CONDITIONS OF DEFEAT: THE TREATMENT OF THE DEFEATED IN ANGLO-NORMAN
AND ANGEVIN WARFARE FROM 1034 TO 1216

A Thesis
By
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Abstract

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The consequences for defeat in medieval warfare were often quite steep,

especially during the Early Middle Ages. Over the course of the eleventh, twelfth, and

thirteenth centuries, however, the treatment of the defeated in Anglo-Norman and

Angevin warfare underwent a startling transformation. Although warfare never lost its

cruel edge, by the thirteenth century, English armies were far more likely to show

clemency in victory to their enemies than they were during the eleventh century. This

newfound inclination towards mercy was not applied equally to all, however. Personal

wealth, social status, and political convenience, among other factors, all played a major

role in determining who received merciful treatment and who was treated with nothing

but brutality.

This study examines the experiences of disparate groups of people of varying

classes and circumstances, including knights, commoners, clergymen, women,

mercenaries, and hostages to better understand the factors that determined the

treatment of the defeated. In doing so, this study explores the cultural impact of

chivalry on the exercise of warfare, as well as the effects of other cultural and economic shifts, including the gradual elimination of the slave trade in England and the rise of the practice of ransom. Ultimately, this study sets out to prove that humane outcomes for the defeated were closely linked to social and financial status, with the most wealthy or otherwise socially exalted members of society typically receiving the most generous treatment in defeat. Notably, however, even the poorest members of society were more likely to be treated with mercy by the thirteenth century than they were in the Early Middle Ages. Though the shift in the treatment of the defeated did not benefit everyone equally, it did reach all levels of society and ultimately reshaped the practice of English warfare during the Middle Ages.

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I would like to thank my Thesis Director, Dr. Mary Valante, for her patience and guidance throughout this entire process. Her advice was indispensible in creating this study, and allowed me to transform even the roughest of drafts into the thesis it is today. She was also instrumental in inspiring me to broaden my focus to include the experiences of hostages and women in my study, among others. Her contributions have undeniably made this thesis stronger.

I am also grateful to my Second Readers, Dr. Alexandra Sterling-Hellenbrand and Dr. Jason White, who were willing to wait as long as it took for me to produce a draft I could be proud of. Their patience allowed me to spend as much time as I needed honing and refining this work. Their support and forbearance was crucial in the creation of this thesis, and I am deeply appreciative of it.

I would also like to thank Dr. Judkin Browning, who encouraged me to pursue graduate school in the first place, and whose teaching inspired me to explore a topic I might not otherwise have considered.

Finally, I am grateful to my parents for supporting me through this entire process, and allowing me to focus on creating the strongest thesis possible. Though this thesis is far from perfect, the contributions of all these people have allowed me to produce a far better work than I could have accomplished on my own.

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Introduction

In 1217 during the First Baron's War, a force under the command of Count Thomas of Perche, a county in northern France, seized the town of Lincoln and laid siege to its castle. William Marshal, the Regent of England and chief royalist general, immediately rushed to relieve the castle. When the elderly regent arrived at Lincoln on May 20th, he found his forces outnumbered by the rebel army, which was backed by the French prince Louis VIII and included hundreds of French knights. Caught between the castle garrison and William Marshal's reinforcements, Count Thomas elected to remain inside the walled city of Lincoln and continue his siege of the castle, which stubbornly refused to surrender. Drawing upon fifty years of battlefield experience, William Marshal personally led the charge through a breach in the city wall, and the streets of Lincoln swiftly became a tourney ground, with knights jousting and crossbowmen raining quarrels down from the walls.[1] Though the fighting was fierce, both sides fought to capture, rather than to kill. Roger of Wendover credits the crossbowmen, "by whose skill the horses of the barons were mown down and killed like pigs," with greatly weakening the rebel knights, "for, when the horses fell to the earth slain, their riders were taken prisoners, as there was no one to rescue them."[2] Seeing an opening, William and his entourage charged the Count of Perche, seeking to capture the leader of the rebel army. The count, however, refused to surrender, and was struck and killed by a

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[1] Sidney Painter, *William Marshal: Knight-Errant, Baron, and Regent of England* (University of Toronto Press, 1982), 217-18.

[2] Roger of Wendover, *Roger of Wendover's Flowers of History, Comprising the History of England from the Descent of the Saxons to A.D. 1235; Formerly Ascribed to Matthew Paris*, trans. by J. A. Giles (London: H.G. Bohn, 1849), 2:395-96.

royal knight's lance. After witnessing the death of their leader, the remaining portion of

the rebel army broke and ran, with the royalist forces offering a token pursuit. The

battle was over, but for many in the rebel army, the ordeal of defeat was only just

beginning.

Though Roger of Wendover claims only three men, Count Thomas of Perche, the

royalist knight Reginald Croc, and an unknown rebel soldier, were killed in the fighting,

the aftermath of the battle proved considerably more brutal for the defeated. As the

battered remnants of the defeated army fled across the countryside to regroup with

Prince Louis VIII, "the inhabitants of the towns through which they passed in their

flight, went to meet them with swords and bludgeons, and, laying snares for them, killed

numbers."[3] Some two hundred knights safely reached the French prince, but nearly all

of the estimated one thousand foot soldiers were killed.[4] The residents of Lincoln,

which had initially surrendered to the rebel army and been excommunicated by the

papal legate to England, did not fare much better. The royalist army, flushed with

victory, immediately began sacking the entire city, looting wagons, homes, and even

churches "to the last farthing," in an act of pillage so thorough that contemporary

writers called it the "Lincoln Fair."[5] Worse yet, the pillaging soldiers sought to rape

every woman they came across, and Roger of Wendover claims that "many of the

women of the city were drowned in the river, for, to avoid insult, they took to small

[3] Ibid., 2:397.

[4] T. F. Tout, "The Fair of Lincoln and the 'Histoire de Guillaume Le Maréchal.'" *The English Historical Review* 18, no. 70 (1903): 259, 262. http://www.jstor.org/stable/549462.

[5] Roger of Wendover, *Flowers of History,* 2:396-97.

boats with their children, female servants, and household property, and perished on their journey…for the boats were overloaded, and the women not knowing how to manage the boats, all perished."[6] Once they were satisfied, and laden with treasure and prisoners, the royalist army left the city of Lincoln to regroup with the young King Henry III and secure their captives in castles across the kingdom.

The Battle of Lincoln Fair provides a remarkably clear window into both the mode of English warfare and the treatment of the defeated by English armies towards the end of the High Middle Ages. The restrained nature of the fighting at Lincoln also marks a stark contrast with both the unrestricted warfare that frequently consumed the kingdom just a few centuries prior and the brutality of the sack of Lincoln itself. Indeed, in England until the late eleventh century, defeat in battle led to enslavement or almost certain death for those unlucky enough or slow enough to be overtaken by their enemies. Neither social standing nor noncombatant status offered reliable protection from such consequences, though victorious armies occasionally exercised restraint when it suited them. By King John's death and the end of the Angevin dynasty in 1216, however, the slave trade was all but eradicated in England, and armies routinely captured as many of their wealthy or noble enemies as possible in the aftermath of battle, and even in the midst of the melee itself.   At the core of this dramatic shift in the conduct of warfare was the burgeoning culture of chivalry. The chivalric code, first introduced in England following the Norman Conquest in 1066, married the distinct identities of warriors, Christians, and aristocrats to create an ideal standard for knights to aspire to in peace and in war. Central to this hybrid identity was a mutual

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[6] Ibid., 2:397.

aristocratic respect between knights, even among those on opposite sides of a conflict. As a result, as chivalric identities solidified from 1066 to 1216, prisoner of war treatment gradually evolved to be more generous and humane for many of the defeated, though factors such as social status, clerical protection, and wealth were key in determining who benefitted from this shift.

Although modern perceptions of chivalry focus on genteel etiquette and romantic courtship, the historical culture of chivalry was primarily a martial ideology, and its impacts are most clearly seen in the conduct of war.[7] Indeed, chivalry and violence were inextricably linked, and even as chivalric ideals led to more humane treatment for defeated knights and clergymen, chivalrous knights continued to be lionized for massacring commoners and mercenaries, among others.[8] The chivalric code did not limit violence so much as redirect it away from high-status members of medieval society and towards less desirable groups, such as poor peasants, foreigners, and non-Christians. As such, the consequences for defeat in chivalric warfare varied wildly based on wealth or social status. While even relatively poor household knights were routinely captured and ransomed by the thirteenth century, medieval armies were much less likely to spare commoners serving as foot soldiers. Likewise, ecclesiastical figures enjoyed a much greater level of protection than mercenaries, who were occasionally outright condemned by the Church.

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[7] David Crouch, "When was Chivalry?: Evolution of a Code," in *Knighthood and Society in the High Middle Ages*, eds. David Crouch and Jeroen Deploige (Leuven: Leuven University Press, 2020), 280-81, accessed January 15, 2021, https://doi.org/10.2307/j.ctvbtzmj5.16.

[8] Richard W. Kaeuper, *Chivalry and Violence in Medieval Europe* (Oxford: Oxford University Press, 1999), 176-79.

As it would be impractical to construct a single paradigm that accurately describes the conditions and treatment of all the defeated in English warfare, regardless of class, creed, or circumstance, this study will instead break down its analysis of the treatment of the defeated and examine the experiences of several broad categories of people. Firstly, this study will chart the impact of the rise of chivalry on the treatment of defeated knights and nobles, as well as examine the impacts of the practice of ransom. Secondly, this work will also examine the impact of defeat on English commoners, including both foot soldiers and peasants who were caught up in the aftermath of battle. However, as warfare during the period was rarely confined to a single kingdom, this survey will also include the experiences of foreign soldiers from Wales, Scotland, and beyond, as well as mercenary groups who were involved in Anglo-Norman and Angevin warfare. In addition, this study will include the treatment of clergymen and ecclesiastical figures who, either as direct participants in war or as unfortunate victims of pillaging, suffered the consequences of defeat. In a similar vein, this work will attempt to document the conditions of defeat for women of both noble status and the peasantry, who, despite generally not being directly involved in war, often experienced its consequences keenly. Finally, this study will provide an account of the treatment of hostages, taken both in war and in peacetime, during this period. Though many of these hostages were not handed over as a result of military defeat, the experiences of hostages remains an important element for understanding the consequences of defeat and provides a valuable counterpoint to the treatment of captives taken through conventional warfare. To accomplish all of these goals, this

study will rely heavily on the work of contemporary chroniclers in England, France, and Wales.

Although a number of works have sought to address the treatment of one or more classes of the defeated, few have made it their primary focus. This is true for one of the most important works on knightly warfare during the Middle Ages, Keen's 1984 monograph *Chivalry*.[9] In this book, Keen provided a compelling picture of the social, economic, and military aspects of chivalric culture in the Late Middle Ages, including the treatment of knights captured in chivalric warfare. Keen's work focused heavily on the laws and legal structures underpinning the chivalric code and provided an excellent account of the formal practice of ransom in warfare. However, Keen's focus on the system of chivalry itself precluded him from examining the treatment of defeated soldiers and civilians from outside the nobility. In addition, Keen's concentration on the Late Middle Ages enabled him to study a fully established and deeply entrenched chivalric culture, but, as a result, *Chivalry* does not address the gradual evolution of the chivalric code over the eleventh and twelfth centuries. Nonetheless, Keen's work remains foundational to the study of chivalric warfare and the treatment of knightly prisoners.

Later contributions to the historiography of the topic have since addressed some of the shortcomings of Keen's monograph, such at Matthew Strickland's *War and Chivalry: The Conduct and Perception of War in England and Normandy, 1066-1217,* first

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[9] Maurice Hugh Keen, *Chivalry* (New Haven: Yale University Press, 1984).

published in 1996.[10] Strickland's earlier temporal focus allowed him to study the practice of chivalric warfare as chivalric customs were still developing and not yet universally adopted. As such, one of the objectives of Strickland's monograph was examining the limits of chivalric restraint in warfare, including how knights treated mercenaries, foreign soldiers, and church property in war. As valuable and insightful as this contribution is, the treatment of the defeated remains only a component of Strickland's study, which tends to highlight broad tendencies rather than exhaustively explore the intricacies of the topic. In addition, Strickland's work focuses primarily on the actions and biases of medieval knights, and does not attempt to characterize the behavior of the commoners and mercenaries who made up large majorities of most medieval armies.

Other works have sought to provide detailed accounts of the treatment of specific groups of people in the aftermath of military defeat in the Middle Ages. Gwen Seabourne's *Imprisoning Medieval Women: The Non-Judicial Confinement and Abduction of Women in England, C.1170-1509,* published in 2011, provides a brilliant account of the abduction, imprisonment, and general treatment of women both in peace and in war.[11] Seabourne delivers a particularly compelling account of the "ravishment" of medieval women, a thorny medieval legal term that could be defined as abduction, rape, or even theft. In addition, Seabourne's work explores the experience of female hostages and political prisoners, and convincingly demonstrates that female hostages generally

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[10] Matthew Strickland, *War and Chivalry: The Conduct and Perception of War in England and Normandy, 1066-1217* (Cambridge: Cambridge University Press, 2005).

[11] Gwen Seabourne, *Imprisoning Medieval Women : The Non-Judicial Confinement and Abduction of Women in England, C.1170-1509* (Abingdon: Routledge, 2011).

faced considerably harsher treatment than their male counterparts. Although

Seabourne offers great insight into the abduction of medieval women and their

subsequent treatment, *Imprisoning Medieval Women* does not draw a distinction

between acts of war and peacetime abduction. Instead, Seabourne's primary focus is on

legal disputes regarding the possession of medieval women, whether as wards,

hostages, or abducted wives. As such, it is unclear from Seabourne's work to what

extent the treatment of these women stemmed from the consequences of military

defeat, and what extent was a product of systemic cultural prejudices against women

during the Middle Ages.

Another key work is Adam Kosto's 2012 monograph *Hostages in the Middle Ages,*

which seeks to provide a definitive account of the medieval institution of hostageship.[12]

Kosto charts the growth and evolution of the European practice of hostage taking over

the course of the Middle Ages, beginning his study with the handful of documented

cases of hostages before 1000 AD, though the primary focus of the work spans the

period from 1000 to 1500. Kosto convincingly demonstrates that the use and treatment

of hostages changed dramatically over the course of this period, with hostages notably

evolving from a form of status symbol during the Early Middle Ages to become a system

of human collateral among the parties of a host of treaties and agreements, as was the

case for the majority of the period Kosto examines. Although Kosto's work is a brilliant

account of the institution of hostages during the Middle Ages, Kosto does not make an

effort to explore the treatment of prisoners of war or other captives taken as a result of

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[12] Adam Kosto, *Hostages in the Middle Ages* (Oxford: Oxford University Press, 2012).

military action. As a result of this emphasis on one specific group of the defeated,

Hostages in the Middle Ages has limited potential to describe the broader conditions of

defeat in the Middle Ages.

For much of the Middle Ages, the price of defeat in battle was death. Although

war never lost its brutal edge, English customs involving the capture and treatment of

prisoners gradually evolved over the course of the eleventh, twelfth, and thirteenth

centuries to place limits on the violence inflicted on the defeated. This trend was the

product of a number of different factors, including the rise of chivalry and growing

economic prosperity in the kingdom of England, though each factor impacted the

treatment of each distinct group of people to different extents.   As a result, these new

limits did not protect everyone equally. Members of the nobility and other exalted

positions in society saw the greatest improvement in their treatment in defeat while

lowlier members of society, such as peasants and non-Christians, saw only a modest

change in their prospects. Despite this systemic inequality, the treatment of the

defeated of all walks of life gradually improved to one extent or another in the period

from 1035 to 1216, with more humane outcomes for the defeated, such as capture and

ransom, gradually replacing more traditional brutality in warfare.

In order to document the gradual evolution of the English's treatment of the

defeated during the High Middle Ages, this study will examine three distinct periods

between 1035 and 1216. Chapter one will cover the reign of the Anglo-Norman dynasty

beginning with William the Conqueror's inheritance of Normandy in 1035, and ending

with the death of his son King Henry I in 1135. Chapter two will cover the reign of

Henry's successor, King Stephen, which lasted from 1135 to 1153 and is often referred

to as "the Anarchy." Chapter three will focus on the reign of the Angevin dynasty, which

succeeded Stephen in 1154 with the coronation of Henry II and ended with the death of

King John in 1216. Each chapter will explore the changes and developments in the

treatment of each of the aforementioned groups of people, including knights,

commoners, mercenaries, clergymen, women, and hostages in the aftermath of defeat.

In doing so, this study will attempt to create a comprehensive picture of the gradual

evolution of the conditions of defeat in English warfare from 1035 to 1216, during

which time limits on the violence of warfare created a culture of military restraint,

reducing but not eliminating the brutal mistreatment of the defeated.

Chapter One:

"By Sword and by Fire they Massacred:"

The Treatment of the Defeated in Anglo-Norman Warfare, 1035-1135

      The Dukes of Normandy rose to astonishing heights over the course of the

eleven century, riding on the back of a new form of warfare. This new system altered

not only the tools and tactics of warfare, but also the warriors themselves, ushering in

the age of heavy cavalry.[1] This system placed immense value on strong defensive

fortifications and knights, leading to a shift in values and customs both on and off the

battlefield. These changes, paired with an increasingly stratified society, formed the

backbone of a new cultural idea: the chivalric code, which incorporated the prevailing

notions of honor, courage, and loyalty, but tempered their expression with a host of

more humane values, including magnanimity, mercy, and generosity.[2] The chivalric

code combined the cultural identities of Christianity and nobility with the existing

warrior ethics to create the unique identity of knights as devout, aristocratic warriors

charged with defending their lands and their faith.[3] Though never formally codified and

only in its infancy at the time of the Norman Conquest, this new system offered

guidance on a wide array of martial problems, including the perennial issues raised by

the capture and treatment of prisoners. For most combatants, this meant that their

social status greatly influenced their treatment in defeat, with certain groups such as

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[1] Charles Oman, *A History of the Art of War,* Vol. 2 (London: Methuen & Co., 1905), 17.

[2] Nigel Saul, *Chivalry in Medieval England* (Cambridge, MA: Harvard University Press, 2011), 11-12.

[3] Ibid., 3-4.

knights or clergymen, who were more highly valued under chivalric norms, offered greater protections.[4] Although captives still ostensibly put their lives in the hands of their captors, defeated knights and lords rarely faced execution or torture during their imprisonment, which was usually reasonably short. Instead, they typically regained their liberty after negotiating an agreement to pay a ransom agreed upon by both parties.[5] However, this system of ransom was far from binding or universal by the time of the Norman Conquest. Indeed, although there was increasing moral and systemic pressure to treat prisoners and hostages with honor and dignity during the reigns of William I and his sons, their treatment still hinged primarily on the potential costs and benefits of the situation, rather than on the fledgling chivalric code.

In part to counteract these uncertainties and to guarantee treaties and agreements, medieval nobles, including the Normans and their descendants, often turned towards a second form of incarceration: hostages. Although superficially similar, hostages and prisoners of war occupied different statuses, and thus received different treatment. Unlike military prisoners, hostages forfeited their liberty and potentially their lives on a strictly conditional basis. As long as both parties upheld the agreement that their lives insured, hostages could reasonably expect safety and honorable treatment, if not their autonomy. As with prisoners of war, however, there were numerous exceptions, and some lords neglected their hostages out of spite,

[4] Matthew Strickland, *War and Chivalry: The Conduct and Perception of War in England and Normandy, 1066-1217* (Cambridge: Cambridge University Press, 2005), 3.

[5] For more about the later system of ransom, see Michael Prestwich, *Armies and Warfare in the Middle Ages: The English Experience* (New Haven: Yale University Press, 2006), 100-09.

contempt, or a desire to apply more pressure on the hostage's friends or family. [6]

Though this sort of behavior occasionally elicited protests from uninvolved barons, especially if such mistreatment was unprovoked by a treaty violation, the lack of formal hostage laws during the reigns of William I and his sons ensured that such treatment remained legal. On the other hand, however, a hostage that died in captivity lost all potential value, so even the most callous of captors had an incentive not to push their mistreatment too far. However, if the side that supplied hostages proceeded to break the treaty they safeguarded, the forfeited hostages also lost value, and were placed in a precarious position. Much like with prisoners of war, at that point the hostage's fate hinged on the whims of their captor.

Though the chivalric code has long been a popular topic of discussion for historians, Maurice Keen's 1965 monograph, *The Laws of War in the Late Middle Ages* 1965, marked a tide shift in the historiography. By using medieval court records, Keen was able to demonstrate that restrictions and laws governed medieval warfare in a very real sense, with an enforceable system of rules and expectations for behavior during wartime. Keen also traced the origins of these laws from the canon laws defining "just wars," with Church laws setting a precedent for other restrictions on the practice of war. Keen also produced the first comprehensive picture of the complex legal structures underpinning the law of ransom, examining court documents describing legal challenges put forward by released prisoners contesting the justice of their ransom agreements. Keen argues that medieval legal scholars considered prisoners to owe their captors a degree of allegiance in exchange for certain obligations (such as

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[6] Adam Kosto, *Hostages in the Middle Ages* (Oxford: Oxford University Press, 2012), 34-35.

safety from death and mistreatment), forming a parallel structure to the feudal system itself.[7] Keen also argued that canon law underpinned the largely ineffective laws governing immunities from war. Despite the limited efficacy of these laws, they defined and characterized "just war" and provide legitimacy to sanctioned warfare. In addition, Keen argued that the need to reconcile canon standards for ethical warfare with the realities of medieval society led to a redefinition of soldiers as public actors rather than private interests in an effort to restrict military reprisals and limit collateral damage in warfare, therefore subordinating princes and soldiers alike to restrictions posed by the laws of war. Though Keen's work is a decisive contribution to the field, it relies on later court records, which naturally only document formal complaints raised primarily by knights and wealthy individuals, and this focus limits his ability to characterize the experiences of those without the ability to seek legal recourse. Keen also makes no concerted effort to cover the eleventh and twelfth centuries or the rise of chivalry, preferring instead to study the chivalric code at the peak of its development.

Robert Stacey built upon this framework in his 1994 essay, "The Age of Chivalry," which traces the rise of constraints on warfare under the chivalric code to ecclesiastical efforts to limit violence against fellow Christians, but argues that these efforts, as well as the concept of limits on warfare itself, had their roots in the Roman understanding of "just war." Stacey also acknowledges the limited efficacy of Church decrees on this topic, especially concerning the treatment of commoners. Stacey links the failure of Church decrees to protect the peasantry to the societal divide between the

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[7] Maurice Hugh Keen, *The Laws of War in the Late Middle Ages* (London: Routledge & K. Paul, 1965), 157-58.

knightly elite as professional warriors and the peasantry as laborers, which allowed

knights to interpret the laws of war as only applying to other knights, even when

commoners took to the battlefield.[8] Nonetheless, Stacey further links Church reforms

and laws to the origins of chivalric ideas and the laws of war. Much like Keen's study,

however, Stacey's focus on the legal origins of the laws of war precluded him from

studying their practical application, especially concerning non-knightly combatants.

