therefore good social standing, was to say that the individual was living and abiding by the values and norms of their society, of their gender, and of their social stratum.¹⁹² To act otherwise would diminish their repute and limit their involvement in their community. The loss of one’s good repute was not only damaging to a person’s social standing, but could also have very real consequences; those of ill repute were often ostracized from their society, even going so far as to limiting their access to justice and the court system, either as a plaintiff or a witness.¹⁹³ In contrast, though, those of good repute had a much easier time navigating their social

¹⁸⁸ Gauvard, “La fama,” 7.

¹⁸⁹ Steven Bednarski, *Curia: A Social History of a Provençal Criminal Court in the Fourteenth Century* (Montpellier: Presses universitaires de la Méditerranée, 2013), 35.

¹⁹⁰ Gauvard, “Honneur de femme et femme d’honneur,” 168.

¹⁹¹ F.R.P. Akehurst, “Name, Reputation, and Notoriety in French Customary Law,” in *Fama: The Politics of Talk and Reputation in Medieval Europe*, eds. Thelma Fenster and Daniel Lord Smail (Ithaca: Cornell University Press, 2003), 79.

¹⁹² Hanawalt, ‘Of Good and Ill Repute’, 14.

¹⁹³ Akehurst, “Name, Reputation, and Notoriety,” 79-81.

surroundings, including accessing the means necessary to bring court cases against others and were more likely to prevail.

A man and a woman's reputation and *fama* were founded on different principles, but both were integral to their success in the medieval world. A layman's reputation was based largely around his success in economic, social, and familial dealings. When these were threatened by others, violence could be an acceptable means of arbitration under the right circumstances. Whereas for laywomen, their good repute was almost solely based on their sexual purity and activity.¹⁹⁴ Hence women were most likely to have their honour and reputation diminished when rumours spread about their morality, and when sexually assaulted by men who in turn could have been using sexual violence as a means of proving their virility.¹⁹⁵ This distinction in gendered reputation was especially apparent in the letters of remission, in which the ideal victims were often described in opposite terms of what was considered acceptable norms.

2.4.2 Fama and Infama in the Letters of Remission

Both reputation and *fama* were integral to the structure of the letters of remission. Each letter finished with the king re-establishing the good fame and name of the supplicant, giving them the social status that they had before the incident detailed in their pardon. As was discussed in the first chapter, the formal pardon portion of the template restored the supplicant to their goods and their previous reputation and *fame*.¹⁹⁶ The template that every letter of remission followed made special note of the good repute of the supplicant prior to the event necessitating pardon, and therefore they were worthy of the king's mercy.

¹⁹⁴ Gauvard, "Honneur de femme et femme d'honneur" 161-2.

¹⁹⁵ Gauvard, "Honneur de femme et femme d'honneur," 162.

¹⁹⁶ Akehurst, "Name, Reputation, and Notoriety," 77.

Giving the supplicant back their former good name and reputation was only symbolic and theoretical. There is no real way to determine if the supplicant was accepted back into their community after having committed the offense. As has already been discussed the letters of remission required ratification before they were officially recognized by the supplicant's community. While ratification statistics are difficult to determine, as they were the responsibility of each individual region, L. Otis Cour has noted that up to fifty percent of all letters of remission in Toulouse were rejected in the later half of the fifteenth- and early sixteenth century.¹⁹⁷ Whether the letters were ratified or not, however, is not the focus of this project; rather, the letters are being analyzed to determine the popular norms and behaviours that were recorded in these documents. Therefore, the behaviours that seemed acceptable or pardonable to the Crown, were not necessarily sanctioned by regional governments. The extent of those discrepancies remains a mystery. In terms of reputation, the letters suggest that in theory the king had the ability to restore repute and *fama*. But the practical difficulty of rebuilding one's reputation would suggest that supplicants were not necessarily welcomed back with open arms to their community.

When recording their narratives in the letters of remission, supplicants (or the notaries on their behalf) had to ensure that they painted their victims as being of ill repute. This characterization necessitated that the supplicant shame their victim, making them appear as deserving or in need of violent correction. This narrative constructed an image of an ideal victim: someone who was of ill repute, who was causing a disturbance, who was not following the norms and proper behaviours of their society or of their gender identity (to act against hegemonic gender norms was considered deviant). In many of the letters of remission, the victims were

¹⁹⁷ Otis-Cour, "Les limites de la grâce et les exigences de la justice," 89.

described in negative terms, being called *ribaude*, of *mauvais gouvernement*, or accused of causing *debat*, *noise*, and even *riot*, all suggesting that the victim was a detriment to society, disturbing the peace, or acting against the common good. In the letter where Huguet Brachet's son was being attacked by another man, Brachet's victim was described as causing a disturbance with noise and arguing with bad intentions (*qui ne queroit que noise et debat en perseverent en son mauvaiz propos et voullenté*).¹⁹⁸ In another letter the supplicant killed a man in a bar fight that had erupted from insults and *noise et riot*. *Noise* was used three times to describe the situation and the behaviour of the victim of the eventual assault, suggesting that the victim had been acting inappropriately.¹⁹⁹ By acting defensively, either for a person or for the public, the supplicant's use of violence could have served to ameliorate his *fama* as he was protecting others or himself while also demonstrating his dominance and authority over unruly trouble makers.

Women who were the victims in the letters of remission were often described in terms that questioned their sexual purity. In the letter with the two elderly Jehannes, the insult that the widow used was to call Jehanne and Guillaume du Quesne *macquerelles*, or pimps. In another example Guillaume Laurens accused his wife of being a *ribaude* and a *femme publique* because she was acting outside the norms and expectations of a proper wife and he was ultimately pardoned for killing her.²⁰⁰ Perrin Guerrin was also pardoned for killing his wife after it had come to his attention through public that she was having a sexual affair.²⁰¹ The elderly Jehanne who was killed by Estienne was also described as being a possible *femme publique* to suggest that she was not a moral and respectable woman. And finally, Goupille was targeted by the group

¹⁹⁸ ANF JJ165 58r.-58v.

¹⁹⁹ ANF JJ165 63v.

²⁰⁰ ANF JJ165 72v.-73r.

²⁰¹ ANF JJ165 13r.

of youths because they believed that she was a prostitute, despite her claims that she was in fact married, albeit abandoned by her husband.²⁰² This pattern serves to suggest that female victims in the letters of remission fit the mould of an ideal victim because they did not conform to the strictures of hegemonic medieval femininity. Similarly, male victims who were described as being noisy and riotous were also behaving counter to what was expected of masculinity.

There was a clear double-standard in the narratives of the letters of remission. In the cases discussed above the supplicants had also arguably been acting similarly to their victims, especially when their victims were male. Huguet Brachet, the father coming to the aid of his son, ultimately killed a man in the streets after what can be assumed was a heated exchange on both sides.²⁰³ Both men would have been acting noisily and causing a disturbance, but because his victim perished as a result of the altercation, his reputation could not be defended. Since supplicants were the ones who provided their version of events to the notary, they had the power to control over how their victims were going to be portrayed. Supplicants could ensure that they described their victims with negative terms, counter to how a man or woman ought to behave. This is especially significant for sexual assaults: male supplicants (and male notaries) provided details about their female victims. Estienne suggested that Jehanne might be a prostitute, putting her reputation in doubt and diminishing the gravity of the assault. Goupille too was described as being a prostitute by the young men who assaulted her, insinuating that she was not of good repute. Supplicants and the notaries would have had some conception of what types of behaviours and attributes were inappropriate and were able to describe their victims in terms that justified the use of violence. Similarly, supplicants could ensure that they appeared as favourably as possible to ensure a pardon.

²⁰² ANF JJ165 57v.-58r.

²⁰³ ANF JJ165 58r.-58v.

Masculinity and femininity are difficult to define in any time period, the medieval period notwithstanding. Because there were layers, circumstances, and hierarchies within and across gender identities, it can be difficult to determine how they were formed, reinforced, and maintained. However, it becomes clear that violence was an acceptable and legitimate tool to demonstrate one's masculinity under the right circumstances. Women as victims were tasked with protecting their honour from men who were attempting to prove their masculinity, resulting in a cycle of domination and need for protection through and from violence that served not only the individual man, but also to maintain the social hierarchies of medieval society. In the chapter that follows, I will investigate how medieval men and women used, or defended themselves against, violence to maintain not only their gender identities, but also their reputation and *fama*.

Chapter 3 The Restoration of Order

Guillaume Laurens had been "happily" married to his wife Jehanne for over ten years.²⁰⁴ But Jehanne had been disrespecting her marriage vows. She had been entertaining and having relations with other men, including a priest. Guillaume's letter of remission stated that his wife had a reputation in their community of being a dissolute woman, a public woman, a ribald woman. Guillaume was repeatedly angered by her irreverent actions. He had chastised his wife a few times, demanding that she stop her dissolute ways because she was "bringing great shame to him and to their friends." Although Jehanne had originally agreed to stop her shameful habits, she could not resist her life of ill repute. She even gave birth to a child she had allegedly conceived with a local priest. This birth only served to further enrage Guillaume. He concluded that his wife would never stop her ways, so he made the decision to leave the marital home and seek shelter elsewhere. However, on occasion he would return to his wife's home exercising his marital duty and right by chastising her for her unacceptable behaviour. Finally on June 10, 1410 Guillaume again went to the marital home to correct his wife's behaviour, but when he arrived the home was empty and he saw that the door had been broken from its frame. Assuming that his wife was out partying and leading a dishonest life with priests and other characters, Guillaume waited for Jehanne to return so he could chastise her again. When she arrived back home, Guillaume and Jehanne got into a verbal disagreement – Guillaume was accusing Jehanne of continuing to live a dissolute life, and Jehanne was answering her husband arrogantly with insults and verbal injuries causing him great damage. Angry and upset, Guillaume beat his wife so severely that the next day Jehanne was found dead and strangled in her bed. For this event,

²⁰⁴ ANF JJ165 72v.-73r. For this and what follows. For a full transcription of this letter, see the Appendix.

Guillaume fled the country out of fear of not receiving justice. However, he successfully petitioned the Crown for a letter of remission.

According to this letter, Jehanne was subverting social expectations and was not being a doting and chaste wife – a role assigned to married women. Instead of caring for her home and husband, she was painted as an excessive partier, who surrounded herself with unsavoury characters, had extramarital relations and quite possibly engaged in prostitution – all while being married to Guillaume. The worst part of all her behaviour was her infidelity. Guillaume had faced continued symbolic emasculation at the hands of his wife for what can be assumed was over a long period of time. He felt further shamed when she allegedly gave birth to a child that was not his. As a result he could only leave his house to protect his reputation, or what was left of it. So many of the traits that layman's reputation was built upon had been damaged by his wife's poor behaviour. Guillaume had few options available to him to re-establish his good fame. Because his previous attempts at domestic correction had had little impact on Jehanne, killing her (whether intentional or not) was Guillaume's last resort to save his reputation as a good husband. That he was granted a letter of remission for killing his wife demonstrates that his violence was pardonable because it restored his *fama* and re-established his reputation. It also signified that there was a high sociocultural value placed on adhering to social norms and abiding by societal values, especially in this case in relation to gender. That the Crown accepted Guillaume's plea for pardon further perpetuated the acceptability of domestic correction and masculine authority.

Because the medieval world was highly structured, its strict social norms permeated all facets of society, from the government at large down to the home lives of the medieval French population. This chapter will focus on the use of violence to maintain, restore, and protect gender

identities and social order, both on the individual and societal levels. First I will investigate the use of violence to protect and maintain one's *fama*, especially when faced with insults from others. When faced with insults, self defence through physical assault was acceptable, especially because the insults could have severely damaged an individual's gender identity and *fama*. Other forms of physical violence could be just as damaging to one's reputation. For women in particular, attacks were most commonly in the form of sexual assault, which meant for survivors they had to prove they were in fact the victims. For men violent altercations were most often triggered by insults or were reactive to other stimuli. From the individual, interpersonal use of violence, I will conclude with an analysis of French society as a whole, ending with a discussion on the attempts by the Crown to control violence, while also pardoning those who used it to maintain social order and hierarchy.

3.1 Protection of *Fama* and Reputation

One's *fama* and reputation had to be protected at any cost. As has been discussed already, *fama* was integral to one's identity and access to society. In the letter of remission for Guillaume Laurens, there was special mention made that Jehanne's actions were bringing shame to herself, to Guillaume, and even their social group.²⁰⁵ The inclusion of the wide social impact of her actions serves to demonstrate the fragility of *fama* and reputation in the Middle Ages, as well as the far-reaching spread of public talk. Guillaume was not only protecting his own *fama* but that of his social circle as being associated with someone of ill repute could be damaging to others. Jehanne's behaviours further demonstrate that a woman's actions not only impacted her reputation, but had a direct influence on the reputation of those around her, including family and

²⁰⁵ ANF JJ165 72v-73r.

friends. Guillaume was also unable to perform as a husband, something that would have been highly emasculating for him. Jehanne for her part was acting against the proscribed, expected, and accepted behaviours of the honest wife. Having had a child outside the marriage was extremely damaging to the reputation and honour of her husband. That Guillaume was successfully able to seek pardon for the murder of his wife indicates that his violence was legitimate when used to maintain and restore personal honour as much as well as social and gender order.

Men and women had to protect their *fama* and reputations in different ways, especially considering that their gender identities were constructed and reinforced by significantly different means. Because laywomen's reputations were based in large part on their (alleged) sexual activities, their *fama* and reputation were at increased risk when they were the victims of sexual assaults. When they were the targets of sexual assault it was imperative that they cry out to stop or bring attention to their attackers.²⁰⁶ However, in practice, these attempts at protecting themselves were often fruitless and the evidence insufficient. When their attacks were not deemed egregious enough to be punished, pardons could be granted to their attackers. Conversely for men, insults and bar brawls were usually the catalysts for publicly violent altercations. Verbal insults could have been especially damaging to their *fama* as these would commonly be uttered in public spaces where many witnesses could hear the injurious words. Retaliating with violence to prove physical dominance could therefore be a legitimate form of recourse. In the sections that follow, I will investigate how men and women had their reputations, *fama*, and honour attacked, and the means available to protect themselves, both physically and symbolically.

²⁰⁶ Emily Amt, ed., *Women's Lives in Medieval Europe* (New York: Routledge, 1993.), 56.

