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**False Knights and True Blood:  
Reading the Traitor's Body in Medieval England**

A thesis presented in partial fulfilment of the requirements for the degree of

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## ABSTRACT

From the late thirteenth century, traitors in England were subjected to spectacular rituals of public execution that could include drawing, hanging, disembowelling, beheading, quartering and bodily display. These executions took place within a context in which the human body was saturated with significance. The body of Christ, the body politic imagined through the body of the king, and the whole and perfect body of the perfect knight were all central constructs in medieval thought. This thesis considers the polyvalent cultural meanings and responses that could be generated when the traitor's broken and divided body was read in relationship to these other, idealised bodies.

The ritualised processes of the traitor's execution were intended to send a message about hegemonic power, particularly the king's power over the bodies and lives of his subjects. However, the public and performative nature of these spectacles meant that they could provoke unpredictable and unexpected interpretations. Through a close analysis of documentary accounts of a number of high-profile executions that took place in late fourteenth- and early fifteenth-century England, this study explores the ways the traitor's body could work to destabilise and subvert dominant notions and relationships of status, gender, and political authority that the ritual of execution was intended to reinforce.

The work that follows is structured around three thematic chapters. In Chapter Two, it examines the ways the trial and punishment of traitors made manifest deep uncertainties surrounding the social status of 'kighthood', in the process publicly exposing cultural and political conflicts over claims to power. Chapter Three turns to the challenges the traitor posed to the construction of aristocratic masculinity. Beginning from a premise that the categories of 'knight' and 'traitor' were ostensibly wholly oppositional but in reality mutually constitutive, it examines the potential for slippage from the masculine ideal of kighthood to the monstrous feminised inversion represented by the traitor. Chapter Four considers the complicated relationship that could develop between the traitor's body to the bodies of Christ and the martyrs. It analyses a number of accounts that actively engage with the Passion topos in ways that invite alternative interpretations and resistant responses to acts of spectacular public execution.

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## ABBREVIATIONS

- Adam Usk* C. Given-Wilson (ed. and trans.), *The Chronicle of Adam Usk 1377 - 1421*, Oxford: Oxford University Press, 1997.
- An English Chronicle* William Marx (ed.), *An English Chronicle 1377-1461: Edited from Aberystwyth, National Library of Wales Ms 21068 and Oxford Bodleian Library Ms Lyell 34*, Woodbridge, UK: Boydell Press, 2003.
- 'Annales Ricardi Secundi' 'Annales Ricardi Secundi et Henrici Quarti' in *Johannis de Trokelowe et Anon Chronica et Annales*, ed. H.T. Riley (Rolls Series 1866). As translated and published in Chris Given-Wilson (ed.), *Chronicles of the Revolution: 1397 - 1400 The Reign of Richard II*, Manchester: Manchester University Press, 1993.
- 'Appeale of Treason' 'A True Copy of the Roll of Proceeding in an Appeale of Treason before the Conestable and Marshall between Thomas Lord Morley, Appellant, and John De Montague, Earle of Salisbury, Defendant, Anno Primi Henrici Quarti', ed. M. H. Keen and M. Warner, in *Chronology, Conquest and Conflict in Medieval England. Camden Miscellany XXXIV*, London: Cambridge University Press for the Royal Historical Society, 1997, pp.169-95.
- Brut I* Friedrich W.D. Brie (ed.), *The Brut, or The Chronicles of England, I*, London: Early English Text Society, 1906.
- Brut II* Friedrich W.D. Brie (ed.), *The Brut, or The Chronicles of England, II*, London: Early English Text Society, 1908.
- Capgrave* Peter J. Lucas (ed.), *John Capgrave's Abbreuiacion of Cronicles*, Oxford: Oxford University Press for the Early English Text Society, 1983.
- Charny, Book of Chivalry* Richard W. Kaeuper and Elspeth Kennedy (eds.), *The Book of Chivalry of Geoffroi De Charny. Text, Context, and Translation*, Philadelphia, PA: University of Pennsylvania Press, 1996.
- Chronicle of London* N. H. Nicolas and E. Tyrell (eds.), *A Chronicle of London from 1089 to 1483; Written in the Fifteenth Century and for the First Time Printed from Mss. in the British Museum*, Felinfach, Wales: Llanerch Press, 1995.
- 'Continuatio Eulogii' *Continuatio Eulogii: Eulogium Historiarum Sive Temporis*, ed. F. S. Haydon, vol. iii (Rolls Series 1863). As translated and published in Chris Given-Wilson (ed.), *Chronicles of the Revolution: 1397 - 1400 The Reign of Richard II*, Manchester: Manchester University Press, 1993.
- CPR* *Calendar of Patent Rolls 1377-1413* (10 vols.), London: Public Records Office, 1895-1909. Accessed online at <http://www.uiowa.edu/~acadtech/patentrolls/> G.R. Boynton, 2003. Project of Professor G.R. Boynton and the University of Iowa Libraries.

- Favent, *History* Thomas Favent, *History or Narration Concerning the Manner and Form of the Miraculous Parliament at Westminster in the Year 1386, the Tenth Year of the Reign of King Richard the Second after the Conquest, Declared by Thomas Favent, Clerk*, trans. Andrew Galloway, in Emily Steiner and Candace Barrington (eds.), *The Letter of the Law: Legal Practice and Literary Production in Medieval England*, Ithaca, NY: Cornell University Press, 2002, pp.231-52.
- Gesta Henrici Quinti* *Gesta Henrici Quinti. The Deeds of Henry the Fifth*, trans. Frank Taylor and John S. Roskell, Oxford: Clarendon Press, 1975.
- Garter* Lisa Jefferson, 'Ms Arundel 48 and the Earliest Statutes of the Order of the Garter', *The English Historical Review* 109, no. 431 (1994), pp.356-85.
- Great Chronicle* A. H. Thomas and I. D. Thronley (eds.), *The Great Chronicle of London*, London: Corporation of London, 1938.
- 'Judgement' G. A. Holmes, 'Judgement on the Younger Despenser, 1326', *The English Historical Review* 70, no. 275 (1955), pp.261-67.
- Knighton's Chronicle* G. H. Martin (ed.), *Knighton's Chronicle 1337-1396*, Oxford: Clarendon Press, 1995.
- Llull, *Chyualry* Ramon Llull, *The Book of the Ordre of Chyualry, Translated by William Caxton*, ed. Alfred T.P. Byles, Oxford: Early English Text Society Original Series 168, 1971 (1926).
- 'Martyrdom' Clement Maidstone, 'The Martyrdom of Archbishop Richard Scrope', translated with notes and commentary by Stephen K. Wright, 1997. Retrieved 6 May 2011 from <http://english.cua.edu/faculty/wright/maidston.cfm>
- PROME* Given-Wilson, C. (ed.), *The Parliament Rolls of Medieval England*, Leicester, UK: Scholarly Digital Editions, 2005 (CD-ROM).
- 'Record' 'Appendix III: The Record of the Treason Trials at Southampton in August 1415' in T. B. Pugh, *Henry V and the Southampton Plot of 1415*. Gloucester, UK: Alan Sutton, 1988, pp.178-185.
- St Albans Chronicle I* John Taylor, Wendy R. Childs, and Leslie Watkiss (eds.), *The St Albans Chronicle: The Chronica Maiora of Thomas Walsingham I. 1376-1394*, Oxford: Oxford University Press, 2003.
- St Albans Chronicle II* John Taylor, Wendy R. Childs, and Leslie Watkiss (eds.), *The St Albans Chronicle: The Chronica Maiora of Thomas Walsingham II. 1394-1422*, Oxford: Oxford University Press, 2011.
- 'Vita Ricardi Secundi' George B. Stow (ed.), *Historia Vitae Et Regni Ricardi Secundi*. Pittsburgh, PA: University of Pennsylvania Press, 1977. As translated and published in Chris Given-Wilson (ed.), *Chronicles of the Revolution: 1397 - 1400 The Reign of Richard II*, Manchester: Manchester University Press, 1993.
- Westminster Chronicle* L. C. Hector and Barbara F. Harvey (eds.), *The Westminster Chronicle 1381 - 1394*, Oxford: Clarendon Press, 1982.
- York Mystery Plays* Richard Beadle and Pamela M. King (eds.), *York Mystery Plays. A Selection in Modern Spelling*, Oxford: Clarendon Press, 1984.



## **A NOTE ON TRANSCRIPTION AND TRANSLATION**

Transcriptions have been provided as they appear in the original sources, including all spelling, punctuation and capitalisation. The exception is the replacement of the Middle English characters 'þ' and 'ȝ' with the modern English 'th' and 'gh'. Translations are provided in the footnotes. All translations are my own unless otherwise noted.

## CHAPTER ONE: INTRODUCTION

On 4 March 1388 Thomas Usk, a London scribe, minor poet, and former under-sheriff of Middlesex, was condemned to death as a traitor.<sup>1</sup> From prison in the Tower, he was drawn through the middle of London and thence beyond the city walls to Tyburn, 'drenching the neighbourhoods with [his] flesh in the manner usual for traitors'.<sup>2</sup> Having been hanged (a process that would have resulted in slow strangulation rather than a quick death) and beheaded, Usk's head was then 'placed above the gate at Newgate because his family lived in that part of the city and was much hated'.<sup>3</sup> The spectacular nature of Usk's execution would not have seemed extraordinary to the audience that witnessed it, for highly theatrical and ritualistic public punishment was a significant feature of judicial practice in late medieval England. By the fourteenth century, the tortured and dismembered body of the traitor loomed large on the late medieval English political landscape in both an abstract and a material sense: judicial and constitutional principles were being shaped by debates over the legal definition of 'treason'; city walls, gates, and gibbets were adorned with the heads and body parts of the executed.

In his provocative study on *Medieval Identity Machines*, Jeffrey Cohen begins by proposing 'that sometimes the most fruitful approach to a body ... is to stop asking "What is it?" and to start ... to map what a body *does*'.<sup>4</sup> Responding to Cohen's appeal, this study puts the traitor's body at its centre, asking what social, political, and cultural work it was doing in the volatile and rapidly changing context of late fourteenth- and early fifteenth-century England. By closely analysing documentary accounts of some high-profile executions from this period, I will explore the polyvalent meanings that could be generated by the traitor's body when it was subjected to ritualised practices of public trial and spectacular execution. By doing so, I hope to expose the traitor's body

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<sup>1</sup> Thomas Usk's career and the circumstances surrounding his death are described in Paul Strohm, *Hochon's Arrow: The Social Imagination of Fourteenth-Century Texts*, Princeton, NJ: Princeton University Press, 1992, pp.145-60.

<sup>2</sup> Thomas Favent, *History or Narration Concerning the Manner and Form of the Miraculous Parliament at Westminster in the Year 1386, the Tenth Year of the Reign of King Richard the Second after the Conquest, Declared by Thomas Favent, Clerk*, trans. Andrew Galloway, in *The Letter of the Law: Legal Practice and Literary Production in Medieval England*, ed. Emily Steiner and Candace Barrington, Ithaca, NY: Cornell University Press, 2002, p.248. (Hereafter, Favent, *History*.) 'Drawing' involved dragging the criminal behind a horse on foot or tied to a hurdle. The reference to flesh may indicate whipping or flaying.

<sup>3</sup> G. H. Martin (ed.), *Knighton's Chronicle 1337-1396*, Oxford: Clarendon Press, 1995, p.501. (Hereafter, *Knighton's Chronicle*.)

<sup>4</sup> Jeffrey J. Cohen, *Medieval Identity Machines*, Minneapolis, MN: University of Minnesota Press, 2003, p.xxiii. Emphasis in original.

as a key cultural site through which dominant categories and ideas about status, gender, and political authority were destabilised and subverted as well as defended and reinforced.<sup>5</sup>

### The body as a sign and text

That the traitor's body offers rich potential as an object of historical enquiry may be inferred from the central role of the body as a sign and an organising metaphor in medieval culture.<sup>6</sup> By the later Middle Ages, the body of Christ as the 'Word made flesh' stood as the paramount signifier. Devotion to the Eucharist united the faithful and defined the spatial and spiritual borders of Christendom, while the growth in the cult of Corpus Christi saw the body of Christ mapped onto urban communities through civic pageants and processions. The sacred person of the king carried similar symbolic weight. As God's chosen ruler on earth, the king's body was imagined as a microcosm of the divinely ordered cosmos that both represented and contained the entire body politic of the realm.

A broad strand of historical research has focused on the body of Christ and the body of the king as expressions of social unity that have the power to naturalise a particular hierarchical order.<sup>7</sup> Over the past two decades, studies influenced by feminist and poststructuralist approaches have disturbed this earlier reading of the body as a marker of wholeness by theorising the body as a 'politically charged discursive construct, a representational space traversed in various ways by socially based power relations'.<sup>8</sup> Viewed from this angle, the body has no essential or stable

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<sup>5</sup> 'Nationhood' (or ethnicity) and religious identity are other categories of relevance to interpreting the cultural significations of the traitor's body in late medieval England. I will touch on both of these elements, but an analysis that fully incorporates these categories is beyond the scope of this study.

<sup>6</sup> The scholarship on the body is too extensive to cover here, but general studies of particular relevance to this research are Caroline Walker Bynum, *Fragmentation and Redemption: Essays on Gender and the Human Body in Medieval Religion*, New York: Zone Books, 1992; Caroline Walker Bynum, *The Resurrection of the Body in Western Christianity, 200-1336*, New York: Columbia University Press, 1995; Darryll Grantley and Nina Taunton (eds.), *The Body in Late Medieval and Early Modern Culture*, Aldershot, UK: Ashgate, 2000; Barbara A. Hanawalt and David Wallace (eds.), *Bodies and Disciplines : Intersections of Literature and History in Fifteenth-Century England*, Minneapolis, MN: University of Minnesota Press, 1996; Sarah Kay and Miri Rubin (eds.), *Framing Medieval Bodies*, Manchester: Manchester University Press, 1994; Keith D. Lilley, *City and Cosmos: The Medieval World in Urban Form*, London: Reaktion Books, 2009; Danielle Westerhof, *Death and the Noble Body in Medieval England*, Woodbridge, UK: Boydell Press, 2008.

<sup>7</sup> See for example, Paul Binski, *Medieval Death: Ritual and Representation*, London: British Museum Press, 1996; Mervyn James, 'Ritual, Drama and Social Body in the Late Medieval English Town', *Past & Present*, no. 98 (1983), pp.3-29; Ernst H. Kantorowicz, *The King's Two Bodies: A Study in Mediaeval Political Theology*, Princeton, NJ: Princeton University Press, 1957.

<sup>8</sup> Linda Lomperis and Sarah Stanbury, 'Introduction: Feminist Theory and Medieval "Body Politics"' in *Feminist Approaches to the Body in Medieval Literature*, ed. Linda Lomperis and Sarah Stanbury, Philadelphia, PA: University of Pennsylvania Press, 1993, p.ix.

meaning, and therefore cannot be assumed to function in ways that consistently represent and reinforce social, political and cultural unity.<sup>9</sup> As a discursively constructed signifier, the body 'is not always perceived as a unifying whole but rather a site of conflict and differentiation'.<sup>10</sup> For example, recent studies by scholars such as Biddick and Bildhauer have shown that the ideal of the body of Christ was premised on the demonising, exclusion, and destruction of other bodies, including those of Jews and heretics, while Sponsler has explored the capacity for Corpus Christi processions and other civic ceremonial to provoke conflict and violence amongst the communities they were intended to unify.<sup>11</sup>

The 'body' in late medieval culture was thus an unstable site with the potential to contest dominant identities, values, and relationships of power. The traitor's body can also be viewed from this perspective, and its attraction as a focus of critical enquiry lays particularly in the pivotal role the 'traitor' played in late medieval English political culture. The theatrical processes of spectacular public execution, like other forms of ceremonial in the late medieval city, were intended to send a clear and visible message about hegemonic power, but the public, participative, and performative nature of the traitor's execution opened the way to other interpretations that could not always be predicted or controlled.

### **The political and social context**

This study takes place against a background of political and social instability that contributed to conditions in which the traitor's body became particularly problematic and unpredictable.<sup>12</sup> Under Richard II and Henry IV, the power of the

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<sup>9</sup> On the implications of this reading of the body, see for example, Sarah Beckwith, *Christ's Body: Identity, Culture and Society in Late Medieval Writings*, London: Routledge, 1993; Kathleen Biddick, 'Genders, Bodies, Borders: Technologies of the Visible', *Speculum* 68, no. 2 (1993), pp.389-418; Bettina Bildhauer, 'Blood, Jews and Monsters in Medieval Culture' in *The Monstrous Middle Ages*, ed. Bettina Bildhauer and Robert Mills, Toronto: University of Toronto Press, 2003; Jeffrey Jerome Cohen, *Of Giants: Sex, Monsters, and the Middle Ages*, London: University of Minnesota Press, 1999; Cohen, *Medieval Identity Machines*; Claire Sponsler, *Drama and Resistance: Bodies, Goods, and Theatricality in Late Medieval England*, Minneapolis, MN: University of Minnesota Press, 1997; Miri Rubin, *Corpus Christi: The Eucharist in Late Medieval Culture*, New York: Cambridge University Press, 1991.

<sup>10</sup> Lilley, p.226, n.21.

<sup>11</sup> Biddick; Bildhauer, 'Blood, Jews and Monsters'; Sponsler, *Drama and Resistance*.

<sup>12</sup> The overview in this section is based on P.J.P. Goldberg, *Medieval England. A Social History 1250 - 1550*, London: Hodder Arnold, 2004; Michael Hicks, *English Political Culture in the Fifteenth Century*, London: Routledge, 2002; Rosemary Horrox (ed.), *Fifteenth-Century Attitudes: Perceptions of Society in Late Medieval England*, Cambridge: Cambridge University Press, 1994; Rosemary Horrox and W. Mark Ormrod (eds.), *A Social History of England, 1200-1500*, Cambridge, UK: Cambridge University Press, 2006; Richard W. Kaeuper, *War, Justice, and Public Order: England and France in the Later Middle Ages*, Oxford, UK: Clarendon Press, 1988; Maurice Keen, *England in the Later Middle Ages: A*

monarch was insecure as first, Richard's divisive style of kingship intensified factionalism, and then Henry's disputed title provoked periodic noble rebellion. As a result, the relationships between these kings and the ruling noble elite, and amongst the members of the broader political community, were subjected to severe strains.

Richard II had come to the throne in 1377 after both his father, Edward the Black Prince, and his grandfather Edward III had died in rapid succession. Aged only ten at his coronation, Richard was ill-prepared to rule a realm already wracked by political discord dating to the later years of Edward III's reign and burdened by the increasingly heavy costs of war with France. Richard's rule was threatened early on by the major rebellion of 1381 known as the Peasants' Revolt, and his reign continued to be marked by periods of severe political crisis and alleged misgovernment until he was deposed by his cousin Henry of Lancaster in 1399. The usurper, who became Henry IV, did not have a clear dynastic right to the throne and was forced to establish his claim upon a dubious mixture of bloodright, conquest, divine election, and acclaim by parliament.<sup>13</sup> When conditions became difficult for the new monarch, with his money running short, a rebellion in Wales, and renewed threats of attack by the French and the Scots, Henry IV was faced with a resistant political community and repeated outbreaks of rebellion. It was not until divine sanction of Henry V's kingship was 'proved' by his victory at Agincourt in 1415 that the Lancastrian dynasty sat securely on the English throne.

Richard II, Henry IV and Henry V all ruled England in a climate of persistent menace from external enemies. The Hundred Years War against France continued throughout much of this period, punctuated only by brief interludes of truce.<sup>14</sup>

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*Political History*, 2<sup>nd</sup> ed., London: Routledge, 2003; Anthony Musson and W. M. Ormrod, *The Evolution of English Justice: Law, Politics and Society in the Fourteenth Century*, London: Macmillan Press, 1999. For general studies on the reigns of Richard II and Henry IV, see Michael Bennett, *Richard II and the Revolution of 1399*, Stroud, UK: Sutton Publishing, 1999; Gwilym Dodd and Douglas Biggs (eds.), *Henry IV: The Establishment of the Regime, 1399-1406*, Woodbridge, UK: York Medieval Press, 2003; Gwilym Dodd and Douglas Biggs (eds.), *The Reign of Henry IV: Rebellion and Survival, 1403-1413*, Woodbridge, UK: York Medieval Press, 2008; Christopher Fletcher, *Richard II: Manhood, Youth, and Politics 1377 - 99*, Oxford: Oxford University Press, 2008; J.L. Kirby, *Henry IV of England*, London: Constable, 1970; Nigel Saul, *Richard II*, New Haven, CT: Yale University Press, 1997.

<sup>13</sup> On the reasons advanced for Richard II's deposition and in support of Henry of Lancaster's claim to the throne, see William Huse Dunham, Jr. and Charles T. Wood, 'The Right to Rule in England: Depositions and the Kingdom's Authority, 1327-1485', *The American Historical Review* 81, no. 4 (1976), pp.742-8; B. Wilkinson, 'The Deposition of Richard II and the Accession of Henry IV', *The English Historical Review* 54, no. 214 (1939), pp.215-39. On the continuing doubts about Henry IV's claim and Henry's strategies to secure his throne, see Paul Strohm, *England's Empty Throne: Usurpation and the Language of Legitimation, 1399 - 1422*, New Haven, CT: Yale University Press, 1998.

<sup>14</sup> Richard II's 1396 marriage to princess Isabella of France was accompanied by a 28-year truce (Saul, *Richard II*, p.227) but hostilities recommenced after his deposition.

Chroniclers recount numerous instances of English shipping being plundered in the Channel and of English port towns being attacked and burnt by French soldiers. The Scots were another significant problem. They were occasional allies of the French in their wars against England, and they frequently conducted raids on the English settlements across their borders. The English kings campaigned against both Scotland and France while also struggling to pacify the rebellious Welsh. The Scots and Welsh were seen as particularly barbaric and treacherous enemies of the realm, and English campaigns against them form a background to several accounts of treason discussed in Chapter Two.

From the 1380s, these external dangers were joined by the perception of a new internal enemy to security in the form of the Lollard heresy.<sup>15</sup> While initially, it was primarily orthodox ecclesiastics who were most worried about the threat Lollardy posed to their authority,<sup>16</sup> by the later 1380s, Lollardy was beginning to emerge as a theme in political discourse. Anti-Lollard statutes were passed in the troubled parliament of 1388 (discussed further in Chapter Two), and Lollardy again erupted onto the political scene in the mid-1390s, with anti-clerical polemics being nailed to the doors of St Paul's and the hall of Westminster while parliament was in session.<sup>17</sup> From the start of his reign, Henry IV attempted to bolster his legitimacy as a divinely ordained Christian king by actively supporting the orthodox establishment in the campaign against Lollardy.<sup>18</sup> Heresy and treason had long been loosely associated in medieval minds as forms of rebellion against God's natural order that were motivated by a 'seditious spirit'<sup>19</sup>. However, as will be seen, it was during Henry IV's reign that Lollardy began to appear as an explicit charge in cases of treason, reflecting the belief that heresy and treason were intrinsically related as dire threats to the unity of the

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<sup>15</sup> The term 'Lollard' was associated with followers of the Oxford cleric and reformer John Wyclif (or Wycliffe). Lollards believed in the individual's ability to commune directly with God, thus circumventing the mediating role of priests, and they rejected many of the trappings of the Catholic church, including saints and pilgrimage. For general studies on Lollard beliefs and the role this religious group played in late medieval England, see Anne Hudson, *The Premature Reformation: Wycliffite Texts and Lollard History*, Oxford: Clarendon Press, 1988; Richard Rex, *The Lollards*, New York: Palgrave, 2002; Fiona Somerset, Jill C. Havens, and Derrick G. Pitard (eds.), *Lollards and Their Influence in Late Medieval England*, Woodbridge, UK: Boydell Press, 2003.

<sup>16</sup> Cole traces the textual history of the 'invention' of Lollardy by bishops and monastic chroniclers in Andrew Cole, 'William Langland and the Invention of Lollardy' in Somerset, Havens, and Pitard.

<sup>17</sup> Bennett, pp.34-41, 67-8; Saul, *Richard II*, 297-301; Lynn Staley, *Languages of Power in the Age of Richard II*, University Park, PA: Pennsylvania State University Press, 2005, pp.104-8.

<sup>18</sup> Rex, pp.83-4; Leonard W. Levy, *Treason against God: A History of the Offense of Blasphemy*, New York: Schocken Books, 1981, p.166.

<sup>19</sup> Levy, pp.103-13, quote at 103. Cf. Ian Forrest, *The Detection of Heresy in Late Medieval England*, Oxford: Oxford University Press, 2005, pp.150-1.

English body politic.<sup>20</sup> The charge of Lollardy was also accompanied by a distinctive punishment when, under the 1401 statute *De Haeretico Comburendo*, death by burning became the secular penalty for relapsed heretics in England.<sup>21</sup>

During the period under consideration in this study, the English political community was also being unsettled by a longer-term trend towards increased social mobility. and this generated anxieties about social status and the political privileges it secured. A key contention of this project is that the category of 'knight' (or 'noble', as the terms were being used interchangeably in England by the fourteenth century)<sup>22</sup> was crucial to the construction of the 'traitor'. For the purposes of my argument, it is important to note that while the identity of 'knight' may initially seem unproblematic and self-evident, knighthood was in fact an ambiguous and highly-contested construct in later medieval England; this ambiguity was driven, in part, by increasing social mobility. There is ample research to show that, in contrast to France, England's social structure was much more fluid, with a less rigidly defined hierarchy and a good deal of potential for people to move up or down in standing.<sup>23</sup> As a result, there was greater blurring of status across the ranks of what may broadly be termed 'aristocratic' society, from the titled peerage and higher nobility to knights and esquires, and increasingly, the greater urban merchants.<sup>24</sup> As social mobility increased, so too did uncertainty about what made a man truly 'noble', with factors including land tenure, ancient lineage, military service or, increasingly, the provision of administrative and financial services to the king being seen as of greater or lesser importance.

The nature of nobility, what conferred it, and what caused it to be lost had become matters of intense debate by the later fourteenth and early fifteenth centuries.<sup>25</sup> This angst was not merely a matter of social snobbery. The stakes were

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<sup>20</sup> The classic works on this connection between sedition and heresy in late medieval England remain M. E. Aston, 'Lollardy and Sedition 1381-1431', *Past & Present*, no. 17 (1960), pp.1-44; Margaret Aston, 'Corpus Christi and Corpus Regni: Heresy and the Peasants' Revolt', *Past and Present*, no. 143 (1994), pp.3-47. Strohm (*England's Empty Throne*, pp.32-62) posits that Henry IV exaggerated the threat that heresy posed to English society in order to legitimise and extend his own power as king.

<sup>21</sup> The statute is translated from the Latin in A. R. Myers (ed.), *English Historical Documents 1327 - 1485*, London: Eyre & Spottiswoode, 1969, pp.850-1.

<sup>22</sup> 'Knighthood' and '*noblesse*' or 'nobility' were considered identical social and moral states, so that to be a knight was to be noble: David Crouch, *The Birth of Nobility: Constructing Aristocracy in England and France 900-1300*, Harlow, UK: Pearson Longman, 2005, p.89; Maurice Keen, *Chivalry*, New Haven, CT: Yale University Press, 1984, pp.28-33, 145; Maurice Keen, 'Some Late Medieval Ideas About Nobility' in *Nobles, Knights and Men-at-Arms in the Middle Ages*, London: Hambledon Press, 1996, p.198.

<sup>23</sup> Crouch, *The Birth of Nobility*, pp.3-4; Richard W. Kaeuper, *Chivalry and Violence in Medieval Europe*, Oxford: Oxford University Press, 1999, pp.111-12.

<sup>24</sup> Keen, *Chivalry*, p.128.

<sup>25</sup> Keen, 'Some Late Medieval Ideas About Nobility', p.192; Keen, *Chivalry*, pp.146-48.



high, as noblemen asserted a 'natural', because blood-borne, right to be the king's counsellors and officers and, by extension, attempted to dominate access to political power and its socio-economic benefits. When 'new' men of relatively humble birth rose to noble status through their service to the king, the 'old' nobility of blood moved to close ranks, so that in both chivalric literature and in the political discourse of fourteenth- and early fifteenth-century England, the trope of 'wicked counsellors' regularly surfaced and the king was urged to 'free himself of low-born advisers and rely solely on people who count[ed], that is, on men of "the right blood"'.<sup>26</sup>

This concern about people being out of their 'rightful' place in the natural order was also driven by broader social change and dislocation over the course of the fourteenth century. In an urban context in particular, where growing wealth and on-going migration from the countryside were rapidly changing the social composition of the population, this concern manifested in a fear that people were not what they appeared to be. One symptom of this was the imposition of sumptuary laws, which sought to identify people's true social standing by their clothing and other outer trappings. The desire to discern inner character by outer appearance also saw the study of physiognomy flourishing in the fourteenth century.<sup>27</sup> At a more quotidian level, community leaders responded to the social problem of vagrancy with repeated warnings and campaigns against people who deceptively disguised themselves as false beggars or false pilgrims in order to avoid honest work.<sup>28</sup>

Unstable kingship, endemic war, the perception of new 'enemies within' in the form of heretics, and longer term changes that augmented anxieties over status all contributed to a climate of political and social volatility. Within this context, the varied meanings with which the body was saturated could generate unpredictable, even subversive, responses in those who witnessed the spectacle of the traitor's execution.

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<sup>26</sup> Kaeuper, *Chivalry and Violence*, p.105. On the theme of 'wicked advisers' in political discourse, see Joel T. Rosenthal, 'The King's "Wicked Advisers" and Medieval Baronial Rebellions', *Political Science Quarterly* 82, no. 4 (1967), 595-618. For an in-depth treatment of the theme of 'counsel' in late medieval English political advice literature and 'mirrors for princes', see Judith Ferster, *Fictions of Advice: The Literature and Politics of Counsel in Late Medieval England*, Philadelphia, PA: University of Pennsylvania Press, 1996.

<sup>27</sup> On the study of physiognomy in medieval England see Derek Neal, *The Masculine Self in Late Medieval England*, Chicago: University of Chicago Press, 2008, pp.124-9.

<sup>28</sup> Common warnings included those against false pilgrims, false prophets, false (dishonest) traders, and false beggars. Rexroth addresses these contemporary discourses in depth in the context of urban regulation of trading and begging: Frank Rexroth, *Deviance and Power in Late Medieval London*, trans. Pamela E. Selwyn, Cambridge: Cambridge University Press, 2007.



## Historiography

This research into the meanings generated through the traitor's body draws from two historiographical trends. The first is a more traditional legal history that concentrates on the development of definitions of treason under a variety of medieval jurisdictions. The second is a more interdisciplinary scholarship that seeks to understand the cultural meanings of rituals of capital punishment in pre-modern societies.

The phenomenon of treason in later medieval England has most often been studied from the perspective of legal and constitutional history, and of the processes and institutions that developed in response to specific political circumstances.<sup>29</sup> Research has tended to concentrate on jurisprudence and on the extent to which abstract principles of Roman civil law were applied in later medieval England (particularly in relation to the common law definition of treason first established in the 1352 Statute of Treasons), rather than consider the punished traitor as an object of enquiry. By contrast, historians of early modern crime and punishment, influenced by Michel Foucault's seminal interpretation of the marked and punished body of the criminal as a public 'expression of the power that punishes',<sup>30</sup> have focused on the ritual of execution itself, seeing it as integral to expressing and consolidating the power of absolutist states.<sup>31</sup> Esther Cohen explains that for later medieval monarchs seeking

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<sup>29</sup> The definitive full-length study for England remains J. G. Bellamy, *The Law of Treason in the Later Middle Ages*, Cambridge: Cambridge University Press, 1970. Valuable comparative material can be found in S. H. Cuttler, *The Law of Treason and Treason Trials in Later Medieval France*, Cambridge: Cambridge University Press, 1981. Investigation of specific aspects of the trial and punishment of traitors, with a common interest in whether such proceedings were legal or 'constitutional' and in the changing role of parliament in prosecuting such cases, is pursued in M. H. Keen, 'Treason Trials under the Law of Arms: The Alexander Prize Essay', *Transactions of the Royal Historical Society* 12 (1962), pp.85-103; M. V. Clarke, 'Forfeitures and Treason in 1388' in *Fourteenth Century Studies* by M. V. Clarke, ed. L. S. Sutherland and M. McKisack, London: Oxford University Press, 1937; J. R. Lander, 'Attainder and Forfeiture, 1453 to 1509', *The Historical Journal* 4, no. 2 (1961), pp.119-51; Alan Rogers, 'Parliamentary Appeals of Treason in the Reign of Richard II', *The American Journal of Legal History* 8, no. 2 (1964), pp.95-124; C. D. Ross, 'Forfeiture for Treason in the Reign of Richard II', *The English Historical Review* 71, no. 281 (1956), pp.560-75.

<sup>30</sup> Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan, New York: Random House, 1995, p.34.

<sup>31</sup> The main historical studies covering the sixteenth and seventeenth centuries are Richard van Dulmen, *Theatre of Horror. Crime and Punishment in Early Modern Germany*, trans. Elisabeth Neu, Cambridge: Polity Press, 1990; Pieter van Spierenburg, *The Spectacle of Suffering. Executions and the Evolution of Repression: From a Preindustrial Metropolis to the European Experience*; Cambridge: Cambridge University Press, 1984. The work of Esther Cohen on late medieval and early modern France has also been valuable to this research: Esther Cohen, 'Symbols of Culpability and the Universal Language of Justice: The Ritual of Public Executions in Late Medieval Europe', *History of European Ideas* 11 (1989), pp.407-16; Esther Cohen, "'To Die a Criminal for the Public Good": The Execution Ritual in Late Medieval Paris' in *Law, Custom, and the Social Fabric in Medieval Europe*, ed.

to exert their power over seigniorial and other competing jurisdictions, 'justice was synonymous with political lordship', and to 'do justice (*faire justice*)' was, at its logical extremity, to have the power to put subjects to death.<sup>32</sup> These studies envisage the publicly executed body as a text that communicated both the 'proof' of individual guilt and the judicial right of authorities to punish. They have also shown that the ritual of execution operated simultaneously as a spectacle of secular judicial power (whether civic or princely) and as a 'quasi-religious popular festival' that restored order and unity to the body politic through the sacrifice of a penitent sinner.<sup>33</sup> However, because this work largely focuses on Continental developments from the sixteenth century onwards, the interpretive models it offers are of limited utility for reading the execution ritual in late medieval England, a time and place in which 'state' power, although increasingly centralised in the monarch and the institutions of royal administration and justice, was far from 'absolute'.

It is only within the last decade that historians have begun to interrogate the specific and contingent meanings and practices of the execution ritual in late medieval England. Leading this work are several studies by Royer and Westerhof.<sup>34</sup> Using a cluster of examples of spectacular justice from the late thirteenth and early fourteenth centuries - particularly the executions of Dafydd ap Gruffydd in 1283, William Wallace in 1305, and Hugh Despenser the Younger in 1326 - they have read the execution ritual within a wider cultural frame by juxtaposing the dismemberment of the bodies of these high-status traitors with the bodily division and multiple burials of later medieval royal and noble funeral practice. Both historians focus on the treatment of the traitor's body in the moments immediately before, during and after death - what Royer terms 'the

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Bernard S. Bachrach and David Nicholas, Kalamazoo, MI: Medieval Institute Publications, 1990; Esther Cohen, *The Crossroads of Justice: Law and Culture in Late Medieval France*, Leiden, The Netherlands: E.J. Brill, 1993. It should be noted that none of these works specifically analyses the traitor's execution, but focus instead on 'criminals' as a more general category.

<sup>32</sup> Cohen, *The Crossroads of Justice*, p.181.

<sup>33</sup> Van Dulmen, p.3.

<sup>34</sup> Katherine Royer, 'The Body in Parts: Reading the Execution Ritual in Late Medieval England', *Historical Reflections/Reflexions Historiques* 29, no. 2 (2003), pp.319-39; Katherine Royer, 'Dead Men Talking: Truth, Texts and the Scaffold in Early Modern England' in *Penal Practice and Culture, 1500-1900. Punishing the English*, eds. Simon Devereaux and Paul Griffiths, New York: Palgrave Macmillan, 2004; Danielle Westerhof, 'Deconstructing Identities on the Scaffold: The Execution of Hugh Despenser the Younger, 1326', *Journal of Medieval History* 33, no. 1 (2007), pp.87-106; Westerhof, *Death and the Noble Body*. Bothwell also includes some discussion of individual executions in his study on noble 'fortune': J.S. Bothwell, *Falling from Grace: Reversal of Fortune and the English Nobility, 1075-1455*, Manchester: Manchester University Press, 2008.

somatic discourse of the scaffold' - and on the status inversions invoked by drawing and by the ritualised stripping of spurs, sword and other marks of noble status.<sup>35</sup>

Royer contrasts representations of executions from the later medieval period with those from the sixteenth century to argue for a shift from an earlier pre-Reformation focus on the crime that was 'proved' by the patterns inscribed on an objectified, dismembered and displayed body, to a Reformation-era interest in the criminal himself as an active subject. In this later context, Royer also addresses the notion of penitential sacrifice. She points out that the salvific valences attached to pain and suffering in Christian theology created an environment in which the criminal's behaviour during execution could be interpreted as enabling his posthumous reintegration into the body of Christ through contrition and patient suffering.<sup>36</sup>

Westerhof is unique in incorporating gender into her analysis of the punishment of noble traitors. She interprets the destruction and dismemberment of the body as the deconstruction and permanent undoing of noble masculine identity as it was vested in the corporeally and morally intact body of the ideal knight. Following the work of Bynum and Brown, she argues that the carefully planned and reverent bodily division and distribution involved in noble burial rites emphasised the dead person's continued membership of both the temporal body politic and the eternal body of Christ that encompassed all believers, living and dead.<sup>37</sup> By contrast, she contends that the irreverent and humiliating division and destruction of the traitor's body served to limn the borders of a whole and intact body politic by specifically excluding the traitor from it both before and after death.

### **Directions for enquiry**

These studies have provided valuable new insights into the cultural signification of the traitor's body and the ritual of execution but, as this research will show, they can be extended and in some respects challenged by the analysis of examples from the late fourteenth and early fifteenth centuries. In several of these cases, rather than being the passive object of punitive power, the condemned traitor

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<sup>35</sup> Royer, 'Dead Men Talking', p.65.

<sup>36</sup> Royer sees this shift as a transformation in the sixteenth century 'from object to agent' and connects it to Reformation martyrdoms: Royer, 'Dead Men Talking', p.73. Cf. Trisha Olson, 'The Medieval Blood Sanction and the Divine Beneficence of Pain: 1100-1450', *Journal of Law and Religion* 22, no. 1 (2006), pp.63-129. Olson focuses on the theological and philosophical foundations for medieval blood sanctions, but includes some examples of executed criminals provoking sympathetic responses as contrite and penitential sinners.

<sup>37</sup> On the elite funeral practices of bodily division and distribution, see E. A. R. Brown, 'Death and the Human Body in the Later Middle Ages: The Legislation of Boniface VIII on the Division of the Corpse', *Viator* 12 (1981), pp.221-70.

emerges as an active, speaking, and sometimes-sympathetic subject, who maintains his noble identity despite (and sometimes because of) his apparently shameful death. In other cases, it is the seemingly self-evident categories of 'nobility' and 'kighthood' that are undermined: accused traitors could claim noble privileges in the manner of their trial and punishment, but resistance to those claims from other men could result in these categories being publicly called into question. This research also complicates the widespread interpretation of the execution ritual as the archetypal expression of 'state' or monarchical power by considering the implications of occasions when it is *not* the king, but some other authority, that punishes.

The complex relationship between aristocratic masculinity as it was embodied in the identity of 'knight' and the construction and punishment of the traitor is also considered at length in this study. The question of gender is critical because the 'traitor' was produced by a late medieval body politic that was imagined as a masculine entity symbolised by the male body of the king, and governed and defended by the idealised bodies of knights. In practical terms, this body politic functioned almost entirely through social and somatic bonds of kinship (blood), service and patronage between men. While women could occasionally gain informal and *ad hoc* authority, the formal organs of power, from the royal household and court to the martial and administrative structures that supported a system of personal monarchical rule, were exclusively masculine entities.<sup>38</sup> Key works on the history of chivalry all note the traitor as the social, moral - and often physical - inversion of the 'true knight'.<sup>39</sup> However, none of these studies address a gender binary that is implicit in this opposition of 'traitor' to 'knight', and that is made explicit in the process of punishment. Nor do they analyse its implications for the construction of chivalric masculinity, which privileged social and physical bonds of love, blood, and loyalty between men. My contention in this study is that the traitor is by definition a product of the very system that disavows him as 'other': it is from within the gendered body politic that he emerges. Therefore,

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<sup>38</sup> On royal and aristocratic households as male space see Chris Given-Wilson, *The Royal Household and the King's Affinity: Service, Politics, and Finance in England, 1360-1413*, New Haven, CT: Yale University Press, 1986, pp.1-60; Hicks, *English Political Culture*, pp.43-52, 101-4; W. M. Ormrod, *Political Life in Medieval England 1300-1450*, New York: St Martin's Press, 1995, pp.19-21. On the relationships of service, patronage and kinship between men that underpinned medieval government, see Chris Given-Wilson, *The English Nobility in the Late Middle Ages. The Fourteenth Century Political Community*, London: Routledge & Kegan Paul, 1987; Rosemary Horrox, 'Service' in *Fifteenth-Century Attitudes: Perceptions of Society in Late Medieval England*, ed. Rosemary Horrox, New York: Cambridge University Press, 1994; Kate Mertes, 'Aristocracy' in Horrox (ed.), *Fifteenth-Century Attitudes*; Anthony Tuck, *Richard II and the English Nobility*, London: Edward Arnold, 1973.