Drawing upon a wave of similar studies, Stephen Morillo produced a 1997

synthesis that reaffirms the idea that restrictions and limitations on the free exercise of

warfare were born out of an ecclesiastical desire to limit violence against fellow

Christians. In this work, entitled *Warfare Under the Anglo-Norman Kings: 1066-1135,*

Morillo contends that such protections failed to protect Christian commoners and non-

knightly combatants as a result of classist prejudices and the inability of most foot

soldiers to pay a sizable ransom. Morillo also recognizes that ethnic and cultural

differences also influenced the willingness of armies to take prisoners, arguing that

cultures that did not embrace feudalism, such as the Welsh or the Flemings, were more

likely to suffer massacres in the aftermath of defeat than cultures that fully embraced

the system of feudalism, such as the Anglo-Normans. Morillo also leaves open the

possibility for exceptions to these trends, characterizing the immense amount of

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[8] Robert C. Stacey, "The Age of Chivalry," in *The Laws of War: Constraints on Warfare in the Western World*, eds. Michael Howard, George J. Andreopoulos, and Mark R. Shulman, (New Haven: Yale University Press, 1994), 30, accessed March 1, 2021, http://www.jstor.org/stable/j.ctt32bghc.6.

bloodshed at Hastings as "a political phenomenon" and "a result of high-stakes

gambling by both sides," rather than the product of contempt or xenophobia.[9]

Ultimately, Morillo identifies three key variables in determining prisoner of war

treatment in Anglo-Norman warfare: the captor, the prisoner, and the circumstances of

the capture. Morillo argues that the personal inclinations and the political position of

the captor could lead either to harsher or more benevolent treatment of prisoners, and

that the status of the captive could render them either too dangerous to release or not

valuable enough to spare. Likewise, an honorable surrender could inspire generosity

from the victors, and a cowardly defeat could spell doom for even a noble prisoner. The

brief nature of Morillo's synthesis and the range of other subjects he covers ensure that

his picture of prisoner of war treatment remains overly broad and is lacking much in

detail, however.

Recent scholarship, however, has tended to focus on a deep exploration of a

specific theme or type of prisoner. Matthew Strickland's *War and Chivalry: The Conduct

and Perception of War in England and Normandy, 1066-1217*, originally published in

1996, extended the understanding of the links between chivalry and limited warfare

that Keen and Stacey proposed to the eleventh and twelfth century, which had not been

explored by either scholar.[10]   Gwen Seabourne's 2011 book, *Imprisoning Medieval

Women: The Non Judicial Confinement and Abduction of Women in England, C.1170-1509*,

meanwhile, explored the situations in which medieval women were imprisoned, as well

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[9] Stephen Morillo, *Warfare Under the Anglo-Norman Kings: 1066-1135* (Woodbridge, Suffolk: Boydell Press, 1997), 22.

[10] Strickland, *War and Chivalry*, 3-5.

as the manner in which these captive women were treated.[11] Another major

contributor was Adam Kosto, who published *Hostages in the Middle Ages* in 2012.

Kosto's work is a comprehensive examination of medieval hostage agreements,

examining both the legal frameworks of such agreements and the experiences of these

hostages in captivity. Though each of these studies offers great insight into their

specific topics, their very specificity prevents them from drawing any comparisons

between different classes or types of prisoner. As a result, none of these studies is able

to provide a clear picture of the evolution of treatment of the defeated in Anglo-Norman

warfare.

The Anglo-Normans fought on remarkably diverse battlefields, and the enemies

they confronted were neither homogenous nor treated equally in defeat. Members of

the upper classes who took to the battlefield during the eleventh and early twelfth

centuries faced tremendous risks if they were defeated. With little to no protection

from the whims of the victors, vanquished noblemen could expect wildly different

treatment based on the situation in which they were captured and the personal

inclinations of their triumphant foes. Despite this, the economic and political status of

these individuals ensured that they were usually more valuable captured alive and

ransomed than killed outright or left to die in prison. Indeed, the deciding factor in

determining the fate of a prisoner often boiled down to a risk-reward calculation from

their captor. If the financial and political dividends appeared lucrative enough to justify

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[11] Gwen Seabourne, *Imprisoning Medieval Women: The Non-Judicial Confinement and Abduction of Women in England, C.1170-1509* (Abingdon: Routledge, 2011).

the risks posed by releasing an enemy knight, for example, most Norman lords proved

willing to take that chance.

One of the more politically cunning lords of the eleventh century was William of

Normandy, who mastered the art of using prisoners to further his political ambitions

and saw great value in creating a reputation for mercy, earned or otherwise. As an

illegitimate child, William inherited the Dukedom of Normandy when he was only seven

or eight, and found himself faced with the daunting task of reasserting order in the

ensuing power struggle. Through necessity, the young duke learned the value of loyal

supporters as well as the risks of powerful semi-independent vassals, and deliberately

cultivated a reputation for clemency in order to win the support of former foes and

consolidate a strong power base of allies and vassals as he sought to expand the ducal

power he inherited.[12] Although William's forces massacred their retreating foes after

defeating the duke's rebellious vassal Guy of Burgundy, the count of Brionne, in 1047 at

the Battle of Val-ès-Dunes near Caen in Normandy, Norman chronicles emphasize how

William offered clemency both to Guy and his partisans, allowing them to retain their

status and lands in exchange for a number of hostages.[13] Likewise, Norman chronicles

claim that the duke treated similarly with his uncle, Count William of Arques, a member

[12] Mark S. Hagger, *William: King and Conqueror* (London: I.B. Tauris, 2012.), 45-48, accessed June 15, 2020, https://ebookcentral-proquest-com.proxy006.nclive.org/lib/appstate/reader.action?docID=1209033&ppg=28.

[13] William of Poitiers, *The Gesta Guillelmi of William of Poitiers*, ed. and trans. Ralph Henry Carless Davis and Marjorie Chibnall (Oxford: Clarendon Press, 1998), 10-13; William,of Jumièges, Ordericus Vitalis, and Robert de Torigni, *The Gesta Normannorum Ducum of William of Jumièges, Orderic Vitalis, and Robert of Torigni*, ed. and trans. Elisabeth M. C. Van Houts (Oxford: Clarendon Press, 1995), 2:122-123; David Bates, *William the Conqueror* (New Haven: Yale University Press, 2016), 84, accessed March 10, 2021, http://www.jstor.org/stable/j.ctt1gxxprw.11.

of the ducal family with extensive holdings in northwestern Normandy (also known as

William of Talou) in 1054 after his unsuccessful rebellion, though David Bates

demonstrates that Count William ultimately left Normandy never to return.[14] Indeed,

William of Poitiers claims that the Normans who defected to the rebel's cause and "who

should have been punished by the law of deserters, were reconciled to their lord with a

light punishment or none at all."[15] By the time the dust had settled, the young duke's

methods had proven surprising effective. William, who had inherited a fractured

Normandy, through a combination of ruthless warfare and either merciful treatment of

his domestic foes or the appearance of it, finally consolidated his holdings and began

looking for new opportunities to further his ambitions.

William's cultivated reputation for generosity paid dividends when Harold

Godwinson, one of the foremost earls in Britain and brother-in-law of King Edward the

Confessor, fell into his hands. In 1064, Count Guy of Ponthieu, a sizable county on the

border of Normandy and Flanders, captured Harold Godwinson, who was traveling

across the English Channel on an unclear errand.[16] Count Guy, a onetime prisoner of

Duke William who had since sworn loyalty as a vassal, had built notoriety for torturing

his prisoners for sport, leading Harold to appeal William for aid. William, sensing an

opportunity, immediately secured his transfer into his own custody. Although William

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[14] William of Poitiers, *Gesta Guillelmi*, 40-43; Bates, *William the Conqueror*, 132.

[15] Ibid., 43.

[16] According to Friedrich Brie, ed., *The Brut; Or, The Chronicles of England* (London: Oxford Univ. Press, 1906) and other English sources, Harold was blown off course by a storm. Predictably, Norman sources such as the *Gesta Guillelmi* claim Harold was on his way to pledge fealty to William and promise him the English throne, a highly unlikely story.

treated Harold as an honored guest, there was no doubt that he was still a prisoner of the Norman duke.[17] Indeed, William held Harold in captivity until he was satisfied with an oath he extracted from him, perhaps even an oath of fealty to William or a promise to support his claim to the English throne.[18] When King Edward died in 1066, the apparently broken vow William had extracted from Harold provided the Norman duke with a rallying cry that helped him to quickly raise an army and launch an invasion, while severely undercutting Harold's already tenuous claim to the throne. William's calculated mercy towards both his own vassals and the man who would prove to be his most immediate rival for the English throne not only opened up the possibility of the Norman Conquest, but also ensured he had sufficient backing among his vassals and allies to raise a large army and go on campaign without Normandy falling into disarray. His victory over Count Guy in 1047 secured his authority over the troublesome vassal, and gave him the leverage he needed to secure Harold's release.[19] More importantly, however, William's reputation as a merciful and generous victor led his rival claimant right into his hands. Although Harold likely realized just how dangerous of a situation he would be in if he fell into William's grasp, his captivity at the hands of Guy drove him to appeal to his rival for assistance. Though David Bates makes the case for a variety of other potential explanations for this series of events, he is clear to point out that

[17] The *Gesta Guillelmi* and the *Gesta Normannorum Ducum* emphasize Harold's warm reception at William's court, though even in these pro-Norman accounts Harold is clearly in William's power.

[18] Bates*, William the Conqueror*, 193.

[19] Most chronicles that cover the event, including the *Gesta Guillelmi,* indicate that William used a mixture of gifts and threats to persuade Guy to cooperate.

William undoubtedly wished to portray himself as Harold's merciful savior during the whole episode.[20] After all, once Harold arrived at William's court as a guest, William was able to hold Harold more or less indefinitely without appearing to act dishonorably.

At Hastings just a few years later, however, the political calculations had shifted due in no small part to the fact that the duke's foes were political rivals rather than vassals, and William was far less merciful. Indeed, the Norman invasion of England is noteworthy for the lack of prisoners taken, especially considering the number of high-status and wealthy men gathered for the battle. Even pro-Norman sources, including those that had lauded William for his fair treatment of prisoners earlier, are clear that the Normans hunted down and slaughtered every Englishman they could find, both during the battle and in the ensuing rout.[21] Indeed, according to the *Carmen de Hastingae Proelio,* "only darkness and flight through the thickets and coverts of the dense forest saved the defeated English."[22] Nor were men of high status spared. John of Worcester asserts, "Earls Gyrth and Leofwine, [Harold's] brothers, also fell, and the more noble of almost all England."[23] Though it is likely that Harold's brothers died before the English army broke and the massacre began, Bates's assertion that William

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[20] Bates, *William the Conqueror*, 197-98.

[21] Wace, *The History of the Norman People: Wace's Roman De Rou*, ed. by Elizabeth van Houts, trans. by Glyn S. Burgess (Woodbridge, Suffolk: Boydell Press, 2004) 187, 190-192, William of Poitiers, *Gesta Guillelmi*, 131-139, Guy of Amiens. *The Carmen de Hastingae Proelio of Guy Bishop of Amiens*, ed. and trans. by Frank Barlow (Oxford: Clarendon Press, 1999) 31-35.

[22] Guy of Amiens, *Carmen de Hastingae,* 33-34.

[23] John of Worcester, *The Chronicle of John of Worcester*, ed. and trans. by P. McGurk (Oxford: Clarendon Press, 1998), 2:605.

always intended to kill Harold suggests that their deaths were also not incidental.[24]

Regardless, the wholesale slaughter of the fleeing Englishmen only ended after the

reckless pursuit resulted in the loss of a number of Norman knights to counterattacks

and poor terrain.

The slaughter at Hastings marks a sharp contrast to William's efforts to

consolidate his grip on England after the battle, a shift made possible by the sheer

decisiveness of the blow to the English royal family. In the following weeks, William

fought a series of campaigns to secure his conquest in which he proved far more

merciful, with his policy towards the defeated mirroring that of his earlier efforts in

Normandy. According to one account, William marched to Dover to subjugate an

English garrison and ended up paying them reparations when some of the men under

his command began burning the castle during the negotiations of their surrender.[25]

Moreover, William accepted the capitulation of London and accepted hostages as a

guarantee after ravaging the countryside and skirmishing with its defenders.[26] This

relatively mild treatment suited his purposes well; the decisive nature of the Battle of

Hastings ensured that William had successfully eliminated his rival claimants, enabling

him to fight a war of subjugation rather than of conquest.[27] With the fall of London,

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[24] Bates, *William the Conqueror*, 242-243.

[25] William of Poitiers, *Gesta Guillelmi*, 144-45.

[26] John of Worcester, *Chronicle*, 2:607, William of Jumièges, *Gesta Normannorum Ducum*, 2:170-171, Guy of Amiens, *Carmen de Hastingae*, 38-45.

[27] Hagger, *William: King and Conqueror*, 110-11. Hagger argues that William's swift coronation limited how hard he was able to crack down on the English resistance.

William could finally claim the crown and establish control over the kingdom, with little more than isolated pockets of resistance to his reign.

There are two main explanations for William's decision to show no mercy at Hastings, one of which is much more convincing than the other. The first rationalization, advanced by several Norman chroniclers and largely dismissed by Matthew Strickland, was that the English were barbaric and foreign, and therefore unworthy of sparing.[28] Indeed, the earlier capture of Harold and the later capitulation of several English cities and garrisons belie such a claim. The second explanation advanced by Strickland holds more merit. As an invading minority, the Normans stood to benefit greatly by killing as much of the English nobility as possible, thereby limiting the potential for organized resistance in the kingdom in the immediate aftermath of the battle, as well as in the months and years to come.[29] As a result, William and the Normans made a calculated decision to deviate from the fledgling chivalric code that they had embraced in their Norman campaigns in order to serve their own interests. With a substantial portion of the English nobility killed at Hastings, however, William once again saw merciful treatment of prisoners and defeated foes as more beneficial to his goals, securing loyalty among his new vassals through the same methods he had used to great effect in Normandy.

In cases where William and the Normans believed that showing mercy was not politically advantageous, however, social status offered very little protection. The aftermath of the rebellion in East Anglia following the wedding of Earl Ralph de Gaël in

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[28] Strickland, *War and Chivalry*, 3.

[29] Ibid., 4.

1074, known as the Revolt of the Earls, provides insight into the careful calculation that went into determining the fate of the defeated. This rebellion was notable for the presence and capture of a repeat offender: Earl Waltheof of Northumbria, the last surviving Anglo-Saxon earl yet to be replaced by a Norman.[30] Waltheof had participated in and survived a rebellion at York in 1069 in support of Edgar the Aethling, and seems to have obtained a royal pardon and retained the favor of King William, even marrying the king's niece, Judith of Lens.[31] However, Waltheof's level of involvement in the 1074 rebellion in East Anglia was evidently a controversial topic to contemporaries, with most accounts blaming Earl Roger of Hereford and Earl Ralph of East Anglia as the ringleaders.[32] According to John of Worcester, "They forced Earl Waltheof, who had been trapped by their wiles, to join the plot," though he soon repented of his role and appealed to both the Archbishop of Canterbury and King William for mercy.[33] *The Anglo-Saxon Chronicle* depicts a slightly more tepid reaction from the Earl of Northumbria, but takes note of his appeal to the king for clemency.[34] No mercy was forthcoming this time, however: once King William had his rebellious

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[30] Bates, *William the Conqueror,* 350.

[31] Orderic Vitalis, *The Ecclesiastical History of Orderic Vitalis*, ed. and trans. by Marjorie Chibnall, vol. 4 (Oxford: Clarendon Press, 1973), 275.

[32] Dorothy Whitelock and David Douglas, eds*., The Anglo-Saxon Chronicle* (New Brunswick, NJ: Rutgers University Press, 1962)*,* 157; John of Worcester, *Chronicle*, 3:25.

[33] John of Worcester, *Chronicle*, 3:26; Ryan Lavelle, "The Execution of Earl Waltheof: Public Space and Royal Authority at the Edge of Eleventh-Century Winchester," in *Early Medieval Winchester: Communities, Authority and Power in an Urban Space, c.800-c.1200*, eds. Ryan Lavelle, Simon Roffey, and Katherine Weikert (Oxford: Oxbow Books, 2021), 125-26, accessed September 29, 2021, https://doi.org/10.2307/j.ctv1wvndd9.13.

[34] Whitelock, *Anglo-Saxon Chronicle,* 157.

vassal in his power, he ordered his capture and the following year, his execution.[35]

Although the resulting shock and disapproval of this execution that swept the kingdom

would suggest a political miscalculation, William seems to have called the bluff of

Waltheof's supporters. This wave of discontent and resistance from nobles across the

kingdom never manifested into an open rebellion or outright confrontation, though

Emma Mason charts the formation of a cult surrounding the supposedly incorruptible

flesh and healing powers of the body of the earl, who was seen by some Englishmen as a

martyr.[36] This level of pushback, and indeed the formation of a cult of veneration,

indicates that King William had transgressed norms not by executing a man of high

status, but rather a noble of uncertain guilt.

Not all Norman lords based their treatment of prisoners on devious political

calculations, however; in most cases, personal inclination was the key factor. According

to Frank Barlow, William II, who ruled from 1187 to 1100, was a chivalric and generous

warrior despite his vices and personal excesses, though his temper sometimes got the

better of him.[37] Consequently, William II often put his own honor before political

expediency in dealing with captured enemies. Although such decision-making would

become common after the widespread adoption of the chivalric code and the

increasingly contractual understanding of warfare at the end of the twelfth century, it

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[35] Ibid., 157; John of Worcester, *Chronicle,* 3:26.

[36] Emma Mason, "Invoking Earl Waltheof," in *The English and Their Legacy, 900-1200: Essays in Honour of Ann Williams*, ed. David Roffe (Woodbridge, Suffolk: Boydell & Brewer, 2012), 188-90, accessed August 8, 2021, http://www.jstor.org/stable/10.7722/j.ctt1x73z8.19.

[37] Frank Barlow, *William Rufus* (New Haven: Yale University Press, 2000), 3.

made William II a highly unusual character among his contemporaries and even his immediate successors.[38] Indeed, despite his general adherence to honorable customs, the lack of formal legal protections for the defeated ensured that such behavior was neither enforced nor universal during the reign of William II.[39] Though Strickland argues that custom was a powerful influence on the conduct of war during the eleventh and twelfth centuries, custom alone lacked the strength and potency of the formal law of arms governing warfare in the later Middle Ages.[40] Despite the apparent chivalric notions of King William II, prisoner treatment still revolved entirely around personal disposition of the victorious knight, and not around a formal legal code or the courts and tribunals of the later Middle Ages.

William Rufus's response to the recently freed Bishop Odo leading a rebellion in 1088 displayed his personal inclination towards honorable conduct. The rebellion posed a serious threat to William II's reign, as it championed the accession claim of Rufus's older brother, Robert, whose insurrections against their father had soured their relationship and led William I to designate his second son, William, to succeed him as king of England instead. During his campaign against the rebels, William II captured several castles and strongholds, including Pevensey, where Odo himself fell into the king's hands. In victory, William II proved even more magnanimous than his father to the rebels he captured, despite the threat such an uprising nominally posed to his reign.

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[38] Nigel Saul, *Chivalry in Medieval England* (Cambridge, MA: Harvard University Press, 2011), 137-39.

[39] Strickland, *War and Chivalry*, 124-126.

[40] Ibid., 39-40.

However, the sloppy nature of the uprising undermined this threat, as many of Odo's

allies only fought half-heartedly, doubtless leading William II to the conclusion that he

could win the conspirators back to his side with clemency.[41] When he accepted the

wounded Gilbert fitz Richard's surrender of Tonbridge, William Rufus permitted him to

remain in his castle under guard, rather than risk his condition deteriorating by

relocating him to a royal stronghold.[42] Indeed, Gilbert fitz Richard even appears as a

witness on a royal act later that same year, suggesting that he returned to the king's

service shortly after his capture.[43] Nor did the rebel garrison suffer ill treatment;

though the king's army stormed the castle, the defenders made a truce and swore fealty

to the king.[44] According to Richard Sharpe, out of all the rebels in this 1088 campaign,

only Bishop Odo was unable to reconcile with William II and regain his former lands

and honors.[45]

Although William Rufus proved generally merciful to his foes in suppressing this

rebellion, other nobles often proved somewhat less generous. When rebel conspirators

attempted to sack Worcester while the king was away in 1088 and were subsequently

defeated by forces rallied by Wulfstan, the bishop of Worcester, "the footsoldiers were

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[41] David R. Bates, "The Character and Career of Odo, Bishop of Bayeux (1049/50-1097)," *Speculum* 50, no. 1 (1975): 18, accessed June 25, 2021, doi:10.2307/2856509.

[42] John of Worcester, *Chronicle*, 3:53.

[43] Richard Sharpe, "1088 – William II and the Rebels," in *Anglo-Norman Studies 26: Proceedings of the Battle Conference 2003*, ed. John Gillingham (Woodbridge, Suffolk: Boydell & Brewer, 2004), 150-51, accessed March 3, 2021, doi:10.7722/j.ctt81v3r.13.

[44] Ibid., Whitelock, *Anglo-Saxon Chronicle*, 167.

[45] Sharpe, "1088," 156-157.

killed, and the knights, Norman and English as well as Welsh, were captured [by Bishop Wulfstan], the rest barely escaped in a wretched flight."[46] Although it seems the defenders of Worcester pursued their fleeing enemies more or less evenly, only noble and wealthy individuals were captured alive, a fairly common occurrence in medieval battles.[47] Even when spared in battle, noble prisoners did not always receive merciful treatment.   When seigneur Ascelin Goel, the lord of Ivry in southeastern Normandy, defeated William of Breteuil, his feudal lord and Abbott of Bretueil, he subjected him to imprisonment and torture.[48] In this case, the cruelty with which he treated his liege led other barons to negotiate a truce, including a marriage alliance between William and Goel, in which Goel married William's daughter. Even so, the lack of formal laws governing the capture and treatment of knightly foes meant that while Goel certainly transgressed cultural norms, his actions did not warrant legal punishment. Although the situation was distasteful enough to lead the other magnates to intervene, defeated noblemen had very little recourse to influence their treatment or release during this period.

Similarly, excessively stout defenses of doomed fortifications could lead to harsh punishments, especially for rebels. Robert Curthose, angered by the particularly determined defense of Saint-Céneri by its castellan, Robert Quarrel, ordered the knight blinded and the garrison of Saint-Céneri mutilated once the lack of supplies finally

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[46] John of Worcester, *Chronicle*, 3:55.

[47] Stephen Morillo, *Warfare Under the Anglo-Norman Kings: 1066-1135* (Woodbridge, Suffolk: Boydell Press, 1997), 21-22.

[48] Ibid., 4:203; Strickland, *War and Chivalry*, 196.

forced their surrender.[49] Though the treatment of Saint-Céneri and its defenders seems

extreme, Robert Curthose's strong claim of ownership of the castle as the duke of

Normandy made the castle's defiance all the more infuriating, and doubtless influenced

the punishment levied against Robert Quarrel and his men. According to Strickland,

such mutilation of prisoners was a punishment usually reserved for rebels and

commoners, though knights captured in particularly bitter conflicts occasionally faced

such punishment.[50] In 1094, King William captured the castle of Bamborough "and all

the partisans of [Earl Robert of Northumbria] received cruel treatment," including

William of Auche, who paid for his resistance with his sight.[51] In addition, the threat of

mutilation could prove to be just as effective for securing the submission of a garrison.