3.1.1 Women and Sexual Assaults

Rapes and sexual assaults were not uncommon in the Middle Ages. Numbers however are skewed because it was likely that sexual violence was underreported by the victims because of the damage allegations would bring to their reputations. When women appeared as the victims in the letters of remission, it was most commonly for crimes of sexual violence. Of the fifteen letters where women were the victims seven had experienced sexual violence in some form. Despite women being victims of heinous crimes, and that rape and murder were capital crimes, men often faced much less backlash for their violence against women. Because men could and did receive pardon for their violent offences against women, they were also able to have their *fama* and reputations restored, whereas for their female victims, they could be permanently damaged. Rape and sexual assaults were not legal in the medieval world. In fact, they were theoretically punished in judicial and customary laws. But in practice, it was more common that cases that were actually brought before a judge were dismissed, pardoned, or settled privately.²⁰⁷ Letters of remission granted to rapists would suggest that there had been a formal complaint made by the victim or her family, most likely in an attempt to save their reputation. Convicting rape was difficult, however, as there were rarely any witnesses, therefore any testimony brought to the courts was by the victim and the assailant; men's words were more valuable than those of their female victim and consequently men were more likely to be believed.²⁰⁸ In the letter of remission that opened the project, Estienne had attempted to rape the seventy-year old Jehanne who did in fact fight off her attacker, unfortunately to no avail. It is likely that had Estienne successfully assaulted Jehanne, he would have been pardoned for raping the elderly widow

²⁰⁷ Yahil, "A Rape Trial," 251.

²⁰⁸ Dean, *Crime in Medieval Europe*, 85.

anyway because she was thought to be a prostitute and had a bad reputation in their community. But because she perished after the assault, Estienne's testimony was most likely not contested when he sought pardon.

Women and their families were the ones responsible for protecting and repairing their own *fama* and reputations when victims of sexually assaulted. To make a legitimate rape claim, women had to raise the hue and cry to alert any potential witnesses or bystanders who could intervene; they had to alert the authorities immediately after the event by showing any injuries or ripped clothing; and in cases they may face physical examinations by male or female experts who could attest to the validity of the rape claim.²⁰⁹ The fact that rapes were pardoned at all is curious because these crimes were intentional and often premeditated. The supplicant could not claim self defence or that he had been acting as the result of injurious words.²¹⁰ Homicides were pardonable because they were in the heat of the moment, often the result of insults, whereas sexual assaults were often described as unprovoked.

There is one rare exception to the argument above, where a woman was granted a letter of remission as the primary supplicant who had been the victim of repeated sexual assault. Robine, the wife of Guillaume Lambert, was being sought after by an older man named Gilet Goudelin, who was demanding she have sex with him.²¹¹ Robine refused his advances on several occasions. Goudelin even tried to buy sex from Robine offering her gold and silver in exchange for her body. But she was firm in her refusal, which greatly angered Goudelin. The rebuffed man was livid, his advances and monetary offers had been refused; Goudelin started going into the streets and loudly calling Robine a whore to anyone who would listen (*de mauvaiz et dampnable*

²⁰⁹ Hanawalt, 'Of Good and Ill Repute', 126.

²¹⁰ Annik Porteau-Bitker, "La justice laïque et le viol au Moyen Age," *Revue historique de droit française et Etranger* 66, no. 4 (1988): 500.

²¹¹ ANF JJ165 194v.-195r. For this and what follows.

propos l'eust en plaine rue et en la presence de plusieurs personnes ribaude putain et dit plusieurs grans injures et villenies). He did this many times both to her face and behind her back, to which Robine became so upset that she finally gave in and had sexual relations with Goudelin, possibly to save her reputation from his repeated verbal attacks (*tant en la presence d'icelle Robine comme en son absence affin qu'elle se condescendist a faire sadicte volenté*). However, Robine was still upset because Goudelin continued the verbal assaults even after she had consented to sex, so she went to her husband and told him what had happened. Guillaume asked his wife how she wanted to be avenged. With the help of her husband, they came up with a course of action to exact revenge. Robine made plans with Goudelin to have sex with him, on the condition that they go somewhere hidden. Robine led Goudelin into a wooded area where her husband and brother-in-law were waiting to ambush the pair. Guillaume and his brother beat Goudelin so severely that he died a short time later. For this homicide, Robine was arrested and sentenced to one month in prison and granted pardon; Guillaume and his brother were also granted pardon but there was no mention in the letter if they were also arrested. Goudelin had been publicly damaging Robine's reputation and *fama* by insulting her in the streets. To stop the spreading of *infama* Robine had sex with Goudelin in the hope he would stop his insults. But because her consenting to sex did not stop the verbal abuse her course of action to protect and re-establish her reputation was to seek help from her husband. Guillaume for his part was likely a willing participant because the negative *fama* of his wife would also have had an impact on his own, as well as their reputation as a married unit. The presence of Guillaume's brother attests that the whole male kinship was involved in the protection of a women's *fama*.²¹² While the letter granted to Robine was not necessarily for a rape, she was arguably sexually assaulted. She

²¹² Gauvard, "Honneur de femme," 162.

had only given in to the advances of Goudelin because he was threatening her status in their community.

Re-establishing one's *fama* after a rape or sexual assault could be a difficult task for the female victim. Rapists could marry their victims as one option for re-establishing the good reputé of the victim and their family, a common outcome if there was a pregnancy involved.²¹³ Some families could claim rape even when there had been consensual relations between two people to force a marriage for their daughter. As was the case in 1462 for a young girl in Saint Eloi who, at the age of fourteen or fifteen was seduced by a slightly older young man, became pregnant, and her parents brought rape accusations against him to repair the damage to their reputation within the community.²¹⁴ Similar circumstances occurred in the letter of remission granted to Symon Nyot and Jehan Bechot who had had sexual relations with Colette: the men claimed that they had consensual sex with Colette, and it only became an issue when her husband and parents found out and then started criminal proceedings against Symon and Jehan resulting in their eventual pardon.²¹⁵ Despite the taboo surrounding premarital sex, it was not necessarily uncommon for youths. But when there was an illegitimate baby, there was need for the family of the daughter to take immediate action to alleviate any harmful *fama*.²¹⁶ Other girls were not so afforded the same options. A young girl in Dijon was raped by a local man who dragged her to a shop front and "knew her carnally."²¹⁷ Due to her loss of virginity and loss of reputation, her only recourse was to resort to prostitution where "she was immediately hunted by the young men of the city who

²¹³ Edna Ruth Yahil, "A Rape Trial in Saint Eloi: Sex, Seduction, and Justice in the Seignorial Courts of Medieval Paris," in *Voices from the Bench: The Narratives of Lesser Fold in Medieval Trials*, ed. Michael Goodich (Basingstoke: Palgrave Macmillan, 2006), 255.

²¹⁴ Yahil, "A Rape Trial," 251-271.

²¹⁵ ANF JJ165 34v.-35r.

²¹⁶ Yahil, "A Rape Trial," 251-271. This story was not from a letter of remission.

²¹⁷ Maryanne Kowaleski, ed., *Medieval Towns: A Reader* (Toronto: University of Toronto Press, 2008), 346-7.

pursued her so that she began to give them pleasure of her body."²¹⁸ These examples are evidence of the significance of reputation and how sexual activity impacted men and women differently. It was primarily the responsibility of the woman or kin on her behalf to try and repair their public image after licit or illicit sexual encounters.

Based on evidence presented in the letters of remission supplicants who had been accused of rape were most likely brought to court in an attempt to save the *fama* and reputation of the victim and her family. The letter granted to Symon Nyot and Jehan Lachot had only been initiated after the woman's family and husband found out about her illicit activities, or so the supplicants claimed.²¹⁹ But by being accused, the supplicants' reputation was now in jeopardy. By seeking pardon they could restore their *fama* and good name, most likely at the expense of the victim – ultimately re-victimizing them, not only because both parties would have had to provide testimony about the events that occurred, but also because by granting pardon to the rapist, the victim's experience was dismissed. As was discussed in Chapter 1, both parties had to agree to the events recorded in a letter of remission for it to be deemed valid, suggesting that the victim or her family had to confirm that the supplicant was in fact not responsible or legitimate in their use of sexual violence. The victim's experience was therefore diminished and devalued. Letters of remission pardoning rape re-established the supplicant's standing at the expense of that of their victim.

Female rape victims also had to appear as the ideal victims in the letters of remission in order to make the supplicant seem as though their crime was not as egregious as it seemed. From the letters, rape victims were described as being of ill repute because of their sexual impurity or

²¹⁸ Kowaleski, ed., *Medieval Towns*, 346-7.

²¹⁹ ANF JJ165 34v.-35r.

because the victim had consented to sexual relations in the past, therefore suggesting that the supplicant was entitled.²²⁰ In one particularly brutal letter, Pierre Aubrun was granted pardon for raping a woman that he took by force from her lodgings to a vineyard.²²¹ Pierre was dining at the hostel where she lived, when he burst through the door and dragged his victim Batherme to a vineyard. There, Pierre and an accomplice raped the young woman once or twice and then beat her (*icellui suppliant la congneut charnelement une foiz ou deux contre son gré et voulenté après ce qu'elle ot esté par lui et ses complices batue de plusieurs cops orber*). Pierre was arrested and imprisoned, but ultimately pardoned because of his youth, that he had already spent a great amount of time detained, and because Batherme was not a virgin (*Pour lequel cas et à l'instance et requeste de ladicte Batherme ou autrement par autres de justice icellui exposant a esté prins et emprisonné es prisons... ou... il est encores detenu prisonnier en grant misère et poureté... requérant humblement que attendu son jeune aage, de longue detencion de prison que il a déjà soufferte, que ladicte Batherme n'estoit pas pucelle... estoit et encores est de petite vie gouvernement et renommée et diffamée*). As per this letter, the *fama* and reputation of the victim were already tarnished and therefore she became the an acceptable victim for the accused to assault. Her reputation was also tied to her sexual purity, and as it was explicitly stated in the letter of remission that Batherme was not a virgin, making her rape was legitimate.

It was difficult for women to bring rape accusations forward, they had to be of good repute and *fama*, preferably married on under their father's care, and if this were the case, the male perpetrator faced the death penalty.²²² This is why it was imperative for the supplicant to ensure that they portrayed their victim as being of ill repute, as was the case in the letter granted

²²⁰ ANF JJ165 195r.; 73v.

²²¹ ANF JJ165 195r. For this and what follows.

²²² Annik Porteau-Bitker, "La justice laïque et le viol au Moyen Age," 507.

to Estienne who attempted to rape the elderly Jehanne who was of ill repute in their community, or of Bartheme who was already defamed. The social status of women were not included in the court documents. Caroline Dunn has suggested that women of lesser social standing had fewer protections and were more likely to remain quiet.²²³ . If they did not remain quiet, they still faced an uphill battle in the courtroom. Omitting a key attribute of the medieval identity, such as their social status, also served to dehumanize the victim and created the image of an acceptable victim.

3.1.2 Insults and Brawls

Violence has been defined in the first chapter as physical altercations, however, words could be just as symbolically damaging and could result in physical altercations. Indeed they could be very damaging to the reputation and *fama* of their intended target. Violent altercations were also often triggered as the result of insults exchanged between parties. This reaction was made evident in the letters of remission as 72 of the 185 letters were granted to those who had previously been insulted by their victim. Taverns were the most common locale for insult-related violence to occur, not unsurprising considering the free-flowing of alcohol and the mixture of savoury and unsavoury characters.²²⁴ The proclivity towards insults and violence in taverns is supported by the letters of remission where 39 of the 185 were granted for violence that had ensued as a result of insults uttered in a tavern; there is an obviously strong correlation between insults, alcohol, and violent retribution.

²²³ Caroline Dunn, *Stolen Women in Medieval England: Rape, Abduction, and Adultery, 1100-1500* (Cambridge: Cambridge University Press, 2013), 61-2.

²²⁴ Hanawalt, *'Of Good and Ill Repute'*, 105

Because *fama* was the public talk spread throughout the community about someone, should there be a public display of insults, there needed to be a public display of defending one's reputation. Under these circumstances, violence between two arguing and insulting parties was a legitimate and acceptable form of arbitration of perceived wrongs.²²⁵ Retaliatory violence against verbal insults served to communicate a very specific message to both the victim and any possible spectators: that insults would not go unanswered. The insulted party had to appear as the more dominant figure by overpowering and in most cases, severely injuring or even killing their opponent. This communicative function of violence for men served to reinforce the perpetrator's reputation by publicly overpowering their opponent, proving that they were the dominant figure.²²⁶ Violence when used to combat verbal insults was means of maintaining one's gender identity when the insults were gendered in nature. Insults were a form of slander that had very real consequences for all parties involved. For the target of the damaging words, they faced having their reputation tarnished.

Daniel Lord Smail has argued that insults and assaults were not necessarily spur of the moment acts of verbal and physical aggression, but rather the product of deep rooted animosity between known enemies.²²⁷ However, the opposite is true based on the evidence presented in the letters of remission. When insults were used, they were most commonly in the heat of the moment leading to unexpected and unplanned violence. From the cases recorded in the letters of remission, it also becomes evident that insults were a primary catalyst leading to the use of deadly force. Insults were so harmful because they "were intended to defame the other, to challenge a man to physical action usually by questioning his manliness, especially by alluding

²²⁵ Akehurst, "Good Name, Reputation, and Notoriety," 87.

²²⁶ Skoda, *Medieval Violence*, 18.

²²⁷ Daniel Lord Smail, "Hatred as a Social Institution in Late-Medieval Society," *Speculum* 76, no. 1 (2001): 117.

to what was considered as perverted sexual inclinations or, if the victim was a woman, to question her sexual behaviour."²²⁸ This was the case in the letter granted to Guillaume Laurens. Upon being confronted for her disreputable behaviour, his wife started insulting and saying injurious things to her husband. While it remains unknown what exactly had been said it can be assumed that her words were quite damaging and probably emasculating. Guillaume, perhaps as a last retaliatory measure, was able to narrate and record a slew of insults about his wife in his letter of remission.

Insults could be as innocuous as misspeaking or telling a bad joke. However, some insults were much more malignant, as was the case where Jehan le Brehur claimed that he had slept with the supplicant's wife and was ultimately killed for his verbal insults (*il le savoit et s'il congnoissoit sa femme*).²²⁹ An especially damaging insult to his victim as Jehan le Brehur was explicitly attacking his victim's manhood and role as a potent husband. Other letters did not provide detailed accounts of words that had been exchanged, and stated that there were "villainous and damaging" words said by one or both parties when violence erupted. This was the case for Jehan Bonnot who got into a verbal dispute with another man, who had been saying many injurious words to him, which escalated to violence (*plusieurs autres grans injures et villenies*).²³⁰ To prove that they were strong masculine figures and to repair their damaged *fama* and honour, men could resort to violence as a legitimate reaction when insulted. It is worth noting, however, that *fama* and honour were arguably different things. While *fama* has already been discussed in detail as being the public talk about a person on which their reputations were

²²⁸ Rolf H. Bremmer Jr., "Insults Hurt: Verbal Injury in Late Medieval Frisia," in *Approaches to Old Frisia Philology*, eds. Rolf H. Bremmer Jr., Thomas S.B. Johnston, and Oebele Vries (Amsterdam: Rodopi, 1998), 89-90. ANF JJ164 44v-45v.

²²⁹ ANF JJ165 63v.

²³⁰ ANF JJ165 72r.-72v.

based, their honour was their internal compass, the code by which an individual lived.²³¹ One's honour was also gendered like *fama* and reputation: it could be damaged through the words and actions of themselves or others. But that also meant in theory that it could be restored and maintained in a similar fashion, especially when an individual had been insulted.