<sup>39</sup> For example, Richard Barber, *The Knight and Chivalry*, London: Longman, 1970; Kaeuper, *Chivalry and Violence*; Keen, *Chivalry*.

through his punishment he becomes a focus for anxieties about the nature of aristocratic masculinity and the risks that inhere in relationships of power that rely so heavily on intimacy between men.

Historians of crime and punishment in later medieval England have noted the increasingly theatrical nature of public executions for treason from the mid-thirteenth century, and have explained it as the result of several pressures: the repressive brutality of warfare in Scotland and Wales, the growing study of Roman civil law with its extreme punishments, the exigencies of negotiating political conflicts between baronial factions, and attempts by individual kings to assert their sovereign authority by establishing a royal monopoly on violence.<sup>40</sup> While it is not the intention of this study to engage directly in this debate over causes, I do intend to examine in depth one critical development that has been largely overlooked from a historical perspective. This was the emergence of the distinctive form of late medieval piety that advocated meditation on and active somatic identification with the tortured and executed body of Christ.<sup>41</sup> In fourteenth- and fifteenth-century England, this focus was reflected in both public and private devotional contexts. Vernacular works of personal meditation contained richly descriptive narratives of the bodily tortures of the Passion, such as Richard Rolle's (d.1349) mystical vision of Jesus, 'thi woundis now openen, the skyn al to-drawen...thi face is al bolned [swollen] that first was so fair; thi iointis vndoon'.<sup>42</sup> Meanwhile, for audiences in public spaces, sermons and homilies such as those in *Mirk's Festial* (ca. 1400) and hagiographies like those in Jacob de Voragine's enormously popular *Golden Legend* told in graphic detail the stories of the Passion and

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<sup>40</sup> See for example, Bellamy, pp.7-55; Bothwell, pp.59-63; Royer, 'The Body in Parts', pp.322-23. Bynum locates this phenomenon within the broader context of a new interest in bodily division and wholeness and in the status of the material body between death and resurrection (*The Resurrection of the Body*, pp.322-24).

<sup>41</sup> On English and Northern European devotional focus on the bodily sufferings of Christ, the Five Wounds, and the instruments of the Passion, see Caroline Walker Bynum, *Wonderful Blood: Theology and Practice in Late Medieval Northern Germany and Beyond*, Philadelphia, PA: University of Pennsylvania Press, 2007, pp.1-21. On crucifixion piety and devotional practices of *imitatio Christi*, see Beckwith, pp.45-77; Ellen M. Ross, *The Grief of God: Images of the Suffering Jesus in Late Medieval England*, Oxford: Oxford University Press, 1997. On the general religious context of later medieval England, see Andrew Brown, *Church and Society in England, 1000-1500*, New York: Palgrave Macmillan, 2003; Eamon Duffy, 'Religious Belief' in *A Social History of England, 1200-1500*, ed. Rosemary Horrox and W. Mark Ormrod, Cambridge: Cambridge University Press, 2006.

<sup>42</sup> Quoted in Thomas Bestul, 'The Passion of Christ and the Institution of Torture' in *Texts of the Passion: Latin Devotional Literature and Medieval Society*, ed. Thomas Bestul, Philadelphia, PA: University of Pennsylvania Press, 1996, p.146. Cf. the fourteenth- and fifteenth-century English texts extracted in Anne Clark Bartlett and Thomas H. Bestul (eds.), *Cultures of Piety: Medieval English Devotional Literature in Translation*, Ithaca, NY: Cornell University Press, 1999.

of the martyrdoms of saints.<sup>43</sup> Church art, public performances of ‘mystery’ plays, and the practices of pilgrimage and relic veneration provided other avenues through which late medieval English men and women could be encouraged to experience somatic and emotional identification with the tortured and executed bodies of Christ and the martyrs.

A number of recent studies by scholars of medieval art and drama have traced a relationship between piety and punishment in one direction, examining the influence of secular practices of judicial torture and execution on the gruesomely realistic depictions of tormented bodies in late medieval art. For example, Mills, Enders, and Merback explore the visual depiction and theatrical enactment of specific, localised practices of public punishment in artistic and dramatic representations of Christ’s Passion and the martyrdoms of saints.<sup>44</sup> Discussing medieval public theatre, where props such as pigs’ blood and trick weapons were used to heighten the dramatic realism of saints’ plays, Enders notes that the ‘boundaries between fictional and non-fictional violence...were consistently blurred by the reliance of the legal process on spectacle and the reliance of dramatic spectacle on the legal process’.<sup>45</sup> However, while scholars have investigated the ways contemporary execution practices were reflected in late medieval art and drama, ‘much less studied is the way in which the execution drew upon the Passion’.<sup>46</sup> One goal of this study is to begin systematically to trace the historical relationship between piety and punishment back the other way, by showing how the Passion topos shaped the public executions of certain traitors and by exploring its political implications. While to date, there has been little historical analysis of the possible correlations between the punished bodies of traitors and the holy bodies venerated in imagery, drama, and devotional texts, I will present evidence that suggests a very real connection existed in the minds of contemporary participants and

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<sup>43</sup> Theodor Erbe (ed.), *Mirk’s Festial. A Collection of Homilies, Part I*, London: Early English Text Society E. S. 96, 1905; Jacobus de Voragine, *The Golden Legend. Readings on the Saints*, trans. William Granger Ryan (2 vols.), Princeton, NJ: Princeton University Press, 1993.

<sup>44</sup> Jody Enders, *The Medieval Theater of Cruelty: Rhetoric, Memory, Violence*, Ithaca, NY: Cornell University Press, 1999; Mitchell B. Merback, *The Thief, the Cross, and the Wheel: Pain and the Spectacle of Punishment in Medieval and Renaissance Europe*, Chicago: University of Chicago Press, 1998; Robert Mills, *Suspended Animation: Pain, Pleasure and Punishment in Medieval Culture*, London: Reaktion Books, 2005; Seth Lerer traces the links between late medieval judicial and dramatic spectacle in his study of aesthetic conventions in the Croxton and Wakefield cycle plays: “‘Representyd Now in Yower Syght’: The Culture of Spectatorship in Late-Fifteenth-Century England” in Hanawalt and Wallace (eds.) *Bodies and Disciplines*.

<sup>45</sup> Enders, p.186.

<sup>46</sup> Olson, p.112. Bothwell (p.62) and Royer (‘The Body in Parts’ p.326) briefly note the contemporaneous focus on the body of Christ crucified, but without further analysing the connection between that central cultural image and practices of punishment.



spectators. Further, I contend that this association at times provoked subversive and resistant readings of royal acts of exemplary punishment that highlighted division and dissension, rather than unity, in the body politic, and that called into question the legitimacy of the power that punished.

### Theoretical framework

My approach to reading the cultural meanings of traitors' bodies is informed by a theoretical framework that brings together three interconnecting premises. The first, influenced by the work of Judith Butler as it has been applied in the field of medieval studies, views both gender and social status as performative, in that identity is embodied, sustained and contested through appearance, gesture, clothing, conduct, display and other outward signs of inner social and moral standing.<sup>47</sup> The second, guided by work on the multivalent symbolism of urban spaces in later medieval towns, is to understand that bodies do not perform in a vacuum. Rather, 'the body is a spatial as well as a social entity', and the way bodies interact with and perform through urban spaces both constructs and contests moral, social and political order.<sup>48</sup> The third consideration, which is deeply intertwined with bodily performance, is that in medieval culture the body was considered an authoritative grounds of proof in a judicial, social, and moral sense.

Turning to my first premise, the gendered and status-bound identities of 'knight' and 'noble' are critical to the analysis of the construction of the traitor in this study.<sup>49</sup> Although these categories may at first seem fixed and self-evident, they were much more mutable than they appear. My approach here is guided by the premise that

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<sup>47</sup> Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity*, New York: Routledge, 1990; Judith Butler, *Bodies That Matter: On the Discursive Limits of 'Sex'*, New York: Routledge, 1993. Of most relevance to this study are recent works that investigate from various angles the construction of medieval masculinities and social identities. Key works include Jeffrey Jerome Cohen and Bonnie Wheeler (eds.), *Becoming Male in the Middle Ages*, New York: Garland, 1997; Ruth Mazo Karras, *From Boys to Men: Formations of Masculinity in Late Medieval Europe*, Philadelphia, PA: University of Pennsylvania Press, 2003; Mathew Kuefler, 'Male Friendship and the Suspicion of Sodomy in Twelfth-Century France' in *Gender and Difference in the Middle Ages*, ed. Sharon Farmer and Carol Braun Pasternack, London: University of Minnesota Press, 2003; D. M. Hadley (ed.), *Masculinity in Medieval Europe*, London: Longman, 1999; Clare A. Lees (ed.), *Medieval Masculinities: Regarding Men in the Middle Ages*, Minneapolis, MN: University of Minnesota Press, 1994; Jacqueline Murray (ed.), *Conflicted Identities and Multiple Masculinities: Men in the Medieval West*, New York: Garland, 1999; Neal, *The Masculine Self*.

<sup>48</sup> Lilley, p.162. Lilley's work is primarily concerned with civic performances such as Corpus Christi plays and processions, and to a lesser extent with the spatial marginalisation of 'deviants' such as lepers and prostitutes. However, his framework has proven extremely useful for interpreting the spatial symbolism involved in execution practices.

<sup>49</sup> As I will demonstrate in further depth in Chapter Two, by the later fourteenth century, the terms 'knight' and 'noble' and ideas of 'kighthood' and 'nobility' were being used interchangeably.

gender is socially constructed, rather than being the pre-determined product of biological sex difference, and is both relational and performative. Therefore, gendered identities are fluid rather than fixed, and normative categories of masculinity and femininity are subject to challenge, disruption, and change over time.<sup>50</sup> In late medieval culture, masculinity was constructed relationally, not only in opposition to the feminine but also, and perhaps more importantly, in interaction, co-operation, or conflict with other men.<sup>51</sup>

The aristocratic masculine identity embodied through the performance of knighthood appears particularly fragile when considered within the context of late medieval England's fluid and highly competitive social structure. In chivalric literature and didactic treatises on noble conduct, as well as in the sphere of practical politics, the debate over 'nobility' was marked by persistent, unresolved tension between the importance of 'performance' of knightly virtues such as prowess in arms, *largesse* and loyalty, and the privileging of noble blood and birth.<sup>52</sup> In many instances, performance and blood were hopelessly intertwined, with each seeming to serve as 'proof' of the other. The issue was rendered more complex because knighthood was seen as much as an inner moral state as an external social status. Moreover, kings also modelled themselves as ideal knights, and this meant that the debate over 'knighthood' could influence the discourses of high politics.<sup>53</sup> Given the slipperiness of any claim to noble

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<sup>50</sup> This is a necessarily brief summary of a large body of theoretical and historical scholarship on gender. Of most relevance to this study are Joan Cadden, *Meanings of Sex Difference in the Middle Ages: Medicine, Science, and Culture*, Cambridge: Cambridge University Press, 1993; Sharon Farmer and Carol Braun Pasternack (eds.), *Gender and Difference in the Middle Ages*, London: University of Minnesota Press, 2003; Ruth Mazo Karras, *Sexuality in Medieval Europe: Doing Unto Others*, New York: Routledge, 2005; Karma Lochrie, Peggy McCracken, and James A. Schultz (eds.), *Constructing Medieval Sexuality*, Minneapolis, MN: University of Minnesota Press, 1997; Jacqueline Murray, 'Hiding Behind the Universal Man: Male Sexuality in the Middle Ages' in *Handbook of Medieval Sexuality*, ed. V. L. Bullough and J. A. Brundage, New York: Garland, 1996; Jacqueline Murray, "'The Law of Sin That Is in My Members": The Problem of Male Embodiment' in *Gender and Holiness: Men, Women and Saints in Late Medieval Europe*, ed. Samantha J. E. Riches and Sarah Salih, London: Routledge, 2002; Joyce E. Salisbury, 'Gendered Sexuality', in Bullough and Brundage; Richard E. Zeikowitz, *Homoeroticism and Chivalry: Discourses of Male Same-Sex Desire in the Fourteenth Century*, New York: Palgrave Macmillan, 2003. Joan Scott's seminal work has also been invaluable to me in theorising the relationships between gender and political power in this research: Joan W. Scott, 'Gender: A Useful Category of Historical Analysis', *The American Historical Review* 91, no. 5 (1986), pp.1053-75.

<sup>51</sup> Jacqueline Murray, 'Introduction' in Murray (ed.), *Conflicted Identities*, p.xii.

<sup>52</sup> A comprehensive survey of this debate, covering both the primary sources and recent historical interpretations, is provided in Westerhof, *Death and the Noble Body*, pp.33-56.

<sup>53</sup> The modelling of ideal 'knighthood' by late medieval kings is evidenced in such pursuits as the royal foundation of the knightly Order of the Garter, which was headed by the English king and included a number of foreign kings and princes amongst its brotherhood. Cf. Hugh E. L. Collins, *The Order of the Garter 1348-1461. Chivalry and Politics in Late Medieval England*, Oxford: Clarendon



or knightly status and associated political power, it is unsurprising that the visual, external markers of identity as a 'knight' or 'nobleman' were critical, and that recent scholarship on late medieval aristocratic culture has emphasised the 'public and performative features of its discourse'.<sup>54</sup> Such performances were of enormous significance for accused traitors, because a convincing representation as a 'true' knight could spare one the more agonising and humiliating elements of the execution ritual, with public drawing, stripping, hanging, and quartering being commuted to a quick and honourable beheading. As we shall see, some of the traitors encountered later in this study became culturally problematic because their embodiment of knighthood was perceived as false, in that their external performance as a 'knight' did not reflect true inner nobility. This perception that outer form did not match inner 'truth' expressed characteristic late medieval ambivalence over what conferred 'true' noble status, and it also echoed more general cultural concerns about deceptive appearances and performances.

The traitor's death involved a ritualised procession through urban spaces that was intended to convey specific meanings, visually enacting the power of the king 'to divide others who threatened the body politic with division'.<sup>55</sup> While an anachronistic reading might view a punishment that could include drawing, hanging, disembowelling and quartering simply as sadistic excess, a more context-sensitive analysis shows that each element was carefully structured and planned. In other words, we are not dealing with random acts of violence, but with 'royally-staged pageants' that articulated perceptions of law, justice, and the power of the king.<sup>56</sup> The traitor's interaction with urban spaces during the procession to his death, as well as the places his body parts were displayed after death, were integral to constructing and communicating those messages. To return to the execution of Thomas Usk, we recall that he was first drawn through the city of London out to Tyburn, the place beyond the city walls where common criminals were disposed of, and that his head was then placed above Newgate. The execution at Tyburn emphasised the fact that the traitorous Usk, formerly a man of some standing in the urban body politic, was no longer a part of that social and political order. Instead, like lepers, prostitutes and other morally and physically 'diseased' people who were often forbidden from being within the walls of medieval towns, he had been marked out as a corrupted limb to be excised from the city imagined and

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Press, 2000; Juliet Vale, *Edward III and Chivalry: Chivalric Society and its Context 1270-1350*, Woodbridge, UK: Boydell Press, 1982.

<sup>54</sup> Lerer, p.33.

<sup>55</sup> Binski, p.65.

<sup>56</sup> Cohen, *The Crossroads of Justice*, p.3.

produced as a corporeal entity.<sup>57</sup> The placement of Usk's head served two further purposes. To anyone entering or leaving the city through the major portal of Newgate, it sent a graphic message about the exemplary power to punish; but it was also more personal, as Usk's head was put above Newgate 'because his family lived in that part of the city and was much hated'.<sup>58</sup>

Cohen notes that the route of criminals on the way to the scaffold 'consisted of a symbolic use of urban space echoing other public ceremonies'.<sup>59</sup> This was true in Usk's case because his route through London was of a similar (although inverted) processional pattern to that used for royal entries.<sup>60</sup> As such, it indicates that rituals of execution need to be interpreted in light of other forms of urban spectacle.<sup>61</sup> However, while taking this approach to reading the execution ritual it is important to note that although royal entries and similar urban spectacles may have been intended to communicate certain ideas about hierarchy and social order, the public, urban and participative nature of such spectacles meant the reception of those messages could not always be predicted or controlled.<sup>62</sup> For example, Corpus Christi processions and the public performances of mystery plays involved the members of craft guilds and other groups who might use these events for their own purposes.<sup>63</sup> As Brown explains,

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<sup>57</sup> On the embodied city and spatial ordering that drew on classical and Christian ideas of the body as both microcosm and macrocosm, see Lilley, pp.7-12, 132. Lilley discusses the marking and expulsion of lepers, prostitutes, and other 'deviants' on pp.152-7.

<sup>58</sup> *Knighon's Chronicle*, p.501. The treatment of Thomas Usk in part reflected his active role in the factional politics of London civic government in the 1380s. I will return to this point in greater detail in the following chapter.

<sup>59</sup> Cohen, *The Crossroads of Justice*, p.160.

<sup>60</sup> For example, the route of a 1392 pageant celebrating Richard II's formal entry into London. This pageant is described in greater detail in Chapter Two.

<sup>61</sup> While a number of historians have noted the links between civic or royal ceremonial and medieval public theatre such as Corpus Christi and 'mystery' plays, the relationship between these types of urban spectacle and the spectacle of public execution has not generally been subjected to sustained historical analysis. Scholars studying medieval English drama have been more receptive to exploring the reciprocal relationship between pageantry and punishment: cf. Katie Normington, *Medieval English Drama: Performance and Spectatorship*, Cambridge: Polity Press, 2009, pp.48, 66;

<sup>62</sup> See for example the overviews provided by Kathleen Ashley, 'Introduction: The Moving Subjects of Processional Performance' in *Moving Subjects: Processional Performance in the Middle Ages and the Renaissance*, ed. Kathleen Ashley and Wim Husken, Amsterdam: Rodopi, 2001; Barbara A. Hanawalt and Kathryn L. Reyerson, 'Introduction' in *City and Spectacle in Medieval Europe*, ed. Barbara A. Hanawalt and Kathryn L. Reyerson, Minneapolis, MN: University of Minnesota Press, 1994; Nicholas Howe, 'Introduction' in *Ceremonial Culture in Pre-Modern Europe*, ed. Nicholas Howe, Notre Dame, IN: University of Notre Dame Press, 2007.

<sup>63</sup> In the York Cycle of mystery plays, which was performed each year in conjunction with the feast of Corpus Christi, each pageant was traditionally organised, paid for, and performed by a different guild. The guilds used this as an opportunity to express their wealth, prestige, and rank within the city hierarchy, and also to demarcate themselves from each other: Richard Beadle and Pamela M. King (eds.), *York Mystery Plays. A Selection in Modern Spelling*, Oxford, UK: Clarendon Press, 1984, pp.ix-xxix. (Hereafter, *York Mystery Plays*.) Sponsler (*Drama and Resistance*) presents numerous

'large spectacles involving crowds were inherently risky. Meanings of messages were always open to alternative interpretations or "misrecognitions"'.<sup>64</sup> The multivalent symbolism of urban landscapes and the unpredictable reception of performances within them meant that the spectacle of a traitor's execution could sometimes generate such alternative interpretations. The ritual that publicly divided and excised the traitor thus occasionally brought into marked relief dissension rather than unity within the body politic, with the punished body serving as the graphically marked locus of conflict.

My interpretation of the traitor's performing body as both a social and spatial entity is connected to my third interpretive premise, that of the body as a grounds of judicial, social, and moral proof. Scholars of medieval justice have explored this idea in a number of contexts, including the widespread medieval practice of trial by ordeal, the belief that murder victims would bleed in the presence of their killers, and stories of the 'bleeding host', or body of Christ, crying out for justice in later medieval myths of Jewish host desecration.<sup>65</sup> However, of particular interest here is the noble male body as a source of judicial proof in the practice of trial by battle. Trial by battle was a high-stakes bodily performance of both knightly status and aristocratic masculinity that appealed to God to reveal the innocent party. It was the last resort in cases where there were no witnesses or other forms of proof, and it was seen as particularly appropriate for 'heinous and clandestine' crimes such as treason.<sup>66</sup> In the years up to about 1200, trial by battle was an option open to any man, as long as his opponent was of an equivalent social status.<sup>67</sup> However, by the later Middle Ages, and particularly after the establishment of England's Court of Chivalry in the mid-fourteenth century, it came to be seen as a privilege of the nobility, when 'in personal causes involving the honour of men of high birth appeal to the judgement of God in battle was justified'.<sup>68</sup> In this study,

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examples of Corpus Christi processions and similar urban spectacles that became the occasion for competition, disorder, and fighting between various groups in the medieval city.

<sup>64</sup> Andrew Brown, 'Ritual and State-Building: Ceremonies in Late Medieval Bruges' in *Symbolic Communication in Late Medieval Towns*, ed. Jacoba Van Leeuwen, Louvain, Belgium: Leuven University Press, 2006, p.27.

<sup>65</sup> On trial by ordeal, see Robert Bartlett, *Trial by Fire and Water: The Medieval Judicial Ordeal*, Oxford: Clarendon Press, 1986. On murder victims and host desecration see Bettina Bildhauer, *Medieval Blood*, Cardiff, Wales: University of Wales Press, 2006, pp.20-1, 46.

<sup>66</sup> Bartlett, p.106.

<sup>67</sup> *ibid.*, 110.

<sup>68</sup> M. H. Keen and M. Warner, 'Introduction. Morley vs. Montagu (1399): A Case in the Court of Chivalry' in *Chronology, Conquest and Conflict in Medieval England. Camden Miscellany XXXIV*, London: Cambridge University Press, 1997, p.168. Bartlett (pp.108-10) discusses the connection between late medieval chivalric culture and the increasing perception of trial by battle as an exclusively aristocratic activity.

I consider successful and unsuccessful appeals to the right to trial by battle to explore how the traitor came to embody wider conflicts over the nature of 'false' and 'true' knighthood.

The body also attested to social and moral status, as was exemplified in the belief that a knight's whole and perfect body offered outer 'proof' of his inner noble virtue.<sup>69</sup> This was captured in advice such as that offered in the *Secreta Secretorum*, which recommended that the king's first consideration in choosing a counsellor should be his '[p]erfitnesse of lymes, well to fulfill al thynges for wych he is chosyn'.<sup>70</sup> This notion of bodily integrity as proof of 'true' knighthood and nobility had a potent analogue in the medieval belief that an incorruptible body was a proof of sanctity. Amongst the characteristic signs of sainthood were a body that, after death, resisted decomposition and remained whole, beautiful and sweet-smelling.<sup>71</sup> Conversely, a body that rotted and disintegrated while it was still alive was an external proof of inner corruption and sin, as was most vividly illustrated in medieval beliefs about leprosy.<sup>72</sup>

### Reading the 'body' in medieval sources

In *Discipline and Punish*, Foucault theorised the punished body as a text, asserting that 'the condemned man published his crime and the justice that had been meted out to him by bearing them physically on his body'.<sup>73</sup> This conception of the body as text has great utility in understanding medieval perceptions of embodiment as a form of narrative. At one end of the spectrum stood the idea of Christ as 'Word made flesh', with the sacred history of sacrifice and redemption written into his scourged and crucified body. This idea of Christ's body as a text was literally expressed in fourteenth- and fifteenth-century English 'Charters of Christ', devotional texts that compared the Passion to the process of preparing a document, with Christ's flesh as the parchment,

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<sup>69</sup> Westerhof (*Death and the Noble Body*, pp.40-2, 46-50) provides a useful survey of this theme in as it was reflected in chivalric literature and 'mirrors for princes', as well as in the later medieval study of physiognomy.

<sup>70</sup> Robert Steele (ed.), *Three Prose Versions of the Secreta Secretorum*, London: Early English Text Society, 1898, p.211. On the circulation and readership of this and other mirrors for princes in late medieval England, see Ferster.

<sup>71</sup> André Vauchez, *Sainthood in the Later Middle Ages*, trans. Jean Birrell, Cambridge: Cambridge University Press, 1997, pp.424-37.

<sup>72</sup> Saul Nathaniel Brody, *The Disease of the Soul: Leprosy in Medieval Literature*, Ithaca, NY: Cornell University Press, 1974; D. Jacquart and C. Thomasset, *Sexuality and Medicine in the Middle Ages*, trans. M. Adamson, Cambridge: Polity Press, 1988, pp.184-88. In the case of the leper king Baldwin IV of Jerusalem, his bodily disintegration was perceived as both the mirror and cause of the disintegration of his kingdom: Mark Gregory Pegg, 'Le Corps et l'Autorité: La Lèpre de Baudouin IV', *Annales. Économies, Sociétés, Civilisations* 45, no. 2 (1990), pp.265-87.

<sup>73</sup> Foucault, p.43.

his blood as the ink, and the scourging and other torments as the pens.<sup>74</sup> At the other end of the spectrum stood the body of the criminal, with each specific punishment inscribed upon it communicating the truth of a specific crime. For example, the 1326 judgement on one traitor specified that he should be hanged as a thief, drawn and quartered as a traitor, beheaded as a declared outlaw, and disembowelled as a man who had fomented strife in the realm.<sup>75</sup>

For both modern historians and medieval spectators alike, the traitor's 'marked and mutilated body constitutes a document to be interpreted or a text to be read'.<sup>76</sup> However, for the historian, there is little extant physical evidence outside the rare findings of an archaeological excavation to help us with this interpretation.<sup>77</sup> We are left, then, to 'read' the bodies of traitors as they were read by others, these 'readings' being recorded in sources such as chronicles, trial transcripts, and the records of parliament. A guiding premise for interpreting the texts used in this research is that they cannot be treated as transparent, unproblematic, and accurate eyewitness description. In a number of instances, the accounts may indeed have something approaching eyewitness status, being written by people who were likely present at the time and place of death. Such is the case with the 1388 treatise on the Merciless Parliament written by Thomas Favent, and the chronicles of the monk of Westminster, of Henry Knighton, and of Adam Usk, all of which provide rich sources of evidence to supplement 'official' records like the rolls of parliament.<sup>78</sup> In other cases, the accounts were written years or even decades after the events they record, or show the marks of repeated redaction and rewriting in response to changing political circumstances. *The St Albans Chronicle* of Thomas Walsingham, composed across multiple manuscripts between the 1370s and the 1420s, provides a classic example of this issue. Walsingham repeatedly re-wrote his versions of earlier events in light of later ones or changed his

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<sup>74</sup> R. N. Swanson, 'Passion and Practice: The Social and Ecclesiastical Implications of Passion Devotion in the Late Middle Ages' in *The Broken Body: Passion Devotion in Late Medieval Culture*, ed. A. A. MacDonald, H. N. B. Ridderbos, and R. M. Schlusemann, Groningen, Netherlands: E. Forsten, 1998, pp.20-2.

<sup>75</sup> G. A. Holmes, 'Judgement on the Younger Despenser, 1326', *The English Historical Review* 70, no. 275 (1955), pp.266-7. (Hereafter, 'Judgement'.) I will return to this example in Chapter Three.

<sup>76</sup> Lerer, p.34.

<sup>77</sup> A rare example is the analysis offered by Mary E. Lewis, 'A Traitor's Death? The Identity of a Drawn, Hanged and Quartered Man from Hulton Abbey, Staffordshire', *Antiquity* 82, no. 315 (2008), pp.113-24.

<sup>78</sup> Favent, *History; Knighton's Chronicle*; C. Given-Wilson (ed.), *The Chronicle of Adam Usk 1377 - 1421*, Oxford: Oxford University Press, 1997; C. Given-Wilson (ed.), *The Parliament Rolls of Medieval England*, Leicester, UK: Scholarly Digital Editions, 2005 (CD-ROM); L. C. Hector and Barbara F. Harvey (eds.), *The Westminster Chronicle 1381 - 1394*, Oxford: Clarendon Press, 1982. (Hereafter, *Westminster Chronicle*.)

characterisations of men who became more or less powerful as the political climate changed.<sup>79</sup> Official accounts might also be ‘doctored’ to bolster a particular political cause, as can be seen in the parliamentary record of Richard II’s ‘renunciation’ of his throne in 1399.<sup>80</sup>

These types of issues make the medieval texts used to inform this study inherently unstable as sources of ‘fact’. However, my interest is not primarily in uncovering the historic ‘truth’ of specific punishments applied in particular cases of treason, but in exploring the possible meanings and responses that might be generated by traitors’ bodies when they were subjected to public and spectacular execution. I therefore critically examine the traitor’s body, discursively constructed through and as text, for what it can tell us about contemporary cultural preoccupations, about the social and political climate in which it was produced and interpreted, and about the range of possible and plausible meanings that it could invoke.

The work that follows is structured around three thematic chapters, each of which reads the cultural significations of the traitor’s body from a different perspective. In Chapter Two, I consider how the trial and punishment of traitors made manifest deep

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<sup>79</sup> On the authorship, provenance and dating of the main chronicle accounts used for this study see James G. Clark, ‘Thomas Walsingham Reconsidered: Books and Learning at Late-Medieval St. Albans’, *Speculum* 77, no. 3 (2002), pp.832-60; Chris Given-Wilson, ‘Introduction’, in *Chronicles of the Revolution: 1397 - 1400 The Reign of Richard II*, ed. Chris Given-Wilson, Manchester: Manchester University Press, 1993; C. Given-Wilson, ‘Introduction’ in *The Chronicle of Adam Usk*; Chris Given-Wilson, *Chronicles: The Writing of History in Medieval England*, London: Hambledon and London, 2004; Antonia Gransden, ‘Propaganda in English Medieval Historiography’, *Journal of Medieval History* 1, no. 4 (1975), pp.363-81; Barbara F. Harvey, ‘Introduction’ in *Westminster Chronicle*; G. H. Martin, ‘Introduction’ in *Knighton’s Chronicle*; G. H. Martin, ‘Narrative Sources for the Reign of Richard II’ in *The Age of Richard II*, ed. James L. Gillespie, New York: St. Martin’s Press, 1997; William Marx, ‘Introduction’ in *An English Chronicle 1377-1461: Edited from Aberystwyth, National Library of Wales Ms 21068 and Oxford Bodleian Library Ms Lyell 34*, ed. William Marx, Woodbridge, UK: Boydell Press, 2003; Clementine Oliver, *Parliament and Political Pamphleteering in Fourteenth-Century London*, Woodbridge, UK: York Medieval Press, 2010, pp.2-22, 56-64; George B. Stow, ‘Richard II in Thomas Walsingham’s Chronicles’, *Speculum* 59, no. 1 (1984), pp.68-102; George B. Stow, ‘Chronicles Versus Records: The Character of Richard II’ in *Documenting the Past. Essays in Medieval History Presented to George Peddy Cuttino*, ed. J.S. Hamilton and Patricia J. Bradley, Wolfeboro, NH: Boydell Press, 1989; John Taylor, *English Historical Literature in the Fourteenth Century*, Oxford: Oxford University Press, 1987; John Taylor, ‘Richard II in the Chronicles’ in *Richard II: The Art of Kingship*, ed. Anthony Goodman and James Gillespie, London: Oxford University Press, 1999; John Taylor, Wendy R. Childs, and Leslie Watkiss, ‘Introduction’ in *The St Albans Chronicle: The Chronica Maiora of Thomas Walsingham I. 1376-1394*, ed. John Taylor, Wendy R. Childs, and Leslie Watkiss, Oxford: Oxford University Press, 2003; John Taylor, Wendy R. Childs, and Leslie Watkiss, ‘Introduction’ in *The St Albans Chronicle: The Chronica Maiora of Thomas Walsingham II. 1394-1422*, ed. John Taylor, Wendy R. Childs, and Leslie Watkiss, Oxford, UK: Oxford University Press, 2011.

<sup>80</sup> See the discussion relating to the production and circulation of the parliamentary ‘Record and Process’ of Richard II’s deposition in C. Given-Wilson, ‘The Manner of King Richard’s Renunciation: A “Lancastrian Narrative”?’’, *The English Historical Review* 108, no. 427 (1993), pp.365-70; Given-Wilson, ‘Introduction’, *Chronicles of the Revolution*.

anxieties and uncertainties surrounding the social status of 'kighthood', in the process publicly exposing long-running cultural and political conflicts over claims to 'natural' power and privilege. In Chapter Three, I turn to the challenges the traitor posed to the construction of aristocratic masculinity. Beginning from a premise that the gendered categories of 'knight' and 'traitor' were ostensibly wholly oppositional but in reality mutually constitutive, I examine the implications of the ever-present potential for slippage from the masculine ideal of kighthood to the monstrous feminised inversion represented by the traitor. Finally, Chapter Four juxtaposes the traitor's body to the broken bodies of Christ and the martyrs. Here, I draw on a number of vivid representations of the deaths of traitors that actively engage with the Passion topos in ways that bring to light the alternative interpretations and resistant responses that could be provoked by acts of spectacular public execution.



## CHAPTER TWO: CONTESTING KNIGHTLY STATUS

When the English knight Sir Andrew de Harclay was condemned as a traitor in 1323, the sentence passed on him was that:

The order of knighthood, by which thou undertookest to all thine honour and worship upon thy body, be all brought unto nought, and thy state undone...Then commanded [the king] anon to hew off his spurs from his heels; and after he let break the sword over his head, the which the king gave him...And after he let him unclothe of his tabard and of his hood, and of his furred coats and of his girdle. And when this was done, [the judge] said unto him; 'Andrew,' quoth he, 'now art thou no knight, but a knave; and for thy treason the king's will is that thou be hanged and drawn.'<sup>1</sup>

The ritualistic marking of status inversion and humiliation continued after De Harclay's death, as he was subjected to a further series of degrading punishments not usually inflicted on noblemen.<sup>2</sup> His body was beheaded and quartered, and the parts put on public display in a number of locations associated with royal power, including Carlisle Castle.<sup>3</sup>

While De Harclay's execution pre-dates the period under investigation in this study, this description of it in *The Brut* chronicle serves as a clear example of how the execution ritual was intended to work in later medieval England. In literary and didactic works on knighthood, the traitor was depicted as the polar opposite of the ideal knight. By betraying the values of loyalty, honour, and the maintenance of justice that were core to the notion of 'noblesse' or knighthood, the traitor exposed himself as false to his lord or king, and to the ideals of the aristocratic culture he was expected to embody. De Harclay's execution demonstrates how the treasonous knight's unforgiveable moral and social transgression became visibly marked through the processes of his execution. The external signs of his knightly status - his spurs, sword, girdle, and the distinctive rich clothing that was a privilege reserved for noblemen - were first stripped away. Thus transformed from a 'knight' into a 'knave', De Harclay was then condemned to the humiliating and agonising death of drawing, hanging, and quartering, with the final division and disintegration of his body graphically marking

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<sup>1</sup> Friedrich W. D. Brie (ed.), *The Brut, or the Chronicles of England, I*, London: Early English Text Society, 1906, p.227. (Hereafter, *Brut I.*) The case is discussed with relation to its legality under civil law in Keen, 'Treason Trials under the Law of Arms'.

<sup>2</sup> To be simply decapitated and spared hanging, drawing, and quartering, was the mark of an honourable noble death: Merback, pp.141-2.

<sup>3</sup> Westerhof, *Death and the Noble Body*, p.120 n.22, 25. On rituals of status inversion in medieval practices of corporal and capital punishment, see Cohen, *The Crossroads of Justice*, pp.168-80.



his excision from the body politic. As Westerhof explains, in cases such as De Harclay's, the emphasis on public humiliation, on degradation, and finally on destruction and dispersal of the noble traitor's body worked to reintegrate the body politic and to 'redraw and strengthen the normative boundaries of elite identity' as 'the traitor's body itself was made to signify the corruption of the traitor's nobility...[and] the soiled character of the aristocratic traitor was eradicated from the community of the "noble"'.<sup>4</sup>

However, when one turns to analyse the execution of 'noble' or high status traitors in a somewhat later period, from the 1380s to the early 1400s, the messages conveyed through the processes of execution appear to be more complex and contradictory. In these cases, the traitor's executed body sometimes failed to serve its intended purpose as a public symbol of the body politic made whole through the process of degrading, 'undoing' and excising its most corrupt members. Instead, rituals of execution could inadvertently expose tensions and uncertainties within the categories of 'nobility' and 'knighthood' around which the late medieval political community was organised. As I will show, the traitor's body could unexpectedly become a contested site through which social and political conflicts between the 'old nobility' and 'new men' were played out in public. When this happened, it could endanger claims to 'natural' privilege and power particularly by bringing to light the inherent ambiguity in the combination of noble blood and performance of knightly virtue upon which these claims rested.

These conflicts over the status of executed traitors could disturb rather than reinforce the medieval ideal of the unified body politic, wherein each social group was envisioned as working harmoniously with the others to maintain a 'natural' order. In a number of the cases to be analysed in this chapter, disputes over the treatment of traitors were indicative of wider struggles for power and influence that were being fought between noble factions, urban authorities, and the king and royal court. As such, the trial and execution of traitors could draw attention to the limited and unstable nature of the king's claims to a monopoly on justice and lordship in the volatile context of late fourteenth- and early fifteenth-century England. In this way, the traitor's body might challenge rather than validate the ideal of the hierarchical body politic headed by and embodied in the king.

In a few of the examples discussed below, two other factors emerge in the construction and destruction of the knightly status of traitors. The first was the

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<sup>4</sup> Westerhof, 'Deconstructing Identities', p.106.

accusation of Lollardy or heresy that began explicitly to appear alongside charges of treason from 1400. The second was the appearance of a charge that the traitor betrayed his 'tongue' or 'language', a charge that suggests some sense of nationhood or distinct identity as an *English* nobleman may have been forming during this period. I will deal briefly with each of these factors as they related to the trial and punishment of traitors, although I am unable to explore these themes in greater detail within the scope of this project.

### Defining 'kighthood'

As noted in the Introduction, the discursive construction of 'kighthood' was crucial to representations of the traitor as the moral and social inverse of the knight. While kighthood was represented in slightly different terms in different historical contexts (for example, in late medieval France, 'knight' and 'noble' were more rigidly defined in legal terms than they were in England),<sup>5</sup> there were a number of common threads that ran through the main didactic treatises on chivalry and that appeared in both literary depictions of kighthood and in the practices of institutions such as England's Order of the Garter. Amongst these were the expectation that knights would validate their inner nobility, vested in blood and lineage, through a chivalric performance that melded martial prowess, honour, loyalty, piety, and *largesse* (encapsulating both the ability to maintain a lifestyle of visible, even ostentatious, wealth and display, and the ability to reward others for their service).<sup>6</sup> For example, one of the regulations of the knightly brotherhood of the Garter signalled this combination of blood and performance in its admonition that 'nul ne soit esleu compaignon dudit ordre s'il ne soit gentil homme de sang et chevalier sans reprouche'.<sup>7</sup>

Recognition as a 'knight' brought with it the right and duty to govern the lower orders of society, and this entitlement was viewed as 'natural' because it was divinely ordained. Ramon Llull's influential treatise on chivalry, which was widely translated and read in the fourteenth and fifteenth centuries, stated that 'Chyualry is ordeygne for to mayntene lustyce',<sup>8</sup> a responsibility that included helping the king enforce the law,

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<sup>5</sup> Kaeuper, *Chivalry and Violence*, pp.111-12.

<sup>6</sup> Crouch, *The Birth of Nobility*, pp.56-89; Keen, *Chivalry*, pp.152-9.

<sup>7</sup> That 'none should be elected as a companion of the said order who is not a man of gentle [noble] blood and a knight without reproach': Lisa Jefferson, 'Ms Arundel 48 and the Earliest Statutes of the Order of the Garter', *The English Historical Review* 109, no. 431 (1994), p.377. (Hereafter, *Garter*.)

<sup>8</sup> Ramon Llull, *The Book of the Ordre of Chyualry, Translated by William Caxton*, ed. Alfred T.P. Byles, Oxford, UK: Early English Text Society os 168, 1971, p.43. (Hereafter, Llull, *Chyualry*.) See pp.xvi-xviii for evidence of the spread of the manuscript in England and France. I have used the version printed

protect the weak, and defend the Church. 'Nobility', as a morally and socially elevated status, was believed to derive from God's design for ordering human society after the Fall, when He chose the most noble and virtuous man amongst each thousand men and made him a knight, with lordship over others.<sup>9</sup> Kings, dukes, earls and barons were all also considered 'knights' in this sense, and it was from amongst these men of noble birth that the king was expected to choose his officers. To choose otherwise, 'done ayenst thoffyce of chyualry, for the knyght is more worthy to haue the seynorye our the peple than ony other man'.<sup>10</sup> This claim to natural lordship was self-reinforcing: knighthood was based in noble lineage, and to raise low-born men to knightly status was to 'mynnysshe and make lowe the ordre of chyualrye'.<sup>11</sup> The logic ran that noble blood conferred a natural right to rule, and the proof of one's noble blood and privilege was then externally validated by one's performance as a knight.