The Anglo-Saxon Chronicle claims that Bamborough Castle surrendered following

William II's threat to gouge out Earl Robert's eyes.[52] Though the chroniclers often find

such actions distasteful, the mutilation and disfigurement of captured prisoners was a

tool often employed to exact revenge or intimidate garrisons into submission.[53] After

all, as C. Warren Hollister argues, mutilation was a standard punishment for a wide

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[49] Orderic Vitalis, *Ecclesiastical History*, 4:155.

[50] Strickland, *War and Chivalry*, 201-203.

[51] Roger of Wendover, *Roger of Wendover's Flowers of History, Comprising the History of England from the Descent of the Saxons to A.D. 1235; Formerly Ascribed to Matthew Paris*, trans. by J. A. Giles (London: H.G. Bohn, 1849), 1:366.

[52] Whitelock, *Anglo-Saxon Chronicle,* 173.

[53] Robert Liddiard, *Castles in Context: Power, Symbolism and Landscape, 1066 to 1500* (Oxford: Oxbow Books, 2012), 84-86, accessed August 25, 2020, doi:10.2307/j.ctv138wt8d.9

variety of severe crimes throughout the Middle Ages, and was an important tool for

kings to punish traitors and assert their moral authority.[54]

Prisoner treatment was not entirely unrestricted and barbaric, however. Even if

the developing laws of war were insufficient to guarantee humane treatment of

captured foes, personal honor often proved a compelling motivation to act with largess.

Although Goel treated his prisoner and liege William of Breteuil with brutality, such

action proved a sufficient affront to the honorable sensibilities of barons throughout

England that they negotiated a peaceful resolution between the two.[55] Similarly, when

Count Helias of Maine fell into William II's hands by chance during a rebellion, the

captured count's claim that misfortune rather than military prowess caused his defeat

led William to release his prisoner without any terms so that he could defeat him

through honorable warfare instead.[56] Count Helias reciprocated this gesture years later

when he protected the defeated Norman garrison of Le Mans from the angry townsfolk

when he took the city.[57] Indeed, the informal system of honor was beginning to take on

a much more significant role in warfare for some individuals, with honor and generosity

contesting, and sometimes outweighing, political expediency.

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[54] C. Warren Hollister, "Royal Acts of Mutilation: The Case against Henry I," *Albion: A Quarterly Journal Concerned with British Studies* 10, no. 4 (1978): 330-40, accessed July 2, 2021, doi:10.2307/4048164.

[55] Orderic Vitalis*, Ecclesiastical History*, 4:203.

[56] William of Malmesbury, R. A. B. Mynors, Rodney M. Thomson, and Michael Winterbottom, *Gesta Regum Anglorum: The History of the English Kings.* Oxford Medieval Texts (Oxford: Clarendon Press, 1998), 1:567.

[57] Ryan Lavelle, *Places of Contested Power: Conflict and Rebellion in England and France, 830-1150* (Woodbridge, Suffolk: Boydell & Brewer, 2020), 215-16, accessed July 4, 2021, doi:10.2307/j.ctvt1sj50.13.

Even more important, however, was the practice of ransom. Although the practical aspects of ransom are not as clearly documented around the end of the eleventh century as they are for later in the Middle Ages, the system of ransom was undoubtedly a fundamental aspect of warfare.[58] According to Strickland, the early procedure for ransom prevalent during the reign of William II was strictly a personal arrangement between captor and captive, although subject to the whims of the captor's feudal lord or suzerain, who held proscriptive power over the fate of the defeated.[59] According to this system, the king of England had the ultimate right to claim the ransom of any knight captured by his vassals, allowing him to execute or liberate any prisoner taken in war, provided that doing so did not alienate his loyal supporters and lead to a revolt. Despite this, ransom provided an excellent opportunity for knights and lords to profit from military prowess while simultaneously providing an incentive to capture their wealthy and noble enemies rather than kill them in battle. This in turn created a social and economic divide on the battlefield, where battles between two groups of knights produced far fewer casualties than battles where one side or the other was comprised of non-knightly soldiers, who were not worth ransoming.[60]

On the other hand, although kings could theoretically command a massive ransom, they retained a limited degree of immunity from capture on the battlefield. William Rufus's royal status saved him when knights in service of his brother Henry,

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[58] According to John of Worcester, *Chronicle*, 3:73, King Philip of France captured and ransomed some 700 knights and 1400 squires loyal to King William II in 1094, releasing each after they had paid their own ransom.

[59] Strickland, *War and Chivalry*, 187-190.

[60] Morillo, *Warfare,* 21.

whom he held besieged at Mont-Saint-Michel, unhorsed him in combat. When he identified himself to his foes as the king, they immediately ceased fighting, preferring to avoid the awkward situation of capturing their king. Instead, they brought him a fresh mount and deferentially conversed with him before permitting him to leave peacefully.[61] Although this royal immunity generally proved effective at preventing honorable vassals from capturing and therefore dishonoring their own king even during rebellions, it was not always a guarantee of safe passage. This degree of protection only became less reliable as ransom and capture grew increasingly prevalent in Anglo-Norman warfare, as both King Stephen and King Richard I later discovered.

The political and economic calculation that constituted the practice of ransom only grew more significant under the reign of Henry I, who preferred to allow political calculation to guide his actions rather than honor. Angry with Robert of Bellême, the Count of Ponthieu and Earl of Shrewsbury who had backed Henry's brother Robert Curthose in his 1101 invasion of England, Henry besieged the town of Arundel in west Sussex in 1102. Severely outnumbered and isolated from their lord, the garrison of Arundel appealed to Henry for a truce so that they could ask their lord Robert of Bellême for reinforcements, or, failing that, permission to honorably surrender.[62] This request was a fairly common means of reconciling feudal obligations with the necessities of warfare, as Strickland points out, since a garrison that surrendered peacefully and offered fealty to an attacker was far more likely to survive than one that

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[61] William of Malmsbury, *Gesta Regum Anglorum,* 1:551.

[62] Orderic Vitalis *Ecclesiastical History*, 6:23.

chose to fight to the death to uphold their honor.[63] C. Warren Hollister agrees that such

a request was "customary" for Anglo-Norman warfare.[64] It was also a means by which

an attacker could either secure a swift and bloodless victory or compel their enemies to

abandon their efforts elsewhere to relieve the garrison. As such, Henry accepted

Arundel's offer of truce, and the garrison was relieved of its feudal obligations to

Robert, "and the castellans thankfully surrendered the castle to the king, who received

them kindly and loaded them with gifts."[65] Indeed, though their feudal ties had forced

them to defy the king's army, the knights defending Arundel ultimately profited from

their surrender, and the king rewarded them for their eventual compliance.

Although political calculations still determined the fate of defeated knights, a

new system of warfare was clearly beginning to emerge, imposing limits on the extents

of permissible violence, especially for the defeated. Though this system drew upon the

increasingly prevalent chivalric values for much of its structure, the greatest appeals of

this system were the increased safety and opportunity for profit it offered for knights

and noblemen.[66] The immense value of a knight's ransom made warfare far more

profitable for the skilled, and the greater incentive to capture knights alive made

combat much less lethal for the unlucky. This, in turn, encouraged chivalric values to

play a greater role on the battlefield, as honorable conduct proved to be a path towards

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[63] Strickland, *War and Chivalry*, 40.

[64] C. Warren Hollister, *Henry I*, ed. Frost Amanda Clark (New Haven: Yale University Press, 2001), 159, accessed July 4, 2021, http://www.jstor.org/stable/j.ctt1bh4cv9.11.

[65] Strickland, *War and Chivalry,* 40.

[66] Saul, *Chivalry*, 10-11.

increased rewards for the victors and more favorable treatment for the defeated. This

system, however, was neither absolute nor universally applied in Anglo-Norman

England. Knights and noblemen did not consistently apply the practice of ransom to

their upper-class foes during the reigns of William I and his sons, with such clemency

applied selectively, most often in pursuit of political gains. The Anglo-Normans were

even less likely to apply the benefits of this new, more limited form of warfare to groups

outside the nobility.

Although the Anglo-Norman nobles were culturally similar to their counterparts

in France, not everyone that they fought alongside or against was quite so similar. In

addition to the cultural tension between the Norman conquerors and the pre-Conquest

English nobility they systematically supplanted and replaced, a diverse cast of

characters appears in Anglo-Norman warfare.[67] Indeed, the battlefields of eleventh-

and twelfth-century England bristled with allies, mercenaries, and levies from

England's neighbors including Wales and Scotland, as well as Normandy's neighbors in

France and Flanders. These men were an important part of most Norman and Anglo-

Norman campaigns, including the Norman Conquest itself.[68] Despite the ubiquity and

utility of these foreigners and mercenaries, however, contemporary writers and their

fellow soldiers alike looked down upon them. Often, this was at least partially a result

of chroniclers and scribes seeking to find a safe and convenient party to blame for

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[67] Hugh M. Thomas, "The Significance and Fate of the Native English Landholders of 1086," *The English Historical Review* 118, no. 476 (2003): 303-06, accessed August 29, 2021, http://www.jstor.org/stable/3490123.

[68] John Beeler, "The Composition of Anglo-Norman Armies," *Speculum* 40, no. 3 (1965): 405-7, accessed March 28, 2021, https://doi.org/10.2307/2850917.

massacres carried out by powerful nobles, and partially a result of disfavor shown by the Church.[69] This tendency also manifested itself in the treatment of these groups on the battlefield, with outsiders and hirelings often receiving less generous treatment than their noble Anglo-Norman counterparts did.

The foreign soldiers Earl Ralph of East Anglia used to bolster his ranks during his failed 1074 rebellion received scant mercy for their part in the unrest. Earl Ralph, who was half Welsh, used the occasion of his wedding in 1074 to invite many of his relatives and their men to his estates in East Anglia. These Welshmen, far from their homes, had little chance once the royal army arrived, and most lost the will to resist once Norwich fell. Despite their swift surrender, William I inflicted heavy punishments on the capitulated foreigners. According to Roger of Wendover, "Of the Welsh who had been present at the marriage before-mentioned, king William ordered some to be deprived of their eyes, some to be sent into exile, and caused others to be hung on a gibbet."[70] Harsh though these punishments were, surrender still offered these foreign soldiers a better chance of reaching home alive than continued resistance and death on the battlefield.

Indeed, the Anglo-Normans gained a reputation for excessive brutality towards their Welsh neighbors, following the example of the ruthless marcher lords, a group of lords tasked with guarding the western border of England and granted considerable

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[69] John France, "People against Mercenaries: The Capuchins in Southern Gaul," in *Journal of Medieval Military History: Volume VIII*, eds. Clifford J. Rogers and Kelly DeVries (Woodbridge, Suffolk: Boydell and Brewer, 2010), 6, accessed July 23, 2020. www.jstor.org/stable/10.7722/j.ctt7zstnd.3.

[70] Roger of Wendover, *Flowers of History*, 1:344.

autonomy to fortify and even expand their domains. These marcher lords built their

reputation for cruelty through underhanded tactics, mass executions, and relentless

encroachment on their Welsh neighbors.[71] Although Welsh nobles were occasionally

captured and treated similarly to their Norman and English counterparts, as when

Bishop Wulfstan routed a rebel army at Worcester in 1088, more often than not, the

Anglo-Norman marcher lords preferred to kill or permanently imprison the Welsh

princes they defeated.[72] Robert of Rhuddlan in particular was notorious for his

treatment of the Welsh he often battled. Robert, as cousin and vassal of Earl Hugh

d'Avranches of Chester, conquered and claimed most of North Wales over the course of

his career as a marcher lord. According to Orderic Vitalis, who was horrified by

Robert's treatment of his fellow Christians, "some he slaughtered mercilessly on the

spot like cattle; others he kept for years in fetters, or forced into a harsh and unlawful

slavery."[73] For all of the chronicler's outrage and claims of illegality, however, Robert

never faced any legal punishment for his behavior, suggesting that neither the king nor

the other major magnates believed such actions warranted intervention. Similarly, Earl

Hugh of Leicester and Earl Hugh of Shrewsbury raided the Isle of Anglesey in 1098, and

"killed many Welshmen taken prisoner there, blinding some, cutting off their hands and

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[71] R. R. Davies, *The Age of Conquest: Wales, 1063-1415* (Oxford: Oxford University Press, 2000), 83-85, accessed August 25, 2021, https://search-ebscohost-com.proxy006.nclive.org/login.aspx?direct=true&db=cat04042a&AN=app.b9815088&site=eds-live&scope=site.

[72] John of Worcester, *Chronicle*, 3:55. The equivalence drawn by the chronicler between Norman, English, and Welsh knights suggests a relative parity of treatment.

[73] Orderic Vitalis, *Ecclesiastical History*, 4:139.

arms, and castrating them," and even mutilated an aged priest they captured there.[74]

The escalating brutality of warfare on the Welsh marches ensured that clemency was

rarely forthcoming for Welshmen defeated in battle, even for members of the Welsh

nobility.

Although there was also immense hostility towards mercenary forces in general,

knights serving for pay rather than out of feudal obligation sometimes still received

preferential treatment in defeat. One such mercenary knight was Ralph the Red of

Pont-Échanfray, in central Normandy, who served in Henry I's *familia regis*, or military

household, during the late eleventh century.[75] Ralph was an unusual mercenary, in that

he held a favorable reputation for his loyalty and skill among his contemporaries and in

surviving chronicles from the period, a fact that doubtless contributed to his favorable

treatment as a prisoner. When Ralph was captured in 1119 after giving the king's son

his mount and helping him escape pursuit, his detention was short and mild. According

to Orderic Vitalis, the king himself arranged a prisoner exchange to free him after a

mere fifteen days.[76] Ralph's status as a member of the *familia regis* and the honorable

nature of his capture doubtless had a profound impact on his treatment as a prisoner,

which represented the best outcome a knight—much less a mercenary—could hope for.

The majority of mercenaries and hired soldiers, however, experienced treatment more

[74] John of Worcester, *Chronicle*, 3:87.

[75] For more on the composition and role of mercenaries in the *familia regis,* see Marjorie Chibnall, "Mercenaries and the '*Familia Regis*' Under Henry I," *History* 62, no. 204 (1977): 15-23, www.jstor.org/stable/24410084.

[76] Ordericus Vitalis, Thomas Forester, François Guizot, and Léopold Delisle, *The Ecclesiastical History of England and Normandy* (London: H.G. Bohn, 1853), 472.

similar to their foreign comrades than to the ideal scenario Ralph faced. Indeed, with

the fledgling chivalric code not yet a binding assurance of honorable behavior, political

expediency and personal preference still proved overwhelmingly important in

determining the fate of prisoners, factors that left both mercenaries and foreigners

particularly vulnerable to poor treatment.

Another group that was highly vulnerable to mistreatment in the aftermath of a

defeat was the commoners and foot soldiers that made up the greater part of medieval

towns and armies. Despite rarely receiving recognition from contemporary sources,

commoners were present in large numbers for most of the battles waged by the Anglo-

Normans, and often felt the consequences of defeat keenly. These commoners typically

comprised the bulk of the sizable infantry contingents fielded in most campaigns,

though they also encompassed the vast majority of the general populace living in the

cities and countryside near the clashing armies. As a result, not only were commoners

usually one of the largest groups present at most battles, their roles as foot soldiers and

civilians meant that they were also slow enough to be easily overtaken by pursuing

forces in the event of a defeat. In addition, slave raids were a common element of

warfare in eleventh-century England, with ample slave markets across the kingdom for

raiders to sell the peasants they abducted.[77] Although the institution of slavery was

gradually phased out in England after the Norman Conquest, enslavement remained a

very real possibility for a commoner captured in war, especially in the years

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[77] John Gillingham, "Cultures of Conquest: Warfare and Enslavement in Britain Before and After 1066," in *Conquests in Eleventh-Century England: 1016, 1066*, eds. Laura Ashe and Emily Joan Ward (Woodbridge, Suffolk: Boydell & Brewer, 2020), 170-71, accessed July 22, 2020, doi:10.2307/j.ctvrdf1qb.14.

immediately following the Conquest.[78] When coupled with a general lack of respect and

value for the peasantry under the feudal system, these conditions ensured that

favorable treatment for members of the lower class was highly uncommon, regardless

of the victor.

Perhaps the most infamous example of the harsh treatment the Anglo-Normans

inflicted on commoners during war was William I's campaign against rebel forces in

north of England in 1069, culminating in the sack of York. This campaign, which came

to known as the "Harrying of the North," was a systematic devastation of the

countryside in which William's army slaughtered every male peasant they encountered

and rendered miles of the countryside uninhabitable.[79] Indeed, Douglas argues that the

destruction of the region was so complete that its effects lasted for more than a

generation, with evidence that Yorkshire, the region that was hit hardest by the royal

army, was still recovering by the reign of King Steven more than sixty years later.[80] Nor

did the city of York itself fare much better: when the royal army forced entry into the

city in pursuit of defeated rebels, the commoners suffered the harshest treatment. The

lack of a clear distinction between civilians and soldiers in Anglo-Norman warfare

ensured that the ensuing slaughter did not specifically target the fleeing rebel soldiers,

or even the leaders of the rebellion, who managed to escape the city by boat during the

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[78] Ibid., 166.

[79] David C. Douglas, *William the Conqueror* (New Haven: Yale University Press, 1999), 220.

[80] Ibid., 221.

confusion.[81] Instead, according to William of Jumièges, "by sword and by fire they massacred almost the entire population from the very young to the old and grey."[82] Though it was common for victorious armies to sack cities that they captured through direct assaults, David Bates argues that the sheer brutality of the sack of York proves that William intended to make an example of the city.[83] Despite the political nature of the conflict, the commoners became the focal point of the royal vengeance, including those who had not even taken up arms against the king.

Although the sack of York was extreme even by the standards of Anglo-Norman warfare, failed rebellion carried its risks for commoners even under more favorable conditions. In 1071, two years after the massacre at York, William crushed another rebel faction, this time at the Isle of Ely.   This time, however, most of the rebels surrendered before their defenses were breached, abandoning their makeshift fort and throwing themselves upon the mercy of the king, a fact that made all the difference for many of them.[84] Although William "put some to death, and condemned others to perpetual imprisonment," the rebels were able to secure better treatment than their

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[81] France, John, "Medieval Irregular Warfare, C. 1000–1300," in *Journal of Medieval Military History: Volume XIV*, eds. John France, Kelly DeVries, and Clifford J. Rogers (Woodbridge, Suffolk: Boydell & Brewer, 2016): 125, accessed March 2, 2021, doi:10.7722/j.ctt1d39223.9.

[82] William of Jumièges, *Gesta Normannorum Ducum*, 2:181.

[83] Laurence W. Marvin, "Atrocity and Massacre in the High and Late Middle Ages," in *Theatres of Violence: Massacre, Mass Killing and Atrocity throughout History*, eds. Philip G. Dwyer and Ryan Lyndall (New York: Berghahn Books, 2012), 54-56, accessed September 1, 2021, http://www.jstor.org/stable/j.ctt9qcw1p.10; Bates*, William the Conqueror*, 305.

[84] Roger of Wendover, *Flowers of History*, 1:339.

predecessors at York had faced, largely because they offered surrender before they lost a battle.[85] That decision to surrender and end the fighting offered the commoners and peasants among the rebels the best chance at survival, as brutality remained a central facet of warfare for the lower classes.[86] By surrendering, these men took their fate off the pitiless battlefield and placed it into the hands of their lord and king, who might reward them for such an act of submission.

For these rebels, however, the king's mercy was dubious indeed. According to the Anglo-Saxon Chronicle, William "took all the men prisoner and did as he pleased with them."[87] John of Worcester elaborates on that vague pronouncement, claiming "some [William] imprisoned, some he allowed to go free after their hands had been cut off or their eyes gouged out."[88] Roger of Wendover's assertions of execution and perpetual imprisonment round out the picture and provide a few more possibilities for the fate of the rebels captured here.[89] Though it is difficult to assert which men among the rebels received which punishment and for what reasons, it is quite clear that those who surrendered received individual judgment based on the gravity of their crimes

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[85] Liddiard, *Castles in Context,* 84-85.

[86] Richard W. Kaeuper, *Chivalry and Violence in Medieval Europe* (Oxford: Oxford University Press, 1999), 180-84.

[87] Dorothy Whitelock and David Douglas, eds*., The Anglo-Saxon Chronicle* (New Brunswick, NJ: Rutgers University Press, 1962)*,* 154.

[88] John of Worcester, *Chronicle*, 3:21.

[89] Roger of Wendover, *Flowers of History*, 336.

against the king and perceived honor of their conduct.[90] In addition, Bates ties the

instances of mutilation to social standing, suggesting that the rebels were dealt with

according to social strata.[91] Those with presumably less severe transgressions, or

perhaps those mitigated by a feudal obligation to a rebellious lord, likely received the

relatively minor corporal punishments. Regardless, the commoners captured during

this rebellion recognized that an early surrender could grant even them a chance at

clemency in the aftermath of defeat.

Outside of such instances, however, defeated commoners usually received no

mercy on the battlefield. Though the victorious loyalists at Worcester in 1088 captured

knights from England, Normandy, and Wales, they massacred the foot soldiers

supporting the rebel barons.[92] Similarly, the defenders of Saint-Céneri faced mutilation

for their resistance, including both the knights and the commoners.[93] Though in each

instance, the treatment of the knights and nobles varied based on the situation, the foot

soldiers and the peasantry faced a depressingly consistent outcome for their defeat.[94]

Those who could not retreat or escape the aftermath were subject to mutilation or

death, depending on the whims of the victor. After all, peasant soldiers were rarely

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[90] Edward A. Freeman, *William the Conqueror* (Champaign, Ill: Project Gutenberg, 1997), 83-84, accessed October 5, 2021, https://search-ebscohost-com.proxy006.nclive.org/login.aspx?direct=true&db=nlebk&AN=1085103&site=eds-live&scope=site.

[91] Bates*, William the Conqueror*, 349.

[92] John of Worcester, *Chronicle*, 3:55.

[93] Orderic Vitalis, *Ecclesiastical History*, 4:155.

[94] Marvin, "Atrocity and Massacre" in *Theatres of Violence,* 55-56.

deemed worth ransoming, and were unlikely to receive any measure of respect from their knightly foes.

Though commoners were largely left to fend for themselves in defeat, other groups, such as clergymen, enjoyed a measure of protection from the consequences of warfare. For the clergy, this protection was at least partially a result of their unique and complicated position in Anglo-Norman society during wartime. As members of the ecclesiastical hierarchy, the Church ostensibly exempted them from the worldly squabbles of the magnates, though the reality was never that simple. The great power and wealth afforded to many members of the medieval Church ensured that clergymen were periodically involved in military affairs, whether at the head of an army or at the mercy of looting soldiers.[95] Indeed, the major political and administrative roles played by ecclesiastical figures in the defense and management of fiefs occasionally brought them into direct military conflicts with the kings of England. As a result, the Anglo-Normans often tested the limits of the protection offered to the clergy by the Church, especially when it benefited them to do so.