When women were present in letters of remission for tavern or streets brawls, they were secondary players; whether they were mentioned as bystanders, for example in the letter granted to Symonnet de la Fontaine who had been having dinner with two prostitutes at a tavern where his group of friends got into a deadly altercation with another group of men; or sometimes with dialogue where they may have directly or indirectly had an impact on the events that were to unfold, as was the case in the letter for Jehan Torloche, whose step-daughter had been yelling at her husband before violence broke out.²³² But because women were largely background characters in the letters regarding insults and brawls, little can be concluded about them. However, the need to protect one's *fama* and reputation was not limited to the individual, but extended to their family and close friends.

3.2 The Private Sphere

The social structures of medieval society shaped how homes were organized and functioned. For lay families, the father was head of the household and was as part of this role he was expected to ensure the family unit ran smoothly, especially when it came to economics and

²³¹ Thomas Kuehn, "*Fama* as a Legal Status in Renaissance Florence," in *Fama: The Politics of Talk and Reputation in Medieval Europe*, eds. Thelma Fenster and Daniel Lord Smail (Ithaca: Cornell University Press, 2003), 33.

²³² ANF JJ165 209r.; ANF JJ165 10v.-11r. More on the letter for Jehan Torloche will be discussed in section 3.2.3: *The Pater Familias*.

the management of those within the home.²³³ One of a father's primary concerns was ensuring that he could support the family financially, but as this was not always possible for many households his wife and children were expected to contribute extra earnings through wage work.²³⁴ When his role as provider, whether that meant financially, as protector, or even sexually, was threatened a father or husband could resort violence to maintain his authority under the right conditions. Medieval laywomen were not relegated to the home, though, and were often able to help in their husbands' shops, work in fields, or run errands during the day, and in some cases were businesswomen with strong networks within their communities.²³⁵ Young children were also important family members in the homes, but were rarely the focus in the letters of remission. Their only mention was whether the supplicant had any children. Adult children, however, were often featured in many letters of remission, especially when their father was in danger or in need of avenging. When men's roles as husbands or fathers were subverted by inappropriate behaviour, violence was often the means of correction and re-establishing order.

That fathers and husbands were seen as primary caregivers to their families is evidenced in some letters of remission when a pardon was granted owing to the potential poverty their families would face should they be punished for their violent crimes. The mention of women and children resorting to begging not only put a strain on the public good, but could make husbands and fathers appear weak and emasculate them to their peers and community. To maintain their role in their households, and in the interest of maintaining social order, it was within the Crown's best interest to ensure that families remained united and intact. Most importantly the father's pardon also re-established his role as provider to his family.

²³³ Lucie Laumonier, "Meanings of Fatherhood in Late-Medieval Montpellier: Love, Care and the Exercise of *Patria Potestas*," *Gender & History* 27, no. 3 (2015): 658.

²³⁴ Karras, *From Boys to Men*, 146.

²³⁵ Ryerson, *Women's Networks in Medieval France*, xxvi-xxvii.

The fathers' and husbands' use of violence is significant for this project; whether it was domestic correction within the home, or protection of a loved one outside the home, fathers and husbands arguably had the most legitimate right to use violence. In the sections that follow, I will investigate the legitimate and acceptable uses of violence husbands and fathers resorted, in order to maintain order within the home. In the domestic sphere women (and children) were often the victims of domestic violence at the hands of men, whereas men could engage in violence as a means of protecting his household from outside threats.

3.2.1 The Right to Correction, Conjugal Violence, and the Husband's Reputation

Marriage in the Middle Ages was highly structured, with oversight by the Church through strict canonical strictures. It was also regulated based on judicial and customary laws and norms. Under ideal conditions, husbands and wives were to live in harmony, producing many offspring and providing the Church and the Crown the necessary tithes and taxes that were expected and required of them. When a husband's role as a strong masculine figure was threatened, he could and did resort to varying degrees of violence, some condoned and others theoretically rejected, by the Church and secular authorities.²³⁶ Where the letters of remission from the JJ165 shed light on domestic violence they only reveal marital violence; there were no letters for fathers or mothers who engaged in violence against their children. However, "domestic violence" is the terminology of preference for this section as it encompasses marital violence and indicates that this form of violence was associated with the domestic sphere.

There were theoretical limits to the amount of force that could be used to correct a family member's behaviour. In the letter granted to Guillaume Laurens, it is evident that the distinction

²³⁶ Sara M. Butler, *The Language of Abuse: Marital Violence in Later Medieval England* (Leiden: Brill, 2007), 33.

between correction and excessive violence was blurred, especially when gender norms were being undermined.²³⁷ Husbands had the right to limited use of force to correct all dependents, including wives, apprentices, and hired help but "violence against women was not just a husband's legal right of correction, but part of a pervasive culture of manly aggression towards all women, whether married or not, in both public and private domestic space."²³⁸ That Guillaume Laurens was pardoned for killing his wife was not all that surprising in the medieval context: Jehanne emasculated her husband with her affairs and illegitimate child, and dishonoured their marriage vows repeatedly. Guillaume had one course of action that was completely acceptable and even encouraged by the Church and state and tolerated by social norms: domestic correction. There was a significant difference between domestic correction and violence, the former was perceived as ordering and maintained peace, while the latter was excessive and could be highly damaging.²³⁹ But in practice, the difference between the two was ambiguous and up to interpretation.

Many historians of the Middle Ages have suggested that domestic violence was pervasive and used regularly by husbands to control the behaviours of those within their homes.²⁴⁰ However, Steven Bednarski has argued domestic violence was not necessarily pervasive: in his work on Manosque in southern France, he noted that the community was extremely concerned about the use of violence within the private spheres. Extended family and neighbours were even known to participate in the protection of wives who were victims to the excessive force used by their husbands.²⁴¹ The primary role of the husband or father was not to punish, but to maintain

²³⁷ ANF JJ165, 72v.-73r.

²³⁸ Trevor Dean, "Domestic Violence in Late-Medieval Bologna," *Renaissance Studies* 18, no. 4 (2004): 527-530.

²³⁹ Skoda, "Violent Discipline and Disciplining Violence," 10.

²⁴⁰ For discussions on domestic correction and domestic violence in the medieval period see Butler, *The Language of Abuse* (2007); Skoda, "Violent Discipline or Disciplining Violence?" (2009); Skoda, *Medieval Violence*, (2015); Dean, "Domestic Violence in Late-Medieval Bologna," (2004).

²⁴¹ Bednarski, *Curia*, 121-6.

order. One means of doing so was through correction, which both acceptable and even promoted by the Church.

The power of the Church was palpable and was as significant as the Crown in ordering and controlling medieval society. Their authority was so strong that they even had considerable oversight on the acceptable roles of laywomen (and men) through Canon law, most crucially through marriage.²⁴² As an extension of its control over marriage the Church was both careful in its support and promotion of domestic correction. To ensure that they were not encouraging abuse, the Church outlined strict conditions under which a husband could correct his wife's behaviour. These conditions included when the wife was being insubordinate to her husband, if she insulted her husband, or when she committed adultery.²⁴³ In other customary legal writings addressing domestic violence, specifically from Beaumanoir's legal treatise, there were varying degrees of acceptable and unacceptable forms of violent force that a husband could engage in against his wife. When beatings involved no hands, no foreign objects, and did not result in serious injury, bloodshed, or death they were deemed to be acceptable and women were expected to take them without complaint.²⁴⁴

That men could engage in domestic correction does not mean that all medieval men beat their wives, and I do not attempt to argue that this behaviour was universal to all families. Rather, what I do argue is that the use of violence to correct a wife's behaviour was a legally acceptable option for medieval men, and could be legitimized under the right circumstances, especially when their wives were acting against sociocultural norms. And although not present in the letters of remission under investigation here, it is worth noting that women had the right to

²⁴² Linda E. Mitchell, "Women and Medieval Canon Law," in *Women in Medieval Western European Culture*, ed. Linda E. Mitchell (New York: Garland Publishing, 1999), 145-6.

²⁴³ Skoda, "Violent Discipline," 12.

²⁴⁴ Beaumanoir, *The Coutumes de Beauvaisis*, 564-5.

correct their children's behaviour when the occasion called for it, spanking a child "was considered an act of piety."²⁴⁵ However, women were not permitted to correct the behaviour of their husbands, another theme that was not present in these letters of remission.

There was a common theme among the letters of remission granted to husbands who had excessively corrected their wives: the wives had been insubordinate to their husbands and had been acting against the social expectations of the roles of a wife. Subverting the roles of a wife and acting against expectations spread ill repute to the family unit as a whole, especially against their husband seen as incapable to maintaining familial order. Three of the 185 letters featured husbands who had excessively corrected their wives' behaviour. In two of the letters the wives died at the hands of their husbands. Those who composed the letters were careful to ensure that the supplicant had followed the necessary requirements for the use of excessive violence to ensure the supplicant's actions were legitimized, to demonstrate that they were worthy of pardon, and that their correction had been fruitless and therefore they were forced to exceed the boundaries of acceptable domestic correction. Men engaged in domestic correction to re-establish order within the household. These behaviours were acceptable to a degree by the Church as well as some customary laws and norms.

3.2.2 The Pater Familias

Disobedient wives were not the only concern of husbands in the private sphere. Those men who also had children were responsible for their safety and ensuring that the family as a whole functioned properly. Fathers were "a symbol of the ideal balance between disciplinary power and affectionate compassion."²⁴⁶ A father's responsibility was more than the day-to-day

²⁴⁵ Butler, *The Language of Abuse*, 3.

²⁴⁶ Grace, *Affectionate Authorities*, 134.

wellbeing of his household, but also its protection. A good father was measured by his ability to keep his family members safe, even if it meant resorting to violence to do so.²⁴⁷ For example, Jehan Torloche was the step-father to Jehannette, and together with Jehannette's mother and husband, Thomas, they went to Versailles on pilgrimage.²⁴⁸ On their journey back to their home town, they stopped to help another fellow traveler whose carriage was stuck in the mud. Annoyed with the long duration of the stop, Jehannette started yelling for her husband Thomas to come back (*Et pource qu'il ennuyoit à sa dicte femme elle l'appella par deux ou par trois foiz en lui disant qu'il s'en venist par la déable. Et lors s'en vint incontinent ledit Thomas à sa dicte femme et la commença moult fort a battre*). Unhappy with his wife's outburst Thomas started to beat her in front of her step-father and mother. Jehan the step-father, infuriated with how Thomas was treating his step-daughter, started a heated argument with Thomas (*la quelle chose véant ledit exposant [Jehan Torloche] parastre de ladicte Jehannette, il se print a dire audit Thomas que c'estoit mal fait de ainsi battre sa femme... ledit exposant [Jehan Torloche] frappa d'un coustel icellui Thomas et lui fery un cop en la poitrine au dessus de la mamelle*). The argument quickly escalated to blows, and culminated in Jehan pulling out a knife and stabbing Thomas in the stomach an injury from which he died two days later. Jehan Torloche was granted pardon on the grounds that he had been angry, presumably at the excessive force shown by Thomas towards his step-daughter, and because he had been drunk at the time.

This particular letter of remission demonstrates how kin bonds could be broken under certain extenuating circumstances. Jehan's role as the *pater familias* was compromised when his

²⁴⁷ Steven Bednarski, "The Quest for the Historical Father: Protective Fathers in Practical Records," in *Das Abenteuer der Genealogie: Vater-Sohn-Beziehung im Mittelalter*, ed. Johannes Keller, Michael Mcklenburg, and Matthias Meyer (Göttengen: V&R Unipress, 2006), 46.

²⁴⁸ ANF JJ165 10v.-11r. For this and what follows.

son-in-law began doling out excessive punishment to Jehannette, outstepping the familial hierarchy. But it was not necessarily outside the boundaries of acceptable marital correction when Thomas decided to beat his wife. In the eyes of a medieval observer she had arguably been verballing abusing her husband, emasculating him before the rest of the family and other travelers who were present, an action that was unacceptable and humiliating.²⁴⁹ However, that Thomas took it upon himself to correct his wife, probably excessively, in front of her step-father and mother was also frowned upon. In response, Jehan had to act in a way that demonstrated that he was the head of the family and had the primary authority to punish and protect. Fathers had to come to the rescue of their dependents in order to not only maintain the reputation of their family and to fulfill their cultural duties, but to perform their authoritative role.

Kin bonds were not limited to bloodline. Family could also be fluid. Once accepted as a kin member, a bond was created that demanded duties and responsibilities be performed by all members of the family, and it was a bond that could be difficult to be broken. For example, as described in a letter of remission, a noblewoman took in a young transient girl to be her chambermaid.²⁵⁰ The noblewoman's husband, named Bertran de Marestaing, grew fond of the young girl, so when her ill-reputed father, Jehan de Boyes, came to town to try to reclaim his daughter Bertran was upset. Bertran, for whom the letter of remission was granted, sought out the father out of fear of losing the girl at a local pub; that is where the nobleman attacked and killed the father ([Bertran] *print un grant baston en ses mains et entra à tout en ladicte tavern ou il trouva ledit feu de Boyes... après boire, de chaudecole et par courroux et temptacion de l'ennemy dudit baston frappa ledit feu Jehan Boys plusieurs cops sur la teste*). The nobleman

²⁴⁹ Butler, *The Language of Abuse*, 259.

²⁵⁰ ANF JJ165 200v.-201v. For this and what follows. This letter also represents a rare example of a pardon granted to a member of the nobility. As was discussed in the previous chapter, nobles rarely appeared in the letters of remission, and when they did it was most commonly for crimes related to war or property.

claimed that he did so to protect his adopted daughter and to ensure that she did not fall into a dissolute life like her father (*lequel Bertran sachant le mauvaiz et petis gouvernement dudit père de ladicte fille*). While the letter states that the nobleman wanted to protect the girl's interests and ensure that she did not fall back into the dissolute life of her biological father lived, the nobleman was able to justify the killing of the father on the grounds that he was a more suitable caretaker.

From the two letters presented above Jehan Torloche, the nobleman, and the legitimate father were attempting, with varying degrees of success, to perform the duties expected of a father figure. When this masculine role was threatened, there was need for a display of authority and power to establish rank and as protection of others. Violence was acceptable and pardonable when motivated by the protection of kin and family members, especially when used by men who were in a position to do so. Violence was part of the “good father” tool box, either to punish and correct, or to protect and care for. Violence could serve different purposes both constructive and destructive, but all these men were attempting to reinforce their position as the *pater familias*.

3.3 Society and the Social Fabric

Maintaining the order of medieval society was imperative to the protection of the established social structure, both within the home and of the society at large. In order to sustain the fragile medieval social structure, there needed to be social and official policing at all levels. Insubordinate wives (and children) were not the only threat to the private and domestic sphere, there were also threats from outside the home. Enmities and feuds could develop between rivalling factions, often between two families or between a family and an individual; hatreds could grow between two groups resulting in violence as a form of arbitration and mitigation. In these cases there was a need on behalf of the family, primarily the father or husband, to take

action. When the manpower of the father was not enough, he could rely on the help of his friends. Kin groups were not limited to those of blood relations, but could extend to close ties within the community. The value of friends and their actions in mitigating or taking action in conflicts could have had significant impacts on the outcome of violent disputes.