The reality, though, was much more complicated. As early as the twelfth century, writers of these same didactic guides to chivalry, as well as political theorists and the authors of chivalric romances and *chansons de geste* had been worrying at the question of what constituted 'true' knighthood. Nobility was vested in blood and lineage, and this was demonstrated by knightly behaviour and appearance, but good blood did not necessarily guarantee nobility. In theory, the material inheritance of nobility through the father's blood could not be undone, because the corruption of such naturally superior blood was impossible by definition.<sup>12</sup> Yet, it *could* be undone by the failure to *perform* as a 'good knight'. The tensions underlying this conception of nobility as being at once a product of blood and of behaviour are demonstrated, for example, in this admonishment to aristocratic young men from a thirteenth-century English courtesy book:

The idea that a child of corrupt blood could be born to a noble line seems absurd. A noble line brings forth only the best qualities and conducts itself generously... The finest fruit are produced from the finest tree. Noble heir, if your father is distinguished, wealthy, generous and upstanding, take care

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by William Caxton in the 1480s, which follows the original thirteenth-century text ('Introduction', pp.xxii-xxiii).

<sup>9</sup> Keen, *Chivalry*, pp.149-51. A typical version of this origin myth is recorded in Lull, *Chyualry*, pp.14-17.

<sup>10</sup> Lull, *Chyualry*, p.29.

<sup>11</sup> *ibid*, p.58.

<sup>12</sup> On the idea of noble blood as incorruptible, see Crouch, *The Birth of Nobility*, pp.127-9; Westerhof, *Death and the Noble Body*, pp.44-5.

not to disgrace his blood! ...It is your prime concern never to fall from the highest standards of behaviour.<sup>13</sup>

This ambiguity can also be seen in works like Geoffroi de Charny's mid-fourteenth-century French treatise on chivalry, which repeatedly emphasises the performative aspects of knighthood in phrases such as, 'he who does more is of greater worth' and 'he who does best is most worthy'.<sup>14</sup> At the same time, Charny endorses the origin myth of the post-Fall creation of chivalry, implying that the members of this knightly caste could be distinguished by their blood and lineage.

The nature of 'true' knighthood was further complicated by the debated ability of kings to 'make' knights. Keen compares the differing medieval views on the role of princely authority in creating knights, explaining that writers on nobility and chivalry tended to place more or less emphasis on the king's part depending to some degree on the power balance between the king and his nobility.<sup>15</sup> For example, the fifteenth-century treatise on chivalry by the French knight Olivier de la Marche emphasises that the king is the 'fount of all honours', reflecting French customary law codes that assigned to the king a monopoly on making knights.<sup>16</sup> Other medieval theorists seemed more suspicious about whether royal ennoblement of a man of low birth could truly make him a knight if he lacked the other qualities of blood and performance. Charny captured this uncertainty in his warning that some men 'may have the order of knighthood but not the reputation of being a knight, for men may have the order who are not real knights'.<sup>17</sup>

These tensions over what made a man a true knight, and thus secured his place in the political and social order, remained unresolved and were perhaps irresolvable. By the later fourteenth century, the debate had become more fraught because of the claims to knightly status and noble privilege being advanced by a new class of men, who were humble by birth but who had been raised to enormous wealth and power through royal service. Complaints about 'low-born advisers' and kings raising men above their 'natural' place were nothing new, and had been part of English political discourse since the twelfth and thirteenth centuries.<sup>18</sup> However, what had changed by the later fourteenth century was that many of these 'new' men came from the

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<sup>13</sup> From the *Urbanus Magnus* by Daniel of Beccles. Quoted in Crouch, *The Birth of Nobility*, p.127.

<sup>14</sup> Richard W. Kaeuper and Elspeth Kennedy (eds.), *The Book of Chivalry of Geoffroi De Charny. Text, Context, and Translation*, Philadelphia, PA: University of Pennsylvania Press, 1996, pp.87, 97. (Hereafter, Charny, *Book of Chivalry*.)

<sup>15</sup> Keen, *Chivalry*, pp.148-51; Keen, 'Some Late Medieval Ideas About Nobility', pp.201-2.

<sup>16</sup> Keen, *Chivalry*, p.150.

<sup>17</sup> Charny, *Book of Chivalry*, p.171.

<sup>18</sup> Crouch, *The Birth of Nobility*, pp.153-4.

increasingly wealthy and powerful urban mercantile community, and their involvement in 'trade' was perceived as particularly ignoble.<sup>19</sup> These were men that the traditional hereditary nobility had come to loathe and envy, but also to depend upon: for loans to finance their increasingly expensive martial and chivalric exploits; for professional skills in law, administration and estate management; and for the injection of wealth that could come through marriage to the daughter of a successful merchant.<sup>20</sup> The entry of these 'new' men into a pre-existing hierarchy that based its claims to natural privilege upon noble lineage called into question the very naturalness of that order and the pre-eminence of the 'old' nobility of blood within it.<sup>21</sup>

### Treason in the Merciless Parliament

When, through specific political circumstances, this challenge to natural privilege became explicit and public, the king's right to raise to knightly status whomever he chose clashed head-on with the deep investment the nobility had long had in their claims to power based on blood. Such a challenge erupted in the mid-1380s, in no small part due to growing political factionalism under the new king, Richard II. Richard was repeatedly accused of favouring and advancing low-born men over the hereditary nobility (amongst whom were numbered his own uncles and cousins), who saw themselves as the king's natural counsellors, born with an innate and exclusive right to help him rule.<sup>22</sup> Amongst those men the king had showered with titles and elevated to high office were his chancellor Michael de la Pole, dismissed by the chronicler Thomas Walsingham as someone who, '[f]rom boyhood...had been more involved in trade, as a merchant and son of a merchant, than he had in knightly service' and who 'enjoyed the trust and favour of the king more than he deserved'.<sup>23</sup> Another such was Sir Nicholas Brembre, a man of obscure origins who rose through his success in trade to be an enormously wealthy merchant and who was mayor of London several

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<sup>19</sup> Hicks, *English Political Culture*, pp.56-7; Kaeuper, *Chivalry and Violence*, pp.194-6; Keen, *Chivalry*, pp. 46-7, 128; Rosemary Horrox, 'The Urban Gentry in the Fifteenth Century' in *Towns and Townspeople in the Fifteenth Century*, ed. John A. F. Thomson, Gloucester, UK: Alan Sutton, 1988; Pamela Nightingale, 'Knights and Merchants: Trade, Politics and the Gentry in Late Medieval England', *Past & Present*, no. 169 (2000), pp.36-62. Hicks (p.117) notes the particular disdain for 'trade', and that engaging in trading activities could compromise a nobleman's social status.

<sup>20</sup> Horrox, 'The Urban Gentry'; Kaeuper, *Chivalry and Violence*, pp.194-6; Keen, *Chivalry*, pp.146-7; Nightingale, 'Knights and Merchants'.

<sup>21</sup> Keen, 'Some Late Medieval Ideas About Nobility', p.205.

<sup>22</sup> On this factionalism, which remained a problem throughout Richard II's reign, see Fletcher, *Richard II*; Saul, *Richard II*; Tuck, *Richard II and the English Nobility*.

<sup>23</sup> Taylor, Childs, and Watkiss (eds.), *The St Albans Chronicle: The Chronica Maiora of Thomas Walsingham I. 1376-1394*, p.795, 797. (Hereafter, *St Albans Chronicle I.*) De la Pole was raised to the earldom of Suffolk in 1385 and Richard II was said to be preparing to raise him to a dukedom when the crisis of 1387-8 broke out. On Michael de la Pole's career: Saul, *Richard II*, pp.116-19.

times in the 1370s and 1380s.<sup>24</sup> Brembre was knighted by Richard II in 1381 in the aftermath of the Peasants' Revolt and by the 1380s he was a major financier to the Crown. By 1386, he was 'mov[ing] conspicuously in the company of the king'.<sup>25</sup> As one of Richard's court faction, Brembre had a history of enmity towards men like Richard's uncle Thomas of Woodstock, the duke of Gloucester, and Richard Fitz Alan, earl of Arundel and the king's cousin by marriage. These powerful nobles blamed Brembre and his fellow favourites for excluding them from the inner circles of royal power and for monopolising the offices and patronage they felt should be theirs by right.<sup>26</sup>

Brembre had also played a prominent role in the politics of the city of London since the 1370s, and he had a reputation for promoting and funding factional violence against his political opponents.<sup>27</sup> In 1383-4, the hostility of London politics peaked when Brembre defeated John Northampton in the mayoral election, an election that Brembre was widely believed to have rigged. Northampton responded by organising an armed campaign of resistance to Brembre's rule, and Brembre then used his influence with Richard II to have Northampton condemned for treason.<sup>28</sup> As we shall see, the localised disputes of London politics intersected with the national politics of the royal court when Brembre was himself charged with treason.

According to contemporary sources, Brembre's position in London was a direct result of his favour with the king. The chronicler Henry Knighton, for example, describes Brembre as 'citizen of London, whom the king had often made mayor in despite and against the will of many of the citizens'.<sup>29</sup> This point was also made by one London chronicler, who in his commentary for 1385 noted that:

In this yere Sr. Nicholl Brembre was chosen maire ayeyne...not be fre  
eleccion of the citee of London as it owith to be: and the oolde [guild] halle

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<sup>24</sup> On Brembre's background and his prominent role in London and court politics in the 1370s and 1380s, see Pamela Nightingale, *A Medieval Mercantile Community: The Grocer's Company and the Politics and Trade of London, 1000-1485*, London: Yale University Press, 1995, pp.228-315; Oliver, pp.70-1, 76-80, 126-7.

<sup>25</sup> Nightingale, *A Medieval Mercantile Community*, p.307.

<sup>26</sup> *ibid.*, pp.256-86.

<sup>27</sup> See the works cited in n.24.

<sup>28</sup> Nightingale, *A Medieval Mercantile Community*, pp.280-8; Oliver, pp.126-7; Rexroth, pp.140-4. Still useful on this conflict: Ruth Bird, *The Turbulent London of Richard II*, London: Longmans, Green, 1949.

<sup>29</sup> *Knighton's Chronicle*, p.453.

was stuffed with men of armes...be ordinaunce and assente of Sr. Nicholl  
Brembre for to chese hym maire.<sup>30</sup>

At once a royal favourite and an immensely wealthy member of the urban patriciate, Brembre straddled two identities, being both 'knight' and 'merchant'. When he was convicted of treason in 1388, conflict over his claim to knightly status, as well as the fraught power relationships between the king, the high nobility, and the city of London, all played a role in the specific processes of his trial and execution.

Brembre was one of a group of royal favourites executed as traitors during the Merciless Parliament of 1388. The treason charges were brought not by the king, but by the so-called Lords Appellant, a group of rebellious lords who included the aforementioned duke of Gloucester and earl of Arundel, along with Richard's cousin Henry Bolingbroke (the future Henry IV), and Thomas de Beauchamp, earl of Warwick.<sup>31</sup> In their appeal of treason, the Lords Appellant repeatedly referred to Brembre as a 'false knight' (*'faux chivaler'*).<sup>32</sup> To his noble accusers, Brembre seemed to embody that type of 'false' knight condemned by chivalric writers such as Charny as having the external appearance and title of 'knight', but not the requisite inner qualities of birth and virtue. As the parliament reached its bloody climax with the execution of Brembre and a number of the king's other close friends and senior government officials, this debate over 'kighthood' was played out publicly in parliament and in the streets of London and Westminster. In the disputes over the trial process - particularly the demand for the noble performance of trial by battle - and in the varied punishments applied to the bodies of the condemned in their execution rituals, tensions inhering in the ideals and privileges of knighthood were made legible to the spectating urban populace and to the wider political community.

Brembre was the first of the accused men to appear before the Lords in parliament. Along with the king's other close favourites Michael de la Pole, Robert de Vere (the duke of Ireland), and Alexander Neville (the archbishop of York), Brembre and Chief Justice Robert Tresilian were seen as the source of the king's recent misgovernance. While the rest of these 'seducers of the king' had fled England or gone into hiding before parliament met, Brembre, 'the king's favourite, found pledges to

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<sup>30</sup> N. H. Nicolas and E. Tyrell (eds.), *A Chronicle of London from 1089 to 1483; Written in the Fifteenth Century and for the First Time Printed from Mss. in the British Museum*, Felinbach, Wales: Llanerch Press, 1995, p.76. (Hereafter, *Chronicle of London*.)

<sup>31</sup> For details on this crisis and the political events that led up to it, see Fletcher, *Richard II*, pp.151-75; Anthony Goodman, *The Loyal Conspiracy: The Lords Appellant under Richard II*, Coral Gables, FL: University of Miami Press, 1971; Saul, *Richard II*, pp.148-96.

<sup>32</sup> Given-Wilson (ed.), *The Parliament Rolls of Medieval England*, RP iii, 230. (Hereafter, *PROME*.)



stand to the law of land'.<sup>33</sup> Faced by his accusers on 17 February, Brembre at first asked for legal counsel and for a copy of the charges against him but both requests were denied. He then claimed the knight's right to prove his innocence through trial by battle. According to Thomas Favent's treatise:

He answered, 'Whoever has charged me with these things, I give witness that I am present here ready to prove by battle with him in the arena that these same things are false.' And Brembre said these things terrified that he would die in excruciating pain in the manner of traitors. and would prefer to expire as a knight fighting in arms than scandalously through the parliament's condemnation.<sup>34</sup>

Trial by battle epitomised the performance of knightly identity and elevated status. As noted in Chapter One, it was the last resort in cases of honour where there were no witnesses or corroborating evidence. While little used under Edward III, it experienced a resurgence under Richard II in cases of treason, and there are a number of examples documented in the chronicle accounts of his reign.<sup>35</sup> The 1399 appeal of Thomas Lord Morley against John Montagu, the earl of Salisbury, is a rare extant record of trial by battle in the Court of Chivalry. While it post-dates Brembre's trial by a decade, it provides a vivid exemplar of the knightly identity Montagu sought to perform when confronted with the charge of treason.<sup>36</sup> First, the charge was formalised when Morley, the accuser, 'myst son gaunte a gager pur meyntenir la dicte bille et les contenuz en ycelle'.<sup>37</sup> In response, Montagu stated that the charges were false and that he would prove this in combat ('je seeu prest a defendre solonc ley et custume d'armes'), and then he, too, threw down his glove.<sup>38</sup> According to chivalric custom, the glove or gauntlet symbolised both the knight's right to wield a sword and also 'sygnefied that

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<sup>33</sup> *Knighton's Chronicle*, p.429. Knighton uses the phrase 'the aforesaid seducers of the king' repeatedly throughout his account of the events of 1387-8. The tight medieval linkage between the notions of 'seduction' and 'sedition' will be explored later in this study, where I will consider the 'traitor' as a feminised and unnatural inversion of the masculine intimacy through which late medieval government functioned.

<sup>34</sup> Favent, *History*, p.245.

<sup>35</sup> Bellamy, pp.143-4; Richard Firth Green, 'Palamon's Appeal of Treason in the "Knight's Tale"' in Steiner and Barrington (eds.), *The Letter of the Law*, pp.109-12.

<sup>36</sup> The earl's name is rendered as both 'Montagu' and 'Montague' in the original sources. I have used the spelling 'Montagu' except where quoting from an original source.

<sup>37</sup> 'Threw down his glove in pledge to prosecute the said bill [his written appeal of treason against Montagu] and the contents within it': 'A True Copy of the Roll of Proceeding in an Appeale of Treason before the Conestable and Marshall between Thomas Lord Morley, Appellant, and John De Montague, Earle of Salisbury, Defendant, Anno Primi Henrici Quarti', ed. M. H. Keen and M. Warner in *Chronology, Conquest and Conflict in Medieval England. Camden Miscellany XXXIV*, London: Cambridge University Press for the Royal Historical Society, 1997, p.173. (Hereafter, 'Appeale of Treason'.)

<sup>38</sup> *ibid.*



he ought not to lyfte vp his hond in makyng a fals othe ne handle none euylle'.<sup>39</sup> Hence, the throwing down of gloves presented a dramatic statement of the ideals of 'true' knighthood. The performance continued in the elaborate plans for staging the actual battle, for which knightly accoutrements including 'pavilon, pur son reposer...payn, vyn, et autre liquor' and a host of servants to help with arming and disarming, mounting and dismounting the horse, and repairing arms and clothing, were requested.<sup>40</sup> The request for a suitably impressive knightly entourage - 'des plus sufficeantz chivalers et esquiers' - to accompany the combatant and provide support and counsel was also granted by the king.<sup>41</sup>

When Brembre demanded his right to trial by battle, it seems there was initially some confusion about his status because the immediate reaction of the Appellants, along with the other lords and knights in parliament, was to throw down their gauntlets in acceptance, declaring 'in one voice, "And we pledge a duel for proving on your head that the things said are true"'.<sup>42</sup> This acceptance of Brembre's challenge was soon revoked, though, denying him not only a judicial procedure that would result in a more honourable and less horrific death, but also the opportunity to stage an ostentatious display of his knightly status (and perhaps, therefore, his rightful place at the king's side). The Appellants' charges against Brembre brought into vivid relief the distinctions they were making between 'true' and 'false' knighthood, as Brembre's falseness was palpably proven by the evidence of a history of unknightly behaviour. In the twelfth article of the appeal of treason, for example, the Appellants specifically charge that Brembre, the '*faulx* [sic] *chivaler*' of London:

[t]ook certain persons from the prison of Newgate by night, chaplains and others, some twenty-two in all, some indicted, some accused of felony, and some approvers in cases of felony, and some taken and imprisoned there on suspicion of felony, and led them out of London to Kent, to a place called the Foul Oak, and there, accroaching to himself royal power as a traitor to the king, without warrant and process of law he caused them all to be beheaded.<sup>43</sup>

This secret murder, allegedly done under cover of darkness on Brembre's own authority rather than in public view under the warrant of the king, represents the very antithesis of the 'true' knight's responsibility to maintain the king's justice through the

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<sup>39</sup> Lull, *Chyualry*, pp.82-3.

<sup>40</sup> A 'pavillion [in which] to rest himself...bread, wine, and other liquid': 'Appeal of Treason', 194.

<sup>41</sup> 'Enough knights and squires': 'Appeale of Treason', p.195.

<sup>42</sup> Favent, *History*, p. 245.

<sup>43</sup> *PROME*, RP iii, 231.

wielding of licit violence. As Lull had put it, it was God's plan that 'by the knyghtes ougt to be mayntened & kept justyce', and it was 'thoffyce of chyualrye to pacyfye and accord the peple by force of armes'.<sup>44</sup>

The evidence of Brembre's nefarious activities at Foul Oak also calls attention to the influential role that was played in his trial by the factional conflicts and uneasy alliances between the merchants of London and the Lords Appellant. For example, the accusations in the parliamentary appeal of treason mirror accusations of wrong-doing first brought against Brembre in 1386 by the Mercers Company of London. In their petition to parliament, which also seems to have been nailed up at the Guildhall and other prominent public sites around London,<sup>45</sup> the Mercers laid out a catalogue of complaints, including that:

The forsaid Nichol [Nicholas Brembre], with-ouen nede, ayein the pees made dyuerse enarmynges bi day & eke bi nyght & destruyd the kynges trewe lyges, som with open slaughtre, some bi false emprisonements.... And ... for to susteyne thise wronges & many othere, the next yere after, the same Nichol ... did crye openlich that no man sholde come to chese [the] Mair but such as were sompned.... And in the nyght next after...he did carye grete quantitee of Armure to the Guyldehalle.... And thus yet hiderward hath the Mairaltee ben holden as it were of conquest or maistrye.<sup>46</sup>

Taken together with the general opinion, noted earlier, that Brembre had been elevated to the office of mayor at the king's will and against the wishes of the citizens, these charges appear to place the traitor Brembre and Richard II on one side, against an unexpected alliance of the Lords Appellant and the citizens of London on the other. Indeed, after Brembre was denied his trial by battle, the Appellants brought a group of his fellow Londoners - according to various accounts, the group included representatives of the guilds, the sitting mayor, and several aldermen - into parliament to testify against him.<sup>47</sup> It was on their testimony rather than on the warrant of the king that Brembre was finally convicted.

The public staging of Brembre's execution, which took place almost immediately, can be read as a text that enacts and exposes these deep social conflicts

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<sup>44</sup> Lull, *Chyualry*, p.30, 46.

<sup>45</sup> Oliver (pp.126-7) notes that manuscript copies of the original petition now held in the UK's National Archives have holes at the tops of the pages, suggesting they were nailed up for public display at sites that may have included the Guildhall and Westminster.

<sup>46</sup> 'A Petition of the Folk of Mercerye' in *A Book of London English 1384-1425*, ed. R. W. Chambers and Marjorie Daunt, Oxford: Clarendon Press, 1931, p.34.

<sup>47</sup> Saul (*Richard II*, pp.191-3) discusses the legal aspects of the case, including the Appellants' need to resort to bringing in Brembre's London enemies to finally secure a conviction.

and cultural anxieties about status and power that were then threatening to fracture the political community. Thomas Favent, a minor government official working in the milieu of London and Westminster, wrote his treatise on the Merciless Parliament some time shortly after 3 June 1388, leaving us a record that 'is both precise and detailed, and [that] certainly reads like an eyewitness account'.<sup>48</sup> His description of Brembre's execution is both graphic and revealing:

He was drawn from the Tower through the city on a hurdle to Tyburn, resting at furlong intervals...And when the noose was put on him so that he might be hanged, the son of Northampton [the former mayor] asked him whether the aforesaid things done elsewhere to his father by Brembre were legally done...concerning those things Brembre confessed that neither piously nor justly but with a violent heart...he had committed those things. And seeking forgiveness, hanging by the rope, he died when his throat was cut.<sup>49</sup>

As explained earlier, dragging on a hurdle followed by death by hanging were ignominious punishments, designed to inscribe Brembre's status as a 'false' knight. The hurdle had particular significance in this regard, as the estate of knighthood was most commonly represented symbolically and practically by the man riding on horseback, and the knight's great warhorse and his physical position above the muck and squalor of the common people in the streets visually enacted his social and political superiority.<sup>50</sup> Lull's guide to chivalric practice captured this idea in the instruction that 'the new knyght ought to ryde thurgh the toun & to shewe hym to the peple, to thende that al men knowe & and see that he is ... made knyght'.<sup>51</sup> Sir Thomas Malory's *Morte Darthur* deftly expressed the general consensus in Sir Lamerok's rhetorical question, 'What is a knyght but whan he is on horseback? For I sette nat by a knyght whan he is on foote...for there sholde no knyght fyghte on foote but yf hit were for treson'.<sup>52</sup> It is significant that Malory connects being horseless to treason, constructing the traitor as the very embodiment of the '*faux chivaler*'. Brembre, dragged along the ground on the

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<sup>48</sup> Oliver, p.57. Oliver's is the first full-length study of Favent's treatise. She points to evidence within the text itself and from records of Favent's career that his account was written contemporary with events and from an eyewitness perspective.

<sup>49</sup> Favent, *History*, p.247.

<sup>50</sup> On representations of knightly identity as comprising man and horse, using examples including romance literature, chivalric treatises, seals, and the symbolic granting of spurs on being knighted, see Andrew Ayton, *Knights and Warhorses: Military Service and the English Aristocracy under Edward III*, Woodbridge, UK: Boydell Press, 1994; Cohen, *Medieval Identity Machines*, pp.51-77; Kaeuper, *Chivalry and Violence*, pp.171-6.

<sup>51</sup> Lull, *Chyualry*, pp.74-5.

<sup>52</sup> Quoted in Kaeuper, *Chivalry and Violence*, p.172.

hurdle, would have presented to spectators a dramatic status inversion that made a brutal mockery of his claims to be a knight.

The use of the hurdle both figuratively and literally placed Brembre among the filth, below even the lowest denizens of London's streets, and the route he was taken on through the city spatially reinforced this message. Esther Cohen has noted that the routes used in execution proceedings were often inversions of the routes used for royal entries, 'thus spatially tying together two manifestations of authority and power'.<sup>53</sup> We know from accounts of the pageant of Richard II's reconciliation with London in 1392 that the route for this royal entry ran from Wandsworth, where the king was met by a delegation of London dignitaries, to Bridgegate where he entered the city proper, and thence along Fish Street through Cheapside where the Guildhall was located, to St. Paul's, then via Ludgate out to Temple Bar and Westminster.<sup>54</sup> Brembre's journey from the Tower to Tyburn would have taken him out of the city via Newgate, but otherwise would have traversed many of the same sites of power. It seems likely that he would have been dragged along a similar route to that specified in a London statute of 1382 for the punishment of moral deviants such as adulterers, lecherous priests, procurers and bawds. This statute, which formed part of a 'morals campaign' instigated by Brembre's old enemy the former mayor John Northampton, specified for example that recidivist prostitutes should be banished from the city forever after traversing what can be understood as a walk of shame from Aldgate (near the Tower) through the central market of Cornhill, along Cheapside past the Guildhall and St Paul's, and finally out of the city through Newgate.<sup>55</sup>

To an audience that had become familiar with the ritual of London's lowest criminals forced to take this trip into exile, Brembre's drawing would have explicitly marked him as a moral and social deviant, permanently expelled by the urban body politic. However, it is plausible that Brembre's punishment was also imbued with a more specific meaning that was connected to the fraught politics of 1380s London, for his drawing rendered him publicly abject and powerless at many of the sites, such as the Guildhall, where he had formerly wielded so much power as mayor. Further, on the way to his death Brembre was paraded through those areas of London that were identified with the Mercers, Cordwainers and other guilds, against whose members he

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<sup>53</sup> Cohen, 'Symbols of Culpability', p.410.

<sup>54</sup> The pageant and its route are recorded in detail in a contemporary poem: Richard Maidstone, *Concordia (The Reconciliation of Richard II with London)*, ed. David R. Carlson, trans. A. G. Rigg, Kalamazoo, MI: Medieval Institute Publications, Western Michigan University, 2003.

<sup>55</sup> Northampton's morals campaign and its purpose is discussed in detail in Rexroth, pp.147-87. The route is described in the 1382 statute, which Rexroth includes as an Appendix on pp.347-9.

had supposedly waged a sustained campaign of violence and intimidation.<sup>56</sup> It was *their* London he was dragged through, and the stops at every furlong suggest he was being deliberately displayed to all those he had previously abused and victimised. This interpretation is alluded to in Favent's description, above, of Brembre begging forgiveness for his treatment of the former mayor Northampton. It is vividly demonstrated by Knighton's portrayal of Brembre's execution as a case of the overmighty former mayor finally suffering a just punishment for the wrongs he had previously inflicted on his fellow citizens:

The lord king...had in the past often made that same Nicholas Brembre mayor of the city against the will of many of the citizens. And Brembre had perpetrated many oppressions and seditions in the city. It was said of him that when he was at the height of his power as mayor he set up a public block and axe to chop off the heads of those who rose against him or opposed him. And it was said that he proceeded against...his opponents amongst the greater men of the city of London, and that if God had not prevented him he would have had them all beheaded. And it was said that he was himself beheaded...with those same instruments.<sup>57</sup>

Brembre's execution at Tyburn further reinforced his non-knightly, ignoble status. Tyburn was the place where common thieves and murderers were put to death, and its location well beyond the city walls marked the offender's status as one who had been permanently excised, like an amputated limb, from the urban body politic. However, the execution process in Brembre's case reveals that even then, some ambiguity lingered around his status. While he was hanged and his throat was cut, he was not subjected to quartering or to having his dismembered body put on display, the punishment that was generally reserved for traitors. The treatment of his body bears comparison to that of Thomas Usk and John Blake, executed just a few days later. Described as being 'of simple rank', Usk and Blake were dragged, as Brembre had been, from the Tower through the city to Tyburn, 'drenching the neighbourhoods with their flesh in the manner usual for traitors'.<sup>58</sup> At Tyburn, they were hanged but also beheaded, and Favent wryly notes an additional humiliation, as 'the privilege is given to the truncated head of Thomas Usk, after he was hanged, of being pecked by birds' beaks above Newgate'.<sup>59</sup>

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<sup>56</sup> Apart from the Mercers' petition against Brembre discussed earlier, protests are also on record from guilds including the Saddlers, Cordwainers, Spurriers and Bladesmiths: Oliver, pp.126-7.

<sup>57</sup> *Knighton's Chronicle*, pp. 499-501. Knighton's assertion that Brembre was beheaded rather than hanged is incorrect.

<sup>58</sup> Favent, *History*, p.248.

<sup>59</sup> *ibid.*

### Sir Simon Burley: The Garter knight as traitor

Sir Simon Burley was another of the king's favourites put to death during the Merciless Parliament. His trial and execution followed close on that of Sir Nicholas Brembre and a comparison of the two cases is revealing. Despite their similar backgrounds as men of humble birth who had risen to great power and wealth through their own talents and their service to the king, the differences in their executions emphasise the instability of the interlaced constructs of knighthood and nobility, and the contested nature of claims to the privileges these secured. Burley had a history in royal service going back to Richard II's father, Edward the Black Prince, and he had been acting as the young prince's tutor when Richard succeeded to the throne in 1377. Although of non-noble birth, Burley rose rapidly in the new king's service, accumulating a number of lucrative offices and titles.<sup>60</sup> He was made a Knight of the Garter in 1381 and was elevated to the earldom of Huntingdon in 1385. At the time he was arrested and charged with treason, he was the king's vice-chamberlain. This office gave him enormous power, as his intimate role at the heart of the king's household enabled him to control access to the royal person, and thus to monopolise access to political influence and the patronage and wealth that came with it.<sup>61</sup> Summing up Burley's extraordinary rise, Knighton commented that, '[f]rom his own inheritance he was worth no more than twenty marks, yet in a few years of service to the said king he accumulated a fortune worth 3,000 marks a year'.<sup>62</sup>

Like Brembre, when Burley was faced with the charges of treason he 'offered, as a knight, to defend himself by his body against the charge that he had ever been a traitor'.<sup>63</sup> Burley could indeed claim this noble privilege both by virtue of his title as earl of Huntingdon and by formal dubbing into the Order of the Garter. However, he was also seen by many as a man who had presumed to rise above his place in the natural order, having 'displayed himself not as a knight appropriate to his station in life, but as a duke or prince'.<sup>64</sup> The Lords Appellant themselves seemed determined to deny Burley's noble status. Although in their appeal of treason they referred to a number of the king's other noble favourites by titles only recently conferred upon them

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<sup>60</sup> On Burley's rise under Richard II and the offices and titles he held, see Fletcher, *Richard II*, pp.38-40, 97, 116-7.

<sup>61</sup> On the power and privileges that came with this role at the centre of the king's household, see Given-Wilson, *The Royal Household*, pp.2-6, 72-4; Hicks, *English Political Culture*, pp.101-4; Ormrod, *Political Life*, pp.19-21.

<sup>62</sup> *Knighon's Chronicle*, p.501.

<sup>63</sup> *Westminster Chronicle*, p.287.

<sup>64</sup> *St Albans Chronicle I*, p. 853.

(for example, Robert de Vere as the duke of Ireland), they refused to acknowledge Burley's title as earl of Huntingdon and named him simply as Simon Burley, knight.<sup>65</sup>

When Burley was denied his request for trial by battle, he initially seems to have been condemned to die not as a knight but, like Brembre and Usk, as a common criminal: 'drawn from the Tower of London to Tyburn and there hanged and his head severed'.<sup>66</sup> However, this sentence was not carried out. Instead, according to the monk of Westminster, the king, 'for the reason that the said Simon served the king in the time of his youth and also served the noble prince the king's father...and likewise because he was a knight of the Garter, remitted to the said Simon the drawing and hanging and awarded that he should be beheaded next to the Tower'.<sup>67</sup> In other words, it is both Burley's service to his king - what might be understood as knightly 'performance' - and his formal status as a dubbed knight of the Garter that confers the dignity of noble beheading. Tellingly, Favent finds it necessary explicitly to reference both blood and performance in constructing Burley's status. He explains that the sentence was commuted 'because he was a knight of the Garter, *powerful and humane in his behaviour* and pleasing, *a relative of the king*'.<sup>68</sup> Despite the mitigation of the penalty of hanging at Tyburn, uncertainties about Burley's claim to knighthood persisted and he was subjected to an ignoble and shameful public procession on foot to his death: '[w]ith his hands tied behind him, he was marched from Westminster along the king's highway through the city of London to Tower Hill, where he was beheaded'.<sup>69</sup>

Burley died in something of a limbo between nobility and non-nobility, insider and outsider. While he was denied the noble privilege of trial by battle, his status as a Knight of the Garter was recognised and he was granted the right to die a nobleman's death by beheading with a sword. The place of his execution, 'led to the earth wall at Towerhill in London', meant he remained both physically within the city walls and symbolically within the body politic as it was represented by the royal fortress, rather than being wholly ejected from it as Brembre had been.<sup>70</sup> The manner of Burley's death also highlights a rift between aristocratic and royal authority over the right to exercise legitimate violence. It was in fact the Lords Appellant who had Burley executed *against*

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<sup>65</sup> See for example, the articles of appeal as recorded in *Westminster Chronicle*, pp.269-77.

<sup>66</sup> *Westminster Chronicle*, pp.292-3.

<sup>67</sup> *ibid.*, p.293.

<sup>68</sup> Favent, *History*, p.249. Emphasis added. I have found no evidence to date that Burley was literally related to the king (for example, by marriage) but his role as an intimate in the king's household made him a member of the king's *familia*.

<sup>69</sup> *Westminster Chronicle*, pp.331-3. See also the account in Friedrich W. D. Brie (ed.), *The Brut, or the Chronicles of England, II*, London: Early English Text Society, 1908, p.342. (Hereafter, *Brut II*.)

<sup>70</sup> Favent, *History*, p.250.



the wishes of the king.<sup>71</sup> In both the official record of the treason trials of 1388 in the parliamentary rolls and in the various chronicle accounts, Richard II is often absent from the proceedings, which seem to be entirely controlled by the Lords Appellant. *The Brut*, for example, states that:

These v lordes forsaide maden a parlement at Westmystre, and there they tokyn...Ser Nicholl Brembre...and Ser John Salesbury [Burley]...and mony moo of other peple wer take and Iuged vnto deth by the counsel of these v lordes yn hir [their] parlement at Westminster.<sup>72</sup>

According to this evidence, it was the Lords Appellant, *not* the king, who ‘made a parliament’, which is here clearly identified as ‘theirs’. It was also the Appellants who judged and who executed the punishments, usurping the king’s power to do justice. By contrast, Richard, when he was not completely absent from the trials, seems to have been virtually impotent. He could do nothing to change the dreadful fate of his favourite Brembre, and was only able to save Burley from the most shameful penalties that could accompany a traitor’s death.

### **The Epiphany Rising and the challenge to order**

Uncertainties over the nature of knightly status and clashes over the locus of political authority and the right to ‘do justice’ were not unique to 1388. They came to the fore again in 1400 in the aftermath of the Epiphany Rising, during which a group of nobles loyal to the recently-deposed Richard II had rebelled against Henry IV, who had usurped the throne.<sup>73</sup> The rebels were led by a new group of royal favourites, who had been elevated to earldoms, dukedoms and marquisates by Richard II in the parliament of 1397.<sup>74</sup> These elevations were seen by some commentators as evidence of Richard II’s tendency to ‘debase the noble and to exalt the ignoble’,<sup>75</sup> and the chronicler Thomas Walsingham contemptuously dismissed them as men ‘whom the common people nicknamed in derision, not “dukes” but “duketti”’.<sup>76</sup> However, the royal favourites of 1397 were generally of higher birth and more secure noble lineage than those of 1388

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<sup>71</sup> *Knighton’s Chronicle*, pp.501-2, n.4.

<sup>72</sup> *Brut II*, p.342.

<sup>73</sup> General accounts of the Epiphany Rising may be found in Keen, *England in the Later Middle Ages*, pp.243-4; Kirby, pp.87-8.

<sup>74</sup> On these creations, which included five dukes, four earls and a marquis, see C. Given-Wilson, ‘Richard II and the Higher Nobility’ in *Richard II: The Art of Kingship*, ed. Anthony Goodman and James Gillespie, London: Oxford University Press, 1999, pp.119-20.

<sup>75</sup> Given-Wilson (ed.), *The Chronicle of Adam Usk 1377 - 1421*, p.61. (Hereafter, *Adam Usk*.)

<sup>76</sup> ‘Annales Ricardi Secundi et Henrici Quarti’ in *Johannis de Trokelowe et Anon Chronica et Annales*, ed. H.T. Riley, Rolls Series, 1866, as translated and published in Given-Wilson (ed.) *Chronicles of the Revolution*, p.74. (Hereafter, ‘Annales Ricardi Secundi’.)



had been. For example, John Holand, created earl of Huntingdon, was the king's half-brother, while the earl of Salisbury was that same John Montagu whose noble right to trial by battle had been recognised in the 1399 case of Morley vs. Montagu discussed earlier in this chapter.<sup>77</sup>

The circumstances of the Epiphany Rising will be examined in greater detail in the next chapter. However, the significant point to note here is that when it failed, it was mobs of commoners, rather than the king or his magnates, who humiliated, destroyed, and dismembered the bodies of these noble traitors. According to the chronicler Adam Usk, after their plot against Henry IV was exposed, the earls of Kent and Salisbury had fled as far as Cirencester where:

[t]hey were beheaded in an uprising of the common folk...and I saw their bodies, chopped up like the carcasses of beasts killed in the chase, being carried to London, partly in sacks and partly on poles slung across pairs of men's shoulders, where they were later salted to preserve them. The earl of Huntingdon...was also captured by the local people, and beheaded by common folk and workmen...Meanwhile Lord Despenser...who was also a party to this conspiracy, was most despicably beheaded by workmen at Bristol; and the heads of those who had thus been brought to ruin were stuck on poles and displayed for a time on the far side of London bridge.<sup>78</sup>

Several chroniclers stressed the tensions exposed by these executions, because although the commons appeared to be acting in Henry IV's interests against traitors to his rule, the king had in fact temporarily lost control of the power to punish. The author of the *Vita Ricardi Secundi* seems shocked at this breakdown of order in the case of Despenser, as:

[a]lthough the mayor tried hard to save him from their clutches, there was nothing he could do about it, and in the end they dragged him out to the cross which stands in the market-place and beheaded him. Then they took his head away and placed it on top of London bridge.<sup>79</sup>

Thomas Walsingham had no sympathy for the traitors but he was perturbed by the manner of their ending, involving as it did the usurpation of the king's authority. He describes how the townspeople of Cirencester demanded that the captured earls of Kent and Salisbury be handed over to them by the king's officers, and that 'they even

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<sup>77</sup> This trial by battle was never actually staged, as it was pre-empted by Montagu's death in the Epiphany Rising.

<sup>78</sup> Adam Usk, pp.89, 91.

<sup>79</sup> George B. Stow (ed.), *Historia Vitae Et Regni Ricardi Secundi*, Pittsburgh, PA: University of Pennsylvania Press, 1977, as translated and published in Given-Wilson (ed.) *Chronicles of the Revolution*, p.239. Hereafter, 'Vita Ricardi Secundi'.

threatened Lord Berkeley with death' if he did not comply.<sup>80</sup> Elsewhere, he recounts a similar turn of events in the case of the earl of Huntingdon. Sir Gerard Braybroke was holding the earl captive under orders to 'keep him safe until the king had had a word with him'.<sup>81</sup> However, the king's orders were over-ruled when 'the commons...immediately swore that unless he [Braybroke] produced the earl...he would himself die in place of him. The knight, fearing the anger of the mob, promised to produce the earl'.<sup>82</sup>

It seems evident that in the violent conclusion to the Epiphany Rising, the natural order of the body politic was being disrupted rather than reinforced through the execution and division of traitors' bodies. Usk is clear on the risks of noble status being thus undone when he points out that the violence of these commoners and 'workmen', 'which, although contrary to the natural order, was allowed to them in the circumstances, might at some future time embolden them to rise up in arms against the lords'.<sup>83</sup> The risk was also recognised by the king, for the Privy Council's Minutes for 1 February, 1400 show that its first imperative was to punish the ringleaders of this unsanctioned 'justice':

Considere coment les comunes du roiaume ... son devenuz si fiers qils neschuent de destruire volentriement pluseurs de liges du Roy sanz aucun pcesse de la loy en manaceant de faire semblablement en temps avenir dont [tres grand] pil p'ra avenir a tout le roialme et derogacion de lestat du Roy.<sup>84</sup>

In the end, Henry IV saw the necessity of restoring order to the body politic and reasserting his own monopoly on justice by a posthumous condemnation, for in 1401, 'all the lords temporal present in parliament, by the assent of the king, declared and adjudged the said [nobles] to be traitors...and that they should forfeit as traitors...notwithstanding the fact that they were killed...without due process of law'.<sup>85</sup> Henry's actions here point in two directions. First, as a usurper, his position as king was as yet uncertain and his power fragile, so he needed to make a definitive statement that he was indeed the rightful king and 'head' of the English body politic. However, the

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<sup>80</sup> Taylor, Childs, and Watkiss (eds.), *The St Albans Chronicle: The Chronica Maiora of Thomas Walsingham II. 1394-1422*, p.291. (Hereafter, *St Alban's Chronicle II.*)

<sup>81</sup> *St Albans Chronicle II*, p.293.

<sup>82</sup> *ibid.*

<sup>83</sup> *Adam Usk*, p.91.

<sup>84</sup> 'Considering how the commons of the realm ...have become so insolent that they maliciously and willfully destroy many of the king's subjects without any process of law and threaten to do likewise in future, to the great harm of the whole realm and the derogation of the king's authority': Sir Harris Nicolas (ed.), *Proceedings and Ordinances of the Privy Council of England. Vol. I*, London: Public Records Office, 1834, pp.107-8.