Ecclesiastical immunity often proved insufficient protection for bishops and clergymen who involved themselves in rebellions and uprisings against King William I. Bishop Aethelwine of Durham was one such example of a prelate who engaged in rebellion and paid a steep price for defeat. Though Ann Williams argues that he was driven by royal mistrust and persecution, rather than ambition, to become one of the

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[95] Craig M. Nakashian, "The Political and Military Agency of Ecclesiastical Leaders in Anglo-Norman England: 1066–1154," in *Journal of Medieval Military History: Volume XII*, eds. Clifford J. Rogers, Kelly DeVries, and John France, 51-80 (Woodbridge, Suffolk: Boydell & Brewer, 2014), 52, accessed March 5, 2021, doi:10.7722/j.ctt6wpbxn.6.

leaders of the rebellion centered on the Isle of Ely in 1072, Aethelwine did not receive

clemency when captured by the royal army.[96] Instead, William ordered the bishop's

confinement at the royal stronghold at Abingdon, where he died later that year.[97]

Unlike with many of the other rebels captured alongside him, there is nothing to

suggest the bishop's death was an intended execution. Instead, the bishop, who could

not receive corporal punishment without causing social and political outrage, and who

the king clearly mistrusted too much to release, likely received a sentence of perpetual

imprisonment and died of poor health or living conditions. After all, Aethelwine's

captor at Abingdon was an abbot himself, and Church law forbade clergymen from

direct violence, even in the case of administering lay justice, making deliberate

execution or murder unlikely. [98] In similar fashion, William condemned Bishop Odo to

perpetual imprisonment for his continual machinations and rebellions, including an

attempt to march on Rome itself to claim the papacy. In Odo's case, however, William I

had great difficulty convincing his loyal barons to support the arrest of the clergyman

without papal support, as Odo's capture did not come from battle, or in open revolt.[99]

The frustrated king ultimately had to claim the right to imprison him as an earl instead

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[96] Ann Williams, *The English and the Norman Conquest* (Woodbridge, Suffolk: Boydell Press, 1995), 39, 55.

[97] Whitelock, *Anglo-Saxon Chronicle,* 154.

[98] Williams, *The English,* 55; Peter Clarke, "The Medieval Clergy and Violence: An Historiographical Introduction," in *Violence and the Medieval Clergy*, eds. Gerhard Jaritz and Ana Marinković (New York: Central European University Press, 2010), 9-10, accessed August 29, 2021, http://www.jstor.org/stable/10.7829/j.ctvsf1qbr.4.

[99] Nakashian, "Military Agency of Ecclesiastical Leaders," 62.

of a bishop, neatly sidestepping the issue of ecclesiastical immunity.[100] The Church, for

its part, made little effort to enforce this immunity in Odo's case, likely due to the

ambitious bishop's direct threat to Rome.[101]

Even less politically cunning lords occasionally saw fit to violate ecclesiastical

immunity by capturing members of the clergy. William II captured and recaptured

Bishop Odo in rapid succession during his 1088 rebellion at Pevensey. Despite this

immediate resumption of hostilities, however, the unrepentantly errant bishop still

received relatively merciful treatment; unlike his father, William II believed exile to be a

sufficient punishment for the rebellious clergyman.[102] Similarly, although the bishop of

Durham failed to adequately support the king in suppressing the rebellion and faced

accusations of being a conspirator himself, King William granted him permission to

leave the country in peace after the last rebel stronghold fell.[103] In none of these

instances was a bishop or clergyman captured with the intent to ransom for financial

gain, as doing so would prove an unwise provocation to the Church. However, there

was clearly some degree of flexibility in situations where members of the Church

involved themselves in political affairs and rebellions, as Church reforms during the

eleventh century sought to separate clergy from involvement in secular affairs by

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[100] Orderic Vitalis, *Ecclesiastical History*, 4:43.

[101] Nakashian, "Military Agency of Ecclesiastical Leaders," 62.

[102] Whitelock, *Anglo-Saxon Chronicle*, 167-168; Roger of Wendover, *Flowers of History*, 357-358.

[103] Roger of Wendover, *Flowers of History*, 358. His exile would not be a long one, though. His status was restored a few years later.

threatening to revoke clerical immunity in such cases.[104]   Indeed, the Church made little

effort to enforce its ecclesiastical immunity in defense of any of these captured bishops.

By the end of the eleventh century, however, clergymen suffered capture with

such regularity that the Church took action to assert the principle of ecclesiastical

immunity. Roger of Wendover records a 1095 papal decree stating, "That whoever

shall take prisoner a bishop shall be in all respects an outlaw," and "That whoever shall

take prisoners any clerks or their servants shall be accursed."[105] Despite the strong

wording of this pronouncement, some ecclesiastical figures continued to suffer captivity

and torture at the hands of the most ruthless Anglo-Normans. Indeed, Earl Hugh of

Leicester and Earl Hugh of Shrewsbury captured and savagely disfigured an elderly

priest during their raid on the Isle of Anglesey in 1098.[106] Due to episodes such as this,

the Church was forced to issue further proclamations to safeguard the members of the

clergy, including a number of canons issued at the First Lateran Council in 1123, which

threatened excommunication for anyone who attacked a church or a clergyman.[107]

Although clergymen had the clearest formal system of protection from death or capture

on the battlefield, the inconsistent and highly individualistic nature of Anglo-Norman

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[104] Peter Clarke, "The Medieval Clergy and Violence," in *Violence,* 7.

[105] Roger of Wendover, *Flowers*, 375.

[106] John of Worcester*, Chronicle*, 3:87.

[107] Anne J. Duggan, "Conciliar Law 1123–1215: The Legislation of the Four Lateran Councils," in *The History of Medieval Canon Law in the Classical Period, 1140-1234: From Gratian to the Decretals of Pope Gregory IX*, eds. Wilfried Hartmann and Kenneth Pennington, (Washington, D.C.: Catholic University of America Press, 2008), 325-26, accessed July 28, 2021, doi:10.2307/j.ctt2853s5.14.

political conflicts and warfare ensured that not even members of the Church were ever

truly safe from harm.

  Much like clergymen, women did not serve as active combatants in Anglo-

Norman warfare, though noblewomen occasionally took an active role in warfare as

commanders.[108] Even so, those unlucky enough to live too close to the fighting often

still paid the price of defeat. Indeed, as Gwen Seabourne argues, "there seems to have

been no general understanding in the medieval period that women were, as women,

exempt from the violence of warfare."[109] As with their male counterparts, women faced

different treatment upon capture based on social status, though it was a much more

pronounced divide than it was for men. Commoner women captured in the aftermath

of a battle suffered much the same fate as their male relatives and neighbors, albeit with

a very real threat of facing sexual violence at the hands of the victorious soldiers, in

addition to the prospect of abduction and sale as captives, or death.[110] Though Curry

argues that women were recognized as noncombatants, the protections associated with

that status were rarely sufficient to keep peasant women safe from these attacks.[111]

Indeed, the rich profits associated with selling female captives into slavery proved a

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[108] Jean A. Truax, "Anglo-Norman Women at War: Valiant Soldiers, Prudent Strategists or Charismatic Leaders?" in *The Circle of War in the Middle Ages: Essays on Medieval Military and Naval History*, eds. Donald J. Kagay and L. J. Andrew Villalon (Woodbridge, Suffolk: Boydell Press, 1999), 111-115.

[109] Seabourne, *Imprisoning Medieval Women,* 17.

[110] Anne Curry, "The Theory and Practice of Female Immunity in the Medieval West," in *Sexual Violence in Conflict Zones: From the Ancient World to the Era of Human Rights*, ed. Elizabeth D. Heineman (Philadelphia: University of Pennsylvania Press, 2011), 174-76, accessed September 5, 2021, http://www.jstor.org/stable/j.ctt3fhfgp.13.

[111] Ibid.

compelling motivation for soldiers to violate these largely unenforced protections. As the Normans gradually phased out slavery in England after the Conquest, however, the profits of the slave trade dried up, and peasant women became a less attractive target for marauding soldiers.[112]

On the other hand, noblewomen were very rarely targeted in war, and received substantially more generous treatment than their husbands or fathers on the unusual occasions where they were directly involved in military affairs. Such involvement was not unheard of, however, as J. F. Verbruggen charts a number of instances in which Anglo-Norman women took part in a military campaign, including a 1091 dispute between two Norman noblemen in Evreux fueled and shaped by their wives, Helwisa de Nevers and Isabella de Conches.[113] However, the Revolt of the Earls in 1074, led in part by Earl Ralph de Gael of East Anglia, marks one of the rare occasions in the late eleventh century that a noblewoman was directly defeated and surrendered in war. As the rebellion rapidly unraveled, Ralph fled to Brittany, leaving his new wife, Emma, in charge of the defense of Norwich.[114] In the ensuing siege, the defenders held out until supplies ran low, at which point they negotiated a deal with King William. As the Anglo-Normans preferred not to storm the fortress or take a noblewoman prisoner, the two sides reached a compromise: the countess would be granted safe passage out of

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[112] John Gillingham, "French Chivalry in Twelfth-Century Britain?" *The Historian* (Summer 2014), 8–9.

[113] J. F. Verbruggen, "Women in Medieval Armies," in *Journal of Medieval Military History: Volume IV*, eds. Clifford J. Rogers, Kelly DeVries, and John France (Woodbridge, Suffolk: Boydell & Brewer, 2006), 124-26, accessed September 26, 2021, doi:10.7722/j.ctt81ntp.10.

[114] Whitelock, *Anglo-Saxon Chronicle*, 157.

England with her retinue and "all her men who wished to go with her."[115] This

agreement was a remarkable display of leniency, especially considering that Earl Ralph

had fled to his holdings in Brittany to continue the fight against William, and permitting

Emma to join him there not only removed potential leverage over him, but also allowed

the forces at Norwich to reinforce the rebel baron.[116] This treatment of Norwich's

garrison marks a sharp contrast with the mutilations and punishments inflicted on

Ralph's supporters captured elsewhere.[117] Indeed, William appears quite willing to

offer a blanket sentence of exile to the countess and her men in order to resolve the

difficult and uncomfortable situation posed by her capture in an honorable and

expedient manner. Although William was not often motivated by a sense of honor, the

prospect of capturing and punishing a newlywed noblewoman for the defense of her

new husband's patrimony, even in open rebellion against the king, proved too difficult

to stomach, or perhaps represented a line he could not cross without risking the

support of his remaining loyal barons.

Although William elected to allow Emma and her retainers to leave England

without any further restrictions, Anglo-Norman lords often preferred to maintain

leverage over their defeated foes through the use of hostages. Indeed, the Anglo-

Normans presided over an explosion in the use of hostage agreements, even using

hostages to ensure the loyalty of their vassals.[118] These hostages were typically men,

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[115] Ibid.

[116] Douglas, *William the Conqueror,* 232-33.

[117] Freeman, *William the Conqueror,* 91.

[118] Kosto, *Hostages in the Middle Ages,* 81-82.

often sons of defeated lords or city leaders, though other noblemen and women were occasionally used as well.[119] Although hostages and prisoners of war shared some key similarities, they received markedly different treatment and served a completely different purpose. Unlike prisoners of war, hostages were often treated as wards or guests, albeit without their liberty and under threat of future torture or death. This distinction derives itself directly from the unique role that they played in the aftermath of a conflict. While prisoners suffered capture in anticipation of punishment or a ransom payment, hostages only held value as a guarantee of an ongoing agreement, and the period of their imprisonment usually matched the length of the treaty or alliance they enforced.

One of the most common ways the Anglo-Norman utilized hostages in the late eleventh century was as long-term guarantees against future uprisings among vassals defeated in battle.[120] When William defeated Count Guy of Ponthieu in 1047, he permitted Guy to retain his holdings after receiving a pledge of vassalage and a number of hostages.[121] Though taken as a result of a military defeat, these hostages were ensured a baseline of humane treatment to preserve their value as collateral against Guy's oath of fealty, which he honored. In similar fashion, William accepted the surrender of London along with hostages to insure the agreement during the Norman

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[119] Seabourne, *Imprisoning Medieval Women*, 44-46.

[120] Bartlett, *England Under the Norman and Angevin Kings 1075-1225*, 48-49.

[121] William of Poitiers, *Gesta Guillelmi*, 10-13; William,of Jumièges, *Gesta Normannorum Ducum,* 2:122-123.

Conquest.[122] In this case, however, the city negotiated this surrender agreement before

the hostilities boiled over into a major battle. Despite this difference, the exchange of

hostages in each instance functioned in fundamentally the same way: the defeated party

gave an agreed-upon number of hostages to the victor to prevent hostilities from

continuing. This basic structure proved effective at securing long-term cooperation

between the Anglo-Normans and their defeated foes.

Despite this efficacy, not every hostage agreement was honored, and the

hostages in such cases of treaty violations were vulnerable to reprisals. Although

forfeited hostages were occasionally killed in retribution, Ryan Lavelle argues that such

executions were relatively rare, as the death of a hostage marked a definite and

irrevocable end to the agreement and the loss of considerable leverage.[123] Instead,

most captors preferred to show their displeasure through non-lethal means, such as

mutilation of their hostages.   Under conventions of medieval punishment, mutilation

was regarded as less severe than execution, but more importantly, it allowed a jailor to

apply pressure on a hostage's family or friends without destroying the value that

hostage represented.[124] Such mistreatment was not always proportional to the offense,

however, as William of Malmsbury reports that Robert of Bellême, "on account of some

trifling fault of its father, he blinded his godchild, who was his hostage, tearing out the

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[122] John of Worcester, *Chronicle*, 2:607, William of Jumièges, *Gesta Normannorum Ducum*, 2:170-171, Guy of Amiens, *Carmen de Hastingae*, 38-45.

[123] Ryan Lavelle, 'The Use and Abuse of Hostages in Later Anglo-Saxon England', *Early Medieval Europe,* 14 (2006): 292-94, accessed October 20, 2021, https://onlinelibrary-wiley-com.proxy006.nclive.org/doi/epdf/10.1111/j.1468-0254.2006.00183.x.

[124] Hollister, "Royal Acts of Mutilation," 332-33.

little wretch's eyes with his accursed nails…"[125] Kosto argues that such cases were

unusual, however, and that most hostages in Anglo-Norman England were generally

treated well, especially initially, as any negative change in treatment could be used as

leverage.[126] Ultimately, the relative safety and comfort of hostages was intrinsically tied

to their value as collateral. As long as a hostage agreement was faithfully honored, the

hostages involved received favorable treatment, but even minor treaty infractions could

result in considerable suffering or even death for a hostage.

Although hostages and prisoners of war remained distinct in Anglo-Norman

warfare, both groups of captives received treatment based on their potential value to

their captor. Despite the burgeoning chivalric code, knights and nobles were not

ensured favorable treatment in defeat, relying primarily on the good graces of their

enemies and their ability to purchase their own freedom through a ransom, especially

during the reign of William I.[127] Although such a ransom could prove tremendously

valuable, Anglo-Norman lords did not always grant their prisoners the opportunity to

purchase their freedom, particularly in cases where their captives might pose

considerable threat if released. As the chivalric code grew in prevalence over the

course of the eleventh and twelfth centuries, however, knights increasingly benefitted

from the system of limited warfare that accompanied it.[128] As a result, by the reign of

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[125] William of Malmesbury, *Gesta Regum Anglorum,* 1:433-34.

[126] Kosto, *Hostages in the Middle Ages*, 34-35.

[127] Prestwich, *Armies and Warfare in the Middle Ages,* 100-02.

[128] Saul, *Chivalry*, 10-11.

Henry I, fewer knights died in battle or suffered mistreatment in defeat, and were increasingly likely to be ransomed by their captors.

This shift towards limited chivalric warfare did not improve the treatment of all groups in the aftermath of defeat, however. Foreign soldiers, including members of the upper classes, continued to receive harsh treatment in defeat, with the Welsh suffering particularly brutal treatment at the hands of the Anglo-Norman marcher lords.[129] Similarly, the widespread vilification of mercenaries in contemporary writing and Church documents led the Anglo-Normans to show them little mercy, though individual mercenaries with particularly honorable reputations, such as Ralph the Red of Pont-Échanfray, were still able to receive preferential treatment.[130] Commoners, however, bore the brunt of the consequences of defeat, even in instances where they did not directly take up arms and fight. In arguably the most extreme example, the Anglo-Norman army killed every man they could find and razed every town they passed to the ground during the Harrying of the North, culminating in the sack of York.[131] Although most Anglo-Norman armies only resorted to such massacres in the aftermath of a battlefield victory or successfully storming a fortified town or city, peasants unlucky enough to run afoul of an Anglo-Norman army were often captured and sold into slavery, even as Anglo-Norman reforms gradually eliminated the institution of slavery from England during the late eleventh and early twelfth centuries.[132] For peasant

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[129] Davies, *The Age of Conquest,* 83-85.

[130] Chibnall, "Mercenaries and the '*Familia Regis,*'" 16.

[131] Douglas, *William the Conqueror,* 220.

[132] Gillingham, "Cultures of Conquest" in *Conquests,* 170-71.

women, the prospect of enslavement or sexual assault were particularly likely, though

the gradual closing of slave markets made women less profitable targets, eventually

phasing out the systematic targeting of peasant women in Anglo-Norman warfare.[133]

However, some commoners were able to secure merciful treatment in defeat by offering

an early surrender while they still possessed some leverage, such as a strong

fortification. Although such an option was often the only hope for many foreigners,

mercenaries, and commoners, even an early surrender often led to imprisonment or

mutilations for the defeated, especially for rebels and their allies.[134]

Other groups, such as the clergy and noblewomen, enjoyed a measure of

separation from warfare and its consequences, though even they lacked true immunity

from war, and individuals who chose to involve themselves directly or indirectly in the

fighting were vulnerable to retribution in kind. Despite the Church's continual efforts to

keep ecclesiastical figures separate from secular affairs and conflicts, high-ranking

Anglo-Norman clergymen occupied a complicated position, with bishops and abbots

serving as feudal lords with fiefs and strongholds in addition to their ecclesiastical

role.[135] These contrasting obligations frequently led clergymen to take part in warfare,

jeopardizing their claim to ecclesiastical immunity and exposing themselves to the

consequences of defeat. In a particularly dramatic example, William I used Bishop

Odo's secular role as the Earl of Kent as justification to overcome his barons' resistance

to the idea of imprisoning a bishop by claiming the right to arrest Odo as an earl, rather

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[133] Gillingham, "French Chivalry?" 8–9.

[134] Liddiard, *Castles in Context,* 84-85; Hollister, "Royal Acts of Mutilation," 330-40.

[135] Nakashian, "The Political and Military Agency of Ecclesiastical Leaders," 52.

than as a member of the Church.[136] Although the Church issued a number of decrees

and canons threatening violators of ecclesiastical immunity with excommunication or

outlawry, the complex status and great wealth of the Anglo-Norman clergy ensured that

ecclesiastical immunity was never a guarantee of safety in war. Noblewomen, however,

were much less likely to be involved in war, and generally received more favorable

treatment even in the rare instances where they were defeated. In one such occasion,

when Emma, Earl Ralph of East Anglia's newly wed wife, was forced to surrender at

Norwich in 1074, she was permitted to leave the kingdom unharmed and with all of her

followers, marking a stark contrast with the harsh punishments inflicted on Ralph's

partisans captured elsewhere.[137] Although both women and clergymen were unable to

remain entirely detached from war and its consequences, Church canons and chivalric

ideas applied sufficiently heavy political and social pressures to offer them a measure of

protection even when they were directly involved in war.

Hostages, meanwhile, occupied something of a middle ground; although they

lacked formal protections from mistreatment by design, hostages generally received

more generous and hospitable treatment than any other group of the defeated, as long

as the terms of the agreement they upheld were honored. Indeed, Anglo-Norman

magnates were incentivized to treat their hostages well, especially early into their

captivity, as any decrease in the quality of a hostage's comfort or accommodations could

be used as leverage against their families.[138] Such leverage often proved remarkably

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[136] Orderic Vitalis, *Ecclesiastical History*, 4:43.

[137] Freeman, *William the Conqueror,* 91.

[138] Kosto, *Hostages in the Middle Ages*, 34-35.

valuable, and hostages were rarely killed in retribution even in the event of a major breach of a hostage agreement, as doing so would irrevocably destroy their usefulness.[139] As a result, hostages were much more likely to face mutilation than death in the event of a treaty violation, as did the godson of Robert of Bellême, who paid for his father's transgression against Robert with his eyes.[140] In general, however, such examples of infringement on hostage agreements proved surprisingly rare, even as hostage agreements proliferated in Anglo-Norman England. Despite their precarious position, hostages proved more likely to enjoy generous treatment than any other class of the defeated in Anglo-Norman England during the late eleventh and early twelfth centuries.

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[139] Lavelle, "The Use and Abuse of Hostages," 292-94.

[140] William of Malmesbury, *Gesta Regum Anglorum,* 1:433-34.

Chapter Two:

"The Mammon of Unrighteousness:"

The Experiences of the Defeated during the Anarchy from 1135-1153

The succession crisis prompted by the death of Henry I proved to be a particularly harrowing time for England. Unlike during the reigns of William I and his sons, when military campaigns were usually short and decisive, warfare during the Anarchy proved to be a lingering affair. As a result of this war of attrition, motivations such as ambition, revenge, or greed became increasingly common on the battlefield. This manifested most clearly in the treatment of the defeated, which, absent formal regulations, continued to rely primarily on the personal whims of the victor. Despite this trend, however, the consequences of defeat did not apply equally to all, and certain groups even saw a general improvement in their treatment during this period. This was especially true for knights, noblewomen, and members of the clergy, who were all afforded great respect under the burgeoning chivalric culture.[1] This growing ethos placed knights at the forefront of society both as its sophisticated rulers and as the great warriors who defended both the land and the Christian Church. This chivalric culture encouraged limited warfare, in which noble combatants fought to capture rather than kill their foes, through social pressures and mutual aristocratic respect, but lacked the coercive force of law.[2]   Indeed, although factors such as social status and

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[1] Maurice Hugh Keen, *Chivalry* (New Haven: Yale University Press, 1984), 16-17.

[2] David Crouch, "When was Chivalry?: Evolution of a Code," in *Knighthood and Society in the High Middle Ages*, eds. David Crouch and Jeroen Deploige (Leuven: Leuven

chivalric honor became increasingly important in the capture and treatment of prisoners of war during the reign of King Stephen, the lack of a formally codified system for dealing with the vanquished ensured that treatment of such prisoners was inconsistent at best.

Steven's reign was unstable from the outset, a fact not helped by the contested nature of his accession. Although Henry had extracted an oath of fealty to his daughter Matilda from his barons, there was enough reluctance among the lords of England at the prospect of a woman inheriting the throne and granting her Angevin husband the kingdom that a rival claimant was able to seize the throne. Stephen of Blois, the Count of Boulogne, a cousin of Matilda and descendant of William I, took advantage of the confusion following Henry's death to cross into England and, with the backing of many barons and the archbishop of Canterbury, was crowned King of England. From 1135 to 1153, increasingly bitter warfare swept across the kingdom as political struggles, personal grievances, and unfettered opportunism boiled over in the absence of a strong, unifying figure.