Friends not only took part in enmities, but could also bring attention to conflicts in progress. They could and did raise the hue and cry to alert others to violent altercations. Communities at large were responsible in part for maintaining peace and policing each others' behaviours and one way of keeping an eye on each other was to raise an alarm when a crime was in progress. Communities also had control over their neighbours' reputations through their public talk. As such, they had great responsibility in the formation of *fama* and reputation of any given individual or family. In some letters of remission, there was special mention made of the public nature of those acting against proscribed norms, which in turn would lead to violent altercations to remedy the situation.

The primary authority, however, was the Crown. The king, through his many laws and attempts at enforcing peace for the common good, was the ultimate father figure. The king was responsible for ensuring that his people behaved as proscribed and maintained the reputation of the society as a whole, through protecting the common good.

3.3.1 Enmities and Familial Feuds

Family conflicts were not limited to altercations within the home, but could develop between families creating the potential for complete destruction of a household. Enmities were legally sanctioned and publicly known discords between two parties. When an enmity was made public the two rivalling factions could harm each other outside the boundaries of the law, as long

as the rules of the enmity were respected. These rules were intended so that certain people could not be harmed, principally women and clergy, and also that if in a state of enmity one could walk around armed. Those who were not in formal enmities could not legally engage in similar patterns of violence.²⁵¹ While enmities were used as an all-encompassing word to describe any sort of violent dispute between two parties, for the purposes of this project, I use the term as it relates to vendettas, which have been defined as "[fights] by men of diverse classes [that] ended only with the extermination of one party or with a monetary composition."²⁵² Noble feuds were quite different from the enmities discussed later in this chapter; nobles engaged in private wars, often for political purposes rather than personal injuries, although both were grounds for starting private wars.²⁵³ Enmities that were the catalyst for violence in the letters of remission were on a much smaller scale and much more restrained.

The enmities from the JJ165 series of the letters of remission were all based around one commonality: hatred. As Daniel Lord Smail has argued, hatred was a social institution, "a conventional term of medieval secular jurisprudence used to describe an enduring public relationship between two adversaries."²⁵⁴ Hatred used in court records to justify acts of aggression towards someone was not uncommon, and was even an acceptable reason for engaging in violence. However, for these acts to be legitimate there had to be witnesses and those who could provide testimony in the courts as evidence that the two rivalling parties hated each other.²⁵⁵ To seek revenge was not necessarily a heat of the moment reaction to insults and injuries. Rather, it could be a calculated and planned course of action; revenge, like enmities,

²⁵¹ Bartlett, "'Mortal Enmities'," 198-201.

²⁵² Kaminsky, "The Noble," 55.

²⁵³ Kaminsky, "The Noble Feud," 55-6.

²⁵⁴ Smail, "Hatred as a Social Institution," 90-1.

²⁵⁵ Smail, "Hatred as a Social Institution," 107-8.

was a legally protected and sanctioned practice that was used to mitigate wrongs.²⁵⁶ The key difference between enmities and revenge was that the enmity was the public knowledge of hatred between two groups, and revenge was acting on that hatred. In the letters of remission that deal with enmities, it has to be assumed that there was already public knowledge of discord between the parties, and the letters were subsequently granted after violence had erupted.

Enmities could be between individuals, or against whole families, as was the case for the Mile family.²⁵⁷ Estienne Bouffu had, at some point, developed a deep hatred for three brothers (*de sa volenté autrefois conceu hayne à l'encontre dudit Jehanot Mile, Girart et Thierriot Miles frères et eust voulu injurier de paroles et de fait ledit Jacob leur père et Jehanette leur mère et menaciez iceulx frères de leur porter dommaige et de les tuer ou blessier*): Jehanot Mile (the supplicant), Girart Mile and Thierriot Mile. Bouffu was also publicly insulting and threatening death against the parents of the Mile brothers. After Sunday Mass, Bouffu, his father, and other men armed themselves with the intention of beating the Mile brothers. The brothers found out about the impending attack by Bouffu and company, so they armed themselves with swords and batons and waited for the attack outside their homes along the path. Once the brothers saw Bouffu and his armed companions approaching, Girart, out of fear of being killed, ran away, leaving Jehanot to defend the property and his family all by himself (there is no mention of the third brother Thierrot Mile taking part in the altercation). Jehanot called out for his "cowardly" brother, who ultimately returned brandishing a farm tool to help defend. During the altercation, Jehanot encountered a companion of Bouffu named Huguenin Vienlot, whom he hit on the head with a sword so hard that blood began to run and Vienlot fell to the ground. Vienlot's friends, seeing him hurt, left him there. The brothers Girart and Jehanot, having both been attacked by

²⁵⁶ Miller, "In Defense of Revenge," 75-8.

²⁵⁷ ANF JJ165 66v. For this and what follows.

Vienlot (according to the letter), began to beat the injured and bleeding man while he was down on the ground, stabbing him multiple times all over his body. Huguenin Vienlot died three days later as a result of his injuries. Initially Jehanot fled the country out of fear of not receiving justice, but was eventually granted a pardon on the grounds that he was defending himself against the menacing insults and threats from Estienne Bouffu who was a man of ill repute (*permiz de raison de soy deffendre et mesmement pour crainte desdiz menaces et male voulenté dudiz Chenille [Bouffu] qui est homme rioteux et de gros courage*).

The protection of the family fell solely on the men's shoulders. For the abovementioned letter it was the sons who took it upon themselves to protect their loved ones. It can be assumed that the father was incapable defending his family, so the sons took on the role of protectors acting within the strictures of expected masculine behaviours by protecting the familial *fama* and reputation. Family men had to protect the *fama* and reputation both from within and outside their kin groups. Wives were an extension of the identity of their husbands, any misbehaviour on her behalf reflected poorly on the man.²⁵⁸ Should there be any threat to the familial reputation, there needed to be action taken, and violent enmities were one means of doing so, especially when there was a public knowledge of animosity between two groups. That men were also simultaneously thought of as being the calmer and more level-headed gender is a direct contradiction to the necessity and acceptability of enmities. When enmities were beyond the power of the head of household they could seek help.

²⁵⁸ Neal, *The Masculine Self*, 82.

3.3.2 Friends and the Community

The roles of bystanders were significant to the functioning of medieval society. They were at time witnesses to altercations, sometimes they would engage in the violence, and at other times they were expected to raise the hue and cry to alert others to a crime in progress. The most significant form of bystanders in the letters of remission were friends, or *compagnons*, who were men, and were often active participants in violent altercations. These bonds were "a central role [...] as an ethical force for the maintenance of order and social cohesion."²⁵⁹ In many cases in the letters of remission, friends had unsuccessfully attempted to thwart escalating interactions, always unsuccessfully. Male friendship was a significant social construct in the Middle Ages. Efforts to keep peace between and within friend groups was a major function of companions.

These homosocial relationships provided mutual protection; in the event that one member of a group were to be insulted or attacked, it was the responsibility and expectation of the friends to ensure that either the injured party was avenged, or that there was no further escalation. In three separate letters of remission, friends attempted to intervene after verbal altercations, unfortunately to no avail. In the first letter dated to 1410, several men were gambling and a verbal altercation broke out between two of the players, named Guillaume Remon and Remon Paillart, over the amount of winnings in the pot.²⁶⁰ The two arguing men sought the opinion of the supplicant Jehan Pouret, with Guillaume Remon saying that the winnings should be doubled because he had won two games, and Paillart asserting that there should only be one game's worth. Pouret sided with Paillart, which prompted Guillaume Remon to become furious and started insulting Pouret calling him a liar. Pouret refuted these heinous accusations and

²⁵⁹ J. P. Haseldine, "Love, Separation and Male Friendship: Words and Actions in Saint Anselm's Letters to his Friends," in *Masculinity in Medieval Europe*, ed. D. M. Hadley (London: Longman, 1999), 242.

²⁶⁰ ANF JJ165 74r.-74v. For this and what follows.

maintained his position on how much money was in the pot. As a result of these words, Guillaume Remon grabbed Pouret by the midsection and, with an iron pot, began beating Pouret over the head, resulting in a "great effusion of blood." Enraged by the attack, Pouret pulled out a knife from his robes and attempted to stab Guillaume Remon. But Guillaume Remon was too quick and grabbed Pouret around his arms preventing him from retaliating. Pouret was able to wriggle free from Guillaume Remon's grasp and was able to stab him one single time in the stomach. Remon fell to the ground, at which point Pouret asked if he wanted to be killed (*veulx tu que je te tue?*). One of the friends, Dominique, after seeing the commotion and increasing escalation of the altercation, snatched the knife away from Pouret's hand (*à quelle noise vint un nommé Dominique qui eforca de la main noise dudit Jehan Pouret*). The group dispersed and went their separate ways. However, Guillaume Remon attempted to follow Pouret home to murder him, without success. Guillaume Remon died two days later as a result of his injuries. Although minor to the overall altercation, Dominique's intervention into the fight most likely stopped it from becoming more gruesome than it had already been.

In another letter, it was a friend trying to help another friend in need who was the supplicant. The supplicant, Gilet Mouton, was a thirty year old man who was out one evening in 1404 gambling with some friends.²⁶¹ Mouton and four other men playing games started arguing over the gambling winnings, when one of the friends named Robin Bertoul the Bastard picked up a piece of wood and struck the supplicant. In reaction to the attack, another friend named Gilet Hanet grabbed Robin by the stomach and tackled him to the ground and began to strike him. As soon as Hanet and Robin began fighting, other bystanders seized Mouton, holding him back from the fray. But Mouton, considering Hanet as his friend (*considérant Hanet son compaignon*),

²⁶¹ ANF JJ165, 69r.-69v. For this and what follows..

broke free from his restraints, picked up the piece of wood and struck Robin on the head. But because they were all friends the group took Robin to his brother's home seeking peace with love (*ledit suppliant acompaignié de plusieurs compaignons armez et affin d'amour, paix et accort aux amiz dudit Robin se transporta en l'ostel dudit frère bastart et du père dudit Robin*). Robin died of his injuries five days later. In Mouton's letter of remission, it was noted that this death was the result of anger and that he had previously held no ill will towards Robin.

Friends, neighbours, and bystanders were also tasked with maintaining social order of their community at large. It was not uncommon that there would be community policing of each others' behaviours as a means of preserving the peace of their towns.²⁶² Friends in the letters of remission were recorded alerting others when there was a threat to a member of their social circle. This gesture was exemplified in the letter granted to Huguet Brachet, whose friends alerted him to a violent altercation that was occurring involving his son.²⁶³ Brachet had been home with his family, when a few of his friends started yelling that Brachet's son Julien was under attack (*André Neron, Pierrot Moreau, Jehannin Mulot dit Trebler et autres fussent venuz en l'ostel et domicile dudit exposant [Huguet Brachet] et eulx estant oudit hostel eust l'un d'eulx dit qu'il oioit que on crioit au murtre hors icellui hostel*). Brachet left his home to investigate the claims, only to find his son and another family claiming that Julien had attacked them first. A bystander, named Couchon, was also there avowing that he was going to attack Julien as retribution for the family that Julien was accused of attacking. Couchon and the Huguet Brachet got into a physical altercation, with Couchon brandishing his small sword. With the help of one of the friends who had raised the hue and cry, Brachet attacked and killed Couchon (*ledit*

²⁶² Miriam Müller, "Social Control and the Hue and Cry in Two Fourteenth-Century Villages," *Journal of Medieval History* 31, no. 1 (2005): 32.

²⁶³ ANF JJ165 58r.-58v. For this and what follows.

exposant [Huguet Brachet] qui est un homme gouteux véant ledit feu Couchon ainsi obstiné lui donna d'un baston don't se appuyoit un cop ou deux sur la teste, et ledit André Neron qui estoit venue n la compaignie dudit exposant au cry donna à icellui Couchon un cop entre col et chappeau). Brachet and his friend were pardoned for their actions because they had been acting with great love for Julien and because Couchon had been acting with ill repute. This letter is evidence of the multifaceted nature of community policing. If Julien had indeed been the initial aggressor, Couchon was presumably acting in defense of the injured family. The friends of Brachet sought out the father as a means of protecting the son and therefore policing against the actions of Couchon. To raise the hue and cry was meant to bring attention to the altercation and draw witnesses who could later attest to the events of the evening.²⁶⁴ That Brachet and his friend were able to successfully seek pardon, would suggest that there was enough evidence, possibly based on witness testimony, that their actions had been warranted and therefore acceptable.

3.3.3 The Crown

In an attempt to control its vast territories and large population, the French Crown had to carefully craft its public image, primarily through the issuance of royal ordinances to regulate society at large. As is made clear through the letters of remission royal laws against violence were often shirked or outright ignored by both the people and the royal authorities when the circumstances warranted more lenient punishments.

Despite the proliferation of pardon letters, the French kings did attempt to pass royal ordinances to limit and control violence. To accomplish this level of control, the kings of France issued specific rules surrounding the acceptable and unacceptable forms of violence that were

²⁶⁴ Müller, "Social Control and the Hue and Cry," 33.

codified into laws for all the populace, but which nonetheless were influenced highly by the customs of the regions in which they were published. Despite the laws, the issuance of pardon letters legitimized violence through the power of the king. And yet the king fed into the ambivalence towards acceptable violence by engaging indirectly in violent actions in different ways, such as through war. Additionally, the punishments of capital crimes were themselves violent by modern standards.²⁶⁵ Punishments of capital crimes had to be spectacular events in order to reinforce the supreme authority of the king, as well as act as a deterrent for future crimes.²⁶⁶ The royal authority passed several laws to try to ensure peace throughout the towns and cities, but these laws were not always in agreement with the cultural values that were held at the community level. Ultimately, the letters of remission granted by the king were intended to not only pardon the supplicant, but also to build the French state.²⁶⁷ In so doing, the kings were strengthening their monopoly over violence in the everchanging French realm.

When communities were not acting within the proscribed laws and customs that were expected, it was not unheard of for the king to grant umbrella pardons to whole towns. These all-encompassing pardons were granted primarily to towns that were known to have been helping the enemy, the English, during the Hundred Years War. One such letter was granted in 1389 to the town of Rouergue.²⁶⁸ By granting this wholesale pardon, the king was re-establishing his

²⁶⁵ Gauvard, *Violence et ordre public au Moyen Âge*, 51-2.

²⁶⁶ For a discussion on punishments and spectacles to reinforce royal authority, see Michel Foucault, *Discipline and Punish: The Birth of the Prison* (New York: Vintage Books, 1995), Esther Cohen, *The Modulate Scream: Pain in the Late Medieval Culture* (Chicago: Chicago University Press, 2010), and Emily J. Hutchison "Pour le bien du roy et son royaume: Burgundian propaganda under John the Fearless, Duke of Burgundy, 1405-1418" (Diss. York, UK, 2006), 2009.

