

ARISTOCRATIC EXECUTIONS AND BURIALS IN
ENGLAND c.1150 - c.1330

CULTURES OF FRAGMENTATION

DANIELLE MARIANNE WESTERHOF

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To Simon McCormack: ... so there!

ABSTRACT

This thesis argues that in England, with the emergence of an aristocratic elite in the twelfth and thirteenth centuries, the human body became prominent as a marker of social identity, predominantly evidenced in funerary practices and in the punishment of treason. Founded upon concepts of wholeness and fragmentation, nobility and ignobility, order and chaos, the notion of aristocratic identity was projected upon the physical body. This was an essentially *masculinist* projection, since it privileged the body of the well-exercised knight of 'noble' parentage, who was virile, brave and morally superior.

Death posed a profound threat to this carefully crafted image. Self-control and moderation, excellence in martial pursuits and 'noble' behaviour were all qualities expected from aristocrats. The putrefying corpse, on the other hand, indicated a loss of self-control, a return to pre-social chaos and moral as well as physical fragmentation. Preserving the corpse and reserving the heart for separate burial were each employed as strategies by the aristocracy to maintain the fantasy of the incorruptible body, by which the association of moral superiority with a state of physical wholeness was sustained in death.

In the thirteenth century, similar notions of wholeness and morality came to the fore in the punishment of aristocratic traitors. The act of betraying the king was increasingly interpreted as morally offensive and described in terms of corruption affecting the social body. Subjected to a series of destructive punishments, the traitor lost control over his own body as he died a humiliating public death, while his viscera were burned to eradicate his immoral intentions. Fragmented, the traitor's corpse became a powerful symbol of social corruption as it visualised the boundaries of nobility and thereby of aristocratic identity.

This thesis clearly indicates that, for the English aristocracy in this period, the body was a key instrument conveying socio-political norms.

LIST OF ABBREVIATIONS

- Ann. Dunst.* *Annales Prioratus de Dunstaplia, AD 1-1297. Annales Monastici.* Ed. H.R. Luard. Rolls Series, 36. 1864-1869. Vol. 3.
- Ann. Hailes* M.N. Blount (ed.), 'A Critical Edition of the Annales of Hailes (MS Cotton Cleopatra D. iii, ff. 33-59v) with an Examination of their Sources'. University of Manchester MA thesis, 1974.
- Ann. London* *Annales Londonienses. Chronicles of the Reigns of Edward I and Edward II.* Ed. W. Stubbs. Rolls Series, 76. 1882. Vol. 1.
- Ann. Osney* *Annales de Oseneia. Annales Monastici.* Ed. H.R. Luard. Rolls Series, 36. 1864-1869. Vol. 4.
- Ann. Paulini* *Annales Paulini. Chronicles of the Reigns of Edward I and Edward II.* Ed. W. Stubbs. Rolls Series, 76. 1882-1883. Vol. 1.
- Ann. Tewks.* *Annales Monasterii de Theokesberia. Annales Monastici.* Ed. H.R. Luard. Rolls Series, 36. 1864-1869. Vol. 1.
- Ann. Wav.* *Annales Monasterii de Waverleia. Annales Monastici.* Ed. H.R. Luard. Rolls Series, 36. 1864-1869. Vol. 2.
- Baronage* W. Dugdale, *The Baronage of England.* 2 vols. Hildesheim, 1977 [London, 1675].
- Brut* *The Brut or The Chronicles of England.* Ed. F.W.D. Brie. 2 vols. Early English Text Society, Original Series 131, 136. 1906, 1908.
- Chron. Buriensis* *Chronicon Buriensis: The Chronicle of Bury St Edmunds.* Ed. A. Gransden. London, 1964.
- Chron. Lanercost* *Chronicon de Lanercost, 1201-1346.* Ed. J. Stevenson. Edinburgh, 1839.
- Cotton* *Bartholomaei de Cotton, Historia Anglicana (AD 449-1298).* Ed. H.R. Luard. Rolls Series, 16. 1859.
- CChR* *Calendar of Chancery Rolls.*
- CCR* *Calendar of Close Rolls.*
- DNB* *Dictionary of National Biography.*
- EETS* Early English Text Society.
- EHR* *English Historical Review.*
- Flores* *Flores Historiarum.* Ed. H.R. Luard. 3 vols. Rolls Series, 95. 1890.
- Foedera* *Foedera, Conventiones, Litterae et Acta Publica.* Ed. T. Rymer. 4 vols. London, 1816-1869.
- Gesta Edwardi* *Gesta Edwardi de Carnarvan Auctore Bridlingtoniensi. Chronicles of the Reigns of Edward I and Edward II.* Ed. W. Stubbs. Rolls Series, 76. 1882-1883. Vol. 2.

- GEC* Cokayne, G.E. and Gibbs, V. eds. *The Complete Peerage of England, Scotland, Ireland, Great Britain and the United Kingdom*. 14 vols. London, 1910-1998.
- Huntingdon* Henry of Huntingdon, *Historia Anglorum*. Ed. T. Arnold. Rolls Series, 74. 1879.
- Knighton* *Henrici Knighton Leycenstrensis Chronicon*. Ed. J.R. Lumby. 2 vols. Rolls Series, 92. 1889.
- Monasticon* W. Dugdale, *Monasticon Anglicanum*. Eds. J. Caley, H. Ellis and B. Badinel. 6 vols. London, 1846.
- Paris, Chronica Majora* *Matthaei Parisiensis, Monachi Sancti Albani Chronica Majora*. Ed. H.R. Luard. 7 vols. Rolls Series, 57. 1872-1883.
- Paris, Historia Anglorum* *Matthaei Parisiensis, Monachi Sancti Albani Historia Anglorum*. Ed. F. Madden. 3 vols. Rolls Series, 44. 1866-1869.
- Rishanger* *Willelmi Rishanger, quondam Monachi S. Albani, et quorundam Anonymorum Chronica et Annales, Regnantibus Henrico Tertio et Edwardo Primo, AD 1259-1307*. Ed. H.T. Riley. Rolls Series, 28.2. 1865.
- Rot. Parl.* *Rotuli Parliamentorum*. 6 vols. London, 1783.
- RS* Rolls Series.
- TBGAS* *Transactions of the Bristol and Gloucestershire Archaeological Society*.
- TRHS* *Transactions of the Royal Historical Society*.
- TCWAS* *Transactions of the Cumberland and Westmoreland Archaeological Society*.
- VCH* *Victoria History of the Counties of England*. London and Oxford, 1900-.
- Vita Edwardi* *Vita Edwardi Secundi – Monachi Cuiusdam Malmesberiensis*. Ed. N. Denholm-Young. London, 1957.
- Vitalis* Orderic Vitalis, *Historiae Ecclesiasticae – The Ecclesiastical History of Orderic Vitalis*. Ed. M. Chibnall. 6 vols. Oxford, 1969-1980.
- Worcester* *Florentii Wigorniensis Monachi Chronicon ex Chronicis*. Ed. B. Thorpe. English Historical Society, 1849.
- Wykes* *Chronicon Thomae Wykes. Annales Monastici*. Ed. H.R. Luard. Rolls Series, 36. 1864-1869. Vol. 4.

A NOTE ON SOURCES AND METHODOLOGY

This study into attitudes towards the aristocratic cadaver relies on a wide variety of source materials, ranging from monastic and urban chronicles to judicial and governmental proceedings, from literary texts to law codes, and from contemporary accounts to fifteenth and sixteenth-century antiquarian investigations. Added to this mix is a selection of medical and encyclopaedic texts pondering the depths and limitations of the physical body, as well as political narratives exploring the boundaries of the metaphorical body.

Although these materials should be used in the context of their relative worth, I feel that only by juxtaposing sources from a wide range of areas is it possible to highlight the cultural mapping of the aristocratic corpse.¹ By focusing on burial practices and corporeal punishments from a multi-disciplinary perspective, an often neglected aspect of corporeality can be explored in all its multifaceted complexity, which at the same time sheds light on the ways in which people perceived their *living* as well as their *dead* body.

There are two layers to this use of source material. First of all, data needs to be gathered and structured. Medieval chronicles (often edited in the *Rolls Series*), so-called ‘political’ poems, charters and the occasional surviving judicial proceedings lie at the heart of this data collection (Appendix 1 and 2). Moreover, extensive (if cautious) use has been made of early antiquarian sources, such as Thomas Rymer’s *Foedera*, Sir William Dugdale’s *Monasticon Anglicanum* (revised and enlarged in the nineteenth century) and *Baronage*. In particular in Dugdale’s case, the information should be treated with some caution and is occasionally superseded by later research. However, his work draws together data from many, many different sources and is still a valuable starting point for any quantitative research into medieval English religious houses or the English aristocracy.²

Secondly, medical, legal, philosophical and theological sources are used to explore and elucidate the context in which aristocratic burial practices and corporeal punishments took place. Bearing in mind that the physical body is a potent instrument in the explication and interpretation of the environment, we find that the reverse is equally true.³ The human body stood at the centre of the medieval universe, ruled by physical and metaphysical forces whilst simultaneously providing a template for its environment. This totalising concept of interconnectivity constitutes a serious challenge to any exploration of the medieval body. By limiting myself to a series of conceptual pairings, such as wholeness and fragmentation, order and chaos, nobility and ignobility, normalcy and deviation while making use of wide-ranging materials, I hope to have captured some facets of medieval responses towards the dead aristocratic body.

¹ This approach has previously been explored by Jonathan Sawday in *The Body Emblazoned: Dissection and the Human Body in Renaissance Culture* (London, 1995), pp. viii-ix.

² In many cases, these antiquarian sources can be used in conjunction with the Calendars produced by the Public Record Office or handlists compiled subsequently, e.g. for religious houses: D. Knowles and R.N. Hadcock, *Medieval Religious Houses of England and Wales* (London, 1971 [1953]). For an appraisal of the work of the seventeenth- and eighteenth century antiquaries see R. Sweet, *Antiquaries: The Discovery of the Past in Eighteenth-Century Britain* (London, 2004).

³ See Section 1.2.1 for a discussion of medieval and modern approaches to ‘the body’.

INTRODUCTION

ARISTOCRATIC MASCULINITY IN BURIALS AND EXECUTIONS

Perceptions of the medieval aristocrat almost invariably conjure up images of the armour-clad muscular knight riding on his magnificent war-horse from one chivalric exploit to another, which is an image primarily advocated in medieval romance literature. It is an ideal type, a discursive construct, which nevertheless by its very existence and its popularity among medieval audiences attests the extent to which it shaped perceptions of the aristocracy outside literary discourse. It has become evident, however, in recent studies of aristocratic occupations that in England the ideal of the chivalric warrior was often far removed from the more mundane day-to-day drudge of managing estates and providing services within the increasingly centralised system of government and justice set up by the Plantagenet kings. Yet, the identity of the aristocracy continued to be grounded in martial symbolism such as armour, horses and heraldry, and in related notions such as ‘chivalric’ behaviour and a well-exercised and groomed body.¹

In this thesis, the emphasis will be on these behavioural and corporeal aspects of aristocratic identity, in particular in relation to attitudes towards death, social status and the cultural notions of corporeal wholeness and fragmentation

¹ The literature on the occupations of the aristocracy and their adoption and adaptation of the concept of knighthood is vast. For recent studies relevant to the period studied here see e.g. D. Crouch, *The Image of the Aristocracy in Britain 1100-1300* (London, 1992); P.R. Coss, *The Knight in Medieval England* (Stroud, 1993); R. Kaeuper, *Chivalry and Violence in Medieval Europe* (Oxford, 1999). The seminal work on the concept of chivalry is still M. Keen, *Chivalry* (New Haven, 1984). On the development of a more centralised system of government and justice under Henry II and his successors see for example R. Bartlett, *England under the Norman and Angevin Kings, 1075-1225* (Oxford, 2000). For a more extended discussion of aristocratic identity see Section 1.2.2 below.

which are found in a wide range of medieval discourses. It is my contention that although the 'body' is socially constructed and behaviourally conditioned, this construct is nevertheless grounded upon the body's physicality even if it is to deny the body its physical limitations.² As we shall observe in the course of this discussion, the space between the ideal and the physical body was continually contested as physiology resisted the imagined and vice versa. One of the areas in which this came to the fore was in the attitudes towards the dead body.

The period between c.1150 and 1330 witnessed a significant rise in the number of aristocratic multiple burials in England.³ Although part of a wider European trend, the focus in this thesis is on the occurrence of multiple burials among the Anglo-Norman aristocracy partly because no such in-depth study yet exists. Brian Golding has examined the burial patterns of the post-Conquest Norman elite on two different occasions without addressing the issue of multiple burial or its social and cultural implications in great detail. Similarly, although there are various studies of French royal funerary customs which take the separate interment of body parts into account, the cultural context in which the practice could develop is treated only summarily. Elizabeth Brown has led the debate about the possible reasons behind the promulgation of the papal Bull *Detestande feritatis* in 1299 by Boniface VIII, which was a direct attack on the

² There are two predominant modes of thinking with regard to 'the body'. One mode, heavily influenced by Judith Butler's work, denies a reality outside discourse and posits 'the body' as a discursive construct without external reference. Cf. J. Butler, *Bodies that Matter: On the Discursive Limitations of 'Sex'* (New York, 1993). The other perspective, influenced by sociological theory, although acknowledging the discursive dimensions of the body, nevertheless warns against 'dissolving' the body into language. See C. W. Bynum, 'Why all the Fuss about the Body? A Medievalist's Perspective', *Critical Inquiry* 22 (1995): 1 and Section 1.2.2 below.

³ In the context of this thesis, 'multiple burial' is used to refer to burial of the same body at more than one site, rather than to burial of more than one body at the same site, which is how it is generally used in an archaeological context.

funerary practices of the European aristocracy and royalty. As a result of this Bull, multiple burial temporarily suffered a severe decline in popularity but never disappeared completely. However, none of the present-day studies call the reasons for the emergence of multiple burial to discussion.⁴

Moreover, it is possible to observe a profound change in the way in which acts of treason were interpreted and punished in twelfth and thirteenth-century England. While earlier in this period, aristocrats accused of treason generally received financial penalties or they were sent into exile, from the middle of the thirteenth century onwards there was a shift to public corporeal punishment for aristocratic traitors. The main instigators of the crime were subjected to a gruelling range of punishments geared towards the destruction of their bodies, whereas their followers were commonly only drawn and hanged. In this thesis, it is for the first time that the executions of aristocratic traitors are examined from a cultural perspective, rather than trying to offer a legal or political interpretation.⁵

Taken together, the study of the developments and changes in aristocratic

⁴ B. Golding, 'Burials and Benefactions: An Aspect of Monastic Patronage in Thirteenth-Century England', in W.M. Ormrod (ed.), *England in the Thirteenth Century: Proceedings of the 1984 Harlaxton Symposium* (Grantham, 1985), pp. 64-75; Golding, 'Anglo-Norman Knightly Burials', in C. Harper-Bill and R. Harvey (eds.), *The Ideals and Practice of Medieval Knighthood: Papers from the First and Second Strawberry Hill Conferences* (Woodbridge, 1986), pp. 35-48. For French royal customs, see R.E. Giesey, *The Royal Funeral Ceremony in Renaissance France* (Genève, 1960); A. Erlande-Brandenburg, *Le Roi est Mort: Étude sur les Funérailles, les Sépultures et les Tombeaux des Rois de France jusqu'à la Fin du XIIIe Siècle* (Genève, 1975). Focusing more on the theological debate in Paris in the 1290s and the Bull *Detestande feritatis* issued by Pope Boniface VIII in 1299 in response to *mos teutonicus* and possibly multiple burial in general, 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): 221-270; Brown, 'Authority, the Family and the Dead in Late Medieval France', *French Historical Studies* 16 (1990): 803-832.

⁵ The main studies on the topic of treason in England are M.H. Keen, 'Treason Trials under the Law of Arms', *TRHS* 5th series 12 (1962): 85-103; J.G. Bellamy, *The Law of Treason in England in the Later Middle Ages* (Cambridge, 1970).

funerary practices and the punishment for treason can shed significant new light on the way in which the Anglo-Norman aristocracy perceived themselves and were perceived by other social groups. Also, it provides a fresh perspective on the interrelation of the physical body and the social body by focusing on attitudes towards preserving or dividing the aristocratic corpse. In addition, this study shows that the body mattered, that it was a significant means with which to interpret and signify the world and that it played an important part in the quest for salvation.⁶

The cadaver, ambiguous in essence as matter-in-transition, symbolises the ultimate lack of control over the body and is therefore to be shunned. Social organisation is bound by mechanisms of control, which foremost involves control over one's own (physical) body. From birth, the body is conditioned to act and react in given circumstances according to socially defined rules. To deviate inadvertently or on purpose from these rules constitutes social embarrassment or indeed social exclusion. Proper conduct thus relies heavily on self-restraint in public.⁷ In death, control gives way to submission. The embodied 'self', previously acting to suppress the physiological processes within the body, is no longer present, and decomposition, the fragmentation of the body, in all its uncontrolled horrific physicality takes over. The way in which society responds to this is, in particular, relevant to my discussion of the centrality of the body in the formation of aristocratic identity.

⁶ Cf. C.W. Bynum, *The Resurrection of the Body in Western Christianity 200-1336* (New York, 1995).

⁷ M. Douglas, *Natural Symbols: Explorations in Cosmology* (London, 1996 [1970]), pp. 69-87. In what Douglas calls the 'purity rule', the physical body is made subordinate to the demands for control made by the social body; it is 'polarized conceptually against the social body' (*ibid.*, p.

Death presented a very real threat to the ideal aristocratic body, since it constituted a lack of control. While alive, it would be possible for the embodied 'self' to regulate the physicality of the body; in death, this control was relinquished to the forces of nature. Moreover, the putrefying corpse presented a very real threat of disease to the living. Before the discovery of bacteria and viruses, medical practitioners held that foul vapours were at the root of many fatal illnesses. Theories about the corruption of air, for example, abounded at the time of the Great Plague of 1348. According to Bartholomaeus Anglicus, the putrid breath of lepers could infect the healthy, because they were affected by the corruption of the disease; one of Henry I's embalmers died from the foul smells produced by the dead king's brain.⁸ Odours ('smoke' according to Bartholomaeus) were considered to be material, reflecting the humoral qualities of the objects from which they emanated. Moreover, because of these properties, smells were thought to have a direct influence on the physical and mental health of those who inhaled them.⁹ The danger came from 'heavy' or 'stinking' odours emanating from objects which had started to corrupt 'as it fareþ in fisse þat is longe kepte wiþouten salt' or indeed any dead body which had been left untreated for too long. The abundance of good smells from herbs or spices, on

77). For the ambiguity of the corpse see Section 1.4.

⁸ R. Palmer, 'In Bad Odour: Smell and Its Significance in Medicine from Antiquity to the Seventeenth Century' in W.F. Bynum and R. Porter (eds.), *Medicine and the Five Senses* (Cambridge, 1993), p. 65; C. Rawcliffe, 'Learning to Love the Leper: Aspects of Institutional Charity in Anglo-Norman England' in J. Gillingham (ed.), *Anglo-Norman Studies 23: Proceedings of the Battle Conference* (Woodbridge, 2000), p. 241. For a more detailed discussion of Henry of Huntingdon's narrative of Henry I's embalming, see Section 1.4.1. See Bartholomaeus Anglicus, *On the Properties of Things: John of Trevisa's Translation of Bartholomaeus Anglicus 'De Proprietatibus Rerum'*. Gen.Ed. M.C. Seymour (Oxford, 1975), 2: 1303 for his comments about leprosy.

⁹ *Ibid.*, 1: 115-116. On how vapours are received and digested by the brain rather than the nose see *ibid.*, 2: 1297-1298.

the other hand, could counter any attack from dangerous odours by virtue of them consisting of 'kind heat' which cleansed the air. In a combination of good and bad smells, therefore, the more 'subtle' qualities of good vapours (called subtle because of their heat) would prevail over the bad vapours, which were cold, heavy and less quick to be perceived by the organs of smell.¹⁰ The putrefying corpse thus presented a dangerous prospect to those who had to deal with it.

By focusing on the male aristocratic dead body, another problem immediately presents itself. Who or what was the aristocratic man and how was his identity located within and upon the body? I would like to stress at this point that I have made a conscious choice to refer to the elite social group as the 'aristocracy', rather than the 'nobility'. This is first of all because the term 'nobility' is inherently ambiguous, taken to refer to moral qualities as well as to supremacy of birth. Although 'aristocracy' is equally evasive of definition and is arguably anachronistic, I find it preferable for the sake of clarity to distinguish between the virtuous qualities with which the aristocracy were imbued ('nobility') and those who felt themselves belonging to the group to which these qualities were attributed ('the aristocracy').¹¹ Secondly, I intend to refer to the 'aristocracy' in a wider sense to include both the magnates of the realm as well as those, lesser, landholders who held a position of social importance within their own area. My concern is primarily with those people who imagined themselves to belong to a social elite (or were perceived by others to belong to it) and with

¹⁰ *Ibid.*, 2: 1298, 1300. For the qualities of good vapours, one of which is that it 'putteþ of stenche [of] roted þinges and makeþ it vnknowe', see *ibid.*, 2: 1301.

¹¹ In this I follow David Crouch's argument. See Crouch, *Image of the Aristocracy*, pp. 2-4.

their appropriation of a common identity as expressed within ideals of corporeal wholeness, rather than with the subtleties of defining the socio-economic or political boundaries of the aristocracy themselves. Therefore, I shall focus on the construction of a self-referential *image* of the aristocracy with which this group sustained their position of superiority within society.

The idea of aristocratic identity was first of all masculinist. Not only did it subordinate the position of female aristocrats, it also privileged one type of masculinity over other types.¹² A recent collection of essays edited by Dawn Hadley focuses specifically on the multifarious modes of masculine existence. According to the authors, there were several models of masculinity prevalent in medieval society, which through their relational positions created a dynamic space for negotiating notions of masculinist superiority and subordination.¹³ In the secular sphere, it was evident that the hegemonic image of the 'ideal man' was that of the experienced fighter, who upheld high standards of conduct towards his peers, male and female.¹⁴ Looming within this secular ideal of masculinity was the Galenic notion of woman as a variety of man. As Thomas Laqueur argues, sexual difference is not simply a biological given, but a cultural construct. The medieval norm was a one-sex body and it was a decidedly male one.¹⁵ In terms of gender positions, the medieval mind recognised the male and

¹² See C.A. Lees, 'Men and *Beowulf*' in Lees (ed.), *Medieval Masculinities: Regarding Men in the Middle Ages* (Minneapolis, 1994), p. 130 citing the definition of 'masculinism' given by Arthur Brittan.

¹³ D.M. Hadley, 'Introduction: Medieval Masculinities', in Hadley (ed.), *Masculinity in Medieval Europe* (London, 1999), pp. 1-18.

¹⁴ M. Bennett, 'Military Masculinity in England and Northern France c.1050-1225', in Hadley (ed.), *Masculinity in Medieval Europe*, pp. 71-88. This secular notion of superior masculinity was regularly under attack from ecclesiastical authors, in particular with regard to aristocratic ideas about 'nobility'. See also Hadley, 'Introduction', pp. 4, 9.

¹⁵ T. Laqueur, *Making Sex: Body and Gender from the Greeks to Freud* (Cambridge, Mass.,

female sex and displayed a certain level of discomfort about cases in which the sex of a person was ambiguous. Hermaphrodites, for example, were socially accepted as long as they chose to conform to one sex and maintain the gendered behaviour appropriate to it.¹⁶ For the male aristocrat it would involve a gender position furthest removed from what was considered feminine behaviour and would embrace qualities such as military prowess, courage and stamina.

Aristocratic identity was founded upon the concept of nobility, which invoked multiple associations. First of all, to be called 'noble' was to be considered virtuous, morally superior to others. However, it also drew attention to the fact that the person called 'noble' was of more exalted parentage than ordinary people.¹⁷ Saints, as Alexander Murray has pointed out, were often referred to as 'noble' in hagiographic literature, in both a virtuous and a familial sense.¹⁸ Nobility was equated to manliness (*virtus*), freedom, authority and self-control, ideas which stemmed from ancient Greek society and which found their way into medieval thought.¹⁹

My argument does not constitute a conscious disregard for the position of female aristocrats. Women were presented for example with an ideal body similar to the masculine body of the knight in romance literature. Moreover, as

1990), pp. 19, 25-26. Also J.A. McNamara, 'An Unresolved Syllogism: The Search for a Christian Gender System' in J. Murray (ed.), *Conflicted Identities and Multiple Masculinities: Men in the Medieval West* (New York, 1999), pp. 1-24, who prefers to use the phrase 'single-gender continuum'.

¹⁶ Hadley, 'Introduction', p. 7 citing M. Rubin, 'The Person in the Form: Medieval Challenges to the Bodily "Order"', in S. Kay and M. Rubin (Eds.), *Framing Medieval Bodies* (Manchester, 1994), pp. 101-106.

¹⁷ In the eleventh and twelfth centuries, *nobilis* or *nobilior* were adjectives assigned to refer to people, in both cases without pointing necessarily to the existence of a 'noble' class. Cf. the discussion by C.B. Bouchard, '*Strong of Body, Brave and Noble*': *Chivalry and Society in Medieval France* (Ithaca, 1998), pp. 1-27.

¹⁸ A. Murray, *Reason and Society in the Middle Ages* (Oxford, 1978), pp. 337-341.

¹⁹ McNamara, 'An Unresolved Syllogism', p. 2.

we shall see in relation to burial practices, female aristocrats infrequently had the freedom to choose their own site of interment, and their bodies were occasionally divided and buried at different sites.²⁰

However, when we turn to the treatment of aristocratic traitors, we see that the most physical punishments were reserved for treasons committed by men. The kind of treason that called for punishments such as beheading and quartering was located within the socio-political domain controlled by men: it was related to armed rebellion and the destruction of property, to breaking the king's peace and therefore posing a threat to the king and his divinely sanctioned authority.²¹ The accusations against these aristocratic men centred time and again on the breach of chivalric *mores*, which were located within virtuous behaviour, loyalty and protecting one's social inferiors: in other words, *nobility*. In the conceptual linking of nobility and the ideal body, brought to the fore in the punishment of treason and in the emphasis on corporeal incorruptibility in funerary practices, the gaze is therefore led towards the male body. Although I have listed a number of multiple burials of women in Appendix 1, this thesis does not investigate female aristocratic funerary practices in their own right.

The suggestion of hyper-masculinity advocated in this self-referential construction of the *virtuous* aristocracy is inevitably problematic; it forcefully separated some men from other men and it created extreme pressure on aristocratic men themselves to 'perform' according to their own self-image.²²

²⁰ See Section 2.3 and Appendix 1.

²¹ See Section 4.2.

²² A similar point is made by Vern Bullough in his (more general) discussion of male sexual performance. See V.L. Bullough, 'On Being a Male in the Middle Ages' in Lees (ed.), *Medieval Masculinities*, pp. 31-45.

The aristocratic woman was denied existence within this scheme (unless she displayed a certain level of 'masculine' behaviour). It also put the physical body under pressure to 'behave' in ways appropriate to notions of the ideal body advanced by the aristocratic group.

Since nobility was (at least in secular society) often equated to an ideal aristocratic masculine body, both death and non-virtuous behaviour confronted this ideal. The psychosomatic 'self', as will become evident from the discussion in Chapter 1, was regulated by ideas of harmony and balance, which meant that body and soul were inextricably connected, each mirroring the state of the other. The conceptual pairing of nobility with body therefore subscribed to the axiom of a beautiful soul in a beautiful body, in which deviation from the ideal would mark itself immediately upon (and under) the physical surface of the body. Treason was constructed as a sin against society, a tumour within the social body. The execution of the traitor constituted a re-balancing act by purging from society the evil that had manifested itself. It was also an effort to reconstitute the balance between body and soul within the individual traitor. Clearly, treason was a lapse from the ideal of nobility located within the image of the aristocracy; the soul was tainted by this sinful act and therefore the body of the traitor was reconstructed (or indeed deconstructed) to mirror the state of the soul.²³ Through the fragmentation of the body, not only was the shame of the traitor's end magnified and the state of his soul exposed, but the centrality of wholeness, integrity, within the notion of nobility was also underscored. It is in the funerary practices of the aristocracy that we see these ideas reflected as well.

²³ See Chapter 5.

One of the ways in which the fantasy of wholeness and nobility could be sustained was by means of the preservation of the corpse. Embalming techniques and to a certain extent *mos teutonicus* (boiling the flesh from the bones) were employed to counter the fear of decay and fragmentation, as well as the corrupt fumes which were thought to affect the healthy. Fundamentally, the dead body was denied its physicality in favour of the ideal and the extent to which this was successful was again directly related to the moral state of the deceased.

How did multiple burial fit into this model of nobility and wholeness? It will be argued in Chapter 3 that the selective division of the aristocratic body underscored rather than undermined this fantasised image of wholeness. By privileging the heart for separate interment, for example, the idea of nobility was furthered. The heart, more than any other part of the body, was considered the seat of moral judgement. If the immaterial soul were to be located within the material body, it would be in the heart.²⁴ Moreover, in contrast to the destruction and division of the traitor's body, there was an emphasis on burying the skeletal remains in one grave, evident from the requests of relatives to assemble the quartered remains of the traitor for interment at one site.²⁵ Honourable burial, therefore, underscored the integrity of the skeleton whilst privileging the heart as the locus of virtue.

Chapter 1 elaborates upon the theoretical issues which inform the discussion of the aristocratic body in relation to multiple burial and executions. The following two chapters will focus specifically on burial practices. Chapter 2

²⁴ See Section 3.3.

²⁵ See Section 5.3.

provides a discussion of the relationship between aristocratic patrons and the religious houses they endowed, with emphasis on how burial practices underscored notions of aristocratic lordship in the religious space and how multiple burial provided a means of solving potentially conflicting social and personal interests. In Chapter 3, the consequences of multiple burial for the notion of the perfect aristocratic body are explored in more detail. It will become evident that the corpse was subjected to an ideology of wholeness, which had found its roots in the incorruptible body of the saint. The ‘well-behaved corpse’ became synonymous with nobility within the aristocratic self-image. Aristocratic multiple burial, which particularly privileged the heart for separate interment, served to underscore this notion of nobility and wholeness as the heart became a *pars pro toto* of aristocratic identity. Appendix 1 contains an extensive list of examples of aristocratic multiple burial from c.1150 to c.1330, which serves to accompany Chapters 2 and 3. Each example has been given its own entry with details of burial sites, a short biography of the aristocrat concerned and a bibliography.

The last two chapters deal with treason and the destruction of the body as punishment for it. In Chapter 4, the development of the concept of ‘treason’, and the punishments connected to it, is traced from the Norman Conquest to the 1352 Statute of Treasons. Treason was increasingly associated with corrupted virtue, which was accordingly punished by destroying the noble aristocratic body in public. The deliberate fragmentation of the traitor’s body thus becomes a statement of his loss of virtue. Two tables summarise the accusations of and punishments for treason in the reigns of Henry III, Edward I and Edward II; the

bibliography for these tables is provided in Appendix 2. The social and psychological consequences of dismembering and dispersing parts of the aristocratic corpse are discussed in Chapter 5. The treatment of the traitor's body in the public execution can be read at once as a statement of the culprit's own corruption and as a metaphorical tumour to be removed from the 'body politic'.

CHAPTER 1
DEATH AND THE BODY
INTERSECTIONS OF PHYSIOLOGY, DISCOURSE AND IDENTITY

As has been stated above, the focus of this dissertation is on the male aristocratic body and the ways in which the physicality of the body was used to create an image of wholeness and integrity, which underscored ideas of nobility and identity in the establishment of an aristocratic self-image. Central to the discussion is the response to this identity in two different, opposing, circumstances, *viz.* aristocratic burial and aristocratic execution. Initially, this opposition will be explored within the Middle English romance of ‘Otuel and Roland’. We shall then in the rest of this chapter continue to address the problematic issues of ‘body’ and ‘identity’ as well as to investigate the impact of death upon these concepts before examining the position of the corpse in medieval society.

1.1 NOBILITY AND THE BODY: THE CASE OF ROLAND AND GANELON

Tho by the heste of charlys the kyng,
The traytour was don to hongyng,
And was y-drawe thoru³ the toun,
And after y-honged wel faste.
ffor-sothe tho in haste,
Alle quyk he was leten down,
And y-bounde to a stake,
And hys bowels out y-take,
To brenne hym by-forn.
To foure stedys he was y-knyt,
By the hondys and by the fet,
At the heste of charlyoun:
On eche stede sat a kny³t,
And thus he was to-twyt,
Gwynes, the falce traytour.
(*Otuel and Roland*, ll. 2733-2747)

Roulondys body he let dy³t,
with murre and baune a-none-ry³t,
with swythe good odour. [MS: othour]
Bothe roulond, & olyuer,
And euerych of the dussyper
with baune weren y-dy³t.
Of some *with*-oute fayle,
Men duden out the entrayle,
And in lede layde hem a-ry³t.
And tho that weren nou³t so,
fful wel in salt men dude hem do,
To be swete bothe day & ny³t.
Thus thay weren dy³t a-none, -
wel ynoynted euerychone, -
with-outen any vnry³t.
(*Otuel and Roland*, ll. 2754-2768)

The execution of Ganelon and the embalming of Roland's body are part of the climactic ending of the Middle English verse romance 'Otuel and Roland', written in c.1330.¹ The narrative, although the modern title suggests otherwise, is predominantly concerned with the matter of the *Chanson de Roland*: the treason of Ganelon; the French army's fight against the Saracens in Spain and the death of Roland on the field of Roncevaux as a consequence of Ganelon's betrayal.²

More so than in the *Chanson* or the *Chronicle of Pseudo-Turpin* (essentially a reworking of the *Chanson* and the basis of 'Otuel and Roland') does the author of 'Otuel and Roland' juxtapose the behaviour of the two main characters, which culminates in the public execution of Ganelon and the lavish funeral preparations for Roland.³ The proximity of the two events in the narrative is unique to 'Otuel and Roland', as is the elaborate description of the fate of Ganelon. By positioning the two events in close succession, the author creates a forceful contrast between the treatment of the bodies of Ganelon and Roland, which is predominantly connected to their respective behaviour before and in the battle at Roncevaux.

¹ 'Otuel and Roland', in M.I. O'Sullivan (ed.), *Firumbras and Otuel and Roland: Edited from MS. Brit. Mus. Addit. 37492, EETS OS 198* (1935). (Hereafter abbreviated to *OR*). It forms part of a larger cycle named **Charlemagne and Roland*, which now only survives in two separate sections, 'Roland and Vernagu' (Auchinleck MS) and 'Otuel and Roland' (Fillingham MS). Both romances are said to date from c. 1330. Their source is likely to be British Library Additional MS 40142, an Old French translation of Pseudo-Turpin dubbed the 'Johannes Redaction'. H.M. Smeysers, 'Charlemagne Legends', in J. Burke Severs (gen. ed.), *A Manual of Writings in Middle English 1050-1500* (New Haven, 1967), 1: 87-92; R.N. Walpole, 'The Source MS of Charlemagne and Roland and the Auchinleck Bookshop', *Modern Language Notes* 60.1 (1945): 22-26; Walpole, 'Note to the Meredith-Jones Edition of the *Historia Karoli Magni et Rotholandi ou Chronique du Pseudo-Turpin*', *Speculum* 22 (1947): 260-262.

² The narrative of 'Otuel and Roland' is divided into at least two clearly marked off episodes. The last one (ll. 1692-2786) deals with the events leading up to the battle of Roncevaux and the death of Roland.

³ The standard editions of these are G.J. Brault (ed.), *The Song of Roland: An Analytical Edition* (Philadelphia, 1978); C. Meredith Jones (ed.), *Historia Karoli Magni et Rotholandi ou Chronique du Pseudo-Turpin* (Paris, 1936).

The traitor Ganelon is subjected to a series of punishments which go beyond the horse-led quartering to which he is condemned in both the *Chanson* and the *Pseudo-Turpin* and which instead focus on the protracted destruction of his body. Roland's body, on the other hand, is carefully embalmed to counter the effect of death. In fact, his embalming is mentioned twice: the first time it is only a brief reference, stating that his body was prepared to ward off putrefaction (*OR*, l. 2543). The second reference occurs after the army's return from their second battle against the Saracens, which is the passage quoted above.

With this difference in the treatment of the villain's body and that of the hero, the author carefully inscribes the characters of the two antagonists upon their bodies, thus turning them into a fleshly projection screen exposing the interior landscape of the two men. Moreover, this contrast between punishing and honouring the body forms the conclusion to a theme underlying the whole narrative, *viz.* the investigation into the nobility of the aristocracy as it is expressed in behaviour and appearance. Both bodies are forcefully constructed to adhere to their respective inner character and behaviour. Against decay, Roland's body is made to challenge the natural forces of death; in the case of Ganelon, the fragmentation inherent in decay is speeded up in public. This, it seems, is a reflection on his earlier actions and his corrupted morality.

Throughout the Roncevaux episode, which generally follows the narrative of the *Chanson*, Ganelon and Roland are valued in terms of their loyalty towards Charles the Great and towards the Christian faith. Consequently, as one resembles the 'good', the other the 'evil' aristocrat, they are weighed against each other. Roland comes out of this exchange as the model of the ideal

aristocratic knight, representing the dual nature of nobility to the fullest. Ganelon, on the contrary, is presented as the ultimate 'anti' model within the aristocratic ideology.⁴

The episode starts with Ganelon being sent as a messenger to the Saracens Mansure and Beligans, who have arrived at Charles's court in Pamplona on a treacherous mission. The Frank is easily persuaded by Mansure to betray Charles and he returns to the King with a fabricated story about the Saracens' good intentions. Upon hearing this, Charles decides to go back to France, and forms his army in such a way that Roland heads the rear of the army with the flower of Frankish aristocracy. Charles keeps Ganelon and Archbishop Turpin with him, 'that weren of hey3e parayle' (*OR*, l. 2112). Mansure then attacks Roland with an overwhelming army of Saracens. In the battle, the *douzepers*, the twelve most valiant knights and advisors of Charlemagne, including Roland, all perish. Ganelon is found out, sentenced for treason and executed. The dead are honourably treated and buried, and the poem ends with Charles building a church on the site of Roncevaux.

Apart from establishing a moral opposition between the Christians and the Saracens, the narrative also creates a political tension. To be a good Christian is also to be loyal to your worldly master. Within this scheme, the Saracens, who are presented here as cowards, evil and devious, come to stand for disloyalty and dishonesty (in the eyes of the Christian audience). This is even more foregrounded by the means with which Ganelon aligns himself with the enemy. After he is persuaded by Mansure to accept his 'thrytty somers and mo/ off gold

⁴ All other characters are given a much more subordinated role than in the *Chanson*. There is no

and syluer also' (*OR*, ll. 2074-2075) and thus sealing his treason, he displays great dishonesty towards his liege lord.

Moreover, he is never portrayed as being engaged in fighting, excepting his last stand against Thierry. During the Roncevaux campaign, Ganelon is with Charles and during the second battle against the Saracens the silence about his whereabouts is only too telling. In contrast to the *Chanson* and the *Pseudo-Turpin Chronicle* in which the knight Pinabel is appointed to fight for Ganelon, in 'Otuel and Roland' Ganelon himself takes on Thierry, who has accused him of treason and of causing Roland's death (*OR*, ll. 2682-2696). The implication is clear: Ganelon only fights for his own gain, without honour and without loyalty to anyone but himself. The connection with Judas Iscariot is implicitly and explicitly made (*OR*, ll. 2092-2093). The thirty horses packed with gold and silver is more than the thirty pieces of silver Judas received, but the implication is obvious. Roland, on the other hand, fights until the very end for both his worldly and his heavenly Lord. After killing Mansure in single combat, Roland himself succumbs to his mortal wounds. The *quasi* Judas Maccabaeus (*OR*, ll. 2532-2534), 'þe very martyr' (*OR*, l. 2440), commends his soul to God and is carried up to Heaven by angels.

The connections between character and appearance, interior and exterior, soul and body, wholeness and fragmentation appear to underscore the ideological fantasy of nobility and the physical reality of the aristocratic body apparent from 'Otuel and Roland'. Issues of physical wholeness and fragmentation lay at the heart of aristocrats' perceptions of themselves and their bodies. By grounding

trace, for example, of the pairing of Roland with Olivier.

their identity within the ambiguous concept of 'nobility', the aristocratic elite distinguished itself from other social groups, i.e. by directing the attention to superior lineage and moral superiority the symbolic boundaries between the aristocratic order and other groups were drawn.

The area in which this comes most to the fore is in the attitude towards death, since this creates a fundamental tension between the ordered wholeness of the body and the chaotic dissolving corpse. By looking at the difference in treatment of the aristocratic body in burials and executions it will become obvious just how important this mortal coil was for the fantasised corporeal ideal of the aristocracy. In this chapter, some of the major themes connected to this ideal will be explored, in particular attitudes towards the body, death and the corpse.

1.2 BODY

The preservation and destruction of the respective bodies of Roland and Ganelon are intimately connected to their identity as aristocrats. But in a society in which, it was generally believed, the soul was privileged over matter material, what role did the body have in the construction of identity? First of all, it is important to understand some medieval conceptions of the body in relation to the formation of identity. The twelfth century in particular saw a rise in somatic miracles, a refocus on the suffering body of Christ, and an explosive interest in the human body as an object of study. The main question to be asked is how this affected the perception of identity, of how people saw themselves. In the second half of this section I will explore the notion of an aristocratic identity, which focused on

the ideology of nobility and engaged in fantasies of corporeal wholeness and fragmentation.

1.2.1 A CORPOREAL IDENTITY

There is no clear set of structures, behaviors, events, objects, experiences, words, and moments to which *body* currently refers.⁵

The body is a hybrid category, part cultural and part material, in which interior and exterior are always enfolded, always crossing into each other.⁶

What is a 'body'? The question is easily posed without inviting a definitive answer. Although it may seem self-evident that we *have* bodies as much as we *are* bodies, the way in which we view our bodies is subject to a complex interaction of cultural ideas and natural phenomena.⁷ Our post-modern society seems in particular concerned with questions about the nature of the body and the nature of identity formation, which can partly be inferred from a concern with the healthy young body within popular culture and with the location of

⁵ C. W. Bynum, 'Why all the Fuss about the Body? A Medievalist's Perspective', *Critical Inquiry* 22 (1995): 5. This article presents an overview of current body theories and poses the question of how the physicality of the body is addressed in these. Bynum then moves on to compare modern perspectives with some of the medieval theories and how these were translated (or not) into practice. The main studies to be mentioned here are J. Butler, *Gender Trouble: Feminism and the Subversion of Identity* (New York, 1990) and Butler, *Bodies that Matter: On the Discursive Limits of 'Sex'* (New York, 1993); J.F. MacCannell and L. Zakarin, *Thinking Bodies* (Stanford, 1994); M. Featherstone, M. Hepworth, B.S. Turner (eds.), *The Body: Social Process and Cultural Theory* (London, 1991); T. De Lauretis, 'Queer Theory: Lesbian and Gay Sexualities: An Introduction', *Differences* 3: 2 (1991): iii-xviii. Reference will be made to other studies in subsequent footnotes.

⁶ J.J. Cohen, *On Giants: Sex, Monsters and the Middle Ages* (Minneapolis/ London, 1999), p. xvii. Cohen's methodology is primarily influenced by psychoanalysis in his discussion of the giant and the monstrous, in which he argues, that that which is not a human body is constructed as an external, threatening Other, which is nevertheless a projection from within.

⁷ B.S. Turner, *The Body and Society: Explorations in Social Theory*. 2nd edition (London, 1996 [1984]), p. 232. Turner's study is still one of the most comprehensive overviews of different perspectives on the body.

'self' upon the surface of the body.⁸ In body theory, gender and queer perspectives are at the forefront of critical inquiry. Psychoanalytical methodologies are becoming more popular as a mode of investigation into the projection of identity upon the body and the relationship between interior and exterior 'self'.⁹ This has led to the study predominantly of the *living* body, objectified as a social construct and vivisected by post-structural and psychoanalytical methods. Fragmentation and wholeness of the body are viewed as psycho-cultural mechanisms impressed upon the physical body, which seems to dissolve under the pressure. This has, however, yielded a range of significant insights into the way, for example, gender positions are culturally constructed and how a 'self' is created through interaction with society.¹⁰

It has also led to an almost exclusive focus on the body-as-construct, existing only through the medium of language, 'a representational space traversed in various ways by socially biased power relations.'¹¹ The body is viewed as systematically coded 'by a multiplicity of psychic, sexual, social and political codes. This systematic coding of bodies means that they are as much the product, as the site, of experience.' Experience, which is an embodied process, is thus relegated to the realms of discourse offering the 'intellectual conceptualisations' with which to define it. The influence of the French

⁸ For a polemic on the popular study of the body see D. Mann, 'The Body as "Object" of Historical Knowledge', *Dialogue* 35 (1996): 753-776, who sees 'body theory' as a typical product of 'consumer capitalism' (p. 753).

⁹ See S. Kay and M. Rubin, 'Introduction', in Kay and Rubin (eds.), *Framing Medieval Bodies* (Manchester, 1997), pp. 1-9 for a useful overview of predominant approaches to the study of the medieval body.

¹⁰ M. Rubin, 'The Person in the Form: Medieval Challenges to the Bodily "Order"', in Kay and Rubin (eds.), *Framing Medieval Bodies*, pp. 100-122.

¹¹ L. Lomperis and S. Stanbury, 'Introduction', in Lomperis and Stanbury (eds.), *Feminist Approaches to the Body in Medieval Literature* (Philadelphia, 1993), p. ix.

philosopher Michel Foucault looms large, especially with the current focus on the body as constructed by ideological forces.¹² Yet, this approach can be taken too far into the realms of theory to the exclusion of the very object it seeks to explain and interpret. In the words of Caroline Bynum: ‘the body dissolves into language’.¹³

Although psychoanalytical theory similarly poses a threat of dissolving the body in language, when dealing with cultural responses to the body or the corpse it is a useful addition to sociological and poststructuralist perspectives. As it takes the embodied subject as its focus, psychoanalysis attempts to view ‘self’ and ‘society’ from within. Working with Lacanian conceptualisations in particular, there is a possibility of disclosing the underlying mechanisms that inform perceptions of ‘self’ and ‘other’ within medieval society.¹⁴ Going through the so-called ‘mirror stage’ a child comes to see itself as an imagined whole, organised from what previously was a chaotic array of limbs and organs. This ‘armour of an alienating identity’, this fantasised body shields us from what lies within ourselves: the pre-social chaos of our infancy. For example, as aristocratic identity grounded itself within a notion of the perfect, whole body, it also contained within itself a primordial fear of dissolution and fragmentation. In

¹² Kay and Rubin, ‘Introduction’, *Framing Medieval Bodies*, p. 1; M. Foucault, *Discipline and Punish* (Harmondsworth, 1977), p. 30: ‘the soul is the prison of the body’. As Bryan Turner usefully points out, the weakness of Foucault’s approach is that, because he locates the construction of the body with the political forces of ideology, the existence of personal agency is entirely ruled out; Turner, *Body and Society*, p. 173.

¹³ Bynum, ‘Why all the Fuss’, p. 1. This point is also made by Roy Porter, who calls for an integrated approach of researching empirical data and using literary analysis to ‘decode’ representations; R. Porter, ‘History of the Body’, in P. Burke (ed.), *New Perspectives on Historical Writing* (Cambridge, 1991), pp. 210-211. See also: M. Rubin, ‘The Body, Whole and Vulnerable, in Fifteenth-Century England’, in B.A. Hanawalt and D. Wallace (eds.), *Bodies and Disciplines: Intersections of Literature and History in Fifteenth-Century England* (Minneapolis/London, 1996), pp. 19-28.

¹⁴ Lacan was himself influenced by Saussure’s structuralist approach. See D. Evans, *An*

death, this fantastic body was literally in danger of dissolving as the physical processes of decay set in.¹⁵ What we shall discover in the course of this dissertation are the attempts to align fantasy with reality within the aristocratic group, either by forcing wholeness upon the corpse or by purposefully fragmenting it.

Experience is lived: the experiencing subject is embodied. It is also discursive - an interpretation of experience which is culture specific by the experiencing subject. As the sociologist Bryan Turner has stated: 'the body has definite and distinctive biological and physiological characteristics which are resistant to a deconstructionist epistemology.'¹⁶ While it is possible, for example, to assign a deconstructionist view to the medieval classification system of human life as comprising several 'ages', the physiological effects of the ageing and dying body lie at the basis of this social ordering mechanism.¹⁷ A cultural construction is in this case built upon an interpretation of natural causes in an attempt to give meaning to this process. It is this causality of natural processes and their ever-changing cultural interpretation that also informs attitudes to the

Introductory Dictionary of Lacanian Psychoanalysis (London/ New York, 1996).

¹⁵ See below Section 1.4. For a very useful psychoanalytical discussion of medieval masculinity, see J.J. Cohen et al., 'The Armour of an Alienating Identity', *Arthuriana* 6.4 (1996): 1-24.

¹⁶ Turner, *Body and Society*, p. 30. His comment is echoed by the words of Jeffrey Cohen quoted at the beginning of this section. See also N. Scheper-Hughes and M.M. Lock, 'The Mindful Body: A Prolegomenon to Future Work in Medical Anthropology', *Medical Anthropology Quarterly* NS 1 (1987): 6-41. In their call for a more integrated approach of body and mind in the medical profession they discuss a three-fold division for the study of the body: the lived body, the social body and the body politic. It is partly taken up by theorists such as Susan Bordo, who argues: 'Certainly, we are embedded in language. We are also creatures with a physiology that limits us, even in the kinds of languages that we have developed. Humanists are appalled when evolutionary biologists reduce our "privileged shrine" ... of language to merely one variant of primate "vocal and facial display". Is it any less reductive when we evaporate concepts like "genes" (or "matter") into "tropes" of scientific fiction?' S. Bordo, 'Bringing the Body to Theory', in D. Welton (ed.), *Body and Flesh: A Philosophical Reader* (Oxford, 1998), p. 89. She comments here on Judith Butler's 'discursive foundationalism'.

¹⁷ See E. Sears, *The Ages of Man: Medieval Interpretations of the Life Cycle* (Princeton, 1986).

dead body.

As Caroline Walker Bynum has shown through her study of medieval religious attitudes towards the body, the body's physicality was often central to the understanding of the afterlife and the Resurrection. The idea of 'person' extended beyond death in a material form and it was a physical, material body which rose to be united with the soul at the sound of the last trumpet. According to Thomas Aquinas, the soul would not be complete without a body and would long for reunion with it. At the same time, in an attempt to reconcile Aristotelian *hylomorphism* (everything consists of form and matter) with Platonic dualism (body and soul as separate entities), body, soul and identity were constructed as an interrelational dependency.¹⁸ In Jeffrey Cohen's words: 'interior and exterior are always enfolded, always crossing into each other.'¹⁹ Any thoughts relating to a hardline dualism were limited to, for example, the Cathar theories about the split between body and soul.²⁰

The twelfth-century individual, it has been argued, was 'discovered' at a

¹⁸ C.W. Bynum, 'Material Continuity, Personal Survival and the Resurrection of the Body: A Scholastic Discussion in its Medieval and Modern Contexts', in C.W. Bynum (ed.), *Fragmentation and Redemption: Essays on Gender and the Human Body in Medieval Religion* (New York, 1992), pp. 239-297; Bynum, *The Resurrection of the Body in Western Christianity 200-1336* (New York, 1995).

¹⁹ See quotation at the beginning of this section. Part of the discussion focused on the ontological position of the body. If the form of the body was located in the soul, the body would not matter for the survival of 'self'. If, on the other hand, there was a kind of *forma corporeitatis*, a separate 'Idea' of body, which could inform matter independently from the soul (without claiming to be a 'complete' human being without the soul), the fate of the body after death would matter. It would also account for the imperfect nature of the 'flesh' subject to the temptations of evil and the changes of time, without losing the identity of the individual. See A. Boureau, 'The Sacrality of One's Own Body in the Middle Ages', in F. Jaouën and B. Semple (eds.), *Corps Mystique, Corps Sacré: Textual Transfigurations of the Body from the Middle Ages to the Seventeenth Century*. *Yale French Studies* 86 (1994): 10.

²⁰ For a recent introduction to Cathar thought, see M. Barber, *The Cathars: Dualist Heretics in the Languedoc in the High Middle Ages* (Harlow, 2000), pp. 6-33. Also, D.L. d'Avray, 'Some Franciscan Ideas about the Body', *Archivum Franciscanum Historicum* 84 (1991): 347-348. D'Avray tentatively suggests that there appears to be a shift from a negative attitude towards the body to a more positive perspective in the twelfth and thirteenth centuries.

time in which group, or community, awareness was an important factor in self-expression.²¹ The 'self', always created in relation to other 'selves', was embedded within particular groups or networks, as well as tuned in to the interior, the 'inner man' (*homo interior*). The fear of individuality, of being isolated and not belonging to a group, expressed itself in group-conforming behaviour, which was based on specific models or templates. As the abundance of estates literature for example shows, people sought to define themselves and others in terms of belonging to particular social groups, as they were ordering and categorising the heterogeneity of society. This was in particular achieved by creating the opposition of 'self' (normative) and 'other' (non-normative), to the exclusion of the 'other' and the visualisation of social-communal boundaries.²² Obviously, these models were ideological constructs and could be interpreted in endless variety. However, the human body lay at the foundation.²³

Even if in theological debate the body was considered to be a problematic issue, in practice it was embraced as the means to identify oneself and one's surroundings. Anthropological studies have shown that, for human beings, the body is the 'first and most natural instrument' to experience, perform, understand and identify. The body is the foremost site of the interaction between 'self' and society and the template upon which personal identity is inscribed.²⁴ It is by

²¹ C.W. Bynum, 'Did the Twelfth Century Discover the Individual?', *Journal of Ecclesiastical History* 31.1 (1980): pp. 1-17 [Reprinted in Bynum, *Jesus as Mother: Studies in the Spirituality of the High Middle Ages* (Berkeley, 1982), pp. 82-109]. Bynum prefers to speak of 'self' rather than 'individual', since the latter carries with it the implication of isolated being, which appears not to have been what medieval men and women were after (p. 4).

²² Bynum, 'Did the Twelfth Century Discover the Individual?', p. 13: 'groups not only aspired to conform to models. They saw themselves as *being* models.' Also, D. Crouch, *The Image of Aristocracy in Britain 1100-1300* (London, 1992), pp. 7-8 for Andreas Cappelanus's views.

²³ M. Douglas, *Natural Symbols- Explorations in Cosmology* (London, 1996 [1970]).

²⁴ Quotation from M. Mauss (ed.), *Sociology and Psychology: Essays* (London, 1979), p. 104.

means of the body, for example, that medieval Western Christendom defined itself, not only by adhering to a belief that centralised the body of one man, but also by constructing a non-Christian, externalised 'other', living on the fringes of the known world. This 'other' symbolised all that was constructed as uncivilised and reprehensible: it inhabited the world of naked, club-wielding man-animal hybrids, cannibals, headless beings with eyes in their chests, and giants.²⁵ These monsters, this 'other', manifested their evil inner being through their body. The composer of the *Vienna Genesis* (created some time between 1060 and 1170), for example, relates how some of Adam's offspring were disobedient and ate certain plants that were forbidden to them. As a result, as Adam had warned them, their descendants were 'corrupted': '[t]he descendants displayed on their bodies what the forebears had earned by their misdeeds. As the forebears had been inwardly, so the children were outwardly.'²⁶

Closer to home, the good Christian often interpreted signs of physical deformity in their fellow human beings as evil. Medieval society was one in which many abstractions were translated into visual images and interior qualities were found manifested on the body's exterior (sometimes even inner

Psychoanalysis is joined by a sociological perspective to create, in Mauss's words, a 'totalising anthropology' (pp. 24-25). However, the distinction between 'self' and 'society' is a specifically Western concept; Scheper-Hughes and Lock, 'Mindful Body', p. 14. For a useful critique on the anthropological study of the body, see T. Asad, 'Remarks on the Anthropology of the Body', in S. Coakley (ed.), *Religion and the Body* (Cambridge, 1977), pp. 42-52. Also, Turner, *Body and Society*, p. 79.

²⁵ See J.B. Friedman, *The Monstrous Races in Medieval Art and Thought* (Cambridge, Mass./London, 1981) and Cohen, *On Giants*. The latter proposes a psychoanalytical method for looking at the occurrence of giants in literature. In line with Lacan, he posits the giant as the 'big Other', which is 'the intimate stranger'. Although projected as an external threat to the symbolic order, it is a product of the subjective conscious: it repels while fascinating us. See also, K. Biddick, 'Genders, Bodies, Borders: Technologies of the Visible', *Speculum* 68 (1993): 402-409 for a discussion of Jews as 'other' in medieval thought.

²⁶ Friedman, *Monstrous Races*, p. 93. These monsters can be read as manifestations of the Christian idea of evil, personified by the Devil.

physique).²⁷ Signs of sainthood included somatic miracles such as spontaneous bleeding or lactation, as well as the incorruptibility of the saintly corpse. Images of Christ and the Passion could be found carved into the flesh of the heart of dead holy people.²⁸

Frequently, deforming diseases were considered bad manifestations of one's inner character. The occurrence of illness was considered the result of an imbalance of the bodily humours, either through lack or through excess.²⁹ Overindulgence was in particular damaging not only to the body, but in the end also to the soul. The inability of the body to shed the waste products generated by excess would translate itself, according to medical practitioners, in a variety of skin diseases or internal 'eruptions'.³⁰ At the same time, these manifestations of imbalance were often used as metaphors for the impurity of the soul. Leprosy, for example, was generally presented in religious or literary texts as a consequence of lechery.

Medieval responses to the physical deformities and skin diseases gathered under the generic heading of leprosy were mixed. It is no longer held that lepers were rigorously separated from the rest of society, locked away in *leprosaria* without recourse to the community of the healthy and being socially dead. Although often situated on the boundaries of urban settlements, leper hospitals were also conspicuously located near the main roads into towns.

²⁷ Cf. the physiognomical descriptions of Albertus Magnus in *De Animalibus: A Medieval Summa Zoologica*. Eds. K.F. Kitchell Jr. and I.M. Resnick (Baltimore, 1999), 1: 210-211 (on the neck), 214 (chest), 238-242 (limbs).

²⁸ C.W. Bynum, 'Bodily Miracles and the Resurrection of the Body in the High Middle Ages' in T. Kselman (ed.), *Belief in History: Innovative Approaches to European and American Religion* (Notre Dame, 1991), pp. 69-71; see also Chapter 3.

²⁹ C. Rawcliffe, *Medicine and Society in Later Medieval England* (Stroud, 1995), pp. 36-39.

³⁰ *Ibid.*, p. 36.

Skeletal evidence from cemeteries at *leprosaria* suggests that they were not solely used for those who had suffered from leprosy. More importantly, leper hospitals were not necessarily erected outside town walls because of the need to segregate the diseased, but it was often a matter of available space.³¹ Moreover, far from being isolated, lepers often shared their accommodation with people suffering from other diseases. Even the healthy sought their company, despite legal restrictions on interaction between lepers and non-lepers.³²

Despite the current, more balanced, view on the position of lepers in medieval society, it cannot be denied that a frequent response to physical deformity, either as a result of leprosy or another disease, was one of instinctive fear and disgust, as well as of religious admiration. Those suffering from leprosy were often regarded as fortunate to be able to suffer purgatory on earth and thus to shorten their stay in the Purgatory of the afterlife.³³ On the other hand, the attendance to lepers was perceived to be an act of saintliness. The biographer of St Hugh of Lincoln (d. 1200), for example, relates *in extensio* how Hugh used to seek out the sick, 'even those afflicted with leprosy'. He would attend to them, either receiving them as honourable guests in his chamber or by going around the hospitals on his estates. He would embrace and kiss the men, and console them in their misery. Despite their deformity, Hugh would say, those afflicted shone

³¹ See R.I. Moore, *The Formation of a Persecuting Society* (Oxford, 1987), pp. 51, 58-60, for the traditional view of the segregation of lepers. C. Roberts, 'The Antiquity of Leprosy in Britain: the Skeletal Evidence' and E. Shepherd Popescu, 'Leper Burials at St John de Berstrete (Timber Hill), Norwich' (papers presented at the *International Medieval Congress*, Leeds: 2003), both argue for a more nuanced view.

³² See N. Orme and M. Webster, *The English Hospital 1070-1570* (New Haven, 1995), pp. 25, 27-29. See also C. Rawcliffe, 'Learning to Love the Leper: Aspects of Institutional Charity in Anglo-Norman England', in J. Gillingham (ed.), *Anglo-Norman Studies XXIII: Proceedings of the Battle Conference* (Woodbridge, 2000), pp. 231-250.

³³ *Ibid.*, p. 241.

with an inner beauty. His biographer, however, confesses to being utterly disgusted by the sufferers' 'swollen and livid, diseased and deformed faces with the eyes either distorted or hollowed out and the lips eaten away!' It is only the saint, who is able to recognise the treasure of a pure soul behind the ravaged exterior. Indeed, according to Hugh, those 'who now gloried in the beauty of their bodies' must await the Final Judgement in dread, which reads as a clear criticism of those who judge on exterior appearance only.³⁴ Both saint and the physically deformed come to share an ideological space separated from the rest of the community (represented by the saint's biographer) in a fascinating example of reverse psychology. His own response mirrors his audience's, thus setting up a stark contrast to judge Hugh's behaviour by. Although Hugh's treatment of lepers is initially presented as an example of saintly behaviour towards the lesser fortunate, the biographer rapidly reconstructs the scene as a moral lesson about the instinctive fear and superficial judgement of lepers.

We need to recognise, however, that we are dealing with a profoundly religious discourse, which served to glorify certain individuals, but also to hold up a mirror to society. Traces of the physical suffering to which saints could be subjected during life were after death often erased to reflect the saint's blissful state in the afterlife. For example, Ailred of Rievaulx (d. 1167) had been plagued by a delicate constitution all his life. Towards the end of his life, his body was wrecked by illness and he suffered agonising pain, according to his biographer Walter Daniel. However, after his death, Ailred was found 'perfect in every part

³⁴ D.L. Douie and H. Farmer (eds.), *Magna Vita Sancti Hugonis - The Life of St Hugh of Lincoln*. 2 vols (London, 1961-1962), 2: 13-14.

of his body' as a sign of his heavenly glory.³⁵ Physical deformity, seen here in the light of earthly suffering with heavenly reward in the afterlife, was nevertheless also perceived as a consequence of sin and used as a metaphor for a diseased soul.³⁶ This is in particular the case in writings associated with the aristocracy, who indeed judged themselves by exterior appearance.

Anal fistula, like leprosy associated with lechery, was considered a physical manifestation of moral deficiency. A debilitating disease, it was not only tantamount to a fall from virtue, but it also altered the social signification of the sufferer's body, constituting a fall from social grace.³⁷ The patient, identified by the surgeon John Arderne (d. 1390) in the introduction to his treatise on anal fistula, is a knight in the service of Henry, earl of Derby. Unable to perform his duties, Adam Everingham, the knight in question, is sent home, where he sheds his knightly attire and dons 'mornyng clothes'.³⁸ After months of agony, Arderne is able to cure him, after which the knight is able to take up his social position again. However, in incurable cases the fistula calls to attention the areas of the body which are abjected within the order of the healthy body. The area of the anus becomes an ambiguous site in which the interior and the exterior of the body collapse; the proper excretory functions can no longer be performed.³⁹

The ideological exchange of sin and disease marked itself upon an imperfect body. By contrast, to theologians such as Thomas Aquinas, a perfect

³⁵ Walter Daniel, *The Life of Ailred of Rievaulx*. Ed. F.M. Powicke (London, 1950), p. 62.

³⁶ Rawcliffe, 'Learning to Love the Leper', pp. 235-236.

³⁷ J.J. Citrome, 'Bodies that Splatter: Surgery, Chivalry, and the Body in the *Practica* of John Arderne', *Exemplaria* 13.1 (2001): 137-172.

³⁸ *Ibid.*, p. 137.

³⁹ *Ibid.*, pp. 142, 146-147. See below Section 4.1.1.

body (whatever that was) signified a healthy soul, even a sense of moral superiority.⁴⁰ As we shall see, this idea is connected to a fantasy of the whole body and the lurking fear of corporeal fragmentation in both life and death.

1.2.2 ARISTOCRATIC IDENTITY⁴¹

If disease could be ideologically charged, leading to social exclusion, and a similar construct was in place with regard to the non-normative ‘monstrous’ body, is it possible to discern similarly imagined ‘corporeal distinctions’ between groups within a society? How, for example, is the aristocratic body constructed in relation to the non-aristocratic body? To what extent are the interior and exterior of the ‘self’ ideologically aligned to conform to the social values impressed upon members of the aristocracy? As Susan Crane has recently argued in relation to the performance of identity among courtiers: ‘public appearance and behavior are thought not to falsify personal identity but, on the contrary, to establish and maintain it.’⁴² However, this interaction between the exterior *appearance* and the interior ‘personal identity’, ‘self’, or *homo interior*, created an unavoidable tension upon and within the aristocratic body in cases of amoral behaviour informed by evil thoughts. This also led to the urge within society to resolve this tension. Moreover, as we shall see in later chapters, it created a profound anxiety about wholeness and fragmentation of the body in death.

What did it mean to be an aristocrat? First of all, the aristocratic identity

⁴⁰ See below Section 1.4.1.

⁴¹ As has been discussed in the Introduction, my concern is predominantly with the aristocratic self-image, which transcends the internal hierarchy of the aristocratic ‘class’. The appropriation of this self-image by those aspiring to be part of the elite is a topic to be investigated elsewhere.

⁴² S. Crane, *The Performance of Self: Ritual, Clothing and Identity During the Hundred Years*

centred on the concept of 'nobility' in its aspects of lineage (i.e. ancestral social importance) and virtue (i.e. proper moral conduct). Although the paraphernalia associated with the aristocracy were important external means of identifying people and their family connections, the concept of nobility was directly related to the body. The aristocratic perception of nobility focused foremost on the wholeness of the exterior of the body, but it was a wholeness dependent on the perfection of its interior, which was conceptually linked to spiritual superiority.

But the level of spiritual nobility was, in turn, predicated on the nobility of one's ancestral connections.⁴³ Somewhere within this intricate exchange between the interior and exterior of the body, one's nobility found an expression in symbols of social elitism such as expensive clothes, the use of heraldry, and the extensive code of behaviour referred to as chivalry. Around the time (c. twelfth century) the aristocracy appropriated the concept of nobility as moral superiority, it also subsumed the military ethos of the knight, the *chevalier*, opening the way for a tension between the Christian superiority it sought to advocate and the realities of bloodshed on the battlefield. However, as this shift in emphasis to lineage and moral as well as physical superiority demonstrates, while appropriating external systems the aristocracy simultaneously sought to close their social boundaries on members of the urban elite and upstarts from

War (Philadelphia, 2002), p. 4. Her argument does not take into account the separation of personal and group identity in, for example, cases of treason or of other secret intentions.

⁴³ Keen, *Chivalry*, p. 143. G. Duby, 'The Diffusion of Cultural Patterns in Feudal Society', *Past & Present* 39 (1968): 6-7. Cf. Crouch, *Image of the Aristocracy*; also, C. Brittain Bouchard, *Strong of Body, Brave and Noble: Chivalry and Society in Medieval France* (Ithaca, 1998), pp. 3-6. The outward body as sign of inner life surfaced in many religious texts of the eleventh and twelfth centuries. T.E.A. Dale, 'The Individual, the Resurrected Body, and Romanesque Portraiture: The Tomb of Rudolph von Schwaben in Merseburg', *Speculum* 77 (2002): 724. For medieval arguments for and against the connection of social and moral nobility see A. Murray, *Reason and Society in the Middle Ages* (Oxford, 1978), pp. 270-281 and pp. 317-330.

modest beginnings.⁴⁴

Without attempting to provide an elaborate definition of the term, it can be said that chivalry in one of its many meanings came to stand for a range of interior qualities displayed in behaviour and demeanour and was founded upon the knight being able-bodied. The philosopher Ramon Lull, for example, insisted that men who did not possess a 'whole', perfect, body were not fit to enter the order of chivalry. Although he did not overtly establish a link between interior character and external manifestation, Lull's use of the phrase 'evil disposition' strongly suggests there is a moral dimension to physical illness.⁴⁵ The early thirteenth-century French treatise *Ordene de Chivalrie* similarly emphasises the connection between virtue and the external signs of knighthood. According to the anonymous author, writing a dialogue about knighthood between Saladin and a captured knight, body (and soul) ought to be symbolically purged from sin before elevation to the knighthood can take place. The neophyte is urged to contemplate the baptism of the innocent and sinless infant.⁴⁶ Good knighthood, as professed in romance literature, not only insisted upon virtuous qualities such as prowess or loyalty, but also often displayed a dimension of bodily perfection,

⁴⁴ J. Scammell, 'The Formation of the English Social Structure: Freedom, Knights, and Gentry, 1066-1300', *Speculum* 68 (1993): 612-613 discusses the economic grounds for inclusion within the aristocratic class, but this does not take into account the psychological effects of this creation of fluid boundaries on those who were already part of this socio-economic elite.

⁴⁵ 'A man lame/or ouer grete or ouer fatte/ or that hath any other euyl disposycion in his body/ For whiche he may not vse thoffyce of chyualrye is not suffysaunt to be a kny3t.' Ramon Lull, *The Book of the Ordre of Chyvalry*. Translated by William Caxton. Ed. A.T.P. Byles. EETS OS 168 (1926), p. 63; Keen, *Chivalry*, p. 10. The unfitness to perform knightly duties is also reflected in the anxiety of the aristocrat featuring in John of Arderne's treatise, who suffers from anal fistula. See Citrome, 'Bodies that Splatter'. Lull places much emphasis on moral nobility. A knight should never forget the noble origins of the order of chivalry and succumb to evil. Lull, *Book of the Ordre of Chyvalry*, pp. 16-19, 45: 'For the felons and iniuryous ben al contrary to chyualrye and to al honour.'

⁴⁶ Keen, *Chivalry*, pp. 6-7. The knight informs Saladin of the four commandments Christian knights should adhere to, the first of which is to avoid treason and false judgement.

arising from the possession of these virtues as well as a good pedigree (referred to as *franchise*).⁴⁷

That this dual nature of nobility was advanced by the aristocracy can also be inferred, for example, from comments made to the contrary by religious writers in the eleventh and twelfth centuries. Nobility of birth and nobility of character were somewhat divorced from each other in contemporary knighthood, according to chroniclers such as Henry of Huntingdon or Orderic Vitalis. They strongly felt that although nobility was conferred mainly through lineage, it should ideally be expressed in proper conduct. Both made their complaints in times in which the Anglo-Norman kings advanced men of lesser birth to the ranks of the king's council.⁴⁸ Around 1300, Dante expressed his concerns with the dual nature of nobility in relation to Divine Grace. According to him, nobility as Divine Grace 'in human beings ... implies beauty, health, strength of body but, above all, possession of those marks of specifically human excellence which are the moral and intellectual virtues.'⁴⁹

Nobility as an ideological construct thus forms the basis of aristocratic elitism and one of the strategies of exclusion consisted of closing the social boundaries to the upwardly mobile and other social groups in general.⁵⁰ The

⁴⁷ Keen, *Chivalry*, pp. 2, 143. Similar sentiments lie beneath Cohen's discussion of giants in relation to the knightly heroes who defeat them in medieval literature. See his *On Giants*. Crouch refers to this as 'dignity'. Crouch, *Image of the Aristocracy*, p. 6. The Franciscan Salimbene, cited by Duby, in his eulogies for men he had known, refers to those he considers to be of great worth as 'handsome and noble'. Duby, 'Diffusion of Cultural Patterns', p. 9.

⁴⁸ Crouch, *Image of the Aristocracy*, pp. 4-5.

⁴⁹ Dante, *Convivio*, 4.20.5, quoted in S. Pearce, 'Dante: Order, Justice and the Society of Orders', in J. Denton (ed.), *Orders and Hierarchies in Late Medieval and Renaissance Europe* (Stroud, 1999), p. 40. In response to the social reality of ignoble aristocrats, he stated that, although conferred upon certain men by God, nobility ought to be cultivated and nurtured. It is part of man's decision which path to take, whether he will live up to the nobility given to him or squander it. See Murray, *Reason and Society*, pp. 277-278.

⁵⁰ P. Freedman, *Images of the Medieval Peasant* (Stamford, 1999), pp. 133-156 for a discussion

masculine, well-trained body of the knight became the site upon which the values of nobility were foremost inscribed.⁵¹ The 'noble' body was subjected to a regime of exercise to keep it fit and healthy, while the knight's moral superiority was upheld by adhering to the virtuous rules of conduct ascribed to 'noble' behaviour.⁵² This surfaces within romance literature, for example, in the motif of the protagonist being recognised by other aristocrats as a fellow 'noble man', even though he may not know about his origins, or although he may be in disguise to hide his 'noble features'. Once the protagonist is made aware of his noble ancestry, it is extremely easy for him to shake off the fruits of a peasant's upbringing. Perceval, for example, learns excellent fighting skills and 'noble' behaviour almost overnight.⁵³

The ideological rift between aristocratic and non-aristocratic was sustained primarily by positing the aristocratic body against the peasant body, and by ascribing to the two the relative values of beauty and ugliness, reminiscent of the exclusionary strategies in place for the diseased and the

of the peasant as representative of all that is non-aristocratic.

⁵¹ Essentially militaristic, the aristocratic identity construct created a tension with regard to female aristocrats. P.R. Coss, *The Lady in Medieval England, 1000-1500* (Stroud, 1998); J.A. McNamara, 'An Unresolved Syllogism: The Search for a Christian Gender System', in J. Murray (ed.), *Conflicted Identities and Multiple Masculinities: Men in the Medieval West* (New York/London, 1999), pp. 1-24. McNamara argues for the existence of a 'single-gender continuum' evolving out of ancient thought, in which the female gender came to be constructed as 'not masculine'. See also the Introduction above.

⁵² Continual exercise in martial arts and hunting is for example prescribed by Ramon Lull in his treatise on chivalry. Keen, *Chivalry*, p. 9; see also Lull, *Book of the Ordre of Chyvalry*, p. 57 where he explains that a knight should be born in nobility lest his elevation to the knighthood brings dishonour to the whole order of chivalry.

⁵³ See R. Kaeuper, *Chivalry and Violence in Medieval Europe* (Oxford, 1999), p. 191 for examples. Keen, *Chivalry*, p. 143 cites the example of a poor man raised by a friendly abbot as a knight on account of the poor man's ancestry. Also, Bouchard, *Strong of Body*, pp. 3-4. On the opposite end of the scale we find the story of Eustace of Bologne. As a baby, he had once been fed by a handmaiden of his mother, the Countess. When the Countess found out, she tried to remove the milk from the baby, since she regarded it as inferior to her own. The damage was done, however, as it is given as the reason for Eustace's less than noble behaviour; V. Fildes, *Wet Nursing: A History from Antiquity to the Present* (Oxford, 1988), pp. 42-43.

'monstrous'. Andreas Capellanus, in the *Art of Courtly Love* (written c. 1180), has a countess dismiss a burgher for addressing her with words of love by referring to his physique:

Although soldiers ought naturally to have long, slender calves and a moderate-sized foot, ... I see that your calves are fat and roundly turned, ending abruptly, and your feet are huge and immensely spread out so that they are as broad as they are long.⁵⁴

The whole of Andreas's text establishes clear boundaries between the different 'orders' of society in which each member has his or her proper position, founded upon physiology and descent. Hence, the lady of middling nobility is able to say to her bourgeois suitor that she knows 'well what you look like, and the family you come from is obvious.'⁵⁵ The word 'villein', used to refer to peasants, was simultaneously a term of insult when used against an aristocrat and ugliness was generally seen by the aristocracy as a characteristic of the peasantry.⁵⁶ The contrast between noble and non-noble bodies is for example also made clear in the depiction of the aristocracy and their servants in the Luttrell Psalter (c. 1340), in which, it has been argued on occasion, the physiognomical characteristics of the holy are translated upon the bodies of the aristocracy. The servants, on the

⁵⁴ Andreas Capellanus, *The Art of Courtly Love*. Ed. J.J. Parry (New York, 1959), p. 57. See Crouch, *Image of the Aristocracy*, pp. 7-9; Bouchard, *Strong of Body*, pp. 139-141 for brief discussions of the treatise.