<sup>85</sup> *PROME*, RP iii, 459.

evidence of the Privy Council's response to the executions, along with the interpretations of various chroniclers, point to a more enduring unease about anti-noble sentiments and the threat to natural order. The Peasants' Revolt of 1381, with its radical agenda to destroy all nobility, had occurred within the lifetime of Henry IV and many of his lords. In 1400-1, the comments of the Privy Council, the king's *ex post facto* parliamentary conviction of the dead traitors, and the opinion of men like Adam Usk upon the risks created by mob executions even if those executions were merited, demonstrate that a dire threat to order and hierarchy persisted in the minds of the political and social elite.

### **The traitor as an enemy of faith and nation**

The condemnations of the traitors of the Epiphany Rising also incorporated two new elements that, as noted earlier, were beginning to influence the construction of treason and the punishment of traitors by the late fourteenth century. The first was the specific accusation of Lollardy. For example, Walsingham's description of the death of the earl of Salisbury compounds his crimes by emphasising that he 'had supported the Lollards throughout his life, had scorned images and derided the sacraments, [and] ended his life wretchedly without the sacrament of confession'.<sup>86</sup> In an atmosphere of mounting anxiety about the perceived dangers the Lollard heresy posed to the peace and unity of the English realm, this accusation made the general medieval association of heresy and treason much more concrete and direct.

The second element was what appears to be a nascent idea that the traitor betrayed both his king and, in some sense, his 'nation' as it was identified with the English language. This is reflected in the parliamentary sentence against Salisbury and his fellow nobles, which includes the telling charge that they 'rode in warlike manner, treacherously, against our lord the king...to destroy our said lord the king and other great men of the realm, *and to populate the said realm with people of another tongue*'.<sup>87</sup> As English kings were almost constantly at war during this period, it is not surprising that traitors might be associated with foreign enemies of the realm. However, based on the limited evidence of this study, what does seem to be new in the early fifteenth

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<sup>86</sup> *St Albans Chronicle II*, p.291. The emerging battle against the Lollard heresy also served as a backdrop to the events of the Merciless Parliament, and both the *Westminster Chronicle* and *Knighton's Chronicle* include condemnations of growing Lollard activities and references to new anti-Lollard legislation. See for example, *Knighton's Chronicle*, pp.435ff.

<sup>87</sup> *PROME*, RP iii, 459. Emphasis added.

century is the idea that a nobleman's national identity was in sense embodied through his 'tongue'.<sup>88</sup>

Below, I will examine the treason cases of the earl of Northumberland in 1408, of Sir Roger Acton in 1414, and of Henry Lord Scrope of Masham in 1415. In each of these instances, the punishments meted out all bore the marks of this increasingly complex construction of the traitor while also fuelling the on-going debate over the nature of 'true' knighthood and noble status.

The earl of Northumberland, a member of the powerful Percy family, had fled England in the wake of a failed rebellion led by Archbishop Scrope in 1405. The details of this rebellion and of the Archbishop's part in it will be discussed in Chapter Four, but of relevance here is the treatment of the other main rebels. In 1408, Northumberland led an invading force from Scotland and met Henry IV's forces in battle at Bramham Moor.<sup>89</sup> Northumberland was killed in battle, but was then 'immediately stripped of his armour and beheaded'.<sup>90</sup> The bodies of Northumberland and of his fellow rebel Lord Bardolf were 'thanne quartered...And sente the heed of the Erle of Northumbrelond and a quarter of the lorde Bardolf unto London The which wern there sette upon London Brigge'.<sup>91</sup> In Northumberland's case, high birth and an illustrious noble lineage were not sufficient to preserve him from the profound dehumanisation and disgrace of stripping, quartering, and public display of his body parts. This treatment was unusual, because after the reign of Edward II, English noblemen generally had the punishment for treason commuted to simple (and honourable) beheading.<sup>92</sup> Even those traitors sentenced to hanging, drawing and quartering during the wars of Edward I were almost all Scottish or Welsh, not English.<sup>93</sup> The executions of Welsh and Scots noblemen had been characterised by particularly harsh punishments, such as those used in the case of David ap Gruffydd in 1283 and William Wallace in 1305.<sup>94</sup>

Northumberland's sentence therefore contradicted the general fourteenth- and early fifteenth-century pattern for the king to mitigate the most extreme punishments in the case of noble traitors, a strategy that sought in part to preserve the mystique of

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<sup>88</sup> Although more extensive research is needed to confirm this supposition.

<sup>89</sup> Accounts of these events are provided in Bothwell, p.158; Kirby, p.219. Between 1405 and 1408, Northumberland spent some of his time in Wales, which was in a state of rebellion against Henry IV as its would-be king. He also sought support in Paris: *St Albans Chronicle II*, p.530, n.748.

<sup>90</sup> *St Albans Chronicle II*, p.533.

<sup>91</sup> A. H. Thomas and I. D. Thronley (eds.), *The Great Chronicle of London*, London: Corporation of London, 1938, p.87. (Hereafter, *Great Chronicle*.)

<sup>92</sup> Royer, 'The Body in Parts', p.336.

<sup>93</sup> *ibid.*, pp.327-8. Royer notes that Edward I executed only one Englishman for treason, and he had been caught spying for the French.

<sup>94</sup> Bothwell, pp.62-3.

nobility. For, as Bothwell argues, in the wake of the Peasants' Revolt of 1381 (and I would contend, more immediately in the wake of the commons' executions of 1400), kings 'now hesitate[d] to abuse to excess their compatriots, however hated, within sight of the lower orders'.<sup>95</sup> So why was the noble body of Northumberland treated with such exemplary contempt, even at the risk of undermining the idea of the 'natural' superiority of those of noble blood? While more extensive evidence is needed to answer this question, one possibility is that Northumberland's sojourn in Wales and Scotland since 1405, and his links with the 'barbarian' leadership of those countries, had already effaced his identity as an English nobleman by the time he met Henry IV's forces in battle in 1408.<sup>96</sup> As he was no longer 'English', he could safely be subjected to the more degrading treatment that kings such as Edward I had handed out to their Scots and Welsh enemies.

The ambiguous nature of knighthood and the related entanglement of treason and heresy emerge as the key factors in the punishment of Sir Roger Acton, who was executed for his role in the Lollard rising of 1414 known as Oldcastle's Rebellion.<sup>97</sup> Describing this case, the chronicler Adam Usk first makes the point that Sir John Oldcastle himself was no true noble, for he held his title as Lord Cobham only through right of his wife and not through his own high birth.<sup>98</sup> As discussed at the beginning of this chapter, writers on chivalry held that the order of knighthood had been instituted by God and the knight's first duty was 'to mayntene and deffende the holy feyth catholyque'.<sup>99</sup> Therefore, Oldcastle's rebellion in the cause of heresy, 'against the king - that mighty zealot and champion of the Christian faith', could be seen as an external performance that proved the internal corruption of his non-noble blood.<sup>100</sup>

While Oldcastle evaded capture in 1414, his fellow conspirators were rounded up and sentenced to drawing and hanging, and also to burning, which had been the punishment for heretics in England since the 1401 statute *De Heretico Comburendo*. The following account of Acton's punishment is typical in the way it assumes a causal

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<sup>95</sup> Bothwell, p.66.

<sup>96</sup> The English chronicles for this period consistently portray both the Welsh and the Scots as irrational barbarians. Thomas Walsingham's descriptions of the Scots' 'natural maliciousness, congenital pride, and treachery in action' (*St Albans Chronicle II*, p.279) and of the Welsh leader Owain Glyn Dŵr acting 'like a barbarian' (*ibid.*, p.315) are typical.

<sup>97</sup> General accounts of the rising can be found in Rex, pp.84-7; Strohm, *England's Empty Throne*, pp.65-86.

<sup>98</sup> *Adam Usk*, p.245.

<sup>99</sup> Lull, *Chyualry*, p.24. Similar sentiments are expressed, for example, in Charny, *Book of Chivalry* and in the statutes of the Order of the Garter. I will return to this theme in greater detail in Chapter Four.

<sup>100</sup> *Adam Usk*, p.247.

link between heresy and treason, and this connection was likely reinforced by the addition of burning to the usual penalties for traitors:

This same yere were take Lollardez and heretikes that hadde purposed throgh [their] false treson to haue slayn the kynge...And amonge other wasse take a knyghte called Ser Roger off Acton and wasse drawe and honged for Lollerdy and for treson, and brente opon the galowes.<sup>101</sup>

As with Sir Nicholas Brembre, the 'false' knight of 1388, 'falseness' - an external appearance that does not match one's true inner state - again emerges here as a definitive marker of treason. In Usk's rendition of these events, he emphasises the point that Acton is no true knight, instead drawing attention to his common birth and non-noble blood:

This knight, the son of a tiler, was born into a lowly Shropshire family, and made his fortune from spoil and booty during the Welsh war, but he became arrogant beyond belief, getting himself honoured with admission to the order of knighthood by Henry IV, and being invested with the belt of knighthood by the king, and with the golden spurs by his two sons...Despite this, the ungrateful wretch later shamelessly turned against them.<sup>102</sup>

This passage touches a deep cultural nerve, as Usk appears to argue that even knighting by the king and admission to the highest order of knighthood- the ceremony described seems to be that for the Order of the Garter - cannot confer true knighthood in the absence of noble blood.<sup>103</sup> Acton may have successfully performed one aspect of knightly virtue by exhibiting the martial prowess that brings military honour and the wealth to fund *largesse*, but he had failed in the other parts of the performance, which were those of loyalty to his king and defence of the Christian faith.

### **Lord Scrope of Masham: Noble blood undone**

The execution of Henry, Lord Scrope of Masham in 1415 falls at the end of the period under examination in this study, and it brings together the preceding themes relating to the uncertain nature of knighthood, the intersection of treason with the perceived threat of heresy, and the betrayal of 'Englishness' expressed through an idea of 'tongue' or language. Lord Scrope, a knight of the Garter, had become involved with

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<sup>101</sup> Marx (ed.), *An English Chronicle 1377-1461*, p.42. (Hereafter, *An English Chronicle*.)

<sup>102</sup> *Adam Usk*, p.247.

<sup>103</sup> Acton does not appear in Collins' list of Knights of the Garter (pp.296-99). If, as is likely, he was degraded from the Order prior to his execution, he may simply have been excised from the records. Alternatively, Usk may be exaggerating here in order to emphasise the profound perversion of knightly values Acton's treason and heresy represent.

Richard earl of Cambridge (the landless younger brother of the duke of York) and Sir Thomas Gray of Heton in a conspiracy to raise a rebellion in Wales and replace Henry V with Edmund Mortimer, the earl of March.<sup>104</sup> Mortimer, losing his nerve, confessed the plot to Henry at Southampton where the king was preparing to take ship for his first military campaign in France. Imprisoned by the king, Cambridge, Lord Scrope, and Gray all promptly wrote letters confessing to a plan to take the earl of March into Wales, but denied additional charges that they were plotting to kill the king and his brothers, and thus to wipe out the Lancastrian dynasty.

All three parties to the plot were found guilty and, on the face of it, they received similar sentences. 'As traitors to the lord king and realm of England...that they should be drawn, hanged and beheaded.'<sup>105</sup> However, the execution rituals actually carried out reveal some significant deviations. For both Gray and the earl of Cambridge, the drawing and hanging was remitted, but Thomas Gray was still made to undertake a humiliating procession through the town, 'led on foot from the Watergate of Southampton through the middle of the aforesaid town as far as the gate called the North gate...and beheaded there'. The degradation continued after death, as his head was displayed at the town of Newcastle-upon-Tyne, central to Gray's zone of power in Northumberland.<sup>106</sup> While no reason was given for the remitting of drawing and hanging in Gray's case, in the earl of Cambridge's case it was specifically stated that this penalty was remitted because the earl was 'descended of the royal blood', and he was simply beheaded.<sup>107</sup>

Lord Scrope's treatment was somewhat different again. He was 'drawn from a [sic] aforesaid gate called the Watergate as far as the said gate called the North gate, and there only beheaded and not hanged'.<sup>108</sup> After his death, his head was taken to be displayed 'openly' on one of the gates of the city York - again, a city that was central to his landed interests and power base in the north. In Lord Scrope's case, it was *because* of his status as a Knight of the Garter that he was treated more harshly, the inverse of the response to the convicted traitor and Garter knight Sir Simon Burley in 1388. The trial record explains that:

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<sup>104</sup> The plot and the backgrounds and family connections of those involved are detailed in T. B. Pugh, *Henry V and the Southampton Plot of 1415*, Gloucester, UK: Alan Sutton, 1988. Pugh includes transcripts of the plotters' confessions and the records of the tribunal Henry V convened to condemn the accused: 'Appendix III: The Record of the Treason Trials at Southampton in August 1415', pp.178-85. (Hereafter, 'Record'). Strohm offers a nuanced interpretation of these documents involving the dynamics of confession and self-accusation (*England's Empty Throne*, pp.86-100).

<sup>105</sup> 'Record', pp.184-5.

<sup>106</sup> *ibid.*, pp.183-4. Gray was from a prominent Northumberland gentry family.

<sup>107</sup> *ibid.*, p.185.

<sup>108</sup> *ibid.*



Because the aforesaid Henry, Lord Scrope is one of the knights of the renowned and excellent Order of the Garter, which was originally laudably instituted for the strengthening of the Faith, the king, the realm and justice, yet the same Henry, although being in the same Order, on account of his dereliction should justly be regarded as infamous; no one however should presume to malign or reprobate that venerable Order to those who wear it worthily.<sup>109</sup>

The judgement here appears to construe Scrope's 'dereliction' as in part, an action against the Christian faith. This charge encapsulates his utter perversion of the core values of the Garter, dedicated as it was '[a] l'onneur de Dieu, Sainte Marie la glorieuse Vierge et Saint George'.<sup>110</sup> Collins points out that the Order had a dual duty to defend both the Church and the king, a duty that by the reigns of Henry IV and Henry V had become specifically associated with the royal campaign against Lollardy.<sup>111</sup> As the judgement continues, it adds the betrayal of his 'Englishness' to the construction of Scrope's treason, saying that he had 'wickedly and rashly ...transgress[ed] ...against his lord, his allegiance *and the tongue in which he was born*'.<sup>112</sup>

Scrope's condemnation also seems to harbour deeper anxieties about the 'falseness' that could lurk even within that most idealised species of knight, the Knight of the Garter, and therefore about the potential for slippages in the performance of loyalty and faith that were so crucial to noble identity. The admonition that 'no one however should presume to malign or reprobate that venerable Order to those who wear it worthily' suggests an awareness of this potential, and an attempt to foreclose dangerous interpretations of Scrope's execution. For if one noble member of the morally and socially preeminent Order of the Garter could fall from knighthood into infamy then so could any other, thereby exposing the fragility of 'natural' claims to knightly privilege and noble power. As Bothwell has noted, in the capricious social and political climate that had produced both the Peasants' Revolt of 1381 and the mob executions of 1400, stripping away the external markers of one noble's status ran the risk of degrading respect for the status of all nobility.<sup>113</sup>

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<sup>109</sup> 'Record', p.185.

<sup>110</sup> *Garter*, p.376.

<sup>111</sup> Collins, pp.262-4. Strohm examines the role of the campaign against Lollardy in cementing the legitimacy of the Lancastrian dynasty (*England's Empty Throne*, pp.32-100, 128-152).

<sup>112</sup> 'Record', p.185. Emphasis added. The reference to 'tongue' here would merit further analysis, given the Lancastrian dynasty's reputation for helping establish English, rather than Anglo-Norman French, as the official language of England. Cf. John H. Fisher, 'A Language Policy for Lancastrian England', *PMLA* 107, no. 5 (1992), pp.1168-80.

<sup>113</sup> Bothwell, p.29.



Lord Scrope's profound failure to perform true knighthood was epitomised by his betrayal of his God, his king, his brother knights and, perhaps, his status as an 'English' nobleman. It was this that made him more blameworthy and therefore more meriting of harsher and more degrading punishment. His drawing, his beheading outside the walls of the city, and the public display of his severed head were intended to mark him out as a frightening anomaly and to restore the integrity of the noble body politic by his permanent exclusion from it. However, the disturbing sight of a Knight of the Garter and former sworn 'brother' of the king brought to such a disgraceful end may in fact have served to highlight the insecurities inherent in a political and social order that was built upon personal loyalties and bonds of 'brotherhood'. Henry V's concern to emphasise that Scrope's fate should not be used to malign the Garter seems to reflect an awareness of this risk. However, as a king about to fight a war to assert his claim to the throne of France, it was perhaps a risk that he had to balance against the need to assert his kingship and impose his authority.

The cases examined in this chapter demonstrate that when it came to punishing traitors, the 'undoing' of noble or knightly status was not always as straightforward as scholars like Westerhof and Royer have concluded from their analysis of earlier examples.<sup>114</sup> As has been shown, by the later fourteenth century knightly status was a matter of growing uncertainty, with both performance and blood playing unpredictable roles in determining whether a man claiming its privileges was considered a 'true' or 'false' knight. This instability of noble identity may have been more evident in the examples analysed here due to the enormous social, cultural, economic and political changes that had affected the English political community over the course of the fourteenth and early fifteenth centuries. The varied treatment of these traitors' bodies, and the debates over the manner of their trial and punishment, offer specific evidence to support Keen's assertion that by this period, 'attention [focused] more sharply than before on the question, what the real essence of nobility was'.<sup>115</sup>

The cases I have explored so far also point to the need for nuanced and context-specific interpretations of the practices of medieval trial and punishment, and for analysis that recognises that the execution of traitors could be more than a public spectacle that expressed the king's power to do justice. As we have seen, at certain times and places, other power dynamics were in play, such as conflicts between the

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<sup>114</sup> In, for example, Royer, 'The Body in Parts'; Westerhof, 'Deconstructing Identities'; Westerhof, *Death and the Noble Body*.

<sup>115</sup> Keen, *Chivalry*, p.148.

'old' nobility of blood and 'new' men raised through service, or shifting alliances between noble factions and increasingly powerful urban authorities. Occasionally, as in 1400, all of these sections of the political community lost control of the power to punish, as the 'commons' demonstrated a frightening ability to usurp their authority. Finally, we have also seen growing anxieties about heresy, as well as a nascent conception of a distinctive 'tongue' that was linked to national identity and loyalty, starting to be expressed through the spectacular public punishment of traitors.

The next chapter delves further into the cultural meanings of the traitor's body by considering the role of gender in its construction and destruction. The nobleman's identity was tightly bound up with the performance of aristocratic masculinity embodied by the idea 'kighthood', and this meant that the distinction of 'true' knights from traitors had implications for the gendering of both categories.

### CHAPTER THREE: THE MONSTER WITHIN

In chivalric literature, in practical guides to knighthood, and in the processes of trial and execution, the traitor was envisioned as a 'false' knight, the horrific embodiment of everything the true nobleman was not. Through the ritual of execution, the marks of the traitor's status were systematically stripped away, and the dismembering and dispersal of his body asserted the truth of his internal corruption by obliterating that bodily integrity and wholeness identified with 'true' knighthood. Westerhof's work has demonstrated that this process of punishment involved not only the undoing of social status but also an inversion of gender.<sup>1</sup> In the elaborate public drama of execution, the traitor's body was fatally marked and rejected as the perverse, monstrous, and feminised 'other' of idealised aristocratic masculinity.<sup>2</sup> Westerhof's research has been valuable for drawing attention to the role of gender in constructing traitors. However, her interpretation of noble identity and aristocratic masculinity as fixed, self-evident and stable constructs has been questioned.<sup>3</sup> The evidence I present here indicates that noble identity and aristocratic masculinity were in fact uncertain and mutable constructs, and the execution of traitors could work to expose the instability of gendered embodiment as a knight. As I will argue below, the gendering of both 'knight' and 'traitor' could therefore be more complex than Westerhof's analysis has suggested.

As the previous chapter has shown, the nobleman's elite status was never secure within late medieval society. Social conflict, factional upheaval and dynastic change intensified the risk of slippage from 'true' to 'false' knight, with the attendant hazard of losing power, privileges and, potentially, one's life. However, the risk was

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<sup>1</sup> Westerhof, 'Deconstructing Identities'; Westerhof, *Death and the Noble Body*, Chapters Five and Six. Westerhof's work concentrates on the execution of noble traitors during the reigns of Henry III, Edward I, and Edward II.

<sup>2</sup> The gendering of treason has been generally overlooked by the major historians of chivalry and of the law of treason. Scholars working from the perspective of literary criticism have explored the gendered dimensions of treason in late medieval literature, in studies such as Michael Hanrahan, 'Seduction and Betrayal: Treason in the "Prologue" to "The Legend of Good Women"', *The Chaucer Review* 30, no. 3 (1996), pp.229-38; Claire Sponsler, 'The King's Boyfriend: Froissart's Political Theater of 1326' in *Queering the Middle Ages*, ed. Glenn Burger and Steven F. Kruger, Minneapolis, MN: University of Minnesota Press, 2001. To my knowledge, Danielle Westerhof is the only scholar to apply such an analysis to the historical treatment of traitors' bodies under English law.

<sup>3</sup> See for example, Megan Cassidy-Welch, 'Review', *The Journal of English and Germanic Philology* 110, no. 2 (2011), pp.245-47; David Crouch, 'Danielle Westerhof. Death and the Noble Body in Medieval England', *The American Historical Review* 114, no. 3 (2009), pp.816-17; Katherine Royer, 'Danielle Westerhof. Death and the Noble Body in Medieval England', *Journal of British Studies* 48, no. 4 (2009), pp.987-89.

made greater still by the constant need to perform publicly a certain model of aristocratic masculinity. This model was grounded in the morally and physically superior male body of the knight. The values of chivalry, including loyalty, 'hardihood' (encompassing physical strength and bodily discipline), *largesse*, and honour, were all qualities that had to be repeatedly validated through appearance, behaviour, lifestyle and other external signs.<sup>4</sup> In an approach that was typical of late medieval theorists of knighthood and nobility, Geoffroi de Charny linked this superior masculine embodiment to political power by asserting that those chosen by God to rule 'were seen to have good physique, strong, and well equipped to endure hardship of all kinds and strive for the good government of their people'.<sup>5</sup> Based on an analysis of chivalric texts and the role their ideals played in shaping late medieval political society, the historian Richard Kaeuper concludes that 'to all who wanted any share of power and influence, any recognition of high status, *showing signs* of a chivalrous life was crucially important'.<sup>6</sup>

However, as historians of medieval masculinity have demonstrated, neither aristocratic manhood nor the noble male body were self-evident or stable constructs. As 'socially based categories that [were] eminently and inextricably connected with questions of power', both gender and embodiment were subject to challenge and to disruption.<sup>7</sup> Trial by battle serves as one clear example of this, involving as it did a performance of knightly masculinity in which the male body served as proof of guilt or innocence. As was noted in Chapter Two, by the fourteenth century trial by battle in cases of treason was a privilege reserved to the nobility, but even those of indisputably high social status, such as Sir Nicholas Brembre, might be denied it on the grounds that they were not true knights. Even if the disputants were both recognised as noblemen, the outcome of such a battle could immediately negate this status. In one such contest staged in 1384, the loser, having yielded to his adversary, was immediately 'dispoyled of his amyour, and draw out of the palis vnto Tyburne, and there he was hangyd for his ffalsenesse'.<sup>8</sup> His transformation from nobleman to common criminal and from true to false knight, which had hung on the outcome of a single performance, happened within the space of a day.

### **The traitor as product of a masculine body politic**

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<sup>4</sup> Crouch, *The Birth of Nobility*, pp.56-80. Crouch notes the public nature of this validation, but does not link this to the performance of masculinity.

<sup>5</sup> Charny, *Book of Chivalry*, p.141.

<sup>6</sup> Kaeuper, *Chivalry and Violence*, p.193. Emphasis added.

<sup>7</sup> Lomperis and Stanbury, p.ix.

<sup>8</sup> *Brut II*, p.344.

To elucidate the challenge that traitors could pose to the construction of aristocratic masculinity, one must first appreciate the homosocial nature of the political culture that produced them. By 'homosocial', I mean that political power, as it was theorised in manuals of kingship and exercised through the practical institutions of government, was envisaged as a wholly masculine preserve. In the personal monarchy of late fourteenth- and early fifteenth-century England, successful government depended on close relationships between men that were forged by kinship and service. The bodies of the king and of the men who helped him rule were brought together in spaces that were almost exclusively male: on the battlefield, in the court, and within the royal household and chamber.<sup>9</sup> The king's body was the material and political centre of the realm, and his private chamber had particular significance as a space where men were able to cultivate physical and emotional intimacy with the royal person.<sup>10</sup> The symbolic potency of the chamber is indicated, for example, by the practice of bed-sharing as an expression of political alliance between kings.<sup>11</sup> In the treason case of Thomas Lord Morley vs. John Montagu, introduced in the previous chapter, the Court of Chivalry's decision to grant the request for trial by battle was conveyed through an elaborate ceremony performed in the king's bedchamber.<sup>12</sup>

With no real coercive power in his own right, the king depended on the voluntary consent and cooperation of the aristocracy to maintain functional government, and relationships of power between men were exercised through personal ties. These political ties were constructed in affective, familial terms of love and blood, constructs that were in this context gendered as masculine. In medieval reproductive theory, sperm was conceived of as the purified concentration of the father's blood, the substance that gave 'form' to female 'matter'.<sup>13</sup> In England, by the later Middle Ages this privileging of male blood secured formal legal and economic status through the practices of primogeniture and patrilineal inheritance of offices and

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<sup>9</sup> On the late medieval aristocratic household as male space, where all personal attendants - including cooks, stewards, butlers and those who looked after the lord's clothes, dressing and personal care - were men, see Hicks, *English Political Culture*, pp.143-52. On the king's household as exclusively male by the later Middle Ages, see Given-Wilson, *The Royal Household*, p.60; Ormrod, *Political Life*, pp.19-20.

<sup>10</sup> Hicks, *English Political Culture*, pp.101-4; Given-Wilson, *The Royal Household*, pp.5-6.

<sup>11</sup> M.J. Ailes, 'The Medieval Male Couple and the Language of Homosociality' in Hadley (ed.), *Masculinity in Medieval Europe*, pp.232-3; John Gillingham, *Richard Coeur De Lion: Kingship, Chivalry and War in the Twelfth Century*, London: Hambledon Press, 1994, pp.88-90, 135.

<sup>12</sup> Keen and Warner, 'Introduction. Morley vs. Montagu (1399)', p.165.

<sup>13</sup> On medieval reproductive theory, gendering of blood, and lineage as male blood, see Bildhauer, *Medieval Blood*, pp.87-98, 134; Peggy McCracken, *The Curse of Eve, the Wound of the Hero: Blood, Gender, and Medieval Literature*, Philadelphia: University of Pennsylvania Press, 2003, pp.42-56, 61-4; Crouch, *The Birth of the Nobility*, pp.117-19, 127-33; Jacquart and Thomasset, pp.52-9.

titles, and the holding of land 'in tail male'.<sup>14</sup> As shown in the previous chapter, noble (male) blood also played a significant, if uncertain, role in conferring social status. The relationships formed between men through marriage and inheritance (wherein male blood and status was transmitted between men via women as wives and mothers) were often expressed as relationships of 'kynde' or 'kinde'. This term denoted kinship - for example, 'kinde blod' meant membership of a patrilineal group defined by blood ties - but it also embraced a notion of natural, divinely ordained order.<sup>15</sup> In many Middle English texts, the expression 'sin against kynde' was synonymous with the concept of 'sin against nature'.<sup>16</sup>

The relationships between elite men that secured political stability and continuity were expressed in highly affective terms, or what Staley has termed a 'language of love'.<sup>17</sup> For example, writing to Henry IV in 1399, Sir John Pelham expressed himself in such emotional language that until recently, historians believed this was a letter from Lady Pelham to her husband.<sup>18</sup> He writes:

My dere Lord, I recommande me to yowr hie Lordeschipp wyth hert and body and all my pore myght, and wyth all this I think zow, as my dere Lorde, derest and best yloved off all erthlyche Lordes; I say for me, and thanke yhow my dere Lord, ... off your comfortable lettre...ffor by my trowth I was never so gladd as when I herd...that ye warr stronge ynogh wyth the grace off God, for to kepe yow fro the malyce of your ennemys...Fare wele my dere Lorde, the Holy Trinyte zow kepe fro zowr ennemys, and son send me gud tythyngs off yhow...

By yhowr awnn pore,  
J. Pelham<sup>19</sup>

Models for these values were provided in chivalric romance and *chansons de geste*, in which the intimate physical and emotional bond between two knights was esteemed over all other bonds, including that between husband and wife.<sup>20</sup> These values were

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<sup>14</sup> On English inheritance practices and the trend by the fourteenth century to grant titles and estates 'in tail male': Tuck, *Richard II and the English Nobility*, p.3.

<sup>15</sup> Hans Kurath and Sherman M. Kuhn (eds.), *Middle English Dictionary*, Ann Arbor, MI: University of Michigan Press, 1959, p.510.

<sup>16</sup> See for example the warning against sinful sexual practices, including the 'synne against kynde', in W. Nelson Francis (ed.), *The Book of Vices and Virtues: A Fourteenth Century English Translation of the Somme Le Roi of Lorens D'orleans*, London: Oxford University Press, 1942, p.45.

<sup>17</sup> Staley, pp.51-7.

<sup>18</sup> The provenance of this letter and its interpretation by historians is discussed in S. K. Walker, 'Letters to the Dukes of Lancaster in 1381 and 1399', *The English Historical Review* 106, no. 418 (1991), 68-79.

<sup>19</sup> Walker, 'Letters', pp.75-6.

<sup>20</sup> Ailes, Kuefler.

also reflected in the widespread practice of brotherhood-in-arms.<sup>21</sup> This was a contractual arrangement made between unrelated knights under which each party swore to aid the other with his body and goods, and it was intended as a lifetime commitment to love, fidelity and mutual assistance. The pact was sealed with an exchange of oaths and with a mass, and made of each party 'more than a sworn companion; in idea at least, he was one of one's blood and kin'.<sup>22</sup> This concept of homosocial love, loyalty and kinship extended beyond individual knights to knightly brotherhoods such as England's Order of the Garter, and it created affinities 'whose model was the natural relationship of the family'.<sup>23</sup> The knot on the Garter insignia was one means of giving visual expression to these ideals, as it symbolised the ties of brotherly loyalty and affection that bound the members together.<sup>24</sup> While the English king was the 'superior' of the Order, its model was not one of hierarchy but of knightly equality, and one of the distinctions membership conferred was the 'fraternal relationship it provided...with the monarch as a fellow Garter knight'.<sup>25</sup>

It was against these valorised masculine relationships of love and blood that the traitor was constructed as something both unmanly and unnatural. As a 'false' knight, the traitor exemplified deceit and low cunning, qualities that medieval philosophy and medical science identified as the result of prototypical feminine weakness and lack of masculine reason.<sup>26</sup> Further, through the archetype of Eve, deceit and betrayal were connected to lechery or *luxuria*, the disordered desire, aberrant will, and perversion of God's 'natural' order that was believed to be the root of all other sin.<sup>27</sup> As we shall see, the perception of the traitor as someone who had violated the natural order mediated through masculine blood and bonds of love meant that he sometimes became aligned with other 'rebels' against God, such as sodomites and heretics, who were likewise feminised.

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<sup>21</sup> Maurice Keen, 'Brotherhood-in-Arms' in *Nobles, Knights and Men-at-Arms in the Middle Ages*, London: Hambledon Press, 1996. For the relevance of this practice in later medieval England, see also Green, pp.106-7.

<sup>22</sup> Keen, 'Brotherhood-in-Arms', p.47.

<sup>23</sup> *ibid.*, pp.61-2.

<sup>24</sup> Collins, p.13.

<sup>25</sup> *ibid.*, p.24. On the model of equality, family, and brotherhood embraced by the Order, see also Keen, *Chivalry*, pp. 185, 197-8.

<sup>26</sup> Cadden, p.204; Neal, pp.7, 41-7, 175; Salisbury, p.86.

<sup>27</sup> Mark D. Jordan, 'Homosexuality, Luxuria, and Textual Abuse' in Lochrie, McCracken, and Schultz (eds.), *Constructing Medieval Sexuality*; Murray, 'The Law of Sin That Is in My Members', pp.11-12; Pierre J. Payer, *The Bridling of Desire: Views of Sex in the Later Middle Ages*, Toronto, Canada: University of Toronto Press, 1993, pp.3-12, 42-61, 133-6. Payer (pp.54-5) points to the abiding influence of St. Augustine's identification of perverse will (*'improba voluntas'*) as the cause of all other sin.

Yet, while the traitor was demonised as ‘other’, a feminised monster to be permanently excised from the ‘natural’ order of the body politic, it was the intimate homosocial nature of this order that created the ideal conditions for ‘traitors’ to be imagined and produced. Within a political culture where familiarity with the royal person was the route to power, the ‘traitor’ was most likely to be discovered amongst those men closest to and most trusted by the king. This was demonstrated during the crisis of 1387-8, when Richard II’s favourites were described as ‘traitors who are always circling about [him]’, causing him ‘to devote his love [*doner soun amour*], firm faith, and credence entirely to them, and to hate his loyal lords and lieges’.<sup>28</sup> Concerns with the risks of male intimacy are also implicit in the 1352 Statute of Treasons. Its first two clauses reveal deep anxieties about access to the bodies of the king, his heir, and those women who are the transmitters of royal bloodright from one generation of men to the next. The first two categories of treason in the Statute are:

When a Man doth compass or imagine the Death of our Lord the King, or of our Lady his Queen or of their eldest Son and Heir; or if a Man do violate the King’s Wife, or the King’s eldest Daughter unmarried, or the Wife [of] the King’s eldest Son and Heir.<sup>29</sup>

The focus here is on the violation of the natural, familial bonds that maintained stability and continuity at the heart of the realm, within the intimate spaces of the royal household and bedchamber. Access to these spaces was a privilege that was ideally granted only to the most worthy and noble of men. The violation of the king’s trust by those closest to him therefore revealed both a corruption of nobility and, through the threat posed to natural order, represented a sin against ‘kynde’.

The production of the traitor from within the heart of the medieval English political community is vividly demonstrated by a cluster of cases from early in the reign of Henry IV.<sup>30</sup> In accounts of the Epiphany Rising of 1400, the plotters, led by the earls of Huntingdon, Kent and Salisbury, conspired to take advantage of their entrée to the king’s domestic sphere by attacking him while he celebrated Christmas with his family at Windsor. Their plan was ‘to make a mommynge [play] to the kyng on the xij day atte nyghte, and in that mommynge thei purposed to sle hym’.<sup>31</sup> Walsingham briefly describes another incident from 1401, when ‘some traitor’ had cunningly

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<sup>28</sup> Favent’s *History*, as translated in Oliver, p.130; *PROME*, RP iii, 230.

<sup>29</sup> 25 Edw. III, St. 5 c.2. Retrieved 1 August 2011 from <http://www.legislation.gov.uk/aep/Edw3Stat5/25/2/section/II>

<sup>30</sup> Strohm (*England’s Empty Throne*, pp.63-5) discusses these plots, though without reference to the gendered dimension of treason.

<sup>31</sup> *An English Chronicle*, p.27. See also accounts in *Brut II*, pp.360-1; *St Albans Chronicle II*, p.285.



concealed 'a three-pronged iron device resembling a trident' in Henry IV's bed, so that when the king lay down 'he would have been injured by the sharp points or, perhaps, killed'.<sup>32</sup>

The significance of homosocial intimacy to the construction of the traitor is vividly expressed in the case of Henry Lord Scrope of Masham in 1415, which was introduced in the previous chapter. In the chronicle and record accounts, Scrope was consistently portrayed as a man 'whom the king had loved more than all others'.<sup>33</sup> Walsingham places Scrope almost in a blood relationship with the king, saying that '[a]mong the English race there was hardly a man so dear to the king...apart from his own brothers: this was clearly proved by the exhibition of love which he frequently showed towards him'.<sup>34</sup> The author of the *Gesta Henrici Quinti*, writing soon after the events of 1415, succinctly captured the dangerous connection between exclusively masculine relationships of power and the monstrous phenomenon of the traitor. He describes Scrope as 'an intimate member of his [Henry V's] own household and one who was almost second to none in the kingdom among those in the king's confidence' and then stresses that Scrope was therefore 'the more culpable an enemy because the more intimate a friend'.<sup>35</sup>

The repulsion that Scrope's plotting provoked in his contemporaries indicates not only a fear of political betrayal, but also a deeper anxiety about the nature of aristocratic masculinity as it was embodied in the knight. Scrope had won his position of intimacy and power through a false performance of noble masculinity and ideal knighthood that had deceived even the king, for Henry V had himself elevated Scrope to the Order of the Garter, that most exclusive marker of knightly status and brotherly love.<sup>36</sup> Scrope was a man 'in whose loyalty the king had complete confidence', yet 'he disguised everything he did in a cloak of hypocrisy'.<sup>37</sup> Moreover, 'he made a pretence of such dignity...[and] showed such modesty, and such piety, that the king judged that whatever he said should be treated as though it were an oracle come down from Heaven'.<sup>38</sup> In his written confession to Henry V, Scrope admitted to having 'frequently and willingly communicated with the same traitors, yet [he] did not disclose that

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<sup>32</sup> *St Albans Chronicle II*, p.315.

<sup>33</sup> Entry in the mayor of York's register shortly after Scrope's death, cited in Pugh, p.156.

<sup>34</sup> *St Albans Chronicle II*, p.661.

<sup>35</sup> *Gesta Henrici Quinti. The Deeds of Henry the Fifth*, trans. Frank Taylor and John S. Roskell, Oxford: Clarendon Press, 1975, p.19. (Hereafter, *Gesta Henrici Quinti*.)

<sup>36</sup> Collins, pp.115-6.

<sup>37</sup> *St Albans Chronicle II*, p.659.

<sup>38</sup> *ibid.*

treason to the ...king...but totally concealed it'.<sup>39</sup> In short, while Scrope's outward bearing and behaviour had been that of a true and loyal brother-knight, his performance had masked that falseness, deceit and cunning that aligned the traitor with the deviant feminine.

### Sexual deviance and the feminisation of traitors

An implicit concern with the dangerous feminised potential lurking within the most intimate circles of the masculine body politic can be read when one returns to the 1352 Statute of Treasons. Here, the traitor's perversion of natural bonds is conceived of in sexual terms as the violation of the bodies of wives and daughters, the material medium through which the father's blood and the status it secures is transmitted from one generation of men to the next. The traitor is someone whose very familiarity with the king is the factor that enables him to pervert these relationships of power between men. Through this corruption of natural bonds, marked as sexual deviance, the traitor becomes aligned with the monstrous feminine as it was embodied in the idea of *luxuria*, the disordered desire and rebellious will that was typified by the sin of Eve. One example of this connection is Knighton's disparaging criticism of Richard II's traitorous favourites as '*nephandi seductores regis*', with the Latin term *seductores* used to emphasise the causal relationship between seduction and sedition.<sup>40</sup> In the narratives of the Epiphany Rising of 1400, an explicit connection is made between the traitor and feminised sexual deviance when the plot is exposed by a prostitute who has spent the night with a servant from one of the conspirator's households.<sup>41</sup>

As outlined in Chapter Two, the rituals of the traitor's execution, including the stripping of clothing, the removal of symbols of status such as armour and spurs, and the punishments of drawing and hanging, marked the traitor as the antithesis of the idealised aristocratic male, thus performing an inversion of gender as well as social status.<sup>42</sup> Sponsler has further posited that the punishments of disembowelling and quartering, which broke open the noble male body conceived of as whole, perfect and

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<sup>39</sup> *PROME*, RP iv, 66.

<sup>40</sup> *Knighton's Chronicle*, p.393. For an extended discussion on the sexual deviance that connected 'seduction' and 'sedition' in medieval minds, see Hanrahan, 'Seduction and Betrayal'; Michael Hanrahan, 'Speaking of Sodomy: Gower's Advice to Princes in the *Confessio Amantis*', *Exemplaria* 14, no. 2 (2002), pp.423-46.

<sup>41</sup> *Continuatio Eulogii: Eulogium Historiarum Sive Temporis*, ed. F. S. Haydon, vol. iii (Rolls Series 1863), as translated and published in Given-Wilson (ed.) *Chronicles of the Revolution*, pp.235-6. (Hereafter, 'Continuatio Eulogii'.) See also *An English Chronicle*, p.27.

<sup>42</sup> This is the core of Westerhof's argument ('Deconstructing Identities') based on cases from the reigns of Edward I and Edward II.

invulnerable, also worked to feminise the traitor by publicly abjecting him and exposing him to the dominant masculine gaze.<sup>43</sup>

The case of Hugh Despenser the Younger, the favourite of Edward II who was executed in 1326, provides a telling example of how the traitor's execution marked him as a feminised and rejected 'other', while also implicitly acknowledging him as the 'monster' that was always potentially present within the body politic. The original 1326 judgement against Despenser was widely circulated at the time and survives in several manuscripts.<sup>44</sup> It mandated that Hugh should be hanged as a thief, beheaded as an outlaw, and that as a proven traitor, his body should be quartered and dispersed around the kingdom. It then continues:

Et pur ceo que vous fustes tot temps desloyaut et procurant descord entre nostre siegnour le Roi et nostre treshonorable dame la Roigne et etre les autre gentz du Roialme si enserrez vous debouwelle, et puyz ils serront ars.<sup>45</sup>

This exemplary punishment of disembowelling signified that the traitor's transgression lay specifically in the sinful perversion of bonds of love and blood that should naturally govern the relationship between husband and wife, and that should order the relationships between the king and his nobility. Jean Froissart, writing in the 1390s, also characterised Despenser's treason as the corruption of familial bonds and patriarchal order:

His heart was torn from his body and thrown into the fire, because he was a false-hearted traitor... he had so worked upon the King that he, who should have been their consort and sire, had refused to see the Queen and his eldest son.<sup>46</sup>

That the perversion of natural bonds was conceived of in gendered terms can be seen in chronicle accounts of Hugh's death. These overtly feminise him and made explicit his exclusion from a body politic that was governed through affective male-male attachments by adding a charge of sodomy: this was punished with castration.<sup>47</sup> Jean le

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<sup>43</sup> Sponsler, 'The King's Boyfriend: Froissart's Political Theater of 1326'.