²⁶⁷ Gauvard, *Violence et ordre public au Moyen Âge*, 90.

²⁶⁸ Pierre Flandin-Blety, "Rémission et bonnes villes: Les consultants du Rouergue devant Charles VI en 1389," in *La Faute, la répression et le pardon: actes du 107e Congrès national des sociétés des savantes* (Paris: Brest, 1982), 328.

benevolence as a merciful leader and re-affirming his authority as the primary ruler; not dissimilar to the necessity of fathers to ensure their dominance as the heads of their households.

Every letter ends with some variation of the king justifying his pardon out of mercy, with special grace, and sometimes even out of pity for the supplicant, or due to their family's circumstances such as potential poverty. Jehan Samat was granted pardon out of pity and mercy by the king after he had gang-raped a young woman in field with a priest (*nous ces choses considérer voulans en ceste presens pitié et miséricorde presens à rigueurs de justice a icellui Jehan Samat*).²⁶⁹ Letters were also granted out of pity towards the wife and children of the supplicant, many of whom were argued as having to turn to mendicant practices (begging) to support themselves without the male heads of household. This was the case for Guillaume Tusson who was pardoned for killing a man with a farm tool, in part because his wife and children were going to suffer greatly (*sadicte femme et enffant poures mendians tout le temps de leur vie se sur ce ne lui est impartie nostre grace et miséricorde sicomme il nous a fait exposer*).²⁷⁰

The letters were crafted in such a way to ensure that the supplicant was acting out of spontaneity, while also following the rules of allowable violence (ie. if there was effusion of blood, how long it took for a victim to die, etc.). And despite the letters being granted for obvious crimes that were against official laws, the king for his part needed to ensure that his pardoning of the supplicant followed the norms of French society. That communities were accepting of certain forms of violence guided the king to make judgements on who should be deemed worthy of pardon.

²⁶⁹ ANF JJ165 73v.

²⁷⁰ ANF JJ165 143r.

Ultimately, the role of the Crown in the letters of remission was to reinforce its ultimate authority over medieval French society. The king was the pinnacle of the *pater familias*; he was the caregiver of all French inhabitants, he was responsible for their overall wellbeing. The king had the ultimate authority on the re-establishment of the fama and reputation of supplicants seeking letters of remission, although this was not necessarily the intention it was a consequence.

Maintaining social order was not the sole responsibility of the Crown, nor of the populace; rather it was the combined effort of all strata of society. Medieval communities were encouraged to police each other through various means. They could do so through vigilance and watching their neighbours, as would be the case for raising the hue and cry; but they could also police each other through *fama* and public talk. When policing through talk did not suffice, it was legitimate and acceptable that violence be used. Gender was one of the social constructs that was constantly being scrutinized, especially in relation to reputation and *fama*. Public talk could be extremely damaging to an individual's identity and to repair their tarnished reputation, violence was an acceptable remedy. Maintaining a solid reputation was not an individual effort, but that of the community at large.

Conclusion

As per the letters of remission, violence could be an acceptable tool used by medieval people at the street level, men in particular, to arbitrate real or perceived wrongs. Throughout this thesis I have argued violence had an impact on the ways in which men and women behaved, especially when their reputations were threatened, and by extension was a means of shaping and influencing the expression of one's gender roles. Men were especially prone to violence, indicating that there was a strong correlation between the normalization of violence and some roles available to men. Depending on a man's station in life, whether it was his age or his role within his family or community, he could resort to violence when needed to protect his personal reputation, his kin, or their shared familial reputation. The men, and to a lesser extent women, that have been the focus of this thesis were those who I term as being at the street level. They were active in the streets at markets or fairs, and those who were neither from the nobility nor the clergy (and seemingly neither from the non-noble elite). Despite the Crown's attempts to limit physical altercations, the issuance of pardons could have legitimated some forms of violence, which had an indirect influence on the expression and formation of gendered roles in medieval society.

The letters of remission have proven to be an invaluable source for the analysis of gender roles and violence in medieval France. The initial drafting of the letters as legal documents first and foremost speaks to the significance of their structure. The supplicant and the notary would construct a narrative that fit both within the proscribed formula required of a letter of remission while also recounting the offense that needed pardon. Pardon could be granted for most capital offenses. Almost all the supplicants seeking pardon for violent altercations were men, suggesting that violence was a tool that was to a degree acceptable for male participants. In most cases too,

the supplicant needed to ensure that they appeared as though they were reacting to threats to their reputations, and by extension masculine identities. Young men were socialized to be violent and as such they were often present in the letters of remission both for violent and sexual assaults. While adult men could use violence as a means of maintaining their reputations, youths would often engage in violence against men and especially women to establish themselves as full men. Fathers and husbands were not only tasked with maintaining order within their homes, but also protecting their families from external threats. In so doing, they could legitimately resort to violence as a means of maintaining their personal reputations as well as that of their kin group. Other common excuses that were relied on to secure pardon were drunkenness and being tempted by the Devil, both of which were found as extenuating circumstances in both sexual and violent altercations. Women who acted out in other ways counter to their hegemonic feminine identities and roles were also victims of violence in the letters. Husbands were pardoned for killing their disobedient wives as a result of excessive correction, but their actions were underscored by the ill repute and shame of their wives' ribald and insubordinate behaviours. Single women in the letters were made to appear as legitimate victims of sexual assault because their roles in medieval French society were suspect and counter to the socially accepted and expected roles of women. The Crown's role was to control and limit the uses of violence, but when this was not possible, they could grant pardons when supplicants could justify their interpersonal violence. In so doing, the Crown was perpetuating the notion that violence could be acceptable and legitimate under the right circumstances.

The letters of remission as a primary source are not perfect, but no primary source is. The limitations of using the letters as outlined in chapter 1 restricts the conclusions that can be made about violence and gender. One of the main limitation is that the majority of the letters were

granted for male-on-male violence, with a small percentage of female representation. Therefore, the conclusions surrounding women and violence as per the letters of remission are limited. However, the value of the letters as a source for historians should not be overlooked or diminished in light of the limitations. The ways in which the narratives were constructed, whether by the supplicant or the notary or through a collaborative effort, sheds light on some of the acceptable and tolerated acts of interpersonal violence that were common in this period. Men would record other men's (and on the rare occasion women's) words, which undoubtedly shaped how the narratives were constructed, especially when women were the victims of male violence. The narratives also impacted how victims were described in the letters, supplicants had to ensure that their victims were described in unfavourable terms revealing what were deemed inappropriate behaviours that were largely frowned upon and needed to be corrected. These inappropriate behaviours were also gendered, in that male victims were often described as being riotous and disruptive, while female victims were recorded as being ribald or loose. By ensuring that their victims were painted in a negative light also put their reputations into question and diminished their social worth.

Reputation and *fama* were foundational values of any medieval individual's identity, and influenced their ability to navigate their surroundings. The significance of a good or bad reputation had a tangible impact on how an individual was received in their community. This is especially significant for one's access to and participation in the judicial system. Not only were those who were of ill-repute limited from using the courts, it would not be too far reaching to suggest that they may have also been excluded from requesting pardon. However, those who did seek pardon were in need of restoring their damaged *fama* and reputations, which is why the formula of the letters included the stipulation that a supplicant's good name was being reinstated.

Reputation was deeply gendered as demonstrated in this thesis, in that the value of one's good standing diverged based on whether that person was a man or woman.

These themes of violence, reputation, and expressing hegemonic gender behaviours is not limited to the medieval period. Unfortunately throughout this project, I have not been able to ignore the many parallels between violence and gender in the Middle Ages that are still present today. This project has also been a stinging reminder of the dangers women face on a daily basis. While there has been a renewed spotlight on crimes of violence against women, especially in wake of the #MeToo movement, there are still many who resort to victim blaming reminiscent of many of the letters of remission surrounding rape and domestic violence that have been investigated here. The normalization and relative acceptance of masculine youth violence is another striking resemblance between the Middle Ages and today.

There is little wonder, therefore, why violence still occurs today, despite an increased police presence and stricter policy attempting to control our behaviours. Modern society still holds a strong ambivalence towards violence however, and this is especially true for sexual assaults. Great strides have been made, for example with the #MeToo movement, to bring attention to the proliferation of sexual violence against women and men that has been ignored for so long. But in many places, Canada and the United States of America being no exception, there has been a lag in the justice system when dealing with sexual assaults. It is not a stretch to see the links between medieval and modern ways of handling rape allegations. One jarring example of modern ambivalence was the topic of heated debate in fairly recent news: in 2012 Todd Akin, a U.S. lawmaker, suggested that women who were the victims of “legitimate rape” could not conceive – their bodies knew to stop the fertilization of the egg when in a state of distress. His claims were not dissimilar to medieval beliefs surrounding rape, where in fifteenth century

English courts it was argued that a woman could not conceive if she had not consented to the sexual encounter.²⁷¹

With the proliferation of television shows, both dramatic and documentaries, as well as sporting events, organized violence has become a form of entertainment in our modern society. However, it should be noted that fewer people are in direct contact with violence, unlike the medieval period. Rather, the modern Western world has access to violent imagery through the media, creating a morbid fascination. Television documentary series, such as *Making a Murderer* or *The Staircase* grip audiences around the globe, sparing no detail too gruesome, even showing images of dead and bloodied bodies for the viewing pleasure of audiences who watch from the comfort and safety of their homes. Dramatic shows can be even more explicit, with graphic images used to fascinate viewing audiences. One needs to look no further than television shows such as *Game of Thrones*, associated with the medieval fantasy genre, that have become known for their gruesome and overly graphic depictions of violence. The sporting world has taken violence as entertainment a step further by promoting ultimate fighting (UFC) for the amusement and viewing pleasure of the masses, not unlike gladiator or jousting competitions. Western society has become desensitized to the seriousness of violence.

That medieval men and women faced heightened threats of violence on a daily basis, compared to modern Western society, is not meant to suggest that this was a constant fear for people of the past. Many people lived peaceful lives without experiencing any violence. Rather, violence in the Middle Ages was understood and performed differently than today. Not all men engaged in violence, and not all women were the victims of sexual assault. However, that violence could legitimately and acceptably be used as a mitigating action to arbitrate perceived

²⁷¹ John Eligon and Michael Schwartz, "Senate Candidate Provokes Ire with 'Legitimate Rape' Comment," *The New York Times*, accessed July 24, 2018. Published August 19, 2012; Hanawalt 'Of Good and Ill Repute', 127.

wrongs suggests that it was a tool that had a strong influence on the individual's identity as well as society as a whole.

Appendix

ANF JJ165, 11v. Rémission pour Estienne Blancoup

Charles etc. savoir faisons à tous presens et avenir de la partie des parens et amis charnelz de Estienne Blancoup de la paroisse d'Alisy ou bailliage de Rouen chargé de femme et enfans, nous avoir esté exposé que comme le samedi XVIIIe jour du mois d'octobre dernièrement passé ou environ, icellui Estienne se feust parti de son hostel et alé au marchié au Pont Saint-Pie; et illec par compaignie but et s'enyvra. Et de la s'en retourna en un village nommé Quereville Saint Ouen³ ou il tenoit une maison a louage en laquelle il avoit taverne. Et illec de rechief but trèsfort avec un nommé Jehan Quymont après ce qu'ilz oient soppé avec un nommé Jehan Aubery dudit lieu de Quevreville. Et après se départi ledit Estienne ansi surprins de vin et s'en ala environ dix heures de nuit oudit hostel audit lieu où demouroit une ancienne femme nommé Jehanne vefve de feu Guillem Nicole, aagée de LXX a IIII^{xx} ans ou environ, laquelle il trouva couchié en son lit. Et lequel Estienne, surprins de vin comme dit est, et tempté de l'ennemi, se mist en peine de congnoistre ladite Jehanne charnelment, et d'avoir sa compaignie en lui priant quelle le vousist faire de son bon gré ; laquelle ne se y volt consentir. Et ainsi comme il se mettoit en fait et ladite Jehanne en desfense icelle Jehanne [sic] le saisy impetueusement par le membre et genitoire, et pour la griesve doulour quil sentoît, print icelle Jehanne a deux mains par la teste et lui frappa la teste contre la paroy, pour laquelle cause elle cria Haro. Sur le quel cry de haro s'assist procès entre elle et le dit Estienne reporté pour estre adroit sur le cas pardevant le vinconte du pont de l'Arche ou son lieutenant. Depuis lesquelles choses ainsi avenues, icelle Jehanne ait jeu en son lit, malade par aucun temps. Et le jour de la Toussains dernièrement passée se feust levée et aler au moustier en bon estat, prosperité, et santé de son corps. Neantmoins depuis XII ou XIII jours enca la mort estant communement et généralement audit lieu de Quevreville⁵ ladite Jehanne qui estoit faible et ancienne, de pource vie et complexion, s'est couchiée malade en son lit et a receu

ses sacremens bien et couvenablement et est alée de vie à trespasement. Pour laquelle cause icellui Estienne est detenu prisonnier et est en adventure de finir ses jours briefment et a honte et deshonneur de lui et de ses parens et amis, se par nous ne lui est impartir nostre grace et miséricorde, si comme dient sesdiz amis en nous humblement requérant iceulx. Pourquoi nous ces chose considérées et mesmement que le dit Estienne en ses autre faiz a esté homme de bonne vie renommée et conversation honneste, sans onques avoit esté reprins, convaicu ne actaint d’aucun villain cas, et qui ladite feue Jehanne estoit renommée d’avoir esté de dissolu estat, vie et [conversé et repairé] avec plusieurs autre compaignons si comme l’en dit, que il n’ya partie que justice voulans miséricorde estre preferée a rigueur de justice et audit Estienne de nostre plaine puissance et auctorité royal et grace especial avons remis, quicté et pardonné, remettons, quictons et pardonnons par ces presentes le cas et fait dessudiz, avec toute peine, offense et amende corporele criminele et civile en quoy il est et peut estre en court envers nous et justice. Et le restituons au pays a sa bonne fame, renommée et a ses bien non confisquez en faisant satisfaction a partie parmy ce qu’il sera prisonnier deux moys au pain et a l’eau. Si donnons en mandement par ces presentes au bailli de Rouen et à tous nos autres justiciers et officiers ou à leurs lieutenants presens et avenir et à chacun d’eulx si comme a lui appartendra que de noz presente grace, remissions et pardon et ottroy facent sueffrent et laissent joir et verser lediz Estienne sans lui mettre ne souffrir estre mis aucun empeschement. En luis mectant son corps et ses biens non confisquez a plaine delivrance. Et sur ce imposons silence perpetuel a nostre procureur et a tous noz autre officiers et affin que ce soit ferme et estable a tousiours nous avons fait mettre nostre sél a ces presentes sauf en autre chose nostre droit et lautruy en toutes. Donné a Paris ou moys de novembre l’an de grace mil XXXX et dix, et de nostre regne le XXXI^e.