Although numerous scholars have added valuable insights into the treatment of prisoners and the defeated during the Anarchy, the work of several scholars mentioned in the previous chapter remain foundational to the historiography of this period. The formal legal structures explored by Maurice Keen's *The Laws of War in the Late Middle Ages* in 1965 were more fully developed during the Anarchy than under William I's

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University Press, 2020), 292-94, accessed September 1, 2021, https://doi.org/10.2307/j.ctvbtzmj5.16.

dynasty, making his work all the more valuable to scholars of this period.[3] The

shortcomings of Keen's study remain, however, and much of the historiography of

prisoner of war treatment during the Anarchy seeks to fill in the gaps left by Keen's

focus on the legal challenges of the nobility. On the other hand, *War and Chivalry: The*

Conduct and Perception of War in England and Normandy, 1066-1217, written by

Matthew Strickland in 1996, is an especially insightful study into this period.

Strickland's argument about the centrality of military expediency to the practice of

chivalry and warfare proves particularly compelling in his analysis of the Anarchy.[4]

This argument provides a convincing explanation for a wide variety of military actions

undertaken during this period of civil war, though it is strongest when explaining the

widespread trend of looting and burning of ecclesiastical property. Meanwhile, Adam

Kosto's 2012 book, *Hostages in the Middle Ages,* provides the best account of the

practice of hostage taking in medieval Europe, exploring a very broad topic in

surprisingly great detail. Kosto's study of the legal structures and ideas underpinning

formal hostage agreements provides valuable insight into both the creation and

dissolution of hostage agreements, including the surprising revelation that broken

treaties usually did not result in execution for the forfeited hostages.[5]

     A number of scholars have made substantial contributions to other deeply

connected areas of study, and, as a result, advanced the historiography of the defeated

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[3] Maurice Hugh Keen, *The Laws of War in the Late Middle Ages* (Abingdon: Routledge & K. Paul, 1965)*.*

[4] Matthew Strickland, *War and Chivalry: The Conduct and Perception of War in England and Normandy, 1066-1217* (Cambridge: Cambridge University Press, 2005), 32-3.

[5] Adam Kosto, *Hostages in the Middle Ages* (Oxford: Oxford University Press, 2012), 108.

as a whole. Jean A. Truax's 1999 article, "Anglo-Norman Women at War: Valiant

Soldiers, Prudent Strategists or Charismatic Leaders?" challenged the scholarly

consensus of women as passive bystanders in warfare without getting caught up in

romanticized popular depictions of female warriors. In doing so, Truax opened the

door for a new consideration of the conditions and reasons for the imprisonment of

women in Anglo-Norman society, demonstrating that although women were by no

means equal participants in warfare, they sometimes did take part in hostilities as valid

combatants.[6] William Chester Jordan, on the other hand, offered a new interpretation

of the legal right of sanctuary in his 2008 article, "A Fresh Look at Medieval Sanctuary."

By focusing on the territorial and jurisdictional problems plaguing the system of

sanctuary, Jordan sought to establish a clearer picture of the extents and limitations of

the Church's protection; a task that he acknowledged was too large to be resolved in his

article.[7] This task was also undertaken by Karl Shoemaker in his 2011 book, *Sanctuary*

and Crime in the Middle Ages, 400-1500, which traced the rise and development of the

right of sanctuary in England during the Middle Ages, arguing primarily for the

agreement and cooperation between the principle of sanctuary and contemporary legal

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[6] Jean A. Truax, "Anglo-Norman Women at War: Valiant Soldiers, Prudent Strategists or
Charismatic Leaders?" in *The Circle of War in the Middle Ages: Essays on Medieval
Military and Naval History*, eds. Donald J. Kagay and L. J. Andrew Villalon (Woodbridge,
Suffolk: Boydell Press, 1999), 111-115.

[7] William Chester Jordan, "A Fresh Look at Medieval Sanctuary," in *Law and the Illicit in
Medieval Europe*, eds. Karras Ruth Mazo, Kaye Joel, and Matter E. Ann, 17-32
(Philadelphia: University of Pennsylvania Press, 2008), 22-23, accessed October 4,
2020, http://www.jstor.org/stable/j.ctt3fh9ps.5.

structures.[8] Shoemaker's work is perhaps overly brief in its efforts to study a
millennium of history, however, and is not able to provide a definitive depiction of the
institution of sanctuary in medieval England, much less all of Europe. Taken together,
however, the works of these scholars prove helpful for understanding the treatment of
the defeated in England during the Anarchy.

Of the various groups that comprised the defeated after a battle during the
Anarchy, knights and noblemen received the most preferential treatment. Placed as
they were at the top of the chivalric social hierarchy, knights benefitted from a mutual
aristocratic respect that encouraged knights to show mercy to one another, leading to
more frequent capture and less frequent death on the battlefield for the nobility.[9]
Perhaps even more important in the shift towards limited warfare, however, was the
growing practice of ransom, which allowed prisoners of war to purchase their freedom
from their captors. By the reign of King Stephen, the practice of ransom had heavily
incentivized the capture and eventual release of knights and noblemen rather than
death or perpetual imprisonment, though not all received such benign treatment.[10]
For most knights, the possibility of immense strategic or financial gain outweighed the
motivation to see a rival permanently neutralized, although the battlefield remained an
inherently risky place. As a result, defeat in battle usually only cost a knight or a lord a

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[8] Karl Shoemaker, *Sanctuary and Crime in the Middle Ages: 400-1500* (New York: Fordham Univ. Press, 2011).

[9] Nigel Saul, *Chivalry in Medieval England* (Cambridge, MA: Harvard University Press, 2011), 8.

[10] Keen, *The Laws of War,* 156-158.

hefty ransom or a few strategic castles, although rebels and traitors still often suffered

draconian punishments for their actions and isolated killings persisted.

The capture of rival knights and lords was a major priority in the twelfth

century, and naturally, most defeated knights preferred capture to death. During the

1136 siege of Le Sap, a small town in southern Normandy, "Walter of Clare and his

brother-in-law Ralph de Coldun were holding [the citadel] with thirty men-at-arms for a

little time, but they were overwhelmed by the great strength of the opposing troops,

and were captured in the city when they were exhausted."[11] That these men ultimately

escaped with their lives is something of an accomplishment: the town was burning, and

a force of "three thousand archers and many slingers" repeatedly barraged the garrison

until they were defeated.[12] Indeed, the capture of Walter, an Anglo-Norman baron with

lands around Chepstow Castle near Cardiff, and his brother-in-law during the battle

shows that taking such prisoners was a priority of the besieging army, who could have

easily killed them in the confusion of battle had they not shown restraint.[13] Instead,

after fighting to the point of fatigue, the defeated knights became prisoners under

honorable circumstances, having fulfilled their duty to attempt a defense of their

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[11] Orderic Vitalis, *Ecclesiastical History*, 6:471.

[12] Ibid.

[13] Peter Sposato and Samuel Claussen, "Chivalric Violence," in *A Companion to Chivalry,*
edited by Robert W. Jones and Peter Coss (Woodbridge, Suffolk: Boydell & Brewer,
2019), 102-03.

charge. The capture of these knights in the midst of a fierce battle demonstrates a clear

shift in the culture of knighthood and the manner in which warfare was fought.[14]

This manner of limited warfare for the nobility grew increasingly prevalent

during the rule of King Stephen. Early in his reign, King Stephen's merciful and

honorable treatment of his foes gained him a reputation for being softhearted. In 1137,

Stephen arrested a group of traitorous lords "and put them all in prison till they

surrendered their castles. When the traitors understood that he was a mild man, and

gentle and good, and did not expect full penalties of the law, they perpetrated every

enormity."[15] Although such treatment of captured enemies was growing increasingly

common, few lords were willing to show traitors mercy after their arrest, preferring

instead to use punishments such as perpetual imprisonment or execution.[16] Indeed, the

consequences for captured rebels were severe enough that many rebel knights

preferred to flee or obscure their identity rather than suffer capture.[17] In similar

fashion, Stephen's victory over the rebelling Baldwin de Redvers, the Earl of Devon, at

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[14] Martin Aurell. *The Lettered Knight : Knowledge and Aristocratic Behaviour in the Twelfth and Thirteenth Centuries* (New York: Central European University Press, 2016), 16-17, accessed September 18, 2021, https://search-ebscohost-com.proxy006.nclive.org/login.aspx?direct=true&db=nlebk&AN=1490784&site=eds-live&scope=site.

[15] Whitelock, *Anglo-Saxon Chronicle*, 198-199.

[16] For more on the cycle of violence between rebellious nobles and the kings of England, see Claire Valente, *The Theory and Practice of Revolt in Medieval England* (Abingdon:Routledge, 2016).

[17] Ryan Lavelle, "Ain't Nobody Here but Us Chickens: Defeated Warriors, Masculinity, and Mistaken Identity in Western Europe, 679–1141," in *Military Cultures and Martial Enterprises in the Middle Ages: Essays in Honour of Richard P. Abels*, ed. John D. Hosler and Steven Isaac (Woodbridge, Suffolk: Boydell & Brewer, 2020), 77, accessed 22 July 2020, doi:10.2307/j.ctvxhrk8t.8.

the castle of Exeter ended with a negotiated surrender and banishment from England for the baron and his family rather than imprisonment or execution.[18] Though somewhat more severe than the recompense demanded of the other lords, Baldwin's exile to Normandy was a mild punishment indeed for an openly declared rebel defeated in battle.

King Stephen was not the only one to treat his enemies in this fashion, however. Honorable treatment of high-status prisoners grew much more common across the kingdom as ransoms became an increasingly important aspect of Anglo-Norman warfare.[19] When forces belonging to the Empress Matilda captured Stephen's steward, William Martel, he was "thrown into confinement at Wallingford, under the custody of Brian Fitz-Earl; nor was he again at liberty till he gave up to the empress Sherbourne Castle as the price of his release."[20] Though this was a hefty ransom, the terms imposed upon William Martel were quite similar to those that Stephen demanded of his rebel barons in 1137. Indeed, as political standing and regional control became increasingly important in the war for the English throne, arrangements such as these among warring barons appear more frequently, although traditional monetary ransoms were still overwhelmingly more common. This was at least partially a result of the fact that many

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[18] John of Worcester, *Chronicle*, 3:219.

[19] Nigel Saul, *Chivalry in Medieval England* (Cambridge, MA: Harvard University Press, 2011), 11-12.

[20] Roger of Wendover, *Roger of Wendover's Flowers of History, Comprising the History of England from the Descent of the Saxons to A.D. 1235; Formerly Ascribed to Matthew Paris*, trans. by J. A. Giles (London: H.G. Bohn, 1849), 1:494.

knights and castellans did not have the right to give away their castles.[21] When an

Angevin army headed by Count Geoffrey of Anjou, the Empress Matilda's husband,

captured the castle of Les Moutiers-Hubert in southeastern Normandy and its castellan,

William Painel, the Anglo-Norman baron of Hooten Pagnell in South Yorkshire, they

"extorted very heavy ransoms from Painel himself and thirty knights."[22] With the castle

in their possession already, the Angevins had no need to demand it, but were more than

happy to claim a hefty monetary payment as a ransom instead. Such demands could

also be a punitive alternative to harsher sentences, since imprisonment was costly and

often impractical for dealing with enemies in the long term.[23] Indeed, only prisoners

who posed too great a threat to be released and could not be executed without severe

political ramifications, such as King Stephen himself, were imprisoned for long periods

of time.

In King Stephen's case, however, his supposed perpetual imprisonment ended

with a negotiated prisoner exchange, an uncommon means of resolving the captivity of

even the highest-ranking of lords. Although such an arrangement bears some

superficial differences from more traditional ransom agreements, they share the same

underlying principle: that of a negotiated "price" for the release of a captive. Indeed, as

Molly Murray argues, prisoners in custody were "interchangeable with material value,"

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[21] Antonio Santosuosso, *Barbarians, Marauders, and Infidels: The Ways of Medieval Warfare* (Boulder, CO: Westview Press, 2004), 165.

[22] Orderic Vitalis, *Ecclesiastical History*, 6:469.

[23] Strickland, *War and Chivalry*, 186-187.

and their captors could thus exchange them for anything or anyone of equal value.[24] In order for a prisoner exchange to happen, however, both captors had to agree to forgo a highly lucrative ransom in order to liberate the other's captive. This fact, coupled with the requirement that both sides must possess prisoners of equal value, rendered prisoner exchanges rare, especially in instances where direct feudal bonds were not involved.

In this instance, despite the numerous friends and allies of the king pleading for Stephen's release, albeit without the return of his titles or kingdom, his Angevin captors were unwilling to contemplate such an agreement until Earl Robert of Gloucester, one of the key leaders of the Angevin army, was captured and imprisoned himself.[25] Both Robert and Stephen, as commanders of their respective sides in a particularly fractious and lengthy civil war, posed too much of a political liability to be simply ransomed and released.[26] The prospect of a prisoner exchange, however, offered a way to resolve such a politically complicated situation to the mutual satisfaction, if not pleasure, of both parties. Both men were too important to their respective side to safely ransom without the risk of needlessly prolonging the conflict, but a simultaneous exchange in which neither side gained a disproportionate advantage served to mitigate such risks.

Not all knights were lucky enough to receive such generous treatment, however. Roger II, Vicomte of Cotentin and partisan of the king, offered to surrender when a

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[24] Molly Murray, "The Value of "Eschaunge": Ransom and Substitution in "Troilus and Criseyde," *ELH* 69, no. 2 (2002): 336, accessed July 30, 2020, http://www.jstor.org/stable/30032023.

[25] Whitelock, *Anglo-Saxon Chronicle,* 201.

[26] Edmund King, *King Stephen* (New Haven: Yale University Press, 2010), 154-55.

group of rebel knights ambushed him, but instead they "cut Roger's throat, showing no

mercy although he pleaded for his life and made great promises."[27] Unlike most

instances of knightly defeat, Roger's assailants clearly intended to kill him from the

outset, making this an act of murder rather than of war.[28] By this time, however, such

killings had become so unusual that knights and lords on both sides of the conflict were

outraged at the barbarous act. Indeed, although Roger fought for the king, the men who

avenged him were a group of rebel knights who took advantage of the next battle to

massacre Roger's killers, despite serving as allies.[29] By this point, notions of chivalric

conduct had grown considerably, and dishonorable actions like this murder of a

yielding knight came with very real consequences.

These consequences did not apply equally, however, and knights who resisted

too zealously risked provoking their foe's ire and receiving harsher punishments.

When the garrison of Shrewsbury castle refused to surrender after a lengthy siege, "the

gate was forced open by royal onslaught. Leaping or crawling out, the castle garrison

made a wretched escape. The king ordered them to be pursued and slain. Five of the

higher rank were hung."[30] Despite Stephen's reputation as a merciful victor, his anger

at the prolonged and determined resistance of the garrison led him to order not only a

battlefield massacre, but also post-battle executions of the highest-status individuals.

[27] Orderic Vitalis, *Ecclesiastical History*, 6:513.

[28] Larissa Tracy, "Introduction: Murder Most Foul," in *Medieval and Early Modern Murder: Legal, Literary and Historical Contexts*, ed. Larissa Tracy (Woodbridge, Suffolk: Boydell & Brewer, 2018), 4-5, accessed August 3, 2020, doi:10.7722/j.ctt2111dmz.7.

[29] Orderic Vitalis, *Ecclesiastical History*, 6:515

[30] John of Worcester, *Chronicle*, 3:251.

Unlike the killing of Roger, which prompted mass outrage, these knightly deaths were within Stephen's royal prerogative.[31] Even so, the garrison's decision to flee the castle after it had been breached rather than offer surrender meant that their safety was not assured if they were overtaken by their pursuers, as many clearly were. The informal protections offered by the growing tradition of chivalry were only applicable to those who chose to embrace the style of limited warfare that accompanied it.

Not all warriors on the battlefields of the Anarchy practiced limited warfare, however. Although the Anglo-Normans had often turned to mercenaries and foreign recruitment to bolster the ranks of their armies, the protracted warfare of Stephen's reign made these groups even more necessary and common on the battlefield. Despite the increased importance of these groups to the Anglo-Norman war efforts, however, hired soldiers and foreign troops did not see a major improvement in their treatment upon defeat. Instead, even as chivalric values limited the violence and lethality of warfare for knights and nobles, mercenaries faced ever-growing contempt and condemnation both on the battlefield and in the words of contemporary writers, with the Church even calling for a crusade against them at the Third Lateran Council in 1179.[32] Indeed, these groups continued to face highly inconsistent treatment upon their defeat in battle, with their fates hinging on a variety of different factors, including

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[31] Stephen D. White, "The Ambiguity of Treason in Anglo-Norman-French Law, C. 1150–c. 1250," in *Law and the Illicit in Medieval Europe*, eds. Ruth Mazo Karras, Joel Kaye, and Ann E. Matter (Philadelphia: University of Pennsylvania Press, 2008), 90-91, accessed September 3, 2021, http://www.jstor.org/stable/j.ctt3fh9ps.11.

[32] John France, *Mercenaries and Paid Men: The Mercenary Identity in the Middle Ages* (Leiden: Brill, 2008), 1-3, accessed September 20, 2021, ProQuest Ebook Central.

their behavior on the battlefield, their social standing, and their degree of cultural similarity with their Anglo-Norman enemies.

One of the most significant reasons for this treatment stemmed from the conduct of the foreign warriors themselves. The Welsh in particular were notorious for savage raids and massacres, a reputation only partly deserved based on their style of warfare. In actuality, much of the supposed savagery of the Welsh was the result of the continued escalation of warfare in the marches, which only grew in ferocity over a century of brutal conflict with the marcher lords, who had a penchant for torture and slaughter in their harsh reprisals.[33] Regardless, the bad reputation of the Welsh circulated freely throughout the kingdom of England. Indeed, as John of Worcester describes one such raid during the 1136 uprising: "Thereupon the Welsh invaded in force, violently destroyed churches, townships, crops, and beasts far and wide, burnt down castles and other fortifications, slew, scattered, and sold into captivity abroad innumerable men, both rich and poor."[34] As the *Brut y Tywysogion* demonstrates, this raid was not an outlier, although it supplies additional context that is unsurprisingly absent in the reports of Anglo-Norman chroniclers. The Welsh chronicle records numerous massacres that the Welsh inflicted on encroaching Norman and Fleming settlers over the course of the conquest of Wales, including ones in 1092, 1163, and 1220.[35] Indeed, according to Davies, much of the brutality of these raids was directly

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[33] Roger Turvey, *The Welsh Princes: The Native Rulers of Wales, 1063-1283* (London: Longman, 2002), 43-49.

[34] John of Worcester, *Chronicle*, 3:219-221.

[35] John Williams, ed. and trans., *Brut Y Tywysogion; Or, the Chronicle of the Princes* (London: Longman, Green, Longman, and Roberts, 1860), 57, 199, 227.

tied to the colonization efforts of the Anglo-Normans and Flemings, who fueled Welsh

resentment by deposing the natives through force.[36] Regardless of Welsh motives,

however, with stories like these traveling around the kingdom, many knights and

soldiers were disinclined to treat Welsh raiders or mercenaries with largess.

In addition, Welsh soldiers did not always share the Anglo-Normans' interest in

ransom and limited warfare. According to John of Worcester's account, "…the Welsh

laid waste all around them, setting fire to townships and castles, killing all who resisted,

whether innocent or not. Among those slain was one knight, Payn, a man reputedly of

great energy who wanted to take captive and slay the plundering Welsh."[37] The

continual and heavily antagonistic nature of warfare on the marches had encouraged

the Welsh to kill their enemies when they had the chance to, and even barons and

magnates often lost their lives when battling the Welsh.[38] Even such a prominent

marcher lord as Robert of Rhuddlan, who conquered and ruled Gwynedd with royal

prerogative as though he was a sovereign prince, died in battle against the Welsh.[39]

The long list of noble casualties inflicted by the Welsh meant that mercy was rarely

forthcoming to a defeated Welshmen, especially when battling in the marches.

The same was not true for every culturally distinct group the Anglo-Normans

fought with, however. Those who fought in a similar style and organization to the

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[36] Sean Davies, *War and Society in Medieval Wales 633-1283* (Cardiff: University of Wales Press, 2004), 220-21.

[37] John of Worcester, *Chronicle*, 3:229.

[38] Davies, *War and Society,* 232-40.

[39] Turvey, *Welsh Princes*, 41.

Anglo-Norman nobility often fared much better. When Stephen's forces crushed the royal Scottish army at the Battle of the Standard in 1138, the ensuing rout was brief but effective. John of Worcester recorded that "Of the Scottish king's army nearly 10,000 fell in different places, and up to fifty men of standing were captured."[40] In this, the defeated Scotsmen received comparable treatment to a fleeing Anglo-Norman army: even in the midst of a rout, the knights and nobles among the defeated were able to surrender to escape death. Despite these similarities in treatment, there was a clear distinction in the way the chroniclers wrote about this event that highlights a key disparity in how the Anglo-Normans viewed their neighbors. According to that same passage, had the English army caught them, "They would otherwise have either taken prisoner or slain the king and his son and all who were with them."[41] Such a sentiment would have been unthinkable for an Anglo-Norman chronicler to write about the king of England, or even of France. Despite the death of Harold Godwinson at Hastings and the possible assassination of William II in 1100, the Anglo-Norman barons rarely considered regicide as a productive measure. Indeed, Claire Valente makes the argument that although the English nobility often raised arms against their king, such violence served as a means of influencing the monarch rather than removing or replacing him.[42] Even in the midst of the rout at the Battle of Lincoln, Matilda's partisans captured King Stephen, ostensibly a usurper and the greatest dynastic threat

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[40] John of Worcester, *Chronicle*, 3:255.

[41] Ibid.

[42] Valente, *Theory and Practice of Revolt,* 12-13*.*

to the Angevins, alive and treated him with dignity.[43] The mere suggestion of the

possibility of killing King David I of Scotland shows a certain degree of the Anglo-

Normans' contempt for their northern neighbor.

Behavior and reputation were not the only determining factors influencing how

the Anglo-Normans treated their defeated foes. The Angevins backing Empress Matilda

in the war against Stephen established a reputation among the Anglo-Normans for

dishonorable conduct and disgraceful actions, likely due to the works of chroniclers and

clerics who had overtly political motivations for their portrayal of the Angevins. For

example, Orderic Vitalis claims that "[t]he [Angevin] magnates, who ought to have led

separate squadrons in a properly levied army, were, unless I am mistaken, ignorant of

the strictness of discipline practiced by the Romans in military matters, and did not

conduct their knightly quarrels with restraint as lords should."[44] Although Orderic's

political affiliations doubtless colored his perceptions of the Angevins, many of the

Anglo-Norman knights fighting in the field likely shared his bias. Nonetheless, Angevin

nobility received indistinguishable treatment from Anglo-Norman knights when

defeated in battle.   Indeed, despite Orderic Vitalis's complaints, the cultural and martial

similarities between the Angevin and Norman knights seem to have been sufficient to

ensure that clashes between the two ended more frequently in capture than in death,

even in the midst of heated battles, as at the battle of Lincoln.[45] As Judith Green points

[43] King, *King Stephen,* 154-55.