⁵⁵ Andreas Capellanus, *The Art of Courtly Love*, p. 46; J. Ziolkosvky, 'Avatars of Ugliness in Medieval Literature', *Modern Language Review* 69 (1984): 1-20; Coss, *Knight in Medieval England*, p. 50 for the views of Chrétien de Troyes (*fl.* 1170-1180s).

⁵⁶ Crouch, *Image of the Aristocracy*, pp. 17-18. The peasant had by the eleventh century become 'an avatar of all that was despicable' (p. 17) both within the context of romance and in the sphere of social relations. The idea behind this stemmed from the Aristotelian perception of the natural domination of the 'free', who possessed superior qualities which made them capable of ruling the 'unfree', those who lacked the necessary talents. The connection between 'freedom' (which according to John Barbour was 'a noble thing') and the beautiful body is easily made. Keen, *Chivalry*, p. 149; Freedman, *Images of the Medieval Peasant*, pp. 72-73, 82-3. In a footnote to p. 133, Freedman provides a bibliography of studies dealing with the harsh social circumstances of the peasantry. For the connection between freedom and nobility see John Barbour, *The Bruce*.

other hand, are frequently depicted as 'short, squat, with bent bodies, dark skin, grotesque expressions, and frizzled hair.' A similar idealisation of the aristocratic body is also found in funerary art, such as effigies.⁵⁷

In this ideology of stereotypes there seems to be hardly any space for the 'self'. The body is forcefully reconstructed to align with the social stereotype imposed upon the individual as a means of symbolically ordering society and enforcing the existing hierarchy. In the social context of this ideology this inevitably creates a tension between the body as object and the body as subject, the social abstractions inscribed upon the body do not always conform to its physicality. The major theme running through this thesis is the exploration of how the physicality of the body is manipulated and even reconstructed in an urge to conform to the ideology of the 'noble' body advanced by the aristocracy. In particular, this comes to the fore in attitudes towards the body in the conceptual void created by death, and the attempts to resist the death of identity with the death of the physical body. Before turning to the subject of the 'corpse', it is necessary to cast a brief glance on the attitudes towards death, in particular on the strategies employed for commemoration and the salvation of the soul, and the position of the dead in medieval society.

Ed. A.A.M. Duncan (Edinburgh, 1997), p. 57.

⁵⁷ D. Hassig, 'The Iconography of Rejection: Jews and Other Monstrous Races', in C. Hourihane (ed.), *Image and Belief: Studies in Celebration of the Eightieth Anniversary of the Index of Christian Art* (Princeton, N.J., 1999), p. 31. Cf. J. Backhouse, *The Luttrell Psalter* (London, 1989), figs. 1, 47 and 48, which were made by the same illuminator. For the connection in art between physical 'abnormality' and spiritual baseness see Mellinkoff, *Outcasts*, Chapter 6. For aristocratic funerary art see the fuller discussion in Chapter 3; see also R. Dressler, 'Steel Corpse: Imaging the Knight in Death', in J. Murray (ed.), *Conflicted Identities and Multiple Masculinities: Men in the Medieval West* (New York/ London, 1999), pp. 135-167; H. A. Tummers, *Early Secular Effigies in England: The Thirteenth Century* (Leiden, 1980).

1.3 DEATH

In the past few years, death in the Middle Ages has been a popular topic of study. As social anthropologists have argued, the way a society disposes of its dead is highly reflective of its attitudes towards death and the culture that constitutes this society.⁵⁸ General introductions as well as more specialised discussions have been written from a variety of perspectives, most notably art history, archaeology and history, from the early medieval to the early Tudor period, and in as wide a geographical space as Western Europe to the more localised setting of the English Midlands.⁵⁹ Many of these studies have common themes: they focus on the rituals of deathbed and funeral, the shape and function of commemoration, and the importance of the afterlife, in particular the development of the doctrine of Purgatory. Rightfully, the position of the soul and its salvation are central to these views on medieval death. However, one aspect is often overlooked or treated summarily, even in discussions about the archaeology of death: the relevance of the cadaver, the physical human body, within the context of Christian death and salvation.⁶⁰ By this I do not mean any discussions on the rise of, for example, the macabre in *transi* tombs and Dances of Death but rather the ways in which the human corpse was perceived and manipulated in the exploration of death's limits and the dialectic of soul and body in relation to the afterlife. I will return to these issues in Section 1.4 below. In order to understand

⁵⁸ Fincune, 'Sacred Corpse, Profane Carrion', p. 41.

⁵⁹ P. Ariès, *The Hour of Our Death* (New York/ Oxford, 1981); P. Binski, *Medieval Death: Ritual and Representation* (London, 1996); C. Daniell, *Death and Burial in Medieval England, 1066-1550* (London, 1997); D.M. Hadley, *Death in Medieval England: an Archaeology* (Stroud, 2001); E.E. DuBruck & B. Gusick (eds.), *Death and Dying in the Middle Ages* (New York, 1999); B. Gordon & P. Marshall (eds.), *The Place of the Dead- Death and Remembrance in Late Medieval and Early Modern Europe* (Cambridge, 2000) to name but a few.

the attitudes of the aristocracy towards death, it will be necessary here to widen our scope and explore more generally the perceptions of death, the afterlife and the boundaries between this life and the next. These can be seen to filter through in the writings about ghosts and bleeding corpses, in burial practices, and in the preparation for death.

1.3.1 'INTER OMNIA TERRIBILISSIMUM EST MORS'⁶¹

Through the media and controversial exhibitions such as *Body Worlds* staged by Dr Von Hagens, we are becoming ever more familiar with the death of the other, while keeping any thought about our own mortality at bay by indulging in the rich popular culture fantasy of the young, slender and healthy body beautiful.⁶² Death pervades newspapers and television programmes, which document war, humanitarian disasters, accidents and terrorist attacks, and it is ever present in popular entertainment. Yet mortality is rarely our own immediate concern, unless we are directly confronted ourselves with a terminal illness or the physiological effects of the ageing process. The ageing body brings with it a supposed alienation from ourselves, a notion informed by the persuasive, but ultimately untenable, image of the everlasting young body. Ageing is seen as a developing sense of alienation from one's body and of losing one's 'self', with death only completing the progress of this loss. According to some, we live in a 'death-denying' society, with the dying hidden away in hospitals and in the care of a

⁶⁰ A notable exception is a volume of *Micrologus* entirely devoted to the corpse: *Il Cadavere: Micrologus; Natura, scienze e società medievali* (7) 1999.

⁶¹ 'The most fearful thing of all is death.' Thomas Aquinas, *Summa Theologia*, I 2, xlii, 2 quoted in R. Woolf, 'Lyrics on Death' in M.S. Luria and R. L. Hoffman (eds.), *Middle English Lyrics* (New York, 1974), p. 297. The article is reprinted from R. Woolf, *The English Religious Lyric in*

few trained professionals. Death is rendered invisible as corpses are increasingly embalmed or hidden away from view.⁶³

However, as Shilling has observed, 'at the same time as death is hidden from the public gaze, there is a growing demand for representations of death.'⁶⁴ The popularity and sensation of an exhibition such as *Body Worlds*, which confronts the audience with real human corpses in an almost unending variety of poses, stages of decomposition and fragmentation, subscribes to this view. By means of a process called 'plastination', the corpse is 'death made visible', its decomposition caught in perpetual stasis for people to view and touch. Nevertheless, this is also death rendered anonymous and objectified in a grotesque manifestation of that which it is not. The prospect of our own death is something terrible and horrific, but we are fascinated by the death of the other.⁶⁵

What seems to be significant is the sublimation of the body in popular culture to such an extent that body is 'self'; we *are* our body more than we *have* it. Within this view it is obvious that any reference to one's own death would automatically bring the horror of 'la mort de soi', the death of 'self'. This is in contrast to medieval attitudes to death. According to Philippe Ariès, for example, the later Middle Ages can be identified as the period in which people were

the Middle Ages (Oxford, 1968), pp. 67-85.

⁶² See for Von Hagen's controversial programme of corpse preservation: www.koerperwelten.de.

⁶³ For an alternative view on the 'death denying society' see C. Seale, *Constructing Death: The Sociology of Dying and Bereavement* (Cambridge, 1998), pp. 53-55. Other 'death' studies include: E. Bronfen, *Over her Dead Body: Death, Femininity and the Aesthetic* (Manchester, 1992); E. Bronfen and S.W. Goodwin (eds.), *Death and Representation* (Baltimore/ London, 1993); E. Hallam, J. Hockey and G. Howarth, *Beyond the Body: Death and Social Identity* (London/ New York, 1999).

⁶⁴ C. Shilling, *The Body and Social Theory* (London, 1993), p. 190.

⁶⁵ See P. Ariès, *The Hour of Our Death* (New York, 1981). This fascination with the death of the 'other' (or 'la mort de toi' as Ariès phrases it) and a certain beautification of death appear to be the product of the nineteenth century. See Bronfen, *Over her Dead Body*. The cadaver as a personification of death pre-dates the medieval period. However, this did not involve an

increasingly concerned with the death of the 'self', marked by a growing awareness of the individual person, expressed in the increased anxiety of personal survival after death and emerging in requests for individualised prayers and masses. In his view, this constituted a refusal to return to anonymity after death.⁶⁶

The unfortunate use of the word 'self' (*soi*) in this context by Ariès obscures the underlying ambiguities of the relationship between body and soul. After death, the soul would live on; in medieval culture death did not mark the end of a person's 'biography' or indeed 'self'.⁶⁷ Moreover, the fear of death was grounded in anxiety about the possibility of dying unprepared. Death was a transitional moment. One's existence in this world would end also ending the possibility of amending any sinful or harmful acts committed during life.

Part of this transition constituted a form of judgement, based on the state of the individual's moral disposition. This first judgement was the logical outcome of the division of the afterlife into Heaven, Hell and Purgatory. Books on the craft of dying well described and visualised the struggle of the forces of good and evil for the soul of the dying and served as a warning to the Christian community.⁶⁸ The 'good death' involved settling one's worldly and spiritual affairs in good time so that the soul would be prepared for its moment of judgement. It also implied a prolonged process of dying to give the individual time to leave this world prepared. The *Histoire de Guillaume de Mareschal*

actualisation of this representation upon real physical bodies.

⁶⁶ Cf. his comments *Hour of our Death*, p. 605. See also Section 1.2.1 above.

⁶⁷ Binski, *Medieval Death*, p. 24. This idea has previously been taken up by Phillipe Ariès in *Western Attitudes towards Death: From the Middle Ages to the Present* (Baltimore/ London, 1974), p. 33. This collection of essays is a form of prologue to his *Hour of Our Death*.

provides an early example of an aristocratic deathbed scene concerning the protagonist, William Marshal earl of Pembroke. Having become seriously ill in January 1219, the seventy-two-year old earl continues to live until May of that year, during which time he rounds up his affairs in the kingdom (having acted as a Regent for the under-aged Henry III) and puts his family's inheritance in order. A testament is drawn up by the bedridden Marshal in conference with his men, and his possessions are distributed amongst his wife, children and selected religious houses. The earl had taken up the habit of the Knights Templar only moments before making his deathbed testament and had willed his body to be buried in the New Temple in London. When he feels death approaching his relatives and retainers are called in and he asks the doors and windows to be opened. At the moment of William's death, in the presence of his family and his knights, he is contemplating the cross in quiet resignation. Death itself, it seems, should not be feared, rather its capacity to strike suddenly and unexpectedly.⁶⁹

Vision literature similarly served the purpose of exegesis on the afterlife as well as being a guideline to the proper way of dying. Often following the standard pattern of a sinner being led through Hell and Heaven and returning to this world repentant to relate his or her experiences, these visions could inspire fear of death as a moment of judgement. The *Visio Tnugdali*, one of the best-known vision narratives pre-dating Dante, is a good example of the exegetical

⁶⁸ Binski, *Medieval Death*, pp. 33-47.

⁶⁹ P. Meyer (ed.) *L'Histoire de Guillaume le Maréchal; Comte de Striguil et de Pembroke, Régent d'Angleterre de 1216 à 1219* (Paris, 1901), 3: 258-266. See also D. Crouch, *William Marshal: Court, Career and Chivalry in the Angevin Empire, 1147-1219* (London/ New York, 1990), pp. 129-131.

nature of the genre.⁷⁰ Tnugdali is an aristocrat, educated to fight and behave courteously. However, his soul is in a very sorry state, because he refuses to think about God or acts of Charity (an important theme running through the narrative). One fine day, as he sits down for his meal, he is struck by death and led on a journey through the afterlife by an angel. As Tnugdali is being instructed, so is his audience. By the end of his journey, our sinner repents and is brought back to life to warn others of the dangers of immoral behaviour. When he awakens, his first act is to receive the Holy Communion and to distribute his possessions among the poor.

The fear of post-mortem judgement was partly deflected by the emergence of Purgatory, an additional sphere of eschatological existence. Its doctrine was officially established at the second Council of Lyons in 1274, but it had been preceded by a growing belief in its existence and scholastic debate about the theological implications of such an intermediate penitential place.⁷¹ The weighing of the sinful soul was still an essential feature of Christian eschatology,⁷² but the existence of a third place, where temporary punishment was meted out to those who were neither entirely good nor entirely evil, meant that there was a greater possibility of influencing the outcome of the judgement

⁷⁰ A. Wagner (ed.), *Visio Tnugdali. Lateinisch und Altdeutsch* (Hildesheim, 1989 [1882]); J.M. Picard and Y. de Pontfarcy (eds.), *The Vision of Tnugdali* (Dublin, 1989). The author of the vision was an Irish monk called Marcus. The date of the vision, which the monk claims to have heard from Tnugdali himself, is given as 1149.

⁷¹ J. LeGoff, *Birth of Purgatory* (Chicago, 1984).

⁷² See Plate 11, Archangel Michael weighing a soul, in Daniell, *Death and Burial*; Binski, *Medieval Death*, p. 43 for Rogier van der Weyden's painting of the Last Judgement at the Hôtel Dieu, Beaune, which features the weighing of the soul prominently. Death was perceived as the immediate result of the Original Sin (Cf. Gen. 3:19) and therefore directly aligned with evil. This is, for example underscored by Honorius of Autun in his *Elucidarium*. According to Bynum, Honorius holds the view that, 'violent, fragmenting death ... is the paradigm of destruction, indeed death (*mors*) is named from bite (*morsus*), and sin is "burial" in the body.' Bynum, *The Resurrection of the Body*, p. 148.

by means of prayer by the living. It provided a middle ground for Everyman, being neither saint nor unrepentant sinner. Those who possessed spiritual purity would immediately ascend to Heaven, but those who were tainted with serious sins and had not been shriven on their deathbed ran the risk of being condemned to eternal torment. For them the path towards salvation would be irrevocably closed and all prayer would be useless. Spiritual death would follow upon physical death.⁷³ Mortal sin, according to the author of the *Fasciculus Morum*, involved any act or word against God's law. It was the intention behind the act of committing a sin which was significant. Therefore, knowingly and voluntarily committing a sin was a mortal offence. Venial (or cardinal) sins were involuntarily committed and could thus be forgiven more easily.⁷⁴ Moreover:

[S]in is called mortal because it renders man spiritually dead. For as people that are literally dead have no relation with the living, so those who are spiritually dead through sin have no share whatsoever in the benefits of the Church, whether militant or triumphant. ... Bernard [of Clairvaux] says in his *Letter to Sophia*: "Without confession the just man is judged to be graceless, and the sinner is held to be dead."⁷⁵

In its description of the loathsome qualities of the owl, the *Bestiary* states that 'it

⁷³ See LeGoff, *Birth of Purgatory*, p. 285 for the statement that the pure shall go to Heaven immediately as found in the writ issued by the second Council of Lyons. For the sinners, see M.W. Bloomfield, *The Seven Deadly Sins* (Michigan, 1967 [1952]). There was a distinction between mortal sins and *cardinal* sins which would not immediately lead to spiritual death. Dante, for example, locates those who have committed cardinal sins in Purgatory (Bloomfield, *Seven Deadly Sins*, p. 157). See also D.L. D'Avray, *Death and the Prince: Memorial Preaching before 1350* (Oxford, 1994), p. 30 note 100 on the different types of death (including spiritual) listed by Jacques de Vitry (d. 1240) in one of his sermons.

⁷⁴ Binski, *Medieval Death*, p. 36.

⁷⁵ S. Wenzel (ed.), *Fasciculus Morum: A Fourteenth-Century Preacher's Handbook* (University Park, Penn., 1989), pp. 32-34 (Latin and English on facing pages): *Et dicitur mortale eo quod spiritualiter hominem mortuum reddit. Nam sicut mortui temporaliter cum vivis non comminiant, sic spiritualiter mortui per peccatum de beneficiis Ecclesie neque militantis neque triumphantis nullatenus participant. ... Dicit Bernardus in Epistula ad Sophiam: "Absque enim confessione iustus iudicatur ingratus et peccator mortuus reputatur."* For the date of the *Fasciculus Morum* see S. Wenzel, *Verses in Sermons: Fasciculus Morum and its Middle English Poems* (Cambridge, Mass., 1978), pp. 26-41.

lives by day and night in graveyards, *just like sinners who delight in their sin, which is the stench of human flesh*'. This provides a significant analogy to the death-resembling spiritual state in which sinners were to find themselves if they refused to feel remorse for their actions.⁷⁶ There is also an implication in both comments of the consequent inefficacy of praying for the damned. These sinners were beyond redemption and were to be forgotten as they writhed in the fires of Hell.⁷⁷

The so-called death of 'self' in the later Middle Ages was therefore more profound than Ariès imagined. It was bound to the fate of the soul in this life and the afterlife as much as to the memory left behind by the deceased in the form of wills, funerary monuments and requests for prayers.

1.3.2 REMEMBERING THE DEAD

For most people, Purgatory was the most likely first destination for the soul after death. The establishment of this third place, formalised at the Council of Lyon in 1274, gave rise to an elaborate programme of prayer and commemoration under the guidance of the Church. Although the torments of Purgatory could be

⁷⁶ R. Barber (ed.), *Bestiary* (Woodbridge, 1992), p. 149. My emphasis. The fifteenth-century Scottish writer Walter Bower inserts in his chronicle an interesting vision of Edward I being carried off into hell by demons, witnessed by one of the late king's knights, a William Bannister. The soul of Edward is swallowed by the mouth of hell, which leads the knight to remark afterwards that 'he is dead, sadly carried off by double death' (... *mortuus est, duplici heu morte preventus*) as a consequence of his evil, sinful, life. Walter Bower, *Scotichronicon*. Gen.Ed. D.E.R. Watt. (Aberdeen, 1991), 6: 332/333 (for Latin with facing English translation). See also John Gower, *Vox Clamantis* in G.C. Macaulay (ed.) *The Complete Works of John Gower: The Latin Works* (Oxford, 1902), pp. 300-302 (lib. 7, cap. 19: *Hic loquitur de duplici morte peccatoris*). For an English translation see E.W. Stockton (ed.) *The Major Latin Works of John Gower* (Seattle, 1962), pp. 277-279.

⁷⁷ Tnugdal's soul, after it has left his body, is beset by 'foul spirits', who taunt it by singing songs about its death and the fires of hell into which it will be thrown: 'Let us sing the hymn of death which is due to this wretched soul, who is a child of death and food for the unquenchable fire'. *Vision of Tnugdal*, p. 114; for the Latin: *Visio Tnugdali*, p. 10. For the connection between sin

gruesome according to the severity of the sins committed, all souls subjected to this purgation were sure of salvation at some point. With prayer (and during life by acquiring indulgences), the time in Purgatory could be shortened.

Prayers could be said either for the dead collectively or for the individual soul. Special commemorative services could be requested on the anniversary of the individual's death in return for gifts of objects or money to the Church. With the earliest evidence for them in the thirteenth century, chantries were increasingly set up by those who could afford them for daily prayers and masses performed by priests, paid for their duties by the deceased (in the form of an endowment) or their relatives. A chantry in its simplest form would be a daily Mass celebrated at an existing altar by an existing priest; in its most expensive form it would mean creating a new chapel attached to an existing parish church or even founding a college of priests to accommodate a perpetual stream of masses and prayers to be sent to Heaven for the founder and his/her family.⁷⁸ Obviously, this not only established a pattern of commemoration for the dead, but also created a continual remembrance of the status of the deceased and their relatives.⁷⁹ Most chantries were set up in parish churches, rather than monasteries, not just by aristocrats but increasingly also by wealthy bourgeois

and treason in John of Salisbury's thought see Section 5.1.1.

⁷⁸ For a more in depth definition of what chantries are, see H. Colvin, *Architecture and the Afterlife* (New Haven/ London, 1991), p. 154; also: G.H. Cooke, *Mediaeval Chantries and Chantry Chapels* (London, 1968 [rev. ed. 1963; 1947]); J. T. Rosenthal, *The Purchase of Paradise: Gift Giving and the Aristocracy, 1307-1485* (London/ Toronto, 1972), p. 31. Chantries reached the height of their popularity in the fifteenth century.

⁷⁹ Daniell, *Death and Burial*, pp. 12-20. Most chantries were created from the mid-fourteenth century onwards, but there are examples of thirteenth-century chantry endowments. E.g. Bishop Hugh of Wells at Lincoln (c. 1235) or Queen Eleanor of Castile (d. 1291) at Harby (Lincs.), York Minster, the Dominican House in London and in Westminster Abbey. In 1230, Henry III established a chantry in the chapel of Westminster Palace for Raymond de Burgh, nephew of Justiciar Hubert de Burgh. Cook, *Mediaeval Chantries*, p. 21; pp. 7-8; *CCR 1227-1231*, p. 417.

families. The commemoration would therefore take place in public circumstances, at a time in which the aristocracy was still concerned with burial in monasteries.⁸⁰ Instead of chantry endowments, aristocrats could contribute financially to monasteries in exchange for inclusion of their names within the obit roll. This list would be read out on certain anniversaries and could be placed on the altar during Mass to secure intercession for those who had died and had their name entered on it.⁸¹

The most obvious outcome of commemorating the dead was the fact that they were kept 'socially alive', continuing some form of existence in the memory of their relatives regardless of the state of their physical body. The dead were a natural part of the social community, and as we shall see below, were found to be frequently communicating with the living.⁸² However, the most notorious sinners would be exempt from this commemorative interaction. Those who ended up in Hell were to be considered physically as well as socially and spiritually dead.

Spiritual aid for the soul was, nevertheless, not the sole reason for commemoration. Despite the apparent growth of a 'personalised' death as described by Ariès, the individual dying person was still deeply rooted within the family structure: aristocratic burial generally took place among ancestors or other relatives, creating a commemorative focal point for future generations. In fact, the deceased became one of the links in the chain of ancestors and descendants. For example, the de Clare family embarked upon an elaborate funerary

⁸⁰ See Chapter 2.

⁸¹ Cooke, *Mediaeval Chantries*, pp. 3-4; Daniell, *Death and Burial*, pp. 18-19.

⁸² The dead are sometimes described as the final age-group of humanity. B. Gordon and P. Marshall, 'Introduction', in idem (eds.), *The Place of the Dead: Death and Remembrance in Late Medieval and Early Modern Europe* (Cambridge, 2000), p. 6.

programme at Tewkesbury Abbey after acquiring the earldom of Gloucester, which was continued by the Despencers after 1317 when Hugh Despenser the Younger obtained the honour of Tewkesbury as part of his wife's inheritance.⁸³

The concentrated burial of relatives was also endorsed further down the hierarchy by the regulation of parish interments. One was to be buried in the parish in which one was baptised, unless this parish did not possess its own graveyard, in which case there would be a burial agreement with a neighbouring parish or a subordinate chapel elsewhere. St Paul's in London, for example, was a focal point of burials from nearby parishes lacking their own cemetery.⁸⁴ If someone decided to be buried in a different parish, payments were to be made to the parish from which the person came.⁸⁵

The major difference between church and graveyard burials was essentially a matter of status. The aristocracy had a greater freedom of choice where to be interred, whereas the lower strata were generally buried in their own parish graveyard. The social hierarchy extended further into death: aristocrats either found interment in front of an altar within the monastic church of their choice, or amongst the abbots and priors (or abbesses and prioresses) within the chapter house. Similarly, within the parish church there was a clear hierarchy of burial space.⁸⁶

⁸³ See Section 2.2 below for the example of the burials of the Clare family at Tewkesbury abbey. Also, Daniell, *Death and Burial*, p. 92, pp. 101-102; B. Golding, 'Burials and Benefactions: An Aspect of Monastic Patronage in Thirteenth-Century England', in W.M. Ormrod (ed.), *England in the Thirteenth Century: Proceedings of the 1984 Harlaxton Symposium* (Grantham, 1985), pp. 64-75.

⁸⁴ V. Harding, 'Burial Choice and Burial Location in Later Medieval London', in S. Basset (ed.), *Death in Towns: Urban Responses to the Dying and the Dead, 100-1600* (Leicester, 1992), pp. 123-125; also Daniell, *Death and Burial*, p. 87; Binski, *Medieval Death*, p. 55.

⁸⁵ Daniell, *Death and Burial*, p. 91; Hadley, *Death in Medieval England*, p. 36.

⁸⁶ Daniell, *Death and Burial*, pp. 96-101.

Within this context of commemoration and the importance of spiritual survival in the afterlife, the moment of complete mortality, both physically and socially, seems to be connected to forgetting. Those who could pay for it ensured their continual spiritual presence through chantry endowments and prayers, as well as through the establishment of a permanent physical presence in the form of a tomb or monument to their memory. By being buried in the graveyard connected to their parish, the less fortunate dead could nevertheless be part of an ancestral presence, which is underscored by the denial of burial within the consecrated ground of their parish to excommunicates and other socially excluded groups. Those who had been hanged were either buried near the gallows or occasionally in a graveyard allocated for the purpose, as for example in Norwich, where the bodies of the hanged were interred in the cemetery of St Margaret in Combusto.⁸⁷

1.3.3 ON THE THRESHOLD OF LIFE AND DEATH

In medieval culture, the dead continued to hold an important social position in the community. Having gone through the transition from this life to the next, the dead were installed as ‘ancestors’,⁸⁸ who through memory, and occasionally their physical presence in a conspicuous grave, would continue to play a role in society’s perception of the status of the surviving relatives. Being able to claim sainthood or heroism amongst one’s ancestors, for example, would increase the

⁸⁷ B. Ayers, ‘Norwich’, *Current Archaeology* 122 (1990): 56-59; Daniell, *Death and Burial*, pp. 104, 120; R.B. Pugh, ‘The Knights Hospitallers of England as Undertakers’, *Speculum* 56, 3 (1981): 566-574. The Knights Hospitallers claimed the right to bury hanged felons. The continuation of ancestral presence would obviously depend on the extent to which a family was settled within a particular parish.

nobility of the bloodline, as would the sheer antiquity of the family.⁸⁹

However, the dead occasionally refused to comply with this relational pattern. Saints, for example, were thought to be physically and spiritually present in their tombs to work their miracles and from the twelfth century onwards this became increasingly signified by the incorruptibility of the saint's body after death. Around 1200, a stained-glass window was placed close to the shrine of Thomas Becket, depicting the saint coming out of his tomb to cure a sick man. If saints were blessed in Heaven, they occasionally came back to earth to guide the living.⁹⁰ Revenants, or ghosts, the unquiet dead, appeared to the living in corporeal form, occasionally possessing the bodies of the living but usually appearing in their own. Sometimes they attacked the living; sometimes they simply requested the completion of certain duties left unfulfilled by sudden death. Most of them had died a bad death.⁹¹ For example, Jacques de Vitry relates how a recently deceased usurer rose from his tomb to chastise the convent for taking his money in exchange for false promises of salvation. According to

⁸⁸ See Binski, *Medieval Death*, pp. 29-30 for his application of Van Gennep's theory of *rites de passage* to medieval funerary rituals.

⁸⁹ See above Section 1.2.2.

⁹⁰ Binski, *Medieval Death*, plate II (between pp. 128-129); A. Vauchez, *Sainthood in the Later Middle Ages* (Cambridge, 1997), p. 429: 'it was generally accepted that the relics continued to live and intervene in events.' According to Ronald Finucane, saints were often depicted as spirits, and thought of as being semi-physically present in their tombs. R.C. Finucane, *Miracles and Pilgrims: Popular Beliefs in Medieval England* (London, 1977), p. 34. See also the examples he lists in his 'Sacred Corpse, Profane Carrion: Social Ideals and Death Rituals in the Later Middle Ages', in J. Whaley (ed.), *Mirrors of Mortality: Studies in the Social History of Death* (London, 1981), p. 52.

⁹¹ On the occasional possession of living bodies by revenants see N. Caciola, 'Spirits seeking Bodies: Death, Possession and Communal Memory in the Middle Ages', in B. Gordon and P. Marshall (eds.), *The Place of the Dead: Death and Remembrance in Late Medieval and Early Modern Europe* (Cambridge, 2000), pp. 66-86. For four early stories dealing with malignant ghosts narrated by William of Newburgh (1136-1198) see J.C. Schmitt, *Ghosts in the Middle Ages: The Living and the Dead in Medieval Society* (Chicago/London, 1998), pp. 82-83. The apparition of the dead in dreams constitutes a different category; although non-corporeal, these ghosts nevertheless appear to the dreamer in bodily form. See Schmitt, *Ghosts in the Middle Ages*, p. 127: St. Malachi's sister appeared in his dream to ask for prayers; LeGoff, *Birth of*

de Vitry, the man howled like an animal and yelled that he had been deceived and was now suffering eternal death. The usurer underscored his message forcefully by breaking several arms and legs of fleeing monks with a candlestick.⁹²

Although revenants form only a small section of the dead, stories about them nevertheless reveal significant information about the attitudes towards the dead and their bodies. This raises the issue of the substance of revenants and whether they are real or imagined. In a collection of late fourteenth-century Yorkshire ghost stories, the 'spirits' (*spiritūs*) possess tangible bodies, capable of helping people carry their loads, and they are recognisable to their neighbours and family.⁹³ There is something 'other' about these corporeal revenants as well, however. In many of these narratives, ghosts are presented as shape-changers, and they often introduce themselves to the unsuspected living in the form of an animal. Most of these ghosts need absolution for sins they have committed, or need help lifting the ban of excommunication from them. Immediately after the spiritual authorities have carried out the request, the revenant is said to rest in peace.⁹⁴

A striking tale, showing the ambivalence of ghostly substance, concerns a woman carrying a ghost on her back into a house. Inside, certain men, witnessing the event, observe how 'the hands of the woman sink deeply into the flesh of the

Purgatory, pp. 79-80 for St. Augustine's views on dream-ghosts.

⁹² Cited in G.G. Coulton, *Five Centuries of Religion* (Cambridge, 1936), 3: 51.

⁹³ See Schmitt, *Ghosts in the Middle Ages*, pp. 198-199 for more examples of the corporeality of ghosts. Also, N. Caciola, 'Wraiths, Revenants and Ritual in Medieval Culture', *Past & Present* 152 (1996): 3-45, who also discusses the corporeality of Icelandic ghosts, the *draugar* (pp. 15-17).

⁹⁴ M.R. James, 'Twelve Medieval Ghost Stories', *EHR* 37 (1922): 413-422; a translation of these stories can be found in A.J. Grant, 'Twelve Medieval Ghost Stories', *The Yorkshire*

ghost as though the flesh were rotten and not solid but phantom flesh.’⁹⁵ The puzzlement expressed by the observers and the author lies in the fact that they expected the ghost to be of a very material substance. Similarly, there appears to be an understanding that it is natural for certain categories of the dead to rise from their graves and roam the earth, not necessarily in a state of decay, but certainly not in a phantasmatic form. For example, Robert, youngest son of Robert de Boltby, was dead and buried, but ‘had the habit of leaving his grave by night and disturbing and frightening the villagers’. He is seized by certain young men of the village and absolved of his crimes by the parish priest, after which he does not disturb people anymore.⁹⁶

These stories are presented in an obvious local setting. Some of the revenants are mentioned by name and are all members of a village community. However, the absence of aristocratic revenants does not necessarily suggest a difference in systems of belief based on social background. Writers such as Walter Map and William of Newburgh include ghost stories within their historical narratives, which were supposedly read by different social groups, including members of the aristocracy.

More important for our purpose here is the corporeality of the revenants and their refusal to submit to the natural category of physical death. The boundary between life and afterlife is blurred and the death of the body is called into question by the ambivalence about the exact moment of demise.

Archaeological Journal 27 (1924): 363-379; Caciola, ‘Wraiths, Revenants and Ritual’, pp. 27-28.
⁹⁵ Grant, ‘Medieval Ghost Stories’, p. 371; James, ‘Medieval Ghost Stories’, pp. 418-419: *manus mulieris demergentes in carne spiritus profunde, quasi caro eiusdem spiritus esset putrida et non solida sed fantastica*. This last clause is translated in Schmitt, *Ghosts in the Middle Ages*, as ‘as if the flesh of that same spirit were a *putrid phantasm*, and not solid’ (p. 146); my emphasis.

Another category of the dead invading the land of the living, which does include aristocrats, can be identified as those whose corpse spontaneously bleeds in the presence of their murderer. Cruentation (from Latin *cruentare* 'to bleed') achieved the status of official judicial proof against a suspected murderer in the sixteenth and seventeenth centuries, although it was influential long before this.⁹⁷ Reminiscent of Abel's blood crying out to Heaven in Genesis 4:10 in accusation of Cain's crime, the bleeding corpse of a murder victim was a testimony against the murderer. The common explanation for this was that the spirits (*spiritūs*) within the corpse of the victim would respond to the presence of the spirits within the murderer. In c.1200, an English anonymous author assembled a series of questions and answers related to science and medicine in one text. In response to the question of why the body of a murder victim would start bleeding from its wounds in the presence of the murderer, the author argues that it would only occur in recent victims and only if there had been an 'exchange' of spirits by means of a weapon. The spirits within the victim would naturally be attracted to the spirits of the murderer; this would manifest itself by an eruption of blood.⁹⁸

Both Platelle and Boureau agree that the earliest known cases of cruentation in France and England date from the late twelfth century, involving

⁹⁶ Grant, 'Medieval Ghost Stories', pp. 369-370; James, 'Medieval Ghost Stories', p. 418.

⁹⁷ A. Boureau, 'La Preuve par le Cadavre qui saigne au XIIIe siècle: Entre Expérience Commune et Savoir Scolastique', *Micrologus* 7 (1999): 247; H. Platelle, 'La Voix du Sang: le Cadavre qui saigne en Présence de son Meutrier' in Anon. (ed.), *La Piété Populaire au Moyen Age: Actes de 99e congrès national des sociétés savantes, Besançon 1974* (Paris, 1977), p. 161.

⁹⁸ B. Lawn, *The Prose Salernitan Questions* (London, 1979), p. 130; cited in Boureau, 'La Preuve par le Cadavre', pp. 256-257. Boureau points out the 'extreme polysemy' of the word *spiritus* in the language of the thirteenth century: 'le même vocable désignait la manifestation d'un revenant, une force naturelle partout répandue, ou les particules d'un système physiologique' (p. 257). See also Caciola, 'Wraiths, Revenants and Ritual', pp. 8-9 for a brief discussion of the different forms of *spiritus*.

mainly men of the Church and a king.⁹⁹ Benedict of Peterborough relates how the corpse of King Henry II started to bleed from the nose the moment his son Richard entered the church in which it had been laid out. Obviously, Richard did not murder his father, but Henry did die while defending his empire against his sons. Apparently, his corpse bled as if Henry's spirit felt displeasure at Richard's approach (*ac si indignaretur spiritus ejus de adventu illius*).¹⁰⁰ Benedict's narrative thus functions as indirect criticism of Richard's behaviour. The son cannot be accused of killing his father literally, but he can be held responsible indirectly for bringing it about through his actions, turning him into a metaphorical murderer. Henry died on 6 July 1189; Richard was said to have visited his father's body the day after. Left to the air, a body will start to decompose immediately after death. Apart from the obvious signs of putrefaction such as discoloration and swelling of the body and face, the emanation of a 'blood-stained fluid' from the nose or the mouth is also a significant element in the decomposition process, so that Henry's nose-bleed was in all probability a coincidence.¹⁰¹

The other example mentioned by both Platelle and Boureau and relevant in this context is the miraculous bleeding of Bishop Thomas de Cantilupe.¹⁰² The

⁹⁹ Platelle, 'La Voix du Sang', pp. 162-167, who lists not only cases from history but also from literature; Boureau, 'La Preuve par le Cadavre', pp. 250-256. Boureau concentrates on the period 1175-1282, in which he identifies five cases, whereas Platelle is more concerned with the sixteenth and seventeenth centuries.

¹⁰⁰ Benedict of Peterborough, *Gesta Regis Henrici Secundi Benedicti Abbatis: The Chronicle of the Reigns of Henry II and Richard I, AD 1169-1192*. Ed. W. Stubbs. RS 49 (1867), 2: 71; Boureau, 'La Preuve par le Cadavre', pp. 250-251.

¹⁰¹ P. Barber, *Vampires, Burial and Death: Folklore and Reality* (New Haven/London, 1988), p. 106. Boureau interprets it as a sign of a king's semi-sacral status, 'La Preuve par le Cadavre', p. 255.

¹⁰² Platelle, 'La Voix du Sang', p. 164; Boureau, 'La Preuve par le Cadavre', p. 254, pp. 258-262. See also N. Vincent, *The Holy Blood: King Henry and the Westminster Blood Relic* (Cambridge, 2001), p. 43.

Bishop of Hereford died in Italy in 1282, while he was entrenched in a dispute with the Archbishop of Canterbury, John Pecham, about jurisdiction in his diocese. Pecham, perhaps losing patience with the situation, excommunicated the bishop, who then set out on a journey to Rome to plead his case before the Pope. He never reached his destination, but died at the Premonstratensian convent of San Severo, near Orvieto, on 25 August.¹⁰³ His body was prepared *more teutonico*: that is, by boiling the flesh from his bones, which were carried back to England with his heart. His flesh and entrails were interred at San Severo 'near the wall by the south doorway used by the canons to enter the Church from the cloister.'¹⁰⁴ During the first stages of his canonisation process, begun in 1307, it was stated that blood (a jar-full) had emanated from the bones of the Bishop as they were carried through the lands of the Archbishop of Canterbury, implicitly accusing Pecham of murdering Cantilupe. During the process, the Franciscans were most opposed to canonisation and denied the truth of this particular miracle, which does not come as a surprise considering that Pecham was a Franciscan himself.¹⁰⁵ In 1283, a year after the Bishop's death, Thomas's cruenation had been the subject of a fierce *quodlibet* between an anonymous questioner and Roger Marston, a former student of John Pecham. To the question why corpses bleed in the presence of their murderer, Roger replied with a scientific explanation involving the body's spirits, rather than counting it as a miracle. As to whether John Pecham could be held a murderer, he replied that

¹⁰³ Vauchez, *Sainthood*, p. 219.

¹⁰⁴ R.C. Finucane, 'The Cantilupe-Pecham Controversy' in M. Jancey (ed.), *St Thomas Cantilupe, Bishop of Hereford: Essays in His Honour* (Hereford, 1982), pp. 103-123. For an account of Thomas's canonisation process, see P.H. Daly, 'The Process of Canonisation in the thirteenth and early fourteenth centuries', in Jancey (ed.), *St Thomas Cantilupe*, pp. 125-135.

this phenomenon only occurred in recent corpses and could therefore not have happened with Thomas's bones. This explanation rendered both the accusation and the case for the potential canonisation of the Bishop null and void.¹⁰⁶

Although bleeding corpses and corporeal revenants are different aspects of the restless dead, it is clear from the above examples that both types of the unquiet dead possessed an energy, referred to as *spiritus*, which had the ability to revive the corpse, to interact with the living, and to accuse a murderer. In these cases, the dead refused to comply with their state of being and would make sure that their affairs in this world were completed properly.¹⁰⁷ To the living, this could be a frightening, even traumatic, experience, which could prompt measures being taken to prevent the corpse from reviving, such as by driving a stake through the body or heart, or the cremation of remains. In one case the legs of a corpse were broken to stop it from wandering outside its grave.¹⁰⁸ A belief in ghosts or bleeding corpses (or saints) implies a perception that the physical remains of the defunct are in some way sentient, aware of the affairs of the living surrounding them and capable of interfering in these events.¹⁰⁹ The dead were

¹⁰⁵ Boureau, 'La Preuve par le Cadavre', pp. 259-260. Liquid pouring from the tombs of the dead was a sure sign of sanctity in this period. Vauchez, *Sainthood*, p. 429.

¹⁰⁶ Boureau, 'La Preuve par le Cadavre', pp. 260-262. This echoes the explanation provided by the author of the Salernitan *quodlibet*. Lawn, *Prose Salernitan Questions*, p. 130.

¹⁰⁷ Caciola refers to this as 'energy still unexpended': premature death, either through violence or through natural causes (but unexpectedly, unprepared) left the corpse with residual 'active' spirits, which sustained a connection between the soul and the body. Caciola, 'Wraiths, Revenants and Ritual', p. 29.

¹⁰⁸ Caciola, 'Wraiths, Revenants and Ritual', pp. 29-37; Schmitt, *Ghosts in the Middle Ages*, pp. 147-148.

¹⁰⁹ However, for an attack by the Church on the belief in the existence of ghosts (without discarding the potency of saints' relics), see Homily 12 in *Twelfth-Century Homilies in MS. Bodley 343*. Ed. A.O. Belfour. EETS, OS 137 (1909), pp. 124-125. The text begins by delivering a 'message from the grave' focusing on the inevitability of death and the need to live a Christian life in awareness of Judgement Day. The homilist tells us:

So, dear men, though dead bones cannot speak from the tombs, we can nevertheless instruct ourselves by them. For we must always remember our

certainly at the centre of society: buried in graveyards in the centre of communal life, in the churches where they could benefit from the intercessory qualities of the Mass and prayers. Some resisted their 'being dead' either by the prior purchase of soul-saving strategies or by articulating their requests for salvation after death through their physical remains.

1.4 CORPSE

Having discussed some key perspectives on death and the afterlife and the role of the body in the formation of identity, it is my purpose in this section to draw the themes of the previous sections together by asking how body and identity could survive death. As we have seen above, the boundary between life and death was frequently crossed by the dead and the living alike, the (un)dead body acting as surface upon which this boundary is visualised.¹¹⁰ Social identity and a sense of 'self' were transferred to the cadaver, despite certain theological views on the corpse as meaningless matter.¹¹¹ Moreover, towards the end of our period, Europe saw the rise of the cadaver in iconography as a symbol of the transience of life, holding up a mirror to the living. In transi-tombs and Dances of Death,

journey hence; and (how) *we never again shall return hither into the world*, so as to be able to do any good, but then the retributions and the things we have done before shall be manifested. ... Then [i.e. at Judgement Day] shall rise from their old tombs all the bodies and the bones, *which for many years were lying dead in slumber and were kept fast by the weight of their sins*.
My emphasis.

¹¹⁰ For anthropological studies which support this view see R. Hertz, 'Death' and 'The Right Hand' (Aberdeen, 1960); P. Metcalf and R. Huntington, *Celebrations of Death: The Anthropology of Mortuary Ritual*. 2nd edition (Cambridge, 1991).

¹¹¹ E.g. Augustine's ideas and their adoption by Thomas Aquinas. Schmitt, *Ghosts in the Middle Ages*, pp. 25-27 on the substance of ghostly bodies according to Augustine, who holds that the corpse does not possess any inherent meaning apart from what social conventions dictate. Aquinas elaborates on this and posits that a *forma corporis* is contained within the soul (which was condemned at Oxford in 1277; Bynum, *Resurrection of the Body*, p. 272). Hence when the

the corpse was profoundly present. In the second half of this section, the tension between identity and death, created by the presence of the corpse, will be examined. In the first half, I intend to explore the durability of the body as signifier of identity and investigate some of the psychological and social responses to the cadaver.

1.4.1 'FOUL AND STINKANDE IS MY ROTTING'¹¹²

As we have seen above, much of a person's identity was thought to be visualised upon the body. The aristocracy constructed themselves as a distinctive social group by means of a fantasy of a whole, healthy and beautiful body, existing in a dichotomous dialogue with other social groups, which were necessarily moulded upon a model of baseness, illness, and ugliness. Moreover, advancing a double concept of nobility, the aristocracy saw themselves as the epitome of moral nobility: a beautiful soul in a beautiful body.¹¹³ This raises a great concern with the body's physical processes of ageing and dying. The body is always in a state of decay and will, after death, start to decompose within hours, threatening at the same time to dissolve this ideological image of aristocratic identity. The ways in which the aristocracy dealt with the inevitable in various ways will be discussed in more detail in later chapters. In this section I will focus on the appropriation of the cadaver as the site of moral judgement and social identity.

The connection between sin and putrefaction on the one hand and

soul leaves the body, the body disintegrates for lack of form to inform its matter.

¹¹² Luria and Hoffman (eds.), *Medieval English Lyrics*, p. 226.

¹¹³ Thomas Aquinas, *Summa Theologia*, 3a, q. 15, art. 4: '...soul and body are one being. So when body is disturbed by some corporeal suffering, soul is of necessity disturbed indirectly as a result.' Quoted in Bynum, 'Bodily Miracles', p. 73.

goodness and beauty on the other pervades medieval discourse on the corpse. As we have seen above, nobility of character would frequently be construed as visible upon the body, while similarly any blemish upon the body was translated into a blemish upon the soul (and vice versa). In death, the body, while vacated by the soul, would continue to be ruled by some kind of residual energy or spirits maintaining a tenuous contact with the soul of the deceased. Gueric of Igny (d.1157), for example, stated that the corpses of sinners would corrupt in their tombs as a taste of what is to come for them after the Last Judgement, whereas the graves of the just would be like gardens.¹¹⁴

The main element of Christian virtuous behaviour was the moral self-control over the body's physicality, regulating its flesh in a strict regime of exercise, abstinence and moderation. The moral superiority of the soul thus reshaped the body to reflect this purity. Particularly virtuous people, who stood a fair chance of being sanctified, possessed bodies with miraculous capabilities.¹¹⁵ This was no different in death. One of the signs of sainthood was the incorruptibility of the corpse, which was dead yet with a semblance of life attached to it: cheeks were rosy, bodies supple without signs of rigor mortis and rather than the stench of putrefaction, the corpse would emit a fragrant odour.¹¹⁶ There is a significant silence about saintly putrefaction. Saints, or potential saints, either had incorruptible corpses, which could be miraculously preserved after years of interment, or they were reduced to the purity of a white,

¹¹⁴ Cited by Bynum, *Resurrection of the Body*, p. 170. Moreover, Gueric discusses spiritual death in terms of the sinful soul being buried within the corrupt body.

¹¹⁵ The twelfth century witnessed an increase in somatic miracles as religious experience focused more on the suffering body of Christ. Bynum, 'Bodily Miracles'.

¹¹⁶ Vauchez, *Sainthood*. Interestingly, future saints such as Edmund of Abingdon and Hugh of

unblemished skeleton.

At the other end of the spectrum, there was the premature putrefaction of the corpses of sinners. The *Speculum Laicorum* relates how in one case a man was hanged without showing repentance for his sins. He was buried by his neighbours in a nearby cemetery. A short time later, he appeared to one of them in a dream as a putrefying corpse emitting a horrible stench.¹¹⁷ Orderic Vitalis, although calling William the Conqueror a just judge, describes the monarch's death and burial in terms of divine retribution.¹¹⁸ After the body had been left on the floor of his palace for a day, deserted by his men (who incidentally had stripped him of all his clothes and riches), the corpse of the Conqueror was carried to the church of St Stephen at Caen. However, his interment was a rather unceremonious affair, since it was interrupted by a fire and a man claiming to own the land on which St Stephen had been built by the Conqueror; it was speeded up considerably after the corpse started to reek.¹¹⁹

To religious writers, the connection between the state of the soul and the state of the body could be a magnificent means of commenting both on the evil pervading secular society and evil manifesting itself in certain people.¹²⁰ Descriptions of 'good' or 'bad' corpses are therefore to be treated with a certain degree of caution. For example, the attempt by Thomas Agnellus to sanctify the

Lincoln are described as being embalmed after death creating a fantasy of corporeal incorruptibility also evident in aristocratic funerary preparations. See Chapter 3.

¹¹⁷ Cited in Finucane, 'Sacred Corpse, Profane Carrion', p. 49.

¹¹⁸ *Vitalis*, 4: 102.

¹¹⁹ *Vitalis*, 4: 100-105.

¹²⁰ The external appropriation of the dead body to give a 'voice' to a particular cause will be examined throughout this thesis. A modern example, cited by Bronfen and Goodwin, is the appropriation of the image of a foetus as an icon for the anti-abortion movement. Here, as in the following examples, the dead are remoulded in discourse and given a new identity. E. Bronfen and S. W. Goodwin, 'Introduction', in Bronfen and Goodwin (eds.), *Death and Representation*

Young King Henry (d. 1183), however selectively he presents his case, is thwarted by the fact that we know from other sources that the Young King died of dysentery.¹²¹ According to Agnellus, the young man's body was found in perfect condition and emitting a lovely odour upon inspection prior to his interment in Rouen Cathedral. Apart from his silence about Henry's debilitating final illness, which hardly constituted a heroic or saintly death, Agnellus also conveniently failed to mention the elaborate preparation of Henry's corpse for transport to Rouen.¹²²

However, for our present purposes, the way in which these chroniclers comment on the state of the body is more important than any hidden political agenda they may have had. Agnellus describes the state of the Young King's corpse in terms of a saintly paradigm, supposedly in an attempt to counter the bad press on the young man. He stresses the good works the Young King has committed during life and the great sadness of the people at his death. The fact that he had rebelled against his father is left unmentioned.

Similarly, the corpse provided religious commentators with a potent signifier of amorality and sin. As has been noted above, death was constructed as a product of Original Sin and was often used to symbolise the state of the lapsed soul. With the death of Christ mankind was saved from the depths of Hell, excepting persistent sinners. The body, in intimate relationship with the soul, acted as a 'projection screen' for moral character in an attempt to interpret and

(Baltimore/ London, 1993), p. 9.

¹²¹ Thomas Agnellus, 'Sermo de Morte et Sepultura Henrici Regis Junioris' in J. Stevenson (ed.), *Radulphi de Coggeshal Chronicon Anglicanum*. RS 66 (1875), pp. 265-273; W.L. Warren, *Henry II* (London, 1973), p. 593.

¹²² Angellus, 'Sermo de Morte', p. 271; Benedict of Peterborough, *Gesta Regis Henrici Secundi*

manipulate physiological processes.¹²³ When John Gower, for example, commented on the state of the world in his *Vox Clamantis*, he regarded the putrefying corpse as a symbol for each of the Seven Deadly Sins. As death and sin collapsed to form a single ideological construct, the rotting corpse became a symbol of evil and impurity.¹²⁴ The death and burial of Henry I in 1135, which sparked a mixed report, can be used to illustrate the point further.

Both Orderic Vitalis and Henry of Huntingdon provide an elaborate account of the king's death, the preparation of his corpse and its journey to Reading Abbey where it was ultimately buried. The silence of these authors on the subject of Henry's death and burial is as telling as what they do say. Orderic, on this occasion, gives his readers the bare facts and is mildly sympathetic towards the dead king. Henry of Huntingdon, on the other hand, uses the opportunity to elaborate extensively on the state of the king's corpse and how it represents the state of his soul.¹²⁵ On 1 December 1135, Henry I died near Rouen from eating an excess of lampreys, of which he was very fond and which he had continued eating despite a health warning from his doctor.¹²⁶ According to

Benedicti Abbatis: The Chronicle of the Reigns of Henry II and Richard I, AD 1169-1192. Ed. W. Stubbs. RS 49 (1867), 1: 301.

¹²³ For this phrase see M. Merback, *The Thief, the Cross, and the Wheel: Pain and the Spectacle of Suffering in Medieval and Renaissance Europe* (London, 1999), p. 137.

¹²⁴ Gower, *Vox Clamantis*, lib. 7, cap. 9-15. Macaulay (ed.), pp. 291-296.

¹²⁵ *Vitalis*, 6: 448-451 (Latin with facing English translation); *Huntingdon*, pp. 254-257. Henry was archdeacon of Huntingdon, writing during the last years of Henry I's reign up to the end of Stephen's reign (his chronicle spans 55BC-1154AD). A. Gransden, *Historical Writing c. 500-c.1307* (London, 1974), pp. 193-201 and in particular p. 197 on Henry I. Orderic Vitalis, a monk at St. Évroul in Normandy, wrote his chronicle between 1114/5-1141 (*ibid.* pp. 151-152). William of Malmesbury, a contemporary of both chroniclers, mentions the preparation of the king's corpse, but only states that it was done to preserve it from putrefaction. He interpolates the narrative of Henry's last journey to Reading with an account of the coronation of Stephen, thus establishing a metaphorical continuity of leadership. William of Malmesbury, *Historia Novella: The Contemporary History*. Ed. E. King (Oxford, 1998), pp. 26-31 (Latin with facing English translation).

¹²⁶ *Huntingdon*, p. 254.

Orderic, the king still had time before he died to settle his affairs; Huntingdon is silent about this.¹²⁷ His body was taken to Rouen the following day to prepare it for its journey to Reading, where the king had wished to be interred. From both narratives it is clear that the body was eviscerated and extensively embalmed. However, from Huntingdon's description it becomes evident that this did not prevent the corpse from decaying.¹²⁸ The chronicler is systematically graphic when describing the state of the king's body, which was not only eviscerated but also had the eyes and brain removed.¹²⁹ The rest of his body was cut open with small knives, salted and wrapped in ox hides. While removing the brain, the people preparing the corpse noted that it had started to putrefy already. The person in charge of extracting the royal brain died a short time afterwards as a result, the 'last of many the king had murdered'. Others had similarly been infected by the stench emanating from the royal remains. It became worse. While awaiting the next stage of the journey in the Church of St Stephen at Caen, where his father had been interred in so much hurry, the corpse was pickled once more and more hides were wrapped around it. Yet a black liquid poured forth from the remains, accompanied by a horrible smell. To Huntingdon it is clear that this is a sign of the late king's love of riches, his tyranny, his gluttony (hence the surfeit of lampreys) and his pride (ignoring the advice of his doctor).¹³⁰ All of King Henry's bad characteristics seem to be transposed upon the misbehaving royal corpse.

¹²⁷ *Vitalis*, 6: 448.

¹²⁸ *Huntingdon*, p. 257; *Vitalis*, 6: 450. Orderic uses the phrase *peritus carnifex*, 'skilled butcher' to indicate that the body was properly prepared.

¹²⁹ The brain is among the first organs to decay after death. See J. Glaister and E. Rentoul, *Medical Jurisprudence and Toxicology*. 11th edition (Edinburgh, 1962), p. 117 for a list of early

Even people considered to be the epitome of chivalry were not exempted from religious scrutiny when it came to their body. Matthew Paris recounts how the body of William Marshal, earl of Pembroke, was found in the New Temple Church in the year it was dedicated (1240). Although still intact and wrapped in hides, the corpse was found to be stinking and putrid, which the bystanders found highly detestable. Matthew consciously creates a connection between the earl's corpse and the fact that he died excommunicate, a fact glossed over in the *Histoire de Guillaume le Maréchal*.¹³¹

Foul smells, putrid flesh, people dying from contact with the corpse, and statements of moral corruption: the dead body constituted a site of danger caused by the physiological processes of decay which had the capacity to magnify the evil of sins committed during life. As we have seen, the bodies of saints, in contrast, appeared to magnify the virtue of their souls, a paradigm which could be adapted to suit the agenda of a supporter such as Thomas Agnellus, who wrote a eulogy of the Young King shortly after his death in 1183.¹³² The construction of the corpse as site of the enactment of good and evil creates a significant tension between this ideological discourse and the physiological reality of the decaying body. The putrid cadaver is almost universally viewed as impure, dangerous, evil, and it is only after it has been reduced to the bare skeleton that the dead are reinstated within the safe boundaries of the social

and late putrefying organs.

¹³⁰ *Huntingdon*, p. 257.

¹³¹ Matthew Paris, *Chronica Majora*, 4: 494-495; Meyer (ed.), *L'Histoire de Guillaume le Maréchal*, 3: 265-267.

¹³² Compare this, for example, with Peter of Langtoft's narrative of Edward I's last journey to Westminster Abbey in the summer and autumn of 1307: lasting over four months the king's corpse was in perfect condition because it was 'baumez just'. Peter of Langtoft, *Pierre de Langtoft: Le Règne d'Éduoard I^{er}*. Ed. J.C. Thiolier (Créteil, 1989), 1: 429.

order.¹³³ Human flesh is therefore shrouded in ambiguity. Being stained with sin and therefore mortal, it symbolised the evil inherent in humanity since the expulsion from Eden. In death, flesh is that which becomes putrid and liquid, posing a danger to those coming into the presence of the cadaver.¹³⁴

As a consequence, it appears that the flesh was of lesser eschatological importance than the skeleton. Whereas skeletal remains are extremely durable, soft tissue starts to liquify and dissolve soon after death. This ambiguity of flesh is a sentiment voiced most strikingly in Pope Boniface VIII's Bull *Detestande Feritatis*, issued in 1299, in which he expresses great concern about the practice of *mos teutonicus*, the boiling of corpses for transport. To deny the cadaver its natural and divine course of decay is an utter abomination and invites excommunication. The body, made in God's image, is to be given its due respect. If, he suggests, a person dies too far from the site selected for burial, let that person be interred at the site of death and be translated *after* the flesh has turned to dust.¹³⁵ Scholars are still debating the possible reasons for the issuing of this Bull, since it did not provide a theological or philosophical argument

¹³³ The most influential anthropological study on death practices is Hertz, *'Death' and 'The Right Hand'*, pp. 27-86. His observations about the impurity of the corpse and the taboos surrounding the dead and their relatives have been elaborated upon, for example, by M. Douglas, *Purity and Danger: An Analysis of concepts of Pollution and Taboo* (London/ New York, 2002 [1966]). Coming from a psychoanalytical corner, Kristeva observes that the corpse as 'abject' is not the result of ideas about health or cleanliness but of ideas about order and identity, which are being violated by the presence of the cadaver. J. Kristeva, *Powers of Horror: An Essay on Abjection* (New York, 1982), p. 4. In her work on the resurrected body, Bynum frequently points out the religious and cultural fear of decay in the Middle Ages. Cf. Bynum, 'Bodily Miracles', p. 77.

¹³⁴ According to Roger Bacon, who may have been an influence on Boniface VIII's thoughts on *mos teutonicus*, the putrefaction of the corpse was intimately connected to the fallacy of the flesh. However, it was possible to halt decay by living according to high moral standards through fastidious care of the living body. E.A.R. Brown, 'Authority, Family, and the Dead in Late Medieval France', *French Historical Studies* 16 (1990): 827; F. Santi, 'Il Cadavre e Bonifacio VIII, tra Stefano Tempier e Avicenna: Intorno ad un Saggio di Elizabeth Brown', *Studi Medievali* 3rd series, 28 (1987): 861-878; A. Paravicini-Bagliani, *The Pope's Body*, pp. 204-208. The process of ageing could be halted by seeking corporeal harmony and equilibrium, i.e. stasis.

against *mos teutonicus*, and which seems to have aggravated the French royal family at a time at which relations between them and the papacy were already strained.¹³⁶ Whether his ideas were inspired by alchemical theories, which insisted on putrefaction as a necessary step towards perfection, or the continued interest at the papal court in the ‘prolongation of life’ (*prolongatio vitae*), the Bull draws our attention to the fact that there is a liminal period after the death of the physical body, in which the deceased is neither completely dead nor technically alive.¹³⁷ In the next section, we shall look more closely at this liminal stage of the corpse in which identity and wholeness are under threat of dissolution and fragmentation.

1.4.2 IDENTITY IN DEATH

If the enfleshed corpse was a sign of evil and a danger to its environment, it also continued to be the carrier of ‘self’ and ‘social’ identity. Enfleshed ghosts were recognised by relatives, friends and neighbours. While the skeleton was believed to carry the essence of the deceased, it nevertheless needed an external signifier, without which identification was impossible.¹³⁸ Saints’ relics were therefore increasingly stored in so-called ‘speaking reliquaries,’ containers revealing the

¹³⁵ E. A. Friedberg and E.L. Richter (eds.), *Corpus Iuris Canonici* (Graz, 1959 [1879]), 2: cols. 1271-1272.

¹³⁶ 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): 247. The Bull will be discussed in more detail in Chapter 3.

¹³⁷ Paravicini-Bagliani, *The Pope’s Body*, pp. 225-234. On Boniface’s interest in alchemy and the prolongation of life, see Paravicini-Bagliani, ‘The Corpse in the Middle Ages’, in P. Linehan and J.L. Nelson (eds.), *The Medieval World* (London/ New York, 2001), pp. 338-340; Bynum, ‘Material Continuity’, p. 269. Putrefaction was considered imperative for regeneration in alchemic thought. Brown, ‘Death and the Human Body’, p. 223 makes the observation that Boniface’s ideas resemble closely the notion of ‘wet’ and ‘dry’ matter in relation to the practice of first and second burial studied by the anthropologist Robert Hertz.

¹³⁸ P.J. Geary, *Furta Sacra: Thefts of Relics in the Central Middle Ages* (Princeton, 1990 [1978]),

shape of the relic within, enveloping the relic in artificial skin made of precious materials.¹³⁹ This is not to say that the skeleton was without significance itself. It was, for example, presented as a sign of the spiritual potency of the Bishop of Hereford that his *bones* cruentated while passing through the lands of the Archbishop of Canterbury in 1283.¹⁴⁰ Also, when the German Emperor Frederick Barbarossa died on crusade in 1190, his bones were sent to Tyre to complete the pilgrimage he was intending to embark upon.¹⁴¹

The loss of identity lies at the heart of the battle against the decay of the corpse. As Vanessa Harding has argued, the success of this resistance to ‘depersonalisation’ very much depended on status and the financial circumstances of the deceased. Elaborate tombs, commemorative masses and prayers, and endowments all contributed towards keeping the memory of the individual alive. On the other end of the scale, the poor often ‘lost’ their identity soon after or even before death, depending on their deathbed circumstances.¹⁴² This emphasis on the role of the body in determining identity should not be underestimated. The corpse is by nature objectified, leaving it vulnerable to external appropriation, or indeed of becoming ‘abjectified’. On the other hand,

p. 5.

¹³⁹ Bynum, ‘Material Continuity’, pp. 270-271; Bynum, *Resurrection of the Body*, pp. 211-212. Much of this section dealing with wholeness and fragmentation is inspired by Bynum’s study of the resurrected body in medieval theology and religion.

¹⁴⁰ See above Section 1.3.3. Saints’ relics were frequently known to ooze liquid.

¹⁴¹ Paravicini-Bagliani, ‘The Corpse in the Middle Ages’, p. 328; D. Schäfer, ‘Mittelalterlicher Brauch bei der Überführung von Leichen’, *Sitzungsberichte der preussischen Akademie der Wissenschaften* (1920): 478. As we shall see in a later chapter, the integral burial of the skeleton was perceived to be of greater importance than burial with the flesh.

¹⁴² Harding’s study is concerned with the level of control exercised over the bodies of the deceased. The poor fell victim to ‘depersonalisation’ sooner than the wealthy for lack of control over how bodies would be disposed of. V. Harding, ‘Whose Body? A Study of Attitudes Towards the Dead Body in Early Modern Paris’, in B. Gordon and P. Marshall (eds.), *The Place of the Dead: Death and Remembrance in Late Medieval and Early Modern Europe* (Cambridge, 2000), pp. 170-187.

and this is related to the fear of the abject, the attempts to keep the idea of a putrefying corpse from the consciousness echoes the dread of the destruction of the phantasmatic 'whole' body. The fear of fragmentation lurks in every corner and is in particular visible in the ideological body of the aristocrat.¹⁴³ Like the monstrous, stigmatised and marginalised elements in society, the putrefying cadaver is perceived as the ultimate 'other', external to the fantasised coherence of social identity.

What are the strategies employed to postpone this dissolving body/identity? It has already been observed that physical death did not necessarily coincide with social death. Ghosts roamed the earth, corpses bled in the presence of their murderer, the poor often 'died' socially before physically dying, and often those riddled with physically deforming diseases were marked by the community as somehow socially different.¹⁴⁴

The fear of the dissolution of the body and the gradual process of alienation of a familiar identity masked itself from the twelfth century onwards by increasingly shrouding cadavers before burial to hide the gruesome reality of the disintegrating body.¹⁴⁵ This does not mean, however, that the corpse lost meaning. It is also from this period onwards that it becomes more common for the elite to have their body in some way preserved after death. Embalming techniques were applied (not always successfully) to halt decay during the period

¹⁴³ Citrome, 'Bodies that Splatter'; Cohen et al., 'Armour of an Alienating Identity'.

¹⁴⁴ Harding, 'Whose Body?'. The rite of the separation of lepers, mentioned by Richards in *The Medieval Leper and his Northern Heirs* (Cambridge, 1977), pp. 123-124, as being a general medieval English practice, has now been discounted. See N. Orme and M. Webster, *The English Hospital 1070-1570* (New Haven, 1995), pp. 29-30. Hallam et al. posit a social agency of the defunct *beyond* the body, essentially dislodging the idea of a material presence in favour of a fully constructed state of being located mainly in the minds of the survivors. Hallam et al, *Beyond the Body*.

between death and burial, and even slowing it down afterwards, judging from archaeological discoveries.¹⁴⁶ The main objective seems to have been to hide physiological reality behind a mask of wholeness for the duration of the funeral preparations. In a sense, the fantasised wholeness imposed upon the living body continued to cover the inevitable dissolution of the corpse. The body was denied its fragmentation, its return to a *corps morcelé*.¹⁴⁷

On the other end of the scale, fragmentation was increasingly forced upon adverse elements within society, such as traitors and other criminals. Towards the end of the thirteenth century, common criminals could be dissected for medical purposes, whereas aristocratic traitors were increasingly drawn, hung, beheaded, quartered and occasionally disembowelled instead of being sent into exile.¹⁴⁸ In these cases, the disintegration of the body was applauded as a judicial strategy of social exclusion by reconstructing the criminal as alien to the social group.

Preservation techniques were not the only strategy employed to keep thoughts about corporeal (and therefore identity) dissolution at bay. Treading a

¹⁴⁵ Ariès, *Hour of our Death*, pp. 168-173.

¹⁴⁶ See H.G. Ranum, 'The Tombs of Archbishops Walter de Grey (1216-1255) and Godfrey de Ludham (1258-1265) in York Minster and their Contents', *Archaeologia* 103 (1971): 101-147; J. Ayloffe, 'An Account of the Body of King Edward the First as it appeared on Opening of his Tomb in the Year 1774', *Archaeologia* 3 (1786): 376-413. Preservation techniques will be discussed in more detail in Chapter 3.

¹⁴⁷ This creates an interesting tension with the later medieval fascination with the macabre: cadavers in a state of certain decay are aestheticised in funerary and religious art to impart a didactic message to the spectator. Yet, this does not mean that the human corpse was suddenly less threatening: by representing the corpse in material such as stone, a sense of perpetual stasis was achieved in a way similar to Gunther von Hagens's work mentioned previously. This idea of stasis rendered the destructive and chaotic properties of the corpse powerless. See also Binski, *Medieval Death*, Chapter 3.

¹⁴⁸ See Section 4.3. The earliest recorded autopsies were performed in Italy, mostly on criminals, but also in a forensic context on the bodies of those who had died in suspicious circumstances. K. Park, 'The Life of the Corpse: Division and Dissection in Late Medieval Europe', *Journal of the History of Medicine and Allied Sciences* 50 (1995): 114. She attributes the fact that dissection

dangerous line (as we shall see) between reality and fantasy, corporeal fragmentation was an accepted fact of life with regard to saints' relics (saints being after all a special category of the dead). In discussions about the presence of saints in their relics, it came to be accepted that 'part could stand for whole'. In an attempt to counter any fears about the potency of one relic of the same saint above another, it was argued that the saint was equally present in all parts of his or her body.¹⁴⁹ With the aristocracy increasingly creating personal relic collections, it is easy to see how ideas about saintly synecdoche could be translated to suit an aristocratic ideology of the body.¹⁵⁰ It is important to understand, however, which parts of the body could safely be separated from it without endangering the imagined wholeness of the corpse. In the first instance, organs such as the heart, entrails and brain could be removed without compromising the body's integrity. On a second level, it was important to keep the skeleton together. Flesh could be discarded if necessary, but the bones had to be reassembled and interred in one place.¹⁵¹ The tensions between the two funerary practices, which surface in these two strategies, will be discussed in Chapter 3.

In the following chapters, issues of wholeness and fragmentation, which

was more common in Italy compared to northern Europe to a difference in attitude towards the dead body.

¹⁴⁹ Bynum, 'Material Continuity', p. 285; W. Gewehr, 'Zu den Begriffen *Anima* und *Cor* im frühmittelalterlichen Denken', *Zeitschrift für Religions- und Geistesgeschichte* 27 (1975): 45.

¹⁵⁰ Geary, *Furta Sacra*, p. 44; Duby, 'Diffusion of Cultural Patterns', p. 3. Vincent, *Holy Blood*, pp. 137-139: Edmund Plantagenet, Henry III's nephew brought back a phial containing some of Christ's blood, which he donated to his father's monastery of Hailes (Oxfordshire). In Paris, the Sainte-Chapelle was built to house the relics gathered by King Louis IX; P. Binski, *Westminster Abbey and the Plantagenets: Kingship and the Representation of Power 1200-1400* (New Haven, 1995), pp. 106, 145.

¹⁵¹ See Chapter 3. This of course excluded the relics of saints.

surface in the fear of the decaying corpse will be explored in relation to the aristocratic self-image of the whole, uncorrupted, body. The first two chapters focus on funerary practices, which in the course of the thirteenth century increasingly involved the division of the body for multiple burial. We shall see that, despite the initial paradox of wholeness in division, multiple burial in fact strengthened the image of the nobility of the aristocracy by appropriating saintly attributes without the claim to sainthood. The last two chapters are devoted to the negative side of this image of nobility founded upon incorruptibility, when we look at the destruction and fragmentation of the bodies of aristocratic traitors. Through their juxtaposition, these different treatments of the body reveal the extent to which the aristocracy grounded its identity in ideas of psychosomatic perfection as a means of achieving the demarcation of their social boundaries.

CHAPTER 2
RESTING IN PIECES
ARISTOCRATIC FUNERARY PRACTICES

Death was central to medieval Christian belief. It marked the transition between this world and the next; it was the product of Original Sin; it was a grim reminder of the transience of earthly life and of the need for devotion. Although Purgatorial fire was increasingly seen as a necessary station on the way to salvation, and the amount of time spent in it was believed to depend partly on the prayers of one's survivors, it did by no means eradicate the need for a devout life while in this mortal coil. Male aristocrats, embracing the martial qualities of knighthood, were fervent benefactors of religious houses in the twelfth and the early thirteenth centuries to counter the potentially soul-endangering activities associated with being a warrior elite.¹

Heartfelt or *pro forma* benefaction of religious houses, however, was not just a matter of piety and the fear of God. As we shall see in Chapters 2 and 3, the often intimate relationship between benefactors and the monasteries they endowed was predicated upon the individual desires of the aristocracy. Donors often wished to become part of the *familia* of the monastery; they desired burial within its precincts and occasionally demanded a 'voluntary' gift of money from the recipient house for land donated to it. As Hill observed with regard to the relationship between the Cistercians and their benefactors, the latter often saw

¹ During the thirteenth century, there was a shift from endowing monastic houses to patronising friaries. See below for the impact of this on aristocratic burial practices. Cf. C. Holdsworth, 'Royal Cistercians: Beaulieu, her Daughters and Rewley' in P.R. Coss and S.D. Lloyd, *Thirteenth Century England IV: Proceedings of the Newcastle upon Tyne Conference 1991* (Woodbridge, 1992), p. 139.

‘their’ religious house as a means to enhance their social status.² On the other hand, aristocratic association with a particular religious house was seen as potentially beneficial to it. Monasteries were often dependent on the lands and tithes they received from benefactors for their basic survival.

In this chapter, we shall explore the relationship between the aristocracy and the religious houses they endowed, in particular with regard to its bearing upon the funerary practices of the former. The aristocracy in general preferred the sacrosanct burial space of the monastery, and in this chapter we shall trace the developments and variations within aristocratic funerary behaviour, paying particular attention to the division of the body to accommodate interment in more than one religious house. The next chapter will focus more closely on the consequences of multiple burial for the fantasised aristocratic body and on the tensions arising from this on the mental perception of a ‘whole’ body, which disavows the threat of a dissolving corpse. This chapter focuses first of all on the burial behaviours of one family viz. Richard Plantagenet and his wives and children, which takes the form of a case study. This then leads into a wider discussion of the relationship between the aristocracy and religious houses, which concentrates in particular on the aristocratic presence within monasteries. Finally, the focus turns to aristocratic funerary preparations and burial practices, which connected the aristocrat to the religious establishments in complex genealogical and social relationships.

² B. Hill, *English Cistercian Monasteries and their Patrons in the Twelfth Century* (Urbana, 1968), p. 55. Christopher Holdsworth makes an important distinction between patron and benefactor. See C. Holdsworth, *The Piper and the Tune: Medieval Patrons and Monks* (Reading, 1991), p. 5. Also see E. Mason, ‘Timeo Barones et Donas Ferentes’, in D. Baker (ed.), *Religious Motivation: Biographical and Sociological Problems for the Church Historian* (Oxford, 1978),

2.1 A TYPICAL FAMILY? RICHARD, EARL OF CORNWALL (1209-1272) AND HIS RELATIVES

To take King Henry III's younger brother and his family as an example of typically elite funerary practices may seem to direct the attention away from the wider issue of aristocratic multiple burial. Being closely related to the English monarchy and being a crowned monarch himself may not make Richard Plantagenet the most obvious candidate for an introduction to the burial patterns of the aristocracy.³ On the other hand, the deaths and burials of Richard and his family (see Fig. 1 below) do provide an excellent bridge between the pomp of a royal funeral and the increasingly elaborate funerals of the aristocracy. The practice of multiple burial proliferated in the thirteenth century before it declined dramatically after the issue of the thunderous papal Bull *Detestande feritatis* in 1299 by Boniface VIII.⁴ Multiple burial was first of all a consequence of the need for the corpse to be conserved or transported from the site of death to the site of burial. The importance attached to where one's earthly remains should rest is in itself indicative of the centrality of the body within Christian eschatology and it should not be a surprise that the practice of multiple burial was widely disseminated among aristocratic imitators of the 'royal custom'.⁵ As we shall see, the deaths and interment strategies employed by Richard and his family echo the practices of royalty and aristocracy.

pp. 61-75. Holdsworth warns against taking the religious motivation of endowments for granted.

³ For his biography see N. Denholm-Young, *Richard of Cornwall* (Oxford, 1947).

⁴ See below, Section 3.2.2.

⁵ See Chapter 3; A. Erlande-Brandenburg, *Le Roi est Mort: Étude sur les Funérailles, les Sépultures et les Tombeaux des Rois des France jusqu'à la Fin du XIIIe Siècle* (Genève, 1975), p. 27. For a discussion of the importance of the physical body in Christian eschatology see for example C.W. Bynum, *The Resurrection of the Body in Western Christianity 200-1336* (New York, 1995).

Richard Plantagenet, king of the Romans and earl of Cornwall, died after a long and grave illness at his manor of Berkhamsted 2 April 1272.⁶ Being one of the leading magnates of the Realm he had been closely involved in the government of his brother Henry III, he had taken part in a Crusade, and he became a king in his own right in 1257 when he was crowned as 'King of the Romans'.⁷ During one of his stays in England, he had founded the Cistercian monastery of Royal Hailes in Gloucestershire, which was populated from his father's foundation at Beaulieu, supposedly fulfilling a promise he had made after nearly losing his life at sea in 1243 on return from Gascony.⁸ In response to his father's deathbed request for a small chantry of secular priests on the Island of Osney (near Oxford), Richard's son Edmund decided to found another Cistercian monastery going by the name of *Sancta Maria de Regali Loco*, or Rewley.⁹ Apart from Hailes, Richard founded an Augustinian nunnery at Burnham (Buckinghamshire) and he was a benefactor of the Trinitarian friars at Knaresborough (Yorkshire).¹⁰ Moreover, there is a suggestion that he and his second and third wives were great benefactors of the Oxford Franciscans, aiding, for example, the enlargement of their church.¹¹

⁶ *Ann. Hailes*, pp. 79-80. (This edition is based on BL MS Cotton Cleopatra D iii, which is dated c. 1300).