ANF JJ165 13r. Rémission pour Perrin Guerin

Charles, etc. savoir faisons à tous presens et avenir, Nous avons receu humble supplicacion des amis charnelz de Perrin Guerin boucher demourant a Champagny sur Yonne. Contenant que comme un an a ou environ il eust trouvé un nommé Perrin Vieu qui estoit renommé de sustraire et decevoir les femmes en son hostel avec sa femme sans autre compaignie et pource eust demandé à sadicte feue femme nommée Jehanne pourquoy ne à quelle occasion il venoit séans et après plusieurs paroles lui eust ladicte Jehanne confessé qu'il estoit là venu la veoir et avoit eu sa compaignie charnelle, dont il fut très courroucié et dolent, et pour la cuidier retraire lui eust prié que jamaiz ne conversast avec ledit Vieu ne souffrist qu'il eust sa compaignie et que pour ceste foiz il lui pardonnoit, cuidant qu'elle se deust astenir mener telle desordence vie. Et combien que depuis et tousiours icellui Perrin Guerin l'ait admonnestée de soy gouverner honnestement et laisser la vie dissolue qu'elle avoit commencié a mener avec ledit Vieu. Neantmoins elle ne s'en est voulu deporter aincoys a conversé avec lui plusieurs foiz pour avoir son délit si comme il a esté voiz et commune renommée en ladicte ville de Champigny. Et soit advenu que le XVIIIe jour de ce présent mois de novembre, ladicte feu Jehanne se feust partie de son hostel ainsi comme environ l'anuitement pour aler querir sa vache qui estoit assez près et derrière l'ostel de maistre Jehan Triboule audit Champigny. Et pource qu'elle demoura moult longuement, icellui Perrin Guerin ala après et vit qu'elle et ledit Vieu yssirent d'un buisson assez près d'illec ; pour laquelle cause il pensait que ledit Vieu eust eu compaignie à sadicte femme, fut treffort indigné et meu comme elle ; et lui meu de chaudecole, véant qu'elle ne se vouloit admender ne abstenir de mener telle dissolue vie, la frappa plusieurs cops tant d'un petit coustel qu'il portoit que autrement, que mort s'en enfuy en la personne de ladicte feu femme. Pour occasion du quel fait ledit Perrin Guerin, qui en autre cas a tousiours esté homme paisible de bonne vie, renommée et

conversation honneste, sans avoir esté reprins d'autre villain cas, s'est absent du pays ou quel il
noseroit jamaiz converser se nostre grace ne lui est sur ce impartir si comme dient lesdiz
suppliants en nous humblement requerant que attendu ce qui dit est, et l'amonete que avoit fait et
faisoit ledit Perrin Guerin a ladicte feue Jehanne de soy abstenir de mener telle vie comme dit
est, nous lui vueillons nostre dicte grace impartir. Pource est il que nous, ces choses considérées,
voulans miséricorde préférée a rigueur de justice avons audit Perrin Guerrin ou cas dessudiz
quitté, remis et pardonné, quittons remettons et pardonnons de nostre grace especial et auctorité
royal par ces presentes le fait et cas dessudit. Ensemble tous appeaulx et deffaulx avec toute
peine, offense et amende corporelle, criminelle et civile que pour occasion de ce il pourroit estre
encouru envers nous et justice. Et l'avons restitué et restituons à sa bonne fame renommée au
pays et à ses biens non confisquez. Satisfaction faite à partie se faite n'est civilement seulement.
Et imposons sur ce silence perpetuel a notre pprocureur present et avenir. Et a tous noz autres
officiers. Si donnons en mandement au bailli de Senz et d'Auxerre. Et à tous noz autre justiciers
et officiers presents et avenir ou à leurs lieutenants et à chacun d'eulx si comme à lui a
appartiendra que de nostre presente grace remission et pardon facent sueffrent et laissier lediz
Perrin Guerin joir et verser plainement et paisiblement. Et au contraire ne le empeschier en
aucune manière ainçois s'aucun empeschement estoit mis en son corps ou biens non confisquez
pour ceste cause l'ostent et lui mettent [audeluire]. Et que ce soit chose ferme et estable a
tousiours, Nous avons fait mectre nostre séel à ces presentes. Sauf en autre chose nostre droit et
l'auctroy en toutes . Donnée à Paris le XXVIIIe jour de novembre l'an de grace 1410. Et de
nostre regne le XXXIe. Par le Roy a la relation du conseil.

ANF 44v.-45v. Rémission pour Guillaume de Quesne et Jehanne sa femme

Charles par la grace de dieu roy de France savoir faisons à tous presens et avenir Nous avoir receu humble supplicacion de Guillaume de Quesne et de Jehanne sa femme demourrans au Condray Saint Germer chacun d'eulx aagiez de IIII^{xx} ans ou environ contenant que comme le XIIIe jour du moys de Février dernièrement passé lesdiz supplians feussent audit lieu de Coudray en l'ostel ou manoir de nostre aimé l'abbé de Saint Germer de faire ay ou quel hostel ou manoir ilz avoient et ont demourré pour l'espace de VII ans ou environ et avecques eulx feust une femme nommée Jehanne Relige ou vesve de feu Colin Phart aagée de IIII^{xx} dix ans ou environ qui avec lesdiz supplians avoit demouré paisiblement par l'espace desdiz sept ans sans debat, riotte ne descort. Et cedit jour XIII de Février advint que ladicte Jehanne vesve dudit feu Colin Phart a un matin fait print a nettoier les pos dudit hostel à la quelle ladicte Jehanne femme dudit du Quesne dist qu'ell les laissast jusques au lundi prouchain ensuivant que on feroit la laissive ou dit hostel. Laquelle Jehanne vesve dudit Phart respondi qu'elle n'en feroit rien et de quoy elle se [mesloit]. Et lors ladicte Jehanne femme dudit du Quesne dist à ladicte Jehanne vesve dudit Phart les paroles qui s'en finirent ou en substance créant vous estes merveilleuse femme je neuz oncques riens du monseigneur couer vous avez eu. Car vous avez vuidié la plume de ses liz et en avez fait un lit a vostre niepce. Et adoncques ladicte Jehanne vesve dudit faite feu Phart respondi qu'en avez vous a faire faulse macquerelle les liz ni sont pas votres il n'y a en ce paiz j'ey bonne ville que vous ne mettez à hont. Et lors la dicte Jehanne femme dudit du Quesne qui lors fut moult courroucée et esmeue les paroles et injures que lui disoit et imposoit ladicte vesve dudit feu Phart icelle Jehanne femme dudit du Quesne prinst ladicte Jehanne vesve dudit Phart par le col et l'estranguy moult fort. En lui disant se tu pensses porter horions je te batisse tant que je te feisse la langue saillir et avecques ce elle l'abbati et frappa de ses mains plusieurs

cops de son povoir et en ce faisant survint ledit du Quesne le quel ladicte vesve dudit Phart appella macquerel comme elle avoit fait macquerelle sadicte femme et lors ledit du Quesne courroucié de l'injure que lui disoit ladicte femme vesve dudit Phart frappa icelle vesve dudit feu Phart du revers de sa main parmy le visage tant que sanc s'en enfuy en lui disant que elle mentoit comme faulse normande que elle estoit et lors ycelle vesve dudit feu Phart commença a crier au murdre et que ou le troit et pour icelle bateure ladicte vesve dudit feu Phart acoucha malade au lit faintement ou autrement mais toutesuoy es huit jours après ledit fait mort s'est enfuis en la personne de ladicte Jehanne vesve dudit feu Phart. Pour occasion de la quelle chose lesdiz supplians doubans rigueur de justice se sont absentez du paiz ou quel ilz noseroient jamaiz converser ne repairier se sur ce ne leur estoit impartie nostre grace et miséricorde sicomme ilz dient en nous humblement requeirant ycelles pourquoy nous ces choses considérés et que ladicte vesve dudit feu Phart estoit moult foible et ancienne et qu'il n'est point à parsuivier qu'elle soit alée de vie à trespasement pour les bateures dessus dites mais aincoiz par droit mort naturelle et que lesdiz supplians tout le temps de leurs vie ont esté de bonne fame, renommée et de honneste conversacion et que oncques mais eulx ne aucun d'eulx ne furent acusez ne reprins d'aucune autre villain cas ou blasme voulans miséricorde estre préférée à rigueur de justice audiz supplians ou cas dessus dit avons quitié, remis et pardonné et par ces presentes de grace especial plaine puissance et auttorité royal quittons, remettons et pardonnons le fait et cas dessus dit avecques toute peine, amende et offense corporele, criminele et civile en quoy pour occasion de ce que dit est eulx et chacun d'eulx pevent estre encourus envers nous et justice et les restituons à leur bonne fame et renommée au paiz et à leurs biens se pour autre cause ne sont confisquez et imposons sur ce silence perpetuel à nostre procureur sauf le droit de partie à poursuivre civilement tant seulement. Si donnons en mandement par ces presentes au bailli de Senliz et à tous noz

autres justiciers et officiers presens et avenir à leurs lieutenants et à chacun d'eulx sicomme à lui appartendra que de nostre presente grace, remission et pardon facent sueffrent et laissent lesdiz supplians et chacun d'eulx joir et verser plainement et paisiblement sans les molester, traveiller ou empescher ne souffrir estre molestez traveilliez ou empeschiez en corps ne en biens ores ne pour le temps avenir en aucune manière au contraire mais se leurs corps ou d'aucun d'eulx ou aucuns de leurs biens estoient ou sont pour ce prins, saisissez, arrestez, emprisonnez ou empeschiez leur mettent ou facent mettre tantost et sans delay à plaine delivrance. Et que ce soit ferme chose et estable à tousjours. Nous avons fait mettres nostre séeel à ces presentes sauf en autres choses nostre droit et l'autrui en toutes. Donné à Paris ou mois de Mars l'an de grace mil IIII et dix. Et le XXXI de nostre regne. Par le Roy presens plusieurs chambellans.

ANF JJ165, 72v.-73r. Rémission pour Guillaume Laurens

Charles etc. savoir faisons à tous presens et avenir Nous avons receu humble supplication de Guillaume Laurens de la ville de l'Ouzouz ou diocèse de Clermont en Auvergne. Contenen comme environ dix ans a il eust esté conjoint par mariage avec Jehannette fille de Pierre Girault d'Orleat avec laquelle Jehannette le dit suppliant sest doucement comporté de son costé oudit mariage combien que du costé de ladicte Jehannette ait eu moult grans fornicacions car elle avoit prestre, clers et autre telement qu'elle ne faisoit ne tenoit compte de son mary et estoit femme publique par tout et se gouvernoit comme ribaude publique dont le dit suppliant estoit moult courrouciez. Et pource en la chastiant lui dist plusieurs foiz Jehannette <<Retray toy de telle mauvaise compaignons car tu me faiz grant dommage et à tes amis deshonneurs>> laquelle Jehannette ne voulu onques obéir à son dit mary mais en despit de lui et affin quelle publiast bien sa mauvaise vie donna un enfant quand elle fu acouchiée a un nommé Berault Aurel prestre le quel estoit un de ses amans de quoy fait moult courroucié le dit suppliant. Et pource véant que ladicte Jehanette sa femme ne se vouloit chastier de sa mauviase vie la laissa et s'en ala demourer à un autre lieu d'illec près à une lieue et souventeffoiz venoit veoir sadicte femme pour la cuidier chastier et la cuider (sic) retrire de sa vie dissolue en lui disont qu'elle faisoit mal. Et finalement le 10ième jour de Juing dernièrement passé 1410 le dit suppliant se parti de l'ostel ou il demourroit et sen vint en son hostel ou demourroit sa dicte femme pour la véoir la quelle il ne trouva point mais trouva les huis dudit hostel rompuz. Et pource qu'il sceut qu'elle estoit et avoit esté tout le jour et grant partie de la nuit avec plusieurs prestres et autre avec lesquelz elle chantoit et menoit vie deshonneste le dit suppliant l'atendi pour lui remonstrer et la chastier et lui dist qu'elle ne faisoit pas bien son devoir de soy ainsi gouverner et qu'elle se chastiait ou il l'a courrouceroit la quelle femme respondi audit suppliant très arrogant en lui disant plusieurs

injures et villenies et le menassant de lui porté dommage. Et pource le dit suppliant courroucié et eschauffé du gouvernement d'icelle sa femme qui ne se vouloit chastier pour chose qu'il lui dist et véant qu'elle l'injuroit et menaçoit, pour la chastier la bati tellement que le lendemain elle fu trouvée mourte et estranglée en son lit. Pour occasion du quel cas le dit suppliant doubtant rigueur de justice s'est absent du pays. Et n'y oseroit jamaiz seurement demourer ne converser. Se par nous ne lui estoit sur ce impartir nostre grace et miséricorde si comme il dit. En nous humblement suppliant que ce considéré et que en autres cas il a tousiours esté homme de bonne vie renommer et honneste conversation sans onques maiz avoir esté reprins convaincu ne actaint d'aucun autre villain cas ou reprouche. Nous sur et lui vueillons étendre icelle nostre grace. Pourquoi nous ces choses considérer voulans en ceste partie pitié et miséricorde preferé à rigueur de justice. À icellui Guillaume Laurens suppliant ou cas dessusdit avons quicté, remis et pardonné et par la teneur de ces presente de nostre auctorité royal, plaine puissances et grace especial quittons, remettons et pardonnons le fait et cas dessusdiz. Avec toute peine, offense et amende corporele, criminelle, et civile en quoy pour raison du fait et cas dessusdiz il pourroit estre encouru envers nous et justice. Et le restituons à sa bonne fame renommer au pays et à ses biens non confisquez satisfaccion faite a partie premièrement se faite n'est civilement seulement. En imposant sur ce silence perpetuel à nostre procureur present et avenir. Si donnons en mandement par ces parties au bailli de Saint Pierre le Moustier ou a son lieutenant, et à tous noz autre justiciers et officiers presens et avenir ou à leurs lieutenants et à chascun deulx sicomme (sic). Si comme à lui appartendra que de nostre presente grace et remission facent sueffrent et laissent le dit suppliant jouir et user plainement et paisiblement. Sans lui faire ne souffrir estre fait ores ne pour le temps avenir en corps ne en bien aucun ennuy destourbier ne empeschement en aucun mandement au contraire. Aincois se son corps ou aucune de ses bien non confisquez

estoyent pource prinz saiziz arrestiez ou empeschiez les lui mettent ou facent mettre sans delay à
plaine deliverances. Et affin que ce soit chose ferme et estable à tousiours. Nous avons fait
mettre nostre séel à ces presentes. Sauf en autre choses nostre droit et l'autrui en toutes. Donné a
Paris ou moys de Mars l'an de grace 1410. Et de nostre regne le 31ieme.