[44] Orderic Vitalis, *Ecclesiastical History*, 6:473. Orderic Vitalis lists a number of
complaints against the Angevins in his account, including that they burned churches
and violated the principle of sanctuary.

[45] John of Worcester, *Chronicle*, 3:293.

out, although there were sufficient cultural differences between the two sides to clearly

mark them as "others," such cultural or ethnic enmity played little to no part in the

outbreak of war during the Anarchy.[46]

Not all groups who shared a similar culture with the Anglo-Normans were lucky

enough to receive such preferential treatment on the battlefield, however. Though

ubiquitous in medieval armies by the reign of King Stephen, mercenaries were unable

to escape their terrible reputation and endured tremendous disrespect from their

contemporaries.   This harsh reality often had lethal consequences on the battlefield for

a substantial portion of soldiers present. As J. Boussard demonstrated, mercenaries

were so widely employed during the twelfth century that they had already begun to lay

the foundations for the professional standing army.[47] Although the vast majority of

mercenaries represented the lower classes, many knights and minor lords sought to

build or expand their patrimony through paid military service, including William of

Ypres, an illegitimate son of the Count of Flanders who was one of King Stephen's most

loyal and valuable allies. As Michael Mallet described this dichotomy: "…[O]n the one

hand, they were denounced as brigands and outlaws, roving in ill-disciplined bands to

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[46] Judith A. Green, "Henry I and the Origins of the Civil War," in *King Stephen's Reign (1135-1154)*, ed. Dalton Paul and White Graeme J., (Woodbridge, Suffolk: Boydell & Brewer, 2008), 11-12, accessed August 12, 2020, doi:10.7722/j.ctt81ztd.8.

[47] J. Boussard, "Les Mercenaires au XII e Siécle Henri II Plantegenet et les Origines de l'Armeé de Métier," *Bibliothèque De L'École Des Chartes* 106, no. 2 (1945): 189-224, www.jstor.org/stable/43012701.

despoil the countryside and brutalize the population; on the other, they appear as effective and coherent military units, led by increasingly prestigious captains."[48]

This contrast also manifested itself on the battlefield. Although the common foot soldiers that comprised the bulk of most mercenary companies rarely achieved the level of wealth or notoriety to justify capturing, the knights who fought for payment usually still commanded sufficient status to ransom. Roger of Wendover erroneously claims that at the Battle of Lincoln, "...William of Ypres, a man of the rank of an earl, and the others who could not flee, were all taken and thrown in prison."[49] Although William of Ypres's mercenary company was actually able to safely withdraw from battle and evade capture, the chronicler's ready acceptance of the idea that the mercenary surrendered is quite telling. Roger clearly found the reports of William's capture sufficiently credible to suggest that the idea of a mercenary knight receiving the same clemency as a feudal vassal on the battlefield was perfectly reasonable, though knightly status remained a contributing factor. Roger of Wendover emphasizes the social rank of the supposed prisoner as a means of explaining, and perhaps justifying, the capture of a high-profile mercenary, implying that William's social status would have been a key factor in determining his fate if he had not managed to escape. Indeed, as Stephen Isaac suggests, knights and nobility serving for pay occupied a different social strata than the

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[48] Michael Mallet, "Mercenaries", in Maurice Hugh Keen, *Medieval Warfare : A History* (Oxford: Oxford University Press, 1999), 213.

[49] Roger of Wendover, *Flowers*, 1:492.

commoners that comprised the majority of the mercenary infantry, even if they did not measure up to the status of feudal vassals.[50]

In addition, the actual behavior of mercenary forces seems to have had relatively little bearing on the treatment they received when defeated, as the overwhelmingly negative reputation attached to mercenaries proved largely unassailable. Despite this, mercenaries appear to have made every effort to capture their knightly foes alive in accordance with chivalric customs, or perhaps more accurately, with their financial interests. When Robert, the earl of Bristol, attempted to escape a besieged stronghold, he "was hard pressed by his pursuers, taken prisoner at Stockbridge by the Flemings with Earl Warenne, and offered to the queen who was staying in the city. On her orders he was entrusted to William d'Ypres, and confined at Rochester."[51] Interestingly, not only was Earl Robert captured by mercenary forces, he was also entrusted to a mercenary to guard and maintain him, which speaks to the confidence placed in William's loyalty and his adherence to chivalric customs regarding the treatment of prisoners. Unfortunately, it is difficult to determine to what degree William of Ypres might have been an exception among mercenaries. As John France argues, the bad reputation attached to mercenary troops was often undeserved, or at the very least, misplaced in lieu of more politically influential culprits.[52] Regardless, mercenary

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[50] Stephen Isaac, "The Problem with Mercenaries," in *The Circle of War in the Middle Ages: Essays on Medieval Military and Naval History*, eds. Donald J. Kagay and L. J. Andrew Villalon (Woodbridge, Suffolk: Boydell Press, 1999), 109.

[51] John of Worcester, *Chronicle*, 3:303.

[52] John France, "People against Mercenaries: The Capuchins in Southern Gaul," in *Journal of Medieval Military History: Volume VIII*, ed. by Clifford J. Rogers and Kelly DeVries, by John France (Woodbridge, Suffolk: Boydell and Brewer, 2010), 6.

soldiers were unable to rely upon cultivating a reputation for honorable behavior in order to secure favorable treatment in defeat.

Commoners, much like mercenaries, saw little to no improvement in their treatment upon capture or defeat during the Anarchy. Foot soldiers serving in the armies of their feudal lords continued to face the same set of options as their forefathers did during the reigns of William and his sons: surrender before total defeat or death. Such opportunities for surrender were primarily granted to commoners during sieges, as the immense risks posed by a direct assault for both attackers and defenders encouraged a system of negotiation to avoid casualties.[53] However, the increasingly fractious and bitter nature of the conflict ensured that the peasantry not serving in the army experienced much worse treatment than in the relatively stable reigns of Stephen's predecessors. Indeed, instead of protecting commoners and foot soldiers from the ravages of war, the martial ethos of chivalry lauded knights for inflicting violence and atrocities on the common folk.[54] Even allowing for the hyperbolic nature of many of the chronicles when recounting the atrocities of their enemies, the peasantry suffered greatly from their total lack of social and legal protections.

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[53] Robert Liddiard, *Castles in Context: Power, Symbolism and Landscape, 1066 to 1500* (Oxford: Oxbow Books, 2012), 84-85, accessed August 25, 2020, doi:10.2307/j.ctv138wt8d.9

[54] Sposato and Claussen, "Chivalric Violence," in *A Companion to Chivalry,* 100-02.

Commoners serving in castle garrisons had the opportunity to surrender and receive mercy if they yielded before the defenses fell.[55] When Stephen besieged Hereford Castle in 1138, the garrison "made terms and surrendered to him. Since King Stephen was, no rather, is, a pious and peaceable man, he did not injure anyone but allowed his enemies to depart freely."[56] While Hereford's garrison had the good fortune to surrender to a foe with a reputation for softheartedness, Stephen's actions later that year showed the consequences of defiance in similar circumstances. When Shrewsbury's defenders resisted too vigorously, "The king took the last-named of these fortresses [Shrewsbury] by storm, and hanged some of the garrison."[57] The boldness of the castle's continued opposition wore through the king's patience, and the lack of a formal system of prisoner treatment meant that there was nothing to prevent Stephen from making an example out of the hapless garrison.[58] However, as Marvin argues, the earlier a garrison or town surrendered, as with Hereford Castle, the more favorable treatment that garrison could secure for itself as well as for any commoners living there.[59]

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[55] Laurence W. Marvin, "Atrocity and Massacre in the High and Late Middle Ages," in *Theatres of Violence: Massacre, Mass Killing and Atrocity throughout History*, eds. Philip G. Dwyer and Ryan Lyndall (New York: Berghahn Books, 2012), 54-55, accessed September 1, 2021, http://www.jstor.org/stable/j.ctt9qcw1p.10.

[56] John of Worcester, *Chronicle*, 3:243.

[57] Roger of Wendover, *Flowers*, 1:487.

[58] Liddiard, *Castles in Context,* 84-85.

[59] Marvin, "Atrocity and Massacre," in *Theatres of Violence,* 54-55.

For the general peasantry, though, there was no such opportunity. Without the advantage of a fort to leverage against their favorable treatment, commoners were entirely unprotected against the ravages of war. When Miles of Gloucester, the Earl of Hereford, sought to root out opposition to the Empress Matilda, he levied troops to target commoners loyal to the king and, "As many of those . . . as could be captured were seized, and all these were chained and horribly tortured. Many cruel punishments were devised . . . The husbandmen and inhabitants of villages and townships . . . were either given or sold to these mercenaries."[60] Without status or great wealth to protect them, the peasants were unable to influence their treatment in any meaningful way. A similar story played out in 1139, when Earl Robert of Gloucester launched a savage attack on Worcester's populace. According to John of Worcester, who was a resident of the city at the time, "Many are taken prisoner in the streets and in the townships, and led away, coupled like dogs, in to wretched captivity. Whether they have the means or not, they are forced to promise on oath to pay whatever ransom the mouthpiece of their captors cruelly fixed."[61] Interestingly, the wealthier commoners in the city appear to have bought their freedom through a form of ransom payment in similar fashion to their knightly counterparts. Without the formal structure of the law of ransom as it applied to knights, however, affluent commoners captured in this fashion faced all of the coercive extortion of ransom without any of the guarantees or protections.[62] Indeed,

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[60] John of Worcester, *Chronicle*, 3:271.

[61] Ibid., 3:275.

[62] Keen, *Laws of War*, 163-165.

lacking clear legal standing or status, these commoners had no recourse to appeal their treatment, leaving them no choice but to pay their ransom or suffer the consequences.

Though John of Worcester was clearly incensed by the treatment of his home, and therefore liable to overstate the atrocities he reported, his consistency on key details in similar situations lends him credibility. When Earl Waleran, the lord of Worcester, launched a raid in retribution, John of Worcester wrote, ""If you ask what the earl [Waleran] did there, the answer is barely worthy of record for he rendered evil for evil. He seized and carried off a booty of men with their goods and cattle, and returned to Worcester the next day."[63] Though his account of the raid is understated and couched in justifications, the chronicler makes it clear that the members of the peasantry and their goods were the primary target of the attack, and that those unlucky enough to be captured were taken and enslaved. Although John Gillingham asserts that slavery was in full decline in Britain over the course of the twelfth century, enslavement was evidently still a possible consequence of capture for commoners during the Anarchy.[64] It was far from the only one, however, and not all of the people carried off in this fashion became slaves. John of Worcester clearly uses similar wording to describe the abduction and extortion of ransom from commoners. He describes a raid on Winchecombe the following year in which, "[Miles of Gloucester] plundered it, and took away with him those whom he had despoiled so as to demand from them, although this

[63] John of Worcester, *Chronicle*, 3:275-79.

[64] John Gillingham, "French Chivalry in Twelfth-Century Britain?" *The Historian* (Summer 2014), 8–9.

was most unjust, the Mammon of unrighteousness."[65] This passage suggests that the

soldiers abducted the peasants as part of ransom extortion rather than as slaves,

though both options were evidently viable possibilities under the system of warfare in

the twelfth century.

Although both ransom and enslavement offered tempting financial incentives to

plundering soldiers, massacres still proved to be a prospect for defeated or defenseless

peasants, especially for those living in cities that failed to surrender before falling to

their besiegers.[66] In the aftermath of the Battle of Lincoln, "Earl Ranulf and the other

victors then entered the city and sacked it like barbarians; they slaughtered like cattle

all the rest of the citizens they could find or capture, putting them to death in different

ways without mercy or humanity."[67] In instances such as this one, monetary profit was

still a motivating factor; the soldiers stripped homes, streets, and corpses alike of

anything of value. However, the complete lack of restraint shown in this sack suggest a

measure of calculated brutality rather than mere opportunism from the victorious

soldiers, who doubtless could have profited even more by capturing and ransoming the

wealthiest residents of the city, or simply by abducting the peasants to serve as workers

elsewhere or enslaving them outright.[68]

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[65] John of Worcester, *Chronicle*, 3:283.

[66] Marvin, "Atrocity and Massacre," in *Theatres of Violence,* 54-55.

[67] Orderic Vitalis, *Ecclesiastical History*, 6:547.

[68] John France, "Medieval Irregular Warfare, C. 1000–1300," in *Journal of Medieval Military History: Volume XIV*, eds. John France, Kelly De Vries, and Clifford J. Rogers (Woodbridge, Suffolk: Boydell & Brewer, 2016), 125, accessed September 1, 2021, doi:10.7722/j.ctt1d39223.9.

Indeed, wealthy commoners were frequent targets for extortion even during other sacks that escalated into massacres, as at Nottingham in 1140. As Robert of Gloucester's forces turned the town into a towering inferno, "the citizens fled on all sides to the churches. One of these, who was reputedly wealthier than the rest, was seized and bound, and was led back to his house in the hope that he might be forced to give up his money."[69] Though the cunning man was able to turn the tables on his captors by burning them alive along with all his possessions, the rest of Nottingham's residents were not so lucky. Fearing capture at the hands of Robert's soldiers, the majority of the townsfolk refused to flee the churches where they had taken refuge, and burned to death when the flames engulfing the town spread to the churches. Though the massacre at Nottingham appears to have been an unplanned escalation, the town's fate represents a microcosm of the consequences of defeat for commoners during the Anarchy. Nottingham's peasantry experienced the full range of the customary consequences of defeat for the lower classes during the twelfth century.[70] For the wealthy commoners, the fall of their town usually resulted in capture and a hefty ransom. For the poor, however, such defeat meant either capture and enslavement or death.

While the Church was largely unable to offer protection from warfare to the common folk across Europe, the Church's declaration reinforcing the principle of ecclesiastical immunity in 1095 offered a stern reminder of the protected status of both the clergy and Church property. This protection also extended to include anyone taking

[69] John of Worcester, *Chronicle*, 3:291-293.

[70] Keen, *Laws of War*, 191.

refuge in a church under the formal right of sanctuary, a system that had existed in

England since at least the year 600.[71] Under this system, anyone who sought sanctuary

from the Church was sheltered beyond the reach of his or her foes while inside the

walls of a consecrated building.[72] Despite this guarantee, however, the increasingly

bitter nature of warfare during the Anarchy frequently tested the efficacy of

ecclesiastical immunity and the system of sanctuary. Attacks on members of the Church

and ecclesiastical property remained enough of a problem that the Church was

compelled to issue additional edicts, such as the Second Lateran Council in 1139, to

reinforce these protections by excommunicating anyone who attacked a member of the

clergy.[73] Even so, the great wealth concentrated in ecclesiastical property and the

political inclinations of many prominent Church figures ensured that they remained

enticing targets for capture and pillaging.

Indeed, members of both factions in the Anarchy violated ecclesiastical

immunity when it suited them. John of Worcester records that "Roger, bishop of

Salisbury, the bishop of Lincoln and Bishop Roger's son, Roger [le Poer], were taken

prisoner by the king" in 1137 when violence erupted at a parley between the two sides

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[71] J. Charles Cox, *The Sanctuaries and Sanctuary Seekers of Mediaeval England* (London: G. Allen & Sons, 1911) 5-6.

[72] As Cox argues, there were additional layers of complexity to the system, and the Church could extradite or refuse some sanctuary-seekers in extreme circumstances.

[73] Kirsi Salonen, "Killer Clergy: How Did Clerics Justify Homicide in Petitions to the Apostolic Penitentiary in the Late Middle Ages?" in *Petitions and Strategies of Persuasion in the Middle Ages: The English Crown and the Church, C.1200-c.1550*, eds. Thomas W Smith and Killick Helen (Woodbridge, Suffolk: Boydell & Brewer, 2018), 203, accessed July 28, 2021, doi:10.2307/j.ctv1qv2z9.17.

near Oxford.[74] Stephen even threatened violence against Roger le Poer to obtain the

surrender of the Bishop of Ely, who had escaped the meeting and begun fortifying the

nearby castle of Devizes.[75] Nor was Stephen the only one to resort to such threats.

When Bishop Robert of Bath captured Geoffrey Talbot, the Anglo-Norman baron of

Swanscombe, who was scouting the defenses of Bath in preparation for an assault from

Bristol, "The Bristol garrison was much angered by this and sent messengers to the

bishop, and threatened him and his followers with hanging if their companion-in-arms,

Geoffrey, was not freed as soon as possible."[76] The bishop, realizing the limited efficacy

of ecclesiastical immunity, swiftly complied. Indeed, the political and military role

assumed by these bishops left them vulnerable to reprisals in kind.[77] As William I had

justified his arrest of Bishop Odo, these men were targeted not as members of the

clergy, but rather as magnates and military commanders on the battlefield.

Not all members of the clergy had to directly involve themselves in the ongoing

struggle to find themselves targeted, however. In 1140, the monks at Tewkesbury

Abbey had to plead with the earl of Worcester to spare their goods when he sacked the

town as revenge against the earl of Gloucester.[78] Though on this occasion the earl

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[74] John of Worcester, *Chronicle*, 3:247.

[75] Ibid.

[76] Ibid., 3:249

[77] Keen, *Laws of War*, 193-194; Peter Clarke, "The Medieval Clergy and Violence: An Historiographical Introduction," in *Violence and the Medieval Clergy*, eds. Gerhard Jaritz and Ana Marinković (New York: Central European University Press, 2010), 6-8, accessed August 29, 2021, http://www.jstor.org/stable/10.7829/j.ctvsf1qbr.4.

[78] John of Worcester, *Chronicle*, 3:283-285.

agreed to spare the abbey, ecclesiastics across the kingdom were not always so lucky.

When King David I of Scotland raided northern England, "[v]ery many were captured,

despoiled, imprisoned, and tortured, and ecclesiastics were slain for the sake of their

church property."[79] Though the invaders focused on plundering the churches for their

wealth, they clearly had no issue killing any clergymen who attempted to stop them.

Indeed, the difficulties that secular courts and ecclesiastical figures faced when

attempting to enforce clerical immunity from war largely stemmed from the sheer value

of Church assets, rather than any special animosity towards members of the Church.[80]

In other cases, however, members of the Church were sometimes the direct targets of

military action, rather than mere obstructions.   In one such instance, "as Ralph,

archdeacon of the church of Évreux, was returning from Pacy, he was set upon by the

sons of Simon Harenc and narrowly escaped. He himself was saved by taking refuge in

a church..."[81] Though the intentions of the archdeacon's assailants are unclear, the death

of Ralph's attendant in the attack and the lengthy pursuit of the archdeacon himself

demonstrate that the clergyman was specifically targeted, likely for murder, as most

courts would not have accepted the ransom of an unarmed clergyman as legitimate.[82]

Although Ralph ultimately escaped harm, as did the monks of Tewkesbury,

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[79] Ibid., 3:237.

[80] Keen, *Laws of War*, 191-194; David Knowles, *The Monastic Order of England: A History of Its Development from the Times of Saint Dunstan to the Fourth Lateran Council, 943-1216* (Cambridge: Cambridge University Press, 1940), 100-02.

[81] Orderic Vitalis, *Ecclesiastical History*, 6:465.

[82] Keen, *Laws of War,* 194.

ecclesiastical immunity clearly proved insufficient protection for many clergymen

whose wealth and status drew unwanted attention.

Despite the failure of ecclesiastical immunity to shield Archdeacon Ralph,

another form of Church protection proved to be his salvation. By escaping his pursuers

into a church, Ralph was able to invoke the right of sanctuary and force his pursuers to

abandon the chase. This was a risky decision for both the archdeacon and the

ecclesiastics who took him in, however. As Karl Shoemaker argues, royal law had not

yet encompassed and enforced the right of sanctuary, and not everyone honored

sanctuary so readily during the Anarchy.[83] Across the kingdom, a number of different

knights and lords challenged the efficacy of sanctuary, forcing members of the Church

to put their lives and their goods at risk to uphold the principle of sanctuary and protect

their charges. Though they were not always successful, the ability of these largely

defenseless religious communities to strongly resist armed and angry soldiers speaks

volumes of the value of sanctuary to refugees and defeated warriors alike.

One such attempt to defy the right of sanctuary came when Robert fitz Hubert,

an opportunistic knight who "feared neither God nor man," captured the castle of

Malmesbury in 1139.[84] John of Worcester recounts the entire episode:

> Some of the royal knights in the castle took refuge in the church of the holy
> bishop Aldehelm for sanctuary. Robert pursued them, and one day broke into
> the chapter-house of the monks at the head of armed men. With terrifying
> threats, he ordered the brethren to hand over the mighty king's soldiers and
> their horses if they valued their property. The monks were horrified at the

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[83] Karl Shoemaker, "Sanctuary in the Century After the Norman Conquest," in *Sanctuary and Crime in the Middle Ages, 400-1500*, 95-111 (New York: Fordham University Press, 2011), 101-102, accessed September 12, 2020, doi:10.2307/j.ctt13x09p8.11

[84] John of Worcester, *Chronicle*, 3:285.

breaking of the peace of God and of their blessed patron Aldhelm, and refused to do as he asked. In the end, unwillingly, they handed the horses over, to appease his wrath.[85]

There are a number of interesting details in this passage. According to the chronicler, Robert and his men specifically threatened Church property, rather than the lives of the brethren or some other form of reprisal, in order to force them to comply. This suggests not only that they believed that the monks of Malmesbury valued their property as much or more than the men they harbored, but also that there were limits as to how far Robert was willing to go. The limited scope of Robert's actions reinforces this latter possibility.[86] Although he violated the "peace of God" by breaking into an ecclesiastical building with an armed troop, he contented himself with threats against property, even in the face of an initial refusal of his demands.[87] Interestingly, Robert's gamble seems to have paid off, though he did not achieve total success. His aggressive actions and threats sufficiently cowed the monks into forging a compromise. Although their decision to hand over the knights' horses to Robert fell short of the broad protections that the right of sanctuary supposedly guaranteed, the monks were pragmatic enough to recognize that such protections were unenforceable to the point of being anachronistic.[88] Regardless, even as the right of sanctuary was sorely tested and

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[85] Ibid., 3:285-287.

[86] King, *King Stephen,* 128-29.

[87] John of Worcester, *Chronicle*, 3:285-287.

[88] William Chester Jordan, "A Fresh Look at Medieval Sanctuary," in *Law and the Illicit in Medieval Europe*, eds. Karras Ruth Mazo, Kaye Joel, and Matter E. Ann, 17-32 (Philadelphia: University of Pennsylvania Press, 2008), 22-23, accessed October 4, 2020, http://www.jstor.org/stable/j.ctt3fh9ps.5.

partially compromised, it successfully upheld its larger purpose: sheltering the weak

and the defeated from their enemies.