⁷ Denholm-Young, *Richard of Cornwall*, p. 92.

⁸ *Ann. Hailes*, p. 61; *Ann. Waverley*, p. 337; Denholm-Young, *Richard of Cornwall*, p. 50. The church of the monastery was dedicated in 1251 by Walter de Cantilupe, Bishop of Worcester (*ibid.*, p. 76). The Hailes Annals are closely related to those of Tewkesbury (*Ann. Hailes*, p. 61, note 1). The promise of founding a monastery in the face of death was a common motive.

⁹ Holdsworth, 'Royal Cistercians', pp. 140, 142; L.M. Midgley (ed.), *Ministers' Accounts of the Earldom of Cornwall 1296-1297*. Camden Society, 3rd series 66, p. xi. *VCH Oxfordshire*, 2: 81-83. Most of the Island of Osney was in the possession of the Augustinian priory of Osney.

¹⁰ Holdsworth, 'Royal Cistercians', p. 144. Hailes, however, received the largest endowments.

¹¹ A. Wood, *Survey of the Antiquities of the City of Oxford*. Ed. A. Clark (Oxford, 1889-1890), 2: 384; A.G. Little, *The Grey Friars in Oxford* (Oxford, 1892), p. 25. A letter to Sanchia, Richard's second wife, has survived in which the author expresses his gratitude for her kindness towards the Oxford Franciscans. J.S. Brewer, *Monumenta Franciscana*. RS, 4 (1858), 1: 292.

Edmund, his second surviving son and successor to the earldom of Cornwall, made most of his donations to Hailes and to Rewley. In 1271, he paid for the rebuilding of the church at Hailes, which in 1300 also received in farm fee his manor of Lechlade, which had been part of his mother's dower.¹² Furthermore, in 1283 he endowed a college of Bonhommes at his manor of Ashridge, in honour of the Blood of Christ.¹³ It was not a large endowment and could initially sustain only a small group of men. When the church was dedicated in 1286, Edmund presented the college with a relic of the Holy Blood, which he had obtained during a visit to Germany in 1268. It was deposited in a shrine, which already contained the heart of Thomas of Cantilupe, Bishop of Hereford, who had died in Italy in 1282.¹⁴ Hailes Abbey had earlier received another portion of the relic and in 1270 work on a new polygonal apse had started in the abbey church in order to create a shrine for it.¹⁵ Nicholas Vincent suggests that part of Edmund's concern with Hailes stemmed from the disappointment of having lost the kingship of Germany. Since the Holy Blood relic came from the German stronghold of Trifels, an important and large treasury in which, for example, the imperial crown jewels were stored, it provided a connection with the past splendour of his father's kingship.¹⁶

¹² Denholm-Young, *Richard of Cornwall*, p. 164; *VCH Gloucestershire*, 2: 97.

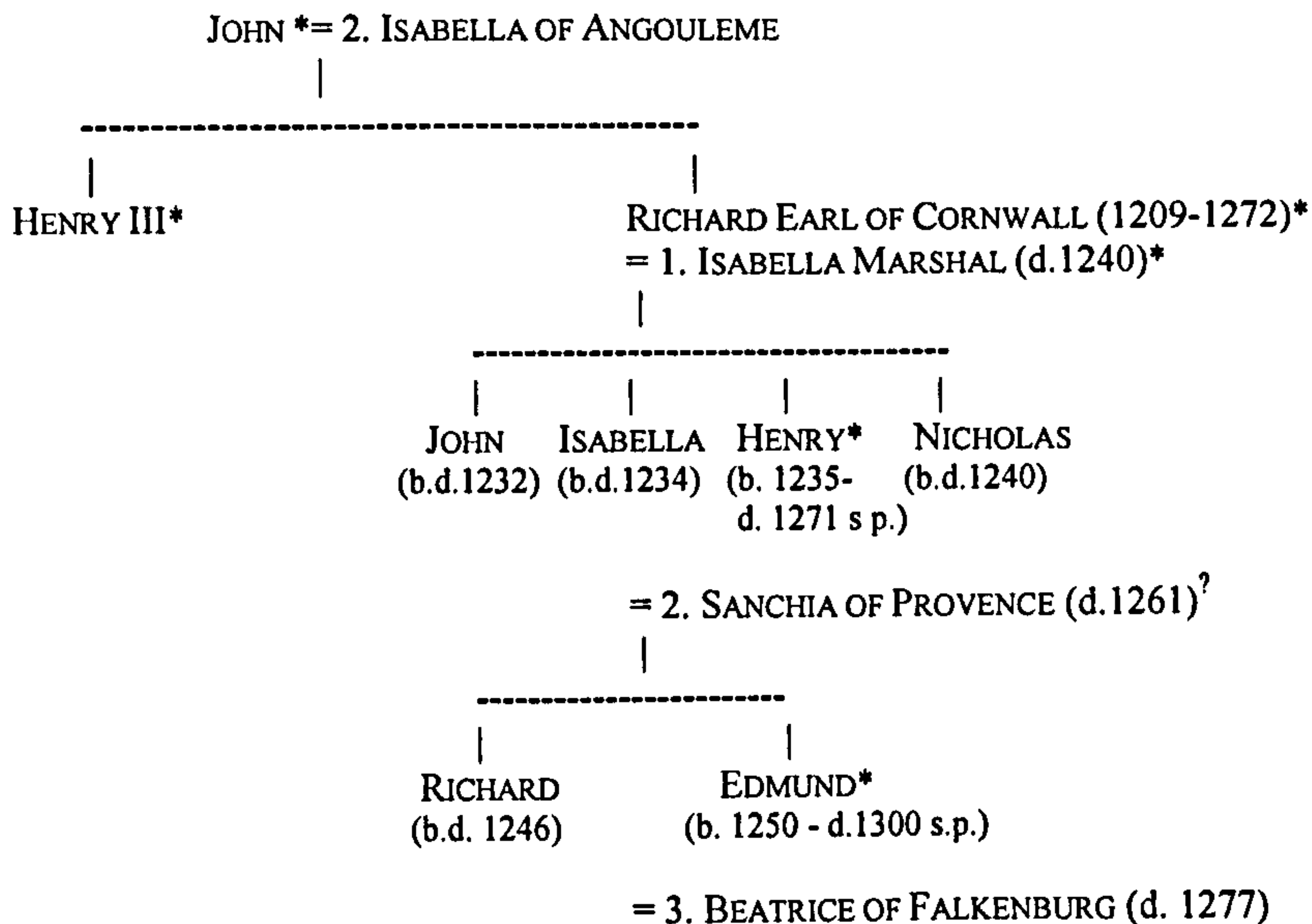
¹³ *Monasticon*, 6.1: 515-516; *VCH Buckinghamshire*, 1: 386-390.

¹⁴ See above, Section 1.3.3.

¹⁵ *VCH Gloucestershire*, 2: 97. N. Vincent, *The Holy Blood: King Henry III and the Westminster Blood Relic* (Cambridge, 2001), pp. 137-153. See also *ibid.*, pp. 206-208 for the account of the procession and delivery of the relic to Hailes in the MS Cotton Cleopatra D iii version of the abbey's annals. The apse was modelled on the east end of Westminster Abbey. J. Denton, 'From the Foundation of Vale Royal Abbey to the Statute of Carlisle: Edward I and Ecclesiastical Patronage' in P.R. Coss and S.D. Lloyd, *Thirteenth Century England IV: Proceedings of the Newcastle upon Tyne Conference 1991* (Woodbridge, 1992), p. 125.

¹⁶ Vincent, *Holy Blood*, pp. 141-151. This perspective sheds an interesting light on his burial arrangements. See below.

FIGURE 1 RICHARD EARL OF CORNWALL AND HIS FAMILY
(A SIMPLIFIED REPRESENTATION)



* Multiple burial certain

? Multiple burial not certain

Richard's monastic patronage had centred principally on his own foundation of Hailes and, in probability, the Grey Friars convent at Oxford. Nevertheless, he seems to have had his father's foundation at Beaulieu also at heart, granting the monks the patronage of the church of St Keverne in Cornwall in 1235 and 10 marks' annual rent from Helston in 1240 on the death of his first wife, Isabella Countess of Gloucester, on account of her being buried at Beaulieu.¹⁷ It was from this abbey that he selected the monks to populate his own foundation at Hailes.¹⁸

If we turn to the burial arrangements made for the earl and his family, it

¹⁷ S.F. Hockey (ed.), *The Beaulieu Cartulary*. Southampton Record Series 17 (1974), pp. 201-202 (nos. 249-250); Holdsworth, 'Royal Cistercians', p. 141. This second endowment is also mentioned in the Tewkesbury Annals; *Ann. Tewks.*, p. 114.

¹⁸ The manor of Hailes with the advowson of the church had been given to him by Henry III for the foundation of a religious house in 1245 (*CChR 1226-1257*, p. 288 and p. 294). See also *CCR 1242-1247*, p. 329 for Henry III's gift of oak timber to Richard for the construction of the abbey.

becomes evident that Hailes was genuinely considered the main object of patronage and was to be the family mausoleum. The second member of the family to be interred here was Sanchia of Provence, Richard's second wife to whom he had been married for nearly twenty years. The Annals of Hailes mention the death of their infant son Richard in 1246, who was first buried at a temporary site for the monks of Hailes at Grovemill. At some unspecified date, *opere perfecto* (presumably the completion of the monastic church), his remains were translated to Hailes and honourably interred.¹⁹

Sanchia died in her husband's absence on 9 November 1261 at her manor of Berkhamsted, whence her body was carried to Hailes by the Archbishop of Canterbury, two bishops, Peter of Savoy and many other magnates. There is no mention of Richard's presence, although he was in the country when she died.²⁰ In 1271, Henry of Almain (Richard's eldest surviving son) was murdered in Viterbo and was buried in front of the High Altar at Hailes, followed a year later by Richard himself.²¹ Lastly, in 1300 Edmund's body was taken from Ashridge to Hailes six months after his death and buried in the presence of Edward I and the king's second wife Margaret de Valois, and many prelates and magnates.²²

Isabella Marshal, daughter of William Marshal and Isabella de Clare (who was the heiress of Richard de Clare 'Strongbow', earl of Pembroke and Striguil) had been a widow for five months before she was married to Richard of

¹⁹ *Ann. Hailes*, pp. 61-62.

²⁰ Denholm-Young, *Richard of Cornwall*, pp. 112-113; *Ann. Osney*, p. 128; for her possession of Berkhamsted, see Denholm-Young, *Richard of Cornwall*, p. 51; I.J. Sanders, *English Baronies: A Study of their Origin and Descent 1086-1327* (Oxford, 1960), p. 14.

²¹ *Ann. Osney*, p. 244; *Ann. Hailes*, pp. 78-80; Denholm-Young, *Richard of Cornwall*, pp. 150-151, 152.

²² *Ann. Hailes*, pp. 114-115.

Cornwall in 1231 by the abbot of Tewkesbury.²³ The marriage only lasted nine years, during which she had borne four of Richard's children, three of whom died in infancy. In January 1240, she died while giving birth to Nicholas, who died shortly afterwards. His burial site is unknown, but the other two children, John and Isabella, were interred at Reading Abbey, which had already received the remains of other members of the royal family.²⁴ The fourth child, Henry, was to survive until his murder in 1271.

After her death, Isabella's body was divided into three parts. Her entrails were sent to Missenden Priory, founded in 1133 by William de Missenden, a sub-tenant of Walter Giffard, earl of Buckingham (d.s.p. 1164), where they were buried near the high altar.²⁵ The choice of Missenden may have been inspired by its proximity to Berkhamsted where Isabella died, as well as the fact that the English estates of the earldom of Buckingham had been obtained by her father William Marshal, claiming the rights to it through his wife, Isabella de Clare.²⁶ Their daughter's body was interred in the presence of her husband Richard at Beaulieu in front of the high altar, although according to the Annals of Tewkesbury she had desired to be buried with her first husband, Gilbert de Clare,

²³ This marriage was more than advantageous to Richard. Isabella was a daughter of William Marshal and the widow of Gilbert de Clare earl of Gloucester. It gave him an important position within the families of both the Marshals and the Clares (Gilbert's heir was still a minor and William Marshal the Younger died shortly after Richard's marriage to his sister); M. Powicke, *Thirteenth Century 1216-1307*. 2nd edition (Oxford, 1962 [1953]), p. 41.

²⁴ Denholm-Young, *Richard of Cornwall*, p. 18; for burials at Reading, see *Monasticon*, 4: 40. It had been refounded by Henry I, who was also interred there (see above 1.4.1).

²⁵ *Ann. Tewks.*, p. 113; Knowles, *Religious Houses*, p. 166; *VCH Buckinghamshire*, 1: 369; Sanders, *English Baronies*, p. 62. According to Matthew Paris, Richard was inconsolable upon hearing of his wife's death, yet only five years previously he had tried to divorce her by claiming consanguinity with her first husband Gilbert de Clare. Paris, *Chron. Maj.*, 4: 2; Denholm-Young, *Richard of Cornwall*, pp. 18-19.

²⁶ Sanders, *English Baronies*, p. 62. De Sanfords, at that time the patrons of the monastery, were tenants of the Honour of Gloucester. Wood, *English Monasteries*, p. 130.

earl of Gloucester.²⁷ Her heart, in a silver-gilt cup or bowl, was instead sent to Tewkesbury and interred beside Gilbert's remains in front of the high altar. She left a number of gifts to this abbey, which included a substantial amount of land from her dowry, forty silver marks, liturgical objects and a number of relics. Richard, disinclined to grant his wife's preference for burial at Tewkesbury, offered ten pounds to the Templars and the Hospitallers and created a chantry chapel at his castle of Wallingford for her soul, worth 5 marks.²⁸

There is only one reference to the heart of Richard's second wife, Sanchia, being interred separately in the Augustinian Priory of Cirencester. According to John Leland, the sixteenth-century antiquarian, her heart was buried in the presbytery, but he fails to mention how he obtained this information. As we saw above, she was the second member of the family to be interred at Hailes Abbey in 1261; whether her heart found a resting-place elsewhere must remain inconclusive.²⁹

The dramatic killing of Henry of Almain at Viterbo in March 1271 by two sons of Simon de Montfort is commonly thought to have inspired Dante's following words:

He [Dante's centaur guide] pointed to a soul by itself to one side, saying: 'That one cleft, in the bosom of God, the heart that still drips blood along the Thames.'³⁰

²⁷ Paris, *Chron. Maj.*, 4: 2; *Ann. Tewks.*, pp.113-114. She had created a chantry at Markyate (Hertfordshire) worth 100 s. for the souls of her and her first husband, while she was a widow.

²⁸ *Ann. Tewks.*, p. 114. Both Berkhamsted (Edmund of Cornwall's chief administrative centre) and Wallingford were Richard's main residencies. Denholm-Young, *Richard of Cornwall*, p. 22.

²⁹ J. Leland, *The Itinerary of John Leland in or about the years 1535-1543*. Ed. L. Toulmin-Smith (London, 1964), 1: 129. Cirencester was one of Henry I's refoundations (1117), which received a few royal donations subsequently.

³⁰ Dante Alighieri, *The Divine Comedy of Dante Alighieri: Inferno*. Ed. R.M. Durling (Oxford, 1996), 1: 190/191 (Italian with facing English translation). For the response of Italian chroniclers to the event and possible depictions of Henry of Almain, see P.H. Brieger, 'A Statue of Henry of Almain', in T.A. Sandquist and M.R. Powicke, *Essays in Medieval History presented to Bertie*

While attending Mass in a church in Viterbo, Henry and his followers were surprised by Simon and Guy de Montfort, who stabbed him and dragged his body out into the square. The motive for killing their cousin appears to have been revenge for the murder of their father at the Battle of Evesham in 1265, although Henry had not been present. He had initially sided with Montfort's cause, but had abandoned it by 1263. Guy and Simon, nonetheless, felt justified branding Henry a traitor and a murderer.³¹ After his death, his entrails and flesh (according to some accounts) were buried at Viterbo 'between two Popes', while his heart and bones were transported to England. Henry's remains arrived in London on 15 May and while his bones continued their journey to Hailes, his heart, contained within a gilded cup, was placed near the shrine of Edward the Confessor in Westminster Abbey. The last portion of his remains found a final resting-place in front of the high altar at Hailes on 21 May 1271 in the presence of his father.³²

Richard died the following year at the manor of Berkhamsted, a few months the death of his brother Henry III, leaving behind his one surviving son, Edmund, and his third wife, Beatrice of Falkenburg. In his will, which no longer exists, he donated 8000 marks towards a Holy Land subsidy, which was to be deposited at the New Temple in London. He also gave 500 marks to the German

Wilkinson (Toronto, 1969), pp. 133-138.

³¹ R. Studd, 'The Marriage of Henry of Almain and Constance of Béarn', in P.R. Coss and S.D. Lloyd, *Thirteenth Century England III: Proceedings of the Newcastle upon Tyne Conference 1989* (Woodbridge, 1991), pp. 177. *Ann. Hailes*, p. 78; *Wykes*, p. 241; *Foedera*, 1.2: 501-502; *Chronica Maiorum et Vicecomitum Londoniarum*, in T. Stapleton (ed.), *De Antiquis Legibus Liber*. Camden Society, 1st series 64 (1864), p. 133. F.M. Powicke, 'Guy de Montfort (1265-1271)', *TRHS* 4th series 18 (1935): 1-23. Studd argues that Henry's murder was also prompted by his interference in Gascon politics through his marriage with Constance, eldest daughter and heiress of Gaston *vicomte* of Béarn.

³² *Ann. Hailes*, p. 78; *Wykes*, p. 244; *Ann. Osney*, p. 244; *Flores*, 3: 22. Denholm-Young, *Richard*

Dominicans. He also bequeathed money to the foundation of a chantry chapel near Oxford, which Edmund instead used to found the Cistercian *studium* at Rewley in honour of his father.³³ His body was transported to Hailes and interred beside the remains of his eldest son and Sanchia. His heart was buried in the Grey Friars' church in Oxford, underneath a 'sumptuous and well-made pyramid' according to a later source.³⁴

The funerary arrangements of Richard's third wife, Beatrice of Falkenburg, remain shady. Married to him on 16 June 1269, she was widowed three years later and survived her husband by merely five years. Richard's motives for marrying her can only be guessed. Her father had been a great supporter of Richard's election as king of the Romans and had died the year before. Her uncle was the Archbishop of Cologne and was in captivity when Beatrice married. According to Thomas Wykes, Richard was very much in love with her and he took her home to England almost immediately.³⁵ This marital bliss ended with his death in 1272, after which she stayed in England. In 1276, a dispute about the manor of Longborough, originally part of Sanchia's dower, was settled between her and Edmund, her stepson. In the same year, over the space of six months, King Edward gave her fuel and meat from his forest of Wychwood on three occasions. When she died in October 1277, she was buried

of Cornwall, p. 151.

³³ Denholm-Young, *Richard of Cornwall*, pp. 152-153; *VCH Oxfordshire*, 2: 81. The *studium* was intended to accommodate Cistercian novices and monks coming to Oxford for study.

³⁴ N. Trivet, *F. Nicolai Triveti De Ordine Frat. Praedicatorum, Annales Sex Regum Angliae, qui a Comitibus Andegavensis originem traxerunt (AD 1136-1307)*. Ed. T. Hog (London, 1845), p. 279; *Rishanger*, p. 68; *Wykes*, pp. 247-248; Wood, *Survey of Antiquities*, 2: 384. Urns and pyramids were a common feature in French funerary sculpture associated with heart burial. See M. Desfayes, 'Les Tombeaux de Coeur et d'Entrailles en France, au Moyen Âge', *Bulletin des Musées de France* 12 (1947), p. 18.

³⁵ *Wykes*, p. 224-225; F.R. Lewis, 'Beatrice of Falkenburg, the Third Wife of Richard of

in front of the high altar in the Franciscan church at Oxford, near the heart of her husband. After her death, she was considered to be one of the main benefactors of the friary to judge from a surviving stained glass window, said to have its origin in the Franciscan church in Oxford.³⁶

Edmund, upon finding himself earl of Cornwall after his elder half-brother's and father's deaths, was knighted on 13 October 1272, shortly before Henry III's death. On the same day, he was married to Margaret, daughter of Richard de Clare, earl of Gloucester, son of Isabella Marshal and Gilbert de Clare. They were divorced in February 1293.³⁷ Taking an equally important position within Edward I's government as his father had during Henry III's reign, Edmund was made guardian of the realm on the occasions of Edward's absence, serving as the king's lieutenant in 1286-1290.³⁸ On his death in 1300, the earldom of Cornwall reverted to the Crown until it was bestowed upon Piers Gaveston in 1307.³⁹

Edmund died towards the end of September 1300 at Ashridge and, before dawn, his entrails were interred by the abbot of St Albans.⁴⁰ This being done,

Cornwall', *EHR* 52 (1937), pp. 279-282; Denholm-Young, *Richard of Cornwall*, pp. 141, 153.

³⁶ *CCR 1272-1279*, p. 268; *ibid.*, pp. 299, 315, 319. *Ann. Osney*, p. 274; Lewis, 'Beatrice of Falkenburg', p. 282; Denholm-Young, *Richard of Cornwall*, p. 153, p. 164. There is a tradition at Beaulieu that a stone-coffin, supposedly for a double heart burial, now in the site museum, was intended for the hearts of Richard and Beatrice. L. Butler and C. Given-Wilson, *Medieval Monasteries of Great Britain* (London, 1979), pp. 149-150. For an image of the stained glass window, now in the Burrell collection in Glasgow see P. Coss, *The Lady in Medieval England 1000-1500* (Stroud, 1998), cl.pl. 1.

³⁷ *GEC*, 3: 433.

³⁸ Powicke, *Thirteenth Century*, p. 344.

³⁹ The honour of Berkhamsted was given to Margaret, second wife of King Edward I in 1303. Sanders, *English Baronies*, p. 14.

⁴⁰ *Ann. Hailes*, pp. 114-115 provides a remarkably detailed account of his death and burials. It states the day of Edmund's death as 1 October, which does not appear to conform to the evidence from an entry in the Close Rolls dated 25 September (*CCR 1296-1302*, p. 407) regarding a request by Edward I for masses to be said for Edmund's soul. Moreover, the grammar of the statement makes it ambiguous as to what the *ante auroram* refers to. The editor has chosen to

there was no hurry to complete the funerary procedures. According to the Hailes Annals, Edmund's heart and his flesh were solemnly interred on Thursday 12 January 1301 in the presence of the Prince Edward, Anthony Bek bishop of Durham, Walter Langton bishop of Coventry and Lichfield, the earl of Warwick and many abbots, in the shrine of Thomas de Cantilupe at Ashridge.⁴¹ The rest of his remains were 'secretly' (*clam*) taken to Hailes on Tuesday 17 January, whence they were 'silently' (*silenter*) carried the day after to the Benedictine Abbey of Winchcomb, where they were kept in the custody of two monks from Hailes until such preparations for his final funeral were completed.⁴²

On 23 February, a day after the Lincoln Parliament had finished, Edward I issued requests for attendance at his cousin's funeral at Hailes to the bishops of Hereford, Worcester and Exeter and twelve abbots from surrounding monasteries of all orders (a notable absence being the mendicants).⁴³ In the presence of the king and queen, bishops, abbots and 'other magnates of the land' the funeral rites were performed on 22 March, before Edmund's bones were returned to Hailes from Winchcomb in a procession, which included all the guests, secular and ecclesiastical. There, his bones were laid to rest on Thursday 23 March.⁴⁴ With his death, the line came to an end and the earldom reverted to the Crown.

take it that Edmund died before dawn, but it seems equally likely that his entrails were buried during the night. See below Section 3.3.2, for more examples of this practice.

⁴¹ *Ann. Hailes*, p. 114; *Monasticon*, 6.1: 517. The heart of Thomas de Cantilupe (*nuper Herefordensis episcopi et sanctissimi confessoris*) was translated after his canonisation in 1322 to a different shrine, which also contained the relic of the Holy Blood. King Edward would have been in Lincoln at the time of Edmund's heart burial, since a parliament was held there from 13 January to 22 February.

⁴² *Ann. Hailes*, p. 114.

⁴³ *CCR 1296-1302*, p. 480. The abbots summoned were those of the monasteries of Evesham, Tewkesbury, Winchcomb, Pershore, Abingdon, Eynsham, Cirencester, Osney, Stanlaw, Bordsley, Rewley and Gloucester. *Foedera*, 1.2: 930.

⁴⁴ *Ann. Hailes*, p. 115. A similar procession from Winchcomb to Hailes had taken place with Edmund's presentation of the relic of the Holy Blood in 1270. See Vincent, *Holy Blood*, p. 207.

Hailes Abbey clearly held a central position in the pattern of endowments and the subsequent interment of Richard and his relatives. At the same time, however, we can observe a strong sympathy for religious houses founded previously by relatives and ancestors, but also for houses with which the connection is not that obvious. Sanchia's heart burial in the Augustinian house at Cirencester is not easily explained, nor is Richard's devotion to the Franciscans without further knowledge of existing grants. On the other hand, endowments were made to a variety of religious houses, which never rose above the status of being one of many. Yet, even though Edmund founded Ashridge and died there, his concern seems to have been to be buried at Hailes Abbey, in the proximity of his parents, although he valued the relics of Thomas de Cantilupe and the Holy Blood enough to leave his heart to the College.⁴⁵ Isabella Marshal's allegiance clearly lay with the monastery of her first husband's family, as she had originally selected it to be her resting-place. The choice of Westminster Abbey for Henry of Almain's heart seems out of place in this picture. However, the new shrine of Edward the Confessor was a focal point for the interment of royal children, including those of Henry III, Edward I, and William de Valence, Henry III's half-brother. Edward I's eldest son, Alphonso, was buried beside the shrine in 1284.⁴⁶

There are two main conclusions we can extract from this case study. First of all, the choice of interment site did not always coincide with the site of death

⁴⁵ *Ibid.*

⁴⁶ J.D. Tanner, 'The Tombs of Royal Babies in Westminster Abbey', *Journal of the British Archaeological Association* 3rd series 16 (1953): 25-40. Edward the Confessor's remains were translated on 13 October 1269 in the presence of Henry III. P. Binski, *Westminster Abbey and the Plantagenets: Kingship and the Representation of Power 1200-1400* (New Haven, 1995), pp. 98-

and there could be a significant lapse in time between death and the funeral. The relationship between the patron or benefactor and a religious house could be forcefully cemented by the choices made with regard to interment, to the advantage of both. The Tewkesbury chronicler, although regretting Richard's decision to have the body of his first wife interred elsewhere, was nevertheless very pleased about the fact that the monastery received her heart with a substantial final endowment.⁴⁷ The monks of Hailes Abbey, benefiting greatly from Edmund's donation of the Holy Blood relic, showed due appreciation for his choice of burial at their house, evidenced for example by the elaborate description of his funerary arrangements. In the months before his death, he had made another substantial gift in the form of the manor of Lechlade.⁴⁸ The religious houses that received the bodies or parts of bodies of these people did so gladly.

Secondly, the division of the body for burial was a direct result of the choice of burial sites in this case study, but could equally be used to suit different interests. From our example, it has become obvious that interment close to family members, especially conjugal and parental (in the sense of parents *and* children), mattered. At the same time, one's own foundation, a source of social status, could be very attractive as a final resting-place. The tensions, or perhaps indecisiveness, this could cause were successfully circumvented by requesting more than one grave. Multiple burial would have the added advantage perhaps of

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⁴⁷ *Ann. Tewks.*, pp. 113-114. The monastery received the 'better part' (*pars melior*) of her body, according to the chronicler.

⁴⁸ The manor of Lechlade was estimated, with another manor in Rutland, in 1252 to be worth over £160 annually. Denholm-Young, *Richard of Cornwall*, p. 76 n. 1.

an increased number of prayers in the presence of one's physical remains and of displaying one's social position in life in more than one location. Edmund's heart burial, for example, drew in a large number of important people, including the king's heir. Moreover, it was deposited in a shrine, which contained the heart of Thomas de Cantilupe, Bishop of Hereford. Although Thomas was not canonised until 1332, his remains were beginning to attract the attention of pilgrims and were objects of veneration. Edmund's body, although we have no record of the form his grave marker took, would similarly have been a notable presence within the liturgical space of Hailes Abbey. Again, his second funeral was well attended by the magnates of the realm.

Before focusing in more detail on the consequences of multiple burial for the perception of the aristocratic body in the next chapter, I explore first the extent to which the burial practices of Richard and his family reflected those of the period of the twelfth through to the beginning of the fourteenth century. In the next section, the options for burial available to the aristocracy are examined, before turning to the practice of multiple burial in more detail, tracing some of its developments and the choices that were made by the aristocracy.

2.2 HIC JACET CORPUS NOBILIS: PATRONAGE AND BURIAL

In the century after the Norman Conquest, hundreds of new monastic houses were founded, materialising a desire to establish a permanent base for prayers, fraternity and burial for the aristocracy. Often situated close to the *caput honoris* of a particular lordship, the monastery would be able to guide the lord and his immediate family towards the salvation of their souls in exchange for

endowments.⁴⁹ Gifts were frequently accompanied by requests for fraternity, which involved receiving treatment similar to the members of the house in prayers or commemoration after death.⁵⁰ The prospect of interment within the monastic grounds, close to the core of spiritual activity, was another motivation for donations, although to start with, the new orders were reluctant to receive outsiders into their cemeteries.⁵¹

For the founder or patron of the religious house, the benefits were greater than merely the spiritual assistance afforded by 'his' or 'her' monks. There was a certain prestige attached to having one's own monastery and patrons could take considerable interest in its government and its gifts. The election of new abbots, for example, was potentially a matter of dispute between the patron and a monastery. Moreover, patrons could wish for the house's hospitality or indeed demand a financial return for their gifts, either in the form of an annual rent or a single payment.⁵²

Similarly, the patron could exercise great influence over donations made to the monastery. At the foundation of a religious house, a lord could persuade

⁴⁹ Cownie, *Religious Patronage*, p. 152, pp. 172-173. These monasteries formed an integral part of the colonisation process of the Normans. For a preliminary list of monasteries founded near castles, see M.W. Thompson, 'Associated Monasteries and Castles in the Middle Ages: A Tentative List' *Archaeological Journal* 143 (1986), pp. 305-321. Among these are Chester (St. Werburgh), Belvoir, Cambridge (moved to Barnwell), Wallingford, Llanthony Secunda, Osney, Rievaulx, Dieulacres. Most of these monasteries were founded in the twelfth century, the dominant orders being the Augustinians and the Cistercians (*Ibid.*, p. 307). For the dates of their foundations, and of other religious houses mentioned here, see Knowles, *Religious Houses*.

⁵⁰ H. Colvin, *The White Canons in England* (Oxford, 1951), pp. 257-260. Holdsworth, *Piper and the Tune*, p. 12, pp. 17-19.

⁵¹ E.g. the legislation on burial pronounced by the General Chapter of the Cistercian Order; J. Hall, 'The Legislative Background to the Burial of the Laity and Other Patrons in Cistercian Abbeys', *Citeaux: Commentarii Cisterciensi* (forthcoming). However, there was a clear separation in legislation regarding burial within cemeteries and burial within churches; the rules were less strict for cemeteries than they were for church burial.

⁵² Wood, *English Monasteries*, passim; also, Holdsworth, *Piper and the Tune*, pp. 14-16. The Cistercian and Premonstratensian Orders did not allow their patrons the right of monastic

his tenants, for example, to donate a set sum of money to their lord's new foundation, in exchange for a promise of interment in its cemetery (often after handing over more of their possessions). 'Honourial' foundations (monasteries connected to a particular lordship, *eigenklöster*) would rely heavily on these donations made by the tenants of the honour, who, if they held land from different lords, could divide their benefactions accordingly.⁵³ Hugh I earl of Chester, for example, persuaded his men to join in the patronage of St Werburgh's Abbey, which had just been refounded by him. They were not to give lands exceeding 100s rent per annum, but could leave their bodies for burial within the monastic compound, provided they parted with an additional third of their goods. On the other hand, William Fitz Nigel, constable of Chester, not only donated generously to St Werburgh's, but also endowed Bridlington, founded by his brother-in-law, and Nostell.⁵⁴ Peter de Valognes, at the foundation of Binham, stipulated that the manors from which the priory received the tithes already should fall to the priory after the death of the knights who held them.⁵⁵ Similarly, voluntary donations by tenants had to be approved by their lord, considering that they were technically giving away his land or possessions.⁵⁶ In the end, however, whether these donations were entirely voluntary or not, whoever granted their lands or tithes to a monastery could expect some form of spiritual service in return.

elections. Cf. Colvin, *White Canons*, p. 292. See Crouch, *Image of the Aristocracy*, pp. 316-317 for early foundations of chantries.

⁵³ Cownie, *Religious Patronage*, pp. 172-184.

⁵⁴ *Ibid.*, pp. 176, 178, 181.

⁵⁵ Holdsworth, *Piper and the Tune*, p. 13, note 35; Cownie, *Religious Patronage*, p. 180.

⁵⁶ Mason, 'Timeo barones', p. 71; Crouch, *Image of the Aristocracy*, p. 331.

As has been remarked on various occasions, the patterns of endowment depended on a number of factors. It was first of all determined by locality and lordship, but also by family or friendship connections, individual preference for a particular order or religious house, or shifts in fashion.⁵⁷ The type of endowment, moreover, reveals to a certain extent the attitude towards these religious foundations. After the initial grant of land in free alms for the foundation close to the *caput*, subsequent gifts in frankalmoin (although given sparingly) frequently consisted of patches of land away from the monastic house, which were difficult to manage for the donor as well as the monastery.⁵⁸ Equally, founders or benefactors happily endowed land that was under contested ownership. Biddlesden, a daughter house of Garendon Abbey was founded upon land in Leicestershire to which Robert II earl of Leicester only had an uncertain claim.⁵⁹ Hailes Abbey, as we have seen above, was granted escheated land given to Richard earl of Cornwall by his brother, Henry III, for the purpose.⁶⁰ Similarly, it was possible to establish a new relationship between a religious house and a new

⁵⁷ Cownie, *Religious Patronage*, p. 181. The shift in fashion was predicated on the arrival of new orders, which were often founded to instigate a return to the strict observance of religious practice. See also J.C. Ward, 'Fashions in Monastic Endowment: the Foundations of the Clare Family, 1066-1314', *Journal of Ecclesiastical History* 32 (1981), pp. 427-451.

⁵⁸ Mason, 'Timeo barones', pp. 70-71. One of the most frequent types of donation was ecclesiastical sources of revenue. There was growing pressure against the ownership of churches and their revenues by the laity, who would therefore dispose of property, which they could not fully exploit anyway. Ward, 'Fashions in Endowment', p. 428.

⁵⁹ J. Burton, *Monastic and Religious Orders in Britain, 1000-1300* (Cambridge, 1994), p. 74. Biddlesden was founded by the earl's steward, Ernald de Bosco, on land which had escheated to the earl and which he had given to his steward.

⁶⁰ Holdsworth, *Piper and the Tune*, pp. 21-23. The earl of Leicester reverted to this way of eliminating contested ownership on several occasions. For Hailes, see above Section 2.1.1. Hill asserts that the initial popularity of the Cistercians was the result of the relative lack of expense attached to the creation of their monasteries, compared to the foundation of Benedictine houses. Hill, *English Cistercians*, pp. 51-52. However, this is disputed by Janet Burton, who argues that the location of a foundation as well as the endowments to maintain a monastery were dependent on several factors, not in the least the donor's financial circumstances. J. Burton, 'The Foundation of the British Cistercian Houses', in C. Norton and D. Park (eds.), *Cistercian Art and Architecture in the British Isles* (Cambridge, 1986), pp. 34-35.

patron in particular if the lordship had reverted to the Crown as a result of political misconduct. Pain Peverel, standard bearer for Robert Curthose Duke of Normandy, acquired the barony of Bourne in Cambridgeshire from Henry I, to whom it had been forfeited after its lord had been involved in rebellion in 1095. With it came the patronage of a priory close to Cambridge Castle, which had been founded by Picot, lord of Bourne c. 1092.⁶¹ The canons were moved to Barnwell in 1112 and adopted the rule of the Augustinians. When Peverel acquired the lands, he also became the patron of the priory, which was continued by the descendants of his daughter Alice, who inherited one-third of the barony. Towards the end of the thirteenth century, Gilbert II de Peche decided to rebury his grandparents, Gilbert I (d. 1212) and Alice daughter of Walter Fitz Robert of Little Dunmow (Gilbert I being Alice Peverel's son) near Pain Peverel's tomb to stress the continuation of the dynasty.⁶²

Although aristocratic patrons and benefactors donated to a wide selection of religious houses, only one (or two) of them could be the burial site of their preference, which frequently coincided with houses favoured most during life. This shows itself not only in the number of existing grants and the extent of their munificence (confirmations of donations made by tenants also counting towards being a benefactor), but also in the number of donors requesting to be admitted into the monastic community as novices. These requests were made frequently on their deathbed (*ad succurendum*), or in later life. We have already seen in the

⁶¹ It was Picot's son, who was involved in the rebellion of 1095 and lost his lands as a result. Sanders, *English Baronies*, p. 19; Wood, *English Monasteries*, p. 25.

⁶² Sanders, *English Baronies*, p. 19. Knowles, *Religious Houses*, p. 146. Alice married Hamo I de Peche (d. 1178-85). *Monasticon*, 6.1: 87; J.W. Clark (ed.), *Liber Memorandum Ecclesie de Bernewelle* (Cambridge, 1907), p. 48. Gilbert II died in 1291.

previous chapter how William Marshal, earl of Pembroke, was clothed in the habit of the Templars on his deathbed and admitted into their community for burial at the New Temple. Hugh I earl of Chester entered his monastery of St Werburgh supposedly three days before his death in 1101 and was duly interred in the abbey's cemetery.⁶³ Similarly, although Walter Espec, the king's justiciar, had founded Kirkham, Wardon and Rievaulx, he entered the community of the last in 1153 and was interred there a year later 'before the door of the Chapter House.'⁶⁴

The burials of donors cemented relations between them and the monasteries endowed by them and ensured their perpetual presence within the monastic space and within the minds of the community.⁶⁵ As with donations made during the lifetime of patrons and benefactors, the choice of interment site reflects the social and geographical relationships between donors, their families, their overlord and their territorial base or it could reflect an individual preference for a religious house not traditionally associated with the family. Hugh earl of Chester and Peter de Valognes could persuade their tenants to donate possessions and rents to their foundations, because they referred to the possibility of burial within the monastic compound, which was to be preferred over the cemetery of the parish church in terms of its spiritual efficacy. Burial within monastic houses ensured continual spiritual balm for the souls of the deceased. The reluctance

⁶³ For William Marshal see above, Section 1.3.1; C. Harper-Bill, 'The Piety of the Anglo-Norman Knightly Class', in R.A. Brown (ed.), *Proceedings of the Battle Conference on Anglo-Norman Studies 2* (Oxford, 1979), p. 70; *Monasticon*, 2: 371-372.

⁶⁴ J. McDonnell, *A History of Helmsley, Rievaulx and District* (York, 1963), pp. 83-85. Kirkham was founded c. 1132, after Espec had received the lordships of Helmsley and Kirkham, Rievaulx (at the manor of Helmsley) in 1132 and Wardon c. 1135. Although his initial endowment of Rievaulx was small, subsequent lords of Helmsley added to its possessions and were buried there. *Monasticon*, 5: 281.

expressed in the statutes of the Cistercian order to accept lay burial within monastic compounds reveals the extent to which this had become commonplace within monasteries of all orders by the twelfth century. This was partly because requests for burial invariably came with more financial endowments or gifts of property.⁶⁶ By the beginning of the thirteenth century, however, even the Cistercians had to admit grudgingly to the benefits of lay burial within their premises.⁶⁷

The desire of aristocrats to be associated with particular monasteries is not only evident from the patterns of endowment. Donors were also clearly concerned with being buried with other members of their family or with previous incumbents of a particular lordship. Although they should be treated with caution, monastic genealogies and chronicles generally reveal the importance of burial amongst relatives, which was equally beneficial to monasteries since potential donors might be more willing to part with their gifts if there were some pre-existing relationship. What better proof of this than the physical presence of dead ancestors?⁶⁸

Successive generations found a resting-place side by side within the monastic compound. Despite initial restrictions, the graves of patrons and

⁶⁵ This is also evident from requests for fraternity, inclusion in obit rolls and pro-anima bequests.

⁶⁶ I am grateful to Jackie Hall, who kindly shared her information on the Cistercian Statutes regarding burial with me. Her findings will be published in Hall, 'The Legislative Background.' Founders were allowed burial within the cemetery in the second half of the twelfth century, with the exception of royalty, who could be interred within the church or in the chapter house if they preferred this.

⁶⁷ For a brief discussion of lay burial within Cistercian monasteries see M. Cassidy-Welch, *Monastic Spaces and their Meanings: Thirteenth-Century English Cistercian Monasteries* (Turnhout, 2001), pp. 232-236. See also Hall, 'Legislative Background' for the relaxation of rules concerning lay burial in the Statutes.

⁶⁸ B. Golding, 'Anglo-Norman Knightly Burials', in C. Harper-Bill and R. Harvey (eds.), *The Ideals and Practice of Medieval Knighthood: Papers from the First and Second Strawberry Hill Conferences* (Woodbridge, 1986), p. 39, who warns against taking the information provided by

benefactors are often found in significant spaces such as the chapter house or porch leading into it, within the choir, in front of the high altar and on the edges of the presbytery. The difference between the perceived status of the monastic cemetery and the chapter house is most strikingly illuminated by Earl Ranulph I of Chester's decision in 1129 to move his uncle Hugh I's body from the cemetery to the newly built chapter house, only to be interred there himself soon after.⁶⁹ Similarly, after the Bohuns had acquired the earldom of Hereford through the marriage of Humphrey II de Bohun, lord of Trowbridge (d. 1165) with Margaret, daughter and coheiress of Miles of Gloucester, they started using Llanthony Secunda, founded by Miles, as their burial site. Successive earls and their wives were laid to rest in the chapter house until 1275, when Humphrey IV, earl of Hereford and, through his mother, earl of Essex was interred in front of the high altar. His first wife was buried in the chapter house, his second wife with him in the presbytery of the church at the instigation of their son John de Bohun.⁷⁰ The same procedure of asserting the continuity of a dynasty from one family to another was applied in the case of the honour of Belvoir. Robert de Todei founded Belvoir Priory in 1076 and was buried there in 1088. When his son William died without issue, the honour reverted to his sister Alice. Her only

monastic genealogies for granted. Wood, *English Monasteries*, pp. 123-124.

⁶⁹ Barraclough, *Charters of the Earls of Chester*, p. 47 for Ranulph II's confirmation of the grant of the manor of Upton, near Chester, given on the day of Hugh's translation. *Ibid.*, p. 23 is the text of a grant of the same manor on the day of Ranulph I's death. Also, Dugdale, *Baronage*, 1: 37, 40. Ranulph II died 1153, his son Hugh II 1181. Both were also buried at St Werburgh. Ranulph I's cousin, Richard son of Hugh I was lost in the White Ship disaster in 1120, which also claimed the life of Henry I's heir. Golding, 'Knightly Burials', p. 41.

⁷⁰ *Monasticon*, 6.1: 135; Sanders, *English Baronies*, pp. 91-92. The Llanthony genealogy, which Dugdale cites, refers to the Humphrey buried in front of the high altar as 'Humfredus quintus', counting the Humphrey *cum barba* who came over with the conqueror as the first. Sanders (whose numbering I have followed), starts counting with his son, who became the first lord of Trowbridge. For the burial of Humphrey IV's second wife, see *Monasticon*, 6.1: 135.

surviving child, Cecily, married William I de Albini Brito, who became the first Albini lord of Belvoir. When he died c. 1146, he was buried at Belvoir on the north side of the chapter house, where Robert had supposedly been interred earlier.⁷¹

Chapter house interment was usually restricted to the abbots and abbesses of a house, which confirmed the continuity of the monastic chapter and community. In the chapter house, the daily religious and secular business of the monastery was conducted, presided over by the abbot. The tombs of predecessors would be in the east-end of the chapter house, close to the abbot's seat, while part of the daily ritual involved a Mass for the Dead. The major issues of monastic day-to-day life were thus discussed in the presence of previous incumbents of the abbacy.⁷² It was a space not generally accessible to lay folk, unless at the express invitation of the abbot. The insertion, therefore, of lay burials within the highly restricted space of the chapter house provided a powerful mechanism for lay donors to establish a connection between themselves and their monastery, presiding over its affairs even in death.

Burial in front of, or close to, the high altar was considered equally prestigious.⁷³ According to the Tewkesbury Annalist, it was where aristocrats

⁷¹ Sanders, *English Baronies*, p. 12; Knowles, *Religious Houses*, p. 59; I. Eller, *Belvoir Castle from the Norman Conquest to the Nineteenth Century* (London, 1841), pp. 6, 8; see also *The Manuscripts of His Grace the Duke of Rutland. Historical Manuscripts Commission* (1905), 4: 105-107; Albini of Belvoir is obviously to be distinguished from the Albini earls of Arundel, who descended from William de Albini Pincerna. His son married the widow of Henry I, who held the earldom in dower; Sanders, *English Baronies*, p. 70.

⁷² Cassidy-Welch, *Monastic Spaces*, pp. 105-116, in particular fig. 4.4 (p. 114), which details abbatial tombs in the chapter house at Fountains Abbey.

⁷³ See above, Section 1.3.2 for Chris Daniell's discussion of hierarchical burial space within the parish church. In fact, around 1165, William I de Ferrers requested translation of his ancestor's remains from the chapter house to the high altar. Henry de Ferrers, who had founded Tutbury, was thus moved to a more visible space. Golding, 'Knightly Burials', p. 42.

ought to be buried, and indeed four generations of de Clare earls of Gloucester were laid to rest side-by-side before the high altar of this monastery's church. The first earl, Gilbert I, died in Brittany on 25 October 1230. He had expressed a wish to be interred at Tewkesbury, which he had not particularly favoured himself (apart from confirming his tenants' donations) but it had been the burial place of former earls of Gloucester. He was duly brought back from Brittany via Portsmouth and Cranborne (in Dorset; a dependency of the monastery) to Tewkesbury and was interred there on 10 November in the presence of a large number of ecclesiastics and lay people. According to the monastery's annals, he left the convent the forest of 'Mupa' and a silver-gilt cross.⁷⁴ The heart of his widow Isabella was interred with him in 1240.⁷⁵ In 1262, his eldest son Richard earl of Gloucester was buried to the right of his father; Gilbert II in 1295 at his grandfather's left side.⁷⁶ Gilbert III, only twenty-three when he died on the field of Bannockburn in 1314, was interred to *his* father's left with his wife Matilda, daughter of Richard de Burgh earl of Ulster being laid to rest beside him. He left no surviving issue.⁷⁷ Hugh Despenser the Younger, married to Gilbert's sister Eleanor, acquired the honour of Tewkesbury after 1317 as part of his wife's inheritance. He was executed in 1326 and was buried at Tewkesbury in 1330 on

⁷⁴ *Ann. Tewks.*, p. 76.

⁷⁵ See above, Section 2.1.2.

⁷⁶ *Ann. Tewks.*, p. 169. Richard died near Canterbury on 15 July 1262 under suspicious circumstances (according to some chronicles). His entrails were buried at Canterbury, his body at Tewkesbury on 28 July in the presence of two bishops and eight abbots. Indulgences were promised in return for prayers for his soul. For information about the Clares see M. Alschul, *A Baronial Family in Medieval England: The Clares, 1217-1314* (Baltimore, 1965), Part 1 'The Family'.

⁷⁷ *Monasticon*, 2: 55; Wood, *English Monasteries*, pp. 129-130; B. Golding, 'Burials and Benefactions: An Aspect of Monastic Patronage in Thirteenth-Century England', in W.M. Ormrod (ed.), *England in the Thirteenth Century: Proceedings of the 1984 Harlaxton Symposium* (Grantham, 1985), pp. 68-71. Gilbert I's father Richard (d. 1217) was the last Clare to be buried at the ancestral foundation of Clare (Suffolk).

the edge of the presbytery. The original founder of Tewkesbury, Robert Fitz Hamon, had entered the monastery before his death and had been interred in the chapter house. His remains were moved from here to the north side of the high altar in 1241, thus establishing a powerful connection between the old lords and the new.⁷⁸

It will be obvious that familial burials could be used not only to express blood relationships and the continuity of the dynasty, but also to underscore a shift in lordship from one family to the next. This occasionally could have precedence over burial amongst relatives, whilst being dependent on the value attached to the newly acquired lordship.⁷⁹ The fact that the patronage of particular religious establishments was inextricably connected to particular lordships provides a clear indication of the political and social importance of monastic houses, beyond their religious use. Thus, it is easy to see why the Clares shifted patronage after receiving the earldom of Gloucester, and the Albini family became patrons of Belvoir Priory. But it is equally obvious why the Bohuns would be reluctant to shift their focus from Llanthony Secunda, representing the dynastic power base of the earldom of Hereford, to Walden, traditionally associated with the earldom of Essex, upon Humphrey IV's succession to the earldom. It was not until his grandson Humphrey V died in 1298 that Walden received a Bohun earl of Essex for burial. His wife, Matilda de

⁷⁸ Despenser the Younger had actually started on an elaborate building programme at Tewkesbury. R. Morris, 'Tewkesbury Abbey: The Despenser Mausoleum', *TBGAS* 93 (1975): 143-146; for FitzHamon, see *Ann. Tewks.*, p. 120.

⁷⁹ This is for example also underscored by the eldest son taking the cognomen of his mother's family upon inheriting her estates. Cf. Roger Fitz Richard, Constable of Chester, who took the surname Lacy upon receiving his mother, Aubrey de Lacy's barony of Pontefract in 1194. Also, William Fitz Eustace (d. 1183) took the name de Vesci after inheriting the lordship of Alnwick from his mother Beatrice de Vesci. Sanders, *English Baronies*, pp. 103, 138.

Fiennes, was also interred here.⁸⁰

A shift between monasteries could occasionally occur even within families, in particular if they were traditionally patrons of more than one house. The Ros family of Helmsley for example was in the position of being patrons of both Rievaulx and Kirkham, one a Cistercian abbey, the other an Augustinian priory.⁸¹ Having acquired the lordship through marriage, Peter de Ros and his direct descendants were first interred at Rievaulx where Walter Espec, the founder, had been buried. The burial of Robert II de Ros in 1227 in the Temple Church in London marked a break with this practice. His son William and the following four generations of lords of Helmsley shifted their burial preference to Kirkham Priory, and the family only reverted back to Rievaulx with the death of the second son of William III de Ros, in 1384. Belvoir Priory, the patronage of which was acquired by Robert III de Ros through his marriage to Isabella, heiress of the lordship of Belvoir, did not become a permanent familial interment site until the death of William IV de Ros, Lord Treasurer, in 1414.⁸²

The Ros burials at Kirkham furthermore show that the edge of the presbytery was equally popular for burial probably because it could allow for more elaborate tombs. The disadvantage of burial immediately in front of the high altar was the fact that tomb slabs had to be flush with the floor, ruling out

⁸⁰ *Monasticon*, 4: 141; Golding, 'Burials and Benefactions', p. 68, who refers to Humphrey V as Humphrey IV's second son, but see Sanders, *English Baronies*, p. 92. Humphrey V's father died in 1265, while imprisoned after the Battle of Evesham and was buried at Combermere. Humphrey VI died at Boroughbridge in 1322 and was buried with the Franciscans in York. John, his son and heir d.s.p. 1336; *Monasticon*, 6.1: 135.

⁸¹ Although they were technically patrons of Warden (Bedfordshire) as well, this monastery was too far from their power base in the North to be of great importance to them.

⁸² *Monasticon*, 5: 274-286; McDonnell, *A History of Helmsley*, pp. 441-442.

effigies and elaborate tombs.⁸³ Effigies would similarly be out of the question if burial occurred before the altar. Burial alongside the ambulatory, on the other hand, allowed more freedom from the spatial limitations of choir and altar burial.⁸⁴ William I (d. 1258), the first to be buried at Kirkham, received burial in the choir before the high altar (*coram summo altare*), and no mention is made of his tomb. His son, Robert III (d. 1285) however was interred *ex parte australi* in a marble tomb, supposedly leaving enough space for another tomb closer to the high altar *ex parte australi* for his grandson William III (d. 1343). On the northern side, in another 'marble' (purbeck) tomb, the remains of William II (d. 1316) were interred.⁸⁵

The choice of burial site, it seems, was predominantly organised around ancestral burials. A conscious break with this tradition could be effected by the diversion of the inheritance to younger children or siblings, or indeed by marrying into a more important family. Although it is hard to make generalisations, there is a strong suggestion that aristocrats preferred interment in

⁸³ Cf. Cistercian legislation about slabs in the cloisters being restricted to those which would be flush with the floor. Obviously, graves within a space used intensively should not cause an obstruction to its users. During the course of the thirteenth century, however, founders were increasingly commemorated and buried within Cistercian churches and were often provided with elaborate tombs. See e.g. M. Untermann, *Forma Ordinis: Die mittelalterliche Baukunst der Zisterzienser* (München, 2001), pp. 72-93. I owe this reference to Jackie Hall.

⁸⁴ E.g. the altar tomb of King John in the choir of Worcester is a sixteenth century structure; originally the effigy slab appears to have been flush with the floor. In the eighteenth century, the grave was opened when the monument was moved to what was thought to be its original position. C. Wild, *An Illustration of the Architecture and Sculpture of the Cathedral Church of Worcester* (London, 1823), pp. 18-19. A recent discussion concentrating on the symbolism of John's effigy, is provided by Jane Martindale in 'The Sword on the Stone: Some Resonances of a Medieval Symbol of Power (The Tomb of King John in Worcester Cathedral)', in M. Chibnall (ed.), *Anglo-Norman Studies 15* (Woodbridge, 1992), pp. 199-241. For Westminster Abbey see Binski, *Westminster Abbey*.

⁸⁵ *Monasticon*, 5: 281. For a ground plan of the priory which indicates the supposed position of the Ros burials see C. Peers, *Kirkham Priory* (London, 1932), after p. 12. It is in the later thirteenth century that the use of effigies begins to proliferate, as well as more elaborate tomb structures. H.A. Tummers, *Early Secular Effigies in England: The Thirteenth Century* (Leiden, 1980); E. Panofsky, *Tomb Sculpture: Four Lectures on Its Changing Aspects from Ancient Egypt*

the religious houses associated with their most significant holdings. For example, in the years following the Conquest, it is possible to observe a tendency for burial either in Normandy or in England, but to consider this primarily as an expression of the varying degrees of cultural assimilation in a new territory is to miss the point.⁸⁶ Rather, many English burials can be explained by the fact that it was in England that many Anglo-Norman aristocrats had acquired their principal possessions. Not all the men coming over with William I had been great Norman landholders and many did not rise to importance until they had settled in England.⁸⁷ Given the significance attached to having one's *own* monastery close to the *caput* of their domain, it is not surprising to find that many aristocrats were content to be interred in English soil. To successive generations, this connection between monastery and family could be just as important so that they actively sought burial with their ancestors.

The importance of ancestral remains is further evidenced by the number of translations instigated by descendants. This could on the one hand be a relatively simple move from one position within the religious house to another, as was the case with the translation of the remains of Hugh I of Chester. On the other hand, there is the more elaborate move from one location to the favoured monastery. The second wife of Humphrey IV de Bohun, Matilda of Avenbury, died and was buried in Sorges in Gascony in 1273. Seventeen years after her

to *Bernini* (New York, 1992 [1964]), p. 53.

⁸⁶ This is the conclusion drawn by Brian Golding in his articles on burial and patronage; see Golding, 'Burials and Benefactions' and 'Knightly Burials'.

⁸⁷ A notable exception was for example the Clare family, who kept their bonds with the Abbey of Bec in Normandy. Their earliest foundations in England were dependent cells, based on older Anglo-Saxon foundations (i.e. St Neots and Stoke-by-Clare, close to the *caput* of the honour of Clare). By the early twelfth century, however, the emphasis of donations had shifted from Bec to English religious houses. Ward, 'Fashions in Endowment', pp. 429-432, 437.

death her son, John de Bohun, decided that her remains should be exhumed and taken to Llanthony Secunda, where they were interred 'with great solemnity' beside the remains of her husband on 25 June 1290.⁸⁸ In a more dramatic gesture were the remains of several generations of Lacy ancestors translated at the request of Earl Henry de Lacy in 1283 from the by then uninhabitable site of Stanlaw (Cheshire) to a new monastery at Whalley (Lancashire).⁸⁹

By the late thirteenth century the great age of new foundations had passed and the new mendicant orders had to a large extent gained prominence in attracting aristocratic endowments, often to the dismay of the older orders, which saw their income diminish.⁹⁰ The cause of distress, however, was not just the financial aspects of the donors' shifting interests, it was also the prospect of losing the interment of their donors to other orders. Even if the family associated by tradition with a particular house was not particularly generous with its gifts, there was still the expectation of interment in the religious house of which the family members were the patrons. And, as we have seen, with burial there was the expectation of extra income. So, for example, there was little love lost between the Beauchamps and the Benedictine monks of Worcester cathedral. There were several disputes between them, and the family was never a great benefactor of the monastery. Walter II de Beauchamp was in continuous litigation with the monks about Worcester Castle, half of which belonged to him,

⁸⁸ *Monasticon*, 6.1: 135.

⁸⁹ *Ibid.*, 5: 647-648; Wood, *English Monasteries*, p. 131; Knowles, *Religious Houses*, p. 125. The new monastery should go with the same name given to Stanlaw by the original founder, John Constable of Chester, in 1172 of *Locus Benedictus*.

⁹⁰ Mason, 'Timeo barones', pp. 66-67, 72-73; Holdsworth, 'Royal Cistercians', p. 139; Denton, 'Vale Royal', p. 128. See also below Section 2.3.

the other half to the cathedral.⁹¹ Nevertheless, the cathedral convent, being the strongest religious presence in and around Worcester, clearly expected the remains of the family to be interred in their precinct, subscribing to the family's status of most powerful secular lords in the region. Walter II's son and grandson, William III (d. 1269) and William IV (d. 1298), however, were partial towards the Franciscans rather than the cathedral, which was cause for great indignation among the monastic cathedral community. Both men requested burial in the friary, although in the end William III was interred in the cathedral. William IV, first Beauchamp earl of Warwick through his mother, fulfilled his promise to the Franciscans and in his will did not leave a single penny to the cathedral priory.⁹² Equally, for unknown reasons, King John decided towards the end of his life that he would rather be buried in the choir of Worcester cathedral, between Saints Wulfstan and Oswald, instead of in his own foundation of Beaulieu, although this may have been related to the fact that the monks had not entered the church in 1216. In 1228, the monks appealed for the translation of John's remains to their church so that they could pray more effectively for him, but without the desired result.⁹³

The general picture, however, reveals time and again that burial among

⁹¹ The castle of Worcester was held of the king by barony in 1298. The main possession of the Beauchamps, Elmley castle and manor (Worcestershire), owed fifteen knights' fees to the bishop of Worcester. Sanders, *English Baronies*, p. 76.

⁹² Golding, 'Burials and Benefactions', pp. 65-66. William IV was created earl of Warwick in 1268. His son, Guy de Beauchamp (d. 1315) requested interment at Bordesley Abbey (Cistercian). G. Coppack, *English Heritage Book of Abbeys and Priories* (London, 1990), p. 59.

⁹³ *Diplomatic Documents 1101-1272*, pp. 306-207. Also, *Foedera*, 1.1: 192. This would have been shortly after their 'entry' into the church on 14 August 1227. The church was not dedicated until the summer of 1246 in the presence of Henry III and his wife Eleanor of Provence, her sister Sanchia, who had married Richard of Cornwall, and several bishops. F. Hockey, *Beaulieu: King John's Abbey: A History of Beaulieu Abbey Hampshire, 1204-1538* (Privately printed, 1976), p. 29; *Beaulieu Cartulary*, p. xxxviii.

ancestors, whether directly related by blood, by marriage or by the grace of the king, was prized above all else by patrons and to a certain extent the monasteries which received burials of patrons. The semblance of a stable relationship between secular lords and ‘their’ monasteries was an important consideration in the choice of burial for themselves and posterity. Endowments, *pro anima* bequests, requests for fraternity and burial all contributed to this sense of creating a religious safeguard for the afterlife. However, if the politics of social demands went hand in hand with religious piety, would this not cause inevitable tensions? How would the aristocracy have been able to balance social obligation with personal interest? As we shall see in the next section, the answer was fairly straightforward for a considerable number of aristocratic men and women: by dividing their body and donating the parts to different religious houses.

2.3 CELEBRATING FRAGMENTATION: ARISTOCRATIC MULTIPLE BURIAL

The practice of multiple burial among the aristocracy has traditionally been associated with embalming procedures needed for the extended preservation of the aristocratic or royal corpse. Although the simplest form of embalming, which involved applying embalming oil to the body, was a general feature in royal funerary preparations at least from Merovingian times onwards, it was not until the late tenth century in the German Empire that we find the first references to evisceration as part of the embalming process.⁹⁴ Emperor Otto I died in May 973

⁹⁴ A. Erlande-Brandenburg, *Le Roi est Mort: Étude sur les Funérailles, les Sépultures et les Tombeaux des Rois de France jusqu'à la Fin du XIIIe Siècle* (Genève, 1975), p. 27; D. Schäfer, ‘Mittelalterlicher Brauch bei der Überführung von Leichen’, *Sitzungsberichte der preussischen Akademie der Wissenschaften* (1920): 479-480. See for a more extended discussion on embalming techniques Chapter 3 below.

at Memleben and was buried in the cathedral of Magdeburg. According to the chronicler Thietmar, in the night after his death, the Emperor's body was opened and his viscera were removed for burial in the church of St Mary at Memleben.⁹⁵ In France, the earliest reference concerns Fulk Nerra, Count of Anjou, whose viscera were buried in the cemetery of the church at Metz in 1040. One of the earliest heart burials, for which a specific request was made, is again found in the German Empire. Henry III, dying at Bodfeld in the Harz in 1056, expressly wished his heart to be interred with his entrails at Goslar, while his body was taken to Speyer Cathedral where his ancestors rested. In France in 1117, the founder of the Order of Fontevrault, Robert d'Arbrissel, donated his heart to the convent at Orsan, while his body remained with the nuns at Fontevrault, the consequence of a brewing conflict between the two religious houses about where their founder should be buried.⁹⁶ In France, the division of the body became popular in the thirteenth century particularly among the royal family, who often requested burial in three different religious houses for their body, heart and entrails. In England, as we shall see, division was most frequently sought for two separate interment sites.⁹⁷

To what extent embalming or evisceration were a part of pre-Conquest funerary practices among the Anglo-Saxon nobility is difficult to ascertain.⁹⁸ It

⁹⁵ Schäfer, 'Mittelalterlicher Brauch', p. 479.

⁹⁶ Schäfer, 'Mittelalterlicher Brauch', pp. 480-481; Erlande-Brandenburg, *Le Roi est Mort*, pp. 93-95. The rest of Fulk's remains were interred at Beaulieu-lès-Loches. P. Georges, 'Mourir c'est mourir un Peu... Intentions et Techniques contre la Corruption des Cadavres a la Fin du Moyen Age', *Micrologus* 7 (1999): 360-361.

⁹⁷ Erlande-Brandenburg, *Le Roi est Mort*, passim; 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): 221-270.

⁹⁸ The Anglo-Saxons may have known about embalming, but it does not appear to have been practised by them. See V. Thompson, *Death and Dying in Later Anglo-Saxon England*

seems likely that the Normans brought over their customs from the Continent and applied preservation techniques to accommodate the journey of their dead to their final resting-places on either side of the Channel. The body of Hugh de Grandmesnil, for example, was taken to the Abbey of St Évroul in Normandy after his death in England in 1098. Two monks from the monastery pickled his remains with salt before they sewed them into an ox hide.⁹⁹ King Henry I's remains were treated in the same way, but his corpse was also thoroughly emptied of its more perishable contents before its journey to Reading Abbey could begin.¹⁰⁰

There is an important distinction to be made with regard to the intentions of the deceased and their family when it comes to the preparation of the corpse. First of all, embalming (either with balm or with salt), with or without evisceration, could be used to accommodate a journey from the site of death to the site of burial or to preserve the body during the time it took to put the necessary funerary arrangements in place.¹⁰¹ Secondly (and this may well have evolved from the first) there is the express intention of burying the heart

(Woodbridge, 2004), p. 21.

⁹⁹ Golding, 'Knightly Burials', p. 46. 'Embalming' is generally used as an umbrella term for a variety of preservation practices, including pickling and the literal application of balm to the surface of the body.

¹⁰⁰ See Section 1.4.1.

¹⁰¹ The fate of the entrails is often obscure, but the general impression is that they would be interred soon after, and close to the site of, death. Anything similar to the deliberate threefold division and burial of the bodies of French royalty is not found in an English context, with the exception perhaps of King Richard I in 1199, who requested the interment of his entrails at Chaluz, according to tradition, to symbolise the disloyalty of its inhabitants. The fact that he died at Chaluz while besieging the castle will be closer to the reason why his entrails found interment here. R.E. Giesey, *The Royal Funeral Ceremony in Renaissance France* (Genève, 1960), p. 20; Erlande-Brandenburg, *Le Roi est Mort*, p. 95. See also *Wendover*, 1: 282-284. On the other hand, see below Section 3.3.2 for the rare survival of certain monuments associated with entrails burials. For a comparison between French and English royal funerary customs see E.M. Hallam, 'Royal Burial and the Cult of Kingship in France and England 1060-1330', *Journal of Medieval History* 8 (1982): 359-380.

separately from the rest of the body. Thirdly, we find a combination of the two. Social decorum, family considerations and individual preference influenced the way in which the corpse of the deceased would be treated. It has already become apparent from the funerals of Edmund of Cornwall that whatever the intention, the burials of both the body and the heart could be lavish occasions.¹⁰²

The conclusion drawn from the previous section was that burial among ancestors or in one's own foundation was an important consideration choosing a final resting-place for the aristocracy. Moreover, the choice could depend to a certain extent on the importance of the spousal family, or newly acquired lordships. Also, there were individual preferences to be considered. The pattern of heart burials does not deviate from these main considerations. Although there are a number of recorded cases of certain heart burials prior to the thirteenth century, it was in the 1220s that the practice became more pronounced.¹⁰³ Whether this depends on a larger quantity of sources available or whether there was a genuine increase is unfortunately harder to ascertain. With the exception of a few surviving donation charters or wills, most information for this period must be taken from monastic chronicles and genealogies, which are not necessarily the most accurate. However, although the French surgeon Henri de Mondeville in the first decades of the fourteenth century claimed that by purging the bowels and wrapping the corpse in ox hides and sheets of lead it was preserved indefinitely, he also judged that evisceration was by far the best method of preservation. It is evident that he speaks from experience, which indicates that evisceration was practised more commonly as a preservation technique than

¹⁰² See above Section 2.1.

other sources might indicate. Moreover, his treatise was written after the promulgation of *Detestande feritatis* in 1299, which (among other things) forbade the opening of the corpse and although Mondeville asserts that one needs to obtain papal dispensation for evisceration, there is no indication that this request would immediately be denied.¹⁰⁴ Both the treatise and the Bull are thus witnesses to the fact that evisceration was a common means of corpse preservation.

In contrast to French aristocrats, who frequently requested a triple burial of body, heart and entrails in specific places, the English aristocracy generally showed a preference for two public interments, with the burial of the entrails being a subdued and occasionally secretive affair. One of the effigies of King Charles V of France, for example, proudly displays the contents of its entrails tomb, yet Edmund of Cornwall's *interiora* were committed to earth immediately after his death without reference to position or means of identification.¹⁰⁵ With the possible exception of Richard I, whose entrails were interred at Chaluz supposedly to symbolise the treason of its inhabitants, or Saher de Quency, whose heart and entrails were sent to Garendon Abbey for burial, the most common way to dispose of entrails was swift interment close to the site of death. Missenden Priory received Isabella Marshal's innards, while Wallingford,

¹⁰³ See Appendix 1.

¹⁰⁴ For Henri de Mondeville and his discussion of embalming techniques, see below Section 3.2.2. For the symbolism of entrails in religious and medical discourse, see below Sections 3.3.2 and 5.3.

¹⁰⁵ For Edmund's funerary arrangements see Section 2.1 above. For the effigy of Charles V holding his entrails see Panofsky, *Tomb Sculpture*, p 79 and fig. 351. The surviving exception to this within the British Isles is an entrails tomb currently in Christ Church Cathedral Dublin, which depicts a diminutive robed figure clasping its bowels. It is said to be part of Richard Strongbow's original tomb, but this is unsubstantiated. For an image, see B. Gittos and M. Gittos, 'Irish Purbeck: Recently Identified Purbeck Marble Monuments in Ireland', *Church Monuments*

Hertford and Belvoir provided the burial space for the entrails of Ranulph III earl of Chester, Gilbert Marshal earl of Pembroke and Robert III de Ros of Helmsley respectively, because they happened to die close to these monastic houses.¹⁰⁶

As would be expected, the largest number of requests for multiple burial, involving a separation of body and heart, is connected to a desire to be interred among one's paternal ancestors or in one's own foundation. Robert le Bossu, earl of Leicester, allegedly donated his heart to Brackley Hospital (Northamptonshire), which he had founded c.1150, while his body remained at St Mary-de-Pré in Leicester, one of his other foundations. Ranulph III, earl of Chester, whose entrails were buried at Wallingford, requested the separate interment of his heart at Dieulacres Abbey just before his death in 1232, while his body was taken to the ancestral burial site of St Werburgh's in Chester.¹⁰⁷

Three earls of Essex chose to be buried at Walden, founded by Geoffrey I de Mandeville, first earl of Essex. Geoffrey II died in Chester in October 1166; his body and heart were carried to Walden while his perishables remained in Chester. His brother William, dying in Normandy in 1189, was apparently persuaded by his cousin (*ejus consobrinus*) Henry de Vere to abandon his request for burial at Walden Priory. Instead, he decided to send his heart, which was interred in the priory's chapter house, while his body was interred at the

13 (1998): 8 and fig. 3.

¹⁰⁶ See Appendix 1 below. The diminutive knight effigy previously situated in Belvoir Priory and now in the north chancel wall in the Church of St Mary, Bottesford (Leicestershire) is said to represent Robert III de Ros. This monument would then refer to his entrails burial rather than his heart burial, which took place at Croxton Kerrial (Leicestershire). See G. Dru Drury, 'Heart Burials and Some Purbeck Marble Heart Shrines', *Dorset Natural History and Antiquities Field Club Proceedings* 48 (1927): plate following p. 50. He attributed the effigy to William III de Albini (d. 1236) rather than to Robert III de Ros. William III's heart was buried at Belvoir; his body at Newstead by Stamford. He was the grandfather of Robert III's wife Isabella de Albini.

¹⁰⁷ Appendix 1.

Abbey of Mortimer in Normandy.¹⁰⁸ The last Mandeville earl of Essex, William III, similarly bequeathed his heart to Walden but chose Shouldham priory as the last resting-place for his body as his father and mother had been interred there.¹⁰⁹

The choice between the symbolic association with patrilineal ancestry within the monastic space or cementing the connection with one's own religious house was not the only consideration. Matrilineal ancestry could be given precedence, in particular if the mother had been an important heiress. Moreover, a husband might prefer to be interred among his wife's ancestors if she was an heiress, or a wife might have considerable freedom choosing her own interment site. Also, multiple burial opened up the possibility of interment in two monasteries, which were both associated with a particular family or lordship. Personal preferences or attachment to a particular order could equally be expressed. It should be noted that these choices were made as part of a general aristocratic interment strategy as well; the option of multiple burial, however, made it possible to comply with a range of religious, social and political demands.

There are no clearly delineated categories with which to divide the strategies for multiple burial and it seems that each case was predicated on the

¹⁰⁸ *Monasticon*, 4: 144-145, from a Walden chronicle. The chronicler is generally negative about the de Veres. Rohaise, mother of William de Mandeville, was a daughter of Aubrey I de Vere. She founded the priory of Chicksands after the death of her first husband, William's father, and according to the Walden chronicle tried to shift the family interests to this priory from Walden. *Ibid.*, 4: 143. Sanders, *English Baronies*, p. 71.

¹⁰⁹ The Gilbertine priory of Shouldham was founded by William III de Mandeville's father, Geoffrey FitzPeter, who had acquired the earldom of Essex through his wife Beatrice II de Say. She was the granddaughter of William de Say and Beatrice I de Mandeville, heiress to the earldom after the death of William II de Mandeville in 1189. William, son of Geoffrey Fitz Peter and Beatrice II de Say took the name 'Mandeville' to underline his descent from the original earls of Essex. When he died without issue in 1226, his sister Matilda, widow of Henry de Bohun earl of Hereford, became his heir. Beatrice II was first buried at Chicksands, but her remains were moved to Shouldham by her husband in keeping with his original foundation charter in

individual and particular circumstances in which the dying found themselves. Wills specifying burial preferences could not always be adhered to, or the surviving relatives could deliberately decide to follow their own course. Rohaise, widow of Eudo Dapifer, for example, wished to be buried with her husband at 'his' abbey of St John in Colchester (*ab abbatiam suam*), but when she died in Normandy c. 1121 her relatives decided to ignore her request and interred her at the Abbey of Bec.¹¹⁰ A similar decision surfaces in the burial arrangements for Isabella Marshal in 1240; the Tewkesbury annalist claimed she wished to be buried in his house, but that this was not allowed by her second husband.¹¹¹

The association of the deceased with maternal ancestors does not occur frequently in cases of multiple burial. The most obvious example of shifting allegiance through the maternal line is Tewkesbury, which became the burial ground of the Clares only after they acquired the earldom of Gloucester through marriage. Christiana de Valognes, married first to William de Mandeville earl of Essex (d. 1226) and second to Raymond de Burgh (d. 1230), chose to be interred with her first husband's remains at Shouldham, but sent her heart to be buried at Binham Priory, which had been founded by a maternal ancestor. The burial concerns of Stephen Longspee, son of Ela Countess of Salisbury, reflect his interest in his maternal ancestry rather than his father's (who was an illegitimate son of Henry II). When he died (1269), his body was interred in his mother's foundation of Lacock (Wilts.), while his heart was donated to Bradenstoke Priory (Wilts.), which had been founded by his maternal ancestor, Walter, Ela's

which he bequeathed his and her body. See Appendix 1.

¹¹⁰ Golding, 'Knightly Burials', pp. 46-47.

¹¹¹ See above, Section 2.1.2 and *Ann. Tewks.*, p. 113.

grandfather.¹¹²

Related to the interest in the burial sites of the maternal family is the interest in spousal ancestors. Husbands of wealthy heiresses frequently granted either body or heart to religious houses traditionally associated with the family of their wife. Saher IV de Quincy, for example, had married a coheiress to the estate of the earldom of Leicester, having himself come from humbler origins. He was created earl of Winchester c. 1207 after the death of his brother-in-law, Robert de Beaumont earl of Leicester (d. 1204) when he took charge of his wife Margaret's share of her inheritance.¹¹³ He died in 1219 at the siege of Damietta while on crusade and according to one chronicle had requested his heart and 'vitals' to be buried at Garendon Abbey. In an unusual fashion, to accommodate their transport, his organs were cremated; his body was interred at Acre. Garendon, a Cistercian house, had been founded in 1133 by Robert II de Beaumont, who had inherited his father's English possessions in 1118.¹¹⁴ The earls of Leicester did not have a tradition of burial at Garendon: both Robert II and Robert IV chose interment in the Augustinian Abbey of St Mary-de-Pré at Leicester, founded by Robert II in 1143.¹¹⁵

¹¹² Appendix 1. Stephen was Ela's third son. A fourth son, Nicholas became Bishop of Salisbury and was interred in the cathedral there, which already housed the tomb of his father, William Longspee. Margaret de Quincy, daughter of Robert III earl of Leicester (d. 1236) selected two of her family's foundations for interment: Garendon Abbey, where her husband's heart had been buried, and Brackley Hospital, founded by Robert II de Beaumont (d. 1168), whose heart was interred here as well. *Monasticon*, 5: 331; Knowles, *Religious Houses*, p. 345 (Brackley).