ANF JJ165 166v. Rémission pour Symon Cronay

Charles etc. savoir faisons à tous presens et avenir nous avoir recue humble supplicacion de Symon Cronay nostre sergent et mortaiier ou bailliage de Saint Pierre le Moustier chargé de femme et d'enfants demourrant à Nevers. Contenant que comme une jeune fille nommée Jehannede Ternant eust servi ledit suppliant l'espace de sept ans ou environ Durant le quel service il l'eust aimée par amours et eust eu compaignie charnelle avec elle par plusieurs foiz. Et affin que sa femme ne son apperceust l'eust mises hors de son dit hostel et lui eust loué maison ou chamber pour sa demourrée avec laquelle il a depuis commise et repairé par plusieurs foiz et fait plusieurs biens comme de buire, vestir et chartier tant pour l'amour qu'il avoit à elle comme affin qu'elle ne se bandonnast à personne ou feist chose dont elle feust diffamée ou deshonorée. Ce non obstant le Lundi XIe jour de ce present moys de May il vint ala congnoissance dudit suppliant que ladicte Jehanne estoit couchié avec Jehan Soichon et en l'ostel d'icellui de laquelle chose ledit suppliant fut moult courruicié [sic] et troublé. Et par le courroux et chaleur en quoy il estoit ala en l'ostel dudit Soichon hurta à luis et fist tant qu'il entra oudit hostel et trouva que ladicte Jehanne estoit couchié avec ledit Soichon. Contre laquelle il fut moult eschauffé et courroucié et fist icelle vestir et chaverer (sic) la batist et lui donna plusieurs cops tant du poing comme de la palme sur la teste, espauls et bras. Et avec ce pour les espoventer la frappa par les espauls du plat du grant cousteau qu'il portoit à sa sainture sans luy faire sang ne plaie. Et après ladicte Jehanne s'en ala en sa maison ou chambre ou elle demourroit. Et deux jours après ou environ ladicte Jehanne ala aux estimer esquelles elle se estima et y demourra moult grant pièce. Et après ce qu'elle eus testé estimée s'en retourna en sa maison ou chambre souppa, but et menaga et ledit suppliant avec elle. Et pour lors ne faisoit semblant qu'elle se dolust ou sentist d'aucun mal. Et le Jeudi après ensuivant au matin elle se sentit malade et a coucha au lit et peu

de temps après fut confessé et [escommichée (sic)] et en la presence du prestre et de plusieurs personnes qui illec presens estoient pource que aucune murmurent que ledit suppliant l'avoit batue lui fut demandé quelle malade elle avoit. Et se elle se plaignoit point dudit suppliant la quelle lui dist que non et que le dit suppliant ne lui avoit donné cop dont elle deust mourir mais lui avoit fait plusieurs biens car se il n'eust esté elle eust eu moult a faire et faulte de boire et de menger et plaignoit moult la forcelle de la quelle elle estoit moult maladie et dangereuse. De la quelle maladie dont elle estoit couchée ou lit huit jour après ou environ elle ala de vie à trespasement. Pour occasion de laquelle bateure et pour doubte et rigeuer de justice ledit suppliant en s'est bouté en franchise ou boire Saint Estienne de Nevers et d'icelle franchise ne se oseroit partir. Se par nous ne lui estoit sur ce impartie nostre grace. En nous humblement suppliant que attendu qu'il avoit grant aimeur à ladicte Jehanne et avoit icelle [nourrie] et gouverner par l'espace de sept ans ou environ et qu'il ne lui fest sang plaie ne bateure dont mort s'en deust estre enfuye et ce qu'elle estoit moult malade et dangereuse de la forcelle et mesmement que lui estant malade au lit de la mort elle se plaignoit plus de la forcelle que de la bateure dessusdicte et d'icelle [destourprit (sic)] ledit suppliant en disant qu'il ne lui avoit donné cop dont mort s'en deust estre enfuy. Nous lui vueillons sur ce impartir nostre dicte grace. Nous ces choses considérée voulans rigueur de justice estre tempérée par misericorde à celui Symon ou cas dessusdicte grace especial par ces presente et avons quitté, remis et pardonné et remettons, quittons et pardonnons ce fait et cas dessusdicte avec toute peine, offense et amende corporele, crimminelle et civile en quoy ledit Symon porroit estre encourru ou avoir commiz envers nous et justice pour le fait et cas dessusdicte ensemble tout appeaux de ban s'aucune son estre enfuiz. Et le restituons à sa bonne fame renommée à son office au pays et à ses biens non confisquez. Satisfacion faite à partie civilement premièrement et avant toute envers se faite n'est. En

imposant sure ce silence à nostre procureur general. Si donnons en mandement à nostre bailli de Saint Pierre le Moustier. Et à tous noz autres justiciers ou à leurs lieutenants presens et avenir et à chacun d'eulx sicomme à lui appartendre. Que nostre presente grace et remission ilz facent seuffrent et liassent joir et verser ledit suppliant sans le molester ou souffrir estre molesté, opposé ou empeschié ores ne pour le temps avenir en aucune manière. Et s'aucune delivrance. Et affin que ce soit chose ferme et estable à tousiours nous avoir fait mettre nostre séeel à ces presente sauf en autres choses nostre droit et l'autrui en toutes. Donné à Paris ou mois de May l'an de grace mil CCCC et onze. Et de nostre regne le XXXIe.

Par le Roy à la relacion du conseil.

Raymon.

ANF JJ165 57v.-58r. Rémission pour Colin Ymbaut

Charles etc. savoir faisons à tous presens et avenir Nous avoir receu humble supplication de Colin Ymbaut poure jeune homme simple et ignorant et de petit entendement, contenant comme environ le XXVIe jour du moys de janvier dernièrement passé a l'instigation en [envortement (sic)] de deux autres compaignons jeunes ; icellui suppliant se soit transporté avec eulx, environ dix heures de nuit, en certain hostel ou porche ou il avoit plusieurs louages en la rue de Saint Seurin à Paris. En l'un desquelx louages demouroit une jeune femme nommée Jehanette la Goupille qui aucunesffois ainsi comme l'en dit jasoit et qu'elle soit mariée et que son mari l'en dit estre absent et ou pays d'Aeragon (sic) d'espace à huit ans, fait volentiers pour les compaignon du quel hostel ou porche le dit suppliant et lesdiz deux compaignons se efforcient (sic) de rompre luie. Et de fait le misdient hors des gons et entrèrent dedens et lors a la promociion de l'un desdiz deux compaignon qui se disoit avoir amitié ou accointance avec icelle Goupille monterent jusques a sa chambre et hurterent a son huys. Et pource quelle ne le volt ouvrir ilz romperent la serure et firent tant qu'ilz entrèrent dedens ; dont ladite Goupille, avec laquelle estoit couchié un compaignon qui n'estoit point son mari, fut mal contente et leur dist que c'estoit contre sa volonté. Et eulx estans en ladite chambre dudit porche, firent lever icellui compaignon du lit ou il estoit couchié avec ladite Goupille, et tirerent leur espées en disant "ribaut vous en irez et nous demourons" et là vint un voisin demourant audit porche qui pria audit suppliant et a sesdiz compaignons qu'ilz s'en alassent et il leur donoit volentiers du vin. Et lors ilz se departirent et laisserent ledit compaignon avec ladite Goupille jusques a ce qu'ilz vindrent jusques au bout de la rue et qu'ilz retournerent oudit porche. Et en entrant en ladite chambre de ladite Goupille tirerent leurs espées sur ledit compaignon qui estoit couchié et ne lui firent onques mal à sa personne, mais le firent départir de ladite chambre. Apres lequel

compaignon, ladite goupille s'enfouy et se mist ou lit d'un de ses voisins et de sa femme, qui demourroient oudit porche et la poursuivent ledit suppliant et ses diz compaignons, et la firent lever en sa chemise, et pource qu'elle fu contredisant et refusant d'aler avec eulx un diceulx compaignons lui mist l'espée devant la poitrine pour lui faire peur sans l'en frapper ne blecier. Et lors icelle Goupille se rendit audit suppliant comme noble et que pour tel se portoit. Le quel suppliant lui promist quelle n'auroit point de mal, et pource icelle Goupille ala devans sa chambre et entre deuz huys un des compaignons dudit suppliant la congneut charnelment combien que a elle ne pleut pas, si comme elle disoit. Et apres ce entrerent en la chambre, et demoura le dit suppliant seul avec elle. Firent le lit et se coucherent ensemble, et eut icellui suppliant sa compaignie et la congneut charnelment une foiz seulement, combien qu'elle eust dit paravant que se n'estoit pas de son bon gré, et que lui et sesdiz compaignons s'en repentiroyent. Mais ce non obstant, eulx deux dormant ou fuent paisiblement en icellui lit. Et eulx estans ensemble, furent rompuz oudit porche aucuns huys et coffres, et y furent prins aucuns biens ainsi que l'en dit, dont ledit suppliant ne sceut onques rens, et ne fu aucuns de son consentement. Et au matin le lendemain ensuivant, le compaignon dessudit qui avoit esté bouté le soir hors de la compaignie de ladicte Jehanette amena avec lui en la chambre de ladite Goupille plusieurs compaignons garnez d'espées et d'armeures lesquelz batirent et navrerent violement ledit suppliant l'emmenerent en son gippon sans chapon et lui firent promettre de retourner en certain lien pour ravoir sa robe et pour tout pardonner et accorder sur lesdictes choses d'un costé et d'autre. Et quant ledit suppliant retourna, il fu prins et mené prisonnier en nostre Chastellet de Paris ou quel, pour le fait et occasion dudit fait et cas, il est pource détenu en grant povreté et misère ; Et est en voye de finir ses jours miserablement ou d'estre durement traictié, se nostre benigne grace et misericorde ne lui est sur ce impétre ansi qu'il dit. Requérant humblement qui

comme le cours de sa vie il ait esté homme de bonne vie, sans avoir esté actans ne convaincu d'aucun autre villain blasme ou reprouche, Nous lui vueillons oucelle nostre dite grace pourveoir, pourquoy Nous eus consideracion aux choses dessudicte, voulans misericorde estre préférée a rigueur de justice audit suppliant ou cas dessudit avons quicté remis et pardonné et par ces présentes de nostre grace especial plaine puissance et auctorité Royal, quictons, remettons et pardonnons le fait et cas dessudit, avec toute peine, offense, et amende corporele criminele et civile en quoy pour occasion d'icellui fait et cas il peut estre encouru envers nous et justice. Et le restituons a sa bonne fame, renommée au pays et a ses biens non confisquez ; satisfaction faicte a partie civilement se faite n'est. En imposant sur ce silence perpetuel a nostre procureur. Si donnons en mandement par ces mesmes présentes au Prévost de Paris et a tous noz autre justiciers et officiers ou aleurs lieuxtenants presens et avenir et à chascun d'eulx si comme a lui appartendra que de nostre presente grace, quittance, rémission et pardon facent suefficient et laissent ledit suppliant joir et user paisiblement ; sans le molester ou empeschier ne souffrir estre molesté ou empeschié en corps ne en biens, en aucune manière au contraire. Mais son corps que l'en dit pour ledit fait et cas estre prisonnier esdicte prisons de nostre dit Chastellet ou qui pour le dit fait et cas seroit detenu prisonnier en icelles prison ou ailleurs ou ses biens pource non confisquez pource saiziz, levez ou arrestez, en quelque manière que ce soit, lui mettrent ou facent mettre tantost et sans delay a plaine délivrance. Et affin que ce soit chose faites et establee a tousiours nous avons fait mettre nostre scel a ces presentes sauf en autres chose nostre droit et l'autrui en toutes. Donné a Paris ou moys d'avril l'an de grace 1410 avant Pasques. Et de nostre regne le XXXIe. Par le Roy

Bibliography

Archival Sources

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Primary Sources

Amt, Emily, ed. *Women's Lives in Medieval Europe*. New York: Routledge, 1993.
Angers, Bernard of. "Miracles of Saint Foy." In *Liber miraculorum Sancte Fidis*, edited by A. Bouillet, 319-326. Paris: Alphonse Picard, 1897.

Kowaleski, Maryanne, ed. *Medieval Towns: A Reader*. Toronto: University of Toronto Press, 2008.

Ordonnances des roys de France de la troisième race recueillies par ordre chronologique 1355-1364, edited by Mr. Secousse. Paris: L'imprimerie royale, 1732.

Ordonnances des roys de France de la troisième race recueillies par ordre chronologique 1383-1394, edited by Mr. Secousse. Paris: L'imprimerie royale, 1745.

Ordonnances des roys de France de la troisième race recueillies par ordre chronologique 1395-1403, edited by Mr. Secousse. Paris: L'imprimerie royale, 1750.

The Coutumes de Beauvaisis of Philippe de Beaumanoir, translated by F.R.P. Akehurst. Philadelphia: University of Pennsylvania Press, 1992.

"Twelfth Ecumenical Council: Lateran IV 1215." Medieval Sourcebook, Fordham University, Accessed May 16, 2018, <https://sourcebooks.fordham.edu/basis/lateran4.asp>.

Secondary Sources

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.

Allmand, C.T. *The Hundred Years War: England and France, c. 1300-c. 1450*. Cambridge: Cambridge University Press, 1988.

Arnade, Peter and Walter Prevenier. *Honor, Vengeance, and Social Trouble: Pardon Letters in the Burgundian Low Countries*. Ithaca: Cornell University Press, 2015.

Bartlett, Robert. "Mortal Enmities" The Legal Aspect of Hostility in the Middle Ages." In *Feud, Violence and Practice: Essays in Medieval Studies in Honor of Stephen D. White*, edited by Belle S. Tuten and Tracey L. Billado, 197-212. Farnham: Ashgate Publishing, 2010.

Beaudette, Paul. "In the World but not of It': Clerical Celibacy as a Symbol of the Medieval Church." In *Medieval Purity and Piety: Essays on Medieval Celibacy and Religious Reform*, edited by Michael Frassetto, 23-46. New York: Garland, 1998.

Bednarski, Steven. "The Quest for the Historical Father: Protective Fathers in Practical Records," in *Das Abenteuer der Genealogie: Vater-Sohn-Beziehung im Mittelalter*, edited by Johannes Keller, Michael Mcklenburg, and Matthias Meyer, 39-60. Göttingen: V&R Unipress, 2006.

Bednarski, Steven. *Curia: A Social History of a Provençal Criminal Court in the Fourteenth Century*. Montpellier: Presses universitaires de la Méditerranée, 2013.