<sup>44</sup> The transcript of the original judgement, along with details of its circulation, are provided in 'Judgement'.

<sup>45</sup> 'Because you have been at all times disloyal and have fomented discord between our lord the king and our most noble lady the queen and between other men of the realm, you will be disembowelled and after that your bowels shall be burned': 'Judgement', pp.266-7.

<sup>46</sup> Geoffrey Brereton (ed. and trans.), *Froissart. Chronicles*, Harmondsworth, England: Penguin, 1968, p.44.

<sup>47</sup> On sodomy as conceived of primarily as gender inversion rather than as a specific sexual act, see William E. Burgwinkle, *Sodomy, Masculinity, and Law in Medieval Literature: France and England, 1050 - 1230*, Cambridge, UK: Cambridge University Press, 2004, pp.48-68; Cadden, pp.218-25,

Bel describes the process which in effect deprived Hugh of his masculinity. His status as a knight and nobleman was first removed through being made to ride behind the queen's train 'sur le plus petit et maisgre et chetif cheval'.<sup>48</sup> He was then hauled up onto a high scaffold in the middle of the town of Harford (Hereford) where everyone could see him, whereupon:

On luy couppa tout premierement le vit et les coulles pour tant qu'il estoit herites et sodomites, ainsy comme on disoit, et mesmement du roy mesmes, et pour tant avoit le roy dechassé la royne par son enhortement.<sup>49</sup>

The punishment of castration not only feminised Despenser's material body, it also in effect destroyed his masculine social body by removing any possibility that he could pass on his blood, land, and titles to male heirs.<sup>50</sup> This version of Despenser's death, written in the late 1350s, also features a broadly conceived connection between treason, heresy, and sodomy that was made by theological writers and, increasingly, secular authorities in places like France and Germany.<sup>51</sup> By contrast to the Continent, heresy was not a great concern in England in the early fourteenth century. This may be why the specific accusation does not appear in the original judgment against Despenser, although it does contain the less specific charge that he is a 'faux cristiene'.<sup>52</sup> However, from the later 1380s, treason, heresy (Lollardy), and, less frequently, sodomy and sorcery, began appearing together in English accounts. All these transgressions were sins against 'kynde' that were characterised as having their roots in willful rebellion against God.<sup>53</sup>

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Kuefler, p.172; Karma Lochrie, 'Presumptive Sodomy and Its Exclusions', *Textual Practice* 13, no. 2 (1999), pp.295-310; Karma Lochrie, *Covert Operations: The Medieval Uses of Secrecy*, Philadelphia, PA: University of Pennsylvania Press, 1999, pp.177-227.

<sup>48</sup> 'The smallest, thinnest and most wretched horse': Jules Viard and Eugene Deprez (eds.), *Chronique De Jean Le Bel*, Paris: Librairie Honore Champion, 1977, p.27.

<sup>49</sup> 'First they cut off the penis and testicles because he was a heretic and sodomite, even as it is said with the king himself, and the king has driven away the queen at his urging': *ibid.*, p.28.

<sup>50</sup> On the concept of patrilineage as a body held together by male blood and extending through time to both ancestors and heirs, see Crouch, *The Birth of the Nobility*, pp.99-131; Bildhauer, *Medieval Blood*, pp.134-5.

<sup>51</sup> Jeffrey Richards, *Sex, Dissidence, and Damnation: Minority Groups in the Middle Ages*, New York: Routledge, 1991, pp.132-48. This conjunction of heresy, sodomy and treason can be seen, for example, in the trial of the Templars in the early fourteenth century. Cf. Anne Gilmour-Bryson, 'Sodomy and the Knights Templar', *Journal of the History of Sexuality* 7, no. 2 (1996), pp.151-83.

<sup>52</sup> 'Judgement', p.266. Rex (pp.11-12, 31) notes that there was no significant evidence of heresy in England prior to the 1380s, when the the teachings of John Wyclif and their links to the Peasants' Revolt of 1381 began to be perceived as a threat to both the ecclesiastical and secular order.

<sup>53</sup> On the conjunction of Lollardy, sodomy, and treason in late medieval England, see Carolyn Dinshaw, *Getting Medieval. Sexualities and Communities, Pre- and Postmodern*, London: Duke University Press, 1999, pp.55-99.; Forrest, pp.144-54.

Despenser's case bears comparison to that of Robert de Vere, one of the intimates of Richard II who was sentenced to hanging, drawing and quartering by the Lords Appellant in 1388.<sup>54</sup> Like Despenser, De Vere was the king's favourite and also held the office of chamberlain, thereby controlling access to the royal person within the spheres of power represented by the king's household and private chamber. Because of his influence with the king, De Vere was seen as the ring leader and chief offender amongst those 'seducers of the king' who had alienated Richard from his lords to such a degree that 'the king's hatred grew greater day by day against the true and loyal nobles [*naturales et fideles*].<sup>55</sup> According to Walsingham, De Vere's perversion of these natural relationships had gone even further. The chronicler directly connected treason, sodomy and sorcery in his assertion that, '[t]he king was very devoted to him [De Vere], and greatly respected and loved him, but not without ignominy, it is said, of an obscene familiarity', and elsewhere, that De Vere had gained control over the king through sorcery [*maleficiis*].<sup>56</sup> Favent's account of the Merciless Parliament also alludes to these connections between sexual sin, sorcery, and treason when he describes Richard II's favourites hiding themselves from the Lords Appellant 'just as Adam and Eve anciently did from God', and describes De Vere being guided by 'the devil his leader'.<sup>57</sup>

### **The 'traitor' and 'knight' as mutually constitutive**

From the perspective of the meanings intended by the public degradation and execution of traitors, the preceding examples have shown that treason was represented as the unnatural inversion of aristocratic masculinity, and that through the processes of punishment, the traitor was produced as the feminised and ignoble 'other' of the good knight. However, 'traitor' and 'knight' were mutually constitutive categories - the traitor made no sense outside the discourses and practices of homosocial love, fidelity, bodily service and familial attachment that were encapsulated in the ideal of the knight. Therefore, while they appeared to be wholly oppositional, the gendered identities of knight and traitor could in fact blur and overlap. On occasion, there was no way to differentiate clearly between them. The traitor, then, can be understood as the 'Other seemingly beyond (but actually wholly within, because wholly

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<sup>54</sup> Robert de Vere was sentenced *in absentia*, as by the time of the Merciless Parliament he had managed to escape England and later died in exile.

<sup>55</sup> *Knighton's Chronicle*, p.393; *St Albans Chronicle I*, p.807.

<sup>56</sup> *St Albans Chronicle I*, p.799; Stow, 'Richard II in Thomas Walsingham's Chronicles', pp.86-7.

<sup>57</sup> Favent, *History*, p.233. I will return to the connection between treason and sorcery in more depth in Chapter Four.

created by) the symbolic order that it menaces'.<sup>58</sup> As such, his exposure and undoing could sometimes unexpectedly work to undermine the masculine order it was intended to reinforce.

The specific circumstances of late fourteenth- and early-fifteenth century government created conditions in which these anxieties about who was a knight and who was a traitor were intensified. Royal favouritism, aristocratic faction and divided loyalties marked the reign of Richard II. When Henry IV deposed him and usurped his throne, England became for a time a body politic that effectively had two 'heads' because although Richard II died early in 1400, rumours that he was still alive persisted for nearly a decade.<sup>59</sup> Moreover, in this period, treason was frequently defined as 'accroaching' (or usurping) the king's power, with this charge appearing liberally throughout the appeals of 1388, for example. As Keen has noted, the accusation of accroachment 'widened the scope of treason to the point where intimacy with the king might in itself be grounds for an accusation'.<sup>60</sup> In such a political environment, one man's loyal knight could very well be another man's traitor.

The case of Robert de Vere illustrates how indistinguishable the categories of 'traitor' and 'knight' could sometimes become. De Vere had fled England late in 1387 after losing the battle of Radcot Bridge to a force assembled by the Lords Appellant. One of the treason charges against him in the Merciless Parliament was that at Radcot Bridge, 'he rode with a great power and force of men-at-arms...and accroaching to himself royal power, caused the king's banner to be displayed in his company, contrary to the estate of the king and his crown'.<sup>61</sup> According to the general codes of medieval military engagement, raising the king's banner or standard against him was indeed considered an overt act of rebellion.<sup>62</sup> However, in this case De Vere was in fact acting on the king's own orders and he was carrying letters from the king to that effect.<sup>63</sup> Challenged at Radcot Bridge by the Appellant forces, De Vere's men claimed that 'they wished the lords [Appellant] "to understand that it is by the king's orders that we have been riding in company with the duke of Ireland"'.<sup>64</sup> In the appeal of treason against De Vere, the Appellants were forced to explain their own apparent direct violation of the

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<sup>58</sup> Cohen, *Of Giants*, p.8.

<sup>59</sup> Although Richard II died early in 1400, the first decade of Henry IV's reign was plagued by continued rumours that the 'true' king was still alive. Cf. Walker, 'Rumour, Sedition and Popular Protest'.

<sup>60</sup> Keen, *England in the Later Middle Ages*, p.72.

<sup>61</sup> *PROME*, RP iii, 235-6.

<sup>62</sup> Keen, 'Treason Trials under the Law of Arms', pp.93-5.

<sup>63</sup> *Westminster Chronicle*, p.222, n.2. *Knighton's Chronicle* (pp.419-21) details the king's plans to raise troops and the confrontation between Robert de Vere and Henry earl of Derby at Radcot Bridge.

<sup>64</sup> *Westminster Chronicle*, p.223.

king's written orders by claiming that the letters De Vere carried had been extracted by guile or duress, asserting that the treasonous favourites had 'caused the king to write to the said duke of Ireland'.<sup>65</sup> Here, Richard II was positioned as the passive pawn of men who abused their intimacy with him in order to advance their own causes while also manoeuvring to destroy his 'true' nobles. Yet, the rest of the charge seems inadvertently to contradict this interpretation by giving the active role to the king, saying that the letters also promised 'that the king would meet him [De Vere] with all his force, and that the king would there venture his royal person'.<sup>66</sup> From the Appellants' own account, then, De Vere appears to have been doing nothing more than his knightly duty of putting his body on the line in military service to his king, but this same service had made him a traitor.

The treason appeal of Thomas Lord Morley against John Montagu, the earl of Salisbury, in the Court of Chivalry provides another important instance in which knightly loyalty to one's king could at the same time be construed as treason. The heart of Morley's appeal was that the earl:

De ceo q'il fuist del counsaill de Thomas, duc de Gloucestre, et chivacha parentre Richard, nadgairs roy d'Engleterre, et le dit duc come une espie, et conust le counseill d'ambideux parties, et puis come un faux chivaler discovera son counsaill et traierusement disceyva le dit duc.<sup>67</sup>

The duke of Gloucester was that same duke who had led the Lords Appellant to destroy Richard's favourites in 1388, while the earl of Salisbury was one of Richard's new intimates, the 'duketti' who were monopolising access to the king by the later 1390s.<sup>68</sup> By 1395, Gloucester was again at odds with the king and by 1397, he and his old compatriot the earl of Arundel were rumoured to be actively plotting against Richard.<sup>69</sup> In the summer of 1397, Gloucester was arrested, sent to Calais, and there murdered, but not before confessing that he had indeed acted treasonously against the king.<sup>70</sup> Morley's appeal of treason against the earl of Salisbury accused him of having abused his close relationship with Gloucester in order to reveal his plans to the king, thereby

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<sup>65</sup> *PROME*, RP iii, 325. Emphasis added.

<sup>66</sup> *ibid.*

<sup>67</sup> 'Who was of the counsel of Thomas, duke of Gloucester, and rode between Richard, late king of England, and the said duke as a spy and knew the plans of both parties, and then as a false knight, revealed his [Gloucester's] plans and traitorously deceived the duke': 'Appeale of Treason' p.170.

<sup>68</sup> See p.40, n.74.

<sup>69</sup> On the supposed plot and Gloucester's subsequent arrest, confession and death, see Saul, *Richard II*, pp.371-9. Saul (p.372) notes that while there is no evidence this plot was real, the grievances of the duke and other disaffected nobles against Richard II by this point were such that it was not unlikely.

<sup>70</sup> I will return to Gloucester's case below.



helping to orchestrate the duke's arrest. However, at the time these events occurred, Salisbury was performing exactly as a loyal knight should by aiding his king *against* a treasonous subject, aid that included promptly informing him of any seditious plots. It was only Henry IV's usurpation of the throne that created the conditions in which Montagu slipped from loyal knighthood into an identity as a *'faux chivaler'* and traitor.

A similar confusion of 'knight' and 'traitor' arose in Henry 'Hotspur' Percy's rebellion against Henry IV in 1403.<sup>71</sup> Percy was considered to be the very essence of nobility, 'the flower and glory of Christian knighthood', and he had a long record of military service under first Richard II and then Henry IV.<sup>72</sup> Along with his father the earl of Northumberland, he had been instrumental in supporting Henry of Lancaster's (later Henry IV) armed invasion of England in 1399 and had since then been heavily engaged in fighting the Scots on the new king's behalf. Yet, by 1403, Hotspur was in rebellion. The essence of his cause was that 'Henry of Lancaster' was not the true king, and Hotspur had issued written proclamations to this effect.<sup>73</sup> Accused of treason by the king, Percy sought to defend his honour through a trial by battle:

Sir Henry Percie seide, 'Traytour am I non, but a true man and as a true mon I speke.' The kynge drue to hym his dagger; and then he seid to the kynge, 'Not here but in the fielde'.<sup>74</sup>

When Hotspur met Henry IV at the battle of Shrewsbury, he 'and all his men were arrayed in the livery of the hertis, the whiche wasse kynge Richardes livery'.<sup>75</sup> This display in the former ('true') king's livery with his insignia of the white hart was clearly a calculated public performance of loyal knighthood, and Hotspur further stressed his own position as the 'true' knight in the encounter by telling Henry IV, '[t]hou payeste no man, thou holdeste no house', both of these signalling the king's failure to perform his chivalric duties of *largesse* and hospitality.<sup>76</sup> Finally, Hotspur declared '[t]hou arte not heire off the reame, and therfor as I haue hurte the reame in bryngynge in off the, I

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<sup>71</sup> For an overview of the rebellion and the events that helped precipitate it, see Kirby, pp.52-58,134.

<sup>72</sup> *Adam Usk*, p.171.

<sup>73</sup> Kirby, p.155. For the details of Percy's manifesto, and the possibility that Henry of Lancaster had in fact sworn on oath in 1399 that he would not seize the crown but only pursue his rightful inheritance as the duke of Lancaster, see Michael Hicks, 'The Yorkshire Perjuries of Henry Bolingbroke in 1399 Revisited', *Northern History* 46, no. 1 (2009), pp.31-41.

<sup>74</sup> *An English Chronicle*, p.33.

<sup>75</sup> *ibid.*

<sup>76</sup> *ibid.* This also referred to a specific complaint that Henry IV had repeatedly failed to send the Percies money they had been promised to pay their troops, who were fighting Henry's war against the Scots, payment that was needed so as 'not to disgrace the chivalry of the realm': Kirby, p.154.



woll helpe to refourme yt yff I may'.<sup>77</sup> Hotspur was slain in the ensuing battle, and Henry IV seems to have had the last word in terms of marking him as a traitor by immediately having his head 'smytte off and sett vp ate Yorke'.<sup>78</sup> However, rumours persisted that Hotspur was alive, rumours that, if true, would have confirmed the justice of his cause in his trial by battle against the king. Eventually, Henry IV was forced to re-enact the public degradation of Hotspur's knighthood by having his corpse disinterred and displayed between two millstones in Shrewsbury marketplace.<sup>79</sup>

### Manipulations of gender

The male body may have been a ground of proof but, as the evidence examined above indicates, it could be highly unstable ground. The punishments performed on the bodies of traitors were intended to expose them as unmanly and unknighly, monstrous anomalies to be excised from the body politic. However, on occasion, the noble traitor successfully commandeered the performance of knightly masculinity in order to undermine the authority of the men seeking to destroy him. Such a performance is exemplified by the 1397 trial and execution of Richard Fitzalan, the earl of Arundel.

Arundel had been one of the Lords Appellant who had executed Richard II's favourites in the Merciless Parliament of 1388. In 1397, the king, at the height of his power, turned the tables by having Arundel appealed of treason. The appeal was brought by Richard II's new crop of favourites led by Lord John Bussy (or Bushy), men who had been elevated to the highest offices and titles in the land by virtue of their intimacy with the king rather than because of aristocratic lineage and knightly merit.<sup>80</sup> In an ostentatious performance of their status, they presented their appeal to the king in parliament 'dressed in a livery of red robes decorated with silken hoops and letters of gold on white silk'.<sup>81</sup> Arundel was brought in to face them, dressed also in a red robe and a scarlet hood. His hood along with his belt, the markers of his nobility and knighthood, were then immediately removed in a symbolic act of inversion. Arundel seemed well aware that the outcome of his trial would inevitably be his conviction and execution for treason, but he put up a spirited fight in which he positioned himself as

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<sup>77</sup> *An English Chronicle*, p.33.

<sup>78</sup> *ibid.*

<sup>79</sup> Bothwell, p.76.

<sup>80</sup> p.40, n.74.

<sup>81</sup> *Adam Usk*, p.27. Very similar accounts of Arundel's trial and execution are provided in *Adam Usk*, pp.25-31 and the 'Vita Ricardi Secundi', pp.55-60. Given-Wilson (*Chronicles of the Revolution*, p.54) suggests that both chroniclers based their accounts on a tract probably written by a royal chancery clerk in attendance at the parliament.

the true noble and knight, defending the law and the 'faithful commons' against liars and traitors who unjustly sought his blood. According to the monk of Evesham:

When the articles of the appeal had been read out to the earl, he hotly denied that he was a traitor, and claimed the benefit of his pardon...But the duke of Lancaster...said to him, 'That pardon is revoked, traitor.' 'Truly you lie,' replied the earl, 'never was I a traitor.' 'Why then did you seek a pardon?' the duke asked him. 'To silence the tongues of my enemies, of whom you are one,' retorted the earl, 'and to be sure, when it comes to treason, you are in greater need of a pardon than I am.' Then the king said to him, 'Answer the appeal.' To which the earl replied, 'I see it clearly now: all those who accuse me of treason, you are all liars...I still claim the benefit of my pardon, which you, [Richard II]...granted to me of your own volition'...Then Lord John Bussy...said to him, 'That pardon has already been revoked by the king, the lords, and us, the faithful commons.' To which the earl replied, 'Where are those faithful commons? I know all about you and your crew, and how you have got here - not to act faithfully, but to shed my blood.'<sup>82</sup>

When Arundel spoke of his pardons, he was speaking both of a general pardon granted at the conclusion of the Merciless Parliament, and of a later individual pardon granted to him personally by the king in 1394.<sup>83</sup> The pardon carried the promise that Richard II had forgiven Arundel for past transgressions. By revoking it apparently without cause or warning, it was the king who transgressed both knightly values and his coronation oath.<sup>84</sup> As one early fifteenth-century 'mirror for princes' put it, '[i]t is nat knyghtly from an oth to varie; A kyng of trouth, oweth bene exemplary'.<sup>85</sup> This exchange, where Arundel accused his attackers, and by implication the king, of lying and bad faith - profound transgressions of knightly values - reads very like a verbal trial by battle. Arundel was indeed fighting for his life here, and it was a battle he appeared to lose as he was quickly sentenced to be drawn, hanged, beheaded and quartered, a sentence the king commuted to beheading only 'out of recognition for his birth'.<sup>86</sup> Arundel was then immediately:

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<sup>82</sup> 'Vita Ricardi Secundi', pp.58-9.

<sup>83</sup> For the individual pardon, see *Calendar of Patent Rolls 1391-6*, London: Public Records Office, 1905, p.406 (hereafter, *CPR*). For the circumstances of revocation, see Bennett, pp.12, 99-102.

<sup>84</sup> In the Record and Process of Richard II's deposition, the revocation of the pardon was cited as one of the actions that proved he had broken his coronation oath and was therefore no longer a legitimate king: *PROME*, RP iii, 418.

<sup>85</sup> Thomas Hoccleve and Frederick J. Furnivall, *Hoccleve's Works. The Regement of Princes and Fourteen Minor Poems*, Millwood, NY: Kraus Reprint, 1975, p.80.

<sup>86</sup> 'Vita Ricardi Secundi', p.59.

Led away through Cheap and other parts of London to Tower Hill, followed all the way by a great crowd of citizens who mourned him as much as they dared, and there he was beheaded.<sup>87</sup>

The crowd watching Arundel's execution responded to him not as an infamous and shameful traitor, but as a nobleman who had performed as a true knight to the end. According to the writer of the *Continuatio Eulogii*, this performance was both self-conscious and deliberate, as rather than throwing himself on the mercy of an unjust king, Arundel had declared that, 'I submit myself to the mercy of the Supreme King. To uphold the laws, and for the welfare of the kingdom, I am quite prepared to die'.<sup>88</sup>

Arundel's performance of knightly masculinity did not end with his death, though. Instead, 'his body...buried without ceremony at the house of the Augustinians...is now venerated with great reverence and glory, and people continually make offerings there'.<sup>89</sup> This veneration was accompanied by stories that Arundel's head had become miraculously reattached to his body, so that his whole and invulnerable noble body seemed to offer the definitive 'proof' after death of the justice of his cause. In this unusual aftermath to Arundel's execution, his uncorrupted body proved him to be the true noble and knight, implicitly constructing Richard II in turn as the false one. (There is also clearly an allusion here to the incorruptibility of saints' bodies, a theme I will return to in Chapter Four.) In Arundel's case, it was the king and not the traitor who turned out to be the real inversion of the 'knight', and the pejorative gendering this entailed was captured in later criticisms of the deposed king as 'effeminate' and unmanly.<sup>90</sup>

Alongside the examples of Robert de Vere, the earl of Salisbury, and Henry 'Hotspur' Percy, the earl of Arundel's experience suggests that the highly unstable political climate of the later fourteenth and early fifteenth centuries heightened the risk that the categories of 'knight' and 'traitor' would bleed into each other. While these cases serve to illustrate the contested nature of aristocratic masculinity embodied through knightly performance, the interdependence of 'knight' and 'traitor' could also result in more complex performances of gender.

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<sup>87</sup> 'Vita Ricardi Secundi', p.60.

<sup>88</sup> 'Continuatio Eulogii', pp.66-7.

<sup>89</sup> *Adam Usk*, p.31.

<sup>90</sup> See for example the various chronicle portraits of Richard II discussed in Louise Desaussure Duls, *Richard II in the Early Chronicles*, Paris: Mouton, 1975; Stow, 'Richard II in Thomas Walsingham's Chronicles'; Stow, 'Chronicles Versus Records: The Character of Richard II'; John Taylor, 'Richard II in the Chronicles' in *Richard II: The Art of Kingship*, ed. Anthony Goodman and James Gillespie, London: Oxford University Press, 1999.

This complexity emerges in the trial of Arundel's fellow Appellant, Thomas Beauchamp, the earl of Warwick. Warwick was also appealed of treason in the 1397 parliament but rather than resorting to a performance of knightly masculinity as Arundel had done, Warwick seems to have appropriated the model of the abjected and despised feminine in order to save his own life. As with Arundel, the proceedings against Warwick began with the symbolically charged removal of his hood. The appeal was then read to him, '[w]hereupon, like a wretched old woman, he began to weep and sob and wail, declaring that he had indeed, like a traitor, done everything that was alleged'.<sup>91</sup> In a 'pathetic and inane fashion' Warwick then immediately implicated as co-conspirators the duke of Gloucester, the former abbot of St Albans, and a monk at Westminster, 'all the time ...sobbing and whining and begging the king's mercy'.<sup>92</sup> Warwick, having thus 'foolishly, wretchedly, and pusillanimously confessed to everything', was perceived to be staging a performance as far from knightly masculinity as can be imagined as he appeared to align himself with the feminine in its most despised form.<sup>93</sup> Yet, Warwick's fellow noblemen did not react to him in the way we might expect, with their utter rejection of the self-confessed traitor. Instead, Warwick's confessional performance elicited not disgust or horror but sympathy, to the extent that 'since almost everybody there felt moved by his tears and was begging and pleading with the king to show mercy to him, the king granted him his life'.<sup>94</sup>

A rather different manipulation of the feminine occurred in the case of Thomas of Woodstock, duke of Gloucester. He was also condemned as a traitor in the 1397 parliament, although he did not appear in person as he had already been murdered while in prison in Calais.<sup>95</sup> However, in what Giancarlo describes as a 'scripted setup', his written confession as recorded by Judge William Rickhill was read out.<sup>96</sup> In this document, Gloucester, referring to the events of 1387-8, admitted to a catalogue of offences that amounted to treason. Amongst them were that he 'restreyned my Lord of his freedom...came armed into my Lordes presence...communed...that we myght yvve up our homage...[and] was in place ther it was communed and spoken in manere of

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<sup>91</sup> Adam Usk, p.35.

<sup>92</sup> 'Vita Ricardi Secundi', p.61.

<sup>93</sup> 'Vita Ricardi Secundi', p.61.

<sup>94</sup> *ibid.*

<sup>95</sup> For the background to these events and Richard II's involvement in his uncle's murder, see Bennett, pp.97-8; Saul, *Richard II*, pp.373-9.

<sup>96</sup> Matthew Giancarlo, 'Murder, Lies, and Storytelling: The Manipulation of Justice(s) in the Parliaments of 1397 and 1399', *Speculum* 77, no. 1 (2002), p.80. Quotations below from Gloucester's confession are from the full transcript Giancarlo provides on pp.81-2, which includes important variants not recorded in the Rolls of Parliament.

deposal of my liege Loord'.<sup>97</sup> He framed his treason particularly in terms of his violation of bonds of love and blood, admitting 'that I dede untrewly and unkyndely as to hym that is my lyege Loord, and hath bene so gode and kynde Loord to me'.<sup>98</sup> The term 'unkyndely', which Gloucester uses several times, invoked his violation of his relationship of 'kynde' or 'kin' with his nephew, the king. As noted earlier, this term also meant unnatural, the phrase 'against kynde' being commonly used in condemning the 'sin against nature' or sodomy, and so also signified the traitor's perversion of noble manhood.

Having apparently admitted his alignment with the despised feminine, Gloucester then attempted to engage the king's mercy by placing himself in an utterly submissive position, begging:

[m]y lyege and souverayn Loord the Kyng, that he wyll of his heygh grace and benyngnytee accepte me to his mercy ad his grace, as I that putt my lyf, my body, and my goode holy at his wyll, as lowlych as mekelych as any creature kan do.<sup>99</sup>

However, after thus abjecting himself by association with the lowest and meekest of creatures, he immediately invoked those most exalted ideals of femininity, the Virgin Mary and Mary Magdalene:

Besechyng to his heygh Lordeschipp, that he wyll, for the passion that God soffred for all mankynde, and the compassion that he hadde of his Moder on the Cros, and the pytee that he hadde of Marye Maudeleyne, that he wyll vouchesauf for to have compassion and pytee as he that hathe ever bene ful of mercy and of grace...to all other that have nught bene so neygh unto hym as I have bene, thogh I be unworthy.<sup>100</sup>

The last phrase, which reminds the reader (or listener, in the case of the parliamentary audience for this confession) of Gloucester's close blood ties to the king, performs a further manipulation of gendered relationships as he appealed to the model of the Holy Family in order to seek forgiveness for his own confessed corruption of familial bonds.

The cases of Arundel, Gloucester and Warwick each feature unexpected manipulations of dominant constructs of masculinity and femininity. Arundel was able to maintain his knightly masculinity and bodily integrity even though he suffered a traitor's death. In the cases of Warwick and Gloucester, their confessions of treason

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<sup>97</sup> Giancarlo, p. 81.

<sup>98</sup> *ibid.*

<sup>99</sup> *ibid.*, p.82.

<sup>100</sup> *ibid.*

aligned them with the feminine, but in ways that elicited sympathy rather than outright rejection. These manipulations demonstrate that the gendering of the 'traitor' was not always straightforward, and this could make the noble male body a risky site on which to inscribe relationships of power. In each of these cases, the traitor was able to resist, to one degree or another, the complete undoing of noble male identity.

### **Patrilineage as a challenge to noble 'undoing'**

Resistance to the 'undoing' of identity could extend beyond the immediate rituals of trial and execution, because the noble masculine body extended beyond the individual's corporeal frame into patrilineage and property.<sup>101</sup> Just as the body politic was conceived of as both represented by and contained within the body of the king, 'lineage' was a social group imagined as a body held together by one blood, a shared blood that, as explained earlier, medieval reproductive theory gendered as male.<sup>102</sup> Patrilineage was most vividly manifested in the right of inheritance, a right that was viewed as sacred because it was secured by and naturalised through blood.<sup>103</sup>

As the law of treason had developed between the thirteenth and fifteenth centuries in France and England, under French law the children of traitors were routinely punished with the loss of all lands, titles and privileges and, consequently, with the permanent loss of noble identity which had been secured through blood and land.<sup>104</sup> However, in England, forfeiture was generally only applied to lands held in fee simple or lands held by others to their use, while entailed land, which was reserved for inheritance by the oldest legitimate son ('in tail male'), was protected.<sup>105</sup> In English treason cases, when the forfeiture of entailed land and titles was resisted or reversed, this can therefore be interpreted as preserving the masculine social body of the traitor by maintaining the integrity of his patrilineage.

And example of this resistance can be seen in the aftermath of Arundel's trial. In 1397, after sentencing Arundel to execution as a traitor, Richard II had broken with the sacred principles of inheritance by commanding that 'the lands descending from your person, both entailed and unentailed...be forfeited for ever by you and your heirs'.<sup>106</sup> The reference to 'descending from your person' clearly makes the connection between

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<sup>101</sup> Neal has discussed at length the idea of property and heirs as extension of the masculine self.

<sup>102</sup> On the gendering of blood and patrilineal inheritance, see p.54, n.13.

<sup>103</sup> Hicks (*English Political Culture* pp.62-4) discusses patrilineage and the belief that inheritance was a sacred right.

<sup>104</sup> Cuttler, p.124; Bellamy, p.13.

<sup>105</sup> Bellamy, p.115. On treason and forfeiture in general in later medieval England, see also Clarke; Lander; Rogers; Ross, 'Forfeiture for Treason'.

<sup>106</sup> 'Vita Ricardi Secundi', p.59.

male bodies and lands, and the loss of status secured through land excludes the body of both the traitor and of his heirs from any future role as 'members' of the body politic. This exclusion was made explicit later in the same parliament when:

[t]he king announced that any persons who were descended from those who had been or were to be condemned, namely their male heirs and those descending from them in the male line, should be debarred for ever not only from their inheritances but also from the councils and parliaments of the king.<sup>107</sup>

However, by interfering with the supposedly inalienable privileges of patrilineal inheritance represented by entailed lands, this act of permanent undoing of nobility marked the king as the one who had disrupted masculine relationships of power and perverted a natural order that was grounded in male bodies and blood. During and after Richard II's deposition, the imposition of total forfeiture was identified as one of the symptoms of his tyranny, tyranny that was itself an inversion of the idealised qualities of knighthood that kings were expected to personify. After ascending the throne, Henry IV restored most of what had been forfeited, including even the lands of the earl of Arundel, whom he had openly accused of treason in the 1397 parliament.<sup>108</sup> Later, when the self-confessed traitor Warwick died in 1401, 'he left as his heir his only son, to whom the king, generously overlooking the last two years of his minority, delivered his father's inheritance'.<sup>109</sup> These acts implicitly restored and made whole the social bodies of the now-dead traitors by restoring their male heirs to their noble status and to their inherited position in the political order. Henry IV's reversals may have been a calculated move to secure his crown by winning over the English nobility, but his own attempts to impose the same type of total forfeiture on traitors through the development of attainder (tainting or 'corruption of blood') were met with varying degrees of resistance throughout his reign.<sup>110</sup>

### **Women and treason**

The cases of treason discussed to this point demonstrate the centrality of gendered notions of knighthood and nobility to the concept of treason, and to the production and execution of traitors. Given this gendered frame, what happened when

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<sup>107</sup> 'Vita Ricardi Secundi', p.61.

<sup>108</sup> For this exchange, wherein Henry (then earl of Derby) accused Arundel of having admitted a plot in 1387 to forcibly seize the king, see 'Vita Ricardi Secundi', p.59; *Adam Usk*, pp.29-31. For details of the reversals of forfeiture, see Bothwell, pp.195-7.

<sup>109</sup> *Adam Usk*, p.129.

<sup>110</sup> Bothwell, pp.102-3; Hicks, *English Political Culture*, p.33, Ormrod, *Political Life*, p.76.



women became implicated in treasonous plots? Such cases are rare, but in a handful of examples from the early fifteenth century, these women either 'disappeared' behind male relatives or accomplices in the texts that recount their trials, or they were punished for the overtly feminised crimes of heresy and sorcery, rather than as traitors. This pattern suggests that because the traitor embodied the violation and corruption of male bonds of intimacy, women traitors were considered an impossible contradiction.

The first instance of female treason to be considered involved Maud de Vere, countess of Oxford and the mother of Richard II's favourite, Robert de Vere. In 1404, she was accused of plotting to spread rumours that Richard II was still alive and of attempting to incite the duke of Orleans and the Count of St. Pol to invade in order to force his restoration.<sup>111</sup> In a minor redaction of the *St Albans Chronicle*, Maud emerges as the instigator of this plot as Walsingham writes, '[t]hat old Serpent, who had dared to dispense the poison of his primeval deception and cunning through a woman [i.e. Eve], had a lie combined with great deception spread abroad by a woman'.<sup>112</sup> This version of the story makes a predictable connection between the deception of Eve, which marked all women as false, and Maud's treasonous plotting. Yet, in the main manuscript version of the chronicle, Maud was described simply as being gulled by forged letters purportedly from Richard, rather than as a traitor herself.<sup>113</sup> Maud was imprisoned for a time in the Tower but it seems that only her male co-conspirators were actually tried as traitors while she was later pardoned and released.

A year later, Constance, Lady Despenser emerged as the prime mover in a conspiracy to abduct the young earl of March and his brother from the royal residence of Windsor and to take them into Wales. The plan was that they would be used to aid the rebellion of their uncle, Sir Edward Mortimer, who had thrown in his lot with Owain Glyn Dŵr. As with the Epiphany Rising of 1400, this plot violated the king's trust in the most intimate space of his household, for while staying at Windsor for the Christmas festivities, Constance had taken advantage of the king's hospitality by having a locksmith make duplicate keys to the door of the boys' chamber. In February, she had them smuggled out of the castle by night but was stopped with her victims at Cheltenham and taken to London. On 17 February, she was brought before the council at Westminster but was quickly sidelined as the leader of the conspiracy. Instead, it

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<sup>111</sup> The plot is briefly discussed in Kirby, p.172.

<sup>112</sup> *St Albans Chronicle II*, p.803; on the relationship between this redaction and the main manuscript, p.415 n.588.

<sup>113</sup> *St Albans Chronicle II*, p.415.

was her brother Edward, duke of York, who was saddled with the blame, and he was further accused of having been involved in a plot to murder the king while he spent Christmas at Eltham in 1404. Constance then literally disappeared into brief and informal confinement at Kenilworth, but the duke was arrested and imprisoned, while the locksmith was executed as a traitor.<sup>114</sup>

In two other fifteenth-century cases of women instigating treason plots - that of Henry IV's widow, Joanne (Joan) of Navarre, and of Eleanor Cobham, the duchess of Gloucester - the women concerned were charged as heretics or witches rather than being formally named as traitors. Their punishment involving performances of public penance which were followed, as in the case of Lady Despenser, by their 'disappearance' into confinement. It was their male co-conspirators who suffered punishment as traitors. While their cases post-date those of the male traitors examined elsewhere in this study, the unusual extent of the evidence for their trials makes them worthy of brief consideration.

Joanne of Navarre was the widowed second wife of Henry IV. Although she had generally maintained good relations with her stepson Henry V, in 1419 she was accused of having 'plotted and schemed for the death and destruction of our said lord the king in the most evil and terrible manner imaginable', a charge that under the 1352 Statute amounted to treason.<sup>115</sup> Her plans were exposed by her confessor, who seems to have been acting at the queen's instigation:

Frere Randolf, a mayster of dyvynyte, that sumtyme was the queen Johanne confessor, *at the excitynge of the forseid queen*, be sorcerye and be nygramancie wrought for to astroyd the kyng: but, as God wolde, his falsnesse at the laste was aspyed.<sup>116</sup>

Yet, while the queen was clearly acknowledged as the active party in both the parliamentary record and in the chronicle account, it was Friar Randolf her confessor who bore the brunt of the punishment. Joan was neither tried nor acquitted. Instead, she spent several years as Henry V's technical prisoner, but during this time she was apparently allowed to live in conditions of some luxury.<sup>117</sup>

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<sup>114</sup> Pugh, pp.78-9.

<sup>115</sup> *PROME*, RP iv, 118.

<sup>116</sup> *Chronicle of London*, p.107. Emphasis added.

<sup>117</sup> A. R. Myers, 'The Captivity of a Royal Witch: The Household Accounts of Queen Joan of Navarre, 1419-21', *Bulletin of the John Rylands Library*, 24:2 (1940), pp.263-284. For an overview of these events, including Henry V's likely financial motivation for making the accusation, see Strohm, *England's Empty Throne*, pp.163-66.

The final example of female treason to consider here is that of Eleanor Cobham, duchess of Gloucester, who in 1441 was accused of plotting against the king's life. As with Joanne of Navarre, Eleanor's case features elements of sorcery and necromancy, quintessentially feminised sins associated with willful rebellion against God.<sup>118</sup> *An English Chronicle* details how Master Roger Bolyngbroke, 'that wasse a connyng mon in astronomy and in nygramancye' and Master Thomas Southewell, a canon of St Stephen's chapel in Westminster, were conspiring to bring about the king's death.<sup>119</sup> News of this conspiracy having started to leak out, its purported ringleader, Eleanor Cobham:

[f]ledde be nygthe into the sanctuary of Westmynstre wherfor sho wasse holden suspecte of certeyn poyntes of treson. In the menetye the foreseide Roger wasse examined befor the kynges counsel, and seide that he wroghte the seide nigramancie ate the sturyng of the seide Dam Alienour.<sup>120</sup>

When she was in turn brought before the king's council, Eleanor was initially charged with 'certeyn articles of nigramancie, of wichecraft or sorcery, of heresy, and off treson'.<sup>121</sup> In the end, though, it was Master Roger and Master Thomas who were convicted as traitors, with Eleanor being reduced to merely an 'accessery'.<sup>122</sup> Master Roger suffered the full extent of the penalty for treason, being:

[d]rawe fro the Toure of London vmto Tyburn, and their he wasse honged and lette down halfe alive, and his bowelles take avte and brente and his hede smytte off and sett on London Brigge, and his body quatered and sende to certeyn townes off Engelande.<sup>123</sup>

However, in Eleanor's punishment, the accusation of treason seems to have been elided and she was instead sentenced to undertake a number of public penitential processions. This punishment, which entailed her visiting the main churches of London on foot dressed only in a shift and carrying lighted tapers, marked her as an abjured heretic rather than as a traitor.<sup>124</sup>

The accounts of women and treason examined here represent a small sample, and more evidence is needed to draw any firm conclusions about how their treatment

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<sup>118</sup> For an account of Eleanor Cobham's trial and the political machinations that lay behind it, see Keen, *England in the Later Middle Ages*, pp.336-7.

<sup>119</sup> *An English Chronicle*, p.61.

<sup>120</sup> *An English Chronicle*, p.62.

<sup>121</sup> *ibid.*

<sup>122</sup> *ibid.*, p.63.

<sup>123</sup> *ibid.*, p.64. The other conspirator, Master Thomas Southwell, died in prison before his sentence could be carried out.

<sup>124</sup> The sentence is described in *An English Chronicle*, pp.63-4.

sheds light on the gendering of the traitor. However, a tentative hypothesis can be advanced that in a body politic governed by and reproduced through somatic and social relationships *between men*, women simply could not be imagined as having the kind of physical and emotional intimacy with the king that made treason possible in the first place. This refusal to name a woman as a 'traitor' may therefore be considered as implicit confirmation, from another angle, of the interpenetration of the categories 'knight' and 'traitor'. For if women by definition could not be 'true' knights, then it seems that neither could they be conceived of as 'false' ones.