¹¹³ Sanders, *English Baronies*, p. 61; *GEC*, 12.2: 748-751. Margaret's sister, Amice, was married to Simon I de Montfort, and being the eldest, she inherited the title. For Saher IV and his family see S. Painter, 'The House of Quincy 1136-1264', *Medievalia et Humanistica* 11 (1957), pp. 3-9. His father, Robert, had connections with the Scottish court.

¹¹⁴ *Ann. Waverley*, p. 292; Garendon was probably colonised from Waverley Abbey. Knowles, *Religious Houses*, p. 120; *Monasticon*, 5: 331. His widow Margaret (d. 1236) and son Roger, earl of Winchester (d. 1264) were also buried at Garendon.

¹¹⁵ Knowles, *Religious Houses*, p. 163; *Monasticon*, 5: 331; Dugdale, *Baronage*, 1: 85-87; *GEC*, 7: 527-530. Robert IV was buried in front of the high altar. Robert III died on the way back from

The burial of the heart of Robert III de Ros of Helmsley at Croxton Kerrial (Leics.) similarly symbolised the connection with spousal ancestors. Apart from King John's innards, the abbey also housed the heart of his father-in-law William IV de Albin of Belvoir (d. before 1248). Robert III's entrails were interred at Belvoir Priory, which had received successive generations of the Albin family for interment both in the chapter house and before the high altar.¹¹⁶

The decision to inter either the body or heart in a particular religious house then depended first of all on the social circumstances of the deceased. Moreover, the choice appears to have been dictated by specific reasons. The *heart* of one person could be interred, for example, with a spouse while another person would choose to have his or her *body* laid to rest with his/her wife or husband. Similarly, founders did not necessarily restrict themselves to sending the heart to their own religious house but chose individually between heart and body. Secondly, an element of piety cannot be discounted. The increase in the number of multiple burials in the thirteenth century parallels the development of founding chantries for deceased relatives. The possibility of maximising the power of prayer through the division of the body may have been a consideration connected to the need for religious intercession expressed by chantry foundations.¹¹⁷ The evidence suggests, nevertheless, that multiple burial was primarily a matter of socio-political consideration and that only occasionally was it employed for purely religious reasons.

In the last quarter of the thirteenth century, Dominican and Franciscan

Jerusalem. His burial location is unknown; *VCH Leicestershire* 2: 13-19.

¹¹⁶ *Monasticon*, 3: 289; Eller, *Belvoir Castle*, pp. 6-12.

¹¹⁷ See for example Cooke, *Mediaeval Chantries*; cf. Binski, *Medieval Death*, pp. 63-69.

houses particularly benefited from the fashion of aristocratic multiple burial, with members of the royal family leading the way. The London Dominicans received the hearts of several royal children, as well as the heart of Edward I's first wife Eleanor of Castile (d. 1290), who endowed the convent with £100 towards the building of a chapel to contain the heart of her son Alphonso (d. 1284) and her own. The unusually full accounts for Eleanor's funerary monuments reveal that her heart tomb was made of gilded metal with an angel holding her heart or a representation of it in its hand.¹¹⁸ The London Franciscans and Minoreesses (who followed the Franciscan rule) could have prided themselves on receiving the hearts of the Queen Dowager Eleanor of Provence and her son Edmund earl of Lancaster.¹¹⁹ Augustinian houses were equally favoured for heart burials, whereas the majority of bodies continued to be buried in Benedictine monasteries. The Cistercians, despite their strict rules concerning burial, did regularly receive their donors' bodies and hearts for interment in their churches.¹²⁰ In the next chapter, we shall investigate the status of the heart in relation to the body in the context of these multiple burials.

The patronage of monasteries formed a significant aspect of aristocratic lordship and was intimately connected to a concept of familial identity. The

¹¹⁸ J.C. Parsons, *Eleanor of Castile: Queen and Society in Thirteenth-Century England* (New York, 1995), p. 206-208; Binski, *Westminster Abbey and the Plantagenets*, pp. 107-108. A full account of the expenses can be found in T.H. Turner (ed.), *Manners and Household Expenses of England in the Thirteenth and Fifteenth Centuries illustrated by Original Records* (London, 1841).

¹¹⁹ *Rishanger*, p. 129; C.L. Kingsford, *The Grey Friars of London: Their History with the Register of their Convent and an Appendix of Documents* (Aberdeen, 1915), p. 71. The Franciscans also provided the burial space for the heart of Archbishop John Peckham, the bodies of Margaret of France (Edward I's second wife), Beatrice daughter of Henry III and Eleanor, and Isabella of France, widow of Edward II. For the Minoreesses (or Poor Clares): *Monasticon*, 6.3: 1553-1554; Bradford, *Heart Burial*, pp. 95-96. This preference for the mendicant orders was highly criticised by Rishanger, who compared the Franciscan enthusiasm for aristocratic burials to dogs fighting over a bone.

visual expression of the relationship between donors and religious houses can be found in the burial patterns of successive generations of family members in combination with specific time-bound fashions in endowment. The foundation of a religious house could be considered a mark of social elevation, interment in one's 'own' monastery the ultimate cementing of the bond between founder and house. Successive generations generally continued the patronage of the original foundations and endowed monasteries of their own. This increasingly complex network of religious benefaction, based on piety as much as on social connections, brought its own problem when deciding where to be buried. As we have seen, the majority of aristocratic burials were in some way connected to ancestry, in particular after the age of monastic foundations had passed. Multiple burial could be used as an expression of various social obligations and personal piety. The presence of aristocratic body parts within the monastic space served to render visible the bonds between patron and monastery and to stress the dynastic continuation of lordship, as well as to provide a potent focal point for religious intercession. The implications of multiple burial on the body as an expression of aristocratic identity and the status of the severed body parts are topics for the next chapter.

¹²⁰ See Appendix 1.

CHAPTER 3
WHOLENESS AND FRAGMENTATION
ARISTOCRATIC FUNERARY PRACTICES IN A SOCIAL CONTEXT

It has become evident from the previous chapter that the location of interment was dictated by a combination of social and familial obligations and personal interests. The status of a family as the holder of a particular lordship relied to a large extent on the evidence of a fruitful relationship between members of the family and the religious houses traditionally associated with them or the lordship. One of the ways in which this relationship could be rendered visible was through the interment of successive generations of family members or of holders of the lordship, in particular within the more significant spaces of the monastery, such as the chapter house, presbytery or choir. The tension that might arise from conflicting personal and social interests was partly resolved by the separate interment of body parts in two different religious establishments. This chapter hinges upon two matters of consequence arising from this practice, both of which are particularly related to the way in which the male aristocratic body was viewed.

First of all, if the body was considered the locus of the collective male aristocratic identity founded upon the ambiguous concept of nobility, how did this translate itself into aristocratic funerary practices? What strategies were employed to ensure the perpetuation of commemoration and the visualisation of the relationship between monastic house and lordship? If the presence of the body of the deceased mattered within the monastic space, how was this achieved to accommodate these strategies? Secondly, if the male aristocratic body was

constructed by the concept of nobility, what did this entail for the aristocratic corpse? Within the context of ideas about a dignified death and a whole, noble body, would it be possible to discern attempts to control the uncontrollable processes of corporeal decay?

These two matters will be the topics of the first two sections of this chapter. In the last section, the tension between the wholeness and fragmentation of the aristocratic corpse, which surfaces in the drive to control and negate the putrefaction of the dead body, will be explored in relation to multiple burial. In relation to this, there will be some reflection on the significance of the heart and entrails, as well as on the importance of the medico-religious physiological hierarchy for the actualisation of the idealised noble aristocratic corpse.

3.1 REMEMBRANCE IN SPLENDOUR: THE PRESENCE OF THE ARISTOCRATIC DEAD IN RELIGIOUS HOUSES

Status, one's position within the differentiated social structure, was predicated to a large extent on birth and the marriage alliances forged between families as well as on the possession of land and its associated socio-political prerogatives.¹ The fact that these higher echelons of society identified themselves with a concept of *nobilitas* (and were in turn identified with it by others) meant that there was a

¹ S.H. Rigby, *English Society in the Later Middle Ages: Class, Status, and Gender* (Basingstoke, 1995), p. 198: 'Rather than the formalities of legal status, it was the concrete practical advantages of landed wealth which formed the foundation of the magnates' position and of its maintenance through marriage alliances and through royal service and patronage.' His arguments are repeated in Rigby, 'Approaches to Pre-Industrial Social Structure' in J. Denton (ed.), *Orders and Hierarchies in Late Medieval and Renaissance Europe* (Basingstoke, 1999), pp. 6-25. On both occasions, he discusses the two main sociological approaches informing social history, which are marxism and functionalism. He proposes a middle ground found in the theory of social closure, in which wealth lies at the heart of further social stratification. For the aristocracy, it is the concept of nobility, which forecloses any attempts of the upwardly mobile to integrate within their social group (see Section 1.2.2 above). Also C. Given-Wilson, *The English Nobility in the*

well-developed sense of superiority inherent in the perception of status, (predicated on behaviour and lineage) and the value attached to property and wealth. Status depended foremost on the worth of a person in the eyes of his/her peers, whether it was on the basis of material possession or on the basis of displaying the right character. Apart from the expression of family connections, adherence to a set of values shared by the members of a group was equally important for one's position within that group. The aristocratic template, this idealised body, therefore, was moulded upon an ambiguous concept of nobility, with the male body inhabiting a conceptual space between 'self' and family.²

A prescriptive 'model' of the ideal aristocrat thus underlay the behaviour of individuals within the symbolic boundaries of the aristocratic community, creating a collective identity to separate members from other social groups.³ These boundaries, first of all drawn to separate one group from another, are typically exposed in times of social uncertainty and sealed off from external threats. On the other hand, the lines will be enforced as soon as an internal threat to the stability of the group becomes obvious, in which case the transgressor is used to underscore the limits of social acceptance.⁴ Here, we shall focus on the mechanisms which allow the perpetual incorporation of the individual within the aristocratic community by means of funerary practices. In a reversal of chronology, I would like to explore the post-burial presence of the aristocracy within the religious space, in a physical as well as spiritual sense, before moving

late Middle Ages (London, 1987), p. ix.

² See Section 1.2 above.

³ See Section 1.2.1 for a discussion of Bynum's suggestions about the position of the individual within medieval society.

⁴ See for this Chapter 5 below.

on to the role of funerary practices themselves and the position of the corpse within these.

If monastic houses had been able to escape the destruction following upon their dissolution, they would perhaps still be valuable witnesses to the funerary art of the later Middle Ages. Among the ruins of some monasteries, there are still the occasional fragments of effigies or tomb slabs but the majority of them have perished over the centuries. Parish churches and cathedrals, on the other hand, often harbour grave markers even if they are no longer *in situ* or in perfect shape.

Once, the remains of the dead would have been very present within the monastic spaces of the church and the chapter house. From modest slabs, flush with the floor and frequently only marked with a cross, elaborate tombs and brasses evolved with representations of the deceased and heraldic programmes indicating their family connections.⁵ The position of these objects, and what lay underneath, mattered as much as the shape of them, as we have seen in the previous chapter. At Tewkesbury, for example, there is textual evidence for an elaborate funerary programme which involved the interment of successive generations of the Clare earls of Gloucester as well as the relocation of a previous incumbent of the earldom, and founder of the abbey, to a site in close proximity to the Clares.⁶

The lay effigial tomb rose to prominence in the thirteenth century, but

⁵ For a general overview of the development of funerary art see for example E. Mâle, *L'Art Religieux de la Fin du Moyen Age en France* (Paris, 1949); E. Panofsky, *Tomb Sculpture: Four Lectures on Its Changing Aspects from Ancient Egypt to Bernini* (New York, 1992 [1964])

⁶ See Section 2.2 above.

tomb slabs displaying a representation of the deceased are found from as early as the eleventh century:⁷ the bronze effigy of Rudolf of Swabia (d. 1080) in Merseburg Cathedral is generally considered to be first of its kind. Displaying a king in state in radiant permanence, the effigy encodes perceptions of Rudolf's inner being as well as the expected perfection of his resurrection body.⁸ In the following centuries, although the material would generally be less ostentatious, effigies continued to express the idealised body as befitted social status, rather than the individual. Many of them have been rendered anonymous over time as paint schemes faded or accessories disappeared. Knightly effigies, for example, would carry shields or surcoats displaying their coats of arms, and unless these were part of the sculpture, they would have been painted on or engraved into separate bronze or brass plaques.⁹

The first knightly effigies did not appear in England until the early thirteenth century. William Longespée, earl of Salisbury (d. 1226) was buried in Salisbury Cathedral, where an effigial tomb was erected for him c. 1240. The earl is depicted wearing full armour, peacefully stretched out and with his head slightly tilted sideways. His shield carries his arms, which have been cut into the stone. The figure is positioned upon an altar-like tomb and appears to be in a state of rest. In his depiction as a knight, the earl's effigy does not differ from the

⁷ Ecclesiastical effigies were more common. The practice appears to have diffused from ecclesiastics to royalty and the greater magnates. Panofsky, *Tomb Sculpture*, p. 51; T.E.A. Dale, 'The Individual, the Resurrected Body, and Romanesque Portraiture: The Tomb of Rudolf von Schwaben in Merseburg', *Speculum* 77 (2002), pp. 707-743. In this article, Dale explores the concept of the living individual as *imago Dei* and the translation of this idea upon sculpted effigies. Also, P. Binski, *Medieval Death: Ritual and Representation* (London, 1996), pp. 81-85. Binski argues that secular tomb sculpture was modelled on the shrine for saints.

⁸ Dale, 'Individual, Resurrected Body, and Portraiture', p. 743.

⁹ See H. Tummers, *Early Secular Effigies in England: The Thirteenth Century* (Leiden, 1980); R. Dressler, 'Steel Corpse: Imaging the Knight in Death', in J. Murray (ed.), *Conflicted Identities*

effigies created in great abundance in the thirteenth century for those knights below the status of magnate, so that despite the social gradation within the aristocracy this distinction is not always present within their effigial representations. The funerary imagery of the aristocracy thus levels out internal social differences and instead presents contemporaries and posterity with an idealised figure, the epitome of nobility.¹⁰

The great detail of armour and dress chiselled into stone, cut in wood, painted upon the surface or engraved in brass exposed the idealised faces and bodily structure that were part of the aristocratic self-image. As Dressler points out, the knightly effigy is markedly different from other effigies in the period in its striking emphasis on the muscular body.¹¹ The variations within the facial expressions or hand gestures were part of the same iconographic programme. Whether showing the knight gazing peacefully into the infinite or distorting his face, both expressions indicated aspects of the aristocratic interpretation of nobility. While on the one hand he peacefully contemplated the infinite, on the other hand the knight's expressive face showed his readiness to take on his enemies. Similarly, his hands either were joined in prayer or grabbing a sword, gestures of piety and military prowess, which were both externalised characteristics of interior virtue professed to be the aristocratic ideal.¹² The image of the battle-ready knight was sustained despite the fact that in reality

and Multiple Masculinities: Men in the Medieval West (New York, 1999), pp. 145-146.

¹⁰ P. Coss, *The Knight in Medieval England 1000-1400* (Stroud, 1993), p. 72; Tummers, *Early Secular Effigies*, pp. 18-21; Dressler, 'Steel Corpse', pp. 139-143, 151. Tummers points out the difficulty of identifying many thirteenth-century effigies, since their frequently painted armorial bearings have disappeared. He surmises that they were mostly connected to knights of the shire, who were no longer in active military service.

¹¹ Dressler, 'Steel Corpse', pp. 151-153. For the types of material used for knightly effigies see Tummers, *Early Secular Effigies*, pp. 12-18.

many of them only rarely saw military combat or held civic duties rather than military ones.¹³ It is evident that the effigy presented a knightly ideal even if it was dislodged from the changing nature of aristocratic occupations.

The use of heraldry upon tombs was equally important to convey the impression of high status, by associating the deceased with illustrious ancestors. The right to bear arms was gradually extended in the thirteenth century to all members of the aristocratic class, whether they were magnates or county knights, and was connected to the rise of the knightly effigy.¹⁴ It was a sign of social distinction to be able to display one's blazon on tombs and other funerary objects. Moreover, heraldic blazon provided the effigy with an identity, while simultaneously it rendered the identity of the individual person virtually anonymous by establishing the position of the deceased within the family.

However, it is in the relations between a family and the religious houses they endowed that we can observe the ways in which these ties could be expressed most clearly. The symbolic representations of family, such as heraldry, were frequently woven into the fabric of the monastic church, creating an enduring testimony to the existing relationship. Examples include stained-glass windows depicting founders and heads of the family in the choir clerestory at Tewkesbury Abbey (1340s), the gatehouse at Kirkham Priory (c. 1300) with its heraldic shields of several important families in England displayed on the exterior, or the floor tiles found at Hailes Abbey which depict the heraldic arms

¹² See Section 1.2.2 for a discussion on the appropriation of knightly imagery by the aristocracy.

¹³ Coss, *Knight in Medieval England*, chapter 5. Also, Dressler, 'Steel Corpse', pp. 143-144 for a summary discussion.

¹⁴ Coss, *Knight in Medieval England*, p. 73; M. Keen, *Chivalry* (New Haven, 1984), pp. 128-129. At first the right to bear arms served as an exclusionary strategy for the most powerful members

of Richard Earl of Cornwall.¹⁵

Towards the end of the thirteenth century, moreover, it becomes more common for pictorial programmes of family association to be included upon tombs. Although Eleanor of Castile's effigial tomb, commissioned by Edward I in 1292, displays her ancestry and her marriage in heraldic shields, it is on the tombs of Edward's brother Edmund earl of Lancaster (d. 1296), and those of their Valence relatives, that associations with family are an obvious part of the iconographic programme.¹⁶ In the case of William de Valence, King Henry III's half-brother, the shields on his tomb associate him through a wide spectrum of marriage alliances with several important families, including the Clares, the Duke of Brittany, Hastings, and the German Emperor Frederick II.¹⁷

Effigies and heraldry on tombs, sometimes commissioned years after the death of the individual involved, clearly served to render visible the presence of ancestors and their status, which would reflect retrospectively on the commissioner. The idealised bodies of the aristocratic effigies, in particular those of the men, displayed an 'aggressive corporeality' which reflected a concern with the exterior body as a mirror for the interior qualities of the aristocracy. This

of the aristocracy. In the course of the thirteenth century, however, there is an increase of knightly families bearing arms.

¹⁵ G. Coppack, S. Harrison and C. Hayfield, 'Kirkham Priory: The Architecture and Archaeology of an Augustinian House', *Journal of the British Archaeological Association* 148 (1995): p. 108; R. Morris, 'Tewkesbury Abbey: The Despenser Mausoleum' *TBGAS* 93 (1975): 145-146. Morris argues that Hugh Despenser the Younger started a major rebuilding programme at Tewkesbury after inheriting part of the Gloucester estates through his wife Eleanor de Clare, which included the design and possibly the initial stages of the stained-glass windows. Also, Coss, *Knight in Medieval England*, pp. 72, 88-91. For a photograph of the Tewkesbury windows, see *ibid.*, between pp. 74-75. For the floor tiles at Hailes Abbey, see W. Bazely, 'The Abbey of St Mary, Hayles', *TBGAS* 22 (1899): 257-271.

¹⁶ A. Morganstern, *Gothic Tombs of Kinship in France, the Low Countries, and England* (Pennsylvania, 2000), p. 64. For descriptions of these tombs see pp. 65-73.

¹⁷ Morganstern, *Gothic Tombs of Kinship*, pp. 65-66. These marriages involved his siblings and half-siblings.

reconstruction of the ideal aristocratic body in brass or stone called to attention the nobility of the deceased captured in perpetual stasis. Working on two levels, the effigy can be read as an image of the deceased in the afterlife as well as a representation of the ideological construct inhabited by the aristocracy.¹⁸ Heraldry, in particular in direct relation to the effigy, serves to connect the deceased with their family, both ancestors and descendants. This is taken to the extreme in the so-called tombs of kinship discussed in the previous paragraph, but is also evident from more modest tombs, in which the effigy bears the family arms on a shield, surcoat or dress.¹⁹

The status of the deceased and his/her connections with the aristocratic community were equally represented in the elaborate funerary ceremonies demanded by social convention.²⁰ The aristocratic funeral could be an elaborate affair and therefore a costly affair. Provisions had to be made for attendance, the distribution of alms, and the supply of food and drink for guests; debts had to be paid off; funerary objects such as candles, tapers, hearse and coffin needed to be purchased.²¹ By implication the date of burial would be postponed until the

¹⁸ H. Colvin, *Architecture and the After-Life* (New Haven, 1991), p. 138. Binski, *Medieval Death*, p. 94; Dressler, 'Steel Corpse', p. 156. See also Chapter 1.

¹⁹ See for example, Coss, *Knight in Medieval England*, pp. 75, 96-97; P. Coss, *The Lady in Medieval England 1000-1500* (Stroud, 1998), pp. 50-51.

²⁰ As we have seen in the previous chapter, the dynastic concerns of families often found their expression in the patronage of certain monastic houses and a succession of burials within their churches of the heads of these families. In return, monasteries became 'a repository of family tradition.' S. Wood, *English Monasteries and their Patrons in the Thirteenth Century* (Oxford, 1955), p. 124; see above, Section 2.2. For the later medieval and early modern period, see C. Gittings, *Death, Burial and the Individual in Early Modern England* (London, 1984), pp. 24-30; D. Cressy, 'Death and the Social Order: the Funerary Preferences of Elizabethan Gentlemen', *Continuity and Change* 5 (1989): 99-119, which stresses the continuity of funerary practices from the late medieval period until after the Reformation.

²¹ Edmund earl of Lancaster (d. 1296), for example, allegedly refused to have his funeral until all his debts had been settled. M. Prestwich, *Edward I* (London, 1988), p. 385. Gittings, *Death, Burial and Individual*, pp. 26-29. On the funerary objects and liturgical elements of the funeral, see C. Daniell, *Death and Burial in Medieval England 1066-1550* (London, 1996), pp. 44-48,

necessary arrangements had been made, which could leave a considerable gap between death and inhumation. Edmund earl of Cornwall (d. 1300), as we have seen, was not interred until about six months after his death in a funeral at which many important guests were present. Two months prior to the funeral ceremony at Hailes Abbey, his heart burial at Ashridge, where he had died, was equally well attended.²² Theobald I and Theobald II de Verdun each had to wait over a month for their interment. Theobald I died 24 August 1309 at the family *caput* of Alton in Staffordshire and was buried on 13 October at the nearby Abbey of Croxden. Similarly, Theobald II died at Alton on 27 July 1316 and was buried at Croxden on 19 September.²³ It is likely that the time between their deaths and their funerals was used to put the necessary arrangements in place and for people to be invited to their funerals.

The occasional references to non-liturgical procedures at aristocratic funerals provide a glimpse of the sense of social decorum embedded within religious concerns. The mortuary fee, which was a voluntary gift from the deceased for their interment, often involved objects rather than sums of money.²⁴ In the case of aristocratic men, this invariably constituted of giving their armour or their best charger, or both, to the religious establishment in which they had chosen to be buried. William IV de Beauchamp, earl of Warwick (d. 1298), for

and pp. 52-61 for the costs incurred. For William Marshal's funeral in 1219 see P. Meyer (ed.), *L'Histoire de Guillaume le Maréchal* (Paris, 1891-1901), 3: 266.

²² See above Section 2.1.

²³ *GEC* 12.2: 249-250, 372-374; *Monasticon* 5: 661. I am also grateful to Jackie Hall for allowing me to read a draft of chapter 6 on the relationship between the de Verdun family and Croxden in her thesis on the abbey. The interment of Joan of Furnival, daughter of Theobald II, was also postponed; she died at the beginning of October 1334 and was not buried until 7 January following. See also M.S. Hagger, *The Fortunes of a Norman Family: The de Verduns in England, Ireland and Wales, 1066-1316* (Dublin, 2001) for an in-depth study of the family.

²⁴ Daniell, *Death and Burial*, p. 60.

example, donated the two horses carrying his armour at his funeral to the religious house in which he was to be buried. Giles de Berkeley of Coberley (d. 1294) wished that the horse, which carried his arms before his body, would be donated to Little Malvern priory where he was to be interred. Likewise, his other horse, 'Lumbard', was given to the church of St Giles of Coberley, where his heart was buried.²⁵

The funeral itself, as can be inferred from the above, formed part of a social display that drew attention to the status of the deceased and his family. The battle horses of the deceased, attired in full armour and carrying heraldic arms would precede the bier, while a large number of mourners would follow in procession. William III de Beauchamp (d. 1269) requested that one horse 'completely harnessed with all military caparisons, precede my corpse.' Edmund of Cornwall's cortège was followed by the King and Queen as well as a number of prelates and magnates of the realm, thus emphasising his former position within society.²⁶ The reverse was requested as well, thus providing evidence for the extent to which the aristocracy came to view the funeral as an occasion for the expression of status. In 1358, Otto de Grandison implored his executors to keep his funeral simple and to have his body clothed in a white shroud:

I entreat that no armed horse or armed man be allowed to go before my body on my burial day, nor that my body be covered with any cloth painted or gilt, or signed with my arms; but that it be only of white cloth marked with a red cross.²⁷

²⁵ N.H. Nicholas, *Testamenta Vetusta, 1190-1560*. 2 vols. (London, 1826), 1: 52; B. Gittos and M. Gittos, 'Motivation and Choice: The Selection of Medieval Secular Effigies', in P. Coss and M. Keen, *Heraldry, Pageantry and Social Display in Medieval England* (Woodbridge, 2002), p. 154.

²⁶ Nicholas, *Testamenta Vetusta*, 1: 51; for Edmund of Cornwall see Section 2.1 above.

²⁷ Nicholas, *Testamenta Vetusta*, 1: 62; see also *ibid.*, p. 54 for Guy de Beauchamp's request for a simple interment; Gittings, *Death, Burial and Individual*, p. 30.

In as much as the attention was on the funeral procession and service, little attention was given to the actual interment of the body. After the service, the assembled mourners would leave the church for a funerary meal, while the deceased was left to be interred in private. By decentralising the dramatic moment of burying the corpse, the fear of corruption was avoided and the image of wholeness would be sustained.²⁸ However, this suggests that the body of the deceased was made abject and that the corpse did not have any inherent signification apart from its potentiality to endanger the living with its corruption. As we saw in Chapter 1, this was most certainly not the case. Up to the point of interment (and occasionally even after this, as with corporeal ghosts), the cadaver was imbued with the social and cultural perceptions which surrounded the living. The ambiguity of the decaying corpse as disintegrating matter was the ideal arena for the metaphysical battle between good and evil: the corruptibility and incorruptibility of the cadaver signified to society the moral disposition of the deceased during their life. While funerals, tombs and effigies diverted the attention away from the cadaver by focusing on the social nobility of the deceased as expressed by images of family, the putrid body became the symbol of a corrupted 'self' which disavowed attempts to decentralise its presence. Within aristocratic funerary practices, however, these conflicting forces were reconciled by attempts to control the post-mortem behaviour of the body. As the moral nobility of saints became increasingly identified with the uncorrupted corpse, so the aristocracy followed suit in an attempt to regain control over the

²⁸ Daniell, *Death and Burial*, p. 49; Gittings, *Death, Burial and Individual*, p. 31: 'Death was seen ... not so much as a break or rupture but more as a passing from one form of being to another.' Funerals have generally been interpreted (since Van Gennep) as a *rite de passage*; cf.

imagined body of the noble aristocrat.

3.2 CONTROLLING THE CADAVER

The loss of control (signified by corruption) was inherent in the fear of the corpse and therefore lay at the heart of its attempted abjection.²⁹ The regulation of the physical processes of the body is a major structuring condition in social organisation; appropriate behaviour was, as we have seen, inextricably connected to the image of the aristocracy.³⁰ As I argued in the previous section, the fear of uncontrollable corruption was partly deflected by funerary ceremonies and the construction of tombs and effigies, which focused on the social nobility of the family, rather than the individual. But because the increasing importance of the body as part of a psychosomatic 'self' defied attempts to make it abject (in the sense of making it devoid of meaning), it meant that the tension created between the dangerous corpse and this concept of a psychosomatic 'self' needed to be resolved. This was particularly the case for the aristocracy for whom the concept of the noble and whole body was at the centre of their social existence. If identity was expressed in terms of wholeness and incorruptibility (i.e. nobility), then the decaying corpse was *ipso facto* a threat to the imagined order of 'self' and society. The solution to this threat was found in embalming and other means of preparing the corpse to counter the natural course of decay.

R. Hertz, *Death and The Right Hand* (Aberdeen, 1960) and Binski, *Medieval Death*, p. 29.

²⁹ J. Kristeva, *Powers of Horror: An Essay on Abjection* (New York, 1982), p. 4: 'It is not lack of cleanliness or health that causes abjection but what disturbs identity, system, order. What does not respect borders, positions, rules. The in-between, the ambiguous, the composite.'

³⁰ See the Introduction above and Section 1.2.2.

3.2.1 'WHANNE MINE EYHNEN MISTEN...': THE BATTLE AGAINST DECAY³¹

The fear of decay and the loss of control are especially evident from discourse on the symptoms of approaching death. The gruelling descriptions found in the 'Signs of Death' texts expose the bodily processes at work in the moments before the transition between this life and the next occurs. A popular theme throughout the middle ages, the discourse on the signs of death originated in the medical texts of Hippocrates and was studied in Benedictine monasteries from the time of Cassiodorus (c. 500 AD) through the filter of Galenic medicine. From the twelfth century onwards, the 'Signs' started to appear in medical manuscripts in England. Around the same time, they were also detached from their medical context and incorporated in didactic literature.³² What had originated as a medical means of providing the correct diagnosis thus acquired extra depth in religious sermons, which often focused on the dangers of dying unprepared.

The most common elements in the discourse on the signs of impending demise are focused predominantly on the senses and the loss of bodily functions. In a systematic top-to-bottom description of the body, of the kind often found in romances, the signs of death are analysed according to the loss of faculty in each member. The eyes cloud over, the ears 'stop', the nose sharpens, the lips shrivel and blacken, the tongue 'folds' within a contracting, grimacing mouth. Hands and feet start to tremble and become rigid, the muscles contract.³³

Whanne mine eyhnen misten,

³¹ M.S. Luria and R.L. Hoffman (eds.), *Middle English Lyrics: Authoritative Texts, Critical and Historical Backgrounds, Perspectives on Six Poems* (New York, 1974), p. 224.

³² R. Woolf, 'Lyrics on Death' in Luria and Hoffman (eds.), *Middle English Lyrics*, pp. 302-303; reprinted from R. Woolf, *The English Religious Lyric in the Middle Ages* (Oxford, 1968), pp. 67-85.

³³ Luria and Hoffman (eds.), *Middle English Lyrics*, p. 224 (no. 234). It is found in Cambridge Trinity College Library B.1.45 (MS. 43), f.73v.

And mine eren sissen,
 And my nose koldeþ,
 And my tunge foldeþ,
 And my rude slakeþ,
 And mine lippes blaken,
 And my mouþ grenneþ,
 And my spotel renneþ,
 And min her riseþ,
 And min herte griseþ,
 And mine honden bivien,
 And mine fet strivien -

This is not a clinical list of signs found in a medical treatise or even a sermon. The tone is anxious; the rhyme is staccato; the voice is intimate: this is the body itself speaking to us about the dangers of dying unprepared, ‘whanne *mine* eyhnen misten’. It is the body, which is urging the soul to be repentant before it is ‘all too late,/ whanne the bere is ate gate’. The picture is not only of a body losing control over itself, it is simultaneously warning the soul against losing the opportunity to prepare itself for the afterlife. Deaf, blind and stunned, the dying man or woman can only wait with a trembling heart for that which lies beyond life.

The dying body is presented as a catalogue of disharmonious and malfunctioning parts, which points towards the dissolution of an imagined unified identity. The moment of death is in itself a moment of transition: ‘body’ becomes ‘cadaver’, and the verse confronts us directly with this moment. As we are reading the catalogue, we witness this transformation as it happens.³⁴

However, this is not all. As has been discussed in an earlier chapter, the body was invested with spiritual qualities, which by extension were transposed upon the corpse. By nature associated with pollution and danger, the corpse was

³⁴ Woolf, ‘Lyrics on Death’, pp. 304-305; Daniell, *Death and Burial*, p. 41.

nevertheless a site for moral judgement: saints' corpses, for example, were increasingly visualised as whole and uncorrupted, as effigies in the flesh.³⁵ By contrast, the cadavers of mere mortals were susceptible to the uncontrollable forces of nature; the way in which a body would 'behave', however, was connected to the moral state of the deceased.³⁶ Thus it was that Henry I's corpse was represented by Henry of Huntingdon as foul and stinking, despite elaborate embalming procedures, and that Matthew Paris found William Marshal's behaviour by life reflected in his rotting carcass unearthed at the time of the consecration of the New Temple Church in London.³⁷

The purity of the corpse, its ability to stay whole and uncorrupted and testimony to superior self-control exercised even in death, was therefore indicative of the spiritual nobility of the deceased. The loss of control over one's body, however, signalled pollution and was an indication of one's moral failings. The decaying corpse was a source of primordial fear and moral repulsion was therefore projected onto it. Where putrid corpses were thus made abject, the sanitised corpses of the morally superior were embraced and centralised in the veneration of relics.³⁸ The fear of uncontrolled decay and of dying unprepared thus collapsed within images of the decomposing corpse. The 'Signs of Death' catalogue of 'dismembered' bodies signalled the implications of dying in sin and exposed the conceptual connection between the loss of physical control,

³⁵ A. Vauchez, *Sainthood in the later Middle Ages* (Cambridge, 1997), pp. 427-428; see also Section 1.4.

³⁶ This adds another interesting dimension to the 'Signs of Death' lyric discussed above, in which the connection between loss of physical control and lack of repentance is equally made.

³⁷ See above Section 1.4.1.

³⁸ See Introduction. Also, A. Mullin, 'Purity and Pollution: Resisting the Rehabilitation of a Virtue', *Journal of the History of Ideas* 57.3 (1996): 509-524 for a useful summary of historic attitudes towards the concept of purity. One of her observations is the continued connection of

corporeal fragmentation and moral corruption.

The rest of this section will concentrate on the ways in which the corpse could be manipulated to defy its inherent movement towards decay to accommodate aristocratic funerary practices and requests for burial in specific places. These strategies of preservation effected at least a temporary form of stasis, which served practical needs and at the same time told a revealing story about the social position of the deceased and their moral outlook in life. It also ties in with a strong belief in the lingering animation of the corpse; the soul may have left the body, but it had nevertheless not entirely severed the connection with its mortal coil.³⁹ The sense of corruption inherent in the concept of Sin automatically aligned the decaying corpse with evil, immoral behaviour and the lack of self-restraint which dominated Christian dogma. The natural consequence of this conceptual interconnection of Sin and the corpse was to combat corruption and to sanitise the cadaver. To be able to control the uncontrollable was thus interpreted as a moral victory.

3.2.2 HOW TO PRESERVE THE CORPSE: EMBALMING AND *MOS TEUTONICUS*

The fantasy of ‘controlling the uncontrollable’ was a moral victory that hid the issue of financing the elaborate methods of preservation and funerary arrangements. The image of the ‘noble’ body was the preserve of those who had the financial means and the accompanying social status. Unless one was

purity with the control of social and personal boundaries (p. 512).

³⁹ According to Katherine Park, this ‘suspended animation’ lies at the heart of the cultural difference north and south of the Alps with regard to the treatment of the cadaver and the visual representations of the deceased. She sees in Italian practices a complete separation of body and soul, whereas in countries north of the Alps the corpse continues to be imbued with a sense of

particularly saintly, an uncorrupted corpse, which signified the nobility of the deceased, did not come cheap.⁴⁰ Henri de Mondeville, surgeon to King Philip IV of France, in a chapter on the embalming of cadavers in his *Chirurgie* (written between 1306 and 1320) discusses several methods of preservation, which all depended on the status and wealth of the deceased. He has little time for the corpses of the poor, since it is not lucrative to embalm them. Instead, he devotes his attention to two groups of the rich: the ‘middling class’, which consists of knights and barons, and the highest class, which includes kings, queens, and church prelates.⁴¹ He makes this distinction on the basis that the highest class should lie in state with their face exposed, whereas this is not necessary for those of the ‘middling class’.

After establishing this social hierarchy, Mondeville then continues to recommend different methods of treatment based on the time between death and burial, on whether the face should be covered or not, and on whether there is a need for the corpse to be prepared with greater security to disallow premature

animation. K. Park, ‘The Life of the Corpse: Division and Dissection in Late Medieval Europe’, *Journal of the History of Medicine and Allied Sciences* 50 (1995): 111-132.

⁴⁰ As Vanessa Harding has shown, this illusion of the incorruptible body depending on wealth and status is also intimately connected to the degree of ‘personalisation’ lingering after death. The poor would lose control over their body even before death and would disappear anonymously into the cemeteries. The rich, on the other hand, were able to determine the site of their interment and their future commemoration by paying for it. V. Harding, ‘Whose Body? A Study of Attitudes towards the Dead Body in Early Modern Paris’, in B. Gordon and P. Marshall (eds.), *The Place of the Dead: Death and Remembrance in Late Medieval and Early Modern Europe* (Cambridge, 2000), pp. 170-187.

⁴¹ The edition used here is Henri de Mondeville, *Die Chirurgie des Heinrich von Mondeville (Hermondaville) nach Berliner, Erfurter und Pariser Codices*. Ed. J.L. Pagel (Berlin, 1892), pp. 390-393. For an overview of medical treatises, which incorporate the preparation of corpses, see E. von Rudloff, *Über das Konservieren von Leichen im Mittelalter. Ein Beitrag zur Geschichte der Anatomie und das Bestattungswesens* (Freiburg, 1921). The section on the ‘care and preservation of the bodies of the dead’ follows one on the amputation of limbs in the third treatise (written between 1312-1320). See M.C. Pouchelle, *The Body and Surgery in the Middle Ages* (Cambridge, 1990), pp. 7-8. His distinction is reminiscent of Andreas Capellanus’s division of ‘nobility’. See Section 1.2.2 above.

decay.⁴² All treatments require a basic set of herbs, spices and resin for the embalming procedure and a paste to seal off the body's cavities (mercury could also be used). Moreover, in case of a journey he advises the cleansing of the bowels (enema), filling them with embalming fluid and sewing the corpse into ox-hides before wrapping it in plates of lead and sealing it into a case of lead or iron. For display, however, this method is not sufficient, since the ointment used to embalm the face will not prevent it from starting to putrefy after eight days.⁴³

Mondeville's solution is twofold. Firstly, his advice is to embalm the face thoroughly. He himself has prepared the bodies of two kings and was able to preserve their faces well with a sophisticated and 'antique' balsam. Secondly, and Mondeville is adamant in this, the best way to preserve the corpse is to eviscerate it, although one needs a special dispensation from the Church to be able to proceed. If dispensation has been obtained, however, one can incise the stomach area from the chest to the loin and take out all the viscera. The empty cavity is then to be salted and spiced to prevent it from corrupting and sewn up again after adding sweet-smelling flower petals to dominate any fetid smells. The viscera are next to be treated with salt and a mixture of spices and sealed within a jar of silver or lead. The rest of the procedure involves wrapping up the body in hides and lead, leaving the face uncovered.⁴⁴

Mondeville's methods for the preservation of the corpse express the deep concern with the potential danger of the decaying body in contrast to the social

⁴² Mondeville, *Chirurgie*, p. 390.

⁴³ Mondeville, *Chirurgie*, pp. 391-392. Pierre Argellata, a surgeon at the University of Bologna, took pride in the fact that he had been able to keep the face and hands of Pope Alexander V (d. 1410) from putrefying for eight days with his embalming procedures. A. Paravicini-Bagliani, *The Pope's Body* (Chicago, 2000), p. 135.

conventions regarding elaborate funerals for the elite. As we saw earlier, the funeral and position of the tomb within the monastic space presented a final opportunity for the aristocracy to claim their position in the social hierarchy. But the emphasis on the body as a site of inner moral superiority, which became more profound as the aristocracy sought to define itself as a distinct social group, gradually impinged upon the funerary practices until the concept of the uncorrupted and noble corpse was central to the provisions made for the disposal of the aristocratic dead. Therefore, by restricting embalming procedures to those who could afford it (and in his perception of the social hierarchy this is equal to being an aristocrat), Mondeville subscribed to this fantasy of the noble aristocratic body, whose nobility was shown in the purity of the corpse. This points towards the lack of conceptual difference between the living and the dead body, positing the corpse as a site of profound ambiguity while at the same time defying its natural inclination towards decay by imposing stasis and thus conquering the innate fear of dissolution. It also reveals the extent to which for the aristocracy the body came to represent interior qualities and virtues in an attempt to close the social boundaries against non-aristocratic members of society.⁴⁵

Embalming was not the sole procedure for the preparation of the corpse.

The practice of dismembering and boiling the body, referred to as *mos*

⁴⁴ Mondeville, *Chirurgie*, pp. 392-393. For a discussion of the Church's position on evisceration see below.

⁴⁵ The concern with viscosity as polluting and with the protection of bodily orifices points to a deep concern about the social boundaries of the community. This holds in particular in those circumstances in which a community is still in the process of defining itself. M. Douglas, *Purity and Danger: An Analysis of Concepts of Pollution and Taboo* (London, 2002 [1966]), p. 45: 'Our pollution behaviour is the reaction which condemns any object or idea likely to confuse or contradict cherished classifications.'

teutonicus, the ‘German custom’, was frequently applied in cases of transportation from the site of death to the deceased’s last resting place.⁴⁶ By stripping away the flesh, the corpse, reduced to its bones, became manageable and suitable for transport, or in the case of saints, for its display as a relic. The perishable remains would be interred near the site of death, while the skeleton could be taken to the preferred site of inhumation without endangering its carriers. This practice initially appears to go against the argument of the importance of the incorruptible noble body, until one realises that *mos teutonicus* can equally be interpreted as an attempt completely to remove the danger of pollution by denying the corpse its natural course.⁴⁷

In the high Middle Ages, saints were increasingly portrayed as having extraordinary corporeal powers: somatic miracles became part of standard hagiography and marked the saint as different from mere mortals. In death, the saintly body defied the course of nature by its incorruptibility and stasis in reflection of the blessed state of the soul. At the same time, the cult of relics proliferated and it was specifically a cult of venerating saintly skeletal body parts; there is some evidence that the corpse of Thomas Aquinas was boiled so that his remains could potentially be divided.⁴⁸ Indeed, there was no such thing

⁴⁶ For a brief description see D. Schäfer, ‘Mittelalterlicher Brauch bei der Überführung von Leichen’, *Ein Beitrag zur Geschichte der preussischen Akademie der Wissenschaften* (1920): 484. It appears to have originated with the German Emperors and their armies to accommodate the transport of dead bodies back to Germany; hence the phrase *mos teutonicus* (for which origin see *ibid.*, p. 493, citing an Italian contemporary of Emperors Frederick I and Frederick II). However, the practice was by no means restricted to the Germans. For examples, see Schäfer, ‘Mittelalterlicher Brauch’, *passim*; R. Röhrich, ‘Zur Geschichte des Begräbnisses “More Teutonico”’, *Zeitschrift für Deutsche Philologie* 24 (1892): 505.

⁴⁷ This is inextricably connected to medieval ideas about smells. See Introduction above for a brief discussion on the place of smells in medical theory.

⁴⁸ C.W. Bynum, ‘Bodily Miracles and the Resurrection of the Body in the High Middle Ages’, in T. Kselman (ed.), *Belief in History: Innovative Approaches to European and American Religion* (Notre Dame, 1991), pp. 68-106; G.G. Coulton, *Five Centuries of Religion* (Cambridge, 1936), 3:

as a putrefying saintly body, unless it was divinely ordained. Saints either possessed incorruptible corpses or their remains had been safely reduced to the pure essence of their skeletons. The connection with the aristocratic noble body is therefore easily made. In both cases, the process of the putrefaction of the cadaver had to be negated, considering its negative connotations with evil and sin.⁴⁹ What in the case of the aristocracy began as a practical means to accommodate the transport of the corpse was soon translated, in imitation of hagiographical discourse, into a way of visualising the ideological nobility of the aristocratic body.

Henri de Mondeville's treatise was written in the first decades after the Bull *Detestande feritatis*, issued by Pope Boniface VIII in 1299, which expressly forbade the practice of *mos teutonicus*.⁵⁰ Since it involved evisceration, it is understandable that there was considerable ambiguity as to what was permitted and what was not when one wished to *embalm* the dead body, hence Henri's insistence that permission ought to be sought for evisceration. Boniface VIII, however, appeared most particularly concerned with the horror of dismembering and boiling the body, which would compromise its exterior integrity:

62, 617; 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): 234 note 48. The Cistercian monks of Fossanova decapitated Thomas after his death to retain at least the head if they were forced to give up his remains. The embalming of potential saints exposes the tension between the hagiographic uncorrupted body of saints and the reality of decay. The saintly corpse is manipulated to conform to an image similar way to the aristocratic corpse. Examples of embalmed holy men include St Hugh of Lincoln and St Edmund of Abingdon. As we have seen in a previous chapter, the body of St Thomas of Hereford was subjected to *mos teutonicus*. See Section 1.3.3.

⁴⁹ The herbs and spices (such as thyme, aloe, myrrh and camphor) used to embalm the cadaver, for example, were known for their sweet smells and help to negate the evil properties of bad smells. Mondeville, *Chirurgie*, pp. 390-391. For the theory of smell, see Introduction.

⁵⁰ The Bull did not appear within canon law texts until the fifteenth-century *Extravagantes Commune*, a collection of papal decretals ranging from 1261-1484. P. Duparc, 'Dilaceratio Corporis', *Bulletin de la Société Nationale des Antiquaires de France 1980-1981* (1981): 365.

When one of their number, whether a noble or someone bearing high office, dies, as often happens, far from his own land or somewhere far from the place of his death, Christians subject to this perverse custom, driven by sacrilegious concern, savagely [*truculenter*] empty the body of its entrails [*exenterant*] and, horribly [*immaniter*] dismembering it [*membratim*] or cutting it up into bits, throw it into water to boil it up over a fire. When the fleshly covering has thus been detached from the bones, they take the bones back to the chosen site for burial.⁵¹

Although evisceration seems to be condemned in this statement, it is subordinated by the force of Boniface's anger against the 'cruel' dismemberment of the body. Indeed, a few years after its promulgation, Cardinal Jean Lemoine felt it necessary to explain the extent of the prohibition in a series of glosses to the Bull. According to the Cardinal, all forms of tampering with the body were forbidden, which did not only include *mos teutonicus* but evisceration as well. Death far from the preferred site of interment was no excuse to disembowel the body, which, in line with Boniface's suggestion in the Bull, was to be interred first at the site of death for possible translation to the second site after decomposition had been completed.⁵² However, the contents of these glosses were not incorporated in further papal Bulls, and after the death of Boniface in 1303, dispensations from the prohibition were frequently sought and obtained, although there is enough evidence to suggest that many did not even take this step and instead followed tradition.⁵³ On 20 April 1351, Pope Clement VI granted the kings and queens of France indefinite dispensation to have their

⁵¹ *Corpus Iuris Canonici*, ed. Friedberg (1879; 1959), 2: cols. 1271-1272; A. Paravicini-Bagliani, 'The Corpse in the Middle Ages', in P. Linehan and J.L. Nelson (eds.), *The Medieval World* (London, 2001), pp. 333-334 (translation).

⁵² Brown, 'Death and the Human Body', pp. 246-247, 250-251.

⁵³ This is in particular evident from the continuation of funerary practices among the aristocracy and royalty. See Sections 2.3 and 3.1 for examples.

bodies eviscerated for multiple burial, which effectively marked the death knell for Boniface's prohibition.⁵⁴

The care and respect accorded to the dead aristocratic body by Mondeville is in stark contrast to the vehemence of Boniface's language when describing *mos teutonicus*. It has already been suggested that the Bull was promulgated as a result of the Pope's personal opinions about the practice, which were founded in his interest in alchemical theory and the search for the prolongation of life.⁵⁵ Mondeville's surgical expertise, surfacing in his careful and tentative description of the embalming and evisceration procedures, and his insistence on the care to be given to the dead body, reveal the extent to which the preservation of the corpse was seen as separate from the wanton destruction described by Boniface. In fact, when Guy de Chauliac, a surgeon employed by the Popes at Avignon, produced *his* treatise on surgery in 1363, he reiterated Mondeville's words but remained silent about the need for papal dispensation in case of evisceration. Significantly, Guy reveals how he obtained his information about the practice from a certain apothecary, who had treated many 'bisshoppes of Rome.' He also maintained that for 'slim and dry men and in the winter' it sufficed to embalm the body externally, but that for 'fat and great-bellied men' evisceration was a better method.⁵⁶

The main issue upon which the controversy hinged was whether or not the human body was violated by practices such as *mos teutonicus* and

⁵⁴ Brown, 'Death and the Human Body', p. 261.

⁵⁵ See Section 1.4.1 above.

⁵⁶ Guy de Chauliac, *The Cyrurgie of Guy de Chauliac*. Ed. M.S. Ogden. EETS OS 265 (1971), pp. 413-415. First written c.1360, de Chauliac's text became one of the standard sources for the study of surgical procedures and by 1400 had been translated into various languages. Pouchelle,

evisceration, which was in a way furthered by a deep misunderstanding between the Pope and the aristocracy about the goal of the practice. For the latter, *mos teutonicus* was a relatively inexpensive means to transport the body home safely (for whichever reason they felt this mattered) as long as the bones were assembled and inhumed in one grave.⁵⁷ For the Pope it was the practice of *mos teutonicus* itself which horrified him, although he did not contest the idea of exhuming human remains after a period of time and transporting them from their temporary grave to their final resting-place.⁵⁸ It seems that the aristocracy did not attach any moral implications to the practice, and that to them *mos teutonicus* was one way of dealing with a dangerous cadaver and the social demands placed upon it.

In their own way, both Boniface VIII and Henri de Mondeville disapproved of dismembering and boiling the body: the Pope by vehement condemnation of the practice, the surgeon by stressing the respect due to the body, by his silence on the topic of *mos teutonicus* and by providing an alternative to the practice.⁵⁹ However, on a practical level, according to Mondeville, evisceration was sometimes necessary and did not violate the body. In fact, he advises that the viscera should be carefully embalmed and preserved.⁶⁰ Clearly, he had no wish for the dismemberment of the body or indeed for the permanent violation of the body's exterior or interior. All parts of the body were to be preserved and given a respectful treatment. Although Boniface's Bull may

Body and Surgery, pp. 2-3; Paravicini-Bagliani, *The Pope's Body*, pp. 134-135.

⁵⁷ See below, Section 3.3.1.

⁵⁸ *Corpus Iuris Canonici* (Ed. Friedberg), 2: 1272; Brown, 'Death and the Human Body', p. 222.

⁵⁹ His alternative was, as we have seen, careful embalming of the body before wrapping it in ox-hides and lead plates and sealing it within a second layer of lead or iron. Mondeville, *Chirurgie*,

have driven *mos teutonicus* underground, it is clear that embalming procedures which involved evisceration continued to be observed and even came to be employed for the preservation of papal cadavers, which indicates Boniface's isolation in the condemnation of the practice and the force of his primordial fear of dissolution.⁶¹

To control the corpse, either by embalming or by boiling it, was thus to remove the danger of pollution. The ambiguity of the decaying corpse with its connotations of evil and sin presented both a spiritual and physical danger to 'self' and society. By avoiding putrefaction, the threat to aristocratic identity was lifted and the image of the noble body was sustained. The practice of embalming in particular reflected contemporary reports on incorruptible saintly bodies, in which decay was defied through the act of Divine intervention and which therefore underscored the moral superiority of these people. The way in which the body was read as a mirror of the soul helped to shape the aristocratic funerary practices geared towards maintaining the image of nobility.

Through the denial of putrefaction, the aristocratic corpse also came to represent the social body of the aristocratic community. Its behaviour would be

pp. 491-492. Neither he, nor Guy de Chauliac, mentions the practice of *mos teutonicus*.

⁶⁰ See above.

⁶¹ Although there are a few known cases of excommunication in England which were imposed upon men who had allowed their relatives to be eviscerated, many appear to have been tolerated. For instance, John de Meriet was absolved from interring his wife's heart separately in 1314 and John de Brabanzon for 'dismembering' his father's body in 1317. Gittos and Gittos, 'Motivation and Choice', p. 160 (and the sources cited there); *Calendar of Entries in the Papal Registers relating to Great Britain and Ireland: Papal Letters*. 13 vols. (London, 1893-1955), 2: 161. Both cases are cited in Brown, 'Death and the Human Body', p. 252. The one case of excommunication as a result of *mos teutonicus* concerns the executors of the will of John Fitz Marmaduke, Governor of Perth, who died 1316. When he died at Perth, his executors faced the challenge of having to carry his remains to Durham Cathedral, where the Governor had wished to be interred in the cemetery. They dismembered and boiled his body, rather than bury it locally. When this became known, they were forced to do penance after which the bones were inhumed at Durham. J. Raine (ed.), *Wills and Inventories illustrative of the History, Manners, Language,*

indicative of the character of the deceased, but also of the social group to which they belonged. The inclusionary strategies employed to preserve a common identity, founded in physical and moral superiority, were naturally extended to the individuals within the group: the body did not only reflect the interior 'self', it also projected its social environment. Any lapse from that image, any sign of slipping boundaries or viscosity, could be interpreted by the social group as a danger to itself. As Mary Douglas observed, any internal or external threat to the social cohesion of a group translates itself into an anxiety about the boundaries which separate it from other groups, which is in turn enacted upon the body. The corpse is a transitional object, its decay a process of instability and viscosity, which is 'an ignoble form of existence.'⁶² Within the formal discourse of the aristocratic funeral, the corpse within the coffin would have been the centre of the public gaze, which heightened the pressure on its behaviour. With the body being conceptualised as a carrier of aristocratic identity, it was necessary for it to behave: inappropriate processes which involuntarily countered this image, such as putrefaction, were necessarily suppressed in order to sustain the social order. The projection of communal ideas about purity and pollution upon the corpse, underscored by socially exclusionary boundaries such as status and wealth, thus temporarily sheltered it from what it potentially was: a dangerous object, which would be shunned and abjected in its natural state.⁶³ To control, to impose order on an object which is inherently chaotic, was to reinforce the social values

Statistics etc. of the Northern Counties of England. Surtees Society 2 (1835), pp. 16-17.

⁶² Douglas, *Purity and Danger*, p. 48. For a more extended discussion on the body as a template for social structures see Chapter 5.

⁶³ See M. Douglas, *Natural Symbols: Explorations in Cosmology* (London, 1996 [1970]), pp. 76-77 for her classification of, what she calls, the purity rule.

threatened by dissolution. Embalming and *mos teutonicus*, although at first sight completely divergent practices, were in fact two sides of the same coin. Both practices were strategies to prohibit the cadaver from polluting the society of the living, but at the same time both were employed to maintain the image of the whole and uncorrupted aristocratic body.

3.3 WHOLENESS AND FRAGMENTATION

Detestande feritatis was not issued in a vacuum. In the two decades leading up to its promulgation, a fierce debate centring on the division of the body and multiple burial raged at the University of Paris, which had started off with an argument about the enforcement of last wills and testaments. In their arguments, the academic debaters generally showed a great anxiety about the violation of the body's exterior integrity, while expressing unease about what their rejection of the practice might entail for the cult of relics.

However, the aristocracy had no intention of impinging on the domain of sainthood in the sense of distributing skeletal parts of their bodies. The unsanctified skeleton did not hold inherent value as such and it was considered a matter of importance to keep it together. The heart, on the other hand, had become invested with great cultural significance by the thirteenth century as the symbol of 'self', the seat of moral judgement and the locus of intense religious experience. Within the construction of aristocratic identity, what added value would the separate interment of the heart have? Did heart burials negate the quest for the noble body or did they underscore it? How did aristocratic multiple burial go against the grain of contemporary religious thought? I shall first of all

provide a brief outline of the arguments surfacing in the Parisian debate of the 1280s and 90s, before proceeding to explore the ramifications of aristocratic multiple burial in the context of the drive to represent the body as a vessel of nobility.

3.3.1 CONFLICT, AMBIGUITY AND THE FEAR OF FRAGMENTATION

The matter of evisceration was hotly debated in the last decades of the thirteenth century. What had started as a complaint by the monks of Saint-Denis about the refusal of the Parisian Dominicans to give up the heart of King Philip III developed rapidly into a serious debate about the theological justification of multiple burial and of opening up the body.

Philip III died in 1285 in the south of France on his way back to Paris from a 'crusade' against Aragon. His body was boiled and his flesh and entrails were buried in Narbonne Cathedral on 7 October, two days after his death, despite these parts of the royal body having been promised first to the Dominicans. His son Philip IV continued to alter the arrangements by suggesting that his father's heart should be interred with the Dominicans in Paris, which incensed the monks at Saint-Denis who claimed that Philip III had bequeathed his whole body to them. To deny them his heart would be going against his wishes.⁶⁴

The core of the conflict, which was taken up by the academics at the University of Paris, was thus at first a question of whether the wishes of the deceased could or should be ignored in certain circumstances. Those involved in

⁶⁴ Brown, 'Death and the Human Body', pp. 235-237. See also A. Paravicini-Bagliani, 'The

the debate agreed that, if the body was intended to be buried far from the site of death, it was permissible to remove the intestines since it would be too dangerous to transport them. This was common practice in the highest echelons, according to the Parisian academic Godfrey de Fontaines, who also maintained that it should be avoided if possible.⁶⁵

The value of the deliberate division of the body was seriously questioned, however, both by Godfrey de Fontaines and Gervase de Mont-Saint-Éloi. Both held that the division of the body was unnatural and that it did nothing towards helping the soul even though it multiplied the number of prayers to be said over the dead person's body. Henri de Gaunt, the third master participating in the discussion, argued along the same lines, but questioned whether the head or the heart was the most important part of the human body. He settled in favour of the heart and felt that the monks of Saint-Denis had suffered from not receiving Philip III's heart.⁶⁶ With this argument, he shifted the focus of the debate towards the question of the theological implications of being buried in more than one grave.

Thus the seeds were planted for a discussion in the early 1290s which focused on the legitimacy of multiple burial and questioned the role of the body within the medieval theological framework. The two perspectives, represented by Oliver de Tréguier and Godfrey de Fontaines, were expressed in terms of good and evil: the adherents of multiple burial, represented by Oliver de

Corpse in the Middle Ages', pp. 332-333.

⁶⁵ For the background to this debate and a more detailed discussion of the arguments of the main participants, see Brown, 'Death and the Human Body'.

⁶⁶ *Ibid.*, pp. 239-240.

Tréguier, argued that it would be beneficial as the intention was good; those against flatly denied its efficacy and saw it as a product of evil. Godfrey's attack on the practice was subtle and hinged upon the assumption that burial in one grave was ordained by biblical teaching and tradition. Even in the cases for which he allowed some form of preparation of the corpse, he insisted that the whole body should rest in one grave. Saints were the exception to the rule, because 'through their canonisation, saints became quasi-public persons and thus the possession of the whole Church.' The division of saints, however, was only sanctioned after their flesh had disintegrated.⁶⁷ Corruption, moreover, was a result of sin and was therefore to be shunned. In Godfrey's view, division of the body amounted to furthering this corruption and actively defied the essence of being human by imposing fragmentation upon that which, by Divine ordination, had originated as a whole. This also meant that the separate interment of the head and the heart, the 'noblest' parts of the body, was particularly abominable.⁶⁸ What both sides had in common was the central position of the body as an eschatological instrument within their argumentation; either by dividing it or by keeping it whole, the body could be employed in the quest for salvation.

Godfrey's view was evidently inspired by the same fear of corruption and fragmentation inherent in aristocratic funerary practices which emphasise the incorruptibility of the corpse. But, as we have seen in the previous chapter the practice of multiple burial flourished, in particular throughout the thirteenth century. Judging from the overall rejection of the practice by the academic

⁶⁷ *Ibid.*, p. 243; also E.A.R. Brown, 'Authority, the Family and the Dead in Late Medieval France', *French Historical Studies* 16 (1990): 821-822.

⁶⁸ *Ibid.*, p. 823.

debaters and Pope Boniface VIII's objection to the premature fragmentation of the body, it would appear that the vogue of aristocratic multiple burial actually undermined the drive towards postmortem corporeal wholeness.

The solution, however, was to be found in the emphasis placed upon the denial of putrefaction, and the drive to impose control where naturally there would only be chaos. The dual concept of moral and social nobility which formed the core of aristocratic identity, this nexus of 'self' and family as enacted upon the body, foregrounded the need to preserve the integrity of the body. Moreover, although the aristocracy sought to imitate the incorruptibility and purity of the saintly corpse they were not on a par with saints, nor did they intend to be so. Both embalming procedures and *mos teutonicus* were employed to preserve the integrity of the corpse and to deny its putrefaction; whether en fleshed or reduced to the bones, the body's wholeness was the major concern for the aristocracy. The crux was the drive to *resemble* saintly bodies, not to pretend or assume sanctity by imitation, but to deny putrefaction and fragmentation of the corpse.

The Parisian academics had no wish to deny the potency of saintly relics: division of saintly bodies was permitted to spread their holiness throughout the Church; the distribution of relics was thus beneficial. It was agreed by all debaters, however, that the aristocracy could not lay claim to any sacrosanct qualities for themselves and that therefore there was no need for the division of their bodies. However, we can infer from references to aristocratic multiple burial, that the overwhelming majority of aristocrats, who sought multiple burial,

requested interment of their body in one grave and their heart in another.⁶⁹ Not one aristocratic body was dismembered for the separate interment of, say, arms and legs. The skeleton was to remain in one grave. It is significant, for example, that Philip IV of France was only able to secure most of Louis IX's skull from the monks of Saint-Denis for the Sainte-Chapelle after his grandfather's canonisation in 1297.⁷⁰

For those who did not lay claim to sainthood, dismemberment of their body could amount to an admission of sin. In 1268, Pietro de Vico from Viterbo used his body as a mirror for the sins of mankind. In his will, he requested that his body would be cut up in seven pieces, representing the Seven Deadly Sins. However, the interment was to take place in the same church and the will does not specify whether there should be more than one grave. Pierre de Alençon, son of Louis IX of France, although following the traditional pattern of dividing his body, nevertheless spoke in his will of his 'filthy flesh' and his 'evil heart' to be interred in the Franciscan and Dominican churches in Paris respectively. If he were to die away from Paris, his bones and heart should be sent there for inhumation. Although his testament was steeped in a sense of humility and sin, Pierre's concern was nevertheless to keep his bones, which were equated with his 'filthy flesh', in one place.⁷¹

⁶⁹ See Appendix 1.

⁷⁰ Permission to remove the skull was granted by Pope Clement V in 1305. P. Duparc, 'Dilaceratio Corporis', *Bulletin de la Société Nationale des Antiquaires de France 1980-1981* (1981): 365; E.A.R. Brown, 'Burying and Unburying the Kings of France', in Brown (ed.), *The Monarchy of Capetian France and Royal Ceremony* (Aldershot, 1991), p. IX.247 [reprinted from R.C. Trexler (ed.), *Persons in Groups: Social Behaviour as Identity Formation in Medieval and Renaissance Europe* (Binghampton, 1985), pp. 241-266]; K. Park, 'The Criminal and the Saintly Body: Autopsy and Dissection in Renaissance Italy', *Renaissance Quarterly* 47 (1994): 22.

⁷¹ Paravicini-Bagliani, 'The Corpse in the Middle Ages', p. 331; Brown, 'Death and the Human Body', p. 233. 'Flesh' is not to be understood in a physiological sense, but as a metaphor for the

Dismemberment, in the literal sense of ‘cutting into pieces’, was therefore not desired when it came to aristocratic multiple burial. It was in fact feared to the extent that relatives of those whose bodies had been quartered in executions were anxious to receive permission to reassemble the body parts of the executed for burial in one grave.⁷² It is thus vital to define what constituted an acceptable division of the body in the eyes of the aristocracy, to what extent their attitudes towards multiple burial were inspired by religious concerns and to what extent these concerns were overridden by the pressures of a communal aristocratic identity. It is evident from the list of multiple burials in Appendix 1, for example, that there was a clear preference for the separate interment of hearts, whilst ensuring the integrity of the skeleton. Entrails were, in England at least, buried separately only as an act of necessity, which begs the question of what values the aristocracy assigned to the different parts of their body’s anatomy.⁷³

3.3.2 DANGEROUS ENTRAILS AND SPIRITUAL HEARTS

As the twelfth-century Jewish philosopher Maimonides observed in relation to the use of the word *viscera* in biblical descriptions of interiority and acts of God: ‘the organs of nutrition are never attributed to God; they are at once recognised as signs of imperfection.’ The heart on the other hand was considered the most important interior organ within the human body, both on a physical and on a spiritual level. Hence, Maimonides’ insistence that whenever the word *viscera* is

sinful body.

⁷² See below Section 5.3.

⁷³ See above Section 2.3.

used in the Bible it almost always refers to the heart.⁷⁴ To bury the heart separately from the rest of the body was a highly significant act, whereas evisceration and the separate interment of the entrails to prevent pollution can be interpreted as shameful; the evidence of impurity was hidden without much ceremony. In this section, we will look at multiple burial in the context of cultural regulations about the purity and impurity of interior organs and how these rules were adopted by the aristocracy in their drive to sustain the image of the noble body.

The entrails were a source of pollution. Playing a subordinate part in the digestive process as the channel through which the body would shed its waste products, the bowels were part of the set of nutritive organs concerning themselves with matter as opposed to the more 'spiritual' pursuits of the heart. According to medieval medical theory, the stomach, 'the door of the womb', digested food, which was transferred to the liver, where it was properly digested. Here, it was transformed partly into blood and sent on to the heart, where it was imbued with 'spirit' for the sustenance of all other members of the body. The rest of the blood transported nutritious elements to the rest of the body.⁷⁵ To separate the nutritive from the spiritual organs, the diaphragm acted as a barrier, so that

⁷⁴ Cited in Douglas, *Natural Symbols*, p. xxxiii.

⁷⁵ Bartholomaeus Anglicus, *On the Properties of Things: John of Trevisa's Translation of Bartholomaeus Anglicus 'De Proprietatibus Rerum'*. Ed. M. Seymour (Oxford, 1975), 1: 243, 246; Albertus Magnus, *On Animals: A Medieval 'Summa Zoologica'*. Eds. K.F. Kitchell Jr. and I. M. Resnick (Baltimore, 1999), 1: 369-370; Pouchelle, *Body and Surgery*, p. 75. N. Siraisi, *Medieval and Early Renaissance Medicine: An Introduction to Knowledge and Practice* (Chicago, 1990), p. 109. The liver, the lowest of the 'noble' organs, was often connected to carnal desire. J. LeGoff, 'Head or Heart? The Political Use of Body Metaphors in the Middle Ages', in M. Feher, R. Nadaff and N. Tazi (eds.), *Fragments for the History of the Human Body 3* (New York, 1989), p. 16; also Bartholomaeus Anglicus, *On the Properties of Things*, 1: 245 ('In þe lyuour is þe place of volupte and likyng of fleische.'). also *ibid.*, 1: 248. It is an idea already found in Plato's *Timaeus*. W. Gewehr, 'Zu den Begriffen *Anima* und *Cor* im frühmittelalterlichen Denken', *Zeitschrift für Religions- und Geistesgeschichte* 27 (1975): 42.

the corrupt fumes of the intestines could not reach the upper part of the body.⁷⁶ The stomach's lower opening, called *portanarius* by Albertus Magnus, acted as a further barrier against possible corruption from below, since behind it lay 'the passage for that which has been digested and corrupted and of that which is contrary'. In the intestines, what nutrients remained from the first digestion of food were extracted and transported to the liver and spleen for the creation of the body's humours. The rest was gathered in the *colon* and 'ejected all at once at an appropriate time and in an appropriate place.'⁷⁷

The Italian author of a treatise on dissection, Mondino de'Liuzzi (d. 1326), made it clear that, although the human body was a noble object, some of its parts were superior to other parts. He implored anatomists to start their dissections with the removal of the entrails, because they would putrefy quickest and because they were the least noble and the most 'confused'.⁷⁸ In his description of embalming procedures, as we saw earlier, Henri de Mondeville emphasised the need to cleanse or remove the entrails to ensure a successful embalming of the corpse.⁷⁹

It was for this reason that if the removal of the entrails was necessitated by the circumstances of death and the last wishes of the deceased, they were interred immediately close to the site of death without much ceremony. Thus, when Emperor Otto I died in 973, his body was eviscerated the same night and his entrails were interred immediately afterwards. In 1135, Henry I's corpse was

⁷⁶ Albertus Magnus, *On Animals*, 1: 257; Pouchelle, *Body and Surgery*, p. 132.

⁷⁷ Albertus Magnus, *On Animals*, 1: 259, 260.

⁷⁸ Siraisi, *Medieval and Early Renaissance Medicine*, pp. 78, 109. It was de'Liuzzi's contention that one should approach the quest for knowledge by starting with the lowliest and most disorganised before moving up to the noblest and most ordered parts of the body.

opened up and embalmed at night in the private chambers of the Archbishop of Rouen. In 1300, Edmund earl of Cornwall died before dawn and his entrails (*viscera*) were buried presumably the same night by the Abbot of St Albans. Similarly, according to the *Vita* of Abbess Clare of Montefalco, her congregation decided that her body should be embalmed, as she had lived and died as a saint. Without calling in help from a barber-surgeon, four of them undertook the procedures themselves during one night in August 1308. The heart was left to one side, while the entrails were placed in a jar and immediately buried 'within the oratory itself where the saint had died.' It was later considered a mark of her sanctity that the entrails had not started to putrefy when the nuns exhumed the jar after five days to examine its contents more closely.⁸⁰ Although this event involved a female saint, similar reports were made of male saints. In the *Legenda Aurea* (compiled after 1250 by James of Voragine), for example, we find that the heart of St Ignatius was dissected only to find the words 'Jesus Christ' carved into the flesh.⁸¹

The intestines were thus considered to be of inferior status. Their function in life made them most susceptible to corruption soon after death (as their function was to contain and eject corrupt matter), which was a danger to the embalmer as well as to the corpse. Moreover, corruption was accompanied by bad smells, which would harm all coming in contact with them. One of Henry I's

⁷⁹ See above Section 3.2.2.

⁸⁰ Schäfer, 'Mittelalterlicher Brauch', pp. 478-479; *Ann. Hailes*, p. 114; P. Camporesi, *The Incorruptible Flesh: Body Mutation and Mortification in Religion and Folklore* (Cambridge, 1988), pp. 3-6 (quotation from p. 4). In the case of Edmund it is not entirely clear from the text what *ante auroram* refers to. As we saw in Section 2.1 his heart and bones were given a lavish funeral, alongside which the burial of his entrails appears hurried and subdued.

⁸¹ M.C. Pouchelle, 'Représentations du Corps dans la *Légende Dorée*', *Ethnologie Française* 6 (1976): 296.

embalmers, for example, died after handling the King's putrid brain, despite the fact that he had wrapped a wet cloth around his face to avoid inhaling the bad vapours.⁸² The natural inclination of the corpse to putrefy, accelerated by the ignoble early corruption of the intestines, would therefore be highly disruptive to the image of an uncorrupted and noble body, making it only logical to remove them soon after death.

Medieval physiological theory was predominantly based on the views of Aristotle and Galen, which were conflicting on one essential point: whether the heart was the source of all life and ruled the entire body, or whether this was shared by the three principal organs, the brain, heart and liver. The heart was assigned with 'vital' or 'spiritual' qualities, the brain with 'animal' (as derived from *anima*) virtues, while the 'natural' virtues belonged to the liver and the organs of digestion.⁸³ Aristotle on the other hand firmly grounded the rule of the body within the heart, to which medically inclined philosophers such as Arnold de Villanova (fl.1300) and encyclopaedists such as Vincent de Beauvais (c.1260) and Bartholomaeus Anglicus (c.1230) attached religious-spiritual values. Following Aristotle, Bartholomaeus claimed that not only is the heart the source of blood, it is also the source of all 'feling', of all senses. Furthermore, the heart was the noblest of the organs, both in its function and in its position within the body:

For he is more noble he is more kyndelich i-ordeyned in þe nobilere place. Among alle membres þe herte is most nobil,

⁸² See above Section 1.2.1 on the abject status of the anus; also, J.J. Citrome, 'Bodies that Splatter: Surgery, Chivalry and the Body in the *Practica* of Jonh Arderne', *Exemplaria* 13:1 (2001): 137-172. For King Henry I's embalming see above Section 1.4.1 and *Huntingdon*, p. 257. See Introduction above for the theory of smells.

⁸³ Siraisi, *Medieval and Early Renaissance Medicine*, pp. 107-108.

and perfore he is iset in þe myddil of þe body.⁸⁴

Arnold de Villanova, moreover, ascribed to the heart all origin of religious thoughts and actions, as well as the reverse: all malign and evil thoughts and intentions emanate from the heart, which was therefore not only the noblest, but also potentially the weakest organ in the body.⁸⁵ As St. Augustine had said centuries before: 'My heart is where I am whatever I am'. To him, the heart represented the core of his interior 'self' and formed the centre of his moral and intellectual faculties. The heart was a book in which his life was written, in which the memory of his past actions was being stored.⁸⁶ It was here, in Biblical terms, that one would be able to distinguish between good and evil. It was a tablet upon which the Divine Law was written, to which humanity should look to find the proper way of living their life.⁸⁷

Thus, the different layers of physiological superiority and spiritual interiority attributed to the heart projected conjointly a powerful image of nobility, which was eagerly explored by the aristocracy.⁸⁸ Henri de Gaunt had

⁸⁴ Bartholomaeus Anglicus, *On the Properties of Things*, 1: 239. For Vincent de Beauvais see *Speculum Maior* (Graz, 1964 [1624]), 1: 2031-2034. According to Aristotle in *De Partibus Animalium*, Nature places the more honourable part in the more honourable position; therefore the heart is in the middle of the body, but slightly more in the upper half and more to the front than to the back. See Aristotle, *De Partibus Animalium*. Ed. W. Ogle (Oxford, 1911), III.4.665b.

⁸⁵ J. Ziegler, *Medicine and Religion c. 1300: The Case of Arnau de Villanova* (Oxford, 1998), p. 72. For Henri de Mondeville's ideas about noble organs being frail and susceptible to 'illness' see Pouchelle, *Body and Surgery*, p. 119. This idea of the heart as the seat of 'intention' or thought ties in with the ways in which the interior organs were treated in executions. See Chapter 5.

⁸⁶ St. Augustine, *Confessiones* 10.3, cited in Jager, *Book of the Heart*, pp. 28-29.

⁸⁷ Cf. Prov. 2:10; Hebr. 8:10; Deut. 9:5. The New Testament added the quality of religious profession as situated in the heart, cf. Rom. 5:5; Eph. 2:4-5, 3:17; Thes. 2:16. Jager, *Book of the Heart*, pp. 9-15.

⁸⁸ The focus on the heart as the centre of spirituality found its way into the theology of St. Bernard of Clairvaux and the late medieval mystics. The trope of the heart exchange, for example, was frequently explored in the visions of female mystics and popularised in literary narratives which actualised the spiritual metaphor in the motif of the Eaten Heart. The literature on mysticism is vast, but see e.g. T.H. Bestul, 'Antecedents: The Anselmian and Cistercian Contributions', in W.F. Pollard and R. Boenig (eds.), *Mysticism and Spirituality in Medieval*

stated in the initial debate in Paris about the division of the body that the heart was the noblest organ in the body, and that therefore the dead would rise from the grave in which their heart was buried. He used this as an argument against the division of the body, but the idea of the nobility of the heart is significant if seen from the perspective of aristocratic multiple burial.⁸⁹

If the heart is considered both in medical and spiritual terms as the foundation of one's inner 'self', then the separate interment of the organ becomes a highly meaningful act, in which attention is focused on the noble character of the deceased. Moreover, it was often contained, as we have seen, in a silver or silver-gilt vessel and donated to a religious house, which in some way was connected to the deceased. From the examples listed in Appendix 1, it is immediately evident that donation to one's own foundation ranked high in the reasons for the separate interment of the heart, as did the more sentimental reason of interment because a deceased spouse had been interred there earlier. Socio-political motives could play a role, for example when the incumbent of two important lordships requested the separate interment of his heart in a monastery associated with the one, while his body was inhumed in a religious house attached to his family or the other lordship. Affection for particular saints could equally be judged a suitable reason for a separate heart burial; for instance, Edward of Cornwall's heart was interred with Thomas of Cantilupe's heart at

England (Woodbridge, 1997), pp. 1-20, which explores the devotional and emotional content of the writings of for example Bernard of Clairvaux and Aelred of Rievaulx; Bynum, *Resurrection of the Body*, pp. 329-343 on the somatic quality of mystics' visions; D. Régner-Bohler (ed.), *Le Coeur Mangé: Récits Érotiques et Courtois de XIIe et XIIIe Siècles* (Paris, 1979) for narratives which centralise the Eaten Heart motif.