- Bennett, Judith M. and Ruth Mazo Karras, editors. *Oxford Handbook of Women and Gender in Medieval Europe*. Oxford: Oxford University Press, 2013.
- Blamires, Alcuin. *The Case for Women in Medieval Culture*. Oxford: Clarendon Press, 1997.
- Bremmer, Rolf H. Jr. "Insults Hurt: Verbal Injury in Late Medieval Frisia." In *Approaches to Old Frisia Philology*, edited by Rolf H. Bremmer Jr., Thomas S.B. Johnston, and Oebele Vries, 89-112. Amsterdam: Rodopi, 1998.
- Brodman, James William. *Charity and Religion in Medieval Europe*. Washington: The Catholic University of American Press, 2009.
- Brundage, James A. *The Medieval Origins of the Legal Profession: Canonists, Civilians, and Courts*. Chicago: University of Chicago Press, 2008.
- Butler, Sara M. *The Language of Abuse: Marital Violence in Later Medieval England*. Leiden: Brill, 2007.
- Cadden, Joan. *The Meanings of Sex Difference in the Middle Ages: Medicine, Science and Culture*. Cambridge: Cambridge University Press, 1993.
- Carbonnières, Louis. "Les lettres de remission entre Parlement de Paris et chancellerie royale dans la seconde moitié du XVI^e siècle." *Revue historique de droit français et étranger* (1922-) 79, no. 2 (Avril-Juin 2001): 179-195.
- Charbonnier, Pierre. "Les limites du pardon des violence dans les lettres de rémission du XVe siècle." In *La violence et le judiciaire*, edited by Antoine Follain, Bruno Lemelse, Michel Nassiet, et al., 61-74. Rennes: Presses universitaires de Rennes, 2008.
- Cohen, Esther. *The Modulate Scream: Pain in the Late Medieval Culture*. Chicago: Chicago University Press, 2010.
- Corbellini, Sabrina and Magriet Hoogvliet. "Artisans and Religious Reading in Late Medieval Italy and Northern France (ca. 1400-ca. 1520)." *Journal of Medieval and Early Modern Studies* 43, no. 3 (2013): 521-544.
- Davis, Natalie Zemon. *Fiction in the Archives: Pardon Tales and their Tellers in Sixteenth-Century France*. Stanford: Stanford University Press, 1987.
- Dean, Trevor. "Domestic Violence in Late-Medieval Bologna." *Renaissance Studies* 18, no. 4 (2004): 527-543.
- Dean, Trevor. *Crime in Medieval Europe 1200-1550*. London: Longman, 2001.
- Delin, Alexandre P. "Violence and Disturbances in a Medieval University: The Welsh Students at Oxford, 1282-1485." *Revista de Historia de las Universidades* 18, no. 2 (2015): 145-158.
- Delogu, Daisy. *Allegorical Bodies: Power and Gender in Late Medieval France*. Toronto: University of Toronto Press, 2015.
- Dunbabin, Jean. "The Political World of France, c. 1200-1336." In *France in the Later Middle Ages*, edited by David Potter, 23-46. Oxford: Oxford University Press, 2002.
- Dunn, Caroline. *Stolen Women in Medieval England : Rape, Abduction, and Adultery, 1100-1500*. Cambridge: Cambridge University Press, 2013.
- Duran, Jean-Marie. *Heurs et malheurs des prévôts de Paris*. Paris: Harmattan, 2008.
- Eligon, John and Michael Schwartz. "Senate Candidate Provokes Ire with 'Legitimate Rape' Comment." *The New York Times*, accessed July 24, 2018. Published August 19, 2012.
- Enders, Jody. *The Medieval Theater of Cruelty: Rhetoric, Memory, Violence*. Ithaca: Cornell University Press, 1999.
- Farmer, Sharon. *Surviving Poverty in Medieval Paris: Gender, Ideology, and the Daily Lives of the Poor*. Ithaca: Cornell University Press, 2002.

- Fenster, Thelma and Daniel Lord Smail, editors. *Fama: The Politics of Talk and Reputation in Medieval Europe*. Ithaca: Cornell University Press, 2003.
- Firnhaber-Baker, Justine. "Jura in Medio: The Settlement of Seigneurial Disputes in Later Medieval Languedoc." *French History* 26, no. 4 (2012): 441-459.
- Firnhaber-Baker, Justine. "Techniques of Seigneurial War in the Fourteenth-Century." *Journal of Medieval History* 36, no. 1 (2010): 90-103.
- Flandin-Blety, Pierre. "Rémission et bonnes villes: Les consultats du Rouergue devant Charles VI en 1389." In *La Faute, la répression et le pardon: actes du 107e Congrès national des sociétés des savantes* (Paris: Brest, 1982), 313-338.
- Foucault, Michel. *Discipline and Punish: The Birth of the Prison*. New York: Vintage Books, 1995.
- Hanawalt, Barbara A. and David Wallace. "Introduction." In *Medieval Crime and Social Control*, edited by Barbara A. Hanawalt and David Wallace, page range. Minneapolis: University of Minnesota Press, 1999.
- Hanawalt, Barbara A. *'Of Good and Ill Repute': Gender and Social Control in Medieval England*. Oxford: Oxford University Press, 1998.
- Haseldine, J. P. "Love, Separation and Male Friendship: Words and Actions in Saint Anselm's Letters to his Friends." In *Masculinity in Medieval Europe*, edited by D. M. Hadley, 238-255. London: Longman, 1999.
- Hutchison, Emily J. "Pour le bien du roy et son royaulme: Burgundian propaganda under John the Fearless, Duke of Burgundy, 1405-1418." Dissertation York, UK, 2006.
- Grace, Philip. *Affectionate Authorities: Fathers and Fatherly Roles in Medieval Basel*. Farnham: Ashgate, 2015.
- Gauvard, Claude. *Violence et ordre public au Moyen Age*. Paris: Éditions A. et J. Picards, 2005.
- Gauvard, Claude. "Honneur de femme et femme d'honneur en France à la fin du Moyen Âge." *Francia* no. 28 (2001): 159-191.
- Gauvard, Claude. "La fama, une parole fondatrice." *Médiévales* no. 24 (1993): 5-13.
- Gauvard, Claude. <<De grace especial>>. *Crime, État et Société en France à la fin du Moyen Âge*. Paris: Publications de la Sorbonne, 1990.
- Johnson, Cynthia J. "Kinship, Disputing, and Ira: A Mother-Daughter Quarrel in Southern France." In *Feud, Violence and Practice: Essays in Medieval Studies in Honor of Stephen D. White*, edited by Belle S. Tuten and Tracey L. Billado, 259-278. Farnham: Ashgate Publishing, 2010.
- Jussen, Bernhard. "'Virgins-Widows-Spouses': On the Language of Moral Distinction as Applied to Women and Men in the Middle Ages." *The History of the Family* 7, no. 1 (2002): 13-32.
- Kaeuper, Richard. *War, Justice, and Public Order: England and France in the Later Middle Ages*. Oxford: Clarendon Press, 1988.
- Kaminsky, Howard. "The Noble Feud in the Later Middle Ages." *Past & Present* 177, no. 1 (2002): 55-83.
- Karras, Ruth Mazo. *Sexuality in Medieval Europe: Doing Unto Others*. New York: Routledge, 2005.
- Karras, Ruth Mazo. "Women's Labors: Reproduction and Sex Work in Medieval Europe." *Journal of Women's History* 15, no. 4 (Winter 2004): 153-158.

- Karras, Ruth Mazo. *From Boys to Men: Formations of Masculinity in Late Medieval Europe*. Philadelphia: University of Pennsylvania Press, 2002.
- Kowaleski, Maryanne. "'Medieval People in Town and Country: New Perspectives from Demography and Bioarchaeology.'" *Speculum* 89, no. 3 (2014): 573-600.
- Kuehn, Thomas. "Fama as a Legal Status in Renaissance Florence." In *Fama: The Politics of Talk and Reputation in Medieval Europe*, edited by Thelma Fenster and Daniel Lord Smail, 27-46. Ithaca: Cornell University Press, 2003.
- Lalière, Frédéric. "La lettre de rémission entre source directe et indirecte: instrument juridique de la centralisation du pouvoir et champ de prospection pour l'historien du droit." In *Violence, conciliation et répression*, edited by Aude Musin, Xavier Rousseaux, and Frédéric Vesentini. Louvain-la-Neuve: Presses universitaires de Louvain, 2008.
- Laumonier, Lucie. "Meanings of Fatherhood in Late-Medieval Montpellier: Love, Care and the Exercise of *Patrias Potestas*." *Gender & History* 27, no. 3 (2015): 651-668.
- Lees, Clare A. "Introduction." In *Medieval Masculinities: Regarding Men in the Middle Ages*, edited by Clare A. Lees, xv-xxv. Minneapolis: University of Minnesota Press, 1994.
- L'Estrange, Elizabeth and Alison More. "Representing Medieval Genders and Sexualities in Europe." In *Representing Medieval Genders and Sexualities in Europe: Constructions, Transformation, and Subversion, 600-1530*, edited by Elizabeth L'Estrange and Alison More, 1-14. Farnham: Taylor & Francis Group, 2011.
- Martine, A. Lynn. *Alcohol, Sex, and Gender in Late Medieval Europe*. New York: Palgrave, 2001.
- Martín, Yolanda Beteta. "The Servants of the Devil. The Demonization of Female Sexuality in Medieval Patristic Discourse." *Journal of Research in Gender Studies* 3, no. 2 (2013): 48-66.
- McDonough, Susan A. *Witnesses, Neighbors, and Community in Late Medieval Marseille*. New York: Palgrave Macmillan, 2013.
- Michaud, Francine. *Earning Dignity: Labour Conditions and Relations During the Century of the Black Death in Marseille*. Belgium: Brepols, 2016.
- Michel, François. "Note sur les lettres de rémission transcrites dans les registres du trésor des chartes." *Bibliothèque de l'école des chartes* 103 (1942): 317-324.
- Miller, William Ian. "In Defense of Revenge." In *Medieval Crime and Social Control*, edited by Barbara A. Hanawalt and David Wallace, 70-89. Minneapolis: University of Minnesota Press, 1999.
- Mitchell, Linda E. "Women and Medieval Canon Law." In *Women in Medieval Western European Culture*, edited by Linda E. Mitchell, 143-153. New York: Garland Publishing, 1999.
- Muchembled, Robert. *A History of Violence: From the End of the Middle Ages to Present*, translated by Jean Birrell. Cambridge: Polity Press, 2012.
- Müller, Miriam. "Social Control and the Hue and Cry in Two Fourteenth-Century Villages." *Journal of Medieval History* 31, no. 1 (2005): 29-53.
- Musin, Aude and Xavier Rousseaux. "De la jeunesse belliqueuse à la délinquance juvénile: Jeunes, violence et urbanité dans les sociétés médiévales et modernes (1300-1850)." In *Violence juvénile urbaines en Europe*, edited by Xavier De Weirt, 53-74. Louvain-la-Neuve: Presses universitaires de Louvain, 2011.

- Musin, Aude and Élise Mertens de Wilmar. “‘‘Consideré son joesne eaige...’ Jeunes, violence et précarité sociale dans les Pays-Bas bourguignons et habsbourgeois (XIV^{ème}-XVI^{ème} siècle).” *Revue d’histoire de l’enfance ‘‘irrégulière’’* no. 9 (2007): 25-46.
- Neal, Derek G. *The Masculine Self in Late Medieval England*. Chicago: The University of Chicago Press, 2008.
- Otis-Cour, Leah. “Les limites de la grâce et les exigences de la justice: L’entérinement et le refus d’entériner les lettres de rémission royales d’après les arrêts du Parlement de Toulouse à la fin du Moyen Âge.” *Recueil de mémoires et travaux publié par la Société d’histoire du droit et des institutions des anciens pays de droit écrit* 17 (1996): 73-89.
- Petit-Dutaillis, Charles. *Documents nouveaux sur les moeurs populaires et le droit de vengeance dans les Pays-Bas au quinzième siècle*. 1975 reprint, Genève: Slatkine Reprints: 1908.
- Phillips, Kim M. “The Breasts of Virgins: Sexual Reputation and Young Women’s Bodies in Medieval Culture and Society.” *Cultural and Social History* 15, no. 1 (2018): 1-19.
- Phillips, Kim M. "Introduction." In *Young Medieval Women*, edited by Katherine J. Lewis, Noël James Menuge, and Kim M. Phillips, xi-xx. New York: St. Martin's Press, 1999.
- Porteau-Bitker, Annick and Annie Talazac-Laurent. "La renommée dans le droit pénal laïque du XIII^e au XV^e siècle." *Médiévales* no. 24 (1993): 67-80.
- Porteau-Bitker, Annik. "La justice laïque et le viol au Moyen Age." *Revue historique de droit française et Etranger* 66, no. 4 (1988): 491-526.
- Reyerson, Kathryn. *Mothers and Sons Inc. Martha de Cabanis in Medieval Montpellier*. Philadelphia: University of Pennsylvania Press, 2018.
- Reyerson, Kathryn. *Women’s Networks in Medieval France: Gender and Community in Montpellier, 1300-1350*. New York: Palgrave Macmillan, 2016.
- Rose, Sonya O. *What is Gender History?* Cambridge: Polity Press, 2010.
- Sauer, Michelle M. *Gender in Medieval Culture*. London: Bloomsbury Academic, 2015.
- Scott, Joan W. “Gender: A Useful Category of Historical Analysis.” *American Historical Review* 91, no. 5 (1986): 1053-1075.
- Shahar, Shulamith. *The Fourth Estate: A History of Women in the Middle Ages*. Cambridge: Cambridge University Press, 1983.
- Skoda, Hannah. *Medieval Violence: Physical Brutality in Northern France 1270-1330*. Oxford: Oxford University Press, 2015.
- Skoda, Hannah. “Violent Discipline or Disciplining Violence? Experience and Reception of Domestic Violence in Late Thirteenth-Century Paris and Picardy.” *Cultural and Social History* 6 no. 1 (2009): 9-27.
- Smail, Daniel Lord. *The Consumption of Justice: Emotions, Publicity, and Legal Culture in Marseille, 1264-1423*. Ithaca: Cornell University Press, 2003.
- Smail, Daniel Lord. "Hatred as a Social Institution in Late-Medieval Society." *Speculum* 76, no. 1 (2001): 90-126.
- Small, Graeme. "The Crown and the Provinces in the Fifteenth Century." In *France in the Later Middle Ages*, edited by David Potter, 130-154. Oxford: Oxford University Press, 2002.
- Texier, Pascal. “La part de l’ombre de la rémission: Remarques sur les requêtes en remission et leur rédacteurs.” In *La part de l’ombre: Artisans du pouvoir et arbitres des rapports sociaux (VIII^e-XV^e siècles)*, edited by Jacques Péricard, 183-206. Limoges: Université de Limoges, 2014.

- Thibodeaux, Jennifer. "Man of the Church or Man of the Village? Gender and the Parish Clergy in Medieval Normandy." *Gender & History* 18, no. 2 (2006): 380-399.
- Warner, Jessica. "Before there was Alcoholism: Lessons from the Medieval Experience with Alcohol." *Contemporary Drug Problems* no. 19 (1992): 409-429.
- Yahil, Edna Ruth. "A Rape Trial in Saint Eloi: Sex, Seduction, and Justice in the Seigneurial Courts of Medieval Paris." In *Voice from the Bench: Narratives of Lesser Folk in Medieval Trials*, edited by Michael Goodich, 251-271. New York: Palgrave Macmillan, 2006.