This chapter has argued that the intimate, homosocial nature of medieval monarchical government was critical to the gendering of both the 'knight' and his opposite, the 'traitor'. Elite secular masculinity was deeply bound up with ideals of knighthood that were expressed through male-male bonds of love and blood. These close social and somatic relationships between men were integral to the functioning of the late medieval body politic, for '[m]ale affectional and associational structures did not just lurk hidden within the government but in fact constituted it'.<sup>125</sup> The processes of the traitor's trial and execution graphically and publicly marked him as a feminised 'other', a 'false' knight to be excised permanently from this masculine body politic. Specific rituals of punishment aligned the traitor with heretics, sodomites, and sorcerers, all sinners whose transgressions were feminised through the association that was often made between willful rebellion against God and the sin of Eve.

Yet, as has been shown, it was social and political reliance on homosocial intimacy that created conditions in which treason could flourish. The production of the traitor from the heart of the same system of male-male bonding that sought to mark and reject him as utterly 'other' implicitly highlighted the fragile and unstable nature of aristocratic masculinity and of a man's gendered embodiment as a knight. The treason trials considered here have demonstrated the interdependence of the categories of 'knight' and 'traitor', for in this cultural milieu, one made no sense without the other. The language in which traitors were condemned and the meanings inscribed through their punishments show that their crime was envisioned not simply as a legal transgression but as the horrifying perversion of natural bonds of love and blood. As we have seen, because 'knight' and 'traitor' were mutually constitutive, each might bleed into the other. An unexpected consequence of this slippage and overlap was the

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<sup>125</sup> Sponsler, 'The King's Boyfriend', p.161.

potential for manipulation of these gendered constructs, enabling the traitor to challenge the legitimacy of those masculine authorities who condemned him.

The next chapter considers the cultural signification of the 'traitor' from another perspective by exploring the potential meanings generated by the executed body in a society that placed the tortured and crucified body of Christ at its centre. As we will see, the familiar imagery of the Passion story created a rich interpretive context within which the traitor's body could sometimes be transformed into a potent symbol of resistance to political authority.

## CHAPTER FOUR: SORCERY AND SANCTITY

In the 'Crucifixion' pageant that formed the climax to the famous York cycle of late medieval English mystery plays, the torture and death of Jesus Christ is depicted in harrowing detail. Christ's tormenters gleefully display the instruments of the Passion to the audience and provide a running commentary on how they will inflict his punishments and death, taunting him as a 'cursed knave' and boasting of how they will 'kill this traitor strong'.<sup>1</sup> This play and similar plays featuring the Crucifixion and the martyrdoms of various saints were being widely performed in the streets and marketplaces of England and Europe from the fourteenth century.<sup>2</sup> Some, like the York play cycle, were staged as processional pageants that traversed a predetermined route through the city that closely traced (though did not exactly match) the route of the city's annual Corpus Christi procession.<sup>3</sup> London does not seem to have had a Corpus Christi procession or a play cycle in the style of York's, but there was a history of plays being performed. The *Westminster Chronicle* records for 1384 that 'the clerks of London performed at Skinners Well a lavishly produced play, which lasted five days', and in 1408, another chronicler tells us that '[i]n this same yere was done a grete play of corpus christi at Skynners well & it lastid viij days'.<sup>4</sup>

Scholars of medieval drama have long noted the graphic realism of these plays. Notations in the original play manuscripts and in financial accounts related to their staging that provide evidence for the purchase of such props as pigs' bladders filled with blood, and effigies stuffed with animal entrails and bones that were pierced, cut,

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<sup>1</sup> *York Mystery Plays*, p.213.

<sup>2</sup> The York cycle and a similar cycle associated with the town of Chester were being performed by the 1370s: Normington, p.70. For other relevant studies of the performance of mystery plays in England, see Richard L. Homan, 'Mixed Feelings About Violence in the Corpus Christi Plays' in *Violence in Drama*, ed. James Redmond, Cambridge: Cambridge University Press, 1991; Lerer; Sponsler, *Drama and Resistance*; Greg Walker, 'Medieval Drama: The Corpus Christi in York and Croxton' in *Readings in Medieval Texts: Interpreting Old and Middle English Literature*, ed. David F. Johnson and Elaine Treharne, Oxford, UK: Oxford University Press, 2005.

<sup>3</sup> For a detailed discussion of the route of the York cycle, see Lilley, pp.170-4. Lilley (pp.161, 171) and Normington (pp.69-70) note that the play cycles developed alongside the Eucharistic feast of Corpus Christi, but that there is still much debate about the nature of the relationship between these two forms of public devotional practice.

<sup>4</sup> *Westminster Chronicle*, p.95; *Great Chronicle*, p.87. For evidence of a number of other performances in London, see W. O. Hassall, 'Plays at Clerkenwell', *The Modern Language Review* 33, no. 4 (1938), pp.564-7.

burned and otherwise mutilated in imitation of saintly martyrdoms.<sup>5</sup> These props demonstrate that the York 'Crucifixion' and similar plays were intended to engage all the senses, drawing spectators into a vivid and sensory experience of suffering that was designed to encourage deep personal meditation on the meaning of Christian sacrifice. This form of public drama was an important expression of 'the intensely graphic and somatic quality of late medieval piety'.<sup>6</sup>

However, as Enders points out, to an urban population also familiar with the spectacle of the torture and death of criminals, the boundaries between fictional and non-fictional violence often became blurred.<sup>7</sup> The punishments inflicted on Christ and the martyrs in public performances mirrored those performed on traitors and other criminals. Occasionally, the punishment of real criminals might even be incorporated into the drama.<sup>8</sup> Lerer argues that rituals of judicial punishment should be read as part of a genre of public spectacle that included plays and other forms of urban drama, in which 'bodies whole and broken' were exhibited.<sup>9</sup>

In each of the cases of treason to be examined in this chapter, the trial and punishment of the traitor involved distinctive elements that evoked Christ's Passion and saintly martyrdom. By drawing on the religious allegory of a Christian innocent unjustly executed, this alignment could call into question the legitimacy of the king's claim to be the fount of justice. As I will show below, in an environment wherein civic drama and the spectacle of public execution so often occupied the same physical and metaphorical spaces, there was potential for the executed body of the traitor to become a potent symbol of resistance to political authority.

The potential for such a risky inversion of the power relationship between king and traitor derived from the late medieval attitudes that tended to conjoin three separate, but inter-related, factors. The first was the emergence of the distinctive form of late medieval penitential piety that centred on affective identification with the suffering humanity of Christ, embodied most viscerally in the corporeal torments of the Crucifixion. The second element was the belief, introduced earlier, that the king was the embodiment of divine authority on earth. The third factor, which in some respects

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<sup>5</sup> Enders, pp.193-5; John Spalding Gattton, "'There Must Be Blood": Mutilation and Martyrdom on the Medieval Stage' in *Violence in Drama*, ed. James Redmond, Cambridge: Cambridge University Press, 1991.

<sup>6</sup> Bynum, *The Resurrection of the Body*, p.317.

<sup>7</sup> Enders, pp.185-97.

<sup>8</sup> Enders (pp.201-5) points to evidence that occasionally, condemned criminals were substituted for actors so that the punishment was carried out for real. Sponsler (*Drama and Resistance*, pp.156-7) discusses an English pageant staged as part of a royal entry that was immediately followed by the burning of a number of heretics.

<sup>9</sup> Lerer, pp.31-2, quote at p.31.



incorporates the first two, was the trend by the thirteenth century to invest the institutions and values of knighthood with an increasingly religious nature.

According to Christian belief, Christ's blood and broken body was the tangible proof of his innocence and of the sacrificial value of his death. As briefly surveyed earlier, this emphasis on the salvific power of the punished and broken body of Christ was strengthened through the many forms in which saints were venerated: in the dramatic re-enactment in mystery plays of other martyrdoms that echoed the Passion of Christ, or in practices such as pilgrimage to the places of their relic cults. The focus on blood and body parts also formed a central theme of late medieval vernacular texts intended for private lay devotion, and of popular sermon accounts of the Passion and Christian martyrdoms, which encouraged a direct and personal relationship with the crucified Christ.<sup>10</sup> The faithful were encouraged to identify emotionally and somatically with the tortured and broken body of Christ, which was 'proof' of the miracle of salvation. This habit of thought is analogous to the way in which the evidence of treachery was conceived: the broken and divided body of the executed criminal was intended to serve as 'proof' of the crimes of which he was guilty, and of the king's power to do justice.

The king's judicial authority was not a wholly secular construct, for it was believed to devolve directly from God. As has previously been noted, later medieval writers on chivalry and kingship argued that knighthood was a post-Fall institution ordained by God to maintain order and justice on earth, and that good kingship was equated with good lordship through the ideals of knighthood.<sup>11</sup> According to the values of chivalric culture and to the advice proffered by books on kingship, 'Iustice is of the kynde and the nature of god;...A kyng is made to kepen and maynteene Iustice', and kings were to be aided in doing this by their brother knights.<sup>12</sup> By the same token, kings who failed to perform as true knights defied God's earthly order and the rule of law and justice secured by knighthood, because 'the euyl kyng or prynce that diffeateth in hym self thordre of chyualry...diffeateth it in the knyghtes that ben pu vnder hym'.<sup>13</sup>

Knighthood was a secular institution, but its close connection with notions of divine justice gave it a moral and spiritual cast that, in the later Middle Ages, was much enhanced. The Grail stories and similar chivalric literature of this period explicitly connected Christ and the Last Supper, Joseph of Arimathea (the first guardian of the

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<sup>10</sup> Bestul, 'The Passion of Christ'; Swanson, 'Passion and Practice'.

<sup>11</sup> On the king as the epitome of knighthood, see for example Charny, *Book of Chivalry*, pp.53-4.

<sup>12</sup> Hoccleve and Furnivall, p.91.

<sup>13</sup> Lull, *Chyualry*, pp.33-4.

Holy Grail) and the knights of the Round Table 'to the flesh and blood knighthood of the High and Middle Ages'.<sup>14</sup> The increasingly Christocentric nature of knighthood was reflected in projects such as Edward III's attempts to establish a 'round table' modelled on Arthurian ideals, and in the practice of holding knighting ceremonies on the great Christian feasts of Easter, Christmas, and Pentecost.<sup>15</sup> The Order of the Garter provides an excellent example of this trend. The Garter was modelled on the lines of a lay confraternity, a form of association set up to say masses for the souls of dead members and provide other spiritual services.<sup>16</sup> The Order's spiritual patron was the knightly martyr St George and the ceremony of installation for new knights, which took place in the chapel of St. George at Windsor, involved a series of religious rituals over several days.<sup>17</sup> The king of England, as the exemplar of Christian knighthood, was the head of the Order and its members were sworn to defend the Church as well as their king.<sup>18</sup>

These ideals of Christian knighthood are of particular significance in relation to the distinction that was drawn between knight and traitor. The good knight was expected to be willing to undergo bodily pain, even martyrdom, in the cause of justice. Kaeuper shows that for late medieval writers on knighthood such as Geoffroi de Charny, 'suffering and the risk of violent death in a good cause connect with religious ideas, perhaps even...with the sacrifice and violent death of Christ'.<sup>19</sup> Charny's own model of ideal Christian knighthood, the 'excellent knight' Judas Maccabeus (identified typologically as an Old Testament prefiguration of Christ), 'was handsome above all others...full of prowess, bold, valiant, and a great fighter...and in the end he died in a holy way in battle, like a saint in paradise'.<sup>20</sup> The traitor stood in complete contrast to this ideal of knightly sacrifice. He feared and avoided the physical hardships of knighthood, showed cowardice in battle, abused his power by committing robberies and other unlawful acts against those he was supposed to protect, and he failed 'to honoure and drede god of whome chyualrye is honoured'.<sup>21</sup>

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<sup>14</sup> Kaeuper, *Chivalry and Violence*, pp.200-3, quote at p.203. For a general discussion of the Christian conception of knighthood, see Nigel Saul, *For Honour and Fame: Chivalry in England, 1066-1500*, London: The Bodley Head, 2011, pp.197-218.

<sup>15</sup> On Edward III's Arthurian projects, see *ibid.*, pp.104-5. On knighting ceremonies: Keen, *Chivalry*, p.10.

<sup>16</sup> Keen, *Chivalry*, p.182.

<sup>17</sup> Collins, pp.20, 201-3.

<sup>18</sup> *ibid.*, pp.262-4.

<sup>19</sup> Charny, *Book of Chivalry*, p.37.

<sup>20</sup> *ibid.*, p.163. On Judas Maccabeus as a biblical model of Christian knighthood in late medieval England, see Saul, *For Honour and Fame*, p.201.

<sup>21</sup> Lull, *Chyualry*, p.48.

These inter-related themes of justice, knighthood, and the dramatic proof obtained through broken bodies, whether those of Christ and the martyrs or those of the executed criminal, are all present in the cases of treason discussed in this chapter. While they emerge in different ways in the individual trials and executions, in each case they interact in ways that transform the traitor's body into a site through which the legitimacy of the authority that claimed the power to do justice was subverted or called into question.

### **Chief Justice Tresilian: The Passion parodied**

Chief Justice Sir Robert Tresilian was tried and executed as a traitor by the Lords Appellant during the political crisis that culminated in the Merciless Parliament of 1388. Richard II had appointed Tresilian to the office of Chief Justice of the King's Bench on 22 June 1381, at the height of the Peasants' Revolt.<sup>22</sup> From that time until 1388, Tresilian therefore held the most powerful judicial position in the land and was the most senior embodiment of royal justice.<sup>23</sup> Tresilian quickly developed a reputation as the architect of the so-called 'bloody assizes', and his fervour in punishing the 1381 rebels began to seem excessive even to the chroniclers who had generally been appalled by the revolt.<sup>24</sup> According to the *Westminster Chronicle*:

Gibbets rose where none had been before, since existing ones were too few for the bodies of the condemned...The populace shuddered at the spectacle of so many gibbeted bodies...Despite all the retribution thus visited on the guilty the severity of the royal displeasure seemed to be in no way mitigated but rather to be directed with increased harshness towards the punishment of offenders, so that it was widely thought that in the circumstances the king's generous nature ought to exercise leniency rather than vindictiveness.<sup>25</sup>

The chronicler Henry Knighton is even more direct, saying that Tresilian 'went everywhere, and did great slaughter, sparing none'.<sup>26</sup> He expresses a strong sense that Tresilian's knightly duty to uphold the king's justice - a duty that is reinforced by his role as Chief Justice - has given way to vengeance and bloodlust, an illegitimate exercise of his authority:

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<sup>22</sup> See Oliver (pp.161-2) for a brief synopsis of Tresilian's appointment and career.

<sup>23</sup> Hicks (*English Political Culture*, pp.13, 24-5) describes the role and power of the Chief Justice.

<sup>24</sup> Saul, *Richard II*, p.75.

<sup>25</sup> *Westminster Chronicle*, p.15.

<sup>26</sup> *Knighton's Chronicle*, p.241.

For anyone who appeared before him on that charge, whether justly or upon some accusation moved by hatred, was at once sentenced to death...he ordered some to be beheaded, others to be hanged, others to be dragged through the cities and [hanged and] their quarters exposed in four places in the cities, still others to be disembowelled, and their bowels burned before them alive, and afterwards to be beheaded, and hacked into quarters, and their quarters exposed in four parts of the cities.<sup>27</sup>

Thus, long before being accused of treason himself, Tresilian appears to have had a reputation as an 'unjust' justice who condemned even the innocent to deaths that incorporated the extreme punishments traditionally meted out to traitors. In the parliamentary appeal of 1388 under which he was himself accused of treason, Tresilian's reputation is alluded to in the repeated references to him as a 'false justice'.<sup>28</sup> For the Lords Appellant, Tresilian's perversion of judicial power was clearly demonstrated by his leading role in assembling a panel to declare the illegality of a Commission of Government formed in the parliament of 1386 under the auspices of the Appellant lords and their close associates.<sup>29</sup> The appeal of 1388 stated that:

Also, the aforesaid malefactors and traitors, Alexander, archbishop of York, Robert de Vere, duke of Ireland, Michael de la Pole, earl of Suffolk, and Robert Tresilian, ... further to colour their said false treasons and falsities, caused the king to summon before him... divers judges and men of the law... It was asked of them how those ought to be punished who incited the aforementioned king to consent to the making of that statute.... To which question they unanimously answered that unless the king granted them grace, they deserved capital punishment. Also, it was asked of them what penalty they deserved...To which question they unanimously replied that they deserved to be punished as traitors.<sup>30</sup>

According to this charge, it was Tresilian and his co-accused who, ironically, exposed themselves as treasonous and false by trying to manipulate the law in order to have the Lords Appellant executed as traitors. This tussle over the claim to be representing justice and law ran throughout the crisis of 1388, as the Lords Appellant consistently portrayed themselves as the king's loyal counsellors and true nobles, who were acting to protect his interests from 'seducers' and wicked counsellors.<sup>31</sup> In a letter seeking the support of the citizens of London, written at the height of the crisis, the duke of

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<sup>27</sup> *Knighton's Chronicle*, p.241.

<sup>28</sup> *PROME* RP iii, 230-36.

<sup>29</sup> For the background to these events, see p.30, n.31. For the questions, see *PROME* RP iii, 233, 357-8.

<sup>30</sup> *PROME*, RP iii, 233.

<sup>31</sup> *Knighton's Chronicle*, p.393.

Gloucester, the earl of Arundel and the earl of Warwick asserted that ‘we have been, are, and always shall be obedient and faithful lieges’ whose governing commission, established by the king in parliament:

‘[h]as been and still is greatly disturbed by Alexander, archbishop of York, Robert de Vere, duke of Ireland, Michael de la Pole, earl of Suffolk, Robert Tresilian, faithless justice, and Nicholas Bramber [sic] faithless knight...faithless and treacherous all...[who] have falsely caused various dissensions between our said lord the king and the lords of his council, so that some of them were in fear and peril of their lives...and we have come together to redress those things...and duly to punish the aforesaid traitors as the law provides.<sup>32</sup>

By seeking to have the king’s true and faithful liegemen wrongly convicted and put to death as traitors, Tresilian was himself characterised as a false and faithless justice. These messages about true knighthood and false justice were reinforced by the contrasting performances of the Lords Appellant and of Tresilian during Tresilian’s capture and execution.

By the time parliament met in February 1388, Alexander Neville, Robert de Vere and Michael de la Pole had all escaped into exile. As was described in Chapter Two, Sir Nicholas Brembre had appeared before parliament to answer the charges and had attempted to defend himself through a knightly performance of trial by battle. Tresilian, however, had ‘hidden in an apothecary’s house, near the gate of Westminster, and thence he was able to...discover what was going on in parliament’.<sup>33</sup> Both Knighton and Thomas Favent give detailed descriptions of how Tresilian had managed to remain hidden in such close proximity to his enemies. According to Knighton,

[t]he said Robert had dressed himself as a poor and feeble man, in a rough, torn, shabby tunic, and had put on a false beard, long and full, of the kind called a ‘Parisian beard’, which covered so much of his face that he could not be recognized.<sup>34</sup>

Tresilian’s cover was blown when, in the midst of the proceedings against Brembre, he was ‘located above the gutter of a certain house annexed to the wall of the palace, hiding among the roofs for the sake of watching the lords coming and going from

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<sup>32</sup> *Knighon’s Chronicle*, p.411. The letter, dating to late 1387, was written in French and is uniquely preserved in *Knighon’s Chronicle*: p.409 n.4.

<sup>33</sup> *ibid.*, p.499.

<sup>34</sup> *ibid.*

parliament'.<sup>35</sup> Tresilian initially managed to evade his pursuers by hiding inside the house but:

[u]nder a certain round table which was covered for deception with a tablecloth, the unfortunate Tresilian, disguised as usual, was miraculously discovered. His tunic was made out of old russet...and he had a wiry and thick beard, looking more like a pilgrim or a beggar than a king's justice.<sup>36</sup>

These descriptions serve to mark Tresilian's performance as that of both false justice and false knight, and they appear also to tap into wider contemporary concerns about disguise and deception, especially in London where campaigns had been waged against false beggars and false pilgrims.<sup>37</sup> Favent emphasises that Tresilian was 'disguised as usual', conveying the idea that his rags and beard were external signs of a permanent inner state of fraudulence and deception, qualities that were most antithetical to the state of knighthood. By donning his disguise, Tresilian paradoxically revealed his true nature as a 'false' justice who had failed repeatedly in his knightly duty to uphold divine law on earth. The rough russet tunic was another indicator of ignobility as, according to contemporary sumptuary laws, 'blanket and russet, of wool' was the clothing mandated for the poorest and lowliest of manual labourers - 'oxherds, cowherds, shepherds, swineherds...and other people that have not forty shillings of goods nor of chattels'.<sup>38</sup> This reference may also have been implicitly making a connection between treason and heresy, as Lollard preachers were reputed to be distinguished by their russet gowns.<sup>39</sup>

This portrait of the king's chief justice dressed in beggars' rags and skulking amongst gutters and under tables makes a vivid contrast to the performance of 'the five most noble and commemorated [A]ppellants' as they entered parliament at the start of proceedings against Tresilian, 'in the same suit of golden clothes, each holding another by the arm; and gazing at the king they saluted him in unison, kneeling'.<sup>40</sup> Yet, this image of the loyal and noble Appellants upholding justice and defending the king's interests from falsity and deception was contradicted by the reality of the Appellants' pursuit of Tresilian. Several times, Favent tells us that Tresilian and his fellow traitors

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<sup>35</sup> Favent, *History*, p.245.

<sup>36</sup> *ibid.*, p.246.

<sup>37</sup> As discussed in Chapter One, p.7, n.27, 28.

<sup>38</sup> *Statutes of the Realm*, I, 380 (1363), reprinted in Myers, p.1154.

<sup>39</sup> *Knighton's Chronicle* (p.299) describes Lollards as a dangerous new sect who wear 'clothes of plain russet, as though to show the simplicity of their hearts to the world, and so cunningly draw to themselves the minds of those who beheld them.' Hudson (p.147) says that russet clothing was not always or exclusively used by Lollards, but it was being associated with Lollardy from the 1380s.

<sup>40</sup> Favent, *History*, p.242.

'were all hidden in the palace' and have been 'lying hidden with the king in Westminster', phrasing which suggests that the king himself was protecting them.<sup>41</sup> While the Appellants were careful to make their appeal of treason in the name of the king, their opposition to the king's interests and their attack on his most senior judicial official worked to damage the very royal authority the Appellants were claiming to protect. This authority was further subverted because the house in which Tresilian was captured was within the bounds of the sanctuary of Westminster yet, in defiance of royal charter:

[h]e was forcibly dragged from the sanctuary...They [the Appellants] were at pains to ask him whether the sanctuary of St. Peter, Westminster, gave immunity to a traitor against the king and realm: he answered steadily that it did...Supposing him to have made this assertion in order to save himself, the lords put no faith in what he said, but at once hauled him away to face the whole parliament.<sup>42</sup>

Thus royal authority was repeatedly challenged rather than bolstered by the treatment of Tresilian, as is indicated here both by the violation of sanctuary and by the refusal of the Appellants to treat as truthful the words of the chief justice, who in himself embodied royal judicial power.

The extraordinary events that accompanied Tresilian's death, which took place on the same day as his capture, illustrate how the traitor's public and spectacular execution could inadvertently undermine the authority it was intended to reinforce. Favent provides the most detailed account.<sup>43</sup> After being condemned in parliament, Tresilian was taken to the Tower of London then:

[b]ound hand and foot to a hurdle, and along with a vast multitude of lords and commoners, horsemen and pedestrians, he was dragged from the back of horses through the city squares, resting at intervals...to see if he wanted to repent anything...And when he had come to the place of Calvary, that he might be made defunct, he did not want to climb the stairs, but goaded by sticks and whips that he might ascend, he said, "While I carry a certain something around me, I am not able to die." Immediately they stripped him and found particular instructions with particular signs depicted in them, in the manner of astronomical characters; and one depicted a demon's head,

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<sup>41</sup> Favent, *History*, pp.239-40.

<sup>42</sup> *Westminster Chronicle*, p.313. The privilege of sanctuary was based on charters reputedly granted by kings Edgar and Edward the Confessor: *ibid.*, p.324, n.4.

<sup>43</sup> See also *Brut II*, p.342; *Westminster Chronicle*, p.313; *Knighton's Chronicle*, p.499. These accounts are consistent with Favent in describing how Tresilian was first taken to the Tower, then dragged through London to Tyburn, where he was hanged and his throat was cut.



many others were inscribed with demons' names. With these taken away, he was hanged nude, and for greater certainty of his death, his throat was cut.<sup>44</sup>

Favent and a number of the other chroniclers commented that Tresilian's capture and execution took place during the Lenten season, a period when the torture and crucifixion of Christ would have been particularly prominent in the minds of the people who witnessed the spectacle of the judge's death. Favent's references to Calvary and his description of Tresilian being humiliated, whipped and goaded, and finally stripped and hung nude seem to be a deliberate attempt to invoke an inversion of the Passion story. The inversion works to emphasise that Tresilian was fraudulent as both a justice and a knight. In later medieval culture, Christ was regularly depicted as the essence of nobility and knighthood. For example, Grail legends described Jesus as the head of the original Round Table,<sup>45</sup> while devotional images of the Five Wounds and *arma Christi* used the style and structure of heraldic devices, emphasising Christ's 'knighthood'.<sup>46</sup> The text of the York 'Crucifixion' repeatedly has Christ's tormenters address each other as 'sir knights' while they mock Jesus as a 'traitor' and 'knave', an ironic reversal that the audience would have understood as the opposite of the truth.<sup>47</sup> In the Passion story, Jesus' nakedness, his willing acceptance of public humiliation, and his passive suffering accentuated his innocence and the profundity of his sacrifice. By contrast, Tresilian resisted his tormenters, resolutely refused to confess his wrongs, and struggled against the goads and whips. Finally, he revealed himself to be irredeemably evil because he had put his faith not in God, but in the devil. Through this performance, he confirmed his accusers' portrayal of him as both false knight and false justice.

Favent's portrayal of Tresilian's execution as an inversion of Christ's Passion suggests an acute awareness of deeper tensions in the body politic that were exposed by the judge's death.<sup>48</sup> The revelation of demonic signs on Tresilian's body implies that his power had come not from God but from the devil, exposing the most senior representative of royal judicial authority as a sorcerer. While the perversion of power made manifest through these signs reinforced Tresilian's own corruption, it also transformed him into a very literal embodiment of the wider and more persistent

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<sup>44</sup> Favent, *History*, pp.246-7.

<sup>45</sup> Saul, *For Honour and Fame*, p.202.

<sup>46</sup> Swanson, 'Passion and Practice', p.27.

<sup>47</sup> *York Mystery Plays*, pp.212-21.

<sup>48</sup> Galloway sees Favent's account as a deliberate psalmic parody: Andrew Galloway, 'The Literature of 1388 and the Politics of Pity in Gower's "Confessio Amantis"' in Steiner and Barrington (eds.), *The Letter of the Law*, p.84.

judicial corruption that had troubled the political community for decades.<sup>49</sup> The urgent concern with perversion of justice was captured in several of the articles of the appeal for treason: Tresilian was accused of having 'ensured that various people have been denied the common law of England', having 'made and counselled our said lord the king to grant charters of pardon for horrible felonies and treasons', and having 'often taken large gifts in the king's name from various parties for the maintenance of causes'.<sup>50</sup> The problem of perversion of justice was also regularly raised in commons' petitions to parliament. One such, probably dating from 1388, was typical in complaining to the king that:

The peace and true justice of your land, which you are bound to maintain, has not been upheld equally...particularly between rich and poor, as God and right demand...your great judges of the laws of your land do not do at all times and to all persons equal execution according to what your laws ordain, being inclined to excuse offences upon orders made under the privy seal or the great seal, against your good laws, or at the prayer of other lords whose retainers they are.<sup>51</sup>

Tresilian's trial and execution therefore took place in a setting where there was already acute concern with the corrupted nature of royal justice, typified by the failure of the king's representatives to administer the law 'as God and right demand'. Given this atmosphere, when the king's favourite and chief justice was publicly exposed as a sorcerer through the revelation of demonic signs on his executed body, his perversion called into question the nature of the king's own authority. Royal authority was additionally threatened by the fact that in Tresilian's case, it was not the king who executed the royal prerogative to 'do justice' but a group of his nobles, the Lords Appellant. It is reasonable to suggest that the circumstances of Tresilian's execution may have prompted the more politically astute spectators amongst the crowds in London and Tyburn to question where the source of judicial authority really lay in the late medieval English state. Indeed, Oliver contends that Favent was using this episode to persuade just such a learned and politically aware audience that parliament, rather

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<sup>49</sup> On complaints and petitions about corruption of justice and the practice of maintenance, see for example: Keen, *England in the Later Middle Ages*, pp.1-20; Musson and Ormrod, pp.170-4; Kaeuper, *War, Justice, and Public Order*, pp.171-8.

<sup>50</sup> *PROME* RP iii, 231, in articles Nine, Ten, and Thirteen respectively. Maintenance involved powerful nobles supporting their retainers' legal quarrels through threats, bribery, and violence: Keen, *England in the Later Middle Ages*, p.16.

<sup>51</sup> *Knighton's Chronicle*, pp.443-5.

than either the king or the lords, was the true source of law and justice in the English body politic.<sup>52</sup>

### **The earl of Arundel: The traitor as ‘true’ knight**

In 1397, these concerns about justice and law were again prominent in the trial and execution for treason of Richard FitzAlan, earl of Arundel, a case that was introduced in the previous chapter. As in Tresilian’s case, the issues of perversion of royal justice and the true knight’s duty to uphold God’s law on earth were central to the political crisis figured by the earl’s arrest. These issues were debated through a trial and execution in which the earl’s performance and the response of the spectators to his death invited comparison with Christ’s Passion.

As discussed in the previous chapter, throughout his trial, Arundel presented himself as a true knight fulfilling his duty to defend the law and the ‘faithful commons’ in the face of an unjust, oath-breaking king and the ‘perverse and malevolent men’ who surrounded him.<sup>53</sup> *An English Chronicle*, which covers the proceedings in some detail, sets the stage for Arundel’s righteous death by characterising the parliament that condemned him as one that was not representative of English justice, saying that ‘in this parlemente thei proceded not after the lawe off Engelonde but after lawe civell, ne men off lawe hadde nothyng to do theryn’.<sup>54</sup> The reference here to the ‘law of England’ and civil law referred to the application of common law rather than Roman civil law in the English justice system. While civil law applied in a few jurisdictions (the Court of Chivalry being one), the general view in England was that common law derived directly from divine (‘natural’) law, and therefore, that ‘kings who abused the basic principles of justice enshrined in natural law lost their claim to legitimate authority’.<sup>55</sup>

The debate that ensued between Arundel and the duke of Lancaster over the former’s royal pardon points to deep uncertainty about who or what was the ultimate source of both justice and mercy in the English realm. Arundel first claimed the benefit of the pardon issued by Richard II after the events of 1388, to which Lancaster replied, ‘[t]hat pardon...ys reuoked and adnulled be the parlemente, for yt wasse graunted when thow waste kynge’.<sup>56</sup> This implies that the authority to punish or pardon that the Lords Appellant had claimed to exercise on the king’s behalf in 1388 had never been

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<sup>52</sup> Oliver, pp.64-5.

<sup>53</sup> *St Albans Chronicle II*, p.89.

<sup>54</sup> *An English Chronicle*, p.18.

<sup>55</sup> Ormrod, *Political Life*, pp.73-4, quote at p.74. Keen (‘Treason Trials Under the Law of Arms’) discusses the application of civil law within the jurisdiction of the Court of Chivalry and the Marshalsea.

<sup>56</sup> *An English Chronicle*, p.18.

legitimate, and had in fact been a usurpation of power.<sup>57</sup> Arundel then claimed the benefit of a second pardon, 'that the kynge graunted me freli v yere agayne off his ovn mocion'.<sup>58</sup> Lancaster responded by saying that this pardon, too, has been revoked by parliament, to which Arundel replied that it was solely the king's prerogative to grant or revoke pardons. This reached the nub of the problem, for if parliament rather than the king was revoking Arundel's pardon, then where did the power to pardon - and to condemn - truly lie? If it did lie with the king, then Lancaster's actions in having Arundel's pardon revoked by parliament would seem to support Arundel's accusation that 'yff ye haue ordeyned that he [the king] may not or shall not [grant a charter of pardon]...ye haue don more agaynes his prerogative then euer didde I'.<sup>59</sup> It also strongly implied that Arundel's execution was unjust and unlawful, and therefore a transgression of divine order.

This interpretation was encouraged by the chronicle accounts of Arundel's death, which drew on models of saintly martyrdom.<sup>60</sup> Several of these accounts open by emphasising that Arundel was condemned and sent immediately to his death 'on saint Mathewes day the Apostyll & euaungelist' - that is, on the day set aside for commemorating one of the Catholic church's renowned martyr saints.<sup>61</sup> Traditionally, Saint Matthew was said to have been murdered by a soldier sent by a sinful king he had rebuked, the king's man having surprised the saint while he was saying mass and 'come behind with a swerd and slogh hym'.<sup>62</sup> Given the circumstances of Arundel's arrest and trial, the fact he was executed on the saint's feast day may well have encouraged sympathy for the convicted traitor and, by implication, a rejection of the authority that put him to death. This rejection of authority does indeed seem to have been feared by

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<sup>57</sup> The phrase 'when thow waste kynge' may even reflect the belief held by at least some medieval chroniclers and modern historians that Richard II had been deposed for two or three days in late 1397: Saul, *Richard II*, pp.188-90.

<sup>58</sup> *An English Chronicle*, p.18.

<sup>59</sup> *ibid.*, pp.18-19. For an extended analysis of the political issues raised by the power to pardon, see Galloway, 'The Literature of 1388'.

<sup>60</sup> On this motif of political sainthood, see Michael E. Goodich, *Miracles and Wonders: The Development of the Concept of Miracle, 1150-1350*, Aldershot, UK: Ashgate, 2007, pp.59-62; J. W. McKenna, 'Popular Canonization as Political Propaganda: The Cult of Archbishop Scrope', *Speculum* 45, no. 4 (1970), pp.608-23; John M. Theilmann, 'Political Canonization and Political Symbolism in Medieval England', *The Journal of British Studies* 29, no. 3 (1990), 241-66; Simon Walker, 'Political Saints in Later Medieval England' in *The McFarlane Legacy: Studies in Late Medieval Politics and Society*, ed. R. H. Britnell and A. J. Pollard, New York: St. Martin's Press, 1995.

<sup>61</sup> *Brut II*, p.354. See also Peter J. Lucas (ed.), *John Capgrave's Abbreuiacion of Cronicles*, Oxford, UK: Oxford University Press for the Early English Text Society, 1983, p.208. (Hereafter, *Capgrave.*); *An English Chronicle*, p.19.

<sup>62</sup> Erbe (ed.), *Mirk's Festial*, p.257. *Mirk's Festial* is a book of model sermons for preachers dating from around 1400. This story is included in the sermon for the feast day of Saint Mathew.

Arundel's executioners, who thought the London crowd might intervene to thwart their plans. According to *An English Chronicle*:

On Seynt Mathew day...the erle wasse ladde from the place of his iugemente, and his hondes bounde behynde hym, thogh the cite of London vnto the Toure Hill...And vj of the lordes that satte opon his iugemente ridden with hym with grete strengthe off men off armes...for thai dredde that the erle shulde haue be rescued be thaym of London.<sup>63</sup>

Arundel's own performance seems to have been modelled on a kind of *imitatio Christi*, characterised by the martyr's dignified submission to his fate and by the penitence and confessional piety necessary to a 'good death'. Walsingham tells us that:

When he left the palace, he asked for his hands to be unbound so that he might be allowed to enjoy that liberty of giving...to the poor... Then...he made his confession with sincere devotion to an Austin Friar, and after that began to repeat with the friar the Office of the Dead. Thus bound, he walked on, the men of Chester cruelly driving him on through the crowded streets of London. All the people bemoaned and pitied the fate of so great a man...bound like a criminal, hustled, dishonoured, and forced to endure a most ignominious death. They grieved and were deeply saddened that they were unable to snatch him from the hands of stronger men.<sup>64</sup>

The image here is strongly reminiscent of Christ being goaded, humiliated and driven through the crowds on the way to Calvary. The events of the Passion were again alluded to when Arundel arrived at the place he was to be beheaded and declared to the executioner, '[d]o thi dede. I forgyue the my deth'.<sup>65</sup> As in the case of Tresilian, the Passion narrative offers a frame within which the traitor's death served to question the nature of 'justice' and the legitimacy of the authority that executed it. However, rather than a parody or inversion of the Passion, Arundel's performance is portrayed as an authentic *imitatio Christi* that starkly proclaimed his innocence and the injustice of his death.

Even after being beheaded, Arundel refused to die and his body continued to act as a symbol of resistance to the legitimacy of Richard II's authority. According to Walsingham, the trouble started immediately after Arundel's head was struck off, when '[t]he headless body then rose to its feet, and stood there without any support, for as

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<sup>63</sup> *An English Chronicle*, p.19. Fear of a rescue attempt by the people of London is also mentioned in *The Brut II*, p.354.

<sup>64</sup> *St Albans Chronicle II*, pp.91, 93.

<sup>65</sup> *Capgrave*, p.208. This element is also mentioned in *St Albans Chronicle II*, p.95. Cf. Luke 23:33-34 (Douay-Rheims Bible).

long as it might take to say the Lord's Prayer'.<sup>66</sup> Several chroniclers recount how Richard was then tormented by nightmares and by visions of the earl's ghost. Writing in the early 1460s, Capgrave described the formation of a short-lived cult around the executed earl, whose martyrdom was miraculously revealed by his divided body made whole again.<sup>67</sup>

Aftir [Arundel's] deth the King was tormented with dredful dremes, that he myte not slepe. Eke he thoute euyr that a schadow of a man walkid before him. Moreouyr this greuid him, that the comoun puple talked that he was a martir, and that his hed was growe ageyn to his bodi.<sup>68</sup>

Walsingham provides some additional details that suggest a direct link between Arundel's execution and Richard's decline from kingship into tyranny, whereby he ruled not by the dictates of divine law but according to his own wilful desires:

He was unspeakably disturbed in his sleep with nightmares. Indeed, no sooner had he fallen asleep that the ghost of the earl seemed to flit before his eyes, threatening him, and frightening him terribly, as it spoke the words of the poem...

Then also, I will come as a ghost, remembering your deeds;  
And will be ever before your face in bodily form.

Then the king, distressed by such visions...did not dare to go to sleep without guards...From this time he was so deranged in mind, that he gave no thought at all to good governance, but...exhibited the traits of a tyrant rather than a king. His insanity was increased when he heard the common people describing the earl as a martyr, when pilgrimages began to be made to his body and miracles declared.<sup>69</sup>

These accounts reflect deeply held medieval beliefs in the revelatory power of dreams and in revenants, corporeal ghosts who could take material revenge on the living for murder or otherwise unjust deaths. By the thirteenth century, Aristotelian natural philosophy was being applied to explain the source of some dreams in natural factors such as the body's humoral complexion, but Christian theology still accorded

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<sup>66</sup> *St Albans Chronicle II*, p.95.

<sup>67</sup> Capgrave's *Chronicle of England* covered the years up to 1417 and was largely based on the work of Thomas Walsingham. It was dedicated to Edward IV and the condemnation of Lancastrian kingship implied by the story of Arundel's martyrdom may have been viewed as supporting the legitimacy of the Yorkist line. On its dating and the circumstances of its production, see Charles Lethbridge Kingsford, *English Historical Literature in the Fifteenth Century*, Oxford, UK: Clarendon Press, 1913, pp.39, 169.

<sup>68</sup> *Capgrave*, p.208.

<sup>69</sup> *St Albans Chronicle*, p.95.

supernatural origins to certain types of dreams so that 'strong belief in the prognostic power of the dream was not uncommon among rich or poor, educated or uneducated alike'.<sup>70</sup> Such dreams might be the result of angelic, demonic or divine intervention, and as the encyclopaedist Bartholomaeus Anglicus explained in his *De proprietatibus rerum*, 'Not alle sweuenes [dreams] be trewe [neither] alle false, for somtyme by sweuenes God sendith serteyn warnynge and bodinge of thinges that schal bifalle'.<sup>71</sup> The dream vision was a significant theme and framing device for Middle English literature from the mid-fourteenth century,<sup>72</sup> and it seems likely that Richard II himself believed in the power of dreams to reveal truth and divine the future, as two late fourteenth-century manuscripts of one of the most well-known medieval works of dream interpretation, the *Somniale Danielis*, were produced as gifts for the king.<sup>73</sup> Given this broader cultural context, Richard's nightmares worked to validate Arundel's innocence while highlighting the king's own failure at his fundamental knightly duty to embody God's law on earth.

The Arundel of Richard's nightmares took on an almost corporeal form, to the extent that Richard seemed to fear material harm from Arundel's ghost and insisted on having his guards sleep in his chamber. This suggests the king shared the general medieval anxiety about the returning dead. According to this widespread belief, common amongst both the uneducated populace and educated elites, the bodies of those who had died a violent death - for example, by execution or suicide - could reanimate in a form in which they could do physical harm to the living.<sup>74</sup> In this case, the revenant Arundel posed even more of a danger to Richard because the persistent belief that his head had rejoined his body was viewed as evidence of his martyrdom. This miraculous re-establishment of bodily integrity threatened to subvert Richard's own supreme judicial authority as it was expressed in his right to divide and destroy the bodies of traitors, and transformed Arundel's dead body into a powerful proof of Richard's transformation from legitimate king into illegitimate tyrant.