⁸⁹ For Henri's comments see Brown, 'Death and the Human Body', p. 240. Also, above Section 3.2.2.

Ashridge.⁹⁰ Exceptionally, John de Vescy's heart was interred on the same day in December 1290 as the hearts of Eleanor of Castile and her son Alphonso at the Dominicans in London, as a special mark of honour.⁹¹ The heart, in its container of precious material, often received a funeral as lavish as that for the rest of the body, as was the case with Edmund of Cornwall. Unlike the interment of intestines, the heart was singled out for special favour.

The elaborate funerals staged for the heart of the deceased are not the only indicator of the importance attached to the organ. Once the burial had taken place, the tomb or recess in the wall could be marked by a life-size or diminutive effigy, frequently depicted as holding a heart or a shield with the family arms, or the grave was marked with a slab only containing a simple inscription or image.⁹² As with the effigies over tombs containing a body, heraldry was often used to root the deceased firmly within a familial context. The (now lost) entrails tomb of Eleanor of Castile (d. 1290) in Lincoln Cathedral was very similar to the one for her body in Westminster Abbey. The Lincoln tomb carried a life-size effigy of the Queen depicting her in full regalia, but without reference to the contents of the tomb; on both sides of the tomb heraldic shields established her family relations and her possessions. Her heart tomb (which is also lost) in the Dominican church in London, however, was said to have carried an angel with

⁹⁰ See above, Section 2.1.2. Although Thomas was not sanctified until the 1330s, a cult was forming at his tomb in Hereford only a few years after his death. See R.C. Finucane, 'The Cantilupe-Pecham Controversy', in M. Jancey (ed.), *St Thomas Cantilupe, Bishop of Hereford: Essays in his Honour* (Hereford, 1982), pp. 103-123.

⁹¹ See Appendix 1 and Section 2.3.

⁹² G. Dru Drury, 'Heart Burials and Some Purbeck Marble Heart Shrines', *Dorset Natural History and Antiquities Field Club Proceedings* 48 (1927): 48-58 for a selection of different types of heart tomb. Also, Tummers, *Early Secular Effigies*, pp. 100-101; Gittos and Gittos, 'Motivation and Choice', pp. 146-148, 160. The authors rightly point out that full-sized effigies depicted with a heart do not necessarily indicate the presence of a heart burial.

either a representation of a heart, or the Queen's heart within a gilded vessel.⁹³

Eleanor's tomb in Lincoln appears designed to exude a sense of royal presence without referring too conspicuously to the contents of the tomb. The term 'viscera' had an ambiguous meaning. In religious discourse, it referred to the heart rather than to the bowels, and considering that the effigy of the Queen emphasised her elevated status by displaying her with the royal attributes, it is evident that the attention was distracted from any negative connotations of entrails. It is relevant in this context as well, that, when Henry III confirmed a grant to the Abbey of Croxton Kerrial in Leicestershire in 1257, he explained that he endorsed it 'for the sake of the *heart* of King John, which is buried within that church', despite reports that the abbot of the convent had taken all his interior organs for burial there.⁹⁴

An overt attempt to create a connection between ancestors and descendants by means of inscription and heraldry is found on the surviving retrospective commemorative slab of Robert III de Ros of Helmsley (d. 1285). After the Dissolution of the Monasteries, it was moved from its original location at Croxton Kerrial Abbey to Bottesford Church by the first earl of Rutland with other monuments connected to the lordship of Belvoir.⁹⁵ The inscription refers to

⁹³ See above Section 3.1. For Dugdale's drawing of the original entrails tomb, which has been replaced with a copy of the Westminster one, see P. Binski, *Westminster Abbey and the Plantagenets: Kingship and the Representation of Power 1200-1400* (New Haven, 1995), p. 109, fig. 150; for her heart tomb, see Drury, 'Heart Burials', p. 48. It should be noted that the entrails tomb of Queen Eleanor might present an exception to the rule of burying the entrails without publicity or pomp.

⁹⁴ *CChR 1226-1257*, p. 463; Paris, *Historia Anglorum*, 2: 667-668; Ranulph Coggeshal, *Chronicon Anglicanum*. Ed. J. Stevenson. RS 66 (1875), p. 184.

⁹⁵ See Appendix 1. Thomas Manners, first earl of Rutland, descended from Ros of Helmsley and Belvoir through his grandmother. At the Dissolution of the monasteries, he was granted possession of the monastic sites associated with his family and moved several monuments from them to Bottesford church, close to Belvoir Castle. Subsequent members of the Manners family were interred in the church until the establishment of a mausoleum in the castle in 1828. See I.

his heart burial at Croxton Kerrial and the interment of his body at Kirkham Priory. It also mentions the interment of his wife's body at the priory of Newstead by Stamford. Apart from this information, the slab contains three heraldic shields, two of which symbolise the marriage alliance between Ros and Albini. The first one, to the left of the inscription, shows Ros impaling Albini; the second, much smaller, shield positioned before Isabella's name has Albini dimidiating Ros, perhaps to indicate that Isabella was an heiress in her own right.⁹⁶ The third shield, to the right of the inscription, has Ros quartering Badlesmere impaling blank. Obviously, a descendant through the male line, possibly Thomas de Ros (d. 1483), had felt it opportune to commemorate his ancestor at the site of his heart burial, indicating its significance as a space to establish familial, social and religious connections.⁹⁷ With one commemorative slab, this descendant was able to reveal an intricate pattern of past and present associations. The fact that he chose the site of Robert III's heart to do so marks the importance of aristocratic hearts and bodies present in religious spaces.

In conclusion, the prospect of decay after death was a driving force behind practices such as embalming and *mos teutonicus*, which emphasised the integrity and incorruptibility of the cadaver as concepts of sin, lack of repentance and loss of virtue were folded into images of the corrupted, decaying and putrefying cadaver. At the same time, the idea of the noble male aristocrat was

Eller, *Belvoir Castle: From the Norman Conquest to the Nineteenth Century* (London, 1841), p. 352; McDonnell (ed.), *A History of Helmsley, Rievaulx and District*, pp. 85-87.

⁹⁶ Dimidiation usually involved joining the dexter half of the husband's arms to the sinister half of the wife's. On the Croxton memorial this is reversed. S. Friar, *Heraldry* (Stroud, 1992), p. 203.

⁹⁷ Robert III's grandson William III was married to Margery Badlesmere. Descendants could quarter the arms of a family if they had been obtained through marriage between an ancestor and a 'heraldic heiress'. Friar, *Heraldry*, p. 190. Also, F.A. Greenhill, *The Incised Slabs of Leicestershire and Rutland* (Leicester, 1958), p. 48.

advanced through the depiction of the aristocratic body as hyper-masculine. The ideal aristocratic man was muscular, well-exercised and experienced in warfare, as well as virtuous, brave and 'chivalric'. The rise of the knightly effigy in the thirteenth century with its emphasis on exactly these qualities occurred simultaneously with the increasing concern of the aristocracy for the preservation of their bodies after death, as 'nobility' became synonymous with physical incorruptibility. Although there seems general agreement that multiple burial was inspired by the idea that it would duplicate (or triplicate) the number and intensity of prayers, few have looked beyond the argument of piety and fear of damnation to explore the underlying social motivation for the separate interment of body parts. As with relics, it appears that by dividing the body the identity of the deceased was spread. If, as with saints, a person was present in equal measure in all his or her parts, it would follow that the heart, as the seat of one's inner 'self', contained as much presence as the bones. Without going all the way in claiming saintly power of presence and thus opening the way for the spread of bones as well as the interior organs, the aristocracy conceptually separated the heart from the body to establish the idea that, like saints, they were equally 'present' in both heart and body. The fact that the intestines were generally discarded as polluting matter suggests that aristocrats were well aware of the spiritual and medical values assigned to the body and its parts. Moreover, by keeping the skeleton in one grave, the idea of the noble, whole and therefore uncorrupted, body was sustained; yet, by emphasising the superior qualities of the heart through its separate interment, the concept of nobility of character was equally brought to the fore. Multiple burial, instead of fragmenting the body,

became a means by which the aristocracy could stress the nobility of themselves and their ancestors, as well as a way of enforcing the aristocratic interpretation of 'nobility' by privileging the heart.

However, this emphasis on the wholeness and hyper-masculinity of the male aristocratic body inevitably led to the formulation of its antithesis: a fragmented and less than manly body enforced upon the deviant male aristocrat. In the following chapters, we shall concentrate on the consequences of committing treason by examining the ways in which treason and the body of the aristocratic traitor were viewed. In the period under discussion, treason and related crimes were judged according to the status of the culprit. Considering the importance of the concept of nobility for the aristocracy, it was increasingly the case that the aristocrat's breach of loyalty (i.e. treason) was seen as an act of corrupted virtue, which was accordingly punished by destroying the noble aristocratic body and therefore rendering it less than noble. The next chapter will discuss cases of aristocratic treason from the twelfth to the early fourteenth century and the development of judicial punishment for it, while the last chapter will concentrate in particular on how this affected the male aristocratic body.

CHAPTER 4
'FORFEITURE OF LIFE AND LIMB'
THE EXECUTION AND DISMEMBERMENT OF ARISTOCRATS

The enforced incorruptibility and wholeness of the male aristocratic body expressed by means of corporeal preservation strategies underlined the importance of appearance in relation to social status, even after death. The conceptual connection between corruption, fragmentation and sin came most prominently to the fore in relation to the physical 'behaviour' of the cadaver: a prematurely putrefying corpse signalled a sinful soul. As a consequence, the idealised image of nobility professed by the aristocracy was potentially in danger of being shattered. It rendered the corpse, already ambiguous for its transitional nature and therefore an object of fear, more dangerous, more polluting, in that its adverse physical behaviour would potentially be uncontrollable. Embalming and *mos teutonicus* can therefore be seen as methods of enforcing control and order, where ordinarily there would be chaos. At the same time multiple burial, arising as a consequence of these strategies, underscored the concept of nobility by privileging the heart and the body (skeletal remains) of the deceased and it served to express the familial and socio-political position of the dead.

But if aristocratic burial practices focused upon the nobility and incorruptibility of the body, how did this relate to its destruction in executions? In this chapter I will trace the development of judicial corporeal punishment involving mutilation, dismemberment and division of the body. My focus will be on the executions of aristocrats accused of treason from the middle of the thirteenth century onwards, executions which incorporated mutilation and

division of the body in a series of punishments designed for a variety of crimes including treason. The discussion will start with three related case studies in the first section, followed by an exploration of judicial corporeal punishments, including a discussion of the role of the developing concept of treason in medieval England from c. 1100 to 1300. The last section will look in more detail at the executions of aristocrats occurring towards the end of the thirteenth century and in the beginning of the fourteenth with their focus on the public humiliation, destruction and display of the traitor's body.

4.1 THE EXECUTIONS OF WALLACE, FRASER AND ATHOLL (1305-1306)

On the vigil of St. Bartholomew's day, 23 August 1305, one of Edward I's most persistent enemies, the Scotsman William Wallace, was drawn through the streets of London at the end of a horse's tail towards the site of his execution.¹ Considered a treacherous criminal by Edward I, Wallace had been brought to London at the King's command to be tried at Westminster for his treason (*pro traditore*) and felonies.² The opinions of the English and the Scottish differed on the righteousness of Wallace's trial and subsequent execution, but in Edward's eyes the Scotsman had committed a variety of serious crimes founded on his opposition to the rightful heir to the Scottish throne, i.e. Edward himself.

About a year later, on 6 September 1306, Simon Fraser of Olivercastle was put to death in London on account of his treason and other crimes. Having

¹ *Flores*, 3: 123-124. An exceptionally full account is provided in the *Ann. London*, pp. 139-142.

² These concepts will be discussed in the next section. F. Watson, *Under the Hammer: Edward I and Scotland 1286-1307* (East Linton, 1998), pp. 211-214; G.W.S. Barrow, *Robert Bruce and the*

switched sides on a number of occasions, and having survived an earlier capture by the English, he appears to have rejoined the Scottish forces in March 1306, around the time of Robert Bruce's inauguration as King of the Scots.³

One of the last of Edward I's eminent Scottish adversaries to be executed was John of Strathbogie, Earl of Atholl, only two months after the death of Simon Fraser. Atholl was captured after the Battle of Methven on 19 June 1306 together with Fraser and a number of other Bruce supporters. He was imprisoned in the Tower of London pending his trial at Westminster Palace. This was his second time in English captivity, having been held by the English after the Battle of Dunbar in 1296 for more than a year.⁴ Although he had been a warden for the area between the Forth and Spey for Edward I in 1304, when Robert Bruce made his bid for the throne of Scotland in 1306 Atholl was among the first to support him. Having been a close friend of the Bruces throughout, he appears to have married the sister of Robert Bruce's first wife.⁵

The death of Margaret, granddaughter of King Alexander III, in 1290 had opened the path to the Scottish throne for Edward I.⁶ Presiding over the

Community of the Realm of Scotland, 3rd edition (Edinburgh, 1988), pp. 136-138.

³ Barrow, *Bruce*, pp. 155-156; Watson, *Under the Hammer*, pp. 83-86. Fraser had been captured by the English in 1296 after the Battle of Dunbar. He showed himself loyal to Edward in a campaign in Flanders in 1297, after which he was restored to his lands. However, his relationship with the English remained uncomfortable, and although he spent some time in a Scottish prison, he continued to adhere to the English king. The next we hear about him is his leadership of the Scottish army. At one point before this, he was part of Edward's household retinue. M. Prestwich, *Edward I* (London, 1988), p. 152.

⁴ M. Keen, *England in the Later Middle Ages: A Political History* (London, 1975), p. 32.

⁵ Barrow, *Bruce*, p. 156; *GEC*, 1: 306. His son was restored to the earldom by Edward II sometime between 21 August 1307 and 20 May 1308.

⁶ For the background of the Anglo-Scottish conflict starting with the death in 1290 of the 'Maid of Norway', King Alexander III's only heir, see e.g. E.L.G. Stones and G. Simpson, *Edward I and the Throne of Scotland, 1290-1296: An Edition of the Record Sources for the Great Cause* (Oxford, 1978); Watson, *Under the Hammer*, pp. 6-29; Barrow, *Bruce*, pp. 39-53; Prestwich,

proceedings to appoint the heir to the throne in 1291-1292, he ruled that John Balliol had most right to be crowned King of the Scots, which was by and large accepted by the Scottish aristocracy. After Balliol's forced abdication in 1296, Edward effectively assumed the lordship of Scotland, even though the Scottish aristocracy at first remained loyal to their former king. When William Wallace and Andrew Murray were elected joint guardians of the realm in 1297, they acted and issued writs on behalf of King John.⁷ It was not until the majority of Scottish magnates had sealed the 'Ragman Roll', dated 28 August 1298, that John was formally renounced as king in favour of Edward I. The name of William, or of his brother Malcolm Wallace, who held land in vassalage from James the Stewart, does not appear on this Roll, which could imply that Wallace never swore an oath of fealty to the English king, and therefore considered himself not to have betrayed Edward, or John Balliol for that matter.⁸ Also, at the time of the 'Ragman Roll', Wallace had resigned from his Guardianship after the Battle of Falkirk, devastatingly lost by the Scots under his leadership. In the years after 1298, he laid low while the Scottish political stage was dominated by the growing tension between Robert Bruce and John Comyn, two of the leading barons, and by Edward's ongoing political and military manoeuvring. Wallace was back in the fray by 1303, when a nine-month truce ended in November of that year. John Comyn and Simon Fraser led an army of Scots into the border

Edward I, pp. 356-376.

⁷ Barrow, *Bruce*, pp. 90-91; Watson, *Under the Hammer*, p. 50.

⁸ Barrow, *Bruce*, pp. 77-78. During his trial, according to *Ann. London*, Wallace, in response to the accusation of treason, stated that he had never betrayed the King of the English. *Ann. London*, p. 139.

territories and were countered by Edward's soldiers.⁹

By March 1304 it was clear that Edward was back in charge of Scotland. At the Parliament of St Andrews that month, the rebelling Scottish force was received back into the English king's peace. John Comyn, who had led the rebel government for most of the time between 1298 and 1304, did homage for his Scottish lands and swore fealty to the English king, followed by those magnates who had formerly resisted Edward.¹⁰ The peace terms offered to the Scottish aristocracy at St Andrews reinforced Edward's claim to the lordship of Scotland. They also deliberately excluded William Wallace, Simon Fraser and the Stirling garrison from the king's peace, effectively condemning them to outlawry.¹¹ Wallace and Fraser had rejected the initial peace terms offered to the Scots in February, which isolated them in their military efforts. The garrison of Stirling also held out against the English until July 1304, when it finally surrendered and the men were sent to London for trial. Even before the end of the siege at Stirling, Fraser had thrown himself upon Edward's mercy and had been accepted within the king's peace. Wallace, however, refused to surrender himself to uncertain justice at the mercy of the English king, which infuriated the latter even more. Immediately after the surrender of Stirling Castle, Edward ordered John Comyn and Simon Fraser, among others, to capture Wallace in exchange for terminating their exile and to show their good faith.¹²

⁹ Barrow, *Bruce*, p. 126; Watson, *Under the Hammer*, pp. 176-183.

¹⁰ *Ibid.*, pp. 186-189. Robert Bruce had defected to the English already in 1302. Barrow, *Bruce*, pp. 121-124.

¹¹ Watson, *Under the Hammer*, p. 188.

¹² *Ibid.*, pp. 191-192.

Comyn and Fraser were not the ones who captured Wallace at the beginning of August 1305. Instead, he was found near Glasgow by men serving John of Menteith, who was awarded £100 in land plus 40 marks.¹³ Edward, refusing to see him, ordered Wallace to be sent to London, where he arrived on 22 August. According to the *Annales Londonienses*, Wallace stayed the night at the house of the Londoner William de Leyre, who lived in the parish of All Saints Haymarket. The next day he was led on horseback to Westminster, accompanied by some of his judges (who included the Mayor of London, John 'le Blound' and Wallace's guard John de Segrave, royal lieutenant in Scotland),¹⁴ together with the Aldermen of London and 'with many others walking and riding'.¹⁵ At the Great Hall in Westminster he was placed on the 'southern bench' (*scamnum australe*), which can be interpreted as the Court of the King's Bench positioned at the southern end of the Great Hall.¹⁶ Here, Wallace was accused of treason, which he denied although he accepted the other charges made against him. After this, Peter Mallory, justice of the Common

¹³ Prestwich, *Edward I*, pp. 502-503.

¹⁴ *Ibid.*, p. 498.

¹⁵ *Ann. London* provides both the writ of gaol delivery for Wallace and his sentence; *Ann. London*, pp. 138-142. The chronicle, which concentrates on the early years of Edward II's reign, was probably written in the 1320s by a chamberlain of the London Guildhall, called Andrew Horn who appears to have had substantial legal experience. It is based on an abbreviated version of *Flores* interspersed with the author's own material. See A. Gransden, *Historical Writing in England 500-1307* (London, 1974), pp. 508-509; J. Catto, 'Andrew Horn: Law and History in Fourteenth-Century England' in R.H.C. Davis and J.M. Wallace-Hadrill, *The Writing of History in the Middle Ages: Essays Presented to Richard William Southern* (Oxford, 1981), pp. 367-371, 374-376.

¹⁶ See H.M. Colvin, *History of the King's Works: the Middle Ages* (London, 1963), 1: 543-544. The King's Bench held jurisdiction over cases of treason and felony. Technically it was to sit in the King's presence and it was the King who usually brought these cases of breaking the king's peace before the court. The court stayed at Westminster for the period of 1305-1318 as Anthony Musson and Mark Ormrod have shown, whereas during Edward's earlier Scottish campaigns it travelled with him. A. Musson and W.M. Ormrod, *The Evolution of English Justice: Law, Politics and Society in the Fourteenth Century* (Basingstoke, 1999), pp. 17-19.

Bench,¹⁷ read out the writ of goal delivery, followed by a long list of Wallace's crimes, which were accepted as undeniable fact. Because he had not been received back into the king's peace, he was considered an outlaw (*utlagatum et extra leges positum*) and not allowed to speak in his own defence. The sentence was proclaimed immediately afterwards, connecting his crimes to particular punishments.¹⁸

For his 'open treason' (*pro manifesta seditione*), for the plotting of felonies and planning to murder the king, for his attempts to weaken the crown and the dignity of the king, and for raising the banner against his liege lord in battle, Wallace was drawn from the Palace of Westminster to the Tower of London, and from the Tower via Aldgate (*Allegate*) through the centre of the city to the Elms at Smithfield. Here he was hanged for the robberies and homicide he had committed in both England and Scotland (*in regno Angliae et terra Scotiae*). After this he was taken down and beheaded 'because he was an outlaw' (*quia utlagatus fuit*) and had not been taken back into the king's peace.¹⁹ Moreover, because of the contempt in which he had held God by burning his churches and shrines, his heart, liver and lungs 'and all his interior organs from which his perverse thoughts had emanated' (*omnia interiora ipsius Willelmi, a quibus tam*

¹⁷ A. Musson, *Public Order and Law Enforcement: The Local Administration of Criminal Justice, 1294-1350* (Woodbridge, 1996), p. 88n.

¹⁸ *Ann. London*, p. 141; J.G. Bellamy, *The Law of Treason in England in the Later Middle Ages* (Cambridge, 1970), pp. 34-38. Wallace was tried under a claim of notoriety, which meant that summary justice could be executed.

¹⁹ *Ann. London*, p. 141. *Flores Historiarum*, another London chronicle, probably compiled at Westminster Abbey, reverses the sequence (3: 123-124). Wallace was taken down from the gallows 'semivivus', disembowelled and beheaded. According to Gransden, the accounts of the executions of Wallace, Fraser and Atholl may well have been first-hand. The chronicler is on the whole well informed about matters of national interest and is largely favourable to Edward and his Scottish campaigns. Gransden, *Historical Writing 500-1307*, pp. 453-456.

perverse cogitationes processerunt) were burnt.²⁰ Because his actions had not only affected the King, but also the people of England and Scotland, his trunk was divided into four parts and his head was taken to London Bridge for display. His four parts were sent to Newcastle, Berwick, Stirling, and Perth (*villam Sancti Johannis*), and each part was to hang on the gallows of each town as an example for all passers-by.²¹

The *Annales Londonienses* also provides a detailed account of Simon Fraser's execution, although it lacks any of the official documents found in the case of William Wallace.²² It tells us that, in September 1306, Fraser was brought to London (after his capture at Methven in June) by Sir Thomas de Multon, Sir Johannes Jose, 'and other knights'. The next day, two other Scottish noblemen, Sir Herbert de Morham and his squire (*armiger*) Thomas de Bois, were beheaded in the Tower after being judged by Ralph de Sandwich.²³ After this, Fraser was summarily tried and sentenced to death at the Tower. He was immediately drawn from there through the centre of London to the gallows where he was first hanged, then taken down while unconscious, beheaded and disembowelled. His body was again hanged, while his head was taken to London

²⁰ Flores adds that Wallace's genitals were cut off (*deinde abscis[is] genitalibus*) and thrown into the fire with his internal organs. Flores, 3: 124. The chronicle states in no uncertain terms what it thinks of Wallace, comparing him to Nero and Herod and calling him 'vir Belial'. Flores, 3: 123.

²¹ *Ann. London*, p. 142. John de Segrave received 15 shillings for taking Wallace's quarters to Scotland. Prestwich, *Edward I*, p. 503.

²² *Ann. London*, p. 148. Flores, 3: 134 mentions that he was drawn for treason, hanged for robbery and decapitated for homicide. The chronicler uses the word *eculeus* rather than *furca* to refer to the object from which Fraser's corpse was suspended. *Eculeus* appears to be a type of rack in the shape of a horse, which was used for torture in the Roman world. The association with gallows is also found in sermons by for example Bernard of Clairvaux and Peter Damian.

²³ Ralph de Sandwich (d. 1308) was Constable of the Tower and judge in the trials of both Wallace and Fraser. R.H. Robbins (ed.), *Historical Poems of the XIVth and XVth Centuries* (New York, 1959), p. 255, n. 148.

fantasises about what would happen to Robert Bruce and to John of Atholl if they were to come to England. Atholl did not arrive in London until the end of October and was tried and executed within a few days of his arrival. On the basis of this, it is possible to date the 'Song' to around the end of September 1306, and therefore closely contemporary to the events it narrates.

Like Wallace, Fraser entered London via Newgate subjected to great public interest. His feet were fettered underneath his horse, his hands were tied in front of him and he was made to wear a garland of periwinkle, which branded him a criminal before his trial.²⁶ In fact, both the 'Song' and the *Annales Londonienses* suggest that Fraser received a summary trial on the basis of his notoriety. Brought before his judges, Fraser is asked to deny his treason, which he cannot. His death sentence is subsequently read out and carried out. This is described in more detail in the 'Song' than in the *Annales Londonienses*. Again he is fettered and made to wear a garland of green leaves and this time a 'curtel of burel'.²⁷ Tied to an ox-hide he is drawn from the Tower through Cheap to the Elms where he is hanged, beheaded 'al quic' and eviscerated. His entrails are burnt. His head is sent to London Bridge to be put on display beside the head of Wallace. As mentioned earlier, his body was again suspended from the

Robbins (ed.), *Historical Poems*, pp. 14-21 from which quotations are taken.

²⁶ 'Song', ll. 115-123. John Lydgate in his *Fall of Princes*, for example, composed the following lines:

Crownid oon with laureer hih on his hed vpset,
Other with peruyne maad for the gibet.

(Bk. VI, ll. 125-126)

John Lydgate, *The Fall of Princes*. Ed. H. Bergen. EETS, extra series 121-124 (1924), 3: 678. Periwinkle is referred to in the glossary as *fiore di morte*, 'flower of death' (*Ibid.*, 4: 473).

²⁷ Coss (ed.) *Wright's Political Songs*, p. 381: 'Burellus, in low Latin, *bureau* or *burel* in old French, was a kind of coarse and common cloth.'

gallows.²⁸

John of Strathbogie, earl of Atholl, was executed two months after Simon Fraser, although he had been captured around the same time. His treatment was very different from Wallace's and Fraser's. The *Flores Historiarum* mentions a few times that the Earl was of royal blood.²⁹ Probably because of this, the earl did not publicly enter London at the end of October, but instead was led 'secretly outside the walls' (*occulte extra muros*) to the Postern Gate, just north of the Tower, where he was incarcerated.³⁰ Two days later, he was taken to Westminster and tried before Roger de Brabazon and Peter Mallory, the king's justices.³¹ Instead of being drawn he was allowed, on account of his royal blood, to ride on horseback to a fifty-foot high gallows where he was hanged for his treason and taken down 'half-alive' (*semi-vivus*). Next, while suffering great torments, he was cruelly beheaded.³² There is no evidence that he was eviscerated and his body appears to have been burnt immediately, 'with flesh and bones' (*una cum carne et ossibus*) in a fire that had been lit earlier in his presence. His head was sent to London Bridge and put on display 'in the highest

²⁸ Fraser's execution is described in 'Song', ll. 113-128, 153-216.

²⁹ *Flores*, 3: 134 for example, where the chronicler states that Edward was aggrieved by Atholl's capture and his treason, because the Earl was of royal blood. In the end, the King put justice before relations (*Flores*, 3, 135). See also *GEC*, 1: 306. According to Bellamy, *Law of Treason*, p. 46, he was the first Earl to receive the death sentence for treason in 230 years. See below Section 4.2.2 for the execution of Waltheof of Northumbria.

³⁰ *Ann. London*, p. 149, which only provides a very brief description of the execution.

³¹ See above for Mallory. Roger de Brabazon was Chief Justice of the King's Bench for over twenty years. J.R. Maddicott, *Law and Lordship: Royal Justices as Retainers in Thirteenth- and Fourteenth-Century England*, Past & Present, suppl. 4 (1978), p. 16. Also, Mallory and de Brabazon served together on the same circuit as justices of Oyer and Terminer. See Musson, *Public Order*, pp. 88, 91, 92.

³² *Flores*, 3: 135; *ut majores cruciatus sentiret crudelissime decollatur*.

position' because of his royal blood.³³

What is striking in the above examples is not only the elaborate staging and public nature of the executions, but also the pre-determined and summary justice exacted upon these men. Both Fraser and Wallace were led into London in public, branded as criminals before their actual trial, as we can infer from the 'Song' on Fraser's execution. The trial itself consisted of a pronouncement of their crimes with already assigned punishments. All three were tried primarily for treason, while Fraser and Wallace were sentenced for committing felonies as well. Atholl, on account of his blood connection with royalty, was given a different treatment, being secretly led into London and excused from being drawn through the streets after trial; this despite Edward's insistence that those of more noble blood should be more severely punished for their wickedness.³⁴

This lenience in the treatment of Atholl prior to his death could either point to an unease about proclaiming the death sentence upon an earl, even if he was Scottish, or instead it may well expose a hierarchical differentiation within the execution process based on social status.³⁵ In the following sections and the next chapter we shall continue to explore the development of this ideological connection between crime, punishment and body, as well as to investigate the social consequences of this ideological interconnectivity in relation to the aristocrat and his family.

³³ *Flores*, 3: 135. The word for gallows is again *eculeus* (spelled *equuleus*), perhaps intended as a pun, since Atholl was suspended while seated on his horse: *ascenso equo in equuleo quinquaginta pedum suspensus est*.

³⁴ *Flores*, 3: 135.

³⁵ See for more examples 4.3 below. Edward I already had David ap Gruffydd, a prince of Wales, executed in 1283.

4.2 CRIME AND PUNISHMENT

The executions of the aforementioned Scots were not merely a consequence of their opposition to the English king, but the result of a series of specific crimes committed by them. A few remarks ought to be made at this point about the problematic nature of the trials and executions of these men. They were not the first to be tried for treason during Edward I's reign, nor were they the first to be subjected to a whole range of punishments directed in particular towards their bodies. The form of their trials has been the subject of discussion by present-day historians for its puzzling deviation from normal procedure.³⁶ Not only were these men tried summarily, they were also tried by a court which was assembled for the purpose. They were convicted on the king's record: the nature of their crimes was manifest, which did not warrant a defence from the accused.³⁷ The ambiguous quality of the word 'treason', or rather *seditio*, *proditio*, *treson*, even *crimen laesae maiestatis*, provided the king (and aristocracy) with the opportunity to give new meaning to the concept of 'treason', which is expressed in the range of actions and intentions referred to as a crime against King or Crown. This power of ambiguity found its way not only into judicial procedure, but also into the form of punishment. As Bellamy states: 'Treason was most

³⁶ See for example M.H. Keen, 'Treason Trials under the Law of Arms', *TRHS* 5th series 12 (1962): 85-103; Bellamy, *Law of Treason*, passim.

³⁷ Bellamy, *Law of Treason*, pp. 23-58: Most of these trials were conducted on the king's record, which involved bringing an accusation of treason before a court on the basis of notoriety. The king's word was enough to invoke a sentence upon the accused, without allowing for a defence. Although these cases were tried before a court specifically assembled for the purpose, the only function of the justices seems to have been to read out the king's record. Both David ap Gruffydd and Thomas of Lancaster were tried before their peers, but this does not appear to have made a difference in procedure. See *Foedera*, 2.1: 40-42 for the proceedings of Thomas of Lancaster's trial. Also, *Rot. Parl.*, 2: 3-5.

clearly distinguished from other serious crimes by the punishment inflicted on the guilty party,'³⁸ but it was by no means a standardised punishment. In this section I will explore the ramifications of treason as a concept in relation to other felonies as well as the consequences of creating a category of 'super felony' for the way these crimes were punished.

4.2.1 'FELONIOUSLY AS A FELON, TRAITEROUSLY AS A TRAITOR'³⁹

'And we have declared with regard to one who is accused of plotting against his lord, that he shall forfeit his life if he cannot deny it.' Thus the words of the tenth-century king Æthelstan in his second lawcode.⁴⁰ *Hlafordsearwe*, 'deceiving one's lord', in any form or way (left unspecified) amounted to what we would call 'treason' and one found guilty of the crime deserved death. Both in the earlier laws of Edgar and in the later *Leges Henrici Primi*, theft is given equal prominence to betraying one's lord, but whereas Edgar speaks of forfeiture of life, the *Leges* only mentions forfeiture of land.⁴¹ Betraying one's lord can on the whole be seen as a crime similar to an act of felony such as theft, resulting in similar punishments.

At the Hilary Parliament of 1352, the Statute of Treasons was famously drawn up in response to a request from the magnates and the commons for a

³⁸ Bellamy, *Law of Treason*, p. 20.

³⁹ W.J. Whittaker (ed.), *The Mirror of Justices*, Selden Society, 7 (1895), p. 55.

⁴⁰ II Æthelstan 4: *Ond we cwædon be hlaforðsearwe, ðæt he beo his feores scyldig, gif he his ætsacan ne mihte*. F.L. Attenborough (ed.), *The Laws of the Earliest English Kings* (Cambridge, 1922), p. 130.

⁴¹ III Edgar 7.3 in A.J. Robertson (ed.), *The Laws of the Kings of England from Edmund to Henry I* (Cambridge, 1925), pp. 26-27 (Old English with facing English translation); L.J. Downer (ed.), *Leges Henrici Primi* (Oxford, 1972), *cap.* 43.7. In *cap.* 13.1, however, the author claims that

clearer definition of *treson*.⁴² In it, an attempt was made to regulate the wide selection of accusations which could be construed as treason, and to define the difference between high treason (committed against king and national government) and petty treason (committed against lords, husbands, or masters). However, it did not offer a definitive answer on what constituted the legal boundaries of treason, as the option was left open to add new elements to the existing list.⁴³ Also, the difference between treason and other felonies was left unspecified as was the manner of judgement and indeed punishment as far as it concerned the person of the convict.⁴⁴ The Statute does not mention the 'accroachment of royal power' as a form of treason, an accusation which had abounded during the reign of Edward II and in the early years of Edward III's, in particular the period of 1340-1350.⁴⁵ Instead, it lists the following actions or intentions to be understood as high treason: the act or intention of physically assaulting the king, queen, eldest son, eldest unmarried daughter, or the wife of the eldest son, either to kill, or in the case of the women, to rape them; the act of waging war against the king in his own realm; adhering to the king's enemies and helping them; forging the Great or Privy Seal; coin clipping and forgery, or

'manifest theft is punishable by death.' Downer assigns this work to the early twelfth century.

⁴² *Statutes of the Realm*, 25 Edw. III, Stat. 5 C. 2.

⁴³ See Bellamy, *Law of Treason*, pp. 180-181 for an example of this legal loophole being used.

⁴⁴ Interestingly, the only punishment mentioned concerns the specification of who receives forfeited property under which circumstances. In case of high treason the king receives it, in case of petty treason the lord of the fee. The king still reserved the right of confiscating a felon's property for a year before returning it to the lord who held the fee originally. In all cases, the forfeited property was considered an escheat. The financial benefits appear therefore to be the most significant aspect of the regulation of treason. See Bellamy, *Law of Treason*, pp. 59-60 for his and earlier comments on this aspect.

⁴⁵ See *Ibid.*, pp. 64-74 for a discussion of 'accroaching royal power' in the reigns of Edward II and Edward III; the accusation was partly based on the distinction made between the person of the king and his office, and the bond between king and community signified by the use of the

otherwise knowingly circulating forged money;⁴⁶ the act or intention of killing members of the king's council or his justices while they are in office. High treason is thus not only to harm the royal person, but also the crown.⁴⁷

In the centuries between the Anglo-Saxon Dooms and the *Leges Henrici Primi* on the one hand and the 1352 Statute of Treasons on the other, a concept of treason as being a more serious crime than any other felony was gradually developed, although this certainly did not lead to a clear definition of it.⁴⁸ My point is not to seek another explanation of or solution to the problem of the complexity enveloping the concept of treason as the development of a law of treason and possible explanations and definitions of it have been provided elsewhere.⁴⁹ Instead, I will seek to expose the ambiguity of treason itself as a useful mechanism to employ against one's enemies and as a method of raising one's own profile (and wealth). Connected to this is the gradual shift from only punishing a convict financially and socially to a physical punishment leading to the death of the convict besides forfeiture of his property and social ostracism.⁵⁰ Part of the anxiety in relation to the ambiguity of treason was the power it potentially gave to the king, but also the financial setback the barons suffered

word 'crown'.

⁴⁶ For reasons of focus, in this section I will not elaborate on forgery as an element of treason. Aristocratic traitors were all invariably accused of warlike crimes against the king and the kingdom, and although the crime of 'accroaching royal power' bears hints of forgery (of the royal seals), it is always a minor accusation. See for example the list of crimes committed by Piers Gaveston according to the author of the *Vita Edwardi Secundi. Vita Edwardi*, pp. 14-16, 19-20.

⁴⁷ *Statutes*, p. 320.

⁴⁸ The Statute defined treason as that which had already been considered treason in the previous decades, with the exception perhaps of those crimes pertaining to members of the royal council or judiciary.

⁴⁹ E.g. Bellamy, *Law of Treason*; Keen, 'Treason Trials'.

⁵⁰ The methods of punishment will be discussed below in Section 4.2.2.

from crimes interpreted and adjudged as treason. In the case of felonies, escheats would transfer to the lord of whom the fee was held; in treason cases, escheats fell to the king to be dealt with at his pleasure. This emphasis in the Statute on the dangers of too much royal political and financial power to confiscate and dispose of property rather than on the methods of physical punishment themselves seems to imply, however, that there was a silent consensus on the fact that it was right to subject traitors to some form of corporeal punishment.

First of all, I shall look briefly at the legal language employed by some writers in the period between the *Leges* and the Statute about the scope of treason in relation to felony.⁵¹ Secondly, I will focus on some, more serious, crimes committed in the thirteenth and early fourteenth centuries to see how in historical narratives of the day, and in some cases in governmental writs, treason was constructed. From these discourses we should then be able to distil some of the ambiguity of treason underlying the convictions expressed in these sources, which resurfaces when we shall deal with the forms of corporeal punishment in relation to treason and (occasionally) felony in the next sections below.

Treason in the *Leges Henrici Primi*, as we have seen, was equal to manifest theft. In *cap.* 13, moreover, in a section about 'pleas which place a man in the king's mercy', treason (*proditio*) is embedded within a selection of crimes committed against the king or his servants, including breach of fealty (*infidelitas*), slander, contempt, causing the death of the king's servants, constructing fortifications without the king's licence and outlawry (presumably

⁵¹ A more extensive discussion can be found in Bellamy, *Law of Treason*, in particular Chapters

after having committed a crime). Treason and breach of fealty are furthermore mentioned within the same clause, revealing a close relationship between *infidelitas* and *proditio*. Similarly, in *cap.* 47.1 'betrayal of one's lord' (*proditione domini*) is ranked among crimes such as theft, homicide, robbery, and arson. *Glanvill*, written in the late twelfth century, states that the crime *laesa maiestatis* encompasses both *sedition* and 'serious crimes' such as homicide and robbery, which deserve death by dismemberment.⁵² In this case we find that both betrayal and felony are considered a crime against the person of the king.

Similar comments can be found in later legal treatises, such as those texts known as *Bracton*, *Fleta*, and *Britton*.⁵³ *Bracton* (c. 1250), although essentially following *Glanvill*, nevertheless refines the comments of the earlier law code. The definition of the crime of lèse-majesté is narrowed down to encompass only those crimes which are immediately directed against the king or his army.⁵⁴ It is the most serious of capital crimes and ought to be punished accordingly. The statements provided by *Britton* (c.1290) about the nature of *tresun* are also informative.⁵⁵ Treason, the author says, 'consists of any mischief, which a man knowingly does, or procures to be done, to one to whom he pretends to be a

1 and 2.

⁵² Downer (ed.), *Leges*, c. 13.1, c. 47.1; Glanvill, *De Legibus et Consuetudinibus Regni Angliae*, ed. G.E. Woodbine (New Haven, 1922), p. 42. Bellamy discusses the different elements which make up treason according to *Glanvill*, which are *sedition* of king, kingdom and army. Bellamy, *Law of Treason*, pp. 4-5. The term *laesa maiestatis* stems from Roman law and implies an 'insult to those with public authority'. *Ibid.*, p. 1.

⁵³ Henry Bracton, *Henrici de Bracton de Legibus et Consuetudinibus Angliae*, ed. G.E. Woodbine (New Haven, 1915-1942), 2: 334-337; H.G. Richardson and G.O. Sayles (eds.), *Fleta*, Selden Society, 72 (1955), 2: 56-58; F.M. Nichols (ed.), *Britton: The French Text Carefully Revised with an English Translation, Introduction and Notes* (Oxford, 1865), 1: 40-41, 97-99.

⁵⁴ Bracton, *De Legibus*, 2: 334.

⁵⁵ *Fleta* (late thirteenth century) follows *Bracton* in its definition of lese-majesty by stating that it encompasses the betrayal, or death, of the king or of his army; *Fleta*, 2: 56.

friend.' He distinguishes between high treason and petty treason, providing an alternative definition to the one found in the 1352 Statute. According to *Britton*, high treason encompasses killing the king, disinheriting him of the kingdom, or falsifying his seal or coin. Unlike the Statute, it also refers to procuring the death of any lord other than the king. Lesser forgeries, adultery with the wife of a liege lord, any violation of the lord's children or their nurse is considered petty treason if committed by one who owes homage to the lord in question.⁵⁶ In his section on appeals, the author freely interchanges 'treason' and 'felony' in his discussion of the breach of loyalty to one's lord. He firmly positions the crime of *tresun/treysoun* among other crimes such as homicide, rape, arson and robberies which he calls 'felonies'.⁵⁷

The consensus within these legal treatises seems to be that treason is to be considered a type of felony and that it involves some breach of loyalty towards a superior, either king or liege lord. The nature of this breach of loyalty, i.e. which acts constitute this betrayal, is mostly left unspecified. The intention to kill the king or lord is always referred to treason as is counterfeiting the seal of one's superior. Whereas some authors mention the betrayal of the king's army as a serious crime equal to betraying the king, the 1352 Statute does not appear to be concerned about this; the king and his administration are the object of treason,

⁵⁶ *Britton*, 1: 40-41. As the example of Eustace of Boulogne (see above Section 1.2.2) illustrates aristocratic children would have to be nursed by women of the right background. It was generally held that the wet-nurse acted as a kind of conduit between the child and the outside world until it was weaned. See also V.A. Fildes, *Wet Nursing: A History from Antiquity to the Present* (Oxford, 1988), pp. 32-34 for medieval medical opinions about the nurse and her role in the upbringing of children.

⁵⁷ *Britton*, 1: 98-99.

not his soldiers.

While these legal treatises were fairly agreed on what the scope of treason was, even if they did not find it necessary to fill in the details, in the political arena this level of clarity was not achieved, precisely because it was concerned with those details. Because there was no circumscribed definition of the acts constituting treason, it was possible to adapt the concept according to the political situation and, as we shall see below, this could also affect the way in which the perceived treason would be punished. It has been remarked that 'the kings of England chose not to execute aristocratic rebels' in the two centuries after Earl Waltheof of Northumbria's beheading (AD 1075).⁵⁸ However, the overall political position of these kings may have been too insecure to enable them to convict barons on the grounds of treason without the risk of precipitating widespread rebellion. Rebellion and open criticism can only be construed as treason in situations in which the position of the monarch is stable enough for him to punish the culprits, only if he has the support of at least some powerful magnates. It also depended on the political and social standing of the rebels and their family connections. As Maurice Keen has remarked about the dangers of extending the uncertain boundaries of treason: '[this] endangered the stability of the realm, because the penalties of treason, death and forfeiture gave the heirs of a dead traitor a vested interest in the reversal of the political *status quo*.'⁵⁹

⁵⁸ J. Gillingham, '1066 and the Introduction of Chivalry into England' in G. Garnett and J. Hudson (eds.), *Law and Government in Medieval England and Normandy: Essays in Honour of Sir James Holt* (Cambridge, 1994), p. 44. The leading Norman baron of the rebellion, Roger of Hereford, was imprisoned.

⁵⁹ M. H. Keen, *England in the Later Middle Ages* (London, 1993), p. 90.

Although he is commenting on the growing use of the accusation of 'accroaching royal power' during the reign of Edward II, it is an equally valid observation for any accusation of treason leading to severe punishment. In many cases of rebellion and its suppression, it would not have been politically safe to punish harshly.⁶⁰ On a more cynical note, those who were perceived traitors at present could be useful allies in the future. This may for example explain King Stephen's reluctance to punish Geoffrey de Mandeville in 1143, despite his dealings with the Empress in the previous year. After his communications with Matilda, Geoffrey seems to have returned to Stephen's side, since he is credited in the *Gesta Stephani* with providing the king counsel and stabilising Stephen's control in the part of the country dominated by him.⁶¹

According to the *Gesta Stephani*, Geoffrey de Mandeville had been accused of several crimes which could be summed up as treason: he had wrongfully taken the powers of government and had acted like a king throughout the kingdom and, as was manifest to all, he had wanted to hand over the kingdom to the countess of Anjou (i.e. Matilda). These accusations, as Prestwich observes, are remarkably close to the accusations of treason which dominated the late thirteenth and early fourteenth centuries.⁶²

⁶⁰ According to Orderic Vitalis, this explains, for example, why William Rufus decided against punishing the rebels of the 1095 revolt too severely. Orderic, 4: 284; cited in Gillingham, 'The Introduction of Chivalry', p. 47. For one plausible explanation of the reluctance of rulers to punish rebels harshly see D.A. Carpenter, 'From King John to the First English Duke, 1215-1337', in Anon. (ed.), *The House of Lords: A Thousand Years of British Tradition* (London, 1994), pp. 33-34.

⁶¹ See for the most recent discussion of Stephen's response to Mandeville's treason: J.O. Prestwich, 'The Treason of Geoffrey de Mandeville', *EHR* 103 (1988): pp. 294-298.

⁶² *Ibid.*, p. 296.

While in the subsequent reigns of Henry II and his sons Richard and John there were flares of resistance and rebellion against their regimes, there were no serious allegations of treason immediately related to the safety of the king, or the long-term stability of the kingdom. Henry's suppression of his sons' revolt in 1173-74 did not conclude with a series of arrests and trials for treason or indeed with serious corporeal punishments. Similarly, the opposition led by John against Richard's chancellor William Longschamps in 1191 managed to drive him away without punitive consequences, despite the fact that the chancellor remained in the king's trust.⁶³ There was an undercurrent of criticism against the accused of taking a great liberty with the power entrusted to him. Although the term 'accroaching the royal power' was not used, it was almost certainly intended.⁶⁴

It is only in the reign of Henry III that we next hear about a serious assault on the king's life subsequently punished as treason.⁶⁵ According to Matthew Paris in 1238, an *armiger literatus* tried to kill the king 'in the manner of the Assassins'. After the capture of this knight, it was discovered that the attempted assassination of Henry III was at the instigation of William de Marisco, whose father Geoffrey had been Justiciar of Ireland. Pretending to be

⁶³ R. Bartlett, *England under the Norman and Angevin Kings, 1075-1225* (Oxford, 2000), p. 34. The opposition to John's rule which led to the drafting of the Magna Carta was similarly victorious for the rebels rather than the king.

⁶⁴ See Bellamy, *Law of Treason*, p. 23 for the feudal concept of *diffidatio* as an explanation for the reluctance of English kings to execute the aristocracy.

⁶⁵ One case, which will not be discussed in greater detail because it did not involve an aristocrat, concerned a Richard son of Nigel, who accused three men of conspiring to poison the king in 1225. The men denied the charge and it came out that Richard had been previously accused of theft and robbery, and had escaped from gaols in Oxford and Northampton. Subsequently the charge was declared void. Richard was sentenced for the crime he had accused the three men of and was drawn and hanged. *CRR 1225-1227*, pp. 215-216 (no. 1055). The Dunstable annalist refers to the alleged crime as *crimen laesae majestatis*. *Ann. Dunst.*, p. 97. See also Bellamy, *Law of Treason*, p. 17. See for a summary of treason allegations Table 1 below.

mad, the murderous knight gained access to the king, who laughed away this folly. In the night, however, the knight came into the king's bedchamber and attempted to kill Henry. Luckily, Matthew says, the king happened to be with the queen that night. The knight was discovered, put in chains and questioned about his motives. He confessed to having been sent by William de Marisco.⁶⁶ The consequence was that Marisco, who had turned pirate after having been outlawed, was now also a traitor. In 1242, he and his companions were captured on Lundy Island, which had been their hiding place since 1235 and whence they had conducted their piracy. Marisco was taken to London and sentenced to death for his crimes: he was drawn, hanged, eviscerated and quartered.⁶⁷

As has been noted above, too much power vested in an individual could lead an opposition to construct an accusation of treason; betraying the king or breaking fealty was certainly considered a grave offence, as was plotting to kill the king. The descriptions of these crimes belie the clarity which emanates from these simple statements. Our anonymous *armiger literatus*, sent to kill Henry, is described by Matthew Paris not as a traitor but as a thief (*ispe latro*) and after his execution and dismemberment his body parts are hanged on the *cruci latronali*, freely translated as 'the cross of thieving'.⁶⁸ This echoes the connection between

⁶⁶ Paris, *Chronica Majora*, 3: 497-498; for the background to William de Marisco's hostility towards Henry see F.M. Powicke, *King Henry III and the Lord Edward: The Community of the Realm in the Thirteenth Century* (Oxford, 1947), 2: 740-759. His father, Geoffrey, was suspected of involvement in this attempt and in the murder of Richard Marshal, Earl of Pembroke which sparked off this episode. Subsequently, he was deprived of all his Irish possessions and banished from England. He took refuge in Scotland, but was forced to leave in 1244. He died the following year (*Ibid.*, 2: 759).

⁶⁷ Paris, *Historia Anglorum*, 2: 462-463; Paris, *Chronica Majora*, 3: 196.

⁶⁸ Paris, *Chronica Majora*, 3: 498. Henry III, in a writ issued for Marisco's arrest, refers to the knight as *quendam ribaldum*. *CCR 1237-1242*, p. 146.

theft and treachery found in the Anglo-Saxon Dooms.

Treason could be constructed in many ways, as we can observe from Table 1 at the end of this chapter, and came increasingly to encompass 'breaking the king's peace.'⁶⁹ Itself an elastic concept, a breach of the king's peace originally only entailed a crime committed within the king's presence or an act of violence involving one who was 'under the king's peace', presumably a royal messenger or those travelling on the king's highway.⁷⁰ However, by the time of William de Marisco, we see that the king's peace extended to all parts of the kingdom and incorporated all the king's subjects, excepting outlaws.⁷¹ Crimes against the king's peace were typically felonies such as homicide, robbery, arson, larceny or rape. Matthew Paris describing de Marisco's crimes in his *Historia Anglorum* refers to them as 'robberies and pillaging' (*rapinis et praedis*). However, Paris's symbolic drawing of Marisco's broken shield, sword and banner in BL MS Royal 14.C.VII, f. 133v is captioned *arma Willelmi de Marisco de proditione convicti*, William convicted for treason, for betraying the king.⁷²

It is a similar list of crimes that we also find in the descriptions of treachery towards the end of the thirteenth century and beyond. The accusations of treason do not simply refer one crime, but are in fact a complex of criminal

⁶⁹ Although my discussion exposes the ambiguities of 'treason' as a concept, I will continue to use the word as an umbrella term for the sorts of crimes outlined in Table 1.

⁷⁰ See for example Downer (ed.), *Leges*, c. 10.2.

⁷¹ F. Pollock and F.W. Maitland, *The History of English Law before the Time of Edward I*. 2nd edition. 2 vols. (Cambridge, 1911), 2: 463.

⁷² Paris, *Historia Anglorum*, 2: 462, which reproduces the drawings from this manuscript. A description can be found in S. Lewis, *The Art of Matthew Paris in the Chronica Majora* (Aldershot, 1977), p. 464.

acts either described as *proditio*, *seditio* and *tresun* or as felonies. The allegations against Wallace, as we have seen above, comprised a series of actions such as rebellion, homicide, arson, sacrilege, robbery and rape. Of these, only rebellion can be construed as treason, but every other felony committed now became treason as well. Crimes were interpreted as breaking the king's peace, as acts against the king's people and therefore the king's direct concern. In legalistic terms, an act of felony could mean a direct insult to the king, who in effect was the head of the social body.⁷³ With people such as, for example, William de Marsico and William Wallace, the consequence of treason is brought to the king's subjects. It is not only a matter of political games being played between the monarch and his aristocracy, but also of showing the force of justice to all of the king's subjects.⁷⁴ This is possibly the result of a widespread perception that society was becoming more violent and unruly, which was reflected in a growing concern for law and public order. This can be detected, for example, in Edward I's comment about his efforts to 'suppress the disorders, tumults, and outrages of the past, which were like the start of war and which flouted the lordship of the king.'⁷⁵

With the exception of Thomas de Turberville, who was 'merely' accused of adhering to the king's enemy and thus betraying his lord's trust, all other major cases of treason in which the monarch was involved contain references to

⁷³ See Section 5.1.1 below.

⁷⁴ See Table 1, VI. Betraying the kingdom is almost as frequent an accusation in the reigns of Henry III, Edward I and Edward II as the charge of conspiring against the king.

⁷⁵ Quoted from R.W. Kaeuper, *War, Justice, and Public Order: England and France in the Later Middle Ages* (Oxford, 1988), p. 140. See also his comments on the perceived crisis of order in England on pp. 170-183. Edward's concern with public order is also noted by Prestwich, *Edward*

multiple crimes (Table 1), often against the people of the kingdom. Edward's writ for summoning a parliament in 1283 after the capture of David ap Gruffydd reveals not only his indignation about the Welsh nobleman spurning the gifts Edward made to him, but also speaks of the crimes committed by him and his brother Llewelyn (who was dead by that time). They have broken their fealty and 'suddenly, treacherously, burned the king's towns, slew and burned many of his subjects and committed others to prison, invaded the king's castles, spilling vast quantities of innocent blood...'⁷⁶ Some of the chronicle accounts, less concerned with details about the invasion of castles perhaps than with the crimes committed against the king, church and the people, provide variations on this theme. The Dunstable Annalist adds that David had tried to kill the king on several occasions and that he had committed sacrilege by killing someone during Holy Week. Both Florence of Worcester and the Chronicle of Bury St Edmunds state that he was guilty of '*proditione, regie maiestatis lesione ac sacrilegio*'.⁷⁷ Treason and felony are conceived as being two branches of the same tree. In contrast, about nine years later, Rhys ap Maredudd was convicted of *sedition* and of 'homicides, arsons, robberies and larcenies against the king's peace, and of demolishing the king's castles' which clearly distinguished between the treason and the felonies committed as a result of this treason.⁷⁸ This clear distinction is an exception to

I, pp. 279-280 and pp. 283-288.

⁷⁶ *CCR 1277-1326*, p. 281; *Foedera*, 1.2: 630 reads: *proditionaliùs solito villas nostras subito combusserunt, & proch dolor! quibusdam fidelibus nostris occisis, quibusdam combustis, & aliis diris carceribus mancipatis, Castra nostra invadere, fundendo inmaniter sanguinem innocentem...*

⁷⁷ *Ann. Dunst.*, p. 294; *Worcester*, 2: 229; *Chron. Buriensis*, p. 79.

⁷⁸ *CCR 1288-1296*, p. 267.

the rule, however.

With concepts of treason being connected to felonies, it was possible to open a true Pandora's Box for certain men who were a particular nuisance to the king or to the leading magnates of the realm. William Wallace is exemplary, as is Thomas, Earl of Lancaster. Both men were accused of a whole range of crimes relating to their insurgence, including felonies, which are conspicuously connected to their initial breach of loyalty or fealty.⁷⁹ In case of the Despenser father and son, however, the accusation is one of *treson* without further specification. Despenser the Younger's judges only refer to him as *traiteour*, Despenser the Elder is more specifically accused of robbing the people.⁸⁰

It has become increasingly clear from this discussion that treason accusations were applied in a great variety of circumstances in the period under consideration, as a result of the ongoing ambiguity of the concept of treason. This happened despite the legalistic definitions of its boundaries or fundamental elements. Both the legal treatises and the judicial proceedings agree on the gravity of betrayal or rebellion, but the ramifications of these were applied flexibly. As a result the power of both monarch and aristocracy to decide on cases of treason, to accuse an opponent of illegal behaviour towards king, crown or kingdom, was greatly enhanced. The only development we may find in the centuries between the Anglo-Saxon Doms and the 1352 Statute of Treasons (which is a long time) is an increased ability to use the accusation of treason as a

⁷⁹ See Table 1 below. For the list of William Wallace's crimes see Section 4.1 above; for Thomas of Lancaster see the previous note.

⁸⁰ J. Taylor, 'The Judgement on Hugh Despenser, the Younger', *Medievalia et Humanistica* 12

mechanism to achieve an end throughout the political arena. Edward I was capable of using it against his foreign opponents by insisting on his feudal rights; Edward II used it to destroy his most dangerous opponent, Thomas of Lancaster; while Lancaster himself was more than happy to employ an unspecified allegation of 'accroaching royal power' against Piers Gaveston in the 1311 Ordinances.⁸¹ In 1326, Roger Mortimer, nominally proclaiming the will of the soon to be King Edward III, sent the Despensers to their execution on similarly circuitous claims (even though they may have carried some substance). By the time Mortimer himself was the centre of treason allegations, in 1330, the accusation again focused on his accroachment of royal power from which all his other crimes sprang.⁸² It should be noted that all these accusations of treason occurred in times of open war, as well as of rebellion within Wales or Scotland.⁸³ But, if the concept of treason was freely employed in all its legalistic amorphousness, what are the consequences of this in terms of capital punishment?

4.2.2. PUNISHMENT

If the aristocrats of the eleventh and twelfth centuries were mostly fortunate enough to escape capital punishment for their felonies or betrayal and only

(1958), p. 76 (from his edition of the judicial proceedings); see *Ann. Paulini*, p. 317 for Hugh Despenser the Elder. See also below Section 5.1.2.

⁸¹ See *Vita Edwardi*, pp. 19-20 for a transcription of the Ordinance, which specifically pertained to the accusation of Gaveston.

⁸² *Rot. Parl.*, 2: 52-53. As can be observed from Table 1, the accusation of accroaching royal power gained momentum during the years of Queen Isabella and Mortimer's regency (1326-1330).

⁸³ Keen, 'Treason Trials' therefore concludes that there must have been a law of arms which

suffered loss of their land and exile, non-aristocratic members of society were often not so fortunate. Hanging was the common punishment for most felonies with the occasional sentence of burning to death in cases of arson. Mutilation, degradation and public humiliation were also part of the royal stock of punishments.⁸⁴ Henry I had no compunction about mutilating, dismembering or blinding those falsifying coins, or to threaten potential thieves with these punishments, even if they were members of his own court.⁸⁵

Before the late thirteenth century, not all aristocrats received punishment involving merely the confiscation of their lands in equal measure. Some, like Waltheof of Northumbria in 1075 and William de Aldery in 1097, received the death penalty.⁸⁶ Others, such as William of Eu (also in 1097) and one of Henry I's chamberlains, were blinded and castrated.⁸⁷ There appears to have been no clearly defined method of punishment for treason, since it could involve

could only be applied in times of open war and which could be used to judge traitors.

⁸⁴ See *Britton*, p. 41. Burning was also the punishment for women who had committed felonies. Bartlett, *England under the Norman and Angevin Kings*, p. 184. There are differences in punishment on a local level in customary law. See M. Bateson, *Borough Customs*. 2 vols. Selden Society 18 and 21 (1904-1906), 1: 73-77. See also K. O'Brien O'Keefe, 'Body and Law in late Anglo-Saxon England', *Anglo-Saxon England* 27 (1998), pp. 209-232 for examples of judicial mutilation in the late tenth and early eleventh centuries. She interprets the act of mutilation as inscribing the crime committed upon the body of the guilty, allowing others to read the guilty body as a deterrent.

⁸⁵ Hollister, 'Royal Acts of Mutilation', p. 335.

⁸⁶ In the case of the 1075 rebellion, Gillingham noted a difference between English and Norman traditions of punishment, based on the narrative by Orderic Vitalis: Waltheof, because he was English, was executed, while Roger son of William Fitz Osbern, was imprisoned according to Norman custom. Gillingham, 'The Introduction of Chivalry', pp. 41-42, 47. However, he fails to acknowledge Henry of Huntington's comment that Roger was King William's kinsman, which may have accounted for the king's alternative treatment of him. Waltheof, however, was married to Judith, a niece of King William. The third leader in this conspiracy, Ralph Earl of East Anglia, went into voluntary exile. *Huntington*, p. 206; F.S. Scott, 'Earl Waltheof of Northumbria', *Archaeologia Aeliana* 4th ser. 30 (1952), pp. 149-213. For William de Aldery, see William of Malmesbury *Gesta Regum Anglorum: The History of the English Kings*. Ed. R.A.B Mynors, completed by R.M. Thomson and M Winterbottom. 2 vols. (Oxford, 1998-1999), 1: 565.

⁸⁷ Bartlett, *England under the Norman and Angevin Kings*, p. 185; C. Hollister, 'Royal Acts of Mutilation: The Case against Henry I', *Albion* 10 (1978): 333. Moreover, Henry felt that a breach

elements of social humiliation or physical punishment which in some cases also led to social degradation and dishonour. Blinding and castration, for example, could turn a man into less than a man. The body was purposefully mutilated to prevent the traitor from fighting (i.e. by blinding him) and from creating more offspring (castration).⁸⁸ These forms of punishment for the aristocracy were the exception rather than the rule and royal wrath was more commonly directed against those below aristocratic status.⁸⁹

Confiscation of property effectively robbed the aristocratic traitor of his exalted position in the social hierarchy. Exile, obviously, underscored this loss of status, but could be made bearable by falling back upon one's foreign allies or upon possessions overseas. More importantly, these sentences of forfeiture and exile could, and would, occasionally be reversed.

Henry I was also quite willing to imprison any magnate who rose up against him. Robert de Bellême, having been exiled and disinherited of his English possessions after his first revolt in 1102, was put in prison and relieved of his Norman lands after his second hostile encounter with Henry I some ten years later.⁹⁰ Similarly, Waleran Count of Meulan was incarcerated rather than

of faith could indeed be punished by death or mutilation; *ibid.* p. 330.

⁸⁸ It could also be used as a punishment for theft. Bartlett, *England under the Norman and Angevin Kings*, p. 184, citing the Anglo Saxon Chronicle. It is said that William I stipulated that capital punishment should be replaced with blinding and emasculation for criminal acts. Pollock and Maitland, *History of the English Law*, 2: 461. Hanging was reintroduced by Henry I.

⁸⁹ Some Bretons involved in the 1075 conspiracy against William I were blinded, for example. Scott, 'Earl Waltheof', p. 206.

⁹⁰ *Huntington*, pp. 234-239. Robert de Bellême was present at the siege of the castle of Tinchebrai in 1106, in which Duke Robert of Normandy (Henry I's elder brother) and William, count of Moreuil (exiled from England in 1104) were captured. Robert de Bellême fled the scene and was not captured until 1112. Both the Duke Robert and Count William of Moreuil were imprisoned in England. *Huntington* is the only source for the statement that William of Moreuil was blinded, *Huntington*, p. 255. According to Bartlett, these incarcerations could hardly be

executed in 1124 and although he was dispossessed at first, he was restored to his former position and released. We have already noted the arrest and release of Geoffrey de Mandeville and Ranulph, Earl of Chester, in the reign of Stephen. Both men were imprisoned until they handed over their possessions to the king after which they were allowed to roam free again.⁹¹ In the first year of his reign, Henry II was equally careful not to alienate any of the magnates. Opposition in the shape of refusing to hand over castles at his approach (something which could and was constructed as treason in the following centuries) was not penalised.⁹² Even after the rebellion of 1173-1174, Henry remained lenient towards the rebels. His eldest son and the opposing barons were given fair provision, fines were levied and some castles were razed.⁹³ He did not forget, however: it appears that the king kept lists of those who had broken their fealty.⁹⁴ Moreover, the demolition of castles formerly belonging to rebels can be seen as a form of material punishment with the intention of rendering visible the social downfall of the transgressors and of humbling their power. Even if lordships were returned after a few years to the culprits, their castles, previously proud foci

called judicial: 'If Henry I kept his brother Robert and the rebel Robert de Bellême in captivity until their deaths, it was out of prudence rather than after judgement.' Bartlett, *England under the Norman and Angevin Kings*, p. 186.

⁹¹ Bartlett, *England under the Norman and Angevin Kings*, p. 59. F. Barlow, *The Feudal Kingdom of England 1042-1216*, 4th edition (London, 1988), pp. 222-223. The prospect of ransom could be a powerful incentive to keep the aristocracy alive. See also comments by Carpenter, 'From King John to the first English Duke', pp. 30-31.

⁹² Barlow, *Feudal Kingdom*, p. 283. W.L. Warren, *Henry II* (London, 1977 [1973]), pp. 58-61.

⁹³ Barlow, *Feudal Kingdom*, p. 339. It has been noted that there was a sharp contrast between punishment in the Anglo-Norman world and the Celtic parts of the British Isles, where it was more common to maim, mutilated and execute one's opponents. Gillingham, 'Introduction of Chivalry', pp. 50-51; Bartlett, *England under the Norman and Angevin Kings*, p. 60; Warren, *Henry II*, pp. 117-139 for the rebellion, its background and its aftermath.

⁹⁴ M. Strickland, 'Against the Lord's Anointed: Aspects of Warfare and Baronial Rebellion in England and Normandy, 1075-1265', in G. Garnett and J. Hudson (eds.), *Law and Government in*

of local power, would have gone.⁹⁵

Glanvill, written during the reign of Henry II, however, is clear that crimes referred to as *crimen laesa maiestatis* should be punished by death or dismemberment (*membrorum truncatione*).⁹⁶ *Bracton*, a century later, copied *Glanvill*'s comments almost *verbatim*. The most severe punishment, however, was now reserved for treason. The difference between the two is, obviously, that when *Glanvill* was written, there were no high level executions which involved any kind of dismemberment. By *Bracton*'s time, this had changed considerably. Compared with the statement by Ralph Diceto, writing shortly after Henry II's reign, that the common punishment for treason was exile, and that dismemberment was reserved for lesser crimes, it seems that there was a significant gap between practice and legal theory.⁹⁷ It is true that mutilation and dismemberment were widely practised as punishments for non-aristocratic members of society (and were considered more merciful than the death sentence), and that there was an obvious difference in treatment as far as the aristocracy was concerned.⁹⁸ The Assizes of Clarendon (1166) and Northampton (1176) are witnesses to the methods of deterrence found in harsh punishment for crimes such as homicide or robbery after failing the ordeal of water. Upon failure of this ordeal, which was previously only applicable to serfs, the accused could

Medieval England and Normandy: Essays in Honour of Sir James Holt (Cambridge, 1994), p. 58.

⁹⁵ Warren, *Henry II*, p. 141.

⁹⁶ *Glanvill*, p. 42.

⁹⁷ Ralph Diceto is cited in Bartlett, *England under the Norman and Angevin Kings*, p. 184.

⁹⁸ *Ibid.*, p. 185; Gillingham, 'Introduction of Chivalry', p. 32; Hollister, 'Royal Acts of Mutilation', p. 338. For an example of 'merciful' mutilation see D. Stenton (ed.), *Pleas before the King or his Justices*, Selden Society 83, pp. 81-82: a female felon is blinded rather than put to death as an act of mercy.

either be hanged or mutilated by the loss of a foot. The Assize of Northampton added to this that the right hand should be removed as well as a foot.⁹⁹

What we do see is some form of standardisation in the punishment for treason. Hanging was already a common form of death penalty for felonies, but drawing was increasingly appended to this when it came to claims of treason. One of the earliest cases of drawing and hanging, which had become a standard punishment for traitors of perhaps slightly inferior aristocratic status by the time of *Bracton*, seems to have involved the urban rebel William fitz Osbert in 1196. Although he had tried to avoid claims of stirring up rebellion against the king by putting his case before Richard I in Normandy, he was seized, summarily tried for treason and hanged at Tyburn with some companions.¹⁰⁰ Richard son of Nigel, who turned out to be of ill-repute after he had accused others of treason, was instead drawn and hanged as a punishment for bringing the alleged crime to court in 1225. The men accused were allowed to walk free.¹⁰¹ By the late thirteenth century, drawing and hanging had become the usual procedure for the punishment of traitors. Prince (and future king) Edward, for example, demanded that the Montfortian rebels surrendered themselves with halters around their necks for drawing and hanging as a sign of their treason.¹⁰² Rhys ap Maredudd

⁹⁹ Warren, *Henry II*, p. 355; R. Bartlett, *Trial by Fire and Water* (Oxford, 1999 [1986]), p. 67.

¹⁰⁰ Ralph de Diceto, *Ymagines Historiarum*, in Ralph de Diceto, *Opera Historica*. Ed. W. Stubbs. 2 vols. RS, 68 (1876), 1: 143; Bartlett, *England under the Norman and Angevin Kings*, pp. 344-345; Pollock and Maitland, *History of English Law*, 2nd ed., 2: 507, where they also mention other examples.

¹⁰¹ *CRR 1225-1227*, pp. 215-216.

¹⁰² Carpenter, 'From King John to the First English Duke', p. 32; C.L. Kingsford (ed.), *The Song of Lewes* (Oxford, 1890), ll. 250-252:

Pax illis precluditur nisi laqueis se
Collis omnes alligent, et ad suspendendum
Semet nobis obligent, vel ad detrahendum

was condemned to be drawn and hanged in 1292 for treason and 'other felonies'; three years later Thomas de Turberville, accused of spying, received the same punishment.¹⁰³ An exception to this type of punishment was increasingly made for more severe cases of treason, which were either defined by status and proximity to the king or by the trouble caused by the treacherous activities.¹⁰⁴

A striking difference between earlier and later forms of punishment for treason is the increased physical focus of the latter. Although Henry II did not order any corporeal punishment of the rebels of 1173-74 and indeed wished to return to the pre-rebellion status quo, he did imprison two of the leading rebels in England, the Earls of Chester and Leicester, for several years and demolished their castles within a year after the war.¹⁰⁵ The shame of imprisonment and the loss of valuable symbols of local lordship served their purpose as far as Henry was concerned. Lesser men and common felons could be put to death and mutilated, but it did not serve to do the same with the aristocrats of the realm. By the time William de Marisco was punished for piracy and plotting to kill the king this had obviously changed. Although he had not belonged to the highest echelons of the aristocracy, his father had been justiciar in Ireland three times

('Peace is forbidden to them, unless they all bind themselves with halters on their necks, and give themselves over to us for hanging and for drawing.')

¹⁰³ CCR 1288-1296, p. 267; J.G. Edwards, 'The Treason of Thomas Turberville. 1295', in R.W. Hunt, W.A. Pantin and R.W. Southern (eds), *Studies in Medieval History presented to F.M. Powicke* (Oxford, 1948), pp. 296-309. In 1306 Edward had two accomplices in the murder of John Comyn the Red by Robert Bruce, drawn and hanged for their part in the crime and for adhering to the king's enemy, i.e. Robert, who had by then been crowned king of the Scots; *Flores*, 3: 134.

¹⁰⁴ See for example the comments made by Edward I at the capture of John Earl of Atholl in 1306; *Flores*, 3: 135. Lawcodes in France held that the closer to the king the traitor was, the more severely he ought to be punished; S.H. Cuttler, *The Law of Treason and Treason Trials in Later Medieval France* (Cambridge, 1981), p. 23.

¹⁰⁵ Warren, *Henry II*, pp. 136-141. The demolished castle became a 'symbol of the rebel's

and had served both John and his son Henry III. Despite his aristocratic status, but perhaps also because of his notoriety, William was drawn, hanged, disembowelled and dismembered. His companions were merely drawn and hanged.¹⁰⁶

Part of the reason for public hangings and mutilations of common felons had been to act as a deterrent to others, to set an example. Richard fitz Nigel, author of the *Dialogus de Scaccario* (c. 1178), relates how some criminals after confession 'escape the hanging or other shameful death' and are instead mutilated to 'become a public spectacle and a terrible example to discourage the rash attempts of other offenders.'¹⁰⁷ Gerald of Wales, in his *Gemma Ecclesiastica*, was horrified by the thought that those hanged would be buried underneath the gallows without proper funeral rites and without even having received the *viaticum* before death.¹⁰⁸ Some men, such as Simon Fraser and John Earl of Atholl, were burnt on the gallows as part of their punishment.¹⁰⁹ Public display, lack of proper burial or interment in unconsecrated ground all point towards the shame and dishonour inflicted upon the traitor, which was increasingly acted out upon his body, rather than upon his possessions.

As the accusations of treason gained more weight in conjunction with the growing political security of the monarchy, there was a significant shift

humiliation' (p. 141).

¹⁰⁶ Matthew Paris, *Chronica Majora*, 4: 196. See also next section.

¹⁰⁷ Richard fitz Nigel, *Dialogus de Scaccario*, ed. C. Johnson. Revised edition (Oxford, 1983), p. 88.

¹⁰⁸ Gerald of Wales, *Gemma Ecclesiastica*, in Gerald of Wales, *Opera*, ed. J.S Brewer, J.F. Dimock, and G.F. Warner, RS 21 (1861-1891), 2: 116; Bartlett, *England under the Norman and Angevin Kings*, p. 184.

¹⁰⁹ See above Section 4.1.

regarding the actual punishment of traitors. Increasingly, the traitor's body moved centre-stage to be put to death in public. Hanging, in combination with the public humiliation of drawing, was applied to most traitors, the exceptions being men of a certain notoriety or status, who were to be subjected to a more severe punishment. By the time Edward I sought to assert his rights in Wales and Scotland the aristocracy was no longer safe from public humiliation and death by hanging and beheading, which culminated in the reign of Edward II in a series of executions of English aristocrats. Before exploring the consequences of corporeal punishment of aristocrats for treason and other felonies in the next chapter, it is time to discuss their executions in the late thirteenth and early fourteenth centuries in more detail.

4.3 PUNISHING ARISTOCRATS

The outrage expressed by the Osney Chronicler on the execution of David of Wales in 1283 signals the extreme manner of the death of traitors that was to become more common in the reigns of Edward I and II.¹¹⁰ Here, for the first time, was a high-ranking aristocrat, who was accused of treason and other crimes, put to death in the most public and disgraceful way. The usual punishment for any form of treason had increasingly been drawing and possibly hanging, so the fact that David was also beheaded, eviscerated and quartered deserves some attention. Apart from this, he was the first aristocrat to be accused

¹¹⁰ *Ann. Osney*, p. 294. Also, Pollock and Maitland, *History of the English Law*, 2: 511.

of treason in a long time.¹¹¹ In this section, we shall take a closer look at the occurrences of public multiple executions of aristocrats, which involved a form of destroying the body. Like the accusations of treason, which increasingly prompted public death, the actual manner of execution was not fixed. Neither was there a direct correlation between the charge and the punishment for it, although certain chroniclers do occasionally list the various elements of punishment as being the result of particular crimes. What is evident from the following discussion is the fact that there was a great emphasis on the public nature of the death sentence, the execution and the subsequent display of the disgraced body, as well as on the deliberate destruction of the traitor's physical remains.

David's execution had two precedents in Henry III's reign, in 1238 and 1242 respectively.¹¹² William de Marisco received multiple punishments for multiple forms of treason; the anonymous knight, exceptionally, was only accused of attempting to kill the king, yet was hanged, beheaded and torn apart by horses.¹¹³ It was perhaps because of his connection to Marisco that the anonymous knight received a more severe punishment for his attempted murder.