Not everyone who claimed the right of sanctuary found safety, however. On rare

occasions, soldiers ignored the right of sanctuary altogether, directly attacking churches

or monasteries to forcibly extract their targets. The abbey of Wherwell suffered one

such attack when John fitz Gilbert, the Marshal of England and partisan of the Empress

Matilda, took refuge there while escorting Matilda to safety. According to John of

Worcester, "[The king's soldiers] were not able to expel him thence, and, on the same

day of the feast of the Exaltation of the Holy Cross, they set fire to the church of the Holy

Cross with the nuns' goods and buildings, and, after spilling much blood horribly before

the sacred altar, rudely took away their clothes, books, and ornaments."[89] The fate of

Wherwell Abbey was not unique by the standards of the Anarchy, and was actually part

of a larger trend of occupying and converting religious structures into improvised

fortresses.[90] Roger of Wendover records such an event in 1142 in which William de

Mandeville, Constable of the Tower of London, "attacked Ransey abbey, expelled the

monks, and filled the place with his ruffians," to replace his strongholds confiscated by

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[89] John of Worcester, *Chronicle*, 3:303. John of Worcester claims these soldiers belonged to Henry of Blois, the bishop of Winchester, though as suggested by Sidney Painter, *William Marshal: Knight-Errant, Baron, and Regent of England* (Toronto: University of Toronto Press, 1982), 7, these men were most likely mercenaries under the command of William of Ypres.

[90] Strickland, *War and Chivalry*, 76-77; Katherine Allen Smith, "Monks and Warriors: Negotiating Boundaries," in *War and the Making of Medieval Monastic Culture*, 39-70 (Woodbridge, Suffolk: Boydell & Brewer, 2011), 67-68, accessed September 20, 2020, doi:10.7722/j.ctt81q4j.7.

King Stephen. [91] In similar fashion, the Empress's forces were in the process of

converting Wherwell Abbey into a temporary fort, as Painter demonstrates. [92] By doing

so, John fitz Gilbert and other partisans of the Empress signaled their intent to resist

through force of arms, rather than rely on the Church's promise of sanctuary. As a

result, John's pursuers gained a plausible justification for attacking and pillaging the

convent.

Although both custom and law ostensibly protected clergymen and members of

the Church from harm, the realities of warfare during the Anarchy repeatedly

highlighted the limitations of that protection. Whether they were travelling across the

countryside, leading an army, or sheltering refugees, clergymen often presented too

enticing a target to ensure their immunity from secular military affairs. Despite the

shortcomings of ecclesiastical immunity and sanctuary, however, the cultural and legal

norms they established offered members of the Church a measure of additional

protection from all but the most impious of nobles.

Much like clergymen, women were ostensibly protected from the ravages of

warfare as noncombatants, though in reality such protection was limited at best,

especially for noblewomen who involved themselves in the war and peasants. Although

the Anarchy saw a noteworthy increase in the number of Anglo-Norman noblewomen

directly involving themselves in military affairs, there was no substantial change in the

treatment of women captured in the aftermath of battle. Instead, women during the

Anarchy saw a continuation of the gradual decline of slavery and abduction that began

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[91] Roger of Wendover, *Flowers*, 1:495.

[92] Painter, *William Marshal*, 7.

with the Norman Conquest, although both remained real possibilities, especially for

commoners.[93] Indeed, even as Empress Matilda, Henry I's daughter and claimant to the

throne, commanded armies and repeatedly eluded capture, peasant women across the

kingdom faced capture, death, or rape at the hands of each passing army.[94] This

disparity between women of differing social status marks a continuation of the

established norms of post-1066 Britain, though the increasingly active role a number of

prominent noblewomen played in military affairs meant that such women were more

likely to be specifically targeted for capture.

The most prominent example of peasant women facing abduction en masse

during the Anarchy came in the aftermath of the Battle of Cardigan in 1136. When an

Anglo-Norman army led by several of the local marcher lords ruling the south of Wales

was routed by the advancing Welsh force, the victorious Welshmen began pillaging the

surrounding towns and cities, including the town of Cardigan itself. According to John

of Worcester, "There was such slaughter that besides those men taken into captivity

there remained 10,000 captive women whose husbands with numberless children were

drowned, consumed by flames, or put to the sword."[95] As Gillingham argues, this

episode fits with the declining pattern of enslavement and abduction in post-1066

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[93] Gillingham, "French Chivalry," 8–9, and Gwen Seabourne, *Imprisoning Medieval Women : The Non-Judicial Confinement and Abduction of Women in England, C.1170-1509* (Abingdon: Routledge, 2011), 17.

[94] Anne Curry, "The Theory and Practice of Female Immunity in the Medieval West," in *Sexual Violence in Conflict Zones: From the Ancient World to the Era of Human Rights*, ed. Elizabeth D. Heineman (Philadelphia: University of Pennsylvania Press, 2011), 174-75, accessed September 5, 2021, http://www.jstor.org/stable/j.ctt3fhfgp.13.

[95] John of Worcester, *Chronicle*, 3:221.

England. According to Gillingham, the practice of slavery died out unevenly in the British Isles after the Norman Conquest, with the Welsh and the Scotts continuing to capture and enslave peasants well after the Normans and the English had ceased to do so.[96] Given such a trend, it is unsurprising that the Welsh were responsible for this large-scale abduction event rather than the Anglo-Normans, for whom the practice was no longer acceptable. Indeed, as Gwen Seabourne shows, the majority of accounts leveling accusations of slave raiding in twelfth-century England pointed to the Welsh and the Scots as the culprits, with very few such claims directed at the Anglo-Normans.[97] Regardless of how bitter the conflict in England became, mass abductions of peasant women were simply no longer a major component of Anglo-Norman warfare.

On the other hand, Anglo-Norman noblewomen, who Jean A. Truax argues were often involved in military affairs, became much more acceptable targets for capture.[98] Much like high-ranking members of the clergy, prominent noblewomen who involved themselves in political and military affairs became valid targets themselves. The most notable example of this trend is the Empress Matilda herself, who, as a claimant to the throne and military commander of her own personal troops, found herself forced to make a series of daring escapes to avoid capture. She was far from the only woman to take an active hand in military affairs, however. When the Empress arrived in England

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[96] Gillingham, "French Chivalry," 8–9.

[97] Seabourne, *Imprisoning Medieval Women,* 20.

[98] Jean A. Truax, "Anglo-Norman Women at War: Valiant Soldiers, Prudent Strategists or Charismatic Leaders?" in *The Circle of War in the Middle Ages: Essays on Medieval Military and Naval History*, eds. Donald J. Kagay and L. J. Andrew Villalon (Woodbridge, Suffolk: Boydell Press, 1999), 111-115.

with a sizable body of troops in October 1139, she visited her stepmother Adeliza of

Louvain, the former Queen of England, at Arundel. When the understandably enraged

Stephen brought his army to bear on Arundel Castle, Adeliza took charge of defending

the castle and negotiating with the king. According to John of Worcester, the dowager

queen proved equal to the task: "When the king heard her explanation he sent her

away, and ordered the ex-empress to be led with honour (since she was his cousin) by

his brother the bishop of Winchester to the castle of Bristol."[99] As Truax argues, the

framing of this episode shows that contemporary chroniclers believed women could

effectively serve as commanders and, more importantly, received recognition as such

by their enemies.[100] On the other hand, Catherine Hanley argues that since Matilda and

Adeliza were both high-status women, Stephen was limited in his options for resolving

the situation and that he could not attack Arundel without destroying his reputation

and alienating his barons, as neither woman was yet in open rebellion.[101] In open

conflict, however, noblewomen who took on the role of commander also became a valid

target for capture and imprisonment in the event of a defeat.

The best example of this trend in twelfth-century Anglo-Norman warfare was

the Empress Matilda herself. An ambitious and powerful noblewoman, Matilda

personally commanded her own companies well before she became a major military

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[99] John of Worcester, *Chronicle*, 3:269

[100] Truax, "Anglo-Norman Women," 115.

[101] Catherine Hanley, *Matilda: Empress, Queen, Warrior* (New Haven: Yale University Press, 2019), 117.

leader in her campaign for the English throne. [102] Indeed, in her contributions to the

war effort, Matilda undeniably acted as a military combatant, even if she never directly

engaged in combat.[103] Though Matilda's political rivalry with the king already offered

him a pretext to imprison her, the lack of outrage in pro-Matilda accounts at Stephen's

repeated efforts to capture her is striking, and suggests that they did not perceive the

king's actions as illegitimate political persecution, but rather as a normal part of war.[104]

Even in these accounts, Stephen was well within his rights to target her for capture, as

when he cornered her at Oxford in the winter of 1142. According to William of

Malmesbury, Stephen besieged the castle at Oxford "with such determined resolution,

that he declared no hope of advantage or fear of loss should induce him to depart till the

castle was delivered up, and the empress surrendered to his power."[105] Though the

Empress's daring escape doubtless colored the chronicler's impressions of the event,

the lack of rancor in his words suggests that William of Malmesbury believed that the

king's attempts to capture Matilda were permissible under the customs of Anglo-

Norman warfare.

Though King Steven never managed to capture the Empress Matilda, she did

briefly enter royal custody as a hostage. During the Anarchy, the number of both long-

and short-term hostage agreements used to secure treaties or ensure loyalty

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[102] Truax, "Anglo-Norman Women,"112.

[103] Hanley, *Matilda,* 122-23.

[104] William of Malmesbury, *William of Malmesbury's Chronicle of the Kings of England from the Earliest Period to the Reign of King Stephen,* trans. J. A. Giles (London: Bell & Daldy, 1866), 533, accessed June 20, 2020, Hathi Trust Digital Library.

[105] Ibid.

proliferated as the conflict spiraled out of control. As before, hostages guaranteed the most risky and important deals as well as a host of more ordinary arrangements, including maintaining the fidelity of subordinate castellans and other forms of submission.[106] In another point of continuity, the terms of imprisonment for hostages hinged on the nature of the agreement they ensured, as when Queen Matilda and one of her sons received respect and courtesy from their guards when they briefly served as hostages during the prisoner exchange of Stephen for Robert of Gloucester.[107] As a result, hostages continued to occupy a precarious position during the Anarchy, and largely relied upon their value as collateral to preserve their safety.

This particular episode highlights one of the biggest changes in hostage-taking practices in Anglo-Norman England, as well as much of Europe, over the course of the eleventh and twelfth centuries. During this period, women appear as hostages much more often than in the early Middle Ages, in a noticeable break in tradition dating back to Roman times.[108] Before the eleventh century, women who fulfilled the general role of a hostage were much more commonly married off to permanently secure the arrangement rather than serve as a temporary hostage. As Seabourne argues, however, despite the increasing presence of women as hostages during the eleventh and twelfth centuries, the subordinate status of women in property and inheritance systems

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[106] Kosto, *Hostages*, 81-82; Robert Bartlett, *England under the Norman and Angevin Kings, 1075-1225* (Oxford: Clarendon Press, 2000), 49-50.

[107] Seabourne, *Imprisoning Medieval Women,* 46.

[108] Kosto, *Hostages,* 83-84.

ensured that male hostages remained overwhelmingly preferable to female hostages

throughout the Middle Ages.[109]

Despite this emphasis on finding valuable individuals to serve as hostages, in

many cases, one or more parties of the agreement failed to meet their obligations. In

these instances, when the offending party forfeited their hostages, the hostages were

uniquely vulnerable for members of their social strata. Indeed, even as the increasingly

prevalent practices of ransom and limited warfare improved the treatment of most

prisoners of war, by design, hostages received no additional protection. When Robert

fitz Hubert, the rogue knight who had defied the right of sanctuary at Malmesbury,

broke his agreement to surrender the castle of Devizes to John fitz Gilbert, the Marshal

of England, John hung Robert's nephews who had served as hostages per the

agreement.[110] John even hung Robert himself, who remained in custody during the

entire failed transaction as a hostage against the garrison's surrender, when the

garrison continued to resist.[111]

Although execution and mutilation remained valid recourse for a broken

hostage arrangement, many feudal lords chose to show mercy to their forfeited

hostages. One particularly poignant example of this came when John fitz Gilbert

forfeited his youngest son, William Marshal, by fortifying his besieged castle of

Newbury in defiance of a negotiated truce with Stephen. As Sidney Painter recounts the

episode, as the king escorted William to a nearby tree, the young hostage, unaware of

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[109] Seabourne, *Imprisoning Medieval Women*, 48.

[110] John of Worcester, *Chronicle*, 3:289.

[111] Ibid.

what was happening "saw William, earl of Arundel, twirling a most enticing javelin, [and] he asked him for the weapon. This reminder of William's youth and innocence was too much for King Stephen's resolution, and, taking the boy in his arms, he carried him back to the camp."[112] While this colorful—and no doubt embellished—story likely is not representative of the treatment of most forfeited hostages, the merciful response was not unique to the softhearted Stephen. As Kosto points out, although hostage agreements relied on the threats of violence against the hostages, such threats were rarely carried out, especially towards the later Middle Ages.[113]

While the growth in popularity of chivalric ideals led to some improvements in the treatment of the defeated during the Anarchy, including for the young William Marshal, such benefits were not applied evenly. For the knights and nobility, the increased emphasis on ransom ensured that most knights defeated in battle faced capture rather than death. In some cases, though, knights who resisted too zealously or were the target of a personal grudge sufficiently angered their foes that no clemency was forthcoming, even when they were unable to resist any longer. Mercenaries and non-Anglo-Norman soldiers on the battlefield also faced inconsistent treatment, with social status and reputation often serving as the key factors determining life or death in the case of defeat. Knights and nobles among these groups were far more likely to be captured than their commoner soldiers, but knightly status did not guarantee mercy for the defeated, especially in the case of the often-maligned Welsh princes or particularly ill-behaved mercenaries. Commoners and foot soldiers outside of mercenary

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[112] Painter, *William Marshal*, 14-15.

[113] Kosto, *Hostages*, 108.

companies continued to face probably the harshest treatment of any group during the Anarchy. Although slavery was on the decline in Anglo-Norman England, commoners still faced abduction and extortion to pay for their freedom, and in some cases, enslavement. Some foot soldiers, usually serving in castle garrisons or living in walled cities, were able to secure favorable treatment by surrendering quickly, but faced death if the enemy captured the walls by force.

Some groups, on the other hand, encountered somewhat less uncertain treatment at the hands of their enemies. Of these groups, clergymen enjoyed the most security when caught in the middle of a military defeat. Members of the Church hierarchy who did not directly involve themselves in military affairs received a measure of protection against the ravages of war, and even were able to provide shelter for others under the legal right of sanctuary. Ecclesiastical immunity had its limits, however, and particularly unscrupulous soldiers sometimes still targeted clergymen, usually for their riches or the sanctuary-seekers in their charge. Women also encountered reasonably consistent treatment depending on their social strata, though often of a far less benign nature. Noblewomen, much like high-ranking members of the Church, were largely exempt from military reprisal, except in cases where they had involved themselves directly, usually in the role of commander. These protections evaporated for lower-class women, however. Although the decline of slavery in Anglo-Norman England reduced the scope and frequency of slave raids and mass abductions, marauding soldiers continued to assault, rape, or kill the peasant women they encountered in the aftermath of a battle.

The experience of hostages during the Anarchy serves as something of a middle ground between these previous two categories of the defeated. Though taken by formal legal agreements rather than on the battlefield, hostages had simultaneously the least protections of any group, and the most significant one of all, in the form of self-interest. The integrity of the agreements they upheld and the personal inclinations of their captor were the only thing preventing hostages from suffering the worst treatment imaginable, resulting in handling that varied from mutilation and execution to deferential hospitality, even in the aftermath of broken agreement. In this sense, hostages proved emblematic of the nature of the consequences of defeat during the Anarchy. Despite the increasing reliance on both formal and informal agreements and regulations on conduct towards the beaten and captured, the chaotic and often unpredictable nature of warfare during the period ensured that no such system, whether it be a formal hostage agreement, canon law, or chivalric notion, was sufficient to guarantee consistent treatment.

Chapter Three:

"Throwing Themselves into the Hands of the Enemy:"

The Conditions of Defeat in Angevin Warfare, 1154-1216

The end of the Anarchy and beginning of the Angevin Empire, which lasted from 1154 to 1216, marked a pivotal change in the conduct of English warfare. Although the Angevin Dynasty led England into a series of increasingly bitter wars, the shifting priorities of warfare and the increasing importance of the chivalric values of restrained behavior and mutual aristocratic respect led to a general improvement in the treatment of the defeated.[1] The tremendous potential for wealth offered by ransoms ensured that knightly combatants usually sought to capture each other alive, and that even commoners often had an opportunity to purchase their freedom. Ecclesiastical edicts also sought to limit the ravages of warfare and formal hostage agreements proliferated. The growing importance of chivalry's hybrid ethos of martial, aristocratic, and Christian conduct imposed strict limits on the acceptable range of wartime behavior, especially in conflicts between Christians.[2] The rise of this chivalric culture led to a more formal system of practices for capturing and treating prisoners that extended limited protections even beyond the privileged classes. However, knightly honor did not provide a guarantee of protection for all, often neglecting the commoners, civilians, and non-Christians whose cultural background excluded them from chivalric society.

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[1] Nigel Saul, *Chivalry in Medieval England* (Cambridge, MA: Harvard University Press, 2011), 8.

[2] Maurice Hugh Keen, *Chivalry* (New Haven: Yale University Press, 1984), 16-17.

The rise of chivalry during the Angevin Empire has long made warfare during the period a popular topic of study, even more so than for the Anarchy or the Anglo-Norman dynasty. As a result, prisoner of war treatment in the Angevin Empire has seen more scholarship than in either of the aforementioned periods, though the works of several of the scholars mentioned in the previous chapters remain central to the historiography of this period. Maurice Keen's 1965 book, *The Laws of War in the Late Middle Ages,* proves especially invaluable for studies on this topic as the formal structures of captivity and ransom he describes grow increasingly well-defined over the course of the latter half of the twelfth century and the beginning of the thirteenth century.[3] For all the value of Keen's contribution, however, his interpretation of this period meets the greatest opposition from Matthew Strickland's 1996 response, *War and Chivalry: The Conduct and Perception of War in England and Normandy, 1066-1217.* In this work, Strickland argues that it is not possible to speak of a formal "law of arms" in Angevin England of the kind that Keen writes about existing in the fourteenth and fifteenth centuries, due primarily to the lack of formal, enforceable laws on military conduct under the Angevin Dynasty.[4] Meanwhile, the comprehensive and compelling conclusions of Adam Kosto's 2012 monograph *Hostages in the Middle Ages* ensures that it remains the definitive study on conditional imprisonment and hostages, which only grew more common during this period.[5]

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[3] Maurice Hugh Keen, *The Laws of War in the Late Middle Ages* (Abingdon: Routledge & K. Paul, 1965), 157-58.

[4] Matthew Strickland, *War and Chivalry: The Conduct and Perception of War in England and Normandy, 1066-1217* (Cambridge: Cambridge University Press, 2005), 53.

[5] Adam Kosto, *Hostages in the Middle Ages* (Oxford: Oxford University Press, 2012).

A number of other works prove highly useful in understanding the conditions of the defeated in Angevin England. Sidney Painter's 1982 book, *William Marshal: Knight-Errant, Baron, and Regent of England* offers a knight's personal experience with the practical application of the legal and cultural rules governing the capture and treatment of prisoners.[6] This work, however, remains a biography, and thus does not attempt to study these laws and customs, nor does its depiction of them reach beyond their impact on knights or nobles. Clair Valente's *The Theory and Practice of Revolt in Medieval England*, published in 2003, offers a compelling depiction of the motivations, objectives, and consequences of rebellion in thirteenth- and fourteenth-century England, providing a valuable framework for understanding the stakes and consequences of defeat for king, baron, and commoner alike in civil conflicts towards the end of the Angevin Dynasty.[7] The later temporal focus and emphasis on the ideological aspects of rebellion limit the book's useful application for studying the conditions of defeat for Henry II's domestic enemies, however. R. C. Smail's 1956 classic, *Crusading Warfare, 1097-1193*, meanwhile, explores the English's role and experience in the Crusades.[8] Though this work does not always distinguish between the origins of the European armies on Crusade and divides its time across a wide variety of aspects of warfare in the Holy Land, Smail's work provides useful insight into the attitudes and practices of the English

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[6] Sidney Painter, *William Marshal: Knight-Errant, Baron, and Regent of England* (Toronto: University of Toronto Press, 1982).

[7] Claire Valente, *The Theory and Practice of Revolt in Medieval England* (Abingdon: Routledge, 2017).

[8] R. C. Smail, *Crusading Warfare: (1097-1193)*, 2nd ed. (Cambridge: Cambridge University Press, 1995).

army, particularly when facing non-Christians, though prisoner treatment is conspicuously absent from this account. Recent scholarship, such as Dan Jones's 2020 book, *Crusaders: The Epic History of the Wars for the Holy Lands*, has sought to address this oversight, with mixed success.[9] These works combine to give a broad, if incomplete, picture of the customs and practices governing the treatment of the defeated in Angevin England.

This period of Angevin rule, beginning with Henry II, was notable not only for the widespread adoption of chivalry in England, but also the formation of English common law. This system of common law, born out of Henry II's judicial reforms and his creation of a robust system of civil courts, was grounded on the principles of equality before the law, respect for established rights, and impartial royal justice.[10] Over the course of the Angevin Dynasty, chivalry and common law became closely linked, though as David Simpkin argues, chivalry's origins as a separate cultural phenomenon ensured that it remained distinct from the formation of common law.[11] Indeed, although common law enforced chivalric ideas by enshrining customary practices, many of which were influenced by the rise of chivalry, in legal form, it did not

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[9] Dan Jones, *Crusaders: The Epic History of the Wars for the Holy Lands* (New York: Penguin Books, 2020).

[10] Raoul Caenegem, *The Birth of the English Common Law* (Cambridge: Cambridge University Press, 1973), 46-47.

[11] David Simpkin, "The Organization of Chivalric Society," in *A Companion to Chivalry*, eds. Robert W. Jones and Peter Coss (Woodbridge, Suffolk: Boydell & Brewer, 2019), 41-42, accessed July 26, 2021, doi:10.2307/j.ctvb937g7.11.

amount to a formal codification of chivalry as law.[12] After all, chivalric culture was expressly confined to the warrior elite, regulating the behavior of knights and providing an ideal standard for noble conduct. Common law, on the other hand, was the product of a concerted effort to create a single, unified system of law that would apply to all members of English society below the king. These differing objectives prevented the chivalric code from merging entirely with common law to form a single, cohesive jurisprudence, though the shared cultural roots ensured the two remained closely linked.

The rise of chivalric culture, which was fully established in England by the late twelfth century, greatly influenced the practice and execution of warfare in England and much of Europe. Perhaps nowhere are the effects of this cultural shift more evident than in the capture and treatment of knightly foes on the battlefield. Under the Angevin Dynasty, the cost of defeat in battle for most members of the nobility was economic rather than lethal when fighting other European armies. Though warfare remained an inherently risky undertaking, and a stray blow or arrow could fell even the most powerful feudal lords, for the majority of knights, the rise of tournaments and increasing value of ransoms began to blur the lines between warfare and sport.[13] Even in deathly serious conflicts between kings and magnates, the bulk of knightly combatants faced capture and ransom in defeat, rather than death on the battlefield,

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[12] John Hudson, *The Formation of the English Common Law: Law and Society in England from the Norman Conquest to Magna Carta* (New York: Longman, 1996), 19-21.