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<sup>70</sup> Steven F. Kruger, *Dreaming in the Middle Ages*, Cambridge, UK: Cambridge University Press, 1992, p.15.

<sup>71</sup> Quoted in Kruger, p.91.

<sup>72</sup> Peter Brown, 'On the Borders of Middle English Dream Visions' in *Reading Dreams: The Interpretation of Dreams from Chaucer to Shakespeare*, ed. Peter Brown, Oxford, UK: Oxford University Press, 1999.

<sup>73</sup> Kruger, p.15.

<sup>74</sup> This phenomenon is discussed at some length with examples from across England and northern Europe in Nancy Caciola, 'Wraiths, Revenants and Ritual in Medieval Culture', *Past & Present*, no. 152 (1996), pp.3-45; Cohen, *The Crossroads of Justice*, pp.135-45; Darren Oldridge, 'The Roaming Dead' in *Strange Histories. The Trial of the Pig, the Walking Dead, and Other Matters of Fact from the Medieval and Renaissance Worlds*, London: Routledge, 2005.



## Challenging the king's legitimacy: The case of the Friars

Deep uncertainties over the nature of justice and related conflicts over the true source of legitimate authority in the realm persisted into the reign of Henry IV and, as in the reign of Richard II, these issues periodically erupted into public discourse through the spectacle of the traitor's execution. As a king who had come to his throne by usurpation rather than by undisputed dynastic blood right, Henry IV was always vulnerable to charges that he was not a legitimate king at all. As we have seen, throughout the first decade of his reign, he was forced to deal with repeated rebellions and with persistent rumours that the 'true' king, Richard II, was still alive and waiting to reclaim his kingdom. In a number of cases of treason during this period, Christ's Passion again provided an alternative interpretive framework through which the bodies of executed traitors were transformed into emblems of just opposition to Henry IV's illegitimate authority.

*An English Chronicle* describes the 1402 case of a group of Friars Minor who were accused of treason for spreading the rumour that Richard II was still alive and for supporting the rebellion of Owain Glyn Dŵr in Wales.<sup>75</sup> They were arrested and brought before the royal justices at Westminster, where they were advised 'that ye put yowe in the kyng[es] grace', but their defiant response was to answer '[w]e put vs opon the cuntr[e]'.<sup>76</sup> Their stance appears to appeal to a notion of 'true' royal justice, as represented by the realm or 'common weal', in opposition to the 'false' authority of Henry, who had illicitly usurped the throne. The impression we are given is that it is the friars, not Henry, who have the law and therefore God on their side, and this impression is heightened when we are told that the king initially had trouble getting a conviction, as 'nother men off London ne off Holborn wolde dampne they[m]'.<sup>77</sup>

After a third inquest, the friars were finally condemned to suffer the humiliating death of traitors:

The iustices gaue iugemente and seide, 'Ye shall be drawn ffrom the Tour of London vnto Tiburne, and their ye shall be honged, and honge an hoole day

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<sup>75</sup> The Welsh rebellion of Owain Glyn Dŵr forms an important background to a number of cases of treason in the early years of Henry IV's reign. An analysis of how the discourse of treason in these cases contributed to the constitution of an emergent 'English' identity under Henry IV and Henry V would be valuable, but is beyond the scope of this study.

<sup>76</sup> *An English Chronicle*, p.31.

<sup>77</sup> *An English Chronicle*, p.31. *Adam Usk* (p.175) also includes brief details on the trial and execution. Transcriptions of the confessions of three of the friars to the coroner of the king's bench, along with a record of the trial at Middlesex, are printed in R. L. Storey, 'Clergy and Common Law in the Reign of Henry IV' in *Medieval Legal Records*, ed. R. F. Hunnisett and J. B. Post, London: Her Majesty's Stationery Office, 1978, pp.357-61.

and afterwarde be taken down and your hedes be smyton off and sette on London Bri[gge].<sup>78</sup>

However, this public spectacle of kingly power was disrupted at the climactic moment of its execution when the friars' performance strayed from the royal script:

The maister off diuinite made a[t] [T]iburn a deuote sermon with this tyme, *In manus tuas [Do]mine...*and forgaue theym his dethe that were causers theroff. And another frere seide when he shulde dye, 'Yt wasse not oure [en]tente as our enmyes seide to sle the kyng and his [so]nnes, but forto make hym Duke off Lancastre, as [h]e shulde be'...And afterwarde men of the enqueste that [h]adde dampnet thayme, comme to the ffreres preying theym [o]f forgoenesse and seide, 'But yff they hadde [not] seyde that the freres [w]ere gilte, they shulde haue ben slayn.'<sup>79</sup>

This account is dense with Passion imagery, as the master of divinity first commends his soul into the hands of God and then forgives his executioners. The spilling of innocent blood that is signified by this performance is then linked to Henry IV's dubious claim to the throne through the friars' assertion that their intent was only to return Henry to his rightful position as duke of Lancaster, thus restoring natural order to the body politic. Finally, Henry's own subjects implicitly condemn the perversions of justice that are required to keep the crown upon his head, as they describe being coerced by death threats into wrongfully condemning the friars.

### **Archbishop Scrope: The traitor as saintly martyr**

In the 1405 execution of Richard Scrope, archbishop of York, the Passion topos was even more prominent in the transformation of the traitor's punished body into a site through which royal authority was subverted and the legitimacy of the king's justice was called into question. Richard II had elevated Scrope to his archbishopric but in 1399, Scrope had a prominent role in supporting Henry of Lancaster's cause when he returned to England and in his subsequent deposition of Richard.<sup>80</sup> While Scrope had close connections with the Percy family, who had been the centre of treasonous plots and armed rebellion in 1400 and again in 1403, he does not appear to have become embroiled in any dissent until 1405. At that time, along with the Earl Marshal Thomas Mowbray, he was involved in drafting a reform manifesto that criticised 'bad

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<sup>78</sup> *An English Chronicle*, p.31-2.

<sup>79</sup> *ibid.*, p.32.

<sup>80</sup> On Scrope's background and career, see R. N. Swanson, 'Bureaucrat, Prelate, Traitor, Martyr: Sketching Scrope' in *Richard Scrope: Archbishop, Rebel, Martyr*, ed. P. J. P. Goldberg, Donington, Lincolnshire: Shaun Tyas, 2007; Pugh, pp.18-20.

governance in the kingdom because of a lack of justice', and called for 'the correction of harsh regulations and insupportable taxes and aids, extortionate and oppressive demands, which rule the lives of nobles, merchants, and the commons of the realm'.<sup>81</sup> The manifesto was written in English and widely circulated, 'sette on the yates of Yorke and sende to curatez off the tounes abovte forto be preched openly', and it seems to have rapidly attracted armed support from the people of York and the surrounding area.<sup>82</sup> Scrope emerges in the accounts of these events as a model of the type of late medieval bishop who combined spiritual leadership with the knightly virtues of martial nobility.<sup>83</sup> Walsingham notes his godliness and purity of character as well as his delight at being seen in arms, and implies that Scrope gathered his following in part by appealing to the crusading ideal, promising 'undoubted pardon for their sins and full remission to all those whose lot it might be to be slain in his cause'.<sup>84</sup>

In late May at Shipton Moor, five miles north of York, the archbishop's forces confronted royal opposition in the form of the army of Ralph Neville, Warden of the West March and earl of Westmorland.<sup>85</sup> Tricked into believing Westmorland supported the reform manifesto and wanted to negotiate a peaceful end to the confrontation, the archbishop disbanded his troops and was immediately seized, along with the Earl Marshal, and imprisoned at Pontefract Castle. In the trial and punishment that followed, Scrope's chivalry and sanctity were repeatedly contrasted with Henry IV's deception, impiety, and illegitimate use of the royal power to punish.

Thomas Arundel, the archbishop of Canterbury, had immediately ridden north on hearing of Scrope's arrest. Shocked at the king's violation of ecclesiastical dignity and disregard for the legal protection of benefit of clergy, Arundel:

...[c]ame to the king before he had stirred from his bed, and...he warned the king not to lay hands upon the archbishop, reciting how great was the peril

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<sup>81</sup> *St Albans Chronicle II*, p.443. On the content of the manifesto and the circumstances of its production, see Douglas Biggs, 'Archbishop Scrope's Manifesto of 1405: "Naive Nonsense" or Reflections of Political Reality?', *Journal of Medieval History* 33, no. 4 (2007), pp.358-71; W. Mark Ormrod, 'The Rebellion of Archbishop Scrope and the Tradition of Opposition to Royal Taxation' in Dodd and Biggs (eds.), *The Reign of Henry IV: Rebellion and Survival*.

<sup>82</sup> *An English Chronicle*, p.36. See also *St Albans Chronicle II*, pp.442-5, where Walsingham records the articles as he has translated them from English into Latin.

<sup>83</sup> On the appeal of chivalric knighthood to the higher clergy and the active involvement of bishops in military initiatives, see Kaeuper, *Chivalry and Violence*, p.193; Saul, *For Honour and Fame*, pp.216-18. A recent example had been the military activities of Henry Despenser, bishop of Norwich, including his leadership of a failed crusade to Flanders in 1382-3: Saul, *Richard II*, pp.102-5.

<sup>84</sup> *St Albans Chronicle II*, p.445.

<sup>85</sup> For these events, see *St Albans Chronicle*, pp.445-49 and p.632 n. 630. General accounts of the rebellion can be found in Keen, *England in the Later Middle Ages*, pp.249-50; Kirby, pp.185-8.

of such action, how great the sin, and how severe the punishment he would suffer not only from the law, but from the Lord.<sup>86</sup>

Henry assured Arundel that nothing would be done without the archbishop's approval. However, while Arundel was dining, Henry had the Earl Marshal and Scrope condemned as traitors without his knowledge, an act that was widely interpreted as deliberate deception.

As an endorsement of the king's sovereign prerogative to punish, the archbishop's trial and execution proved highly problematic. First, the king's own Chief Justice, William Gascoigne, categorically refused to pronounce the requested death sentence. When pressed:

[h]e replied to the King: 'According to the laws of the kingdom, neither you, my Lord King, nor any of your subjects acting in your name, can legally condemn any bishop to death.' ...Therefore the King exploded in a furious rage against the judge...At once he ordered Sir William Fulthorp, who was a knight but not a judge, to pronounce the death sentence on the Archbishop, whom he called a traitor.<sup>87</sup>

Here we see that, in a reversal of the situation in Tresilian's case, the king's highest judge refused to pervert justice even in the face of the king's fury. To convict the archbishop, Henry IV was forced literally to go outside the law he was supposed to embody, prevailing on a man who was not even a judge to pronounce the sentence.

In accounts of the archbishop's execution, the Passion of Christ is repeatedly and sometimes elaborately invoked to underscore Scrope's sanctity in contrast to the king's failure of both kingship and knighthood. As a form of urban public spectacle, the execution of traitors was intended to reinforce the king's authority and the legitimacy of his right to do justice by imposing the death penalty. This was demonstrated in the way both Archbishop Scrope and Thomas Mowbray were first stripped of their noble status and ritually humiliated, before being taken outside the city walls to be killed. Walsingham records the familiar elements involved in this ritualistic inversion, as 'the two men were placed upon scraggy animals without saddlecloths and led outside the

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<sup>86</sup> *St Albans Chronicle*, p.451.

<sup>87</sup> Clement Maidstone, 'The Martyrdom of Archbishop Richard Scrope', translated with notes and commentary by Stephen K. Wright, 1997, para.8. Retrieved 6 May 2011 from <http://english.cua.edu/faculty/wright/maidston.cfm>. (Hereafter, 'Martyrdom'.) Maidstone's (d.1456) account survives in three fifteenth-century manuscripts. It is based on a collection of eyewitness statements, including one from the author's father, and is believed to have been compiled shortly after Henry IV's death in 1413: Hicks, 'The Yorkshire Perjuries of Henry Bolingbroke', p.35.

city amidst a large crowd into a field'.<sup>88</sup> Maidstone records the same detail of the bareback ride on 'a horse worth only forty pence' while another account adds that Scrope was made to ride backwards.<sup>89</sup> This was intended to intensify the inversion and fits into a broader tradition of the 'ignominious ride', in which those accused of falsehood of some kind were made to ride backwards and bareback through the city as a form of punishment.<sup>90</sup> Scrope was also stripped of the clothing and insignia that marked his episcopal status and instead, 'he wore a blue cloak with long sleeves of the same color, for they did not allow the Archbishop to wear the linen vestments that bishops normally wear'.<sup>91</sup>

In these rituals of humiliation and inversion, we see the now-familiar pattern of degraded status that preceded the traitor's final excision from the body politic. However, the archbishop's performance during his execution illustrates the exploitation of an alternative interpretation for these events that drew on the audience's likely familiarity with the crucifixion narrative as it was depicted in the York play. We recall that in the York 'Crucifixion', Christ was condemned as a 'traitor' and a 'knave', a use of irony that emphasised the truth of his innocent nobility. When the archbishop was condemned in the same terms, his own Christ-like response placed into high relief the wrongful nature of the king's actions. According to one account:

Then were the seid Archbisshoppe off Yorke and the Lorde Mowbrey dampned vnto dethe...and were beheded withoute the cite off Yorke. And when the Archbisshoppe shulde dye, he seid 'Loo, I shall dye for the law and the goode rule off Engelande'. And then he seid vnto ham that shulde dye with hym, 'Lete vs suffer dethe meekly, for we shull this nyght, be Goddez grace, be in Paradise'. Then seid the archbisshoppe vnto hym that shulde smyte off his hede, 'For his loue that suffred v wondes for all monkynde, geve me v strokes, and I forgeue the my dethe.'<sup>92</sup>

The first element in Scrope's speech highlights his own performance of knightly virtue in defending 'the law and the goode rule off Engelande', and is reminiscent of the earl of Arundel's defiant defence when he was condemned as a traitor by Richard II in 1397. As in Arundel's case, this effectively set Scrope up as a chivalric martyr being executed by a king who had abdicated his fundamental duty to rule justly and by the principles

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<sup>88</sup> *St Albans Chronicle II*, p.453.

<sup>89</sup> 'Martyrdom', para.8 and n.8.

<sup>90</sup> Rexroth (p.147) notes the use of the ignominious ride to punish a charlatan and a false prophet in 1380s London.

<sup>91</sup> 'Martyrdom', para. 8.

<sup>92</sup> *An English Chronicle*, p.37. This story is similar to that in 'Martyrdom'. See also versions in *St Albans Chronicle II*, pp.453-57; *Adam Usk*, p.203.

of divine law.<sup>93</sup> The crucifixion imagery was intensified by Scrope's words of comfort to Mowbray, which echoed Jesus' words to the good thief as they suffered on their crosses.<sup>94</sup> Finally, Scrope introduced the potent image of Jesus suffering the Five Wounds of the Passion, a central theme in late medieval penitential piety and one that conveys the idea of an innocent man put to death for the common good. The overall effect of Scrope's performance was to invert the relationships of power usually involved in a traitor's execution, as Henry IV was implicitly positioned not as a king dispensing justice but as a tyrant and sinner in the mould of Herod.

Having dealt with the rebellion's leaders, Henry IV turned to re-imposing his authority on the population of York. This involved an attempt to reintegrate the fractured body politic through an elaborate ritual of submission that asserted his prerogative as king to do justice. Usk describes how 'the citizens of York had to take off their trousers and prostrate themselves naked on the ground, almost as if it were another judgement day, in order to beg the king's pardon'.<sup>95</sup> The degradation and humiliation involved as the leading citizens of York were made to grovel in the dirt at the king's feet powerfully conveys the forceful re-establishment of natural order and hierarchy. The author of *An English Chronicle* adds the detail that 'the citesens...camme oute...with halterez aboute their neckes', demonstrating in a very literal way that their lives were at the mercy of their sovereign.<sup>96</sup> This type of ritual submission was used by kings to demonstrate their lordship over a conquered people, as when Henry V in 1415 forced the inhabitants of Harfleur to submit to him 'stripped naked, and with halters and nooses around their necks'.<sup>97</sup>

However, this performance of kingly power and judicial authority was almost immediately counteracted by the bodies of the traitors Henry IV had executed, as they began to exhibit markers of sainthood that included a series of miracles and the incorruption of the corpse after death.<sup>98</sup> Walsingham describes how a field of barley, apparently destroyed when Scrope was dragged through it to his death 'surrounded by what seemed like countless horsemen and foot-soldiers', miraculously produced an

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<sup>93</sup> On Scrope's cult and the portrayal of his death as a political martyrdom, see Walker, 'Political Saints', pp.210-11.

<sup>94</sup> Luke 23:43 (Douay-Rheims Bible). On the motif of the two thieves in late medieval art, see Merback, pp.21-6, 69-73.

<sup>95</sup> *Adam Usk*, p.203.

<sup>96</sup> *An English Chronicle*, p.36.

<sup>97</sup> *Adam Usk*, p.255.

<sup>98</sup> On corporeal marks of sainthood, including incorruption, physical beauty, and a sweet-smelling corpse, see Vauchez, pp.424-37.

unprecedentedly large crop 'and this was the testimony given by many people'.<sup>99</sup> The archbishop's tomb also generated a minor cult, with 'pilgrims proclaim[ing] the news that the Lord had manifested many miracles on the archbishop's behalf. They reported that his severed head was seen to smile serenely'.<sup>100</sup> Maidstone and Usk both reported on the growth of the cult, with Usk adding that Scrope 'has now been acknowledged as a saint on account of his numerous miracles'.<sup>101</sup> Meanwhile, Thomas Mowbray's head 'was stuck on a spike, and remained there above the walls of the city for a long time, being exposed to the heat and rain'.<sup>102</sup> Yet, when Henry IV finally gave permission for it to be taken down and buried, 'many say that it was found with no discharge at all, no deterioration, no discoloration, but manifested the same looks and comeliness which the earl had had when he was alive'.<sup>103</sup> This lack of decay and the earl's 'comeliness' even after death reflect the bodily integrity of the true knight and are also highly suggestive of the incorruptibility of the saint's body.

Henry's initial response to the formation of the archbishop's cult was to try to block off the place of pilgrimage from public access and threaten Scrope's worshippers:

His tomb was isolated with high screens by the king's men so that no one could make offerings there without it being possible to make an easy arrest. Those arrested were humiliated and tortured by the [king's] servants appointed for this task, and these, after abusing the pilgrims, shamefully drove them away, and commanded them not to dare to come there again...or to speak about the miracles.<sup>104</sup>

These efforts to shut down Scrope's cult - by force if necessary - suggest that Henry was well aware that his political authority as king was being actively endangered by this transformation of a traitor into a saintly martyr.<sup>105</sup> Moreover, his performance of just, divinely ordained kingship was called into question by his own body's response to the destruction and division of Scrope's body. Immediately after the archbishop's execution, Henry IV suffered the first bout of a mysterious illness that was to afflict him

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<sup>99</sup> *St Albans Chronicle II*, p.455.

<sup>100</sup> *ibid.* On the miracles, see also *Brut II*, pp.366-7.

<sup>101</sup> *Adam Usk*, p.203; 'Martyrdom', paras. 9 and 11. Scrope was never officially canonized but was popularly treated as a saint: *St Albans Chronicle II*, p.454, n.638. See also McKenna, 'Political Canonization'.

<sup>102</sup> *St Albans Chronicle II*, p.457.

<sup>103</sup> *ibid.*

<sup>104</sup> *St Albans Chronicle II*, p.455. 'Martyrdom' (para. 11) says that tree trunks were placed around and on top of the tomb 'so that people could not worship or make offerings there'.

<sup>105</sup> 'Martyrdom', para. 11. McKenna (pp.611-12) documents the various measures taken by the royal authorities to shut down the pilgrimage site.



for the rest of his reign.<sup>106</sup> Observers saw a cause-and-effect relationship between Henry's illness, which was described as leprosy, and the execution of Scrope. According to Maidstone:

At the time when the Archbishop was beheaded, the King was stricken with a horrible case of leprosy...During the night that followed the King suffered horrible torments, so much so that he awakened his attendants with a loud scream...the next morning the King, still a very sick man, rode on to Ripon...And when George Plumpton saw the King on the eighth day after Scrope's execution, he saw that large leprous pustules were forming on the King's face and hands.<sup>107</sup>

This narrative of Henry's illness has several significant features. The timing encourages its interpretation as a judgement from God and the fact that it was widely believed to be leprosy - a disease that was viewed as divine punishment for sin - enhances this interpretation of the king's actions as illicit and unjust.<sup>108</sup> Not only that, but because leprosy was particularly associated with lechery, Henry's disease implicitly evokes the medieval connection between treason and sexual deviance that was discussed in the previous chapter. In another account, Henry's victims are explicitly referenced as he is described awakening from his nightmare screaming, "'Traitors! Traitors! ye have thrown fire over me". And he was stricken by a manifest leprosy'.<sup>109</sup> Henry's nightmare vision seems to fit the same pattern of divine revelation of truth through dreams that Richard II experienced after Arundel's execution. Additionally, the mention of being doused in fire may have been intended to suggest the king's own knowledge of the wrongful nature of his actions and therefore of his fear of punishment in Purgatory, because fire was viewed as the definitive purifier of the sinful. Henry had in fact been specifically told that his plan to execute Scrope was both sinful and illegal by the archbishop of Canterbury who, we recall, had warned him about the punishment it would incur 'not only from the law, but from the Lord'.<sup>110</sup>

The illness Henry suffered immediately after his destruction of the archbishop signified not only his breach of earthly and divine law, but his violation of the chivalric code that the king, as the perfect example of knighthood, was expected to embody.

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<sup>106</sup> For accounts of these episodes and attempts at medical diagnosis, see Peter McNiven, 'The Problem of Henry IV's Health, 1405-1413', *The English Historical Review* 100, no. 397 (1985), pp.747-72; Kirby, pp.102-4.

<sup>107</sup> 'Martyrdom', para. 10. For a similar though less detailed account that connects Henry's illness with the archbishop's death, see *An English Chronicle*, p.37.

<sup>108</sup> On leprosy as God's punishment for sexual sin: Brody, pp.11-12; Jacquart and Thomasset, pp.184-88.

<sup>109</sup> Quoted in Kirby, p.103.

<sup>110</sup> *St Albans Chronicle II*, p.451.



According to chivalric treatises, illness or bodily weakness marked the withdrawal of divine favour from knights who did not merit it. The Lord could take away 'the power, the beauty...the prowess, and the other strengths' from knights who proved themselves unworthy, causing 'all these benefits, so ill merited...to crumble and collapse in various ways, as, for example, by chronic illness'.<sup>111</sup> Further, in late medieval chivalric romances, leprosy was specifically used to mark the knight who has brought dishonour upon knighthood.<sup>112</sup> As a direct result of the archbishop's execution, Henry's unworthy, unknighly character became graphically marked by his permanent facial disfigurement 'with an horrible lepre'.<sup>113</sup> Throughout the rest of his reign, Henry's illness periodically made it difficult or impossible for him to ride a horse or to lead his army in the field, activities that typified chivalric kingship and martial prowess.<sup>114</sup> On his accession, Henry IV had been lauded as embodying all the moral and physical virtues of the 'good knight'.<sup>115</sup> Now, because of his sinful execution of Archbishop Scrope, whose body continued even in death to attest to his innocence and sanctity, Henry found his own abilities to perform as both a knight and a king repeatedly compromised. Finally, it seems the divine judgement signified by Henry's disease might have forced him to relinquish his crown, as in 1413:

An agreement was made between Prince Henry, first-born son of the king, Henry, Bishop of Winchester, and almost all the lords of England, that they should ask the king to give up the crown of England...because he was so horribly afflicted with leprosy.<sup>116</sup>

The cases analysed in this chapter reveal that in the cultural context of late medieval England, wherein the dramatised executions of Christ and the martyrs and the literal punishment of criminals occupied the same public spaces, the spectacle of the traitor's execution could provoke unexpected responses in the political community that witnessed it. For late medieval monarchs, the power to do justice by invoking the

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<sup>111</sup> Charny, *Book of Chivalry*, p.157.

<sup>112</sup> Kaeuper, *Chivalry and Violence*, pp.213-14.

<sup>113</sup> *An English Chronicle*, p.37.

<sup>114</sup> See for example, the account from 1412 in *St Albans Chronicle II*, p.609. McFarlane notes that Henry IV was reputed for his vigour and his knightly prowess at pursuits such as tourneying until he was suddenly struck by illness: K. B. McFarlane, *Lancastrian Kings and Lollard Knights*, London: Oxford University Press, 1972, p.103.

<sup>115</sup> On Henry IV's reputation as a knight, see Anthony Tuck, 'Henry IV and Chivalry' in Dodd and Biggs, *Henry IV: The Establishment of the Regime*. On the contrast of Henry IV's 'manliness' and chivalric virtue with Richard II's weakness and lack of martial prowess, see Christopher Fletcher, 'Manhood and Politics in the Reign of Richard II', *Past & Present*, no. 189 (2005), pp.3-39.

<sup>116</sup> *Eulogium Historiarum*, translated in Myers, p.205.

sanction of putting to death was the quintessential expression of the king's authority as the agent of God's law on earth. The traitor's degraded, divided and displayed body served as the proof of his crime, and his ceremonial execution 'did not simply advertise the ability of the state to wield its power, but...justified its need to do so'.<sup>117</sup>

However, for audiences conditioned to venerate the tormented bodies of Christ and the martyrs, the traitor's body could at times become a site where notions of justice, knighthood and sanctity coalesced in ways that challenged rather than reinforced this idea of political order. The familiar imagery of Christ's Passion offered late medieval audiences a rich interpretive framework within which to situate the performance of the traitor's execution and its aftermath. Through the traitor's publicly exposed and destroyed body, royal justice could itself be revealed as corrupt and perverse, a product not of God but of the devil. Conversely, broken and divided bodies that were intended to 'prove' the traitor's crime might miraculously become whole again, transforming traitors into chivalric martyrs and exposing the kings who executed them as unjust and unknighly, and therefore not legitimate kings at all.

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<sup>117</sup> Royer, 'The Body in Parts', p.332.

## CHAPTER FIVE: CONCLUSION

Bodies, whole and broken, have been at the heart of this study, an approach that reflects the cultural primacy of the body 'as one of the major tenets of medieval thought and identity'.<sup>118</sup> From Thomas Usk's head hung above Newgate and Sir Nicholas Brembre dragged through the streets of London, to the miraculous incorruptible body of Archbishop Scrope, traitors' bodies have been read in juxtaposition to other bodies that resonate with the power to signify: the inwardly and outwardly perfect male bodies of 'true' knights, the unified and harmonious body politic, and the miraculous bodies of Jesus Christ and the martyr saints. This approach has enabled me to show that the traitor's body could, in a variety of ways, disrupt dominant notions of status, gender, and political authority as they were manifested through the performance of knighthood.

Historians of medieval and early modern Europe have most often interpreted the public spectacle of the traitor's execution as a dramatic expression of the power of an increasingly strong, centralised monarchy. According to these scholars, the traitor's divided, destroyed body served to tell the story of his crimes while at the same time asserting the king's prerogative to punish them. Execution rituals incorporating status inversion, dismemberment, and display of body parts have thus been seen as acts that symbolically reintegrated the body politic and restored it to order through the expulsion of its most divisive and deviant members. The present study has enlarged upon and in a number of respects challenged this existing scholarship by critically examining the traitor's body from an alternative perspective, as a site of challenge and resistance. As I have shown, the traitor's spectacular execution could at times provoke unintended readings that destabilised or subverted the cultural norms and relationships of power that it was supposed to reinforce. In many of the cases discussed here, through his trial and execution the traitor became a flashpoint for intense debate over claims to 'true' knighthood and the 'natural' social and political privilege this status conferred. These power struggles, waged in the public arenas of parliament and the city streets, in their turn exposed deeper anxieties about the potentially insecure nature of aristocratic masculinity as it was embodied in 'true' or 'false' knights. The traitor's punished body could also bring to light fracture and

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<sup>118</sup> Bildhauer, *Medieval Blood*, p.14.

resistance, rather than unity and harmony, in the body politic, and call into question the legitimacy of the authority that punished.

Existing studies on the punishment of traitors in medieval England have tended to focus on a handful of cases from the late thirteenth and early fourteenth centuries. Based on this evidence, they have concluded that the ritualised inversions applied in cases of noble treason worked to reinforce noble identity by wholly and permanently 'undoing' the traitor's noble status before removing him from the body politic. However, this examination of cases from the later fourteenth and early fifteenth centuries has uncovered much more ambiguity around the traitor's status, suggesting that the seemingly stable and coherent categories of knighthood and nobility were themselves open to question. The application of different rituals of trial and execution to men who ostensibly held the same formal status as knights testified to more general tensions over whether knighthood was conferred by noble blood, by performance, or by some undetermined combination of the two. The public spectacle of the traitor's trial and execution both reflected and amplified disputes over wealth, status and power in the English body politic, as the traitor's body became a locus for the battles being waged between men of the 'old' nobility of blood and 'new' men raised to high status as a reward for their services to the king. In a sense, this discord was not new, as complaints about 'low-born advisers' and men raised above their station had been a recurrent theme in political discourse since at least the twelfth century. However, the evidence offered here for debates over knightly status indicates that by the 1380s, men of the emergent urban mercantile elite were being perceived by the traditional nobility as a significant threat to their preeminent role in the political community. The construction of traitors as 'false' knights reflected a concern that men may have all the trappings of nobility yet not be 'true' knights, a belief that echoed more general cultural unease about outer bodily 'performance' that was contradicted by inner reality. In some cases, when men who boasted both noble blood and knightly virtue were exposed as traitors, their punishment risked destabilising a social order in which the nobleman's pre-eminence was based in a claim to 'natural' moral and physical superiority. This project has considered these issues within a relatively short timeframe of four decades. However, its findings indicate that there is scope for a broader analysis that compares the discursive construction of treason and the processes applied in individual trials in cases from the thirteenth through to the sixteenth centuries. Such a comparison may provide important insights into how knightly status and noble identity were being shaped and challenged during this period of significant cultural, social and political change.

Chapter Three considered the challenge the traitor posed to the category of knighthood from the perspective of gender by asking how the feminised body of the traitor might destabilise aristocratic masculinity as it was embodied in and performed through the identity of 'knight'. As this chapter demonstrated, the traitor was seen, first and foremost, as someone who had perverted natural bonds of love and blood between men, and this perversion marked him as the false and feminised inversion of the 'true' knight. However, the opposition of 'true' and 'false' knight did not always map onto a simple masculine/feminine gender binary. Instead, the production of the traitor from *within* the same masculine order that rejected him as wholly 'other' sometimes worked to destabilise that order and to complicate the gendering of both 'knight' and 'traitor'. The personal nature of late medieval government, with its heavy reliance on intimate bonds between men, created conditions in which accusations of treason were more likely to arise, but it also created an environment in which the 'true' knight could become indistinguishable from the 'false' traitor. In this cultural context, the categories of 'knight' and 'traitor' were mutually constitutive and interdependent, and there was always the potential for one to become the other. This ever-present risk of slippage points to the inherent instability of aristocratic masculinity as it was performed through gendered embodiment as a 'knight'. The historical analysis of treason through the lens of gender is as yet largely undeveloped, and the evidence presented here raises questions about how treason and its punishment may have shaped or challenged dominant notions of secular aristocratic masculinity. It also contributes to growing scholarship on how medieval masculinities were constructed and contested, and the need for further investigation into the ways treason intersected with other gendered categories such as heresy, sodomy, and sorcery.

A phenomenon that continues to puzzle historians of late medieval England is the emergence of harsher and more spectacular punishments for treason from the late thirteenth century. While endemic war, unstable kingship and political faction have all been viewed as contributing to this trend, late medieval Passion devotion has been largely neglected as a factor that may have influenced punishment practices and, importantly, conditioned responses to them. This study has demonstrated that the crucifixion topos and the devotional model of *imitatio Christi* strongly influenced the way some traitors' deaths were interpreted, transforming the traitor's body into a locus for resistance to political authority. At times, the performance of knighthood intersected powerfully with the devotional model of *imitatio Christi* in ways that transformed traitors into chivalric martyrs and thus called into question the legitimacy of the kings who executed them. In the execution of Chief Justice Tresilian, the Passion

narrative was invoked in an inversion or parody, undermining royal authority by implying that the king's justice, embodied in his most senior judge, came not from God but from the devil. These findings suggest that for medieval audiences, there was a meaningful, if complex, relationship between Passion devotion and the criminal's executed body. However, a systematic investigation of this theme covering a longer time period is likely to provide additional insights into the historical connections between piety, punishment, and political authority. One important question to address is whether such interpretations were unique to the period explored in this study (perhaps associated with debates over legitimate authority and 'divine right' to rule), or whether they appeared in other times and places. Such an examination may also offer new interpretations of the phenomenon of 'political sainthood', particularly if the martyrdom of traitors is approached as a genuine expression of religious devotion rather than simply as political 'propaganda'.

This study has provided extensive evidence that the spectacle of execution cannot always and everywhere be interpreted as a monolithic display of autocratic power. The traitor's body could challenge rather than affirm political authority as it was vested in the king's right to 'do justice'. The king did not always monopolise the judicial power to punish, as aristocratic factions or urban authorities affected to wield it in his name. Occasionally, it was the 'commons' who seized the power to punish, operating beyond the boundaries of the recognised political community. In other cases, it was the traitor who was ultimately revealed as the 'true' knight, because he upheld justice and the interests of the 'common weal' in the face of a tyrannical or illegitimate king. These findings point to the need for more nuanced and context-specific readings of the political content and cultural meanings of rituals of judicial punishment. It also suggests that the detailed analysis of the trial and execution of traitors can provide fresh insights into late medieval debates over the nature and location of power in the body politic, and into the complex relationships between the aristocracy, urban elites, and the 'commons'.

This project has touched on a number of other issues relating to treason and the body of the traitor that, given its scope, I was unable to pursue in greater depth. For example, I have discussed several cases where a connection was made through the traitor's body to ideas about the betrayal of 'tongue', or what seems to be a notion of English national identity. This raises questions about whether and how the punishment of traitors in the later medieval period, particularly under Henry IV and Henry V, may have contributed to the emergence of a distinctive sense of 'English' identity that was associated with the English language. A more extensive exploration of the traitor as a

'false' knight in this context may also contribute new perspectives to existing scholarship that traces the growing late medieval connection between chivalric ideas and institutions such as the Order of the Garter and a notion of English identity.<sup>119</sup>

While medieval culture had for some centuries made a loose association between heresy and treason as dire forms of rebellion against God, a number of the examples discussed here have featured the much closer and causal relationship between the Lollard heresy and treason that appeared in England from the late fourteenth century. This connection has been noted by a number of scholars who have documented the campaigns of Henry IV and Henry V against this form of Christian belief. However, there is still much to be discovered about the discourses and structures of thought that connected heresy and treason to each other and to the other 'sins against nature' of sodomy and sorcery. There is also the question of whether the specific political circumstances of the deposition of Richard II and the reign of Henry IV worked to cement an association between treason and heresy that had previously been less explicit. From a political perspective, we can also ask *why* and traitors were increasingly also being accused of and punished for heresy, and in what circumstances? An examination of this issue may provide new perspectives on the Lancastrian campaign against Lollardy, especially as it was used to bolster the legitimacy of Lancastrian kingship.

A central contention of this study has been that the traitor's trial and execution brought into vivid relief the shifting and uncertain nature of knighthood and noble masculine identity in late medieval England. Accounts of trial by battle have provided some of the evidence for this assertion, but the records of such cases have yet to be examined in any depth from a cultural perspective. What little has been done on these records has been primarily from the perspective of legal and constitutional history, mainly related to the fourteenth-century development of the Court of Chivalry and its jurisdiction.<sup>120</sup> Fuller archival research into the extant records of the Court of Chivalry and other accounts of trial by battle may provide valuable new material for understanding late medieval ideas about the performance of knighthood and the construction of secular aristocratic masculinity.

Another way in which this project has challenged the assertion that the traitor's death wholly and permanently 'undid' noble masculine identity has been by

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<sup>119</sup> As discussed for example in Collins, *The Order of the Garter*; Saul, *For Honour and Fame*; Vale, *Edward III and Chivalry*.

<sup>120</sup> For example, in Keen, 'Treason Trials under the Law of Arms'; Keen and Warner, 'Introduction. Morley vs. Montagu (1399)'.

considering property and patrilineage as extensions of the noble male body. As has been shown, the individual noble traitor may have been destroyed, but his masculine 'body' and identity could persist through incomplete or reversed forfeitures of land (and associated titles), particularly land that was held 'in tail male'. Further research into the fifteenth-century development of attainder<sup>121</sup> and the legal doctrine of 'corruption of blood' that was being increasingly applied to traitors could enhance our understanding of noble male identity as it was asserted and defended through the dimensions of blood, land, and inheritance.

Related to this theme of gender and treason, the phenomenon of women traitors requires deeper investigation informed by more extensive archival research. The conceptual problems suggested by the chronicle portrayals of women involved in treason plots and by the sentences they were given have been neglected to date, and have only been briefly addressed here. Their convictions for heresy and witchcraft, rather than for treason, point to the late medieval association of treason with these other 'sins against nature', but the refusal to name women overtly *as* 'traitors' indicates that there may be more complex discourses of gender underpinning the construction of these separate but inter-related categories.

As it is in our own society, the body in late medieval England was saturated with the power to signify, so that it could 'both stage and challenge the defining force of dominant ideologies'.<sup>122</sup> The practical sphere of politics, no less than more abstract fields of philosophy, faith, and art, were shaped by discourses that were grounded in and naturalised through bodies. From within this milieu, the traitor's punished body emerged as a paradoxical symbol. For as we have seen, the 'discourse of the scaffold' was not a monovocal or one-way conversation, but was fractured and polyvalent, and it could contest as well as confirm social and cultural norms. In certain circumstances, the readings generated through the traitor's body worked to call into question structures and relationships of power held to be 'natural', such as knighthood, aristocratic masculinity, justice, and kingship.

While there is substantial existing scholarship on the political and constitutional history of treason in medieval England, the cultural dimension of treason and the punishment of traitors is a topic that has not yet been widely addressed, especially with regards to the period between the mid-fourteenth century and the English Reformation. By uncovering the challenges traitors sometimes posed to

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<sup>121</sup> Literally, 'tainting of the blood': Bothwell, p.103. Bothwell notes that this procedure had its roots in the treason cases of 1397.

<sup>122</sup> Lomperis and Stanbury, p.x.



dominant notions of status, gender and political authority, this project has sought to shed new light on key aspects of late medieval political culture and social order, and to open avenues for future research.

## BIBLIOGRAPHY

### PRIMARY SOURCES

- 25 Edw. III, St.5 c.2 (1352 Statute of Treasons). Retrieved 1 August 2011 from <http://www.legislation.gov.uk/aep/Edw3Stat5/25/2/section/II>
- 'A Petition of the Folk of Mercerye' in R. W. Chambers and Marjorie Daunt (eds.) *A Book of London English 1384-1425*, Oxford: Clarendon Press, 1931, pp.33-7.
- 'A True Copy of the Roll of Proceeding in an Appeale of Treason before the Conestable and Marshall between Thomas Lord Morley, Appellant, and John De Montague, Earle of Salisbury, Defendant, Anno Primi Henrici Quarti', ed. M. H. Keen and M. Warner in *Chronology, Conquest and Conflict in Medieval England. Camden Miscellany XXXIV*, London: Cambridge University Press for the Royal Historical Society, 1997, pp.169-95.
- 'Appendix III: The Record of the Treason Trials at Southhampton in August 1415' in T. B. Pugh, *Henry V and the Southampton Plot of 1415*, Gloucester, UK: Alan Sutton, 1988, pp.178-185.
- Bartlett, Anne Clark, and Thomas H. Bestul (eds.), *Cultures of Piety: Medieval English Devotional Literature in Translation*, Ithaca, NY: Cornell University Press, 1999.
- Beadle, Richard, and Pamela M. King (eds.), *York Mystery Plays. A Selection in Modern Spelling*, Oxford: Clarendon Press, 1984.
- Brereton, Geoffrey (ed. and trans.), *Froissart. Chronicles*, Harmondsworth, UK: Penguin, 1968.
- Brie, Friedrich W. D. (ed.), *The Brut, or the Chronicles of England, I*, London: Early English Text Society, 1906.
- , ed. *The Brut, or the Chronicles of England, II*, London: Early English Text Society, 1908.
- Calendar of Patent Rolls 1377-1413* (10 vols.), London: Public Records Office, 1895-1909. Accessed online at <http://www.uiowa.edu/~acadtech/patentrolls/> G.R. Boynton, 2003. Project of Professor G.R. Boynton and the University of Iowa Libraries.
- Chambers, R. W., and Marjorie Daunt (eds.), *A Book of London English 1384 - 1425*, London: Oxford University Press, 1931.
- Erbe, Theodor (ed.), *Mirk's Festial. A Collection of Homilies, Part I*, London: Early English Text Society E.S. 96, 1905.
- Favent, Thomas, *History or Narration Concerning the Manner and Form of the Miraculous Parliament at Westminster in the Year 1386, the Tenth Year of the Reign of King Richard the Second after the Conquest, Declared by Thomas Favent, Clerk*, trans. Andrew Galloway, in Emily Steiner and Candace Barrington (eds.), *The Letter of the Law: Legal Practice and Literary Production in Medieval England*, Ithaca, NY: Cornell University Press, 2002, pp.231-52.