¹¹¹ Bellamy, *Law of Treason*, pp. 24-30. Mabadin, David's steward, for example was drawn and hanged for similar crimes. Although Simon of Montfort was after his death described by Henry as a 'felon', he was never tried for treason. See M. Powicke, *The Thirteenth Century 1216-1307* (Oxford, 1962 [1953]), p. 206. The mutilation to which Montfort's body was subjected after his death was outside any judicial context and appears founded in his enemies' frustration with his previous power. However, although considered a disgraceful act by Rishanger (*contra disciplinam ordinis militaris*), it does shed light upon certain aristocratic attitudes towards transgression and how it should be punished. *Rishanger*, p. 37; *Wykes*, p. 174; Prestwich, *Edward I*, p. 51.

¹¹² See the previous section. All executions mentioned in this text are summarised in Table 2 at the end of this chapter.

¹¹³ Being torn apart by horses is otherwise unknown in English executions; Ganelon in the Middle English *Otuel and Roland*, is subjected to this form of punishment, but it is highly

It was certainly, according to Matthew Paris, Henry's intention to set a 'horrifying example' to all who may have had the audacity to think of similar evil. Similarly, Marisco, as ringleader accused of plotting against the king as well as betraying king and kingdom (Table 1), was given a special series of punishments, while his accomplices (sixteen) were executed in the more common manner of drawing and hanging.¹¹⁴ The leader of the 1322 rebellion against Edward II, Thomas of Lancaster, was similarly sentenced to a more severe punishment, while his accomplices (as far as they had survived Boroughbridge) were drawn and hanged on the same day in different parts of the country.¹¹⁵

The execution of David ap Gruffydd had cause to attract attention. In 1282, he had started a revolt against the English, having been on their side against his elder brother Llewelyn the previous decade. Edward I responded with great force, which first saw Llewelyn killed by a foot soldier on a battlefield. After his death, the rebellion wasted away and David was handed over to the

exceptional. See Section 1.1 above.

¹¹⁴ Paris, *Chronica Majora*, 4: 196; 3: 498. The anonymous knight is also mentioned in an arrest warrant for Marisco issued by Henry III, in which he is referred to as *quendam ribaldum*. *CCR 1237-1242*, p. 146. The Marisco episode is described and analysed in greater detail in Powicke, *King Henry III and the Lord Edward*, 2: 740-758.

¹¹⁵ Adam Murimuth, *Continuatio Chronicarum*. Ed. E.M. Thompson. RS 93 (1889), p. 36. The other barons were Roger Clifford and John Mowbray (in York), Henry Tyes (London), Bartholomew Badlesmere (Canterbury), John Giffard (Gloucester) and Henry Willington and Henry de Montfort (Bristol). See also N Fryde, *The Tyranny and Fall of Edward II, 1321-1326* (Cambridge, 1979), p. 61, for more names. Bartholomew Badlesmere was also decapitated, since he had been a steward of the king's household. Two other barons, Humphrey de Bohun Earl of Hereford and Roger Damory, were not executed. Bohun had died on the battlefield, while Damory was said to have died from battle injuries. However, there was a sentence of death against the latter, which stated that he was to be drawn and hanged. See G. Sayles, 'The Formal Judgements on the Traitors of 1322', *Speculum* 16 (1941), p. 58 and p. 60 (for information on Badlesmere); *Brut*, 1: 219 for Hereford's shameful death.

English king by some of his countrymen.¹¹⁶ A letter issued by Edward, requesting the Prince's arrest, speaks of his horror of David's betrayal and the crimes he felt the Welshman had committed.¹¹⁷ After a trial in Parliament in Shrewsbury, which was merely a matter of reading out his sentence, David was drawn, hanged, beheaded, eviscerated and quartered. His viscera were burnt as a punishment for his sacrilege, his quarters were sent to Winchester, Northampton, Chester and York to be displayed, while his head was set up on London Bridge facing the sea.¹¹⁸

During the reigns of Edward I and II, there are clear traces of an increasingly severe judicial attitude towards aristocratic traitors. While Edward I was mostly pre-occupied with exacting judgements of treason on minor English, and major Welsh and Scottish aristocrats, it was during the reign of Edward II that, in response to internal tensions, major English aristocrats started to be executed in public.¹¹⁹ It has been noted earlier that the accusation of treason, because of its conceptual ambiguity, could be resorted to in times of political insecurity and instability. Although Edward I never suffered a full-scale revolt by his own baronage, or at least was able to divert potential rebellion more diplomatically than his son could, in Wales and Scotland the situation was

¹¹⁶ Powicke, *Thirteenth Century*, pp. 428-429. Prestwich, *Edward I*, p. 202. Llewellyn's head was put on display in London, while his body, maimed and mutilated (*truncatum et laceratum*), was buried in the Welsh Cistercian monastery of Cwmhyr (*Cotton*, p. 163).

¹¹⁷ See Section 4.2.1 above.

¹¹⁸ *Chron. Buriensis*, p. 79; *Ann. Dunst.*, p. 294. Prestwich, *Edward I*, pp. 202-203; also Bellamy, *Law of Treason*, pp. 24-30, who also points out that David was not the first to be punished in this way (p. 26).

¹¹⁹ E.g. Fryde, *Tyranny and Fall of Edward II*.

dramatically different.¹²⁰ Once their countries were conquered, Edward considered himself to be the natural overlord of the Welsh and Scottish aristocracy. From his perspective, rebellion would be considered treason; obviously in Welsh and Scottish views it would be an attempt to free their country from foreign power.

The aristocratic executions of Edward I's reign as well as Piers Gaveston's beheading by disgruntled barons in 1312 set a dangerous precedent for future alleged traitors. As we have seen, the scope of treason accusations shifted considerably during the reign of Edward II from plotting against the king's life and committing felonies to usurpation of the royal power and rebellion. Piers Gaveston was accused by the baronial opposition of providing the king with evil counsel and of assuming royal rights. In simple terms, they felt he had too much influence over the king.¹²¹ Ten years later, this accusation of accroaching royal power backfired on the leader of the opposition, Thomas Earl of Lancaster, who was summarily tried for this and other forms of treason after his defeat at the Battle of Boroughbridge in 1322 and executed as a consequence.¹²²

After this event, in the last years of Edward II's reign and the first years

¹²⁰ Prestwich, *Edward I*, pp. 401-435. For Wales see *ibid.*, pp. 170-232, for Scotland *ibid.*, pp. 469-516, and the studies referred to in Section 4.1. Edward's position in the 1297 crisis was much weaker than his position in either Wales or Scotland.

¹²¹ Fryde, *Tyranny and Fall*, p. 22; although it is not clear whether Gaveston received a trial, the manner of his journey in the charge of the Earl of Warwick is clearly reminiscent of, for example, the entries of Wallace and Fraser into London in 1305 and 1306: he was seated on a nag and accompanied by cries from the public and sounding trumpets. *Vita Edwardi*, p. 25; J.S. Hamilton, *Piers Gaveston Earl of Cornwall 1307-1312*, pp. 97-98.

¹²² *Rot. Parl.*, 2: 3-5; Fryde, *Tyranny and Fall*, pp. 58-60.

of Edward III's, five earls and one son of an earl were put to death alongside men of lesser fortune.¹²³ The 'full' execution of drawing, hanging, beheading, evisceration and quartering was in fact restricted to a few cases in this period: as far as we can tell from the sources only five men were subjected to this, with five others being submitted to variations on the theme. The majority were 'merely' drawn and hanged. Thomas of Lancaster saw his sentence altered from drawing, hanging and beheading to beheading only on account of his royal blood. Similarly, Edmund of Woodstock, earl of Kent and the young King Edward III's uncle, was beheaded for claiming that the king's father was still alive. Edmund Fitz Alan, earl of Arundel's execution was equally straightforward compared with the punishments meted out to his father- and brother-in-law, Despenser the Elder and the Younger.¹²⁴

The newly created Earls of Carlisle and Winchester were not as fortunate as their more established peers. Andrew Harclay, made earl of Carlisle after his victory in the Battle of Boroughbridge, lost his earldom and his life in the following year on being found guilty of conspiring with the Scots. Although accused of fewer crimes than Thomas of Lancaster, Harclay received a punishment in the style of Wallace and Gilbert de Middleton (1318), which involved drawing, hanging, beheading, evisceration and quartering. His head and limbs were put on display, while his viscera, 'from which his treacherous

¹²³ See Table 2 below.

¹²⁴ *Ann. Paulini*, pp. 317-321; Taylor, 'Judgement on Hugh Despenser the Younger', pp. 70-77. *Knighton*, p. 436, mentions that the Earl of Arundel was drawn and hanged. According to the author of the *Vita Edwardi Secundi*, Piers Gaveston was to be beheaded 'as a nobleman and a Roman citizen' (*sicut nobilis et ciuis Romanus capitalem poenam pateretur*), 'not be hanged as a thief nor drawn as a traitor' (*nec ut fur suspenderetur nec ut proditor protraheretur*). *Vita*

thoughts had sprung', were burnt on the site of his execution.¹²⁵ The Earl of Winchester, Hugh Despenser the Elder, was drawn and hanged on the common gallows in 1326 and afterwards beheaded.¹²⁶ His body was returned to the gallows for display, hanged by the arms with two strong ropes, according to the *Brut*, which adds as a gruelling afterthought, that after four days the body was taken down, cut to pieces, and fed to the dogs.¹²⁷

If it was not quartered, the corpse was generally left on the gallows. This could be either for a specified or unspecified period. The corpse of Rhys ap Maredudd (d. 1292) was left on the gallows at York for three days, as was Roger Mortimer's at the Smithfield Elms in 1330. Mortimer's body was afterwards buried in the Church of the Grey Friars at Shrewsbury; what happened to the Welshman's is unknown. Thomas de Turberville (d. 1295), on the other hand, was sentenced to be hanged for 'as long as anything of him should remain', whereas the clergy successfully petitioned the king in 1324 to have the corpses of those hanged after the Battle of Boroughbridge removed.¹²⁸ Simon Fraser's body was left on the gallows for three weeks, after which it was burnt.

Edwardi, p. 26.

¹²⁵ Table 1. For Harclay, see *Foedera*, 2.1: 509; for Gilbert de Middleton: G.O. Sayles (ed.), *Select Cases of the Court of the King's Bench* (Selden Society 74, 1950), 4: 78; and M. Prestwich, 'Gilbert de Middleton and the Attack on the Cardinals, 1317', in T. Reuter (ed.), *Warriors and Churchmen in the High Middle Ages: Essays Presented to Karl Leyser*. (London, 1992), pp. 179-194.

¹²⁶ *Ann. Paulini*, p. 318. According to his sentence, he was drawn for treason, hanged for robbery and beheaded for sacrilege.

¹²⁷ *Brut*, 1: 240.

¹²⁸ Bellamy, *Law of Treason*, p. 30; *GEC*, 8: 433-342; *Chron. Lanercost*, pp. 265-266; Edwards, 'Treason of Thomas Turberville', p. 308. Murimuth, *Continuatio*, p. 43. This could have been common practice, in which case the body or parts of the body would be hanged anew after falling down. See P. Spierenburg, *Spectacle of Suffering: Executions and the Evolution of Repression – From a Pre-Industrial Metropolis to the European Experience* (Cambridge, 1984), p. 58, citing a declaration of the Strassbourg council of 1461, in which the practice of removing corpses after

According to the *Brut*, the latter was connected to his sacrilege. Some men, guarding the body at night¹²⁹

Saw meny develes raumpande wiþ yren crokes rynnyng oppon þe galwes, and horribliche turmentende þe body; and meny þat ham sawe, anone after þai deide for drede, or woxen made, or sore sikennesse þai had.

This despite the more common explanation, which was, as we have seen earlier, that the corpse had to be guarded to prevent the Scots from burying it. In this and the above cases, there was clearly an incentive to leave the bodies of hanged criminals exposed, to the extent that they would be guarded against anyone who wanted to retain the body for burial. By burning Fraser's corpse, the English authorities made sure that no interment could ever take place.¹³⁰

In all cases in which the traitor's body was quartered or beheaded, its parts were put on display. There is some evidence of the head being ceremoniously carried through the streets (of London usually), accompanied by the sounds of trumpets and cries from the crowd, before it was displayed on a pole on London Bridge or the Tower.¹³¹ Occasionally, the head was sent to either the King or to the late man's enemies. Llewellyn's head was presented to Edward I, who decided to put it on display in London (1282); Simon de Montfort's head was apparently sent to Lady Mortimer (1265) fixed on a pole; and after an angry London crowd had murdered William Stapledon, bishop of Exeter and the King's Treasurer, they delivered his head to Queen Isabella in

hanging was discontinued in favour of leaving the bodies on the gallows.

¹²⁹ *Brut*, 1: 201.

¹³⁰ See above Section 4.1.

¹³¹ E.g. Llewellyn ap Gruffydd (*Worcester*, 2: 227; *Cotton*, p. 163), Simon Fraser (*Ann. London*, p. 148); the head of Hugh Despenser the Younger was apparently carried to London in a chariot,

Bristol (1326).¹³²

In executions which involved quartering, the bodies of the traitors were literally cut into four pieces, presumably each containing a limb and part of the trunk. These were then distributed to four different cities, where they would be displayed on the gallows or on city walls.¹³³ On the basis of so few examples (only seven for the period of 1238-1326 within a judicial context), it is impossible to determine whether there was any pattern in the choice of cities.¹³⁴ Of the anonymous knight and William de Marisco we only know that their body parts were sent, in the case of the first, to one of the principal cities of England (*per unam de majoribus Angliae civitatem pertracta est*), and, in the case of Marisco, to four different cities (*ad quatuor principales regni civitates*).¹³⁵ There appears to have been a clear point behind sending Wallace's quarters to four northern towns, two of which were strategically important for Scotland (Perth and Stirling), and one of which was disputed territory in the first place (Berwick). The fourth city, Newcastle, was equally strategic and had served twice as a muster place for the English army before a major campaign into

which displayed his coat of arms reversed. Dugdale, *Baronage*, 1: 394.

¹³² For Llewellyn see previous note. For Simon de Montfort: *Wykes*, p. 175. For Stapledon: *Ann. Paulini*, p. 316. Robert Holland's head was presented to Henry of Lancaster, brother of the late Thomas of Lancaster, whose household retainer Holland had been before deserting him. *Knighton*, p. 449; Fryde, *Tyranny and Fall*, p. 56. J. Maddicott, 'Thomas of Lancaster and Sir Robert Holland: A Study in Noble Patronage', *EHR* 86 (1971): 449-472.

¹³³ The language employed in the chronicles seems to suggest that this was indeed the case, rather than cutting off the limbs. Cf. David ap Gruffydd: *Ann. London*, pp. 91-92; William Wallace: *Ann. London*, p. 142; Andrew Harclay: *Foedera*, 2.1: 509.

¹³⁴ Simon of Montfort is an exception again: after his death on the battlefield, he was beheaded and dismembered, i.e. his hands and feet were cut off. *Flores*, 3: 7; *Ann. Wav.*, p. 365 For a depiction of his fate, see British Library MS Cotton Nero D II, f. 176, which shows the Earl's body in pieces among the slain on the battlefield.

¹³⁵ Paris, *Chronica Majora*, 3: 498 and 4: 196.

Scotland.¹³⁶ The distribution of David ap Gruffydd's body parts was slightly disputed: York and Winchester vied for his right shoulder, while Lincoln refused to accept any to their own cost.¹³⁷ On the whole, York and Newcastle appear to be favoured especially for the display of the body parts of notable traitors.

The fate of most of the quartered traitors' body parts remains obscure. Again, there is an indication that body parts were left on display as long as anything remained of them or as long as royal displeasure lasted. One part of Andrew Harclay's body could be seen for five years after his execution at the Castle in Carlisle, whereas Edward III, after his coup against his mother and Roger Mortimer in 1330, granted permission to take down Hugh Despenser the Younger's quarters for burial.¹³⁸

What all these cases have in common is the emphasis on display and destruction of the body as a punishment for multiple crimes, all related to a breach of loyalty in some form or to the disturbance of the king's peace. In some instances, the punishments were specifically connected to a particular crime; generally, however, the form of execution appears to have depended on the status of the traitor and his role in the events, as much as on the severity of royal displeasure with the committed crimes.¹³⁹ This meant, for example, that while

¹³⁶ Watson, *Under the Hammer*, p. 52 (1297-campaign); p. 90 (1299-campaign). Stirling was strategic as the most accessible route to the Highlands, via Perth.

¹³⁷ Prestwich, *Edward I*, p. 203.

¹³⁸ *Foedera*, 2.2: 748 (Harclay); *Foedera*, 2.2: 804 (Despenser); J. Mason, 'The Tomb of Sir Andrew de Harcla', *TCWAS* new series 26 (1926): 307-311 and Mason, 'Sir Andrew Harclay, Earl of Carlisle', *TCWAS* new series 29 (1929): 131; Fryde, *Tyranny and Fall*, p. 157. Harclay's sister was granted permission in 1328 to bury her dead brother's remains. The names of the four towns receiving the order to yield Harclay's quarters are slightly different from the towns mentioned in his sentence.

¹³⁹ Most of the executions after 1322, for example, appear to have involved drawing and hanging or beheading. See Fryde, *Tyranny and Fall*, pp. 61-62. For the connection between specific

Thomas of Lancaster was accused of a series of treasons and felonies he was only beheaded, Andrew Harclay was executed with full force for fewer accusations, which centred on his suspected conspiracy with King Robert of Scotland and his breach of fidelity towards Edward. Thomas was initially sentenced to be drawn for his treasons, hanged for homicide, plundering and other felonies and beheaded because he had attempted to run from justice (making him an outlaw). On account of his royal blood, this sentence was changed to beheading and his corpse was interred immediately afterwards at Pontefract.¹⁴⁰ Andrew Harclay on the other hand was, according to the records dealing with his arrest and process, accused of rebellion, conspiracy, encroaching royal power and betraying the king and his people. He was generally referred to as the king's enemy and betrayer of the king and the kingdom. His sentence (in French) centred on his *treson* (not specified), for which he was to be drawn, hanged and beheaded. His viscera ('heart, entrails and bowels') would be taken out of his body and burned to ashes. After the ashes had been scattered, his remains would be quartered and would serve as an example for others on the dangers of committing treason. Before this physical punishment, his sword and spurs, symbols of his elevated status, had been removed.¹⁴¹

Despite the lack of consistency in the manner of treason executions, a

crimes and punishments c.f. *Ann. Dunst.*, p. 294 (David ap Gruffydd), *Ann. Paulini*, p. 318 (Hugh Despenser the Elder).

¹⁴⁰ *Foedera*, 2.1: 41; repeated in the *Placita coram rege* section of the Westminster parliament in 1327 in a petition by Henry of Lancaster for the annulment of the sentence (*Rot. Parl.*, 2: 3-5). Also, *Gesta Edwardi*, p. 77; *Vita Edwardi Secundi*, pp. 125-126. Thomas did not escape public humiliation. He was seated on an old horse and publicly beheaded.

¹⁴¹ *Foedera*, 2.1: 509; *Gesta Edwardi*, p. 83; see also the elaborate account on the stripping of his dignity: *Brut*, pp. 227-228.

few observations can be made. First of all, over the space of a century only a minority accused of some form of treason were given the 'full' punishment; it usually concerned those who were considered the ringleaders, or those who had delivered themselves to the full blast of the king's wrath, such as William Wallace or Andrew Harclay. It has become clear that the second half of the thirteenth century saw a sharp increase in the practice of physically punishing aristocrats for acts of treason. Secondly, the emphasis on the destruction of the body and the subsequent display of its parts is self-evident in these executions. Aristocrats, even if they were merely hanged, were put to death in public and therefore in full view of the world. The dishonour of treason was translated into the dishonour of the traitor himself by subjecting him to the most shameful of deaths. Burial was denied, or granted reluctantly, to those who died on the scaffold to increase not only the public shame of the individual, but also of his family and descendants. In more elaborate executions, heads were cut off, bodies were quartered and entrails were removed and burned to ashes. Heads and quarters were sent around the kingdom to be put on display, sometimes for several years. The warning signal was clear: treason, in whatever form, was not something to be lightly contemplated.

But what did it mean for the aristocratic body to be dismembered and dispersed so conspicuously? What were the implications of destroying and displaying the body in terms of the body politic ideology? What did it mean for the aristocratic individual to be literally stripped of his imagined 'armour of identity', i.e. to be reduced to a primordial disarray of body parts? These are questions which will need to be answered in the next chapter.

TABLE 1: TREASON ACCUSATIONS BETWEEN 1238 AND 1330

		I	II	III	IV	V	VI	VII	VIII
1238	<i>armiger literatus</i>	X							
1242	William de Marisco	X					X	X	
1283	David ap Gruffudd	X					X	X	X
1283	Mabadin, David's steward							X	
1292	Rhys ap Maredudd		X				X		
1295	Thomas de Turberville			X					
1305	William Wallace	X	X		X	X	X		X
1306	Simon Fraser							X	
1306	John of Strathbogie							X	
1312	Piers Gaveston					X	X		
1318	Gilbert Middleton			X	X			X	X
1322	Bartholomew Badlesmere	X			X				
1322	Humphrey de Bohun	X			X				
1322	Roger Damory*			X	X		X	X	
1322	Thomas of Lancaster	X	X	X	X	X	X	X	
1322	Roger Clifford*			X	X		X	X	
1322	John Mowbray*			X	X		X	X	
1322	Henry Tyes*			X	X		X	X	
1322	John Giffard*			X	X		X	X	
1322	Henry Willington*			X	X		X	X	
1322	Henry de Montfort*			X	X		X	X	
1323	Andrew Harclay		X	X		X	X	X	
1326	Hugh Despenser Sr.					X	X		X
1326	Hugh Despenser Jr.	X				X	X		X
1326	Robert Baldock					X	X		X
1326	Edmund fitz Alan					X	X		X
1329	Edmund of Woodstock	X					X	X	
1330	Roger Mortimer	X		X		X	X	X	
1330	John Maltravers	X							
1330	Simon de Bereford ¹⁴²	X				X	X		

(Source: Appendix 2)

- I:** Plotting against the king, his family or his officials
II: Rebellion (seditio)
III: Adhering to the king's enemies/ spying for the king's enemies
IV: Displaying one's banner against the king
V: Accroaching royal power
VI: Betraying the kingdom: breaking the king's peace
VII: Betraying the king (proditio)
VIII: Sacrilege

* These men appear to have been arrested on similar grounds.¹⁴³

¹⁴² Robert Baldock was the king's chancellor, a canon of St Paul's and archdeacon of Middlesex. He was incarcerated at the request of the Bishop of Hereford. John Maltravers was found guilty of causing the death of Edmund of Woodstock, Earl of Kent, while Simon de Beresford was accused of conspiring with Mortimer, committing felonies and harbouring other felons. See Appendix 2 for references to this table.

¹⁴³ See G.L. Haskins, 'Judicial Proceedings against a Traitor after Boroughbridge, 1322' *Speculum* 12 (1937), pp. 509-511 and in response to this article: G. Sayles, 'The Formal

TABLE 2: PUNISHMENTS FOR TREASONS FROM 1238 TO 1330

		I	II	III	IV	V	VI	VII
1238	<i>armiger literatus</i>	X	X	X		X		X
1243	William de Marisco	X	X		X	X	X	X
1265	Simon de Montfort			X		X		
1282	Llewellyn ap Gruffydd			X				X
1283	David ap Gruffydd	X	X	X	X	X	X	X
1283	Mabadin, David's steward	X	X					
1292	Rhys ap Maredudd	X	X					X
1295	Thomas de Turberville	X	X					X
1305	William Wallace	X	X	X	X	X	X	X
1306	Simon Fraser	X	X	X	X		X	X
1306	John of Strathbogie		X	X			X	
1312	Piers Gaveston			X				
1318	Gilbert Middleton	X	X	X	X	X	X	X
1322	Bartholomew Baddlesmere	X	X	X				X
1322	Thomas of Lancaster			X				
1322	Roger Clifford	X	X					
1322	John Mowbray	X	X					
1322	Henry Tyes	X	X					
1322	John Giffard	X	X					
1322	Henry Willington	X	X					
1322	Henry de Montfort	X	X					
1323	Andrew Harclay	X	X	X	X	X	X	X
1326	Hugh Despenser Sr.	X	X	X				X
1326	Hugh Despenser Jr.	X	X	X	X	X	X	X
1326	Simon of Reading	X	X	X	X			X
1326	Edmund fitz Alan			X				
1328	Robert Holland			X				
1329	Edmund of Woodstock			X				
1330	Roger Mortimer	X	X					X
1330	John Maltravers	X	X					
1330	Simon de Berford	X	X					

(Source: Appendix 2)

- I:** Drawing
II: Hanging
III: Beheading
IV: Evisceration
V: Quartering
VI: Body parts burnt (usually viscera, entrails)
VII: Body parts displayed (head, limbs, trunk)

CHAPTER 5 THE AMPUTATED TRAITOR

THE EXECUTION OF ARISTOCRATS IN A SOCIO-CULTURAL CONTEXT

Any loss of control over our bodies is socially embarrassing, implying a loss of control over ourselves. The mutilation of the body is the primary mutilation of the self.¹

Having traced the development of corporeal punishment for treason in the previous chapter, we now come to explore the perceptions of the body-in-pieces within this punitive context. The preceding chapters about multiple burial have already hinted at the fact that it mattered which parts were removed from the corpse and which were not. Moreover, the choice of burial site in many cases reflected a larger dynastic interment strategy – evidence of the conceptual interconnection of family and nobility that comprised the fantasised framework of the aristocratic body.² This conceptual pairing will be further investigated in this chapter, which attempts to analyse the various ideologies and perceptions informing the punishment for treason as acted out upon the aristocratic body.

In this chapter, the focus is on the social and psychological consequences of literally dismembering and distributing pieces of the corpse within a politico-geographical space. Since the punishment for treason is as much a judicial as a political act, we shall have to scrutinise the body of the traitor for signs of a metaphorical ‘body politic’ or ‘body social’ being mapped upon it. Treason constituted a breach of the accepted social norms of the community and formed a threat to the status quo of the political body represented by the king: the king’s

¹ B.S. Turner, ‘The Body in Western Society’, in S. Coakley (ed.), *Religion and the Body* (Cambridge, 1977), p. 19.

² See Section 1.2 above.

body was sometimes quite literally in danger.³ Is it possible therefore to discern an attempt to ‘reconstruct’ the traitor’s body as an element alien to the political and social body? How would this affect the fantasy of an aristocratic ‘whole’ body in connection with the punished individual and his family? The aristocratic traitor’s body became a, mostly passive, stage upon which the larger social drama of exclusion was enacted. The internal corruption, unbecoming of the aristocrat’s lofty status, was forcibly exposed; his family was tainted by the association, and the traitor’s body became a monument to a socio-political structure which did not tolerate deviance.⁴

As we have seen, the number of elaborate executions of traitors was relatively small within the space of about a century ranging from the execution of the *armiger literatus* in 1238 to the death of Roger Mortimer in 1330. The favoured method of punishment for treason remained drawing and hanging, while occasionally a sentence could revert to beheading in accordance with the traitor’s status. Similarly, the occurrence of elaborate executions was consistently related to the level of the king’s anger about the treason and the level of (possible) disruption caused to the kingdom by the act. The leaders of the act of treason in particular were at risk of being subjected to a more elaborate staging of their deaths.⁵

In this chapter, we shall first of all analyse the language and motivation regarding the execution of traitors. By being turned into an example, how was the body manipulated? The traitor (who was corrupted by his crimes) by default

³ See Section 4.2 above; also below for theories about the body politic.

⁴ As will be shown below, this includes a religious dimension.

⁵ See Tables 1 and 2 in the previous chapter.

came to *represent* the corruption of the social body, which therefore necessarily needed expulsion, either through exile or through death. The act of treason, moreover, was constructed as a religious crime: often the accusation of sacrilege featured within the judgement, the corruption of thoughts having emanated from the heart or viscera, which were perceived as the seat of innermost spirituality.⁶

Secondly, we shall look in more detail at what the execution inflicted upon the fantasised aristocratic body. From the preceding chapters, it has become evident that there was a strong pull towards representations of corporeal wholeness both in life and death. The aristocratic body, in particular, was constructed around the idea of the strong, healthy, muscular body of the knight, who was both noble in birth and behaviour. This intersection of nature and culture upon which nobility was founded was yet again forcefully brought to the fore in the execution of aristocrats, which did not just affect the individual, but also his family. In this context, there will also be a brief discussion of the means by which a traitor could be reinstated posthumously within the social order. Requests for the reassembling of body parts for burial were occasionally granted to surviving family members, as were petitions to declare the judgement of treason null and void. In both cases, it was the memory of the individual and, most of all, the reputation of the survivors, which was at stake. Both acts, the collection of body parts for burial and the declaration of innocence, marked the end of the punishment of the traitor, who was thus metaphorically and posthumously brought back into the social fold.

⁶ See Section 3.3.2.

5.1. THE CARE FOR THE BODY POLITIC

‘My head pains me’ (II Kings 4:19), Bishop John Stratford of Winchester reportedly said in his address to parliament on the issue of Edward II’s deposition in 1327, indicating the distress caused to the body by a diseased head. Stratford was referring to the fact that, according to the Queen’s party whose views he was advocating, Edward II had forsaken his duty as a king and should therefore be removed from his office.⁷

Bishop Stratford was not the first person to make a conscious connection between the physical body and the social body of the polity. In 1260, Simon de Montfort allegedly cleared himself of any wrongdoing by referring to his actions as serving ‘the “common enterprise” as a member of the body which was its instrument’. The metaphor of the dismemberment of the body politic had cropped up in the Ordinances of 1310.⁸ The author of the *Gesta Edwardi Secundi*, a canon from Bridlington, explained the exile imposed upon the Despensers in terms of an act of parliament not sanctioned by Edward II in metaphorical terms of members acting independently from the head.⁹ The metaphor of the body politic, although essentially a theoretical construct in the

⁷ N. Fryde, *The Tyranny and Fall of Edward II, 1321-1326* (Cambridge, 1979), p. 199. For a fuller discussion of this parliament see C. Valente, ‘The Deposition and Abdication of Edward II’, *EHR* 113 (1998), pp. 852-881.

⁸ M. Powicke, *Thirteenth Century, 1216-1307*. 2nd ed. (Oxford, 1962 [1953]), p. 161. J. Dunbabin, ‘Government’, in J.H. Burns (ed.), *The Cambridge History of Medieval Political Thought c. 350-c.1450* (Cambridge, 1988), p. 500.

⁹ *Gesta Edwardi*, p. 70:

Mira res? Ecce qualiter membra a capite se disjungunt quando fit consideratio per magnates in parlamento, regis assensu minime requisito; membra namque judicantia volunt perdere judicatos, et caput sicut judex in judicium non vocatus dampnatos vult protegere de plenitudine regiae potestatis.

See also E.H. Kantorowicz, *The King’s Two Bodies: A Study in Mediaeval Political Theology* (Princeton, 1997 [1957]), p. 231.

hands of academic writers, was thus used, and presumably understood, in political discourse. But to what extent does this metaphor pervade underlying ideas of dismemberment within executions for treason? In this section, we shall first explore the concept of the body politic, then turn to an analysis of the available judicial discourse on treason and its punishment, and finally analyse treason executions which involved some form of mutilation or dismemberment within the context of the body politic metaphor.

5.1.1 THE BODY POLITIC

The 1327 parliament, summoned to discuss the future of the imprisoned King Edward II, was evidently dominated by a few of those magnates who had happened to be on the Queen's side during the turmoil generated by her invasion. Despite the presence of representatives of the commons and knights of the shire, the decision making process was premeditated and firmly in the hands of Bishop Stratford and other magnates. It was not until the late fourteenth century that the lower strata of society were granted more influence in parliament; at this point in time, the magnates still dominated the procedures and could thus enforce their own agenda. Within the existing social framework, it was the obligation of the leading men to protect the rights of lesser people.

Bishop Stratford's sermon on II Kings 4:19 was delivered at the 1327 parliament as a justification of deposing an ineffective king. In what appears to be a highly staged setting, he proclaimed that an injured head could not effectively control or rule its members. Therefore, the Bishop continued, if the spiritual head of the kingdom, which is the king, has become ill, it is bound to

affect the members, and as a consequence unlawful behaviour and crimes against the Church will ensue. Because Edward II was clearly unfit to rule, it was decided that the King's eldest son should assume the throne instead of him. The decision, made by the prelates and magnates of the realm, was accepted without debate, at which point the Archbishop of Canterbury preached on the text *vox populi vox dei*.¹⁰

The organic body politic (comprising of head and members) which was alluded to in Stratford's sermon and in the other examples mentioned above, was a frequently used metaphor in philosophical and legal writings on issues of natural order and government.¹¹ Derived from organic metaphors found in the New Testament, as well as from Greek and Roman philosophy, the representation of government as a body appears to have gained particular popularity in the twelfth century.¹² John of Salisbury is generally seen as a major exponent of the metaphor in the 1150s, but the thirteenth and fourteenth centuries in particular saw a flourish of body-society analogies.¹³ John's model

¹⁰ Fryde, *Tyranny and Fall*, p. 234. The source of this material is an unedited chronicle of possible Canterbury provenance: Trinity College Cambridge MS R 5.41 f. 124v (cited in Fryde as f. 125v). See also A. Tuck, *Crown and Nobility 1272-1461* (London, 1985), p. 92 and Valente, 'Deposition and Abdication', pp. 871-875, which includes an addition to and correction of Fryde's transcription of the relevant folios in the manuscript.

¹¹ T. Struve, *Die Entwicklung der organologischen Staatsauffassung im Mittelalter* (Stuttgart, 1978) traces the use and development of the body as a political metaphor from the Classical period up to the fourteenth century within Europe. See also idem, 'The Importance of the Organism', in M. Wilks (ed.), *The World of John of Salisbury* (Oxford, 1984), pp. 303-304; Kantorowicz, *King's Two Bodies*, p. 208; C.J. Nederman, 'The Physiological Significance of the Organic Metaphor in John of Salisbury's *Policraticus*', *History of Political Thought* 8 (1987), p. 211. The study of *politica* was part of a larger academic debate on practical moral philosophy.

¹² Cf. P.E. Dutton, '*Illustre civitatis et populi exemplum: Plato's Timaeus and the transmission from Calcidius to the end of the twelfth century of a tripartite scheme of society*', *Mediaeval Studies* 45 (1983), pp. 79-119; also: Struve, *Entwicklung*, passim.

¹³ Struve, 'Importance of the Organism', p. 304; idem, *Entwicklung*, pp. 289-292, pp. 295-297, p. 301ff. For the date of the *Policraticus* and its afterlife see W. Ullmann, 'John of Salisbury's *Policraticus* in the later Middle Ages', in K. Mordek and H. Mordek (eds.), *Geschichtsschreibung und geistiges Leben im Mittelalter: Festschrift für H. Löwe* (Köln/ Wien, 1978), pp. 519- 545.

of the organic metaphor is especially significant for the rest of our discussion, as it focuses directly on the body of the polity as a physiological unit, in which each member exists in a relationship of interdependence with other members, despite inherent inequality. The body's health is the common concern of each member, each of them acting according to its allotted function.¹⁴ For John, it follows logically that within this holistic approach, it is possible, for example, to depose the head of the body if it displays a deviation from the norms of the 'common good'.

Justice is the key word within John's ideal society, a reverence for the law and an inherent awareness of morality.¹⁵ However, without discounting the importance of the other members in creating the ideal polity, its prosperity or health depends very much on the superior sense of justice inherent within the ruler. The body/polity will be brought down by the unjust king, but it can equally be at danger from members refuting their rightful position within the organism.¹⁶ But before exploring the implications of John's physiological approach to the body politic metaphor further, we shall first turn to another influential treatise, which appeared towards the end of the period we are investigating.

Giles of Rome's *De Regimine Principum* was written at the request of

¹⁴ Nederman, 'Physiological Significance', pp. 214-216. According to John of Salisbury, it is a system which depends on co-operation rather than a 'strict regimen of subordination and rule' (p. 215). This physiological approach is also taken up by Thomas Aquinas in his treatise on kingship. See for extracts: C.J. Nederman and K. Langdon Forhan (eds.), *Medieval Political Theory: A Reader; The Quest for the Body Politic 1100-1400* (London, 1993), pp. 97-116. Working from the Aristotelian premise that man is a political animal by nature, he argues that the kingdom is the natural state of human cohabitation and goes as far as to state that a man on his own, in isolation, cannot live according to the common goals of humanity. Struve, *Entwicklung*, p. 151 and p. 157; P.E. Sigmund, 'Law and Politics', in N. Kretzman and E. Stump (eds.), *The Cambridge Companion to Aquinas* (Cambridge, 1993), p. 218.

¹⁵ Nederman, 'Physiological Significance', p. 219; Kantorowicz, *The King's Two Bodies*, p. 210, states: 'The state not only was interpreted as a "body politic", but was also qualified as a "body moral" or "ethical".'

Philip III of France for his son, the future Philip IV, around 1275. The first French translation appeared as early as 1282, apparently also at the King's request. John Trevisa, whose version is used here, translated the text into English towards the end of the fourteenth century. It was to be immensely popular among the European aristocracy.¹⁷

Giles of Rome's argument is similar to John of Salisbury's. The body is a co-operation of members existing in relation to one superior member, which animates the whole polity but is at the same time dependent on the other members to function. In John's system this had been the head; for Giles of Rome it is the heart which performs this function.¹⁸ His work is an exploration of the ideal kingdom, in which each member knows its station and functions accordingly: just as the body needs different members doing different things, so

¹⁶ Nederman, 'Physiological Significance', pp. 220-222.

¹⁷ Giles of Rome, *The Governance of Kings and Princes: John of Trevisa's Middle English Translation of the 'De Regimine Principum' of Aegidius Romanus*. Eds. D.C. Fowler, C.F. Briggs and P.G. Remley (New York, 1997); for the dissemination of the text see C.F. Briggs, *Giles of Rome's 'De Regimine Principum': Reading and Writing Politics at Court and University, c. 1275-1525* (Cambridge, 1999); Struve, *Entwicklung*, pp. 178-196, who dates the text to 1285. Trevisa's translation is undated, unlike his translations of Higden's *Polychronicon* and *De Proprietatibus Rerum* by Bartholomaeus Anglicus. Briggs and Fowler, 'Preface' in Giles of Rome, *Governance*, p. x.

¹⁸ This adds a more overtly moral dimension to government, as the heart was considered the seat of moral judgement in religion and medicine. Giles of Rome, *Governance*, p. 327. Cf. the comments made by Aquinas (Nederman and Forhan, *Medieval Political Theory*, p. 103) and Bartholomaeus Anglicus (in the translation by John of Trevisa):

For he [the heart] is more noble he is more kyndelich i-ordeyned in þe nobilere place. Among alle membres þe herte is most nobil ... and no membre is so nedeful to þe lif as þe herte.

Bartholomaeus Anglicus, *On the Properties of Things: John of Trevisa's Translation of Bartholomaeus Anglicus 'De Proprietatibus Rerum'*. Gen. Ed. M.C. Seymour (Oxford, 1975), 1: 239. For the two traditions, which either assign supremacy to the head or to the heart, see J. LeGoff, 'Head or Heart? The Political Use of Body Metaphors in the Middle Ages', in M. Feher, R. Nadaff and N. Tazi, *Fragments for a History of the Human Body 3* (New York, 1989), pp. 13-27. For the surgeon Henri de Mondeville's comments on the body politic in his discussion of the *physiology* of the body, see M. C. Pouchelle, *The Body and Surgery in the Middle Ages* (Cambridge, 1990), p. 120:

[The heart is] the principal organ above all other ... [which] gives to all the other members of the whole body vital blood, warmth and spirit. [It] is ... in the centre of the whole breast, as is fitting to its role as king in the midst of

the kingdom needs different offices to function ‘perfectly’.¹⁹ Although he appears on the surface to be writing a ‘mirror for princes’, the metaphor of the organic polity with the king as its head filters through the whole work. For example, Book 1 of the *Governance* is devoted to the physical health of the king: how he ought to live, which virtues he should have, and how he should take care of his own body. All this is explained in terms of a connection between the health of the king and the health of his body of subjects:

þanne þe vertue of þe kyng moot be greet þat moot rule not onlich hymself, noþer onlich his meynye, but also al þe regne.

Moreover:

He schal vse mete and drynke in þe whiche his body [hath] likyng for conseruacion and sauving of his owne lif and of his persone; for by cause þat he is heed of þe regne, of lacke of hym my3t come moche harme in to þe comyntee.²⁰

The first necessary step is therefore to ensure that the polity is provided with a strong, healthy, virtuous leader, who reigns justly and whose example his subjects will want to follow. It is an advice the aristocracy equally appears to have taken to heart, considering the interest the text generated in aristocratic circles.²¹

Although the ruler is the prime mover to ensure the harmony of the polity, its members perform an equally important function in maintaining the stations assigned to them within the social hierarchy. Both John and Giles are in accord that the foundation of the polity’s equilibrium is co-operation and

his realm.

¹⁹ Giles of Rome, *Governance*, p. 300; Struve, *Entwicklung*, p. 184.

²⁰ Giles of Rome, *Governance*, p. 32 and p. 29; Struve, *Entwicklung*, p. 293.

²¹ See Briggs, *Giles of Rome’s ‘De Regimine Principum’*, p. 53.

justice: a vision of the common good and an innate sense of moral judgement. Giles exemplifies this by stating that it is often the case that a member will sacrifice him/herself for the common good to save the rest of the body. However, this ultimately depends on the effectiveness of the king's rule. John, on the other hand, draws on the well-known fable of 'A Man, his Belly, and his Limbs'. The hands and the feet, angry about the stomach eating all their earnings, deprive it of food. The limbs weaken and the stomach is hardly capable of sustaining itself. After taking counsel from the heart, the food supply is restored and with it the equilibrium within the body. The lesson to be taken from this is that every part of the body depends on the others, and therefore if one member rebels and withdraws its support, the body will be negatively affected.²²

Justice is the force of life flowing through the veins of the body politic, keeping the community together and restoring health to affected parts. According to Giles, the king is the fount of law, from whom it extends into the polity, thus reinforcing his idea that the king is the heart of society.²³ He adds that the king is also the guardian of justice, and therefore should dictate the social boundaries of accepted conduct within the limits of Divine Law. John equally sees justice as the cementing force of the polity.²⁴ One of the tasks of the king is to administer justice like a medicine, rewarding those who deserve it, but also (more importantly) punishing those who seek to harm the unity and peace of the

²² Giles, *Governance*, p. 32. John of Salisbury, *Policraticus*, ed. C.J. Nederman (Cambridge, 1990), p. 136. He elaborates the same point again at the start of the next chapter (p. 137). The title is taken from a fable by Marie de France edited in Nederman and Forhan (eds.), *Medieval Political Reader*, p. 25. In her version the body dies.

²³ The heart was generally considered the fount of life within the body; see Section 3.3.2 above.

²⁴ Dunbabin, 'Government', pp. 483-484; Nederman, 'Physiological Significance', p. 219.

community. This is one of the major principles in legal treatises as well. *Bracton*, for example, strongly emphasises that ‘the power over the lives and members of men is in the king’s hand, to protect or punish when they do wrong.’²⁵

The idea of administering justice as a medicine to ‘cure’ society follows logically from comparing the body with the polity, which creates fascinating routes of interpretation when it comes to the punishment of treason by execution. John of Salisbury suggests, in no uncertain terms, that the ruler, like a physician, needs to resort to painful measures if a soft treatment proves to be ineffective.²⁶ As he argues ‘a blow to the head (*lesio capitis*) ... is carried back to all the members and a wound unjustly afflicted upon any member whomsoever tends to the injury of the head.’ The *medicus rei publicae* is therefore justly entitled to enact judgement upon these renegade members, either in the form of bleeding or by amputating them.²⁷ According to John, a vicious crime, such as treason, shall be punished by loss of life and forfeiture of goods, and his memory shall be condemned, because ‘those with whom no one associates in life are not exonerated by benefit of death.’²⁸

Giles of Rome has similar views about the dismissal of renegade

²⁵ Henry Bracton, *Henrici de Bracton de Legibus et Consuetudinibus Angliae*. Ed. G.E. Woodbine. 4 vols. (New Haven, 1915-1942), 2: 298. See also the discussion on treason in Section 4.2 above.

²⁶ *Policraticus*, Lib. IV Cap. VIII and Lib. VI Cap. XXV and XXVI. The latter in particular deal with treason. For the Latin Edition of the *Policraticus*, see John of Salisbury, *Policraticus sive De Nugis Curialium et Vestigiis Philosophorum Libri VIII*. Ed. C.C.I. Webb. 2 vols. (Oxford, 1909).

²⁷ *Policraticus* (Ed. Nederman), p. 137; *Policraticus* (Ed. Webb), 2: 73. See Pouchelle, *Body and Surgery*, pp. 76-77 for the surgeon’s cruelty being indicative of his well-honed skills and experience.

²⁸ *Policraticus* (Ed. Nederman), p. 138; *Policraticus* (Ed. Webb), 2: 74. Again there is a substantial concurrence with legal writing; see Section 4.2 above. Similar sentiments are voiced by Boniface VIII as cited in *Vita Edwardi*, p. 83. The chronicler quotes here at length from the Pope’s treatise *De Poenis* found in his law code *Liber Sextus*. On the taint of the crime on memory, see below. Also, Pouchelle, *Body and Surgery*, p. 123.

members. He, like John, draws an analogy between performing a medical operation and punishment, by suggesting that the ruler should bleed the body in order to reinstate the balance of its humours. Disease was generally thought to arise from an imbalance in bodily humours, which the body itself was not capable of redressing. The main task of the physician or surgeon was to heal the body by returning its balance and phlebotomy was generally considered the best treatment, since with the blood excess humours would exit the body. Excess humours, left in the body for too long, would start to corrupt, and thus become a danger.²⁹

A similar line of reasoning lies behind the use of amputation as a metaphor for removing unwanted members from a community. Often, if a medicine or bloodletting does not have the desired effect, a physician has to turn to harsher methods of cure. Likewise, says John of Salisbury, if a mild deterrent does not suffice to reform adverse subjects, the ruler is justified in administering extremely painful punishments: 'pious cruelty rages against the evil, while the good are looked after in safety.' It is a mark of strength within a ruler to endure the pain of severance, yet by serving the law in this way he shows himself a righteous leader guiding his subjects towards the common goal of a harmonious society.³⁰ Sometimes, the physician needs to resort to contrary measures to

²⁹ *Governance*, p. 429. N.G. Siraisi, *Medieval and Early Renaissance Medicine: An Introduction to Knowledge and Practice* (Chicago, 1990), Chapter 5 'Disease and Treatment'; C. Rawcliffe, *Medicine and Society in Later Medieval England* (London, 1995), Chapter 2 'Ideas about the Body', in particular pp. 43-46 where she discusses the influence of medical theory on political thought; also *ibid.*, pp. 63-68 on phlebotomy. Pouchelle, *Body and Surgery*, p. 77 cites the story of a man whose wife's infidelity led him to have her bled to remove the bad blood in her which had been generated by her 'evil acts'. See also Albertus Magnus, *On Animals: A Medieval 'Summa Zoologica'*. Eds. K.F. Kitchell Jr. and I.M. Resnick. 2 vols. (Baltimore, 1999), 1: 415. Corrupted blood in wet nurses was a potential danger to the babies who were weaned by them.

³⁰ *Policraticus* (Ed. Nederman), p. 50; *Policraticus* (Ed. Webb), 1: 262.

restore the sick body to health, however much it pains him to do so. As John goes on to argue, does the Bible not suggest a similar view on the punishment of renegade limbs? Is it not said, for example, in Matthew 18:9: 'if your eye or your foot offend you, root it out and cast it away from you'?

I think that this is to be observed by the prince in regard to all of the members to the extent that not only are they to be rooted out, broken off and thrown far away, if they give offence to the faith or public security, but they are to be destroyed utterly so that the security of the corporate community may be procured by the extermination of the one member.³¹

The one crime for which the punishment of amputation seems appropriate is high treason.³²

There is an equally strong suggestion of cutting away offending members in a French pamphlet of 1296. Written in response to an outcry against clerical taxation, the text comes down with full force on those objecting to it:

Depraved is the part that does not conform with its whole, and useless and quasi paralytic a limb that refuses to support its own body; layman or cleric, nobleman or man of low birth, whoever refuses to come to the support of his head and his body, that is, the lord king and the kingdom [of France], and lastly of himself, proves to be a non-conforming part and a useless and quasi paralytic limb.³³

Although this text does not speak of punishment, the threat is clear: if a member ceases to perform adequately it may be removed from the body politic. A paralytic member is of no use to the body and may in fact endanger its health.³⁴

³¹ *Policraticus* (Ed. Nederman), pp. 140-141; *Policraticus* (Ed. Webb), 2: 78-79.

³² *Policraticus* (Ed. Nederman), pp. 138-139. John's definition of high treason resonates through the treatises of the legal writers and the Statute of Treasons discussed in the previous chapter. It includes attempting to murder the king or a magistrate, fleeing from battle, taking up arms against the king, adhering to the enemies of the polity and releasing convicted criminals.

³³ Cited in Kantorowicz, *King's Two Bodies*, pp. 257-258 from the pamphlet *Antequam essent clerici*.

³⁴ In the treatise written by Henri de Mondeville between 1306-1320, amputation is recommended for *membra corrupta*. Mondeville, *Chirurgie* (ed. Pagel), p. 388. Cf. Guy de

The appearance of the metaphor of the body politic in a public pamphlet such as this is indicative of the extent to which it was part of political parlance by the end of the thirteenth century.

The metaphor of amputating members from the body appears to reflect strongly ideas concerning the Body of the Church and the ways in which Christ (as its head) authorised the expulsion of renegade members through religious and social ostracisation.³⁵ One twelfth-century *Ordo excommunicationis* instructed the excommunicator to proclaim: *membrum putridum et insanabile ...ferro excommunicationis a corpore Ecclesiae abscidamus*. The sinners and heretics subject to excommunication were in effect recast as outcasts, alien to the harmony of the body, and they would therefore be considered highly polluted.³⁶ However, excommunication was meant to be a medicine, not intended to jeopardise salvation, but ultimately to guide the sinner back into the Christian community.³⁷ Christ was presented as the Physician, a healer of souls, administering his medicine to sinners, which was sometimes benevolent and sometimes harsh, echoing Biblical teaching. St Augustine, using the metaphor of

Chauliac's comment: 'The deth forsothe of all þe body is more þan þe defaute of one membre.' M.S. Ogden (ed.), *The Cyrurgie of Guy de Chauliac*. 2 vols. EETS OS 265 (1971), 1: 412. For the views expressed by Thomas Aquinas in his *Summa Theologiae* see H. Summerson, 'Attitudes to Capital Punishment in England, 1200-1350', in M. Prestwich, R. Britnell and R. Frame (eds.), *Thirteenth Century England VIII* (Woodbridge, 2001), p. 123. Although his conclusions are based on local executions, they provide a useful backdrop to the high profile executions of aristocrats in the same period.

³⁵ Kantorowicz, *King's Two Bodies*, p. 194; E. Vodola, *Excommunication in the Middle Ages* (Berkeley, 1986). Cf. Paul's comments in his letters to the Romans and Corinthians: Rom. 12:15-16, 1 Cor. 12:12-27; but also: Col. 1:24, Eph. 5:23. See also Spanish physician and theologian Arnold de Villanova's comments (c. 1300) on the Body of Christ, and the expulsion of corrupt matter from it, in J. Ziegler, *Medicine and Religion c. 1300: The Case of Arnau de Villanova* (Oxford, 1998), p. 75.

³⁶ Cited by F.D. Logan, *Excommunication and the Secular Arm in Medieval England: A Study in Legal Procedure from the Thirteenth to the Sixteenth Century* (Toronto, 1968), p. 13. Vodola, *Excommunication*, p. 24. However, by being relegated to a marginal social existence, the excommunicate served inadvertently to define the boundaries of the community, whose common

the *medicus*, felt that in curing the soul, painful measures would sometimes be needed, just as the human physician would sometimes have to allow for pain while curing his patient. In his spiritual pain, the sinner should see ‘the hand of the Physician who cuts, not the sentence of the Judge who punishes.’³⁸ This pain is conceived as a positive measure, saving the soul, not intent on destroying it irretrievably. In the realm of secular justice, however, the scalpel in the trained hand of the surgeon is double-edged, removing the offending limb by destroying it and thus saving the interests of the polity. At the same time, by recasting renegade members as ‘other’, the boundaries of the polity are forcefully rendered visible, the body politic being redefined as that which is not ‘other’. In the next section we shall focus on the processes which make this rendition and redefinition possible.

5.1.2 ‘A HORRIFYING SPECTACLE FOR ALL NATIONS’³⁹

Treason was considered the most hideous of crimes as much by the legalists as by political philosophers such as John of Salisbury. To complete the discussion on the connection between treason and the social body, in this section we shall look more closely at the judicial opinions as expressed in the sentences and executions of convicted traitors. What were the strategies for the removal of ‘offending members’ from the polity? How was the body of the traitor reconstructed to suit his altered social position as *persona non grata*? Is it

goal was harmony and achieving salvation.

³⁷ Vodola, *Excommunication*, pp. 42 and 45.

³⁸ R. Arbesmann, ‘The Concept of “Christus Medicus” in St Augustine’, *Traditio* 10 (1954), p. 21. See Matthew 9: 10-13 for Christ being questioned about his dealings with ‘publicans’ and sinners; also Mark 2: 15-17: ‘They that are whole have no need of the physician, but they that are

possible to detect an attempt to symbolise the crime in the way punishment was exacted?

Regarded as fundamental by many for the study of justice and execution procedures is Michel Foucault's *Surveiller et punir: Naissance de la prison* (*Discipline and Punish: The Birth of the Prison*), which traces the shift from punishment being a public spectacle to it being a shameful act conducted within the confines of a specific space, the prison.⁴⁰ According to Foucault, the body is no longer punished in terms of physical pain but in terms of 'suspended rights'; even executions (safely conducted behind closed doors) are sanitised affairs, in which the convict is tranquillised.⁴¹ Before this shift occurred, however, executions were used as public reminders of the ruler's authority and judicial power, which would come down in great force upon the criminal's body. It is a 'spectacle ... of imbalance and excess', which is nevertheless highly staged, aimed at restoring the imbalance in authority resulting from the crime.⁴² The element of moral edification of the masses, which is inherent in this perspective, has been the topic of most studies on public execution which followed upon

sick: I came not to call the righteous, but sinners to repentance' (Mark 2: 17).

³⁹ Flores 3: 134.

⁴⁰ M Foucault, *Discipline and Punish: The Birth of the Prison* (Harmondsworth, 1991 [reprint from 1977]); Cf. P. Spierenburg, *Spectacle of Suffering: Executions and the Evolutions of Repression: From a Preindustrial Metropolis to the European Experience* (Cambridge, 1984); E. Cohen, *Crossroads of Justice*. Also, according to R.J. Evans, *Rituals of Retribution: Capital Punishment in Germany 1600-1987* (Harmondsworth, 1997), p. 9: *Discipline and Punish* is 'a work that has since exerted such a persuasive effect on this field of study that a critical engagement with it must have a central place in any attempt to grapple with the history of punishment on any level above the merely empirical.'

⁴¹ Foucault, *Discipline and Punish*, p. 11. However, in the eighteenth century, the corpses of those who had been executed were still available for public anatomies. The element of spectacle was thus postponed until after death. Cf. D. Hay, P. Linebaugh and E.P. Thompson (eds.), *Albion's Fatal Tree: Crime and Society in Eighteenth Century England* (Harmondsworth, 1977); R. Richardson, *Death, Dying and the Destitute* (London, 1988); J. Sawday, *The Body Emblazoned: Dissection and the Human Body in Renaissance Culture* (London, 1995), esp. Chapter 4.

Foucault's work. Most of these advance the view that agency is restricted to an authority, setting the boundaries of what is acceptable violence or not.⁴³ In the eyes of the post-Foucauldian theorists, the public execution becomes an arena of controlled domination and subordination, which, however, discounts the role of socio-cultural values underlying the power base of authority. This level of shared values underlying the foundations of domination is needed to render the execution socially meaningful: the ruler and his subjects need to speak the same language, verbally and visually.⁴⁴ This language can for example be found in the concept of nobility.

Moral superiority expressed by the idea of aristocratic 'nobility' was inherently connected to social worth. Although status was to a large extent predicated on wealth and landed property, it created at the same time a considerable expectation to uphold the shared values which cemented the polity. If nobility or honour was 'the value of a person in his own eyes', to borrow from the definition by Pitt-Rivers, it was above all the value in 'the eyes of his society', with the political authority to uphold and monitor the adherence to this value of nobility.⁴⁵ Honour or nobility is thus essentially communal and any transgression, which dishonours the transgressor, is of necessity made public.

⁴² Foucault, *Discipline and Punish*, pp. 48-49. Spierenburg, *Spectacle of Suffering*, p. 44.

⁴³ Spierenburg, *Spectacle of Suffering*, pp. 55-56; M.B. Merback, *The Thief, the Cross and the Wheel: Pain and the Spectacle of Punishment in Medieval and Renaissance Europe* (London, 1999), pp. 134-135.

⁴⁴ See E. Cohen, "'To Die a Criminal for the Common Good": The Execution Ritual in Late Medieval Paris' in B.S. Bachrach and D. Nicholas (eds.), *Law, Custom and the Social Fabric in Medieval Europe: Essays in Honour of Bryce Lyon* (Kalamazoo, 1990). According to her, justice punished 'according to the needs of society rather than the tenets of abstract justice' (pp. 286-287).

⁴⁵ J. Pitt-Rivers, 'Honour and Social Status', in J.G. Peristiany (ed.), *Honour and Shame: The Values of Mediterranean Society* (London, 1963), p. 21. Pitt-Rivers speaks of 'honour', but I feel that 'nobility', in particular in a medieval context, is founded upon similar ideas and expectations. See also Section 1.2.2.

‘Honour ... is only irrevocably committed by attitudes expressed in the presence of witnesses, the representatives of public opinion.’⁴⁶ Hence, the importance of the idea of notoriety in treason cases: the accused has been witnessed acting dishonourably. Hence also, the weight of accusations made on the king’s record. The king has been made aware of the transgression and, as the fount of honour and therefore dispenser of justice, has found fault with the culprit.

In Foucault’s reading of the execution of the regicide Damiens (2 March 1757) the focus is specifically on the role of those in power without necessarily considering this common language. Here, I would like to expand this view by paying particular attention to the discourse of judicial proceedings and chronicles which detail the trial, sentence and punishment of aristocratic traitors to see how this common language was employed to alienate subversive elements from the polity.⁴⁷ From these sources, it will become evident that the execution of aristocratic traitors was presented as an example to other aristocrats. Also, from the chronicles we can surmise that spectators participated in the event. The aristocrat, it seems, was not just punished by the king and by his peers, but by the whole polity. The ways in which this punishment was envisaged and enacted will reveal the extent to which the aristocratic traitor was ‘abjectified’, forcefully expelled not only from the ranks of the aristocracy but from the polity itself.⁴⁸

⁴⁶ Pitt-Rivers, ‘Honour and Social Status’, p. 27. This underlies, for example, also ‘raising hue and cry’ on the scene of a crime and the severer punishments for criminals caught in the act.

⁴⁷ Foucault uses his example as a way into the real topic of his study, which is the repression of society by means of psychological rather than physical punishment. Hence, his discussion of public executions lacks a certain range and depth. For example, his focus on Damiens excludes a discussion on the frequency and intensity of the public execution. How often did executions of this nature occur in early modern France? Which crimes warranted a ‘full’ execution of mutilation and evisceration?

⁴⁸ Although the term ‘abject’ is used mainly within psychoanalytical discourse to describe the formation of the subject through the ‘foreclosure’ of ‘zones of inhabitability’, i.e. the

Where in aristocratic funerary practices the ambiguous nature of the corpse was negated through preservation, in the executions for treason we find that the powers of fragmentation within the cadaver are magnified and in fact called upon to destroy the social status of the traitor and the memory of him.

Treason, as we have seen in the previous chapter, was a multifarious concept. However, it is generally found to encompass not only direct betrayal of the king, but also crimes committed on a large scale against the people of the kingdom. Edward I raged about the alleged atrocities committed by David of Wales; William Wallace, convicted on the king's record, was accused of murdering and raping the English.⁴⁹ In the 1320s, Thomas of Lancaster's conduct was regarded as a betrayal of king and kingdom (*proditore regis et regni*); Andrew Harclay, because of his association with King Robert of Scotland, was similarly branded a traitor of king and kingdom.⁵⁰ The conviction of traitors was deliberately represented as being to the benefit of the whole polity, in particular since the most elaborate execution was reserved for specifically notorious men. Notoriety, and thus the weight of the punishment, depended on the shock their actions had produced, the political climate, or the extent to which these men were disliked by their peers or the king, but individual circumstances could equally dictate the process of execution.⁵¹

denunciation of potential threats to the integrity of the subject, it is possible to observe a similar strategy enforced in the formation of communal integrity. J. Butler, *Bodies that Matter: On the Discursive Limits of 'Sex'* (New York, 1993), pp. 3, 243. See also Section 1.4.

⁴⁹ See Sections 4.1 and 4.2.1.

⁵⁰ *Rot. Parl.* 2: 3; *Foedera*, 2: 509.

⁵¹ Hence the execution of Thomas of Lancaster being changed after the sentence to beheading, whereas 'upstarts' such as Andrew Harclay, Earl of Carlisle and Hugh Despenser, Earl of Winchester were given the full treatment. Yet, Piers Gaveston was beheaded 'like a Roman citizen' according to the *Vita Edwardi*, p. 26. For Lancaster and Harclay, see Chapter 4. Thomas's sentence was changed on the grounds of his excellent and most noble parentage (*de*

Similar arguments regarding crimes against king and kingdom were used in the condemnations of Hugh Despenser the Elder and the Younger in 1326. Because of the precariousness of the political situation, Isabella and Mortimer had to be circumspect in the way they dealt with the supporters of Edward II, who was obviously still the rightful king of England. Both Despensers were branded by the Queen's party for their greed and arrogance, and they were held responsible for the post-Boroughbridge executions. Despenser the Elder was accused of the usual list of treasons, such as accroaching royal power 'against the laws of the land' and providing the king with false counsel regarding the government of the kingdom and the relations with the Church. Besides these crimes, he had withheld *franchises* due to the Church and had generally held the institution in contempt. Moreover, he had ordered the unlawful murder of Thomas of Lancaster. Above and beyond, he had robbed and pillaged the country, for which the whole people (*totes gens*) cried and prayed to be avenged.⁵² With these accusations, the Queen and Mortimer, by word of their judges, had been able to present the English community with an all-encompassing image of the Earl's crimes, which had not only affected the King, but also the Church and the whole population. *Totes gens* had given their consent for the punishment of these treasons. Obviously, with Edward being unlikely to support the accusations, consent had to be sought elsewhere.

In Hugh Despenser the Younger's case, the many crimes committed against the population (*populum regni Angliae*) were, according to the *Annales*

parentela excellenti & nobilissima p[ro]creatus est). Rot. Parl., 2: 4.

⁵² *Ann. Paulini*, p. 317.

Paulini, notorious and manifest (*per ipsum factis et procuratis clam et palam*).⁵³ According to a transcript of his judgement, he was considered foremost a notorious traitor and enemy of the Realm. He had acted against ‘all law and reason’, the Great Charter and even against the ‘Order of Chivalry’. Without ‘pity or mercy’, he had murdered a great many barons unlawfully, had provided evil counsel to the King, had accroached royal power, had taken money from the Church and had plotted against the Queen. This brief summary does not do justice to the pressure exerted by the text, its repetition of phrases such as ‘against law and reason’, its continual insistence that the crimes were committed ‘treacherously’ and its merciless reiteration of these treacherous crimes. One could easily imagine the words and tone of the judgement battering the defenceless convict.⁵⁴

The judgement finished with a reading of the sentence, approved by the *bones gentz du Roialme, greindres et meindres, riches et poures*, in other words: it was conducted with the full consent of the whole polity.⁵⁵ He was to be drawn and quartered for treason; for robbing the kingdom and abusing the power of the king he was to be beheaded; for sowing discord between the King and the Queen his bowels were to be removed and burned. A powerful dismissal finished the judgement: *Retraiez traiteours, tirant, reneye; si ales voz iuis prendre, traitors, malueis, et attaynt*.⁵⁶ Thus tainted by the corruption of his crimes, the traitor

⁵³ *Ann. Paulini*, p. 319.

⁵⁴ Taylor, ‘Judgement of Hugh Despenser’, pp. 73-77.

⁵⁵ *ibid.*, p. 76. The main difference from the judgement of Wallace is in the address of the convict. Wallace’s crimes and sentence are delivered in the third person, thus creating a distance between accusation and subject, whereas Hugh’s judgement was delivered in the second person, directly accusing the subject. Cf. *Ann. London*, pp. 140-142.

⁵⁶ Taylor, ‘Judgement of Hugh Despenser’, pp. 76-77. It should be noted that ‘attainder’ derives from Latin *atingere*, ‘to touch’, ‘to strike’. Although much shorter than Hugh’s sentence, the

could not but submit to the exaction of his punishment.

Similar procedures were followed in the judgements of, for example, William Wallace and Andrew Harclay. Again, the ‘people’ are invoked to attest to the manifest nature of the crimes committed against the king and the kingdom. Wallace’s crimes against the people of the English realm were of such evil cruelty and so widespread that he was sentenced to be quartered on account of these atrocities.⁵⁷ The accusation of treason in Harclay’s case focused specifically on his alleged negotiations with the King of the Scots, which was described as a manifest attempt to break the peace and quiet of the people of the realm.⁵⁸

Addressed in a direct speech, Harclay is accused of conspiring against the king to the detriment of him and his people (*contre vestre seignur lige, les piers, & le poeple du roialme*). Because the king had trusted him and had given him the earldom, he would first be deprived of this honour and his heirs would never be able to obtain the earldom. To this effect his sword and spurs, symbols of the aristocratic qualities of fighting and horse riding, were removed from his person. Next followed the core of the accusation, which explained how Harclay had entered into negotiations with Robert de Bruce, *enemy mortel a nostre seigneur le Roi, & de soun realm ja soun poeple*, and how he had broken his ties with the king of England through this act. Immediately after the accusations had been voiced, the sentence for this act of treason (*por meyntener la dite treson, fausine,*

record of Andrew Harclay’s trial equally expresses in harrowing detail the punishment awaiting the convict (*Foedera*, 2.1: 509).

⁵⁷ *Ann. London*, pp. 141-142. See also 4.1 above.

⁵⁸ *Foedera*, 2.1: 504; also *ibid.*, p. 509 for the text of his judgement.

malueiste, & treitrouse aliaunce) was pronounced by the court. As with Hugh Despenser the Younger three years later, Harclay was forced to hear in detail what would happen at his execution and afterwards.⁵⁹

When we move from the context of judicial discourse to that of the execution, we again find attempts to involve the polity in the process of punishment and repudiation of the traitor. Crowd participation was certainly encouraged prior to the judgement. The alleged traitor would be exposed by a public entry into the town, dressed in simple clothes, riding a nag, wearing a nettle crown and displaying his coat of arms in reverse.⁶⁰ Thomas Turberville, dressed in 'poor clothes', was taunted by men dressed up as devils on the way to his judgement, the hangman being one of them.⁶¹ William Wallace was led in procession to the Great Hall at Westminster, accompanied by the very men who were in charge of judging him, including the mayor and aldermen of London, and 'many others either walking or riding.'⁶² Hugh Despenser the Younger was dressed in sackcloth displaying his reversed coat of arms and he wore a nettle crown. In Hugh's case, a huge crowd had assembled for the occasion in the streets of Hereford, according to the chronicler Henry Knighton, and there was a great din of trumpets and shouting as he passed.⁶³ Before his judgement proper, Andrew Harclay was publicly deprived of the signs of his status as part of the

⁵⁹ *Ibid.*, 509; *Chron. Lanercost*, pp. 250-251.

⁶⁰ Caps and coronets were increasingly used by titled magnates in the twelfth and thirteenth century. The laurel or nettle garlands used in executions may thus be an ironic reference to inverted status. D. Crouch, *The Image of the Aristocracy in Britain 1100-1300* (London, 1992), p. 198.

⁶¹ *Cotton*, p. 306.

⁶² *Ann. London*, p. 139. For Simon Fraser's entry at Newgate, see 'Song of Simon Fraser' (ed. Robbins), pp. 17-18.

⁶³ Knighton also mentions that Hugh's tunic was inscribed with six verses from a psalm with the line *Quid gloriaris in malitia?* *Knighton*, pp. 436-437. Cf. the account by Jean le Bel, *Chronique*

punishment for treason.⁶⁴ John Earl of Atholl was spared this public humiliation as he entered London for his judgement and punishment, because he was of royal blood.⁶⁵

Because of its sheer public nature, crowds were invited to participate in judicial punishment.⁶⁶ Even punishment of lesser crimes, often relating to a breach of trading rules, typically involved the humiliation of miscreants in a public space, usually the market-square, by putting them in the stocks or pillory where the culprit would have to endure the taunts and insults of the assembled market crowd.⁶⁷ Occasionally, offenders could be drawn on a hurdle through crowded streets, as was the case with Richard Davy, a baker from London. In contrast to the elaborate punishments inflicted on traitors, the more common intention of the judicial system was to induce the psychological pain of humiliation rather than to cause physical harm. Even Richard the baker was able to get up from the hurdle himself and throw a bone at a minstrel, who had accompanied his shameful journey through the city.⁶⁸

de Jean le Bel. Eds. J. Viard and E. Déprez (Paris, 1977), 1: 27.

⁶⁴ *Brut*, 1: 227.

⁶⁵ See above Section 4.1.

⁶⁶ Andrew Harclay supposedly volunteered a public confession on the scaffold, telling the assembled crowd why he had made the treaty with the Scots. *Chron. Lanercost*, p. 251; Mason, 'Sir Andrew de Harcla', p. 127. Similarly, according to one chronicle, Hugh Despenser the Younger confessed his guilt in public. *Ann. Paulini*, p. 320. See Summerson, 'Attitudes to Capital Punishment', pp. 130-131, for his view that most local executions were not heavily attended by spectators, unless there was controversy over the judgement. Sites of execution were regarded as spaces of pollution and taboo, and were commonly situated outside towns and villages. Executioners and gallows were equally marked as socially dangerous (*ibid.*, pp. 126-128).

⁶⁷ J. Masschaele, 'The Public Space of the Marketplace in Medieval England', *Speculum* 77 (2002), pp. 400-401. 'Such public forms of punishment suggest that contemporaries saw market sites as public spaces that were particularly accessible, particularly inclusive, and particularly well suited to the formation and reformation of identities and reputations' (p. 400).

⁶⁸ B.A. Hanawalt, 'Rituals of Inclusion and Exclusion: Hierarchy and Marginalisation in Medieval London', in B.A. Hanawalt (ed.), *'Of Good and Ill Repute' Gender and Social Control in Medieval England* (New York, 1998), p. 28. Hurdles obviously inflict less damage to the body than the usual form of drawing behind a horse without means of protection.

The culprit was often led in procession to the market square and made to wear distinctive clothing (usually a plain shirt or undergarment). Occasionally, some symbol of his/her crime would be attached to the instrument of restraint to inform the spectators. The significance of shame punishment is that the culprit is temporarily exposed as a norm-breaker and therefore a corrupted element within the community. The reputation of these criminals, within the localised context in which punishments occurred, would be tainted forever by the memory of their acts.⁶⁹ Although the intention was to humiliate the culprit, physical abuse can easily be envisaged as being part of the punishment. Through public exposure and temporary physical restraint, the convict became the target of the full force of communal indignation about the committed crime.⁷⁰ It is possible to conclude from these localised practices of retributive punishment that the community was an active participant in the penal process, and a significant force. Within the bounds of a society depending on honour and reputation, public disgrace and humiliation were key elements to the success of any judicial punishment exacted. By separating the culprit from the rest of the community through distinctive clothes and restricted movement, the normative boundaries of the local community could be exposed and reaffirmed.

A similar strategy was enacted in the case of capital crimes such as treason. In this case, the exposure of the criminal as a threat to the social balance was not on a local scale, but concerned the whole kingdom. The convicted traitor

⁶⁹ Markets would be particularly useful for public punishment, since they were all-inclusive. Masschaele, 'Public Space', pp. 405-406, 409, 418. See also Hanawalt, 'Rituals of Inclusion and Exclusion', pp. 18-34. It is significant that London's Cheapside played a significant role in civil celebrations, such as the election of a new mayor, as well as in punishment.

⁷⁰ Although the punishment of public exposure was not as common as monetary sentences, it

was commonly drawn through the streets to the site of his execution, which could either be performed in a market square or other public sites (for London, for example, this was the 'Elms' at West Smithfield, which was also the site of a cattle market).⁷¹ Blaring trumpets and the shouts of the assembled crowd often accompanied the convict on his journey to the scaffold.⁷² Distributed body parts were another focal point of public attention. The severed heads of traitors were frequently paraded, accompanied by the sounding of trumpets, through the streets after an execution and put on display on London Bridge or the Tower.⁷³ The citizens of London appeared to be fully aware of the social connotations of public exposure when they led the wine merchant Arnold of Spain to 'Nonemanneslonde' to be beheaded for imposing a new tax on wine and various other crimes. He was bare-foot and dressed in a pauper's tunic (*a communitate ductus fuit nudis pedibus, et tunica pauperrima indutus*).⁷⁴ The involvement of

appears that most English towns possessed some form of public shaming instrument. Masschaele, 'Public Space', pp. 402-403.

⁷¹ The 'Elms' of West Smithfield should not be confused with 'Tyburn', which was located further to the Southwest. Apart from these two execution sites, London's pillory and one of its prisons (the 'Tuns') were set up in Cheapside in the heart of the city. A. Griffiths, *Chronicles of Newgate* (London, 1884), 1: 31-33. See also H.T. Riley, *Memorials of London and London Life* (London, 1868), 1: 222 on the regulations for selling meat and fish in the vicinity of the 'Stocks' and 'Conduit' in Cheapside. By the middle of the fourteenth century, the sale of meat and fish was obstructing the king's highway (leading to Newgate) and was to be confined to the enclosure of the 'Stocks' or the houses adjacent. On the market square as a focal point of public activity and the site for royal proclamations, see Masschaele, 'Public Space', pp. 383-421.

⁷² E.g. Simon Fraser ('Song of Simon Fraser' (ed. Robbins), p. 19); In early modern Germany, impending executions would be announced by the tolling of bells. Merback, *Thief, Cross, and Wheel*, p. 138.

⁷³ E.g. Llewellyn, whose head was adorned with a crown of ivy (*Ann. Dunst.*, p. 293; *Ann. London*, p. 90). The *Brut* relates how the people of London met the messenger carrying the Prince's head at one of the gates and accompanied him to Cheap, where the head was put on the pillory for a day and next taken to the Tower (*Brut*, 1:18). Simon Fraser (*Ann. London*, p. 148); Hugh Despenser the Younger (H.T. Riley (ed.), *French Chronicle of London* (London, 1863), p. 266) For the symbolic significance of this see the next section.

⁷⁴ *Ann. Paulini*, p. 321; Fryde, *Tyranny and Fall*, p. 193. His execution was part of a series of riots, which swept through London in 1326 after Isabella had arrived back in England. The uprising also led to the death of William Stapledon, Bishop of Exeter, who had been the King's Treasurer. He was drawn by a horse to West Cheap and decapitated. After this, the naked corpse was left exposed for a day in the middle of the market. *Ann. Paulini*, p. 316.

crowds in the condemnation of treason, an act of disloyalty against the king and the kingdom, then can be read as a fundamental element in the ritualised amputation of a subversive member of the polity.⁷⁵ The fundamental stage within this process was the humiliation and public shame of degradation: the traitor was clothed in garments signifying his fall from grace, or the symbols of his position were forcefully removed. He was made to ride a lowly nag, rather than the charger which might be his usual mode of transport.⁷⁶ Crowds shouted abuse and goaded him on.⁷⁷ The conviction and execution of traitors were thus presented as events which concerned the whole polity. Its success depended on public exposure and crowd participation and consent, but is it possible to go one step further and to view the execution as a means of literally amputating the traitor from the body politic?

5.2 'IF YOUR EYE OR YOUR FOOT OFFEND YOU, ROOT IT OUT AND CAST IT AWAY FROM YOU'⁷⁸

As we have seen in the previous chapter, the execution of certain men exceeded the majority of other executions in their cruelty and viciousness. Where in most

⁷⁵ Summerson, 'Attitudes to Capital Punishment', observes that the felon was often executed by members of his own community (p. 129). Although enthusiasm appears to have been low to act as executioners, a community could in this way purge itself from corrupted members.

⁷⁶ The charger was one of the more significant and obvious symbols of knighthood and aristocracy. See J.J. Cohen, *Medieval Identity Machines* (Minneapolis, 2003), pp. 35-77 for a novel and intriguing interpretation of the relationship between a knight and his horse, and above chapter 3 for examples in which the horses of deceased aristocrats formed part of the funeral.

⁷⁷ A. Blok, 'Openbare Strafvoltrekkingen als *Rite de Passage*', *Tijdschrift voor Geschiedenis* 97 (1984), pp. 470-481. He views the public execution as a *rite de passage*, which is enacted within a temporary frame set apart from ordinary temporal conventions. The ritual acts as a means to separate the criminal from society and to incorporate him into a different social category. The importance of crowd consent and participation is most forcefully shown in cases in which consent is being withdrawn and riots ensue. Cf. R. Richardson, *Death, Dissection and the Destitute* (London, 1988), pp. 89-90; P. Linebaugh, 'The Tyburn Riot against the Surgeons', in D. Hay et al. (eds.), *Albion's Fatal Tree* (London, 1977), pp. 65-117. Both are concerned with the response of crowds to the appropriation of hanged criminals for dissection.

cases drawing and hanging sufficed, in the more elaborately staged executions the sentences of beheading, disembowelling and quartering were appended. These traitors, often the ringleaders of an alleged conspiracy or men of a certain infamy and notoriety, were subjected to a range of mutilations and corporeal fragmentation, not to mention extraordinary levels of pain.

Both drawing and hanging, in cases of elaborate execution, served first of all to enhance the public humiliation of the convict. Dragged by horses through the filthy streets of a city occasionally only with the protection of an ox-hide between the body and the dirt, the traitor was exposed to the jeering crowds on his way to the gallows.⁷⁹ The ‘Song of Thomas Turberville’ reminds us of the humiliation and defencelessness of the traitor as he was drawn through the streets. Turberville was

drawn, wrapped in an ox hide; he was not otherwise accoutred,
he had neither helmet nor hauberk. Round his sides were lots of
cutting stones which made his blood flow.⁸⁰

The significance of using an ox-hide becomes obvious when we remember that the bodies of the dead were often wrapped in freshly tanned ox-hides prior to burial: the convict was thus marked as a dead man before his physical demise.⁸¹

⁷⁸ Matthew 18:9.

⁷⁹ E.g. Jean le Bel, *Chronique*, p. 27 for Hugh Despenser the Younger’s fate. The evidence for London suggests, for example, that convicts were dragged through Cheapside, which was the central market, and through the Shambles at St Nicholas on their way to Smithfield. See ‘City of London c.1270’, in M.D. Lobel (Gen. Ed.), *The British Atlas of Historic Towns* (Oxford, 1991), vol. 3. On the significance of dirt and pollution as elements of social categorisation see M. Douglas, *Purity and Danger: An Analysis of Concepts of Pollution and Taboo* (London, 2002 [1966]), pp. 3-8. See Section 3.2 on the danger of the cadaver as a pollutant.

⁸⁰ ‘Song of Thomas Turberville’ in I.S.T. Aspin, *Anglo-Norman Political Songs* (Oxford, 1953), p. 54 (translation); the original reads: *Treigner le fist, en une coree/ De une tor envelopé;/ Nul autrement nu fut armé,/ Haume n’out ne habergun./ Cillante pierres a grant fusiun/ Aweit il entur son flanc/ Ke li raerent le sanc. Ibid.*, p. 52.

⁸¹ Simon Fraser was also drawn ‘vpon a reperes hude’ (‘Song of Fraser’ (ed. Robbins), p. 19). See Section 1.4.1. The use of ox-hides to wrap the corpse is recommended by the surgeon Henri de Mondeville: *Chirurgie* (ed. Pagel), p. 391. Similarly, both periwinkle and laurel, used for the

The sense of displacement caused by the body being dragged through the streets adds to the humiliation, even dehumanisation, of the traitor, who was thus 'reconstructed' as alien to the community.⁸²

Hanging was commonly associated with felonies such as homicide and theft. Matthew Paris had called the gallows the 'cross of thieves'; Geoffrey Le Baker, when describing the sentence of Roger Mortimer in 1330, similarly refers to it as the 'common gallows of thieves'.⁸³ Noble connections could be a redeeming feature to avoid the display of hanging, but in general there was no escape. Convicts were hanged until they were unconscious (*semivivus*) or on the verge of suffocation.⁸⁴ As asphyxia induces a relaxation of the muscles, the bowels and bladder would evacuate, adding to the humiliation of the convict, in that he lost control over his bodily functions in public.⁸⁵ Hanging was thus, quite literally, a suspended state between life and death, in which the traitor was

crowns worn by convicts, were traditionally associated with death. C. Daniell, *Death and Burial in Medieval England, 1066-1550* (London, 1996), p. 53.

⁸² See Merback, *Thief, Cross, and Wheel*, p. 138 for his comments on 'displacement' and 'dehumanisation'. Although he goes a long way to expose the mechanisms of public punishment, his observations are too generalised to be of use in this study. For example, his discussion of beheading as a 'noble' punishment seems mainly founded on evidence from post-medieval Germany (*ibid.*, pp. 141-142). Drawing was already a punishment for treason in the late Roman Empire. E.R. Varner, 'Punishment after Death: Mutilation of Images and Corpse Abuse in Ancient Rome', *Mortality*, 6.1 (2001): 58.

⁸³ Paris, *Chron. Maj.*, 3: 498; Geoffrey Le Baker of Swinbroke, *Chronicon Angliae temporibus Edward II et Edward III*, ed. J.A. Giles. Caxton Society 7 (1847), p. 112.

⁸⁴ E.g. Wallace (*Flores*, 3: 124), Fraser ('Song' (ed. Robbins), p. 20). Before the invention of the 'long drop', hanging was a slow and agonising process of dying from asphyxia: the hanged convict would first enter a coma as a result of the stagnant blood circulation caused by the pressure of the noose and die from this rather than a broken spinal cord. There was ample time to remove the convict from the gallows between the moment of suspension and physical death. See Glaister and Rentoul, *Medical Jurisprudence and Toxicology*, pp. 165-166. This also explains the large number of references to felons surviving their hanging.

⁸⁵ *emisisset per utrosque meatus inferiores superfluiditates naturae, quae emittuntur a suspensis*. Cited by Summerson, 'Attitudes to Capital Punishment', p. 133 from *Acta Sanctorum Oct.*, 1: 633-5; Finucane, 'Sacred Corpse, Profane Carrion', p. 50. Bodily waste products were seen as excess humoral fluids shed by the body to retain a healthy balance of the humours.

progressively forced into a position of alienation.⁸⁶ Marked by dirt from the street, marked by his own urine and faeces, (dirt signifying his fall from high status) the suspended aristocrat became a symbol of his own corruption, ‘matter out of place’, as society attempted to deal with the contradiction of corrupted nobility.⁸⁷ The traitor was marginalised and so exposed the boundaries of the community from which he was ejected. The gallows itself, usually positioned away from settlements, was considered a liminal object, associated with a shameful death. It was feared yet accepted as a means to ensure the moral balance of the polity.⁸⁸

The gallows was where it ended for most traitors. Many would be left hanging, their putrefying corpses a statement of their mortal crimes.⁸⁹ Those who were to be subjected to more punishment were at this point taken down from the gallows and beheaded, disembowelled and quartered. Why were these sentences appended to the more common one of drawing and hanging? What was the intention behind the mutilation of the traitor’s corpse and why were his body parts scattered over the country and displayed? In the remainder of this section we shall explore the consequences of mutilating and dismembering the traitor as

⁸⁶ Cf. the formula cited by Merback, *Thief, Cross, and Wheel*, p. 139.

⁸⁷ Douglas, *Purity and Danger* (1996 edition), p. 44.

⁸⁸ Summerson, ‘Attitudes to Capital Punishment’, p. 130; Spierenburg, *Spectacle of Suffering*, p. 87.

⁸⁹ Decomposition occurs about eight times quicker in the air than in the earth. Glaister and Rentoul, *Medical Jurisprudence*, p. 120. Thomas Turberville was the only traitor to be left on the gallows for an unspecified period of time. Fraser’s corpse may have been intended the same fate, but it was burned after three weeks; Atholl’s body was immediately set alight; Rhys ap Iaredudd, Hugh Despenser the Elder, and Roger Mortimer were left for three days. The men executed after the Battle of Boroughbridge in 1322 were still suspended two years later, when a request was made in parliament for their interment. Many common felons, on the other hand, would be buried soon after hanging. Summerson, ‘Attitudes to Capital Punishment’, p. 131; R.B. Pugh, ‘The Knights Hospitallers of England as Undertakers’, *Speculum* 56 (1981): 566-574. For the traitors mentioned here: *Cotton*, p. 306; *Ann. London*, pp. 149-150; *Chron. Lanercost*, p. 145, 266; *Brut*, 1: 240. For the burial of traitors, see below.

a statement of social abjection.

Beheading served a two-fold purpose. In the tumultuous years of the late fourteenth century, the aristocracy was increasingly beheaded in executions rather than being subjected to the full mutilation and dismemberment which characterised capital punishments for aristocratic treason in the early years of the fourteenth century. The single punishment of beheading, as has been noted a few times, had earlier been restricted to those of royal blood or those with the title of earl, but by the time of Richard II this practice had diffused down to the lower echelons of the aristocracy.⁹⁰ In the elaborate executions, beheading served to kill the traitor, the sentence being commonly that the traitor should be taken down from the gallows *semi-vivus* to be finished off with a stroke (or two) of the axe.⁹¹ The other reason for decapitation was the opportunity to put the head on display, or indeed to send it to the king or the dead man's enemies. The post-mortem beheadings of Simon de Montfort and Llewelyn ap Gruffudd were conducted for the sole purpose of being able to send proof of their deaths. What happened to De Montfort's head after it had reached Lady Mortimer is unknown, but Llewelyn's head was sent to Edward I, who ordered it to be taken to London where it was paraded around before being impaled on London Bridge for at least

⁹⁰ There are some indications that there was some wariness initially about the execution of aristocrats in a too gruesome a fashion. Piers Gaveston, according to the *Vita Edwardi*, p. 26, was beheaded like a Roman citizen because of his connection to Gilbert de Clare, Earl of Gloucester. His recent elevation to the earldom of Cornwall was not taken into account in the way that the recent appointments of Andrew Harclay and Hugh Despenser the Elder to their respective earldoms were at their executions. See Section 4.3. Cf. the executions of some of Richard's household knights in 1388 in C.L. Kingsford (ed.), *Chronicles of London* (Oxford, 1905), pp. 16-17; Tuck, *Crown and Nobility*, pp. 192-195.

⁹¹ Gilbert de Middleton and Hugh Despenser the Younger seem to have been an exception to this, in that they were beheaded after they had been eviscerated.

the next fifteen years.⁹²

Occasionally, the sentence of beheading would be passed for a specific crime, but generally the wish to display the severed head of a traitor was enough to account for its inclusion in the execution. For example, although Wallace and, initially, Thomas of Lancaster were sentenced to be beheaded for their outlawry, and Hugh Despenser the Elder lost his head because of his crimes against the Church, the accounts of David ap Gruffudd's execution do not mention his beheading separately but merely state that his head was sent to London to be displayed beside his brother's on the Tower of London. Of the eighteen traitors who were beheaded (see Table 2 above), we know that the heads of ten of them were certainly displayed afterwards, while of three of them we can ascertain that they were not. About the others the chronicle accounts are silent.⁹³ The severed heads of traitors were paraded through towns with considerable public attention. Horns would sound, there would be a great clamour, and it could be a highly anticipated event as we have seen from the enthusiasm with which the arrival of Llewelyn's head was greeted.⁹⁴

⁹² B. Wright, 'The Execution and Burial of Roger Mortimer: First Earl of March (1287-1330)' (privately printed paper, 1998), p. 7. For other examples of Welsh captives being decapitated for their heads to be sent to the king in return for payment see F. Suppe, 'The Cultural Significance of Decapitation in High Medieval Wales and the Marches', *The Bulletin of the Board of Celtic Studies* 36 (1989): 147-148. Also, Robert Holland was captured and beheaded by certain men from the entourage of Henry of Lancaster to avenge Holland's betrayal of his brother Thomas in 1322. Holland's head was subsequently sent to the Earl as proof of his death. *Knighton*, p. 449.

⁹³ Those whose heads were not displayed were Piers Gaveston and Thomas of Lancaster and possibly Edmund of Woodstock, Earl of Kent and Edward III's uncle. Instead, they were interred immediately after the execution with head and body in one grave. Gaveston's head was sewn back on to his body. *Vita Edwardi*, pp. 27-28; *Gesta Edwardi*, p. 77; *Brut*, 1: 265-267. The importance of assembling the dispersed body parts of traitors will be discussed in the next section.

⁹⁴ See Section 4.3 above. Also, *Ann. Dunst.*, p. 293: his head was set up on the Tower of London *ad spectaculum populorum*. Again, this was something that people sought to imitate to vent their frustration with the regime. During Jack Cade's rebellion in 1450, for example, James Fiennes and his son-in-law William Crowmer were beheaded and their severed heads carried through the

The process of ‘quartering’ the corpse of the traitor could equally be connected to a specific crime, which usually constituted an act of betrayal of the people of the kingdom.⁹⁵ David ap Gruffudd was quartered because he had plotted the king’s death ‘in many places in England’. The *Annales Londonienses* relate how William Wallace was quartered for the treason and felonies committed ‘not only against the King but also against the whole people of England and Scotland.’⁹⁶ As with the attempts to include the polity in the condemnation of the traitor, the act of quartering thus established yet another means of reinforcing the communal response to the betrayal. By taking the corpse apart, the rift caused in the body politic by the act of treason was rendered visible, while, by the same act of dismemberment, the crime was condemned and avenged. The corpse of the traitor was purposefully mutilated and fragmented to emphasise the consequences of betraying one’s lord and one’s fellow members in the body politic on both a literal and a metaphorical level. The dismemberment of the traitor’s corpse thus represented the ejection of the corrupt element and the return to the natural equilibrium of the body politic. The normative boundaries of the polity were exposed and reaffirmed, through the slow and deliberate separation of the traitor from the community in a series of alienating processes.⁹⁷

streets of London on long poles. They were repeatedly pressed together, ‘kissing’ each other. C.L. Kingsford (ed.), *Chronicles of London* (Oxford, 1905), p. 161.

⁹⁵ ‘Quartering’ was either the division of the body into four equal parts, each containing a limb, or dismemberment, i.e. cutting off the four limbs.

⁹⁶ *Ann. Dunst.*, p. 294; *Ann. London*, p. 142; and above Section 4.1. Gilbert de Middleton and Andrew Harclay were quartered for their treason in general. G.O. Sayles (ed.), *Select Cases of the Court of the King’s Bench*. Selden Society 74 (1950), 4: 78; *Foedera*, 2: 509. In the case of Hugh Despenser the Younger, he was sentenced to be drawn and quartered for treason, but beheaded for accroaching royal power. Taylor, ‘Judgement of Hugh Despenser’, p. 76.

⁹⁷ This idea also surfaces in the work of Esther Cohen and Joelle Rollo-Koster. J. Rollo-Koster,

This message of reconfirming the communal values inherent in the elaborate punishment of treason was subsequently sent across the country in the shape of the traitor's corporeal fragments. Positioned on bridges, gates and gallows, the body parts of traitors were generally put there as a warning to others and to serve as an example of justice redressed. They were viewed as 'horrible' and 'miserable spectacles', which inspired fear in the wicked and served as a warning.⁹⁸ Heads often ended up on London Bridge or the Tower, on 'the highest' poles; quarters were sent to four different towns within the kingdom, usually one in each corner of the realm.⁹⁹ The fragments of the traitor's corpse thus became a physical testament of his crime and a continual memory of his disgrace. Each of Wallace's quarters, according to Peter of Langtoft, was a *memoria* to his name:

Chescun pende par say en memor de ses nouns!
En lu de sa banere cels sunt ses gunfanons.¹⁰⁰

This leads to another significant aspect of the execution and its aftermath.

What exactly was being achieved by dismembering and distributing the traitor's

'The Politics of Body Parts: Contested Topographies in Late-Medieval Avignon', *Speculum*, 78 (2003): 92-93, citing Esther Cohen. Cf. A.P. Cohen, *The Symbolic Construction of Identity* (London, 1985), pp. 12-13: 'Consciousness of community is ... encapsulated in perception of its boundaries, boundaries which are themselves largely constituted by people in interaction' (p. 13). On the practice of the mutilation of images and even corpses in Rome, see Varner, 'Punishment after Death', pp. 45-64.

⁹⁸ Paris, *Historia Anglorum.*, 463; Paris, *Chronica Majora.*, 4: 196; *Ann. Dunst.*, p. 294; *Ann. London*, p. 141; *Brut*, 1: 228.

⁹⁹ Cf. Paris, *Historia Anglorum.*, p. 463; *Ann. Dunst.*, p. 294. They are often referred to as the principal towns of England; Bristol and York are most frequently mentioned. Although one of David ap Gruffyd's quarters was intended to go to Lincoln, the city refused to accept it, sparking Edward I's anger. See Section 4.3 above.

¹⁰⁰ Peter of Langtoft, *Pierre de Langtoft: Le Règne d'Édouard Ier*. Ed. J.C. Thiolier. 2 vols. (Créteil, 1989), 1: 420. The distribution of Wallace's quarters is an exception to the usual practice. His quarters were all sent to Scotland to instil fear into the people. 'Song of Fraser' (ed. Robbins), p. 15; *Ann. London*, p. 142: *in metum et castigationem omnium praeteruntium et ea conspicientium*. See Varner's comments on the wider connotations of *memoria* in relation to 'memory'. *Memoria* contains an element of public fame and reputation. Varner, 'Mutilation of Images', p. 46.

corpse? Far from the wanton destruction of the body to the eradication of the memory of the treason, in most of the examples of aristocratic executions the focus was on sustaining this memory.¹⁰¹ Being placed on the boundaries of everyday life, on gates and gallows, the body parts of the traitor functioned as a permanent reminder of the force of royal justice, which was underscored by the consent of the community at large. Despite the incidental words of horror uttered by the chroniclers (most of them monastic), amputation and display of body parts appeared to have been an accepted means of punishment. At the same time, by alienating the traitor's body from the normative perceptions of what constituted a human body a zone of marginality was created, which was visualised both by the body-in-pieces and the space which this fragmented body was allowed to inhabit. The traitor was thus marginalised both by the dismemberment of his body and by the exposure of these fragments at sites of liminality.

Although part of the execution, evisceration formed a separate category in that it involved the deliberate, irrevocable, destruction of parts of the traitor's body. Disembowelling was generally applied as a punishment for sacrilege. Usually conducted after the beheading of the traitor and before quartering, the corpse would be cut open and the intestines would be removed. The viscera would next be burned at the site of execution, the act figuring as a symbolic eradication of the traitor's identity.¹⁰² The common turn of phrase in judicial

¹⁰¹ This is in contrast to the conclusions reached by for example Merback, who views execution as principally an act of eradication. Merback, *Thief, Cross, and Wheel*, p. 135-136. On Anglo-Saxon judicial practices, cast as 'inscribing' the crime into the body of the criminal as a constant reminder of it, see K. O'Keefe, 'Body and Law in Late Anglo-Saxon England', *Anglo-Saxon England* 27 (1998): 209-232.

¹⁰² The viscera constituted a site of great ambiguity, which was the result of the privileging of the heart over the other internal organs as the site of virtue. See Section 3.3.2 and Douglas, *Natural Symbols* [1996 edition], pp. xxxii-xxxiii.

discourse connects the viscera with moral judgement and thought. Wallace's heart, liver, lungs and 'all interior organs (*interiora*) ... from which his perverse thoughts had sprung' were removed and burned. Gilbert de Middleton, when condemned to death in the King's Bench in 1318, was told he would be subjected to the same fate:

because the heart and other entrails (*aliaque viscera*) of Gilbert have furnished him with the presumptuousness to think out such horrible felonies, as aforesaid, to be practised against God and Holy Church and the king, his liege-lord, let his heart and entrails be [burned] together under the gallows.¹⁰³

The viscera are presented as the site of moral impurity where the intention of evil first germinated. Their removal and subsequent obliteration by fire would signify to the spectators the ultimate destruction of this horrendous corruption which had sprung up in their midst. The infected organs were removed; justice was done: the body politic had shed the dangerous tumour of evil intentions.¹⁰⁴

So far, we have focused almost exclusively on the role of aristocratic executions and display of body parts from the perspective of justice and the polity. Although it is obvious that the authority of the king predicated to a large extent the force of justice being enacted within the execution, it should be equally obvious that the role of the polity cannot be underestimated. For the execution to be socially meaningful, the king had to tap into the common pool of values to prevent being castigated as a tyrant: although the king was the fount of justice, he also had to subject himself to it. One could easily observe how this

¹⁰³ *Ann. London*, p. 142, cf. *Langtoft*, 1: 419; Sayles, *King's Bench*, 4: 78.

¹⁰⁴ Cf. Andrew Harclay's sentence (*Foedera*, 2: 509):

& qe vestre quer, bouels, & entrayles, dount les treitrouses pensez vindrent,
soient araceez, ars en poundre, & le poudre ventee.

See Section 5.3 below for further discussion of the destruction of the viscera as the ultimate

idea was torn apart during the latter years of Edward II's reign.¹⁰⁵

By redefining the traitor's body as 'other', as non-normative and terrifying in its fragmentation, the traitor was made abject. Amputated from the body politic, he became a phantom limb, which (paradoxically) forcefully exposed the normative boundaries of the body politic. According to Butler, 'the subject is constituted through the force of exclusion and abjection, one which produces a constitutive outside to the subject, an abjected outside, which is, after all, "inside" the subject as its own founding repudiation.'¹⁰⁶ Extrapolating from the individual experience to a communal struggle for internal harmony, we see how the threat originates within the body politic only to be removed ('repudiated') to a position 'outside', thus exposing the necessary limits of the communal body. It is partly the fear of identification with this non-normative construct of the traitor's body-in-pieces, which turns it into a powerful instrument to visualise the corruption removed from society.

If the elaborate execution was perceived to have been just in the eyes of the body politic, and the traitor had successfully been ejected from society as a corrupted member which ought to be amputated, what did this entail for the traitor himself? How could the carefully crafted image of the noble aristocrat withstand such force of destruction? What was the impact on his surviving relatives? In the last section, we shall have to examine the processes which

destruction of 'self'.

¹⁰⁵ The impact of aristocratic executions on society during the 1320s is in itself a topic worth further investigation. As Orlando Patterson observes: 'Those who exercise power, if they are able to transform it into a "right", a norm, a usual part of the order of things, must first control (or at least be in the position to manipulate) appropriate symbolic instruments.' O. Patteron, *Slavery and Social Death: A Comparative Study* (Cambridge, Mass., 1982), p. 37. See also below Section 5.3 for the anxiety of survivors to have aristocratic traitors buried.

¹⁰⁶ Butler, *Bodies that Matter*, p. 3.

surround the destruction of the aristocratic body and the return of the *corps morcelé*.

5.3. THE BODY-IN-PIECES

The imagined body of the aristocrat was, as we have seen, a construct predicated on the nobility of genealogy and of behaviour. In this scheme, the reputation of ancestors was as important as the future actions of their successors. The present representative of the family honour was bound by the rules of conduct laid out by his social peers and superiors as much as by the impact his actions may have on past and future relatives. The imagined coherence of individual identity, or, in Lacanian terms, ‘body armour’ is therefore a false illusion: it represents more than a ‘self’, it is a ‘self’ in relation to other ‘selves’, in particular those who could be referred to as *consanguinei*.¹⁰⁷

One of the necessary strategies for reconstructing the traitor as alien to the body politic is the destruction of his social status and this identity.¹⁰⁸ The display of being forced to wear sackcloth and one’s coat of arms in reverse in public signalled to spectators the dishonour caused by committed crime and the inevitable retribution for it on the scaffold. It forms part of the initial distancing of the traitor from the normative community and the ultimate alienation of the noble ‘self’.

In this section, the focus will be on the social death of the traitor, the

¹⁰⁷ One’s relatives were often referred to as *consanguinei* or of belonging to the same *gens*. C.B Bouchard, “*Those of my Blood*” *Constructing Noble Families in Medieval Francia* (Philadelphia, 2001), pp. 2, 5.

¹⁰⁸ This is what could be called *damnatio memoriae*. Varner, ‘Mutilation of Images’, p. 46.

removal of his identity and his reconstruction as a social alien. In the first stage of the execution, the concentration was on the removal of the *material* indicators of status. In the second and the final stages, the fragmentation of the traitor's body was centralised in an effort to remove the *physiological* indicators of status. It will become evident that this social death by association also implicated the traitor's surviving family, who actively sought obliteration of this social dishonour through royal reinstatement of the traitor's previous reputation. The destruction of the traitor's imagined body involved the physical body at its most visceral. Blood and bowels were indicative of the 'self' at the heart of aristocratic identity.

Public shaming formed an integral part of the punishment for transgressing the shared values of the polity; the strategies of public degradation enacted within the procession towards the trial served as the first stage leading to the social death of the traitor. The reversal of the traitor's coat of arms was a significant gesture, certainly not lost on the aristocratic community. In the Hundred Years' War, reversal of arms was employed to signal the failure of previously captured aristocrats to deliver their ransom. Earlier, a number of manuscripts of the *Chronica Majora* and *Historia Anglorum*, written by the St Albans chronicler Matthew Paris, had been embellished with the shields of those aristocrats mentioned in the narrative, used to identify the acquisition of their bearers' knighthood. Equally, in reverse, these heraldic shields signified their death.¹⁰⁹ The one major case of treason in Paris's lifetime was William de

¹⁰⁹ M. Keen, *Chivalry* (New Haven, 1984), p. 175; for Matthew Paris see S. Lewis, *The Art of Matthew Paris in the Chronica Majora* (Aldershot, 1987). In the *Historia*, Matthew appears particularly concerned with the deaths of the aristocracy and ecclesiastics.

Marisco's, who is duly identified in the margin of a *Historia Anglorum* manuscript by a reversed shield cut in half, accompanied by a broken sword and lance.¹¹⁰ When Harclay was sentenced, his spurs were hacked off and his sword was taken away from him.¹¹¹ The reversal of arms, or indeed destroying heraldic images or signs of status, then very clearly indicates a form of death, which in the case of oath-breakers and traitors is first of all a social demise. It is obvious that these elevated material symbols of aristocracy, in particular a coat of arms, were not suitable for someone who had broken his loyalty towards his liege lord. The degradation and removal of these signs cruelly foreshadowed the fate of the traitor's body, which would be broken up and degraded by the end of the execution.¹¹²

Thus being degraded to the level of 'knave', the traitor's body was surrendered to the executioner at the king's pleasure.¹¹³ We have seen in the previous section how the exterior of the body was mutilated and dismembered to reconstruct the traitor as 'other' and to visualise the extent of the betrayal of the community. The display of various body parts afterwards equally served as a reminder of this crime, while adding dishonour to the surviving relatives of the

¹¹⁰ Paris, *Hist. Angl.* 2: 462. See also Lewis, *Art of Matthew Paris*, p. 464 (description of the drawing in British Library MS Royal 14.C.VII). The heading reads: *Arma Willelmi de Marisco, de proditione convicti, deprehensi, et Londoniis suspensi*. In the case of the *armiger literatus*, Matthew rather chose to visualise the hand of divine intervention, which saved the king from being killed (*Nota protectionem Dei*). *Ibid.*, p. 463.

¹¹¹ *Foedera*, 2: 509; *Chron. Lanercost*, pp. 250-251; *Brut*, 1: 227, which puts the judgement into the mouth of Anthony de Lucy, Sheriff of Cumberland. Also M. Keen, 'Treason Trials under the Law of Arms', *TRHS* 5th series 12 (1962), pp. 86-92 for a discussion of degradation ceremonies as a military punishment.

¹¹² *Poena post mortem*, the mutilation of corpses was considered a severe punishment when enacted upon a member of the Roman elite. It was more common for the corpses of criminals or foreigners to be abused. Varner, 'Mutilation of Images', p. 57.

¹¹³ *Brut*, 1: 227; *Chron. Lanercost*, p. 251, according to which Harclay responded to hearing his sentence with the following words: 'My body you have divided at your pleasure, my soul I commend to God.' See also Mason, 'Andrew Harclay', p. 127.

traitor. The memory of the crime was not laid to rest until either the remains, conceptually connected to the criminal act by means of the strategies employed during the judicial process and the execution, had withered away or they had been removed for burial at the king's request.

Moreover, since the act of treason involved the forfeiture of title and goods, the heirs of the traitor were most immediately caught in his downfall. Andrew Harclay was told that neither he nor his heirs could claim the title of earl, or the possessions that came with it, ever again. Richard Fitz Alan, whose father Edmund, Earl of Arundel, had died a traitor's death in 1326 after falling into the hands of Isabella and Mortimer, felt it necessary to petition Edward III not only in 1330 but also in 1351 and 1354 to be reinstated in title and honours.¹¹⁴

The other major component within the actual execution constituted the visualisation of the aristocrat's inner moral debasement and corruption upon his body. Evisceration, and occasionally emasculation, in particular sought to expose the evil intentions lying behind the committed crime. As we saw in the previous section, the extraction and burning of the intestines was closely connected to the punishment of sacrilege and of harbouring criminal thoughts. Not so much the *act* as the *intention* of committing the act was penalised with evisceration, which is one of the reasons why the punishment appears to be reserved for the main instigator of the act of treason. The conceptual connection of moral judgement, thought and internal organs, in particular the heart, opens a significant field of

¹¹⁴ *Foedera*, 2: 509; Bellamy, *Law of Treason*, p. 84. Edmund Fitz Alan's lands were forfeited in parliament after Edward III's accession, as were those of Hugh Despenser the Elder and Younger. *Rot. Parl.* 2: 5-7, 2: 55-56 and 2: 226-227.

enquiry into the linking of character and physical body.

The ambiguity of the term ‘viscera’ has been noted previously.¹¹⁵ This is one reason why the usual references to what is being extracted from the body range from the specific to the general, so that, for example, Wallace’s heart, lungs, liver and ‘all interior organs’ (*interiora*) were removed, Gilbert de Middleton’s heart and other *viscera* were extracted, whereas Harclay’s ‘heart, bowels and entrails’ were burned to ashes. According to Jean le Bel, Hugh Despenser the Younger’s stomach was opened and his treacherous heart taken out to be burned.¹¹⁶ To compare this with a later execution: the viscera of John Owen were removed and burned in 1615, because in them he had ‘hatched the treason’ of thinking that it was lawful to kill the king.¹¹⁷ The viscera were thus systematically connected to concepts of morality and judgement. The heart, considered the prime mover of the human body and *noblest* of organs, was held equally responsible for its intellectual and emotional balance; a pure heart would lead to salvation. On the other hand, as Arnold de Villanova stressed, the heart could equally lie at the core of spiritual disorder because it harboured in itself the principle of good and evil intention.¹¹⁸ Similarly, in his physiological discussion of the body politic, John of Salisbury assigned to the Senate the qualities of the heart, which gives good and bad deeds their impulse.¹¹⁹ It was for this reason that the *viscera* burst from Judas’s body as he hanged on the ‘Field of Blood’ as a

¹¹⁵ See Section 3.3.2.

¹¹⁶ *Ann. London*, p. 142; Sayles, *Select Cases*, 4: 78; *Foedera*, 2: 509; Le Bel, *Chronique*, 1: 28.

¹¹⁷ C. Gittings, ‘Sacred and Secular: 1558-1660’, in P.C. Jupp and C. Gittings (eds.), *Death in England: An Illustrated History* (Manchester, 1999), p. 149.

¹¹⁸ See Bartholomaeus Anglicus, *On the Properties of Things*, 1: 237, where he cites the etymological definition of *cor* by Isidore of Seville. For the ambiguity about the supremacy of the head or the heart within the human body see the useful summary provided by LeGoff, ‘Head or Heart?’, pp. 13-26. For Arnold de Villanova, see Ziegler, *Medicine and Religion*, p. 72.

result of his iniquity.¹²⁰ The bridge between the heart as corrupted and the need therefore to expose and destroy it is easily traversed.

By positing the heart as the seat of moral judgement and the physical expression of the *homo interior*, an important distinction was made between the traitor as the metaphorical corruption of the body politic and the traitor as being corrupted in character. The significance of the human body as a locus for the visualisation of ideas about purity and impurity has surfaced time and again in this thesis. It is in the exposure of the *interior* of the traitor's body that the impure 'self' is metaphorically exposed. Moreover, the need to burn the heart or viscera points to a drive to destroy an essential part of the traitor's identity. The core of his being is exposed and annihilated in an attempt to eradicate the dangerous essence of corruption. The danger of a corrupted 'self' is, for example, luridly described in one of the Yorkshire ghost stories discussed in Chapter 1. It concerns Robert son of Robert de Boltby, who 'had the habit of leaving his grave by night' to harass the people of his village.¹²¹ When he was caught and interrogated by the priest, he answered from 'the inside of his bowels, and not with his tongue, but as it were in an empty cask and he confessed his different offences.'¹²² It is the sheer force of his corrupted will, which moves Robert to leave his grave and wander the earth. When asked, his interior speaks, not his tongue. It is the core of his being, his 'self', which yearns for salvation

¹¹⁹ See *Policraticus* (Ed. Nederman), p. 81; *Policraticus* (Ed. Webb), 1: 318.

¹²⁰ Acts 1:16-1:19. The *viscera* (which is the term used in the Vulgate) often referred to the spirituality of the internal organs, thus foregrounding the qualities of the heart, rather than their nutritional function.

¹²¹ Grant, 'Twelve Medieval Ghost Stories', p.369. See also Section 1.3.3.

¹²² Grant, 'Twelve Medieval Ghost Stories', p. 370. The Latin reads: *loquebatur in interioribus visceribus et non cum lingua sed quasi in vacuo dolio, et confitebatur delicta sua diuersa*. James, 'Twelve Medieval Ghost Stories', p. 418.

and a peaceful rest.

The destruction of this inner core, symbolised by the viscera, and thus the destruction of part of the traitor's identity signifies a further stage within the process of dismantling the aristocratic imagined body after the eradication of the material signs of social identity had been completed. The occurrence of evisceration indicates that public shaming alone was not enough in severe cases of treason. Social and personal corruption was to be rooted out and annihilated, which left the way open for the traitor's body, now an empty shell, to be reduced to fragments, a body in pieces.

The dismemberment of the traitor's body, this forced return to the *corps morcelé* and primordial chaos, was underscored by the contemporary vision of Hell, in which damnation amounted to fragmentation subject to the severity of sin.¹²³ This vision was called upon to demonstrate the spiritual fate of the traitor (and thus establish his social expulsion). Thus, far from the projected stasis of the Heavenly body, the traitor's body was subjected to a horrific semblance of the ruptured bodies of the damned, which one encountered in the visionary narratives of the afterlife. Similarly, the traitor's inner core, his heart, was relegated to the fires of damnation: it was destroyed rather than preserved.

The blemish this fragmentation created on the reputation and status of the family was severe. It went beyond the loss of a title or forfeiture of possessions. The acts of the traitor tainted his descendants and surviving relatives, who were anxious to remedy this and return to the pre-treason status quo. One of the options available was the annulment of the sentence in Parliament. Where

¹²³ Cf. C.W. Bynum, *The Resurrection of the Body in Western Christianity 200-1336* (New York,

traitors had been buried subsequent to their execution, such as Thomas of Lancaster, the posthumous reinstatement of their reputation sufficed. In cases where the body of the traitor had been quartered and beheaded for display, surviving relatives could request return of the traitor's remains to the family to dispose of at their pleasure.¹²⁴ The remains of Hugh Despenser the Younger, for example, were to be gathered for burial at the request of parliament after Edward III had assumed full power towards the end of 1330. In the writ to the mayor and bailiffs of London, York, Bristol, Carlisle and Dover, Edward concedes that he has given the 'friends' of Hugh Despenser the Younger permission to bury the remains (*ossa*) of his former enemy.¹²⁵ In 1328, Sarah, widow of Robert de Leybourne, was permitted to assemble the remains of Andrew Harclay, her brother, for burial wherever she wished, from their exposed positions on the walls of four towns.¹²⁶ Burial of the traitor's remains meant that the shame of being associated with a tainted member of the family could be erased from memory. With the interment of the body came the obliteration of the crime.

At the same time, the desire to bury the exposed remains of traitors points to a profound unease about the fragmented body on display. The body-in-pieces

1995), p. 299.

¹²⁴ For Thomas of Lancaster see *Rot. Parl.* 2: 3-5 and 2: 54.

¹²⁵ *Foedera*, 2.2: 804; this was the parliament which also condemned Roger Mortimer and pardoned Thomas of Lancaster, Edmund Earl of Arundel and Edmund Earl of Kent. *Rot. Parl.* 2: 52-56.

¹²⁶ Mason relates how in the church of Kirkby Stephen, a village close to the manor of Hartley or Harclay, an intriguing discovery was made during excavation work. Near the coffins of two supposed members of the Musgrave family, excavators uncovered a folded sheet of lead in which they found a left tibia with the remains of a foot. The upper part of the shinbone had been severed with a sharp instrument. Mason conjectures that this could be what is left of Harclay's remains. However, it could equally be the result of an amputation. Why, for example, would Harclay's bones be interred in separate pieces? Also, his sentence specifies that his *body* should be divided into four pieces, which implies more than cutting off the lower legs and arms. J. Mason, 'The Tomb of Sir Andrew de Harcla', *TCWAS*, NS 26 (1926), p. 109. If the leg was indeed amputated, then the fact that it was buried has fascinating implications for our understanding of medieval

represented exposed corruption, a blemish on the family blazon, but above all a shattered identity. Parts of the body were gathered for burial in one grave, hiding the corruption from sight. Piers Gaveston's head was sewn back on to his body after his beheading and was presumably embalmed, or temporarily interred in the Dominican church in Oxford before being taken to King's Langley two years after his execution.¹²⁷ This is the fear of the fragmented body exposed to its fullest extent. On the other end of the scale there were many bodies-in-pieces which never found a grave in consecrated ground.

Other body metaphors were starting to gather prominence towards the end of our period. The phrase 'corruption of blood' and the penalty of emasculation could both indicate the severity of the blemish upon family honour incurred by the act of treason.¹²⁸ With the declaration that the blood of the traitor had become corrupted, the complex of 'self', family and identity was brought to the fore. Being of the same blood as the traitor (*consanguine*) became a shameful and potentially dangerous position for surviving relatives.

Corrupted blood, in medical terms, signalled the imbalance of the bodily humours, which would be left untreated at the patient's peril. Blood also transported vital spirits to all parts of the body and was said to originate in the liver. It could be produced in excess, which was indeed one of the causes of corporeal imbalance. Healthy blood was a source of life and its quintessence

attitudes towards the body.

¹²⁷ *Vita Edwardi*, p. 28.

¹²⁸ The phrase 'corruption of blood' was not used in the process against Roger Mortimer in the November parliament of 1330, but is referred to in the 1354 petition by his heir, another Roger Mortimer (*Rot. Parl.*, 2: 255). When the phrase started to be used is unclear. It is for example not mentioned in the 1352 Statute of Treasons (*Statutes*, 25 Edw. III, Stat. 5 C.2). References to emasculation include William Wallace (*Flores*, 3: 124) and Hugh Despenser the Younger (*Le Bel, Chronique*, 1: 28).

could even restore the weak and old to youthful health. Corrupted blood, by contrast, was a sign of death, of degeneration.¹²⁹ The interior balance of the traitor's body was yet again called to question, but this time it incorporated his offspring as well as himself. Corruption of blood was said not just to taint the traitor but his descendants as well.

Connected to this is the punishment of emasculation, which was by no means common. Of the high profile executions in the period under discussion there are only two explicit references to the traitor being castrated. In the case of William Wallace, this is mentioned without further comment as part of the evisceration and burning of his interior organs. Jean le Bel, however, detailing the particulars of Hugh Despenser the Younger's execution, ventures that Hugh was emasculated because he was a heretic and a sodomite.¹³⁰ Rather than attaching values of sexual orientation to this statement or to the removal of Hugh's genitalia, we should perhaps focus on what it means for the male genitalia to be removed.

Again the example of John Owen, executed in 1615, provides a clue. As was mentioned earlier, he was put to death for suggesting that it would be lawful to kill a king. Apart from being eviscerated to punish the intention of treason, he was also castrated to show that his offspring would henceforth be tainted with

¹²⁹ P. Camporesi, *Juice of Life: The Symbolic and Magic Significance of Blood*. Foreword by U. Eco (New York, 1995), pp. 28-32. See also Pouchelle, *Body and Surgery*, p. 77 for the story of a man who punished his unfaithful wife by having her bled to purge her blood of the evil she had committed.

¹³⁰ Le Bel, *Chronique*, 1: 27-28. This has led Claire Sponsler to argue that Hugh was on intimate terms with Edward II, although there is no evidence to support this view or the idea that he was a heretic. C. Sponsler, 'The King's Boyfriend: Froissart's Political Theater of 1326', in G. Burger and S.F. Kruger (eds.), *Queering the Middle Ages* (Minneapolis, 2001), pp. 143-167. Rather than using Le Bel, she uses Froissart's account, which is copied *verbatim* from Le Bel's chronicle and suggests very little about Froissart's authorial intentions.

the corruption of blood.¹³¹ Obviously, there is a long period between the executions of 1326 and this occasion in 1615. However, if we move back to the reign of Henry I, we find men emasculated and blinded, but being allowed to live after the punishment. In those cases, the primary objective appears to have been to bar the possibility of future offspring. In medieval theories of embryology it was the man who provided the embryo with vital spirits through the semen, itself considered a lesser form of blood. Moreover, infertility was usually blamed upon women rather than men and actually formed a legal reason for divorce.¹³² Also, the removal of the male genitalia rendered a man less than manly, destroying with one act the ideal of the hyper-masculine aristocratic body. It is evident, therefore, that emasculation entailed more than the enactment of a punishment for sodomy.

The fragmentation of the aristocratic traitor's body signalled the destruction of the carefully wrought image of the noble, uncorrupted and whole body, which formed the basis of male aristocratic identity. The conceptual link between wholeness and identity was therefore shattered as the corruption within the body was exposed and eradicated: a fragmented body was an evil, abjected body. Rather than a horrific display of wanton destruction, the execution can be read as a systematic peeling away of the layers of identity which enveloped the imagined core of the noble 'self', culminating in the eradication of the treacherous *viscera* from which all evil intentions stemmed. The execution of aristocratic traitors was the antithesis of aristocratic funerary custom.

¹³¹ Gittings, 'Sacred and Secular: 1558-1660', p. 149.

¹³² See Section 4.2.2 and V.L. Bullough, 'On Being a Male in the Middle Ages', in C.A. Lees (ed.), *Medieval Masculinities: Regarding Men in the Middle Ages* (Minneapolis, 1994), p. 41.

The body of the traitor was thus manipulated for multifarious purposes. On the most basic level, a crime was redressed by means of corporeal punishment, which was generally acceptable to society at large. At the same time, the traitor came to symbolise a corruption within the body politic, a stray limb which needed to be amputated, an impurity which ought to be removed, to save society from the potential chaos inherent to acts of treason. The elaborate execution of aristocratic traitors was thus embedded within a socio-political framework as a mechanism to expose social normative boundaries of what was acceptable or not by focusing on the tension within the aristocrat himself - between his 'noble' identity and the reality of its corruption. Moreover, the importance of the connection between lineage and behaviour within the aristocratic self-image was forcefully brought to the fore. It was not only the traitor who was tainted with the corruption, but also his closest relatives, his *consanguinei*, who were therefore equally stigmatised.

CONCLUSION CULTURES OF FRAGMENTATION

In the Middle Ages, as in other epochs, death ritual was not so much a question of dealing with a corpse as of reaffirming the secular and spiritual order by means of a corpse.¹

As Marcel Mauss remarked quite pointedly in his call for a combined psychological and sociological approach to the study of human behaviour, 'the body is man's first and most natural instrument.'² It is the site upon which identity is enacted in interaction between 'self' and society; it is with our body that we experience, perform and communicate. By contrast, the life-less body, the cadaver, evokes a response of alienation. The corpse is the ultimate 'other', a 'self-less' presence, which no one can experience directly. As such, it is an object of innate fear and abjection. Yet, the corpse is not meaningless; despite our instinctive response to turn away from it, the life-less body exposes the limitations of the socio-cultural order which privileges the body as the site of identity formation.

In the twelfth and thirteenth centuries, the physical body became the site of a series of conceptually related binary oppositions, which structured and explicated the social, cultural and political forces at work within society. The ideal state of being was one of equilibrium or stasis. In medicine, the healthy body was one in which the bodily humours were proportionally balanced; in political theory the social body of the polity was ideally in harmony, a state in which each member co-operated with the others and knew its proper position

¹ R.C. Finucane, 'Sacred Corpse, Profane Carrion: Social Ideals and Death Rituals in the Later Middle Ages', in J. Whaley (ed.), *Mirrors of Mortality: Studies in the Social History of Death* (London, 1981), p. 41.

² M. Mauss, *Sociology and Psychology: Essays* (London, 1979), p. 104.

within the organism. The body of the saint was a marker of his or her sanctity; it was through corporeal miracles, such as the spontaneous appearance of stigmata, lactation and the incorruptibility of the flesh after death, that sanctity was identified. A whole and uncorrupted saintly body was the epitome of purity, a sign of future bliss.³

In contrast to these images of stability and equilibrium projected upon the body, the antithesis in these binary pairings is found in the decaying cadaver presenting a physical and metaphorical danger of pollution. Being subject to decay, the dead body conjured up images of primordial chaos and fragmentation. Identity, carefully constructed upon an imaginary unity, would be dissolved in the face of death and fragmentation; a body-in-pieces was the result.

In this thesis, the focus has been on the image and self-referential representation of the aristocracy as it surfaced in the contrasting treatment of the body in burials and executions in England from c.1150 to c.1330. In this period, as the concept of the knightly aristocrat developed, the ideal aristocratic *male* body was recast as a well-regimented and controlled body with interior qualities such as valour and moral superiority mapped upon its surface. The association of moral superiority with the well-exercised body of the knight created an aura of exclusivity as the elite sought to differentiate itself from other social groups. The appropriation of material markers such as heraldry and the military trappings of the *chevalier* by the higher echelons of society in the course of the twelfth and thirteenth centuries increased this awareness of social exclusivity and differentiation. Considering that the aristocracy was 'a more fluid group than it

³ This has been comprehensively studied by Caroline Walker Bynum. See Section 1.4 above and

cared to admit', the need to close the social boundaries on outsiders simultaneously became more pressing.⁴

One of the ways in which this was achieved was through the foundation and endowment of monastic houses, often with the intention of being interred in them. Monasteries functioned as storage houses of knowledge about the aristocratic families and lordships they were associated with. The burial of aristocrats within the churches of these monasteries visualised this relationship, while it ensured the exclusivity of the social group. This was only part of the strategy however.

The anthropologist Mary Douglas has argued that the drive towards social exclusion often translates itself into an anxiety about the vulnerability of the human body, appears to apply to the medieval aristocracy as well.⁵ Building upon the ambiguous concept of 'nobility', the imagined aristocratic communal identity was located within a social and moral superiority, which privileged the notion of a beautiful soul within a beautiful body. The 'noble' body was constructed from a combination of lineage and the image of the muscular, well-exercised knight; the 'noble' soul was founded in Western Christian values.⁶ In the absence of a hard-line duality, as was for example proposed by the Cathars, the interconnection between the physical and the spiritual, inherent in the appropriation of the concept of 'nobility', came most prominently to the fore in the treatment of the aristocratic corpse in burials and executions.

also A. Vauchez, *Sainthood in the Later Middle Ages* (Cambridge, 1997), pp. 427-428.

⁴ R.V. Turner, *Men raised from the Dust: Administrative Service and Upward Mobility in Angevin England* (Philadelphia, 1988), p. 2.

⁵ See her *Natural Symbols: Explorations in Cosmology* (London, 1996 [1970]).

⁶ As stated in the Introduction, the role of aristocratic women in this construct is a matter for

Although death and the afterlife were central to the medieval Christian conceptual framework, the corpse was a site of great ambiguity and abject fear. It is in the attempts to counter this fear that we can expect to find the clearest statements about the aristocratic self-image. As Rachel Dressler's work on the military effigy has shown, the idealised masculine body of the knight cast in stone summarises the artificial construction of aristocratic self-representation most expressively.⁷ The knightly effigy can be read as an actualisation of the fictitious masculine body found in epic and romance. Both effigy and discursive body represent an ideal rather than lived experience, as is obvious not only from the social-economic context in which the aristocracy tried to define themselves, but also from the simple fact that the human body is always in a state of transition, a process which becomes all the more evident in death. However, the ideal of a hyper-masculine aristocratic identity was also very much part of lived experience as we have seen in the course of our discussion.

The cadaver, in its natural transitional state of decay, forcefully destabilised this idealised image of the virile and virtuous knight, as social and moral nobility was increasingly equated to wholeness and incorruptibility in the course of the twelfth and thirteenth centuries. One response was to attempt to negate the processes of corporeal decay by means of preservation techniques such as embalming and *mos teutonicus*, which enforced notions of physical incorruptibility and thus the image of nobility. The separate interment of the heart, which arose from these practices, equally underscored notions of virtue and moral superiority. Unlike the entrails, which were often buried without much

further investigation.

ceremony at a religious house nearest to the site of death, the heart was given an elaborate public funeral, symbolising its special position within the body as the seat of the interior 'self', while also underscoring the relationship between the aristocracy and the religious houses they endowed.⁸ Whereas the heart was singled out for separate interment, the rest of the body (the skeletal remains) was always buried in one grave, which meant that the notion of corporeal wholeness was not violated.⁹

Much of the image of the ideal male aristocrat is revealed by the treatment of aristocratic traitors in executions in which the culprit was presented as the antithesis of the ideal. Treason was constructed as an essentially moral crime by which the aristocratic culprit had forfeited his nobility and the main element within the punishment was to expose this moral lapse and to remove the traitor symbolically from the aristocratic order and the polity. The deliberate fragmentation of the body through beheading, quartering and subsequent display of the body parts in different towns destroyed the imaginary wholeness of the aristocratic body. The removal and incineration of the interior organs served to eradicate the interior 'self' of the aristocrat, the seat of his corrupted nobility.

At the same time, the traitor was presented during his execution as a tumour in the social body, which would have to be forcefully removed for the benefit of the polity and for the restoration of the interior harmony disrupted by

⁷ See Section 3.1 above.

⁸ Entrails were thus considered the least important and most impure part of the body. However, there is evidence in some cases that they were buried in front of the high altar and may have been marked with monuments similar to those for heart burials. See Chapters 2 and 3.

⁹ See Appendix 1.

the act of treason.¹⁰ Discourse on the body politic frequently employed images of amputation or phlebotomy to explain the means by which corrupted matter could be removed from the injured body. In the execution of aristocratic traitors we find these ideas enacted upon their bodies. By casting the traitor as being the corruption as well as the corrupted social body, he was effectively constructed as 'other', excluded from the safe confines of the social group. It is therefore by exposing the corruption of the traitor that the ideals of the group are being re-established. The execution of the aristocratic traitor was certainly seen as a deterrent to future acts of treason, both in the humiliating and painful way in which it was conducted, but also in the affirmation of ideas about proper conduct and nobility. The decaying cadaver, the antithesis of the ideal noble and whole body, exposed at liminal sites and denied burial, signalled the failure of the aristocratic traitor to uphold the values of nobility subscribed to by his social group.

Images of corporeal wholeness and fragmentation were thus intimately connected to ideas of nobility and ignobility, which were translated into the contrasting treatment of the aristocratic body. Central to both funerary practices and executions was the heart (also referred to occasionally as the viscera).¹¹ The heart represented one's inner being and was therefore singled out for a separate funeral in cases of multiple burial, while it was destroyed by fire in executions as a punishment for engendering evil thoughts and actions.

¹⁰ See Chapters 4 and 5.

¹¹ It was noted in Section 3.2.2 that the viscera, in a biblical and exegetical context, were generally taken to mean 'heart' rather than 'entrails'.

APPENDIX 1 ARISTOCRATIC MULTIPLE BURIALS

This appendix consists of a tentative list of heart and entrails burials of English aristocrats, which includes a number of possible or uncertain cases of multiple burial. Much of the information is drawn from monastic chronicles and genealogies, and includes cases taken from Hartshorne's *Enshrined Hearts* and Bradford's *Heart Burial*. The latter is still the most comprehensive of modern texts about heart burial, although it presents a selection of cases rather than the author's full index of heart burials known to him.¹ The list here serves as a summary as well as an expansion of these studies. I have excluded any ecclesiastical examples of heart burial.

As well as providing information about burial locations and the relationship between the deceased and the sites at which they chose to be interred, the sources from which this information is gathered will also be mentioned. For reasons of brevity, abbreviations will be used in the following pages; for full references the reader is referred to the list of abbreviations and the bibliography. A number of unidentified heart burial monuments have survived the devastation of the Dissolution of the Monasteries and the Civil War; these have not been included in the following pages.²

¹ E.S. Hartshorne, *Enshrined Hearts, Enshrined Hearts of Warriors and Illustrious People* (London, 1861); C.A. Bradford, *Heart Burial* (London, 1933); A.A. Gill, 'Heart Burials', *Yorkshire Architectural and Archaeological Society Proceedings* 2 (1936): 3-18. For example, in Bradford's *Heart Burial*, p. 52, Bradford provides a table of twelfth to twentieth century European cases known to him, yet he lists only about sixty English examples in the remainder of his book, ranging from Henry II to Thomas Hardy. Hartshorne's list should be treated with caution, since it contains many inaccuracies.

² See for example G. DruDrury, 'Heart Burials and Some Purbeck Marble Heart Shrines', *Dorset Natural History and Antiquities Field Club Proceedings* 48 (1927): 38-58. For continental multiple burials see e.g. 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): 221-270; A.

DATE OF DEATH	MULTIPLE BURIALS
1135	Henry I King of England
c.1138	Stephen Earl of Brittany
Post 1142	Edith d'Oyly
1148	William III de Warenne Earl of Surrey
1166	Geoffrey III de Mandeville Earl of Essex
1168	Robert II de Beaumont Earl of Leicester
1183	Henry 'the Young King'
1189	William II de Mandeville Earl of Essex
1199	Richard I King of England
1216	John King of England
1219	Saher ?IV de Quincy Earl of Winchester
1220	Henry de Bohun Earl of Hereford
1221	William IV de Albini Earl of Arundel
1226	William III de Mandeville Earl of Essex
1230	Maurice de Gaunt
1232	Christiana de Valoynes
1232	Ranulph III 'de Blundeville' Earl of Chester
1235	Margaret de Beaumont Countess of Winchester
1236	William III de Albini of Belvoir
1239	Henry de Trubleville Seneschal of Gascony
1240	Isabella Marshal Countess of Cornwall
1241	Gilbert Marshal Earl of Pembroke
1241	Robert de Say
1242	William IV de Albini of Belvoir
1245	William III de Percy
1252	Paulin Pever of Toddington
1253/4	John de Mohun
1258	Edmund de Lacy
?1260s	Matilda de Hastings
1260	William III de Forz Count of Aumale
1261	Sanchia of Provence Countess of Cornwall
1262	Richard de Clare Earl of Gloucester
1268	Robert de Gournay
1268	William IV de Mauduit Earl of Warwick
1269	Stephen Longspée Seneschal of Gascony
1270	Ralph Fitz Ranulph of Middleham
1271	Roger de Leybourne
1271	Henry Plantagenet 'of Almayne'
1271	Ralph de Stopham of Bryanston
1272	Richard Plantagenet Earl of Cornwall

Erlande-Brandenburg, *Le Roi est Mort - Étude sur les Funérailles, les Sépultures et les Tombeaux des Rois de France jusqu'à la Fin du XIIIe Siècle* (Genève, 1975) for France; D. Schäfer, 'Mittelalterlicher Brauch bei der Überführung von Leichen', *Sitzungsberichte der preussischen Akademie der Wissenschaften* (1920): 478-498 for the German Empire.

1272	Henry III King of England
1273	George de Cantelou of Abergavenny
1274	Henry Plantagenet
1275	Beatrice Plantagenet
1275	Humphrey IV de Bohun Earl of Hereford
1276	Margaret de Valence
1277	John de Valence
1283	Adam de Novo Mercato
1284	Alphonso Plantagenet
1285	Robert III de Ros of Helmsley and Belvoir
1289	John de Vescy of Alnwick
1290	Eleanor of Castile Queen of England
1291	Eleanor of Provence Queen Dowager of England
1294	Giles II de Berkeley of Coberley
1296	Robert II de Vere Earl of Oxford
1296	Edmund Earl of Lancaster
1300	Edmund Plantagenet Earl of Cornwall
1307	Edward I King of England
1314	Gilbert III de Clare Earl of Gloucester
c.1316	Matilda de Vaux
1327	Edward II King of England

1135 HENRY I PLANTAGENET KING OF ENGLAND

Date of death

Youngest son of William the Conqueror. He died 1 December 1135 at Forêt des Lions near Rouen, according to the chronicles from excessive eating.

Location of body

His body was taken to Reading Abbey (Benedictine), which he had reinstated as a house of regulars in 1121 after the expulsion of secular canons.

Location of viscera

His viscera (heart, entrails, brain) were interred at Sainte-Marie-des-Prees (Benedictine) near Rouen, which had been founded by his mother Matilda, wife of William Duke of Normandy and later King of England in 1060.

Bibliography

Hartshorne, *Enshrined Hearts*, pp. 43-44; W. H. St John Hope, 'On the Funeral Effigies of the Kings and Queens of England, with Special Reference to Those in the Abbey Church of Westminster', *Archaeologia* 60 (1907): 521-522. *Huntington*, pp. 256-258; Knowles and Hadcock, *Medieval Religious Houses*, p. 74 (Reading); *Monasticon*, 6.2: 1099-1100; *Vitalis*, 6: 448-451.

C.1138 STEPHEN EARL OF BRITTANY AND LORD OF RICHMOND

Stephen was the younger brother of Alan Rufus (d.s.p. 1089) and Alan Niger (d.s.p. 1093), earls of Brittany and lords of Richmond. Stephen's son Alan III was created earl of Richmond. There is some confusion as to when Stephen died and where which parts of his body were interred. An alternative date is 1104, but the date of c. 1136 appears to be more established.

Location of body

According to Hartshorne, *Enshrined Hearts*, Stephen's body was interred at Bégard (Cistercian) in Brittany, which according to *GEC* was founded by him c. 1130, but which Hartshorne attributes to Stephen's brother Alan Niger. Stephen's son Alan IV was reputedly also buried here.

Location of heart

Reputedly at St Mary's in York (Benedictine), although the Obit Roll in the chronicle of the monastery only refers to his tomb in the choir. The abbey was founded with the help of Alan Rufus, first earl of Brittany and Richmond and eldest brother of Stephen, in 1088/9, although the formal patronage of the monastery was transferred to King William Rufus.

Bibliography

Baronage, 1: 49; Bradford, *Heart Burial*, p. 39; *Chronicle of St Mary*, p. 112; *GEC*, 10: 785, 786-788; Gill, p. 8; Golding, 'Knightly Burials', p. 40; Hartshorne, *Enshrined Hearts*, pp. 39-40 (cites Stephen's death as 1104); Knowles and Hadcock, *Medieval Religious Houses*, p. 82; *Monasticon*, 3: 529-573 (St Mary's); K.S.B. Keats-Rohan, 'The Bretons and Normans of England 1066-1154: the Family, the Fief and the Feudal Monarchy', *Nottingham Medieval Studies* 36 (1992): 77-78; Sanders, *English Baronies*, p. 140.

POST 1142 EDITH D'OYLLY

Edith was the daughter of Forne son of Sigulf a local justiciar and an Englishman elevated to the barony of Greystoke (Cumberland) c. 1120. She married Robert II d'Oylly, a royal constable and keeper of Oxford Castle. She had been one of Henry I's mistresses and bore him a son, Robert FitzRoy. Henry provided her dower, which was the manor of Claydon. She endowed this in widowhood to Osney Priory (Oxfordshire), which had been founded by her and her husband. The priory became an abbey in c. 1154.

Location of body

Unknown.

Location of heart

According to Hartshorne: Osney Priory (Augustinian), which is based on an account provided by the sixteenth century antiquarian John Leland (reproduced in *Monasticon*, 6: 251). However, she states that Edith died in 1129 (which was the year of Osney's foundation) rather than after 1142, which is when her husband died. There is evidence that she was still alive by that time. Leland reports that there was an effigy of Edith (holding a heart in her right hand) underneath a wall painting relating the story of Osney's foundation in the abbey church.

Bibliography

Ann. Osney, p. 24; Hartshorne, *Enshrined Hearts*, p. 43; Knowles and Hadcock, *Medieval Religious Houses*, p. 169 (Osney); *Monasticon* 6: 251 (Osney); D. Postles, 'The Foundation of Osney Abbey', *Bulletin of the Institute of Historical Research* 53 (1980): 242-244; idem, 'Patronus et advocatus noster: Osney Abbey and the Oilly Family', *Historical Research* 60 (1987): 100-102; Sanders, *English Baronies*, p. 54.

1148 WILLIAM III DE WARENNE EARL OF SURREY

Son of William II de Warenne and Isabella, widow of Robert Count of Meulan (d. 1118), William III was the younger half-brother of Waleran, Count of Meulan and Robert II, Earl of Leicester. He died at the battle of Laodicea on 19 January 1147/8 leaving a daughter, Isabella (who married William of Blois, younger son of King Stephen). William III's widow, Ela married secondly Patrick Earl of Salisbury.

Location of body

It is assumed near Laodicea.

Location of heart

His heart and entrails were supposedly interred at Lewes Priory (Cluniac), which had been founded by his grandfather William I de Warenne in 1076. Both he and his wife Gundred, sister of Gerbod Earl of Chester, were buried in the chapter house, as was his son William II (*GEC*: at the feet of his father). Mantell, in an article in *Archaeologia*, relates how during excavations a jar was found, which contained the heart and intestines of a human being, and how this was ascribed 'with some probability' to William III.

Bibliography

Early Yorkshire Charters, 8: 12-13 (82-95 for his charters, many of which are confirmations of grants made to Lewes); *GEC*, 12.1: 496-497; Hartshorne, *Enshrined Hearts*, p. 44; Knowles and Hadcock, *Medieval Religious Houses*, p. 100 (Lewes); G.A. Mantell, 'A Few Remarks on the Discovery of the Remains of William de Warren and his wife Gundrad, among the Ruins of the Priory of St Pancras at Southover near Lewes in Sussex', *Archaeologia* 31 (1845): 434; Sanders, *English Baronies*, p. 128.

1166 GEOFFREY III DE MANDEVILLE EARL OF ESSEX

Geoffrey was the second son of Geoffrey II de Mandeville, created Earl of Essex by Empress Matilda in 1140. The Earl died excommunicate in 1144 and was ultimately buried in the Temple Church in London. His eldest son, Ernulf, married to Alice daughter of Robert II d'Oylly and Edith Forne, was also excommunicated. The estates passed to the second son, which were granted to him in 1147. Geoffrey was created Earl of Essex c.1156 (January) and served as a Justice-in-Eyre for the eastern counties in 1166. He died on 21 October 1166 at Chester. On the way to Walden Priory (Essex), there was an unsuccessful attempt to take Geoffrey's body to Chicksands Priory (founded by his mother Rose de Vere and her second husband Pain de Beauchamp of Bedford).

Location of body

Geoffrey's body was taken to Walden Priory (Benedictine) where it was buried in the choir. The Priory had been founded by his father in c. 1136. According to a Walden chronicle, he was given an elaborate funeral and was buried between the high altar and the choir in a new sarcophagus (see *Monasticon*, 4: 143).

Location of heart

His heart was carried to Walden, but there is no reference to where it was interred in the sources.

Location of entrails

In a 'sacred place' (*in loco sacro*), according to the Walden chronicle, in Chester with his brain.

Bibliography

GEC, 5: 116-117; Knowles and Hadcock, *Medieval Religious Houses*, p. 79; *Monasticon* 4: 140, 142-143; Sanders, *English Baronies*, p. 71.

1168 ROBERT II DE BEAUMONT EARL OF LEICESTER

Younger twin brother of Waleran Count of Meulan, son of Robert I de Beaumont and Isabella daughter of Hugh Count of Vermandois; she married secondly William II de Warenne after 1118. Robert II was raised at the court of Henry I and was present at his deathbed. In Henry II's reign he was Steward of England and Normandy and served as a Justiciar in 1155. See Crouch, *Beaumont Twins* for more details. He founded Garendon Abbey (Cistercian) on disputed land belonging to a tenant of the earl of Chester, as well as St Mary de Pré at Leicester (Augustinian) and Brackley Hospital (?Augustinian) on his manor of Brackley.

Location of body

Robert II's body was interred in the choir of St Mary de Pré. His tomb was said to be in front of and to the north of the high altar (although Knighton states that he was buried on the south side of the choir) He founded this abbey in 1143, and despite some sources asserting that he took the habit fifteen years before his death, there is substantial evidence that if he did at all, it would have been shortly before 1168.

Location of heart

Brackley Hospital (Northamptonshire) in a lead casket immersed in salt. The chronicler Knighton saw it there in the fourteenth century, wrongly attributing it to Robert I (d. 1118), which has led to some confusion. Hartshorne, for example, follows Knighton in her attribution.

Bibliography

Baronage, 1: 85, 86-87; Crouch, *The Beaumont Twins*, p. 95; *GEC*, 7: 527-530; Hartshorne, *Enshrined Hearts*, p. 41; *Knighton*, p. 64; Knowles and Hadcock, *Medieval Religious Houses*, p. 163 (Leicester), p. 345 (Brackley); *Monasticon*, 6: 616; Sanders, *English Baronies*, p. 61; *VCH Leicestershire*, 2: 13-19.

1183 HENRY PLANTAGENET 'THE YOUNG KING'

The eldest son of Henry II of England and Eleanor of Aquitaine, he was anointed during his father's life. Because his father refused to step down in his favour, he rebelled but died of dysentery at Martel in 1183.

Location of body

His body was taken to Rouen, but while staying over in Le Mans for the night, the city's inhabitants allegedly refused to hand over the body the following day and buried it in one of their churches instead. Rouen protested, after which the body was exhumed (and found to be very well preserved according to Agnellus) and buried in Rouen Cathedral.

Location of viscera

His heart and entrails were buried at Grandmont near Limoges.

Bibliography

Agnellus, 'Sermo de Morte et Sepultura Henrici Regis Junioris', pp. 265-273; Bradford, *Heart Burial*, p. 64; *Diceto*, 2: 19-20; Hope, 'Effigies', pp. 523-524; Benedict of Peterborough, *Gesta Regis Henrici Secundi*, 1: 301; Warren, *Henry II*, pp. 580-593.

1189 WILLIAM II DE MANDEVILLE, EARL OF ESSEX

He was the younger son of Geoffrey II de Mandeville first earl of Essex and Rose de Vere, brother of Geoffrey II, who died 1166. Since William II died without issue, the earldom reverted to his Aunt Beatrice I de Say, his father's sister. She had two sons, William (d. 1177 leaving two daughters) and Geoffrey, who failed to seize his inheritance. Geoffrey FitzPeter, married to Beatrice II daughter of William II de Say, obtained the barony of Pleshy (the main Mandeville seat) in 1190 and was created Earl of Essex in 1199. William II de Mandeville was on the King's side in the rebellion of 1173. He carried the Crown at Richard's coronation on 3 September 1189 and was Justiciar of England with the Bishop of Durham in the same year.

Location of body

When William II lay dying in Normandy in November 1189, he allegedly willed his body to be taken to Walden where his father and elder brother had been interred before. According to the Walden chronicle, which is not favourable to the Vere family, he was dissuaded by his nephew Henry de Vere, who objected to the scheme and argued that the sea was too wide and too rough to make the journey in time. Instead, his body was buried at the Abbey of Mortimer in Normandy in the chapter house.

Location of heart

Instead of his body, William II then willed his heart to be taken to Walden (Benedictine), which had been founded by his father, where it was interred in the chapter house. Apparently he left half his lordship to Walden, the liturgical vestments from his chapel, as well as money and his horse (Hartshorne, *Enshrined Hearts*).

Bibliography

GEC 5: 118-120, 121-122; Hartshorne, *Enshrined Hearts*, pp. 44-47; Knowles and Hadcock, *Medieval Religious Houses*, p. 79 (Walden); *Monasticon*, 4: 140, 144-145 (Walden); Sanders, *English Baronies*, p. 71.

1199 RICHARD I PLANTAGENET 'COEUR DE LION' KING OF ENGLAND

Second son of Henry II and Eleanor of Aquitaine. He died, according to most chronicles, while besieging the Castle of Chaluz in search for hidden treasure. However, as John Gillingham observed, Richard was in the middle of an important campaign to suppress the rebellion of the Viscount of Limoges. His case is well documented and often cited, in particular because of his alleged 'will' to leave his heart to Rouen to reward the loyalty of its citizens, his entrails to Chaluz because of its betrayal and his body to Fontevrault to be interred at the feet of his father (Wendover).

Location of body

Fontevrault Abbey which was patronised by Henry II and where he chose to be buried as well.

Location of heart

Rouen Cathedral, allegedly to reward the city's loyalty but perhaps also because his elder brother Henry was interred here. His tomb was examined in the early nineteenth century.

Location of entrails

With his brain and blood at Chaluz, in a church near the castle (Wendover).

Bibliography

Ann. Winchester, p. 71; Bradford, *Heart Burial*, pp. 65-66; 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), p. 228; R.E. Giesey, *The Royal Funeral Ceremony in Renaissance France* (Genève, 1975), pp. 22-23; Gill, 'Heart Burial', p. 12; J. Gillingham, *Richard the Lionheart* (London, 1978), pp. 9-23; Hartshorne, *Enshrined Hearts*, pp. 54-59; Hoveden, p. 84; Schäfer, 'Mittelalterlicher Brauch', p. 496; A. Way, 'Effigy of King Richard Coeur de Lion in the Cathedral at Rouen', *Archaeologia* 29 (1842): 202-216; *Wendover*, 1: 282-284.

1216 JOHN I PLANTAGENET KING OF ENGLAND

Fourth son of Henry II and Eleanor of Aquitaine. He died at Newark 18 October 1216 and was attended to by the abbot of Croxton Kerrial (Leicestershire).

Location of body

Rather than requesting interment at his foundation of Beaulieu, he willed to be buried in Worcester Cathedral (Benedictine) in the middle of the choir between the saints Wulfstan and Oswald.

Location of heart/ entrails

The sources are not agreed on whether John's heart was taken to Croxton Kerrial Abbey (Premonstratensian) or his entrails as well. According to Matthew Paris, John's innards were extracted by the abbot of Croxton, who had great experience in medicine. Croxton is said to be founded by William count of Boulogne and Mortain, second son of King Stephen (although Dugdale believes it was founded by William son of Ingram, *portarius de Liuns*). He died 1159, but the canons did not arrive until 1162. Before he became king of England, John was Count of Mortain. There is a tradition as well that his heart was sent to Fontevrault. Moreover, Croxton Kerrial is occasionally confused with the Cistercian monastery of Croxton in Staffordshire (e.g. Hartshorne, *Enshrined Hearts*).

Bibliography

Bradford, *Heart Burial*, p. 64; *CChR 1226-1257*, p. 463; *Coggeshal*, p. 184; H.M. Colvin, *The White Canons in England* (Oxford, 1951), pp. 91-97; *Foedera*, 1.1: 192; Gill, 'Heart Burials', p. 12; Hartshorne, *Enshrined Hearts*, 60-64; Knowles and Hadcock, *Medieval Religious Houses*, 187 (Croxton Kerrial); *Monasticon*, 1: 569-622 (Worcester Cathedral), 6.1: 876 (Croxton Kerrial); Paris, *Historia Anglorum*, 2: 667-668; Schäfer, 'Mittelalterlicher Brauch', p. 496; *VCH Leicestershire*, 2: 28-31.

1217 ROBERT DE QUINCY

Eldest son of Saher ?IV de Quincy and Margaret sister of Robert IV de Beaumont earl of Leicester. He died before his father in 1217 in London.

Location of body

?London

Location of heart

According to *GEC*, his heart was buried at Brackley Hospital, which was founded by Robert II de Beaumont c. 1150.

Bibliography

GEC, 12.2: 750-751; Knowles and Hadcock, *Medieval Religious Houses*, p. 345 (Brackley). S. Painter, 'The House of Quency 1136-1264', *Mediaevalia et Humanstica* 11 (1957): 8.

1219 SAHER ?IV DE QUINCY, EARL OF WINCHESTER

It is likely that this Saher was the fourth, rather than the third of that name (see Painter), son of a younger brother of Saher III de Quincy, who appears to have been involved in the rebellion of the Young King. He was styled Earl of Winchester from c. 1206 after the death of his brother-in-law Robert IV de Beaumont earl of Leicester. Saher's wife Margaret, being coheiress, inherited half of the Leicester estate. Her elder sister brought the title to the De Montfort family. He was active in the Exchequer 1211-1213 and Justice in several counties. In 1216, he was one of the barons who invited Louis of France to England, but he returned to Henry III's allegiance the following year. He died at the siege of Damietta at the beginning of November 1219.

Location of body

Acre; according to the Waverley Annals, he requested his heart and entrails (*viscera*) to be sent to England.

Location of heart/ entrails

Garendon Abbey, Leicestershire (Cistercian) founded by Robert II de Beaumont earl of Leicester (Margaret de Quincy's grandfather) in 1133 on land of disputed ownership and probably colonised from Waverley. According to the Waverley Annals, he requested his heart and entrails to be burnt for transport to England.

Bibliography

Ann. Waverley, p. 292; *Baronage*, 1: 84, 686; *GEC*, 12.2: 745, 748-751; Knowles and Hadcock, *Medieval Religious Houses*, p. 120 (Garendon); *Monasticon*, 5: 331 (Garendon); Painter, 'House of Quincy', pp. 3-9; Sanders, *English Baronies*, p. 61; *VCH Leicestershire*, 2: 5-7.

1220 HENRY DE BOHUN EARL OF HEREFORD

Son of Humphrey III de Bohun and Margaret daughter of Henry Prince of Scotland and Earl of Huntingdon. Henry was created earl of Hereford in 1200 and married Matilda daughter of Geoffrey Fitz Peter, heiress of the earldom of Essex after the death of her brother William in 1226. He died 1 June 1220. The Walden genealogy cited by Dugdale is highly confused about the Bohun genealogy and states that Matilda married Humphrey de Bohun, who died 1234, and whose heart was buried in London. Their son is a Humphrey de Bohun (d. 1275), who became Constable of England. The genealogy does not mention any marriages for him, but *his* son, another Humphrey married Matilda de Fenis and died 1298. In the same document, however, it is Humphrey (d. 1275), who is married to Matilda de Mandeville. The Llanthony Secunda genealogy, on the other hand, has her married to Henry (d. 1220) and their son Humphrey (d. 1275) married to Matilda, daughter of the Count of Eu.

Location of body

The location of his body is, according to the Bohun genealogy in Dugdale's *Monasticon*, the chapter house at Llanthony Secunda Gloucestershire (Augustinian), although he died in the Holy Land. Llanthony Secunda was founded by Miles of Gloucester, whose daughter married Humphrey II de Bohun

Location of heart

The Walden Abbey list of patrons and their burials, cited by Dugdale, states rather confusingly that a Humphrey de Bohun, earl of Hereford and married to Matilda daughter of Geoffrey Fitz Peter, died in 1234 and his heart was buried in London (Bradford conjectures Westminster Abbey without providing evidence for this).