- Francis, W. Nelson (ed.), *The Book of Vices and Virtues: A Fourteenth Century English Translation of the Somme Le Roi of Lorens D'orleans*, London: Oxford University Press, 1942.
- Gesta Henrici Quinti. The Deeds of Henry the Fifth*, trans. Frank Taylor and John S. Roskell, Oxford: Clarendon Press, 1975.
- Given-Wilson, C. (ed.), *The Chronicle of Adam Usk 1377 - 1421*, Oxford: Oxford University Press, 1997.
- Given-Wilson, C. (ed.), *The Parliament Rolls of Medieval England*, Leicester, UK: Scholarly Digital Editions, 2005.
- , ed. *Chronicles of the Revolution: 1397 - 1400 The Reign of Richard II*, Manchester: Manchester University Press, 1993.
- Hector, L. C., and Barbara F. Harvey (eds.), *The Westminster Chronicle 1381 - 1394*, Oxford: Clarendon Press, 1982.
- Henley, W. E. (ed.), *The Chronicle of Froissart, Translated out of French by Sir John Bourchier Lord Berners, Annis 1523-25, Vol. 1*, New York: AMS Press, 1967.
- Henley, W. E. (ed.), *The Chronicle of Froissart, Translated out of French by Sir John Bourchier Lord Berners, Annis 1523-25, Vol. VI*, New York: AMS Press, 1967.
- Hoccleve, Thomas, and Frederick J. Furnivall, *Hoccleve's Works. The Regement of Princes and Fourteen Minor Poems*, Millwood, NY: Kraus Reprint, 1975.
- Holmes, G. A., 'Judgement on the Younger Despenser, 1326', *The English Historical Review* 70, no. 275 (1955), pp.261-67.
- Jefferson, Lisa, 'Ms Arundel 48 and the Earliest Statutes of the Order of the Garter', *The English Historical Review* 109, no. 431 (1994), pp.356-85.
- Kaeuper, Richard W., and Elspeth Kennedy (eds.) *The Book of Chivalry of Geoffroi De Charny. Text, Context, and Translation*, Philadelphia, PA: University of Pennsylvania Press, 1996.
- Kurath, Hans, and Sherman M. Kuhn (eds.) *Middle English Dictionary*, Ann Arbor, MI: University of Michigan Press, 1959.
- Llull, Ramon, *The Book of the Ordre of Chyualry, Translated by William Caxton*, ed. Alfred T.P. Byles, Oxford: Early English Text Society Original Series 168, 1926, 1971.
- Lucas, Peter J. (ed.), *John Capgrave's Abbreviacion of Cronicles*, Oxford: Oxford University Press for the Early English Text Society, 1983.
- Maidstone, Clement, 'The Martyrdom of Archbishop Richard Scrope', translated with notes and commentary by Stephen K. Wright, 1997. Retrieved 6 May 2011 from <http://english.cua.edu/faculty/wright/maidston.cfm>
- Maidstone, Richard, *Concordia (The Reconciliation of Richard II with London)*, ed. David R. Carlson, trans. A. G. Rigg, Kalamazoo, MI: Medieval Institute Publications, Western Michigan University, 2003.
- Martin, G. H. (ed.), *Knighton's Chronicle 1337-1396*, Oxford: Clarendon Press, 1995.
- Marx, William (ed.), *An English Chronicle 1377-1461: Edited from Aberystwyth, National Library of Wales Ms 21068 and Oxford Bodleian Library Ms Lyell 34*, Woodbridge, UK: Boydell Press, 2003.
- Myers, A. R. (ed.), *English Historical Documents 1327 - 1485*, London: Eyre & Spottiswoode, 1969.

- Nicolas, N. H., and E. Tyrell (eds.), *A Chronicle of London from 1089 to 1483; Written in the Fifteenth Century and for the First Time Printed from Mss. In the British Museum*, Felinfach, Wales: Llanerch Press, 1995.
- Nicolas, Sir Harris (ed.), *Proceedings and Ordinances of the Privy Council of England. Vol. I*, London: Public Records Office, 1834.
- Sharpe, Reginald (ed.), *Calendar of Letter-Books for the City of London: H - 1375-1399*, London: University of London & History of Parliament Trust, 1907.
- Steele, Robert (ed.), *Three Prose Versions of the Secreta Secretorum*, London: Early English Text Society, 1898.
- Suggett, Helen, 'A Letter Describing Richard II's Reconciliation with the City of London, 1392', *The English Historical Review* 62, no. 243 (1947), pp.209-13.
- Taylor, John, Wendy R. Childs, and Leslie Watkiss (eds.), *The St Albans Chronicle: The Chronica Maiora of Thomas Walsingham I. 1376-1394*, Oxford: Oxford University Press, 2003.
- , eds. *The St Albans Chronicle: The Chronica Maiora of Thomas Walsingham II. 1394-1422*, Oxford: Oxford University Press, 2011.
- Thomas, A. H. (ed.), *Calendar of the Plea and Memoranda Rolls of the City of London: Volume 3 - 1381-1412*, London: University of London & History of Parliament Trust, 1932.
- Thomas, A. H., and I.D. Thronley (eds.), *The Great Chronicle of London*, London: Corporation of London, 1938.
- Viard, Jules, and Eugene Deprez (eds.), *Chronique De Jean Le Bel*, Paris: Librairie Honore Champion, 1977.
- Voragine, Jacobus de, *The Golden Legend. Readings on the Saints* (2 vols.), trans. William Granger Ryan, Princeton, NJ: Princeton University Press, 1993.
- Walker, S. K., 'Letters to the Dukes of Lancaster in 1381 and 1399', *The English Historical Review* 106, no. 418 (1991), pp.68-79.
- Williams, Benjamin (ed.), *Chronique De La Traison Et Mort De Richart Deux Roy Dengleterre*, London: The English Historical Society, 1846.

## SECONDARY SOURCES

- Ailes, M. J., 'The Medieval Male Couple and the Language of Homosexuality' in *Masculinity in Medieval Europe*, D. M. Hadley (ed.), London: Longman, 1999.
- Ashley, Kathleen, 'Introduction: The Moving Subjects of Processional Performance' in *Moving Subjects: Processional Performance in the Middle Ages and the Renaissance*, Kathleen Ashley and Wim Husken (eds.), Amsterdam: Rodopi, 2001.
- Ashley, Kathleen, and Robert L. A. Clark (eds.), *Medieval Conduct*, Minneapolis, MN: University of Minnesota Press, 2001.
- Aston, M. E., 'Lollardy and Seditious 1381-1431', *Past & Present*, no. 17 (1960), pp.1-44.
- Aston, Margaret, 'Corpus Christi and Corpus Regni: Heresy and the Peasants' Revolt', *Past and Present*, no. 143 (1994), pp.3-47.
- Ayton, Andrew, *Knights and Warhorses: Military Service and the English Aristocracy under Edward III*, Woodbridge, UK: Boydell Press, 1994.
- Barber, Richard, *The Knight and Chivalry*, London: Longman, 1970.
- Barron, W. R. J., 'The Penalties for Treason in Medieval Life and Literature', *Journal of Medieval History* 7, no. 2 (1981), pp.187-202.
- Bartlett, Robert, *Trial by Fire and Water: The Medieval Judicial Ordeal*, Oxford: Clarendon Press, 1986.
- Beckwith, Sarah, *Christ's Body: Identity, Culture and Society in Late Medieval Writings*, London: Routledge, 1993.
- Bellamy, J. G., *The Law of Treason in the Later Middle Ages*, Cambridge: Cambridge University Press, 1970.
- Bennett, Michael, *Richard II and the Revolution of 1399*, Stroud, Gloucestershire, UK: Sutton Publishing, 1999.
- Bestul, Thomas, 'The Passion of Christ and the Institution of Torture' in *Texts of the Passion: Latin Devotional Literature and Medieval Society*, Thomas Bestul (ed.), Philadelphia, PA: University of Pennsylvania Press, 1996.
- Biddick, Kathleen, 'Genders, Bodies, Borders: Technologies of the Visible', *Speculum* 68, no. 2 (1993), pp.389-418.
- Biggs, Douglas, 'Archbishop Scrope's Manifesto of 1405: "Naive Nonsense" or Reflections of Political Reality?', *Journal of Medieval History* 33, no. 4 (2007), pp.358-71.
- Bildhauer, Bettina, 'Blood, Jews and Monsters in Medieval Culture' in *The Monstrous Middle Ages*, Bettina Bildhauer and Robert Mills (eds.), Toronto: University of Toronto Press, 2003.
- . *Medieval Blood*, Cardiff, Wales: University of Wales Press, 2006.
- Binski, Paul, *Medieval Death: Ritual and Representation*, London: British Museum Press, 1996.
- Bird, Ruth, *The Turbulent London of Richard II*, London: Longmans, Green, 1949.
- Bothwell, J. S., *Falling from Grace: Reversal of Fortune and the English Nobility, 1075-1455*, Manchester: Manchester University Press, 2008.

- Bouchard, Constance Brittain, *'Those of My Blood': Constructing Noble Families in Medieval Francia*, Philadelphia, PA: University of Pennsylvania Press, 2001.
- Brody, Saul Nathaniel, *The Disease of the Soul: Leprosy in Medieval Literature*, Ithaca, NY: Cornell University Press, 1974.
- Brown, Andrew, *Church and Society in England, 1000-1500*, New York: Palgrave Macmillan, 2003.
- . 'Ritual and State-Building: Ceremonies in Late Medieval Bruges' in *Symbolic Communication in Late Medieval Towns*, Jacoba Van Leeuwen (ed.), Louvain, Belgium: Leuven University Press, 2006.
- Brown, E. A. R., 'Death and the Human Body in the Later Middle Ages: The Legislation of Boniface VIII on the Division of the Corpse', *Viator* 12 (1981), pp.221-70.
- Brown, Peter, 'On the Borders of Middle English Dream Visions' in *Reading Dreams: The Interpretation of Dreams from Chaucer to Shakespeare*, Peter Brown (ed.), Oxford: Oxford University Press, 1999.
- Burgwinkle, William E., *Sodomy, Masculinity, and Law in Medieval Literature: France and England, 1050 - 1230*, Cambridge: Cambridge University Press, 2004.
- Butler, Judith, *Bodies That Matter: On the Discursive Limits of 'Sex'*, New York: Routledge, 1993.
- . *Gender Trouble: Feminism and the Subversion of Identity*, New York: Routledge, 1990.
- Bynum, Caroline Walker, *Fragmentation and Redemption: Essays on Gender and the Human Body in Medieval Religion*, New York: Zone Books, 1992.
- . *The Resurrection of the Body in Western Christianity, 200-1336*, New York: Columbia University Press, 1995.
- . *Wonderful Blood: Theology and Practice in Late Medieval Northern Germany and Beyond*, Philadelphia, PA: University of Pennsylvania Press, 2007.
- Caciola, Nancy, 'Wraiths, Revenants and Ritual in Medieval Culture', *Past & Present*, no. 152 (1996), pp.3-45.
- Cadden, Joan, *Meanings of Sex Difference in the Middle Ages: Medicine, Science, and Culture*, Cambridge: Cambridge University Press, 1993.
- Cassidy-Welch, Megan, 'Review', *The Journal of English and Germanic Philology* 110, no. 2 (2011), pp.245-47.
- Clark, James G., 'Thomas Walsingham Reconsidered: Books and Learning at Late-Medieval St. Albans', *Speculum* 77, no. 3 (2002), pp.832-60.
- Clarke, M. V., 'Forfeitures and Treason in 1388', *Transactions of the Royal Historical Society* 14 (1931), pp.65-94.
- . 'Forfeitures and Treason in 1388' in *Fourteenth Century Studies* by M. V. Clarke, L. S. Sutherland and M. McKisack (eds.), London: Oxford University Press, 1937.
- Cohen, Esther, 'Symbols of Culpability and the Universal Language of Justice: The Ritual of Public Executions in Late Medieval Europe', *History of European Ideas* 11 (1989), pp.407-16.
- . *The Crossroads of Justice: Law and Culture in Late Medieval France*, Leiden, The Netherlands: E. J. Brill, 1993.

- . “‘To Die a Criminal for the Public Good’: The Execution Ritual in Late Medieval Paris’ in *Law, Custom, and the Social Fabric in Medieval Europe*, Bernard S. Bachrach and David Nicholas (eds.), Kalamazoo, MI: Medieval Institute Publications, 1990.
- Cohen, Jeffrey J., *Medieval Identity Machines*, Minneapolis, MN: University of Minnesota Press, 2003.
- . *Of Giants: Sex, Monsters, and the Middle Ages*, London: University of Minnesota Press, 1999.
- Cohen, Jeffrey Jerome, and Bonnie Wheeler (eds.), *Becoming Male in the Middle Ages*, New York: Garland, 1997.
- Cole, Andrew, ‘William Langland and the Invention of Lollardy’ in *Lollards and Their Influence in Late Medieval England*, Fiona Somerset, Jill C. Havens and Derrick G. Pitard (eds.), Woodbridge, UK: Boydell Press, 2003.
- Collins, Hugh E. L., *The Order of the Garter 1348-1461. Chivalry and Politics in Late Medieval England*, Oxford: Clarendon Press (OUP), 2000.
- Coss, Peter, *The Knight in Medieval England 1000-1400*, Stroud, UK: Alan Sutton, 1993.
- Crouch, David, ‘Danielle Westerhof. Death and the Noble Body in Medieval England’, *The American Historical Review* 114, no. 3 (2009), pp.816-17.
- . *The Birth of Nobility: Constructing Aristocracy in England and France 900-1300*, Harlow, UK: Pearson Longman, 2005.
- Cuttler, S. H., *The Law of Treason and Treason Trials in Later Medieval France*, Cambridge: Cambridge University Press, 1981.
- Dinshaw, Carolyn, *Getting Medieval. Sexualities and Communities, Pre- and Postmodern*, London: Duke University Press, 1999.
- Dodd, Gwilym, and Douglas Biggs (eds.), *Henry IV: The Establishment of the Regime, 1399-1406*, Woodbridge, UK: York Medieval Press, 2003.
- , eds. *The Reign of Henry IV: Rebellion and Survival, 1403-1413*, Woodbridge, UK: York Medieval Press, 2008.
- Duffy, Eamon, ‘Religious Belief’ in *A Social History of England, 1200-1500*, Rosemary Horrox and W. Mark Ormrod (eds.), Cambridge: Cambridge University Press, 2006.
- Duggan, Anne J. (ed.), *Nobles and Nobility in Medieval Europe. Concepts, Origins, Transformations*, Woodbridge, UK: Boydell Press, 2000.
- Duls, Louise Desaussure, *Richard II in the Early Chronicles*, Paris: Mouton, 1975.
- Dunham, William Huse, Jr., and Charles T. Wood, ‘The Right to Rule in England: Depositions and the Kingdom's Authority, 1327-1485’, *The American Historical Review* 81, no. 4 (1976), pp.738-61.
- Elton, G. R., ‘The Law of Treason in the Early Reformation’, *The Historical Journal* 11, no. 2 (1968), pp.211-36.
- Enders, Jody, *The Medieval Theater of Cruelty: Rhetoric, Memory, Violence*, Ithaca, NY: Cornell University Press, 1999.
- Farmer, Sharon, and Carol Braun Pasternack (eds.), *Gender and Difference in the Middle Ages*. London: University of Minnesota Press, 2003.



- Ferster, Judith, *Fictions of Advice: The Literature and Politics of Counsel in Late Medieval England*, Philadelphia, PA: University of Pennsylvania Press, 1996.
- Fisher, John H., 'A Language Policy for Lancastrian England', *PMLA* 107, no. 5 (1992), pp.1168-80.
- Fletcher, Christopher, 'Manhood and Politics in the Reign of Richard II', *Past & Present*, no. 189 (2005), pp.3-39.
- . *Richard II: Manhood, Youth, and Politics 1377 - 99*, Oxford: Oxford University Press, 2008.
- Forrest, Ian, *The Detection of Heresy in Late Medieval England*, Oxford: Oxford University Press, 2005.
- Foucault, Michel, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan, New York: Random House, 1977, 1995.
- Galloway, Andrew, 'The Literature of 1388 and the Politics of Pity in Gower's "Confessio Amantis"' in *The Letter of the Law: Legal Practice and Literary Production in Medieval England*, Emily Steiner and Candace Barrington (eds.), Ithaca, NY: Cornell University Press, 2002.
- Gatton, John Spalding, "'There Must Be Blood": Mutilation and Martyrdom on the Medieval Stage' in *Violence in Drama*, James Redmond (ed.), Cambridge: Cambridge University Press, 1991.
- Giancarlo, Matthew, 'Murder, Lies, and Storytelling: The Manipulation of Justice(s) in the Parliaments of 1397 and 1399', *Speculum* 77, no. 1 (2002), pp.76-112.
- Gillingham, John, *Richard Coeur De Lion: Kingship, Chivalry and War in the Twelfth Century*, London: Hambledon Press, 1994.
- Gilmour-Bryson, Anne, 'Sodomy and the Knights Templar', *Journal of the History of Sexuality* 7, no. 2 (1996), pp.151-83.
- Given-Wilson, C., 'Introduction' in *The Chronicle of Adam Usk 1377 - 1421*, C. Given-Wilson (ed.), Oxford: Oxford University Press, 1997.
- . 'Richard II and the Higher Nobility' in *Richard II: The Art of Kingship*, Anthony Goodman and James Gillespie (eds.), London: Oxford University Press, 1999.
- . 'The Manner of King Richard's Renunciation: A "Lancastrian Narrative"?' *The English Historical Review* 108, no. 427 (1993), pp.365-70.
- . *Chronicles: The Writing of History in Medieval England*, London: Hambledon and London, 2004.
- . 'Introduction' in *Chronicles of the Revolution: 1397 - 1400 The Reign of Richard II*, Chris Given-Wilson (ed.), Manchester: Manchester University Press, 1993.
- . *The English Nobility in the Late Middle Ages. The Fourteenth Century Political Community*, London: Routledge & Kegan Paul, 1987.
- . *The Royal Household and the King's Affinity: Service, Politics, and Finance in England, 1360-1413*, New Haven, CT: Yale University Press, 1986.
- Goldberg, P. J. P., *Medieval England. A Social History 1250 - 1550*, London: Hodder Arnold, 2004.
- Goodich, Michael E., *Miracles and Wonders: The Development of the Concept of Miracle, 1150-1350*, Aldershot, UK: Ashgate, 2007.



- Goodman, Anthony, *The Loyal Conspiracy: The Lords Appellant under Richard II*, Coral Gables, FL: University of Miami Press, 1971.
- Gransden, Antonia, 'Propaganda in English Medieval Historiography', *Journal of Medieval History* 1, no. 4 (1975), pp.363-81.
- Grantley, Darryll, and Nina Taunton (eds.), *The Body in Late Medieval and Early Modern Culture*, Aldershot, UK: Ashgate, 2000.
- Green, Richard Firth, 'Palamon's Appeal of Treason in the "Knight's Tale"', in *The Letter of the Law: Legal Practice and Literary Production in Medieval England*, Emily Steiner and Candace Barrington (eds.), Ithaca, NY: Cornell University Press, 2002.
- Hadley, D. M. (ed.), *Masculinity in Medieval Europe*, London: Longman, 1999.
- Hampton, L. Carson, 'Historical Studies in English Jurisprudence. II. Crimes and Their Punishment', *The American Law Register and Review* 40, no. 7 (1892), pp.458-69.
- Hanawalt, Barbara A., and Kathryn L. Reyerson, 'Introduction' in *City and Spectacle in Medieval Europe*, Barbara A. Hanawalt and Kathryn L. Reyerson (eds.), Minneapolis, MN: University of Minnesota Press, 1994.
- Hanawalt, Barbara A., and David Wallace (eds.), *Bodies and Disciplines : Intersections of Literature and History in Fifteenth-Century England*, Minneapolis, MN: University of Minnesota Press, 1996.
- Hanrahan, Michael, 'Seduction and Betrayal: Treason in the "Prologue" to "The Legend of Good Women"', *The Chaucer Review* 30, no. 3 (1996), pp.229-38.
- . 'Speaking of Sodomy: Gower's Advice to Princes in the *Confessio Amantis*', *Exemplaria* 14, no. 2 (2002), pp.423-46.
- Harvey, Barbara F., 'Introduction' in *The Westminster Chronicle 1381 - 1394*, L. C. Hector and Barbara F. Harvey (eds.), Oxford: Clarendon Press, 1982.
- Hassall, W. O., 'Plays at Clerkenwell', *The Modern Language Review* 33, no. 4 (1938), pp.564-67.
- Hicks, Michael, *English Political Culture in the Fifteenth Century*, London: Routledge, 2002.
- . 'The Yorkshire Perjuries of Henry Bolingbroke in 1399 Revisited', *Northern History* 46, no. 1 (2009), pp.31-41.
- Homan, Richard L., 'Mixed Feelings About Violence in the Corpus Christi Plays' in *Violence in Drama*, James Redmond (ed.) Cambridge: Cambridge University Press, 1991.
- Horrox, Rosemary (ed.), *Fifteenth-Century Attitudes: Perceptions of Society in Late Medieval England*, Cambridge: Cambridge University Press, 1994.
- . 'Service' in *Fifteenth-Century Attitudes: Perceptions of Society in Late Medieval England*, Rosemary Horrox (ed.), New York: Cambridge University Press, 1994.
- . 'The Urban Gentry in the Fifteenth Century' in *Towns and Townspeople in the Fifteenth Century*, John A. F. Thomson (ed.), Gloucester, UK: Alan Sutton, 1988.
- Horrox, Rosemary, and W. Mark Ormrod (eds.), *A Social History of England, 1200-1500*, Cambridge: Cambridge University Press, 2006.
- Howe, Nicholas, 'Introduction' in *Ceremonial Culture in Pre-Modern Europe*, Nicholas Howe (ed.), Notre Dame, IN: University of Notre Dame Press, 2007.

- Hudson, Anne, *The Premature Reformation: Wycliffite Texts and Lollard History*, Oxford: Clarendon Press, 1988.
- Jacquart, D., and C. Thomasset, *Sexuality and Medicine in the Middle Ages*, trans. M. Adamson, Cambridge: Polity Press, 1988.
- James, Mervyn, 'Ritual, Drama and Social Body in the Late Medieval English Town', *Past & Present*, no. 98 (1983), pp.3-29.
- Jones, Michael, "'Bons Bretons Et Bons Francoys": The Language and Meaning of Treason in Later Medieval France', *Transactions of the Royal Historical Society* 32 (1982), pp.91-112.
- Jordan, Mark D., 'Homosexuality, Luxuria, and Textual Abuse' in *Constructing Medieval Sexuality*, Karma Lochrie, Peggy McCracken and James A. Schultz (eds.), Minneapolis, MN: University of Minnesota Press, 1997.
- Kaeuper, Richard W., *Chivalry and Violence in Medieval Europe*, Oxford: Oxford University Press, 1999.
- . *War, Justice, and Public Order: England and France in the Later Middle Ages*, Oxford: Clarendon Press, 1988.
- Kantorowicz, Ernst H., *The King's Two Bodies: A Study in Mediaeval Political Theology*, Princeton, NJ: Princeton University Press, 1957.
- Karras, Ruth Mazo, *From Boys to Men: Formations of Masculinity in Late Medieval Europe*, Philadelphia, PA: University of Pennsylvania Press, 2003.
- . *Sexuality in Medieval Europe: Doing Unto Others*, New York: Routledge, 2005.
- Kay, Sarah, and Miri Rubin (eds.), *Framing Medieval Bodies*, Manchester: Manchester University Press, 1994.
- Keen, M. H., 'Treason Trials under the Law of Arms: The Alexander Prize Essay', *Transactions of the Royal Historical Society* 12 (1962), pp.85-103.
- Keen, M. H., and M. Warner, 'Introduction. Morley vs. Montagu (1399): A Case in the Court of Chivalry' in *Chronology, Conquest and Conflict in Medieval England. Camden Miscellany XXXIV*, London: Cambridge University Press, 1997.
- Keen, Maurice, 'Brotherhood-in-Arms' in *Nobles, Knights and Men-at-Arms in the Middle Ages*, London: Hambledon Press, 1996.
- . *Chivalry*, New Haven, CT: Yale University Press, 1984.
- . *England in the Later Middle Ages: A Political History*, 2<sup>nd</sup> ed., London: Routledge, 2003.
- . 'Some Late Medieval Ideas About Nobility' in *Nobles, Knights and Men-at-Arms in the Middle Ages*, London: Hambledon Press, 1996.
- Kicklighter, Joseph, 'The Nobility of English Gascony: The Case of Jourdain De L'Isle', *Journal of Medieval History* 13, no. 4 (1987), pp.327-42.
- Kingsford, Charles Lethbridge, *English Historical Literature in the Fifteenth Century*, Oxford: Clarendon Press, 1913.
- Kirby, J. L., *Henry IV of England*, London: Constable, 1970.
- Kruger, Steven F., *Dreaming in the Middle Ages*, Cambridge: Cambridge University Press, 1992.

- Kuefler, Mathew, 'Male Friendship and the Suspicion of Sodomy in Twelfth-Century France' in *Gender and Difference in the Middle Ages*, Sharon Farmer and Carol Braun Pasternack (eds.), London: University of Minnesota Press, 2003.
- Lake, Peter, and Michael Questier, 'Agency, Appropriation and Rhetoric under the Gallows: Puritans, Romanists and the State in Early Modern England', *Past & Present*, no. 153 (1996), pp.64-107.
- Lander, J. R., 'Attainder and Forfeiture, 1453 to 1509', *The Historical Journal* 4, no. 2 (1961), pp.119-51.
- Lees, Clare A. (ed.), *Medieval Masculinities: Regarding Men in the Middle Ages*, Minneapolis: University of Minnesota Press, 1994.
- Lerer, Seth, "'Representyd Now in Yower Syght": The Culture of Spectatorship in Late-Fifteenth-Century England' in *Bodies and Disciplines: Intersections of Literature and History in Fifteenth-Century England*, Barbara A. Hanawalt and David Wallace (eds.), Minneapolis, MN: University of Minnesota Press, 1996.
- Levy, Leonard W., *Treason against God: A History of the Offense of Blasphemy*, New York: Schocken Books, 1981.
- Lewis, Mary E., 'A Traitor's Death? The Identity of a Drawn, Hanged and Quartered Man from Hulton Abbey, Staffordshire', *Antiquity* 82, no. 315 (2008), pp.113-24.
- Lilley, Keith D., *City and Cosmos: The Medieval World in Urban Form*, London: Reaktion Books, 2009.
- Lochrie, Karma, *Covert Operations: The Medieval Uses of Secrecy*, Philadelphia, PA: University of Pennsylvania Press, 1999.
- . 'Presumptive Sodomy and Its Exclusions', *Textual Practice* 13, no. 2 (1999), pp.295 - 310.
- Lochrie, Karma, Peggy McCracken, and James A. Schultz (eds.), *Constructing Medieval Sexuality*, Minneapolis, MN: University of Minnesota Press, 1997.
- Lomperis, Linda, and Sarah Stanbury, 'Introduction: Feminist Theory and Medieval "Body Politics"' in *Feminist Approaches to the Body in Medieval Literature*, Linda Lomperis and Sarah Stanbury (eds.), Philadelphia, PA: University of Pennsylvania Press, 1993.
- Martin, G. H., 'Introduction' in *Knighton's Chronicle 1337-1396*, G. H. Martin (ed.), Oxford: Clarendon Press, 1995.
- . 'Narrative Sources for the Reign of Richard II' in *The Age of Richard II*, James L. Gillespie (ed.), New York: St. Martin's Press, 1997.
- Marx, William 'Introduction' in *An English Chronicle 1377-1461: Edited from Aberystwyth, National Library of Wales Ms 21068 and Oxford Bodleian Library Ms Lyell 34*, William Marx (ed.), Woodbridge, UK: Boydell Press, 2003.
- McCracken, Peggy, *The Curse of Eve, the Wound of the Hero: Blood, Gender, and Medieval Literature*, Philadelphia: University of Pennsylvania Press, 2003.
- McFarlane, K. B., *Lancastrian Kings and Lollard Knights*, London: Oxford University Press, 1972.
- McKenna, J. W., 'Popular Canonization as Political Propaganda: The Cult of Archbishop Scrope', *Speculum* 45, no. 4 (1970), pp.608-23.
- McNiven, Peter, 'The Problem of Henry IV's Health, 1405-1413', *The English Historical Review* 100, no. 397 (1985), pp.747-72.

- Merbeck, Mitchell B., *The Thief, the Cross, and the Wheel: Pain and the Spectacle of Punishment in Medieval and Renaissance Europe*, Chicago: University of Chicago Press, 1998.
- Mertes, Kate, 'Aristocracy' in *Fifteenth-Century Attitudes: Perceptions of Society in Late Medieval England*, Rosemary Horrox (ed.), New York: Cambridge University Press, 1994.
- Mills, Robert, *Suspended Animation: Pain, Pleasure and Punishment in Medieval Culture*, London: Reaktion Books, 2005.
- Moore, R. I., *The Formation of a Persecuting Society: Power and Deviance in Western Europe, 950-1250*, New York: Basil Blackwell, 1987.
- Murray, Jacqueline (ed.), *Conflicted Identities and Multiple Masculinities: Men in the Medieval West*, New York: Garland, 1999.
- . 'Hiding Behind the Universal Man: Male Sexuality in the Middle Ages' in *Handbook of Medieval Sexuality*, V. L. Bullough and J. A. Brundage (eds.), New York: Garland, 1996.
- . 'Introduction' in *Conflicted Identities and Multiple Masculinities: Men in the Medieval West*, Jacqueline Murray (ed.), New York: Garland, 1999.
- . "'The Law of Sin That Is in My Members.'" The Problem of Male Embodiment' in *Gender and Holiness: Men, Women and Saints in Late Medieval Europe*, Samantha J. E. Riches and Sarah Salih (eds.), London: Routledge, 2002.
- Musson, Anthony, and W. M. Ormrod, *The Evolution of English Justice: Law, Politics and Society in the Fourteenth Century*, London: Macmillan Press, 1999.
- Myers, A. R., 'The Captivity of a Royal Witch: The Household Accounts of Queen Joan of Navarre, 1419-21', *Bulletin of the John Rylands Library*, 24:2 (1940), pp.263-284.
- Neal, Derek, *The Masculine Self in Late Medieval England*, Chicago: University of Chicago Press, 2008.
- Nightingale, Pamela, *A Medieval Mercantile Community: The Grocer's Company and the Politics and Trade of London, 1000-1485*, London: Yale University Press, 1995.
- . 'Knights and Merchants: Trade, Politics and the Gentry in Late Medieval England', *Past & Present*, no. 169 (2000), pp.36-62.
- Normington, Katie, *Medieval English Drama: Performance and Spectatorship*, Cambridge: Polity Press, 2009.
- Oldridge, Darren, 'The Roaming Dead' in *Strange Histories. The Trial of the Pig, the Walking Dead, and Other Matters of Fact from the Medieval and Renaissance Worlds*, London: Routledge, 2005.
- Oliver, Clementine, *Parliament and Political Pamphleteering in Fourteenth-Century London*, Woodbridge, UK: York Medieval Press, 2010.
- Olson, Trisha, 'The Medieval Blood Sanction and the Divine Beneficence of Pain: 1100-1450', *Journal of Law and Religion* 22, no. 1 (2006), pp.63-129.
- Ormrod, W. M., *Political Life in Medieval England 1300-1450*, New York: St Martin's Press, 1995.
- Ormrod, W. Mark, 'The Rebellion of Archbishop Scrope and the Tradition of Opposition to Royal Taxation' in *The Reign of Henry IV: Rebellion and Survival, 1403-1413*,

- Gwilym Dodd and Douglas Biggs (eds.), Woodbridge, UK: York Medieval Press, 2008.
- Payer, Pierre J., *The Bridling of Desire: Views of Sex in the Later Middle Ages*, Toronto, Canada: University of Toronto Press, 1993.
- Pegg, Mark Gregory, 'Le Corps et l'Autorité: La Lèpre de Baudouin IV', *Annales. Économies, Sociétés, Civilisations* 45, no. 2 (1990), pp.265-87.
- Pugh, T. B., *Henry V and the Southampton Plot of 1415*, Gloucester, UK: Alan Sutton, 1988.
- Rex, Richard, *The Lollards*, New York: Palgrave, 2002.
- Rexroth, Frank, *Deviance and Power in Late Medieval London*, trans. Pamela E. Selwyn, Cambridge: Cambridge University Press, 2007.
- Rezneck, Samuel, 'The Early History of the Parliamentary Declaration of Treason', *The English Historical Review* 42, no. 168 (1927), pp.497-513.
- Rezneck, Samuel, 'Constructive Treason by Words in the Fifteenth Century', *The American Historical Review* 33, no. 3 (1928), pp.544-52.
- Richards, Jeffrey, *Sex, Dissidence, and Damnation: Minority Groups in the Middle Ages*, New York: Routledge, 1991.
- Rogers, Alan, 'Parliamentary Appeals of Treason in the Reign of Richard II', *The American Journal of Legal History* 8, no. 2 (1964), pp.95-124.
- Rosenthal, Joel T., 'The King's "Wicked Advisers" And Medieval Baronial Rebellions', *Political Science Quarterly* 82, no. 4 (1967), pp.595-618.
- Ross, C. D., 'Forfeiture for Treason in the Reign of Richard II', *The English Historical Review* 71, no. 281 (1956), pp.560-75.
- Ross, Ellen M., *The Grief of God: Images of the Suffering Jesus in Late Medieval England*, Oxford: Oxford University Press, 1997.
- Royer, Katherine, 'Danielle Westerhof. Death and the Noble Body in Medieval England', *Journal of British Studies* 48, no. 4 (2009), pp.987-89.
- . 'Dead Men Talking: Truth, Texts and the Scaffold in Early Modern England' in *Penal Practice and Culture, 1500-1900. Punishing the English*, Simon Devereaux and Paul Griffiths (eds.), New York: Palgrave Macmillan, 2004.
- . 'The Body in Parts: Reading the Execution Ritual in Late Medieval England', *Historical Reflections/Reflexions Historiques* 29, no. 2 (2003), pp.319-39.
- Rubin, Miri, *Corpus Christi: The Eucharist in Late Medieval Culture*, New York: Cambridge University Press, 1991.
- . 'The Body, Whole and Vulnerable, in Fifteenth-Century England' in *Bodies and Disciplines: Intersections of Literature and History in Fifteenth-Century England*, Barbara A. Hanawalt and David Wallace (eds.), London: University of Minnesota Press, 1996.
- Salisbury, Joyce E., 'Gendered Sexuality' in *Handbook of Medieval Sexuality*, V. L. Bullough and J. A. Brundage (eds.), New York: Garland, 1996.
- Saul, Nigel, *For Honour and Fame: Chivalry in England, 1066-1500*, London: The Bodley Head, 2011.
- . *Richard II*, New Haven, CT: Yale University Press, 1997.



- Scott, Joan W., 'Gender: A Useful Category of Historical Analysis', *The American Historical Review* 91, no. 5 (1986), pp.1053-75.
- Shutters, Lynn, 'Lion Hearts, Saracen Heads, Dog Tails: The Body of the Conqueror in *Richard Coer De Lyon*' in *Masculinities and Femininities in the Middle Ages and Renaissance*, Frederick Kiefer (ed.), Turnhout: Brepols, 2009.
- Somerset, Fiona, Jill C. Havens, and Derrick G. Pitard (eds.), *Lollards and Their Influence in Late Medieval England*, Woodbridge, UK: Boydell Press, 2003
- Sponsler, Claire, 'The Culture of the Spectator: Conformity and Resistance to Medieval Performances', *Theatre Journal* 44, no. 1 (1992), pp.15-29.
- Sponsler, Claire, *Drama and Resistance: Bodies, Goods, and Theatricality in Late Medieval England*, Minneapolis, MN: University of Minnesota Press, 1997.
- . 'The King's Boyfriend: Froissart's Political Theater of 1326' in *Queering the Middle Ages*, Glenn Burger and Steven F. Kruger (eds.), Minneapolis, MN: University of Minnesota Press, 2001.
- Staley, Lynn, *Languages of Power in the Age of Richard II*, University Park, PA: Pennsylvania State University Press, 2005.
- Steele, Robert (ed.), *Three Prose Versions of the Secreta Secretorum*, London: Early English Text Society, 1898.
- Storey, R. L., 'Clergy and Common Law in the Reign of Henry IV' in *Medieval Legal Records*, R. F. Hunnisett and J. B. Post (eds.), London: Her Majesty's Stationery Office, 1978.
- Stow, George B., 'Chronicles Versus Records: The Character of Richard II' in *Documenting the Past. Essays in Medieval History Presented to George Peddy Cuttino*, J. S. Hamilton and Patricia J. Bradley (eds.), Wolfeboro, NH: Boydell Press, 1989.
- . 'Richard II in Thomas Walsingham's Chronicles', *Speculum* 59, no. 1 (1984), pp.68-102.
- Strohm, Paul, *England's Empty Throne: Usurpation and the Language of Legitimation, 1399 - 1422*, New Haven, CT: Yale University Press, 1998.
- . *Hochon's Arrow: The Social Imagination of Fourteenth-Century Texts*, Princeton, NJ: Princeton University Press, 1992.
- Swanson, R. N., 'Bureaucrat, Prelate, Traitor, Martyr: Sketching Scrope' in *Richard Scrope: Archbishop, Rebel, Martyr*, P. J. P. Goldberg (ed.), Donington, UK: Shaun Tyas, 2007.
- Swanson, R. N., 'Passion and Practice: The Social and Ecclesiastical Implications of Passion Devotion in the Late Middle Ages' in *The Broken Body: Passion Devotion in Late Medieval Culture*, A. A. MacDonald, H. N. B. Ridderbos and R. M. Schlusemann (eds.), Groningen, Netherlands: E. Forsten, 1998.
- Taylor, John, *English Historical Literature in the Fourteenth Century*, Oxford: Oxford University Press, 1987.
- . 'Richard II in the Chronicles' in *Richard II: The Art of Kingship*, Anthony Goodman and James Gillespie (eds.), London: Oxford University Press, 1999.
- Taylor, John, Wendy R. Childs, and Leslie Watkiss 'Introduction' in *The St Albans Chronicle: The Chronica Maiora of Thomas Walsingham I. 1376-1394*, John Taylor, Wendy R. Childs and Leslie Watkiss (eds.), Oxford: Oxford University Press, 2003.

- . 'Introduction' in *The St Albans Chronicle: The Chronica Maiora of Thomas Walsingham II. 1394-1422*, John Taylor, Wendy R. Childs and Leslie Watkiss (eds.), Oxford, UK: Oxford University Press, 2011.
- Theilmann, John M., 'Political Canonization and Political Symbolism in Medieval England', *The Journal of British Studies* 29, no. 3 (1990), pp.241-66.
- Thornley, Isobel D., 'Treason by Words in the Fifteenth Century', *The English Historical Review* 32, no. 128 (1917), pp.556-61.
- Tuck, Anthony, 'Henry IV and Chivalry' in *Henry IV: The Establishment of the Regime, 1399-1406*, Gwilym Dodd and Douglas Biggs (eds.), Woodbridge, UK: York Medieval Press, 2003.
- . *Richard II and the English Nobility*, London: Edward Arnold, 1973.
- Vale, Juliet, *Edward III and Chivalry: Chivalric Society and Its Context 1270-1350*, Woodbridge, UK: Boydell Press, 1982.
- van Dulmen, Richard, *Theatre of Horror. Crime and Punishment in Early Modern Germany*, trans. Elisabeth Neu, Cambridge: Polity Press, 1990.
- van Leeuwen, Jacoba, 'Introduction' in *Symbolic Communication in Late Medieval Towns*, Jacoba Van Leeuwen (ed.), Louvain, Belgium: Leuven University Press, 2006.
- van Spierenburg, Pieter, *The Spectacle of Suffering. Executions and the Evolution of Repression: From a Preindustrial Metropolis to the European Experience*, Cambridge: Cambridge University Press, 1984.
- Vauchez, André, *Sainthood in the Later Middle Ages*, trans. Jean Birrell, Cambridge, UK: Cambridge University Press, 1997.
- Walker, Greg, 'Medieval Drama: The Corpus Christi in York and Croxton' in *Readings in Medieval Texts: Interpreting Old and Middle English Literature*, David F. Johnson and Elaine Treharne (eds.), Oxford: Oxford University Press, 2005.
- Walker, Simon, 'Political Saints in Later Medieval England' in *The McFarlane Legacy: Studies in Late Medieval Politics and Society*, R. H. Britnell and A. J. Pollard (eds.), New York: St. Martin's Press, 1995.
- . 'Rumour, Sedition and Popular Protest in the Reign of Henry IV', *Past & Present*, no. 166 (2000), pp.31-65.
- Westerhof, Danielle, *Death and the Noble Body in Medieval England*, Woodbridge, UK: Boydell Press, 2008.
- . 'Deconstructing Identities on the Scaffold: The Execution of Hugh Despenser the Younger, 1326', *Journal of Medieval History* 33, no. 1 (2007), pp.87-106.
- Wilkinson, B., 'The Deposition of Richard II and the Accession of Henry IV', *The English Historical Review* 54, no. 214 (1939), pp.215-39.
- Zeikowitz, Richard E., *Homoeroticism and Chivalry: Discourses of Male Same-Sex Desire in the Fourteenth Century*, New York: Palgrave Macmillan, 2003.