Bibliography

Bradford, *Heart Burial*, pp. 67-68; *GEC*, 6: 457-459; Hartshorne, *Enshrined Hearts*, p. 67 (d. 1234); Knowles and Hadcock, *Medieval Religious Houses*, pp. 164-165 (Llanthony Secunda); *Monasticon*, 4: 139-141 (Walden), 6.1: 134-135 (Llanthony Secunda); Sanders, *English Baronies*, pp. 91-92.

1221 WILLIAM IV DE ALBINI EARL OF ARUNDEL

William IV was the grandson of William II de Albini, who had married Adelize, widow of Henry I. She brought with her, as part of her original dower, the earldom of Arundel. William IV was a favourite of King John, but abandoned him for Louis of France in 1216. After the royalist victory at Lincoln in July 1217, he returned to Henry III's allegiance and acted shortly afterwards as Justiciar. In 1219, he was present at the Siege of Damietta. William IV, who married a daughter of Hugh II earl of Chester, died near Rome shortly before 30 March 1221 and was dismembered at his own request for transport to England.

Location of body

Wymondham Priory, Norfolk (Benedictine). His body was dismembered, and presumably subjected to *mos teutonicus*, before being taken to England. The priory was founded in c. 1107 as a cell of St Albans by William IV's ancestor William I de Albini *pincerna*, butler to Henry I. William *pincerna* was married to Matilda, daughter of Roger Bigod earl of Norfolk. His son became first Albini earl of Arundel after his marriage to Henry I's widow. Successive generations of earls were buried at Wymondham before the line died out with William IV's son Hugh (d. 1243), upon whose death the estates were divided between four sisters.

Location of heart/ viscera

Presumably near the site of his death. As the bull *Detestande feritatis* claims, *mos teutonicus* involved first of all evisceration of the body before it was divided into smaller parts for the flesh to be cooked off the bones.

Bibliography

Ann. Waverley, 294; *GEC*, 1: 236-238; Knowles and Hadcock, *Medieval Religious Houses*, p. 81 (Wymondham); *Monasticon*, 3: 330 (which gives a faulty genealogy); Sanders, *English Baronies*, pp. 1-2; Schäfer, 'Mittelalterlicher Brauch', p. 496; *VCH Norfolk*, 2: 337.

1226 WILLIAM III DE MANDEVILLE EARL OF ESSEX

Son of Geoffrey Fitz Peter and Beatrice II de Say, granddaughter of Beatrice I de Say, who inherited the estates of the earldom from her nephew William II de Mandeville. When Beatrice I died, the estates were offered to her younger son Geoffrey I de Say, who failed to pay seizin for them. Instead, Geoffrey Fitz Peter obtained the estates and was created earl of Essex in 1199. William inherited after his elder brother's death in 1216 at a tournament in London (buried in Trinity Priory at Aldgate). Before 18 November 1220, he married Christiana, second daughter of Robert II Fitz Walter of Little Dunmow and Gunnora de Valoynes, heiress of the barony of Benington. Christiana married secondly, shortly after William's death Raymond de Burgh of Dartford (d. 1230). She died 1232. William died without issue when his heir was his sister Matilda, who had married Henry de Bohun earl of Hereford. William III was on the barons' side in the rebellion of 1214-1215 and swore allegiance to Louis of France in May 1216 before returning to Henry III's allegiance before October 1217.

Location of body

Shouldham Priory, Norfolk (Gilbertine Canons and Nuns), which was founded by Geoffrey Fitz Peter after 1193 for the souls of King Henry II, Geoffrey's wife Beatrice (d. 1197), his own and all his ancestors and predecessors. Part of the foundation endowment was the bequest of Geoffrey and Beatrice's bodies. Beatrice's body was translated from Chicksands Priory to Shouldham by Geoffrey upholding the terms of the donation. He was buried there 1213. His son was interred close to him.

Location of heart

Walden Abbey (Benedictine), which was founded by Geoffrey de Mandeville, first earl of Essex. His eldest son was buried there, as was his sister Beatrice I de Say and the heart of his second son. William's heart was interred with them in the chapter house. Apparently, it was Christiana who sent his heart to Walden as a symbol of the family's regard for the monastery.

Bibliography

GEC, 5: 126, 129, 130-133; Hartshorne, *Enshrined Hearts*, pp. 65-66; Knowles and Hadcock, *Medieval Religious Houses*, pp. 79 (Walden), 196 (Shouldham); *Monasticon*, 4: 140 (Walden); Sanders, *English Baronies*, pp. 71-72.

1230 MAURICE DE GAUNT

Maurice de Gaunt was the son of Robert son of Robert Fitz Harding and Avice, who was a daughter of Robert de Gaunt, younger brother of Gilbert de Gaunt earl of Lincoln and Alice Paynell, daughter and heiress of William Paynell. He was the grandson of Robert Fitz Harding of Bristol, who was the paymaster of Empress Matilda's supporters. The senior line descending from Robert Fitz Harding named themselves Berkeley after their main seat, which was granted to Robert by the Empress. Maurice died without issue on 30 April when his heirs were Robert de Gournay, son of his half-sister Eve de Gournay (d. before 1230) and Andrew Luttrell, grandson of William Paynell descendant of a younger branch of the Paynell family of whom Maurice had been the heir to the senior branch through his mother.

Location of body/ heart

Hartshorne provides three different sites which are possible locations and she estimates that if the body was buried in one of these, the heart was buried in either of the two remaining sites. The first option is St Augustine's Abbey in Bristol (Augustinian), which was founded by Robert Fitz Harding c. 1148. Secondly, there is the Hospital of St Mark ('Gaunt's Hospital') which was founded by Maurice in 1229 and made dependent on St Augustine's. Robert de Gurnay, Maurice's heir made the hospital independent in c. 1232. Thirdly, it is possible that either body or heart were interred at the Dominicans in Bristol, which convent was founded before 1230 by Maurice and a Matthew de Gurnay. William of Blois, bishop of Worcester, dedicated the altar and burial ground of the convent in 1230.

Bibliography

Ann. Tewkesbury, pp. 77-78; *Baronage*, 1: 401-402; *DNB*, 'Gaunt, Maurice de'; Hartshorne, *Enshrined Hearts*, pp. 92-93; Knowles and Hadcock, *Medieval Religious Houses*, pp. 150 (St Augustine's), 215 (Dominicans), 346 (Hospital of St Mark); Sanders, *English Baronies*, pp. 14, 55; Smyth, *Lives of the Berkeleys*, 1: 20; *VCH Gloucester*, 2: 109, 114. H.M. Lyte, *Dunster and its Lords 1066-1881* (Private Print, 1882), 39-41.

1232 CHRISTIANA DE VALOYNES

Christiana was the second daughter of Robert Fitz Walter of Little Dunmow and Gunnora de Valoynes of Benington. She married first William de Mandeville earl of Essex (d. 1226) and second Raymond de Burgh of Dartford (d. 1230). She died without issue before 17 June, 1232.

Location of body

Shouldham Priory, Norfolk (Gilbertine canons and nuns) founded by Geoffrey Fitz Peter, father of William de Mandeville. She was buried there next to him.

Location of heart

Binham Priory, Norfolk (Benedictine), founded before 1093 by Peter de Valoynes and his wife as a cell of St Albans.

Bibliography

Baronage, 1: 441; *GEC*, 5: 133; Golding, 'Burials and Benefactions', p. 68; Knowles and Hadcock, *Medieval Religious Houses*, pp. 58 (Binham), 196 (Shouldham); Sanders, *English Baronies*, pp. 12-13, 129-130.

1232 RANULPH III 'DE BLUNDEVILLE' EARL OF CHESTER

See *DNB* and Harris, 'Ranulph III, Earl of Chester' for detailed biography. He was married first to Constance Duchess of Brittany, whom he divorced c. 1190. In 1194 he was commander of Richard I's forces and present at his second coronation, at which the earl carried 'Curtana', one of the Swords of State. He was faithful to King John in the rebellion of 1215 and was one of the King's executors in 1216. On 23 May 1217 he was created Earl of Lincoln. In 1219, he was present at the Siege of Damietta. From October 1230 to July 1231, Ranulph was Chief Commander of the royal troops and in June 1231 Joint Commissioner to treat with France (*GEC*). He married second Clemence, widow of Alan de Dinan. He died c. 25 October 1232 at Wallingford (Oxfordshire).

Location of body

St Werburgh Abbey, Chester (Benedictine), which was refounded by his ancestor Hugh de Avranches in 1092-3. Successive earls of Chester were interred in the chapter house.

Location of heart

Dieulacres Abbey, Staffordshire (Cistercian). Founded by Ranulph III in 1214 and inhabited by monks from Poulton, Cheshire, which had originally been founded by Robert *pincerna* (butler to Ranulph II) in the order of Savigny in 1146. When the order was subsumed into the Cistercian order in 1147, Poulton was converted to the rule of Citeaux. The reason for the translation of the monks was apparently the proximity of the monastery to the Welsh border, which made it susceptible to attacks. Ranulph's second wife, Clemence, was buried here in 1253.

Location of entrails

Wallingford Abbey Oxfordshire (Benedictine), as he died in the castle of Wallingford. The abbey was founded by either Robert de Oylly or by Geoffrey the Chamberlain, keeper of the castle c. 1087-9.

Bibliography

Ann. Tewkesbury, 87; *Ann. Cestr.*, pp. 58-59; *Baronage*, 1: 41-45; Barraclough, *Charters*, pp. 386-388; *DNB*, 'Blundevill, Randulph'; *GEC*, 3: 167-168; Golding, 'Burials and Patronage', p. 73; Hartshorne, *Enshrined Hearts*, p. 66; B.E. Harris, 'Ranulph III, Earl of Chester', *Journal of the Chester Archaeological Society* 58 (1975): 99-114; Knowles and Hadcock, *Medieval Religious Houses*, pp.62, 118; *Monasticon*, 5: 629 (Dieulacres); Sanders, *English Baronies*, pp. 32-33; *VCH Staffordshire*, 3: 231.

1235 MARGARET DE QUINCY COUNTESS OF WINCHESTER

Margaret was the sister and coheir of Robert IV de Beaumont earl of Leicester and married to Saher IV de Quincy earl of Winchester (d. 1219). She died in January or February 1235. Their eldest son, Robert de Quincy died in 1217 in London, while his heart was supposedly buried at Brackley Hospital.

Location of body

She was buried at Garendon Abbey (Cistercian), where her husband's heart and entrails had been interred in 1219. The abbey was founded by her grandfather Robert II de Beaumont earl of Leicester in 1133.

Location of heart

Before the high altar in the church of Brackley Hospital, also founded by Robert II de Beaumont c. 1150. His heart was interred here. Roger de Quincy, Earl of Winchester was probably also buried here. In a charter of 1240, he bequeathed his body to the hospital. In the same year, he made a grant of a sarcophagus to be placed on the right side of his mother's heart tomb, which was to be filled three times a year with 'winnowed corn for the use of the hospital' (*GEC*, 12.2: 753).

Bibliography

GEC, 12.2: 750-754; Hartshorne, *Enshrined Hearts*, pp. 67-68; Knowles and Hadcock, *Medieval Religious Houses*, pp. 120 (Garendon), 345 (Brackley); *Monasticon*, 5: 331; Sanders, *English Baronies*, p. 61.

1236 WILLIAM III DE ALBINI OF BELVOIR

William III was for several years sheriff of Rutland and other counties under Richard I and served as an itinerant justice during John's reign. For a long time he remained neutral in the conflict between John and the barons in 1215, but his seal appears on the Magna Charta among those of the opposing barons. He was in charge of Rochester Castle, but forced to surrender it to John. In 1216, he regained his liberty after paying 6000 marks. After John's death, William became a firm supporter of Henry III and was in charge at the Battle of Lincoln on 19 May 1217. In 1219 and 1225, he served again as itinerant justice. William died 6 May 1236 at Uffington, close to his foundation of Newstead Hospital by Stamford, Lincolnshire. He married first Margaret daughter of Odinel II de Umfraville and second Agatha Trussebut (who died without issue 1247), who had been his ward.

Location of body

Newstead by Stamford, founded by him before 1200, for the benefit of his soul and the souls of his wives, and turned into a priory of Augustinian Canons before 1247 by his son William IV. Agatha was also buried here, while Margaret was buried in the chapter house at Belvoir Priory.

Location of heart

Belvoir Priory, (Benedictine), under the wall opposite the high altar. Belvoir was founded by Robert de Todei, whose great-grandniece Cecily married William I de Albin Brito. Robert and his successors were all interred at Belvoir Priory, which started life as a cell of St Albans. Eller attributes the thirteenth-century diminutive knight effigy at Bottesford church to the founder of Belvoir, rather than William III and calls it a 'commemorative emblem'. However, Drury in his attribution of the monument to William III calls it his heart memorial.

Bibliography

Baronage, 1: 113-115; *DNB*, 'Albini, William de'; Du Drury, 'Purbeck Marble', pp. 50-51; Eller, *Belvoir Castle*, pp. 6-12; Hartshorne, *Enshrined Hearts*, pp. 68-75 (calls him Earl of Albini); Knowles and Hadcock, *Medieval Religious Houses*, pp. 59 (Belvoir), 167 (Newstead); *Monasticon*, 3: 285, 289; J.H. Round, 'Charters and Cartularies', *The Manuscripts of His Grace the Duke of Rutland* 4. Historical Manuscripts Commission (1905), p. 18; Sanders, *English Baronies*, 12 (who changes the order of William III's wives, but see *Rutland MSS* reference).

1239 HENRY DE TRUBLEVILLE SENESCHAL OF GASCONY

Son of Robert Trubleville, a Dorset landowner; he was involved in the wars in France and Wales. During the baronial rebellion on 1215, he was on John's side and helped Hubert de Burgh to win a victory over the French fleet in 1217. Henry III rewarded his service with many grants of land. Before 19 October 1226, he was appointed Seneschal of Gascony, a post he held until 1231. In 1233 Henry distinguished himself in the Welsh war, which resulted from a revolt by the Marshals. On 23 May 1234 he was reappointed Seneschal until 1238. He vowed to go on crusade with Richard earl of Cornwall, but died 21 December 1239.

Location of body

Without supporting evidence, Bradford assumes that his body was interred at Westminster Abbey.

Location of heart

Somewhere in Normandy. Henry III provided Drogo, brother of Henry de Trublevill, with a sum of money for the purchase of a container for his late brother's heart for the journey to Normandy.

Bibliography

Bradford, *Heart Burial*, pp. 69-70; *CCR 1239*, pp. 163, 165; *DNB*, 'Turberville, Henry de'.

1240 ISABELLA MARSHAL COUNTESS OF CORNWALL

Daughter of William Marshal earl of Pembroke and Isabella, daughter of Richard de Clare earl of Striguil ('Strongbow'). She was first married to Gilbert III de Clare earl of Gloucester (d. 1230) and second to Richard Plantagenet earl of Cornwall (d. 1272). She died 17 January at Berkhamsted during childbirth.

Location of body

Although she apparently had requested interment with her first husband at Tewkesbury, she was instead buried in front of the high altar at Beaulieu Abbey, Hampshire (Cistercian), which had been founded by Richard's father King John c. 1204. At the dedication of the church in 1246, Richard requested monks from this abbey to colonise his foundation at Hailes, and he was a patron of Beaulieu throughout his life.

Location of heart

Her heart was sent to Tewkesbury Abbey, Gloucestershire (Benedictine) in a gilded cup and interred beside her first husband in front of the high altar. The abbey was patronised by the earls of Gloucester and several generations were to be interred here.

Location of entrails

Her entrails were sent to the small priory of Missenden, Buckinghamshire (Arroasian) which was founded by William de Missenden in 1133. The reason why her entrails were buried here may have been that it was the closest to her site of death (according to Wood). On the other hand, the Giffard estate to which Missenden belonged, was divided between Richard de Clare earl of Hertford, father of Gilbert III, and William Marshal, by right of his wife, at the beginning of Richard I's reign (Sanders, *English Baronies*, p. 62). Isabella would therefore have a double connection to the area.

Bibliography

Ann. Tewkesbury, pp. 113-114; Bradford, *Heart Burial*, p. 78 (claims she was interred at Hailes, which was only founded after her death); Denholm-Young, *Richard of Cornwall*, pp. 18-19; Golding, 'Burials and Benefactions', p. 69; Hartshorne, *Enshrined Hearts*, pp. 78-79; Knowles and Hadcock, *Medieval Religious Houses*, pp. 77-78 (Tewkesbury), 115, 118 (Beaulieu), 166 (Missenden); Sanders, *English Baronies*, p. 62; Wood, *English Monasteries*, p. 130.

1241 GILBERT MARSHAL EARL OF PEMBROKE

Son of William Marshal, earl of Pembroke, and Isabella, daughter of Richard de Clare, earl of Striguil ('Strongbow'). He inherited the earldom from his elder brother Richard (d.s.p. 1234), who had in turn inherited from his elder brother William (d.s.p. 1231). Gilbert had originally been intended for the church and was not knighted until 11 June 1234 when he was invested with the earldom and office of Marshal. He died at a tournament on 27 June 1241 at Ware near Hertford. Upon his death, his body was eviscerated and his liver was found to be blackened and shrivelled, according to Matthew Paris.

Location of body

New Temple Church, London. His father and eldest brother were buried there as well. The old Temple was founded for the Knights Templar in 1128 and moved to a new site in 1161.

Location of heart/entrails

Hertford Priory, Hertfordshire (Benedictine) before the high altar, the closest monastery to the site of his death. It was founded by Ralph de Limesi between 1077-1093 (when it was granted to St Albans). His younger brother Walter, who inherited the earldom after Gilbert's death, promised a sum of money to the priory for the benefit of Gilbert's soul, but it never materialised.

Bibliography

Bradford, *Heart Burial*, p. 71; *GEC*, 10: 371-374; Knowles and Hadcock, *Medieval Religious Houses*, pp. 67 (Hertford), 294 (Temple); *Monasticon*, 3: 298; Matthew Paris, *Chronica Majora*, 4: 135-136, 495.

1241 ROBERT DE SAY

He was in the retinue of Gilbert Marshal earl of Pembroke when he died at the same tournament as his lord on 27 June at Hertford.

Location of body

Unknown.

Location of heart/entrails

Hertford Priory, Hertfordshire (Benedictine).

Bibliography

Bradford, *Heart Burial*, p. 71; Knowles and Hadcock, *Medieval Religious Houses*, p. 67 (Hertford); Paris, *Chronica Majora*, 4: 136.

1242 WILLIAM IV DE ALBINI OF BELVOIR

Son of William III de Albin and Margaret de Umfraville. His heir was his daughter Isabella, who married Robert III de Ros of Hamlake. According to Eller, he died 1247.

Location of body

Belvoir Priory (Benedictine), in front of the high altar. The priory was founded by Robert de Toden between 1076 and 1088; several of William IV's ancestors were buried here.

Location of heart

Croxton Kerrial Abbey, Leicestershire (Premonstratensian), which was supposedly founded by William Count of Bologne and Mortain, second son of King Stephen, before 1159. King John's viscera were also interred here in 1216. Because of its proximity to Belvoir, it may have been the recipient of several Albin benefactions.

Bibliography

Baronage, 1: 115; Eller, *Belvoir Castle*, p. 12; Hartshorne, *Enshrined Hearts*, p. 82 (d. 1243); Knowles and Hadcock, *Medieval Religious Houses*, p. 59 (Belvoir), p. 187 (Croxton Kerrial); *Monasticon*, 3: 289; Round, *Rutland MSS*, 4: 18; Sanders, *English Baronies*, p. 12 (d. 1242).

1245 WILLIAM III DE PERCY

Grandson of Agnes de Percy and Jocelin de Louvain. Agnes was the younger daughter and coheiress of William II de Percy (d. 1174-75). When Matilda, Agnes's sister died, he inherited her share of the barony of Topcliffe, as well as the possessions of Richard, his uncle, in 1244. Both Richard and William III's father Henry took the name Percy after their mother's surname. William was in the wardship of William Briwerre, whose daughter Joan he married second. In 1200, he was sheriff of Northumberland and in 1215, he was one of the barons opposing John. By 11 May 1217, he was on the royalist side again. He died sometime before 28 July 1245.

Location of body

Sawley Abbey, West Yorkshire (Cistercian), founded by his great-grandfather William II c. 1147.

Location of heart

Sandon Hospital, Surrey. Founded by Robert de Waterville c. 1199?. The hospital benefited from William III's endowment of 20 marks annual income, which he received from Sawley for the manor and forest of Gisburn, and 80 acres of land in Foston, Leicestershire. It was given to support six chaplains for divine offices. A later charter details a donation of lanterns and wax for the well being of the souls of William and Joan, to be used at the altar of the Blessed Virgin where the heart of William and the body of Joan rest.

Bibliography

GEC, 10: 425; Knowles and Hadcock, *Medieval Religious Houses*, pp. 125 (Sawley), 389 (Sandown); *Monasticon*, 5: 515-516 (Sawley), 6: 676 (Sandon); Sanders, *English Baronies*, p. 148; *VCH Surrey*, 2: 118.

1252 PAULIN PEVER OF TODDINGTON

Peveer was one of the king's household stewards and in 1249 one of the king's seneschals. He was Sheriff of Bedfordshire, Buckinghamshire and Oxfordshire. During his service at court, he acquired vast amounts of land. Toddington (Bedfordshire) was subinfeudated to him by Roger Bigod earl of Norfolk before 1250 (when he obtained license to hold a market in Toddington) after which he started improving the manor house. Having come from a modest background he reached great heights, a fact sharply criticised by Matthew Paris.

Location of body

London; Bradford without proof infers that it might be Westminster Abbey.

Location of heart

Matthew Paris only mentions that it was taken to Toddington; whether it was buried in a private chapel or in the parish church (where there is still a funerary monument connected to a Peveer) is uncertain.

Bibliography

Ann. Dunstable, 182-183; Bradford, *Heart Burial*, pp. 74-76; N. Denholm-Young, *History and Heraldry 1254-1310 - A Study of the Historical Value of the Rolls of Arms* (Oxford, 1965), pp. 30, 32-34; Hartshorne, *Enshrined Hearts*, pp. 82-83; Sanders, *English Baronies*, p. 128; *VCH Bedfordshire*, 3: 439-440, 446.

1253-4 JOHN DE MOHUN

Son of Reginald II de Mohun (d. 1258) and Hawise. He died during the lifetime of his father in Gascony. Although the Mohuns were not hereditary earls of Somerset, Reginald II occasionally styled himself Earl of Somerset and Lord of Dunster (Maxwell-Lyte *History of Dunster*, p. 12).

Location of body

Bruton Priory, Somerset (Augustinian Canons), founded between 1127-35 by William II de Mohun, who was created earl of Somerset in 1141 by the Empress. The title, according to Sanders, did not continue in the family.

Location of heart

His heart was interred before the high altar at Newenham Abbey, Devon (Cistercian; colonised from Beaulieu), founded in 1246 (dedication of the site) by Reginald II de Mohun (d. 1257). At a ceremony in 1254, the monks requested Reginald to consider their monastery as his burial place, which he promptly conceded. After his death, he was buried on the left side of the high altar. A younger son from Reginald's second marriage to a daughter of William Ferrers, Earl of Derby, William de Mohun of Ottery Mohun, was interred on John's right side in 1280.

Bibliography

GEC, 9: 21; Knowles and Hadcock, *Medieval Religious Houses*, pp. 123 (Newenham), 150 (Bruton); Maxwell-Lyte, *Dunster and its Lords*, pp. 11-15; *Monasticon*, 5: 692-693; Sanders, *English Baronies*, p. 114; *VCH Somerset*, 1: 501.

1258 EDMUND DE LACY EARL OF LINCOLN

Son of John de Lacy, Constable of Chester, and Margaret de Quincy, whose mother Hawise, sister of Ranulph 'de Blundeville' was *suo jure* Countess of Lincoln. He died 2 June 1258. He was never formally invested with the earldom, but he is referred to as Earl on several occasions (*GEC*). He was knighted by 1255, when he escorted the King and Queen to Scotland. He married, while under age, Alice daughter of Manfred III, Marquess of Saluzzo, early May 1247.

Location of body

Stanlaw Priory, Cheshire (Cistercian), founded by John Constable of Chester; several generations were interred here.

Location of heart

Dominicans Pontefract, Yorkshire which he had helped to found. A list of burials at the friary compiled by John Wrothesley, Garter King of Arms (d. 1504), probably taken from the obituary. The husband of his daughter Margaret, George de Cantelou had his heart buried here, according to this list (although the reference is to him as Alice's second husband). The heart of Roger II Mowbray's son-in-law Adam of Newmarket was also interred at the convent.

Bibliography

GEC, 7: 680-681; Knowles and Hadcock, *Medieval Religious Houses*, pp. 125 (Stanlaw), 218 (Pontefract Dominicans) *Monasticon*, 5: 647-8; *VCH Yorkshire*, 3: 271-273.

1260 WILLIAM III DE FORZ COUNT OF AUMALE

Son of William II de Forz and Aveline, daughter of Richard I de Mountfitchet. William had livery of his father's lands 18 September 1241. He died at Amiens 23 May 1260. He married first Christiana, second daughter and co-heiress of Alan of Galloway and second Isabella, daughter of Baldwin de Redvers, Earl of Devon and heiress of her brother. Their daughter Aveline (d. 1274) became sole heiress upon her brother Thomas's death (1262) and was married to Edmund Plantagenet, earl of Lancaster.

Location of body

He was buried in the choir next to his daughter at Meaux Abbey, Yorkshire (Cistercian), founded by William of Blois, count of Aumale in 1150. William III's grandmother Hawise, sole heir of William of Aumale, married second William I de Forz (d. 1195), from which the Forz counts of Aumale descended. With his body he gave 100 marks for a chantry.

Location of heart

His heart, by his own wish, was interred at the feet of his mother in the priory of Thornton, Lincolnshire (Augustinian), also founded by William of Blois, count of Aumale in 1139, which was colonised from Kirkham. He donated 100 marks for a chantry.

Bibliography

Chronica de Melsa, 2: 106; *GEC*, 1: 355-356; Knowles and Hadcock, *Medieval Religious Houses*, pp. 122 (Meaux), 176 (Thornton); Sanders, *English Baronies*, p. 142.

‡1260s MATILDA DE HASTINGS

First wife of Gilbert II de Peche of Great Bealings. After she died, he married Joan daughter of Simon de Grey and, according to the Barnwell *Liber Memorandum*, he contrived to disinherit the children of his first marriage in favour of those from his second marriage.

Location of body

St Mary Overy Southwark, Surrey (Augustinian), which is where she died. The reason the Barnwell *Liber Memorandum* gives for her burial here is because of all the troubles (*perturbationem*) which raged through England.

Location of heart

Barnwell Priory, Cambridgeshire (Augustinian). Patronised by Pain Peverell, standard bearer of Robert Curthose, eldest of William the Conqueror, from 1122 when he received the fief of Bourn. After his death, the patronage of the priory passed to Alice, who married Hamo I de Peche.

Bibliography

Bradford, *Heart Burial*, pp. 100-101 (who dates her death to c.1300); J.W. Clark (ed.), *Liber Memorandum Ecclesie de Bernewelle*. Cambridge, 1907), p. 50; Hartshorne, *Enshrined Hearts*, p. 159; Knowles and Hadcock, *Medieval Religious Houses*, pp. 146 (Barnwell), 174 (St Mary Overy); *Monasticon*, 6.1: 87; Sanders, *English Baronies*, pp. 19, 48.

1261 SANCHIA OF PROVENCE COUNTESS OF CORNWALL

Second wife of Richard Plantagenet Earl of Cornwall and King of the Romans, daughter of Raymond Berengar Count of Provence, sister of Queen Eleanor of Provence. She died 9 November 1261 at Berkhamstead.

Location of body

Hailes Abbey, Oxfordshire (Cistercian; colonised from Beaulieu), founded by Richard Earl of Cornwall in 1246.

Location of heart

Cirencester Abbey, Gloucestershire (Augustinian), according to the antiquarian John Leland. However, apart from this one statement there is no contemporary evidence to suggest that Sanchia's heart was indeed interred here. Cirencester was one of the abbeys reformed by Henry I (in 1117), but there is little to indicate that either Sanchia or her husband had a special relationship with the Abbey.

Bibliography

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1262 RICHARD DE CLARE EARL OF GLOUCESTER

Eldest son of Gilbert III de Clare and Isabella Marshal. He came of age in August 1243 and was fined 1200 marks for seisin of his English estates. Knighted in June 1245, Richard was from that moment styled earl of Gloucester and Hertford. He spent much of his time abroad on behalf of Henry III or Richard of Cornwall (who had been married to the earl's mother Isabella). He also had considerable interest in Welsh and marcher politics. Richard was one of the leaders in the 1258 baronial opposition, but by 1260 he was again on the King's side, only to ally himself with Simon de Montfort a year later. Preferring to end the baronial conflict with the king peacefully rather than with force, Richard deserted Montfort's cause shortly afterwards. He died 15 July 1262 at Waltham near Canterbury, some chroniclers say as a result of poison. For more biographical details, see Altschul, *Baronial Family*.

Location of body

He was buried to the right of his father in front of the high altar at Tewkesbury Abbey (Benedictine) on 28 July 1262. Gilbert III, Richard's father, was the first to be interred here after inheriting the earldom of Gloucester.

Location of heart/ entrails

Canterbury Cathedral before the altar of St Edward, or Tonbridge (Augustinian), which was founded by Richard de Clare, Earl of Hertford late in the reign of Henry II .

Bibliography

Altschul, *Baronial Family*, pp. 66-93; *Ann. Tewks.*, p. 169; *GEC*, 5: 696-702; Knowles and Hadcock, *Medieval Religious Houses*, pp. 61 (Canterbury), 77-78 (Tewkesbury), 177 (Tonbridge); *Monasticon*, 2: 61 (Tewkesbury); Sanders, *English Baronies*, pp. 34-35.

1268 ROBERT DE GOURNAY

Nephew of Maurice de Gaunt and son of Eve de Gournay, Maurice's half-sister. He refounded the hospital at Bristol initiated by Maurice. He did homage for his inheritance in 1231 and was summoned against the Welsh on several occasions.

Location of body

Hospital of St Mark ('Gaunt's Hospital'), Bristol (Independent Augustinian after 1232), which he refounded for the health of his own soul and Maurice's.

Location of heart

Dominicans Bristol, which was founded with the help of Maurice de Gaunt. Hartshorne, *Enshrined Hearts* is the sole source of this.

Bibliography

Ann. Tewkesbury, pp. 77-78; *Baronage*, 1: 430-431; Hartshorne, *Enshrined Hearts*, pp. 92-93; Knowles and Hadcock, *Medieval Religious Houses*, pp. 215 (Dominicans), 346 (Hospital of St Mark); Sanders, *English Baronies*, pp. 14, 55; Smyth, *Lives of the Berkeleys*, p. 20.

1268 WILLIAM IV DE MAUDUIT, EARL OF WARWICK

Son of William III de Mauduit, joint chamberlain of the Exchequer (hereditary) and Alice, sister and heir of Henry of Newburgh, Earl of Warwick (d. 1229). William was a member of the royal household in 1261. In 1263, he did homage and paid £100 relief for the lands belonging to the earldom of Warwick. After his capture by the Kenilworth garrison, William paid 1900 marks for his and his wife's release. He died 8 January 1268, when his sister Isabella was his heiress. Her son, William IV de Beauchamp, became the first Earl of Warwick of that family.

Location of body

Westminster Abbey.

Location of heart

Catesby Priory, Northamptonshire (Cistercian nunnery), founded by Robert de Ashby (c. 1175), whose grandfather had held the manor of Catesby from William Peverel at the time of Domesday. According to *VCH*, it was 'probably as a mark of special devotion to St Edmund of Canterbury, whose altar in the conventual church was to some extent a place of pilgrimage' (2: 122).

Bibliography

Bradford, *Heart Burial*, p. 77; *Baronage*, 1: 399; *GEC*, 12.2: 367-368; Hartshorne, *Enshrined Hearts*, pp. 90-91; Knowles and Hadcock, *Medieval Religious Houses*, pp. 272-273; *Monasticon*, 4: 635-640; Sanders, *English Baronies*, p. 50; *VCH Northamptonshire*, 2: 121-122.

1269 STEPHEN LONGSPÉE, SENESCHAL OF GASCONY

Stephen was the third son of William Longspée, illegitimate son of Henry II, and Ela, daughter and heiress of William second Earl of Salisbury. He was appointed Seneschal of Gascony in 1255 and was Justice of Ireland. He married Emeline, Countess of Ulster, widow of Hugh de Lacy Earl of Ulster.

Location of body

Lacock Abbey, Wiltshire (Augustian nunnery), founded by his mother Ela in 1230-2, who entered the nunnery in 1238 and became its first abbess until four years before her death in 1261.

Location of heart

Bradenstoke Priory, Wiltshire (Augustinian), founded before 1139 by Walter of Salisbury, great-grandfather of his mother Ela.

Bibliography

Baronage, 1: 177; *GEC*, 12.2: 171; Hartshorne, *Enshrined Hearts*, p. 93; Knowles and Hadcock, *Medieval Religious Houses*, pp. 149 (Bradenstoke), 281 (Lacock).

1270 RALPH FITZ RANULPH OF MIDDLEHAM

His grandfather, Robert Fitz Ralph had married Helewise, daughter of Ranulph de Glanville and was the reputed builder of Middleham Castle. Ralph was married to Anastasia de Percy, daughter of William III de Percy of Topcliffe and Joan Briwerre. He held Middleham from the earls of Richmond. After his death, the manor passed to Robert de Tattershal who had married Ralph's daughter and co-heiress Joan.

Location of body

Unknown.

Location of heart

Franciscans in Richmond, Yorkshire; its foundation is attributed to Ralph Fitz Ranulph c. 1257.

Bibliography

Aspilogia, 2: 142; Hartshorne, *Enshrined Hearts*, p. 87 (states death as 1260); Knowles and Hadcock, *Medieval Religious Houses*, p. 227; Sanders, *English Baronies*, p. 123; R.H. Skaife (ed.), *Survey of the County of York taken by John de Kirkby commonly called Kirkby's Inquest*. Surtees Society 49 (1866), p. 150; *VCH Yorkshire - North Riding*, 1: 254; *VCH Yorkshire*, 2, 273.

1271 ROGER DE LEYBOURNE

Roger was Edward I's steward on the 1260s and his son William became a knight of the household. He reportedly saved the king's life at Evesham, was Sheriff of Kent and Warden of Cinque Ports. In 1268 he acquired Leeds Castle in Kent. His wife, Eleanor de Ferrers died before 26 October 1274 and was buried at Leeds Priory. She was the widow of Roger de Quincy Earl of Winchester (d. 1265) and daughter of William III de Ferrers Earl of Derby and Sibyl Marshal, daughter of William Marshal Earl of Pembroke. There is a tradition that Roger died in the Holy Land, since he took up the cross in the entourage of Edward. However, there is evidence that he had been en route, but returned to England where he died towards the end of October 1271. See *DNB* under 'Leybourne, Roger de' for biography.

Location of body

Because of the conflicting reports on his death, it is unknown where his body was interred.

Location of heart

It is thought that the surviving heart tomb now in the north chancel wall at Leybourne Church, Kent belongs to Roger de Leybourne.

Bibliography

DNB 'Leybourne, Roger de'; Dru Drury, 'Heart Burials', p. 44; *GEC*, 7: 631-634; Gill, 'Heart Burials', p. 4; Gittos and Gittos, 'Motivation and Choice', p. 146; C. Moore, *Knights of Edward I*. Harleian Society 82 (1930), pp. 35-36; Powicke, *Henry III and Lord Edward*, p. 435-436; M. Prestwich, 'Royal Patronage under Edward I', in P.Coss and S.D. Lloyd (eds.), *Thirteenth Century England I* (Oxford, 1986), p. 42; Sanders, *English Baronies*, pp. 13, 63.

1271 HENRY OF ALMAYNE

Henry was the eldest surviving son of Richard Plantagenet earl of Cornwall and Isabella Marshal, widow of Gilbert III de Clare and daughter of William Marshal earl of Pembroke. He was murdered on 13 March 1271 while attending mass in Viterbo by two sons of Simon de Montfort Earl of Leicester (d. 1265) in retaliation for their father's death at Evesham.

Location of body

His body was taken to Hailes Abbey (Cistercian), Gloucestershire, founded by his father Richard earl of Cornwall in 1246 and colonised from Beaulieu Abbey.

Location of heart

His heart was buried near the shrine of Edward the Confessor in a gilded cup at Westminster Abbey, which had been patronised by his Uncle Henry III, who was interred in the old tomb of the saint.

Location of entrails

In the church of Santa Maria dei Gradi, Viterbo (Italy), 'between two popes' (*Ann. Hailes*), Italy. Viterbo was one of the cities within the Papal State and was the seat of the papal curia between 1260 and 1280.

Bibliography

Ann. Hailes, pp. 78-79; *Ann. Osney*, p. 244; W. Bazley, 'The Abbey of St Mary, Hayles', *TBGAS* 22 (1899): 258; Bradford, *Heart Burial*, pp. 78-79; Brown 'Death and the Human Body', p. 229; Denholm-Young, pp. 150-151; *Foedera*, 1.2: 501-502; *Flores*, 3: 22; *GEC*, 3: 432; Gill, 'Heart Burials', p. 12; Hartshorne, *Enshrined Hearts*, pp. 102-104 [1270]; Knowles and Hadcock, *Medieval Religious Houses*, pp. 120 (Hailes), 79-80 (Westminster); *Wykes*, p. 244.

1271 RALPH DE STOPHAM OF BRYANSTON

Hartshorne refers to this person as Ralph de Scopham. A Ralph de Stopham, in possession of Bradesford Manor for half a knight's fee and Blanford Brian Manor (both Dorset), is mentioned in an inquisition post mortem for 16 October 1271 (Moore, *Knights of Edward I*, 4: 291-292). A Roger and Robert de Stopham are mentioned in the Close and Liberate Rolls as the king's huntsmen.

Location of body

Unknown

Location of heart

Supposedly at Bryanston Church, Dorset where underneath the font, according to Hartshorne, there is an inscription: *Hic jacet cor Radulphi de Scopham [sic]*. However, Pevsner does not mention any medieval church in Bryanston nor does he refer to surviving medieval monuments in the eighteenth century church.

Bibliography

Hartshorne, *Enshrined Hearts*, p. 107; Moore, *Knights of Edward I*, 4: 291-292; J. Newman and N. Pevsner, *The Buildings of England: Dorset* (Harmondsworth, 1972), p. 120.

1272 RICHARD PLANTAGENET, EARL OF CORNWALL

For a biography see Denholm-Young, *Richard of Cornwall*. He died 2 April 1272 at Berkhamstead Castle, which was one of his centres of administration for his possessions in England. He married first Isabel Marshal, widow of Gilbert III de Clare. She died 1240 in childbirth. Secondly, he married Sanchia of Provence, sister of Queen Eleanor. She died in 1260. His third wife, Beatrice of Falkenburgh survived him five years. He was crowned King of the Romans in 1247. According to the archaeological report on Hailes, there were fragments of a tomb on the north side of the high altar with parts of effigies of a knight and a lady; the knight bore a heater-shaped shield with the fragments of a lion and a 'bordure bezanty'³

Location of body

Hailes Abbey (Cistercian), Gloucestershire, which he had founded in 1246 and was colonised from his father's foundation at Beaulieu. His second wife Sanchia and eldest son Henry of Almain had been interred here previously, as was an infant, Richard, in c.1246.

Location of heart

Franciscans Oxford, apparently underneath a 'sumptuous pyramid'. The convent was founded in 1224 and a new church was built outside the city walls, to which Richard is said to have donated money. Both he and third wife, Beatrice were benefactors.

Bibliography

Ann. Hailes, p. 80; Bradford, *Heart Burial*, p. 78 (giving Rewley as site of Richard's heart burial); Brown, 'Death and the Human Body', p. 229; Denholm-Young, *Richard of Cornwall*, p. 152; *GEC*, 3: 430-431; Gill, 'Heart Burials', p. 12; Hartshorne, *Enshrined Hearts*, pp. 104-107; Knowles and Hadcock, *Medieval Religious Houses*, pp. 120 (Hailes), 227 (Oxford Franciscans); *Monasticon*, 5: 686-689; Paris, *Chronica Majora*, 5: 378; *Rishanger*, 68; N. Trivet, *Annales Sex Regum Angliae*. Ed. T. Hog (London, 1845), p. 279; *Wykes*, 247-248.

³ This refers to the uncoloured tincture of coats of arms. *Bezanty* is the term of golden (or) roundels. S. Friar, *Heraldry for the Local Historian and Genealogist* (Stroud, 1996), p. 188.

1272 HENRY III PLANTAGENET, KING OF ENGLAND

Eldest son of King John and Isabella of Angoulême. See Powicke, *King Henry and the Lord Edward* for biographic details. He was greatly inspired by the cult of St Edward the Confessor, which he revived with extensive building works in Westminster Abbey (see Binski, *Westminster Abbey and the Plantagenets*). He died 16 November 1272.

Location of body

He was interred first of all in the old tomb of Edward the Confessor at Westminster Abbey. In 1291, he was translated to his present location, between the choir and the ambulatory.

Location of heart

Although he wished his heart to be buried at Fontevrault, inspired by a visit in the 1240s, this did not happen until 1291, when the Abbess of Fontevrault requested Edward I to hand over his father's heart.

Bibliography

Ann. Hailes, pp. 80-81; Bradford, *Heart Burial*, p. 80; Brown, 'Death and the Human Body', p. 230; *Foedera*, 1.2: 497, 758; Gill, 'Heart Burials', p. 13; Hartshorne, *Enshrined Hearts*, pp. 108-112.

1273 GEORGE DE CANTELOU OF ABERGAVENNY

George was the son of Eve de Briouze and William de Cantelou, lord of Abergavenny. He married Margaret, daughter of Edmund de Lacy, and sister of the Earl of Lincoln (although *VCH* states that he married Edmund's widow Alice). He was knighted in 1272 and had seizin of his inheritance on 25 April and 1 May 1273, but died without issue on 18 October 1273.

Location of body

Unknown.

Location of heart

According to a list of burials at the friary compiled by Wrothesley, Garter King of Arms (d. 1504), the heart of George Cantelou was buried in the Dominican convent at Pontefract, where his widow also found interment.

Bibliography

GEC, 1: 23; Knowles and Hadcock, *Medieval Religious Houses*, p. 218 (Pontefract Dominicans); *VCH Yorkshire*, 3: 271-273.

1274 HENRY PLANTAGENET

Son of Edward I and Eleanor of Castile; born in 1268. While staying in Guildford after a summer of festivities surrounding the coronation of Edward, Henry fell ill in September and died c. 23 October 1274.

Location of body

Westminster Abbey.

Location of heart

Dominicans at Guildford, Surrey. The convent was founded by Henry's grandmother Eleanor of Provence in his memory in 1275. According to the obit calendar of the convent (cited in Johnstone, 'Wardrobe and Household of Henry son of Edward I'), 21 October was the day of commemorating the burial of Henry's heart at Guildford (*depositio cordis Henrici filii domini regis Edwardi*).

Bibliography

Brown, 'Death and the Human Body', pp. 229; H. Johnstone, 'Wardrobe and Household of Henry, Son of Edward I', *Bulletin of the John Rylands Library* 7 (1923): 397-399; Knowles and Hadcock, *Medieval Religious Houses*, p. 216 (Guildford); J.D. Tanner, 'The Tombs of Royal Babies in Westminster Abbey', *Journal of the British Archaeological Association* 3rd series 16 (1953): 30.

1275 BEATRICE PLANTAGENET

Second daughter of Henry III and Eleanor of Provence. On 22 January 1260, she married John, Duke of Brittany and Earl of Richmond, who succeeded to the earldom of Richmond in 1268 upon his father's resignation. He went on crusade with Edward and was present at his coronation. In 1296, he lost his lands in England as a result of his allegiance to France. A year later John was created a French peer. Beatrice died on 24 March 1275.

Location of body

Franciscans, London at her own request; the convent was founded in 1224.

Location of heart

Fontevault Abbey; her heart was carried there by her husband according to Bradford.

Bibliography

Bradford, *Heart Burial*, pp. 82-83; *GEC*, 10: 811-814; Hartshorne, *Enshrined Hearts*, pp. 113-114; Kingsford, *Grey Friars*, p. 70; Knowles and Hadcock, *Medieval Religious Houses*, 226 (London Franciscans).

1275 HUMPHREY IV DE BOHUN EARL OF HEREFORD AND ESSEX

First Bohun Earl of Essex through his mother Matilda, sister of William de Mandeville d.s.p. 1226. After his mother's death in 1236, he was created Earl of Essex 27 August. Humphrey was present at the Queen's coronation in the same year and was made Marshal of the Household. From 1239 to 1241, he was Constable of Dover Castle and sheriff of Kent. In 1258, he was one of the twelve barons to sit on the Council of twenty-four at the Oxford Parliament and was afterwards a member of the council of fifteen to advise the king. He was on royalist side in 1263-4. He married first Matilda, daughter of Ralph de Lusignan Count of Eu, and second Matilda of Avenbury. He died 24 September 1275.

Location of body

In front of the high altar at Llantony near Gloucester (Augustinian), which was founded by Miles of Gloucester, Earl of Hereford in 1136. The remains of his second wife were brought from Gascony and interred with him by their son. His first wife was buried in the chapter house, which was the resting place of Humphrey's predecessors.

Location of heart

According to the genealogy provided by Dugdale, Humphrey's heart was buried at 'Workley' of which there is no evidence it existed. This may be based on a misreading of the original text; a possible alternative is Wormsley Priory in Herefordshire (Augustinian), which was founded by Geoffrey Talbot.

Bibliography

GEC 6: 459-462; Knowles and Hadcock, *Medieval Religious Houses*, pp. 164-165 (Llantony), 180 (Wormsley); *Monasticon*, 6.1: 135 (Llantony); Sanders, *English Baronies*, pp. 91-92.

1276 MARGARET DE VALENCE

Daughter of William de Valence, created Earl of Pembroke in 1295 and Henry III's half-brother, and Joan de Muchensy, daughter of William de Muchensy and Joan Marshal, daughter of William the Marshal Earl of Pembroke. She died in childhood.

Location of body

Near the shrine of Edward the Confessor at Westminster Abbey, which was heavily patronised by Henry III. The slab covering her grave contained the remains of an inlaid inscription. It is mostly covered up by the platform of Henry V's chantry.

Location of heart

Dominicans London.

Bibliography

P. Binski, *Westminster Abbey and the Plantagenets* (New Haven, 1995), pp. 113, 147; Bradford, *Heart Burial*, pp. 84-85; Hartshorne, *Enshrined Hearts*, pp. 124-125 (without date); W.H. St John Hope, 'The Funeral Monument and Chantry Chapel of King Henry the Fifth', *Archaeologia* 65 (1914): 149; Knowles and Hadcock, *Medieval Religious Houses*, p. 217 (Dominicans); John Stow, *Survey of London*. Ed. H.B. Wheatley (London, 1912), p. 304; Tanner, 'Tombs of Royal Babies', pp. 31-32.

1277 JOHN DE VALENCE

Son of William de Valence and Joan de Muchensy; died in childhood.

Location of body

Westminster Abbey, near the shrine of Edward the Confessor. A fragment of his Cosmati grave slab is still visible underneath the edge of the tomb platform of Henry V's chantry.

Location of heart

Dominicans London.

Bibliography

Binski, *Westminster Abbey*, pp. 100-101, 113, 147; Bradford, *Heart Burial*, pp. 84-85; Hartshorne, *Enshrined Hearts*, pp. 124-125; Hope, 'Funeral Monument', p. 149; Knowles and Hadcock, *Medieval Religious Houses*, p. 217 (Dominicans); Stow, *Survey of London*, 304; Tanner, 'Tombs of Royal Babies', pp. 31-32.

1283 ADAM DE NOVO MERCATO

Son of John de Novo Mercato and, according to *VCH*, married to a daughter of Roger de Mowbray; the name of his wife was, according to *GEC* Joan, but details of her family background are not given. Adam had seizin of his grandfather's lands in 1247. He was on the side of the barons in 1263, was taken prisoner by Henry III at Northampton 5 April 1264 but regained his freedom and lands after the Battle of Lewes. In June 1264, Adam was appointed warden of Lincoln Castle but he was back on Montfort's side in 1265 when he was captured by Lord Edward at Kenilworth on 1 August. Adam subsequently paid a hefty sum to come to terms with the King. By 1270, he was back in Henry III's favour when he was an assessor of subsidy in Yorkshire and in 1271 was appointed with three others to represent the king in a surrender of lands by the French king.

Location of body

Unknown.

Location of heart

According to a list of burials written by John Wriothesley Garter King of Arms (d. 1504), Adam's heart was deposited at the Dominicans in Pontefract. His son, Adam junior, was also buried here c. 1303. The convent was founded by Edmund de Lacy in 1256, whose heart was also interred here.

Bibliography

DNB, 'Newmarket, Adam'; *GEC*, 9: 546-547; Knowles and Hadcock, *Medieval Religious Houses*, p. 218 (Dominicans Pontefract); *VCH Yorkshire*, 3: 272-273.

1284 ALPHONSO PLANTAGENET

Son of Edward I and Eleanor of Castile, Alphonso died aged ten.

Location of body

Westminster Abbey, near the shrine of Edward the Confessor.

Location of heart

Dominicans London in a chapel commissioned by his mother Eleanor, whose heart was interred with his in 1291.

Bibliography

Bradford, *Heart Burial*, pp. 86-87; Flores, 3: 61; Hartshorne, *Enshrined Hearts*, p. 117; J.C. Parsons, *Eleanor of Castile* (New York, 1995), p. 206; Stow, *Survey of London*, p. 304; Tanner, 'Tombs of Royal Babies', pp. 30-31.

1285 ROBERT III DE ROS OF HELMSLEY AND BELVOIR

Son of William I de Ros, whose mother was an illegitimate daughter of William de Lion King of the Scots; married in 1243 Isabella de Albini, sole heiress to the lordship of Belvoir after the death of her father William IV de Albini in 1242. He was the Chief Commissioner in Herefordshire in August 1258 and sided with the barons in the run-up to Evesham. On 18 May 1265, Lord Edward escaped from his custody at Hereford Castle. Ten days after the Battle of Evesham, Robert received a full pardon. He made a pilgrimage to the shrine of St Edmund at Pontigny in April 1277 and had summons to the assembly at Shrewsbury 28 June 1283. He died 12 May 1285 at Belvoir Castle.

Location of body

On the south side of the presbytery at Kirkham Priory, North Yorkshire (Augustinian), founded by Walter Espec between 1120-1130. His father, William I de Ros had been interred here in front of the high altar.

Location of heart

Croxton Kerrial Abbey, Leicestershire (Premonstratensian), founded by William Count of Boulogne and Mortain c. 1159. The hearts of King John and Robert's father-in-law, William IV de Albini were also buried here. Robert's wife Isabel was a benefactress. Sometime after 1350 a commemorative inscription was commissioned by a descendant (probably Thomas de Ros, younger son of William III de Ros, who inherited from his brother William IV, who d.s.p 1352). This monument is now at Bottesford Church Leicestershire.

Location of entrails

Belvoir Priory, Leicestershire (Benedictine), founded by Robert de Toden and family mausoleum for the Albini lords of Belvoir.

Bibliography

Baronage, 1: 547; Eller, *Belvoir Castle*, p. 20; *GEC*, 11: 95-96; F. Greenhill, *Incised Slabs of Leicestershire and Rutland* (Leicester, 1958), p. 46; Hartshorne, *Enshrined Hearts*, p. 119; Knowles and Hadcock, *Medieval Religious Houses*, pp. 59 (Belvoir), 162 (Kirkham); *Monasticon*, 3: 289 (Belvoir), 5: 274-286 (Kirkham); C. Peers, *Kirkham Priory* (London, 1932), p. 6; *VCH Yorkshire*, 3: 219.

1289 JOHN DE VESCY

Son of William II de Vescy of Alnwick and Agnes, daughter of William Ferrers, Earl of Derby. John was the ward of Peter of Savoy, the Queen's uncle and was educated with Edmund, Henry III's son, and Henry de Lacy. He was wounded and taken prisoner at the Battle of Evesham on 4 August 1265, but released and returned his lands under the Dictum of Kenilworth (31 October 1266). After leading a rising in the North the following year, during which he was forced to surrender his ancestral castle of Alnwick to Lord Edward, he followed the latter on crusade in 1270. From November 1274 to December 1276 John was Constable of Scarborough Castle and frequently conducted business on behalf of Edward I. He died without issue on 10 February 1290 in Montpellier. He married first Agnes, sister of Alice countess of Lincoln and second Isabella sister of Henry de Beaumont.

Location of body

Alnwick Abbey, Northumberland (Premonstratensian), founded in 1147 by Eustace Fitz John, husband of Beatrice de Vescy.

Location of heart

His heart was buried at the Dominicans in London, apparently as a mark of honour on the same day as the heart of Eleanor of Castile in 1290.

Bibliography

Ann. London, 99; Bradford, *Heart Burial*, p. 88; *Chron. Lanercost*, p. 52; *GEC*, 12.2: 278-280; Knowles and Hadcock, *Medieval Religious Houses*, pp. 185 (Alnwick), 217 (Dominicans London); *Monasticon*, 6.2: 867-868; Sanders, *English Baronies*, p. 103.

1290 ELEANOR OF CASTILE, QUEEN OF ENGLAND

Wife of Edward I, daughter of King Ferdinand III of Castile. She died 29 November 1290 at Harby, Lincolnshire. Edward I after her burial embarked upon an elaborate programme of commemoration. He had crosses constructed on each point in the route at which the funeral cortège had rested, donated sums of money to various religious institutions for chantries and commissioned the bronze effigies of her and his father Henry III. For her biography see Parsons, *Eleanor of Castile*.

Location of body

Westminster Abbey, beside the altar in the shrine of Edward the Confessor. See Binski, *Westminster Abbey*. Buried 17 December 1290 (*Chron. Lanercost*: 10 December)

Location of heart

Dominicans London, in the chapel commissioned by her for her son Alphonso's heart. *Chron. Lanercost*: 12 December.

Location of entrails

Lincoln Cathedral, originally before the high altar; the tomb is now moved to the eastern range. She was embalmed in Lincoln. (*Chron. Lanercost*: 3 December).

Bibliography

Ann. London, 99; Bradford, *Heart Burial*, pp. 89-90; Binski, *Westminster Abbey*, pp. 107-110; Brown, 'Death and the Human Body', p. 230; *Chron. Lanercost*, pp. 137-138; M. Duffy, *Royal Tombs of Medieval England* (Stroud, 2003), pp. 84-89; *Flores*, 3: 7-72; J. Hunter, 'On the Death of Eleanor of Castile, Consort of King Edward the First, and the Honours paid to her Memory', *Archaeologia* 29 (1842): 186; Knowles and Hadcock, *Medieval Religious Houses*, pp. 79-80 (Westminster), 217 (Dominicans London), 69 (Lincoln); Parsons, *Eleanor of Castile*, pp. 205-215; *Rishanger*, p. 121.

1291 ELEANOR OF PROVENCE, QUEEN DOWAGER OF ENGLAND

Wife of Henry III, daughter of Raymond Berengar Count of Provence. Her sister Sanchia was married to Henry's brother Richard Cornwall. She died 24 June 1291.

Location of body

Amesbury Nunnery, Wiltshire (Benedictine, daughter house of Fontevrault), re-founded by Henry II in 1177. After Henry III's death she entered the house as a nun. She was buried 15 August 1291.

Location of heart

Franciscans London; buried 30 November 1291 in the sacristy, south arch. According to Lanercost, Edward I presented Eleanor's heart to the Minister General of the Franciscans for burial in London because she valued the order the most while she was alive. Her body was embalmed so that the king could be present at his mother's funeral.

Bibliography

Bradford, *Heart Burial*, pp. 91-92; Brown, 'Death and the Human Body', p. 230; *Chron. Lanercost*, p. 141; *Flores*, 3: 72; Hartshorne, *Enshrined Hearts*, pp. 120-121; *Rishanger*, p.129.

1294 GILES II DE BERKELEY OF COBERLEY

See article in *TBGAS* for family connections. He was the younger son of Giles I and paid 100s. for the manor of Eldersfield after the death of his brother Nicholas in 1263; when his widow bore a posthumous child, Giles was forced to yield his inherited estates to his niece and did not regain them until her death in 1277. Giles was sheriff of Herefordshire in 1275 and Constable of Hereford Castle; he entertained the king at Coberley in 1278 and attended the 1283 Shrewsbury Parliament. From about 1277, he held various judicial posts.

Location of body

In the chancel of Little Malvern Priory, Worcestershire (Benedictine), before the image of St Giles. The priory was founded in 1171 by two brothers Jocelin and Edred who became the first and second priors. It was situated close to the Berkeley manor of Eldersfield and Giles' father confirmed advowson of Eldersfield Church to Little Malvern.

Location of heart

In the chancel of St Giles at Coberley, Gloucestershire.

Bibliography

H. Barkly, 'The Berkeleys of Cobberley', *TBGAS* 16 (1893) pp. 105-109; Gittos and Gittos, 'Motivation and Choice', pp. 153-155.

1296 ROBERT II DE VERE, EARL OF OXFORD

Son of Hugh de Vere and Hawise, daughter of Saher de Quincy Earl of Winchester and Margaret de Beaumont. The Veres were hereditary Master Chamberlains of the Kings of England. Robert II was knighted by Simon de Montfort before the Battle of Lewes (14 May 1264). He was captured at Kenilworth on 1 August 1265 and his lands were seized, which were restored to him under Dictum of Kenilworth. Robert lost the office of Chamberlain, however. He died before 9 July 1296 (7 September according to *GEC*).

Location of body

Earl's Colne, Essex (Benedictine). Founded (before 1107) as a cell of Abingdon by Aubrey de Vere, the King's Chamberlain.

Location of heart

Franciscans Ipswich, Suffolk.

Bibliography

Baronage, 1: 191-192; *GEC*, 10: 216-218; Knowles and Hadcock, *Medieval Religious Houses*, pp. 61 (Earl's Colne), 225 (Franciscans); Sanders, *English Baronies*, p. 52.

1296 EDMUND PLANTAGENET, EARL OF LANCASTER

Second son of Henry III and Eleanor of Castile to reach adulthood. Edmund was granted the honour of Leicester on 26 October 1265, additional castles and lands on 28 June 1266, followed by the honour of Derby forfeited by Robert de Ferrers. On 30 June 1267, he received the earldom of Lancaster. Edmund followed his brother Edward on crusade in 1270. According to *GEC*, it was him who captured and beheaded Llewellyn ap Gruffudd in 1282. He was present on 10 December 1291 when the remains of his father Henry III were translated to a new tomb and his heart was delivered to the Abbess of Fontevrault according to the late King's wishes. In 1293 he had licence to alienate land in St Botolph's outside Aldgate for the foundation of a convent of Poor Clares. He died 5 June 1296 at Bayonne during the siege of Bordeaux. His body was brought back to England and on 15 July, the Archbishop of Canterbury was asked to celebrate mass at Edmund's funeral. According to Prestwich, however, he requested the delay of his burial until all his debts were paid.

Location of body

His body was initially buried at the convent of Poor Clares (Minories; Franciscan nuns) in London, founded four years earlier by his wife, Blanche of Champagne, on land for which Edmund had obtained licence to alienate in mortmain. In 1300, his remains were reburied in Westminster Abbey, north of the high altar.

Location of heart

At the reinterment of Edmund's remains, his heart remained in the church of the Poor Clares.

Bibliography

Bradford, *Heart Burial*, 95-96; Duffy, *Royal Tombs*, pp. 92-96; *CPR 1292-1301*, p. 24; *GEC*, 7: 378-387; Knowles and Hadcock, *Medieval Religious Houses*, p. 286 (Minories); *Monasticon*, 6.3: 1553-1554; Prestwich, *Edward I*, p. 385.

1300 EDMUND PLANTAGENET EARL OF CORNWALL

Son of Richard Earl of Cornwall and King of the Romans and Sanchia of Provence. After his father's death Edmund was knighted by Henry III (shortly before his death) and was married to Margaret de Clare sister of Gilbert II de Clare (d. 1295), whom he divorced in 1293. In 1270 he presented the Abbey of Hailes with a relic of the Holy Blood, a portion of which was later donated to the Convent of Bonhommes, founded by Edmund in 1283. He died shortly before 26 September 1300 either at his manor of Berkhamstead or at the convent of Bonhommes in nearby Ashridge.

Location of body

His body was interred 22 March 1301 in the church of Hailes Abbey, Gloucestershire (Cistercian), founded by his father in 1246. His father, mother, half brother and elder brother (who had died in infancy in 1246) were already interred here. The Annals of Hailes provide an unusually detailed account of the funerary arrangements for Edmund.

Location of heart

Convent of Bonhommes Ashridge, Hertfordshire (Augustinian college), which Edmund had founded in 1283. Apart from a relic of the Holy Blood, the church also housed the heart of Thomas of Cantilupe, Bishop of Hereford, who was to be canonised in 1320. Edmund's heart was interred with that of the Bishop on 12 January 1301.

Location of entrails

Buried at Ashridge immediately after his death.

Bibliography

Ann. Hailes, pp. 114-115; Bradford, *Heart Burial*, p. 78; *CCR 1296-1302*, p. 407; *CPR 1292-1301*, p. 63; *GEC*, 3: 433; Hartshorne, *Enshrined Hearts*, pp. 157-159; Knowles and Hadcock, *Medieval Religious Houses*, p. 203 (Ashridge); *Monasticon*, 6.1: 514, 517.

1307 EDWARD I PLANTAGENET KING OF ENGLAND

Son of Henry III and Eleanor of Provence. For his biography see M. Prestwich, *Edward I*. He died 7 July 1307 at Burgh-on-Sands near Carlisle.

Location of body

Westminster Abbey, where it was buried 27 October 1307 near the shrine of Edward the Confessor. While arrangements for his funeral were made, his body lay in state at Waltham Abbey.

Location of viscera

The fifteenth-century Scottish chronicler Walter Bower states that the royal innards were buried at Holmecultram, Cumberland (Cistercian). Similarly, reports stating that he had requested his heart to be sent the Holy Land in fulfilment of a crusading vow are all of later date.

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Bower, *Scotichronicon*, 6: 332; Bradford, *Heart Burial*, pp. 102-104; Flores, 3: 329-330; Hartshorne, *Enshrined Hearts*, pp. 170-171; Knowles and Hadcock, *Medieval Religious Houses*, p. 120 (Holmecultram); Langtoft, pp. 428-429 (ed. Thiolier); Prestwich, *Edward I*, pp. 556-558; *Rishanger*, 1: 423-424; Trivet, *Annales* (ed. Hog), pp. 413-414; Wright, *Political Songs* [Ed. Coss], p. 247.

1314 GILBERT III DE CLARE EARL OF GLOUCESTER AND HERTFORD

Son of Gilbert II de Clare and Joan of Acre, daughter of Edward I. For a short biography see Altschul, *Baronial Family*, pp. 160-164. He died at the Battle of Bannockburn, 24 June 1314.

Location of body

Tewkesbury Abbey, Gloucestershire (Benedictine), on the right side of his father before the high altar. Re-established in 1102 by Robert Fitz Hamon, Earl of Gloucester, it continued to be patronised by the Clares.

Location of heart

According to an entry in the Wardrobe Accounts for 8 August 1317, Edward II gave 5s. 6d. in oblations while attending mass in the priory church of Shelford, Nottinghamshire (Augustinian Canons) 'for the soul of the Lord Gilbert de Clare, late Earl of Gloucester, deceased, whose heart lies there inhumed'. Shelford Priory was founded by Ralph fitz Haunselyn *temp.* Henry II.

Bibliography

Altschul, *Baronial Family*, pp. 160-164; *GEC*, 5: 712-715; Hallam, *Itinerary of Edward II*, p. 158; Knowles and Hadcock, *Medieval Religious Houses*, pp. 73 (Tewkesbury), 173 (Shelford); *Monasticon*, 2: 61; Stapleton, 'Summary of Wardrobe Accounts', p. 341.

C. 1316 MATILDA DE VAUX

Daughter of John de Vaux, who married William II de Ros Lord of Helmsley and Belvoir. She probably predeceased her husband, who died between 12 May and 16 August 1316 and was buried in Kirkham Priory.

Location of body

Pentney Abbey, Norfolk (Augustinian), founded by Robert de Vaux c. 1130.

Location of viscera

Belvoir Priory, Leicestershire (Benedictine), in a wall. The priory was founded by Robert de Toden and patronised by the Lords of Belvoir. William's father Robert III de Ros married the heiress Isabella de Albini.

Bibliography

GEC, 11: 97; Knowles and Hadcock, *Medieval Religious Houses*, pp. 59 (Belvoir), 170 (Pentney); *VCH Norfolk*, 2: 388.

1327 EDWARD II PLANTAGENET KING OF ENGLAND

Edward was deposed in 1327 by Act of Parliament and spent the remainder of his life in confinement at Berkeley Castle where he died on 21 September. A month later his body was delivered to Gloucester Abbey for burial.

Location of body

St Peter's Gloucester (Benedictine). The reasons for his interment here are not clear. According to Henry Knighton, Edward could not be buried in Westminster Abbey because of his bad rule. He was interred on 20 December in the shirt, coif and gloves that he had worn for his coronation. Although he had been embalmed, at his funeral a wooden effigy was carried around, which is the first recorded instance.

Location of heart

According to the funeral accounts, 37s. 8d. was paid in 1328 for a silver container (*vaso argenteo*) to hold Edward's heart. This was allegedly buried with his wife Isabella in 1358 at the Franciscan church in London.

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Bradford, *Heart Burial*, pp. 105-106; Brown, 'Death and the Human Body', p. 253; Duffy, *Royal Tombs*, pp. 118-119; Hartshorne, *Enshrined Hearts*, pp. 172-176; Moore, 'Documents relating to the Death and Burial of King Edward II', pp. 215-226.

APPENDIX 2

THE EXECUTION OF ARISTOCRATIC TRAITORS

The following information complements Tables 1 and 2 in chapter 4 detailing individual treason accusations and executions. For full references, see the list of abbreviations and the bibliography.

1238 *ARMIGER LITERATUS*

PRIMARY SOURCES:

CCR 1237-1242, p. 146.

Paris, *Chronica Majora*, 3: 497-498.

SECONDARY SOURCES:

Bellamy, *Law of Treason*, p. 23.

Pollock and Maitland, *History of English Law*, 2: 501.

Powicke, *King Henry III and the Lord Edward*, 2: 741-759.

1242 WILLIAM DE MARISCO

PRIMARY SOURCES:

Paris, *Chronica Majora*, 4: 193-197.

Paris, *Historia Anglorum*, pp. 462-463.

SECONDARY SOURCES:

Bellamy, *Law of Treason*, p. 23.

Pollock and Maitland, *History of the English Law*, 2: 501.

Powicke, *King Henry III and the Lord Edward*, 2: 741-759.

1265 SIMON DE MONFORT

PRIMARY SOURCES:

Ann. Osney, pp. 175-176.

Ann. Wav., p. 365 & p. 367.

Flores, 2: 493 and 3: 6.

Rishanger, pp. 37-38.

Song of Lewes (ed. Kingsford)

Wykes, pp. 174-175.

SECONDARY SOURCES:

Powicke, *The Thirteenth Century*, pp. 201-203.

Prestwich, *Edward I*, p. 51.

1282 LLEWELLYN AP GRUFFYDD

PRIMARY SOURCES:

Ann. Dunst., pp. 292-293.

Ann. London, pp. 90-91.

Cotton, pp. 162-163.

Worcester, 2: 227.

SECONDARY SOURCES:

Powicke, *Thirteenth Century*, pp. 424-428.

Prestwich, *Edward I*, pp. 193-194.

1283 DAVID AP GRUFFYDD

PRIMARY SOURCES:

Ann. Dunst., pp. 293-294.

Ann. London, pp. 90-92.

CChR 1277-1326, pp. 281-282.

Chron. Buriensis, pp. 78-79.

Cotton, p. 164.

Foedera, 1.2: 630.

Worcester, 2: 229-230.

SECONDARY SOURCES:

Bellamy, *Law of Treason*, pp. 24-26.

Powell and Wallis, *House of Lords*, pp. 207-208.

Pollock and Maitland, *History of English Law*, 2: 501.

Powicke, *Thirteenth Century*, pp. 428-429.

Prestwich, *Edward I*, pp. 202-203.

1283 MABADIN, DAVID'S STEWARD

PRIMARY SOURCES:

Chron. Buriensis, p. 79.

Cotton, p. 164.

Worcester, 2: 230.

SECONDARY SOURCES:

Prestwich, *Edward I*, p. 203.

1292 RHYS AP MAREDUDD

PRIMARY SOURCES:

CCR 1288-1296, p. 267.

CChR 1277-1326, pp. 306-308.

SECONDARY SOURCES:

Bellamy, *Law of Treason*, pp. 29-31.

Edwards, 'The Treason of Thomas Turberville', p. 296.
 Powicke, *Thirteenth Century*, pp. 438-440.
 Prestwich, *Edward I*, pp. 218-219.

1295 THOMAS DE TURBERVILLE

PRIMARY SOURCES:

Cotton, pp. 304-306.
 'Song on the Treason of Turberville' (Aspin, *Political Songs*, pp. 49-55)

SECONDARY SOURCES:

Edwards, 'Treason of Thomas Turberville'.
 Pollock and Maitland, *History of the English Law*, 2: 501.
 Prestwich, *Edward I*, p. 383.

1305 WILLIAM WALLACE

PRIMARY SOURCES:

Ann. London, pp. 139-142.
Brut, 1: 196.
Chron. Langtoft (ed. Thiolier), 1: 344, 419-420
Chon. Langtoft (ed. Wright), 2: 363.
Flores, 3: 123-124.
 'Song on the Execution of Sir Simon Fraser' (ed. Robbins), pp. 14-15.
 'Song on the Execution of Sir Simon Fraser' (ed. Wright), p. 213.

SECONDARY SOURCES:

Barrow, *Robert Bruce* (1988 edition), pp. 136-137.
 Bellamy, *Law of Treason*, pp. 34-39.
 Pollock and Maitland, *History of English Law*, 2: 501.
 Prestwich, *Edward I*, pp. 499-503.
 Watson, *Under the Hammer*, pp. 211-214.

1306 SIMON FRASER OF OLIVERCASTLE

PRIMARY SOURCES:

Ann. London, 148-149.
Brut, 1: 200-201.
Flores, 3: 134.
 'Song on the Execution of Sir Simon Fraser' (ed. Robbins), pp. 14-21, 252-256.
 'Song on the Execution of Sir Simon Fraser' (ed. Wright), pp. 212-223.

SECONDARY SOURCES:

Barrow, *Robert Bruce* (1988 edition), pp. 156, 161.
 Bellamy, *Law of Treason*, pp. 45-46.
 Prestwich, *Edward I*, pp. 501, 507-508

1306 JOHN OF STRATHBOGIE, EARL OF ATHOLL

PRIMARY SOURCES:

Ann. London, 149-150.

Brut, 1: 201-202.

Flores, 3: 134-135.

SECONDARY SOURCES:

Barrow, *Robert Bruce* (1988 edition), pp. 156, 161.

Bellamy, *Law of Treason*, p. 46.

GEC, 1: 306.

Prestwich, *Edward I*, p. 508.

1312 PIERS GAVESTON, EARL OF CORNWALL

PRIMARY SOURCES:

Ann. London, pp. 206-207.

Trokelowe, pp. 76-77.

Vita Edwardi, pp. 19-20, pp. 26-28, 58-59.

SECONDARY SOURCES:

Fryde, *Tyranny and Fall*, pp. 19-22.

GEC, 3: 433-434.

Hamilton, *Piers Gaveston Earl of Cornwall 1307-1312*, pp. 96-100.

1318 GILBERT DE MIDDLETON

PRIMARY SOURCES:

Brut, 1: 209.

Sayles, *Select Cases before the Court of the King's Bench*, 4: 78.

Vita Edwardi, pp. 83-84.

SECONDARY SOURCES:

Bellamy, *Law of Treason*, pp. 46-48.

Prestwich, 'Gilbert Middleton and the Attack on the Cardinals, 1317', pp. 179-194.

1322 THOMAS EARL OF LANCASTER

PRIMARY SOURCES:

Brut, 1: 219-224.

Foedera, 2.1: 41-42; 493.

Gesta Edwardi, pp. 74-76.

Murimuth, p. 36.

Rot. Parl., 2: 3-5.

Vita Edwardi, pp. 97-102; 124-126.

SECONDARY SOURCES:

Bellamy, *Law of Treason*, pp. 49-50.
 Fryde, *Tyranny and Fall*, pp. 58-61.
 Maddicott, *Thomas of Lancaster*, p. 312.

For the other 1322 accusations and executions see:

Bellamy, *Law of Treason*, pp. 50-51.
 Fryde, *Tyranny and Fall*, p. 61.
 Haskins, 'Judicial Proceedings against a Traitor', pp. 509-511.
 Sayles, 'Formal Judgements on Traitors', pp. 57-63.

1323 ANDREW HARCLAY EARL OF CARLISLE

PRIMARY SOURCES:

Brut, 1: 227-228.
CCR 1327-1330, p. 404.
Chron. Lanercost, pp. 250-251.
Foedera, 2.1: 509; 748.
Gesta Edwardi, pp. 83-84.

SECONDARY SOURCES:

Bellamy, *Law of Treason*, p. 52.
 Fryde, *Tyranny and Fall*, pp. 156-158.
 Mason, 'Sir Andrew de Harcla Earl of Carlisle', pp. 124-131.

1326 HUGH DESPENSER THE ELDER EARL OF WINCHESTER

PRIMARY SOURCES:

Ann. Paulini, pp. 317-318.
Brut, 1: 239-240
Le Bel, p. 23.

SECONDARY SOURCES:

Bellamy, *Law of Treason*, pp. 53, 66.
 Fryde, *Tyranny and Fall*, p. 190.

1326 HUGH DESPENSER THE YOUNGER

PRIMARY SOURCES:

Ann. Paulini, pp. 319-320 (also for Robert Baldock and Simon of Reading)
Brut, 1: 240.
Foedera, 2,2: 804.
Knighton, pp. 437-441.
Le Bel, pp. 27-28.

SECONDARY SOURCES:

Bellamy, *Law of Treason*, p. 66.
 Fryde, *Tyranny and Fall*, pp. 192-193.

Holmes, 'Judgement on the Younger Despenser', pp. 261-267.

Taylor, 'Judgement on Hugh Despenser, the Younger', pp. 70-77.

1326 EDMUND FITZ ALAN EARL OF ARUNDEL

PRIMARY SOURCES:

Knighton, p. 436.

Rot. Parl., 2: 55-56, 226-227, 256-257.

SECONDARY SOURCES:

Bellamy, *Law of Treason*, p. 84.

GEC, 1: 241-242.

1328 ROBERT DE HOLLAND

PRIMARY SOURCES:

Knighton, p. 449.

SECONDARY SOURCES:

Fryde, *Tyranny and Fall*, p. 218.

Maddicott, 'Thomas of Lancaster and Sir Robert Holland', pp. 449-472.

1329 EDMUND OF WOODSTOCK EARL OF KENT

PRIMARY SOURCES:

Brut, 1: 265-267.

Le Baker, pp. 107-108.

Murimuth, pp. 59-60.

Rot. Parl. 2: 55.

SECONDARY SOURCES:

Bellamy, *Law of Treason*, 207.

GEC, 7: 142-148.

Tuck, *Crown and Nobility*, p. 101.

1330 ROGER MORTIMER EARL OF MARCH

PRIMARY SOURCES:

Brut, 1: 271-272.

Chron. Lanercost, 266.

Le Baker, 109-113.

Rot. Parl., 2: 52, 255-256.

SECONDARY SOURCES:

Bellamy, *Law of Treason*, pp. 54, 66.

Tuck, *Crown and Nobility*, pp. 102-103.

Wright, 'Execution and Burial of Roger Mortimer'.

1330 SIMON DE BERESFORD

PRIMARY SOURCES:

Le Baker, p. 113.

Murimuth, p. 64.
Rot. Parl., 2: 53.

1330 JOHN MALTRAVERS

PRIMARY SOURCES:

Murimuth, pp. 63-64.
Rot. Parl., 2: 53.

SECONDARY SOURCES:

Bellamy, *Law of Treason*, pp. 82-83.

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