[13] Sean McGlynn, "Pueri Sunt Pueri: Machismo, Chivalry, and the Aggressive Pastimes of the Medieval Male Youth," *Historical Reflections / Réflexions Historiques* 42, no. 1 (2016): 92-94, accessed July 25, 2021, http://www.jstor.org/stable/24720618.

permanent imprisonment, or execution.[14] Indeed, the growing strength of honor as a

compelling factor and the tremendous financial windfall of a knight's ransom created a

system of limited warfare for the noble classes that heavily incentivized mild treatment

for the defeated in all but the most unusual of circumstances.

By the latter half of the twelfth century, knights and noble combatants had more

or less fully accepted the notion of chivalric warfare and the limitations it placed on the

accepted means of treating defeated foes. As such, warfare during the reigns of Henry II

and his sons took on a familiar pattern of raiding and counter-raiding to plunder

villages and capture knights, as illustrated by Robert de Monte, a twelfth century monk

and abbot of Mont Saint-Michel. Describing an 1168 campaign fought between the

kings of France and England in Normandy, he wrote: "Appearing suddenly before a

town in Normandy, called Chênebrun, the king of the French burnt it, and took in it four

knights. When he heard of this, the king of England pursued him, and took prisoners of

many of his soldiers, amongst whom the steward of Philip, count of Flanders, was

caught with a hook."[15] Though in this instance the French launched the raid, this

episode is emblematic of the form of raiding warfare that defined both French and

English military practices when fighting on the European continent. As Stacey argues,

plunder was a central aspect of warfare, especially for the foot soldiers and poorer

soldiers, but knights who encountered each other in battle were heavily encouraged by

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[14] Sidney Painter, *French Chivalry: Chivalric Ideas and Practices in Mediaeval France* (Baltimore, MD: Johns Hopkins University Press, 2019), 34-35.

[15] William of Newburgh and Robert De Monte, *The History of William of Newburgh: The Chronicles of Robert De Monte*, trans. by Rev. Joseph Stevenson (London: Seeleys, 1856), 770, accessed December 19, 2020, http://hdl.handle.net/2027/coo.31924117653570.

both honorable customs and the promise of valuable ransoms to capture rather than kill each other.[16]

Indeed, a similar episode features prominently early in the life of William Marshal. As Sidney Painter recounts from the *Histoire de Guillaume le Maréchal*, William fought too hard to defend the town of Drincourt in northern Normandy from a French raid in 1167 and forgot to take time to secure prisoners for ransom, an oversight that his commander, the earl of Essex, chided him for.[17] Though the young knight fought with courage and skill, his naiveté and inexperience had caused him to overlook the true objective of knightly warfare: though the town was safe, William Marshal had no prisoners to ransom, nor any captured gear or equipment. Indeed, having lost his warhorse during the fighting, William came out of the battle a poorer man than he had entered it, despite beating many foes and avoiding capture himself. The young knight took a lesson from his experience that would ultimately help him to rise to the top of England's barony, and would never again miss an opportunity to profit from his deeds in battle.[18] As William learned, the capture and ransom of knights was an essential aspect of English warfare by the late twelfth century.

References to the capture and ransom of knightly combatants proliferate during the span of 1173 to 1175, when Henry II's oldest son, Henry the Young King, rose up in

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[16] Robert C. Stacey, "The Age of Chivalry," in *The Laws of War: Constraints on Warfare in the Western World*, eds. Michael Howard, George J. Andreopoulos, and Mark R. Shulman (New Haven: Yale University Press, 1994), 35-38, accessed March 15, 2021, http://www.jstor.org/stable/j.ctt32bghc.6.

[17] Painter, *William Marshal,* 21-2.

[18] Ibid., 23.

rebellion against his father. This trend was no doubt influenced by the cultural homogeny of the primarily Anglo-Norman combatants, though it still marks a clear step towards a widespread adoption of limited warfare among the English and Norman nobility.[19] According to Roger of Wendover's account of the 1173 fall of Gornay (or Gornai), in northeastern Normandy, "Also, the young king Henry laid siege to the castle of Gornai, and therein made prisoners Hugh the lord of the castle and his son, with twenty-four knights: the castle itself he burned, and compelled the townspeople to pay ransom."[20] Strickland draws a distinction between the townsfolk who paid ransom, and the knights, who seem to have remained in honorable custody, though he suggests that Hugh de Gornay's son subsequently appeared as a supporter of the Young King.[21] Likewise, Roger of Wendover reports that later that year, the rebel baron Earl Robert de Beaumont of Leicester "assaulted and burned the castle of Hagenet [now Haughley, in Suffolk], where he captured thirty knights, and compelled them to pay ransom."[22] Interestingly, the Earl of Leicester's men seem to have remained interested in taking prisoners even as they stormed the castle, a notable change in priorities even from as recently as the Anarchy.[23] Although this observation is perhaps partially attributable to the unwillingness of either side to worsen a familial conflict unnecessarily, the Earl of

[19] Peter Sposato and Samuel Claussen, "Chivalric Violence," in *A Companion to Chivalry,* eds. Jones and Coss, 99-100.

[20] Roger of Wendover, *Flowers of History*, 2:24.

[21] Matthew Strickland, *Henry the Young King: 1155-1183* (New Haven: Yale University Press, 2016), 153-54.

[22] Roger of Wendover, *Flowers,* 2:26.

[23] Strickland, *Henry the Young King,* 173.

Leicester's vocal role in shutting down a peace conference with the king just a few

months prior to this siege suggests otherwise.[24]

Despite the efforts to mitigate the escalation of this war, not every battle or

skirmish ended in swift ransoms. When a number of rebel barons surrendered to

Henry II in 1173 in the city of Dole, in Brittany:

> The king agreed to give them their liberty and to spare their limbs; but upon the
> surrender of the castle, he ordered into custody all the noble captives found
> therein, and the earl of Chester, and Ralph de Fougères, with about one hundred
> other nobles, fell, by the judgement of God, into the hands of the king, whom they
> had pursued with the bitterest hatred. However, they were treated by him with
> very much more clemency than they deserved, though for a time they were
> confined in chains; but the two nobles above-mentioned, who seemed more
> distinguished among the captives, after having satisfied the king that they would
> observe their fealty, obtained their release.[25]

While the king elected not to ransom and release most of these troublesome nobles

despite promising otherwise, it appears that he was limited in how far he could go to

show his displeasure with them. Though it doubtless would not have served him well

to execute supporters of his own son, Henry II's decision to merely chain his prisoners

appears merciful compared to the efforts of his predecessors to crush rebellions, such

as William I's sack of York in 1069 and infamous Harrying of the North.[26] Indeed, even

these rebels ultimately received their freedom. According to Roger of Wendover,

"When peace was fully made [in 1175], and ratified all round with a kiss, the king

released without ransom nine hundred and sixty-nine knights, whom he had taken in

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[24] Wilfred Lewis Warren, *Henry II* (London: E. Methuen, 1973), 128.

[25] William of Newburgh, *History,* 487-88.

[26] David Bates, *William the Conqueror* (New Haven: Yale University Press, 2016), 305.

the war."[27] Warren makes the case that Henry II proved surprisingly merciful throughout the war, arguing that he refrained from executions, forfeitures, and even levying ransoms against his prisoners.[28] Clearly, the king of England did not view his son's rebellion as a normal conflict, but the limited consequences of defeat for knightly combatants established in this war would remain a facet of English warfare.

During the reign of Henry II's son and successor Richard I, both the king of England and the king of France preferred to capture and ransom their knightly foes, even as they battled each other for large swaths of valuable territory. According to Roger of Wendover's account of hostilities in Normandy in 1197, "...the king of the English made a hostile descent on Auvergne, and took ten of the French king's castles, and a great number of his followers."[29] In retribution, "the French king had taken the castle of Anjou, but on the receipt of fifty marks of silver, he gave up the soldiers of the garrison, safe in life and limb, and with their horses and arms, but the king retained the castle and strengthened it."[30] The generosity of this latter agreement was no doubt a reflection of the poor position in which Phillip II had found himself; having fallen into a trap set by his enemies, the French king shortly afterwards felt compelled to call for a truce.[31] Regardless, this episode was not an anomaly. In 1198, Richard defeated Philip II in battle, and " in this conflict the French king and his followers took to flight, and

[27] Roger of Wendover, *Flowers,* 2:32.

[28] Warren, *Henry II*, 140.

[29] Roger of Wendover, *Flowers*, 2:167-68

[30] Ibid.

[31] John Gillingham, *Richard I* (New Haven: Yale University Press, 2002), 310-11.

retreated to Vernon for safety, but before they could get into the castle, king Richard, who was pursuing them at the sword's point, made prisoners of twenty knights, and more than sixty soldiers."[32] Richard followed this triumph with an even more crushing victory which resulted in the capture of several hundred knights, but even in the furious pursuit of King Philip in the aftermath of this second battle that Anthony Bridge argues could have won Richard the war outright, the English captured every knight they could get their hands on, thereby allowing Philip to escape.[33]

This same emphasis on the capture of knights and nobles on the battlefield also marked King John's reign. During his otherwise disastrous campaign to reclaim Normandy in 1202, he surprised a large force besieging his mother at Mirabeau belonging to Duke Arthur of Brittany, who had claimed the English throne under Angevin law by his right as the son of John's older brother Geoffrey. According to Roger of Wendover:

> Then a most severe conflicts took place inside the walls of the castle (of Mirabeau), but was soon determined by the laudable valour of the English; in the conflict there two hundred French knights were taken prisoners, and all the nobles in Poictou and Anjou, together with Arthur himself, so that not one out of the whole number escaped who could return and tell the misfortune to the rest of their countrymen. Having therefore, secured his prisoners in fetters and shackles, and placed them in cars, a new and unusual mode of conveyance, the king sent some of them to Normandy, and some to England, to be imprisoned in strong castles, whence there would be no fear of their escape; but Arthur was kept at Falaise under close custody.[34]

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[32] Roger of Wendover, *Flowers,* 2: 174.

[33] Antony Bridge, *Richard the Lionheart* (New York: M. Evans, 1989), 236-37.

[34] Roger of Wendover, *Flowers,* 2: 204.

Unlike most other lords of the time, including his rival Philip II, however, John did not treat his prisoners well. According to Ralph Turner, twenty-two of them died from John's cruel treatment and Arthur disappeared altogether, leading to suspicions of murder.[35] Unlike many of his royal predecessors, however, John faced serious consequences as a result of these actions, including a series of defections among his vassals that cost him his grip on Normandy and much of France. The message was clear, even if John was too stubborn to heed it: victorious lords of any rank could no longer treat knights and noble combatants defeated in battle with impunity, even if no formal law could yet guarantee it.

For soldiers outside the Anglo-Norman aristocracy, however, such principles were not as routinely upheld, especially when dealing with warriors from non-chivalric cultures or backgrounds. Such occurrences were quite common: the frequent wars of the Angevin dynasty led the English into battle both against and alongside a wide variety of soldiers from diverse backgrounds. At the same time, the rising costs of warfare and the added difficulty in levying sufficiently large armies led the English kings, as well as many of their foes, to rely increasingly heavily on mercenary companies.[36] These companies, in their turn, had grown more organized and sophisticated, more closely resembling a professional army, though still lacked the discipline and stability of such formal armies.[37] As a result of these changes, as well as

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[35] Ralph V. Turner, *King John* (New York: Longman Publishing, 1994), 120.

[36] Aurell, *The Plantagenet Empire,* 180-81.

[37] D. J. B. Trim, "Introduction," in *The Chivalric Ethos and the Development of Military Professionalism,* ed. D. J. B. Trim (Leiden: Brill, 2003), 4-7, accessed August 24, 2021,

the cultural shift marked by the increased importance of chivalric customs in English warfare, both mercenaries and foreign soldiers began to receive more merciful treatment on the battlefield, though not with consistency and often directly tied to the honorability of their conduct.

For those among the English's enemies that showed little interest in taking prisoners, such as the Welsh, lenient treatment was less forthcoming in defeat. The Welsh proved their lack of interest in ransom and limited warfare in 1157, when a group of them ambushed Henry II's army and "where Eustace Fitz-John, a great and aged person, and highly renowned for wealth and wisdom, among the noblest chiefs of England, together with Robert de Church, a man of equal rank, and many others, unfortunately perished."[38] Despite having a veritable fortune in their hands, the Welsh were accustomed to a different form of warfare and viewed barons as threats to eliminate instead of prizes to ransom. According to the *Brut Y Twywsogion*, Henry's subsequent assault in 1164 carried more malice, "purposing to transport and destroy the whole of the Britons."[39] Indeed, although Henry II was never able to strike a decisive blow against the Welsh on any of his expeditions, he clearly never forgot that ambush in 1157. When his 1164 campaign was halted due to poor weather and lack of supplies, Henry took out his frustrations on his Welsh hostages, mutilating and

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http://search.ebscohost.com.proxy006.nclive.org/login.aspx?direct=true&db=e000xna&AN=105533&site=eds-live&scope=site.

[38] William of Newburgh, *History* 447-48.

[39] John Williams, ed. and trans., *Brut Y Tywysogion; Or, the Chronicle of the Princes* (London: Longman, Green, Longman, and Roberts, 1860), 201.

executing twenty-two of them before turning for home.[40] Despite this apparent

escalation of brutality, however, Henry and the Welsh princes actually entered a period

of rapprochement in which the king abandoned his support for the marcher lords'

expansion efforts in exchange for compliance from the Welsh princes, suggesting that

changing English ideas towards chivalric warfare applied towards their Welsh

neighbors as well.[41]

The Scots occupied a similar gray area for the English armies that fought them.

Roger of Wendover takes great pains to describe the atrocities inflicted by King William

I of Scotland when he launched a raid on Northumbria in 1173, as well as the harsh

reprisal of the English. According to his account, the Scottish king marched into

England and "burned several villages, and slaying both men, women, and children, and

carried off an incalculable booty."[42] When driven back across the border, the English

nobles "followed him into Lothian, and devastating the whole of that country with fire

and sword, made spoil of all they found in the fields, and at last, at the instance of the

Scottish king himself, they made a truce until the feast of Hilary, and returned victorious

to England."[43] Roger of Wendover's account seems to suggest English viewed the Scots

as dishonorable savages, as does his description of William I's capture the following

year, where he makes the harsh claim that "So many of those Scottish vermin were slain

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[40] Warren, *Henry II*, 164.

[41] Ibid., 164-69.

[42] Roger of Wendover, *Flowers,* 2: 25-26

[43] Ibid.

that the number exceeds all calculation."[44] William of Newburgh, who lived much

closer to the border region contested by the Scots, provides a startling contrast in his

account:

> ...[A]nd rushing first upon the enemy, the others following him [William I, the
> king of Scotland], he was immediately met by our men, stricken down (his horse
> being slain under him), and taken prisoner with almost all his troop—for those
> who could have escaped, despising flight after he was taken prisoner, gave
> themselves up, of their own free will, into the hands of their enemies, in order
> that they might be taken prisoners along with him. Certain nobles also, who
> happened then to be absent, but not far off, on hearing what had occurred, soon
> came up at full gallop, and throwing themselves, rather than falling, into the
> hands of the enemy, thought it honorable to share the fate of their lord.[45]

In this version of events, the so-called "Scottish vermin" appear to be paragons of honor

and nobility whose dedication to their king led them to surrender themselves rather

than flee. The truth probably lies between these two accounts; though the Scots likely

were harsh raiders, it is clear that the Scottish nobility had adopted elements of

chivalric warfare, including the ideas of honorable captivity and ransom.

Although mercenaries formed a major part of almost every English army under

the Angevin Dynasty, their remarkable effectiveness and professionalism was not

enough to consistently ensure merciful treatment in defeat.[46] Despite this, the

mercenary companies under the employ of the English kings took prisoners of their

enemies. In 1160, Henry II captured the castle of Chaumont in the Loire Valley of

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[44] Ibid., 2: 29-30.

[45] Wiliam of Newburgh, *History*, 492.

[46] Michael Mallet, "Mercenaries", in *Medieval Warfare : A History,* ed. Maurice Hugh Keen
(Oxford: Oxford University Press, 1999), 211-214.

central France with a band of mercenaries, taking fifty-five knights captive.[47] Likewise,

Henry's Brabançon mercenaries broke a rebel army in 1173 near the town of Pontorson

in Brittany, taking many of the knights and nobles prisoners on behalf of the king.[48] By

adhering to the same system of limited warfare as their knightly foes, some mercenary

companies were more likely to face similar treatment in the event of their defeat. As

Eljas Oksanen argues, though, neither chivalric professionalism nor distinguished

service was able to sanitize the unfortunate reputation of mercenaries, as they proved

too useful of a foil for their knightly counterparts.[49] As a result, any such attempt to

gain protections by establishing a chivalric reputation was limited in efficacy from the

outset.

One of the mercenary groups that suffered the most as a result of this reputation

was the Flemish, who had played a major role in English warfare dating back at least to

the Norman Conquest. According to Florence of Worcester's account of the defeat and

capture of the rebel baron Earl Robert of Leicester in 1173 near Fornham in Suffolk,

"Robert, earl of Leicester, landing in England with three thousand Flemings, burnt the

castle of Hagenest (Haughley); but he and his wife, and all the Normans and French who

accompanied him, are taken prisoner. Part of the Flemings are slain, some part are

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[47] Roger of Wendover, *Flowers,* 1:533; Warren, *Henry II*, 90.

[48] Robert de Monte, *Chronicles of Robert De Monte*, 782.

[49] Eljas Oksanen, "Knights, Mercenaries, and Paid Soldiers: Military Identities in the Anglo-Norman Regnum," in *Knighthood and Society in the High Middle Ages*, eds. David Crouch and Jeroen Deploige (Leuven: Leuven University Press, 2020), 90, accessed March 20, 2021, doi:10.2307/j.ctvbtzmj5.8.

drowned; but none escaped."[50] Though Roger of Wendover claims that the royalist

forces captured some remnant of these mercenaries, it is clear that unlike their swift

capture of the French and Norman soldiers present, the royalists preferred to massacre

the Flemish mercenaries.[51] Such treatment only makes sense in the context of the

"revisionism," as Oksanen describes it, of the role the Flemish had played in English

history. Oksanen argues that not only did contemporary writers erase the legitimate

contributions of Flemish mercenaries in service of the Anglo-Normans, but also even

scapegoated them for the very conflict that saw the massacre of this particular group of

mercenaries.[52] Not all Flemish mercenaries received such poor treatment, however.

The following year, in 1174, when Henry II defeated and made peace with several of the

rebel barons in England, he included a provision of the truce for the mercenaries

fighting alongside them. According to Roger of Wendover, "The army of Flemings, who

had been sent over by Count Philip, were then allowed to return, but first compelled to

make oath that they would not again invade England."[53] The generous terms of this

agreement likely reflected both Henry's satisfaction at the peaceful resolution of this

particular conflict, and the king's proclivities towards hiring mercenaries himself. After

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[50] Florence of Worcester, *The Chronicle of Florence of Worcester, with the Two Continuations: Comprising, Annals of English History, from the Departure of the Romans to the Reign of Edward I,* trans. Thomas Forester (London: Bohn, 1854), 301, accessed January 12, 2021, https://play.google.com/books/reader?id=gpR0iz5GjYgC&pg=GBS.PP9.

[51] Roger of Wendover*, Flowers*, 2:26; Robert Bartlett, *England under the Norman and Angevin Kings, 1075-1225* (Oxford: Clarendon Press, 2000)*,* 55-56.

[52] Oksanen, "Knights, Mercenaries, and Paid Soldiers," in *Knighthood and Society,* 86-87.

[53] Roger of Wendover, *Flowers,* 2: 30.

all, nothing in this agreement prevented the Flemings from returning to England under a royal contract.

Perhaps the most culturally distinct group the English fought under the Angevin Dynasty were the Muslim armies of the Holy Land, whose radically different style of warfare and a lack of even a shared religion with the English complicated the treatment of prisoners.[54] Despite these cultural differences, however, the English appear to have been willing to capture Muslim soldiers in some instances, following a trend beginning with the First Crusade in which European armies gradually became more willing to capture their Muslim foes and ransom their own prisoners from them as the two groups shared prolonged cultural contact.[55] When Richard's fleet encountered a supply ship sent by Saladin to relieve the important port city of Acre in 1191, they sank the vessel and "the whole cargo was thus lost, with part of her crew—the remainder, but leaping on board the enemies' ships, wisely preferred trusting themselves to the foe, rather than the deep."[56] According to Hosler, Richard's forces continued to launch attacks on the Muslims sailors swimming to safety and left the others to drown, only sparing those who remained aboard one of the vessels.[57] In doing so, the English forces demonstrated an ambivalence towards their Muslim enemies, proving reluctant to execute or cast the

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[54] Steven Tibble, *The Crusader Armies: 1099-1187* (New Haven: Yale University Press, 2020), 23-27.

[55] Yvonne Friedman, *Encounter Between Enemies: Captivity and Ransom in the Latin Kingdom of Jerusalem* (Leiden: Brill, 2002), 7-8.

[56] William of Newburgh, *History,* 589.

[57] John D. Hosler, *The Siege of Acre, 1189-1191: Saladin, Richard the Lionheart, and the Battle That Decided the Third Crusade* (New Haven: Yale University Press, 2018), 115-16.

surrendering Muslims overboard, even as their unwillingness to fish their drowning

foes out of the sea revealed their lack of interest in taking Muslim prisoners. The

cultural differences between the English army and their Muslim enemies created a

more brutal system of warfare in which merciful treatment was not assured, though

sometimes still granted.

The prisoners taken by the English while on Crusade lacked the cultural and

legal protections afforded to their enemies back in Europe, and Muslim prisoners in the

Holy Land remained in great peril even in captivity. Perhaps the most infamous

example this vulnerability was the fate of the Muslim garrison of Acre. According to

William of Newburgh, the Muslim soldiers defending Acre negotiated a surrender

agreement when their position became untenable:

> At last its truly valiant defenders, when [Acre's] walls were giving way to the engines of the Christians, and they saw the enemy on the eve of storming it, provided for their personal security, which was all they could do, and covenanted with our princes for the safety of their lives; promising that the life-bestowing cross should be honorably restored, and accompanied by fifteen hundred Christian captives, and a large sum of money…In consequence, the city was immediately surrendered…but the persons who had for a long time bravely defended the place, and at last had reluctantly given it up, were detained in expectation of the day appointed by Saladin.[58]

One of the terms of this agreement was a large-scale prisoner exchange between

Saladin and the triumphant Crusaders, an unusual proposition only in scale.[59] Though

both sides regularly ransomed prisoners, such arrangements were not as universally

[58] William of Newburgh, *History,* 592.

[59] John Gillingham, "The Treatment of Male and Female Prisoners of War during the Third Crusade," in *Military Cultures and Martial Enterprises in the Middle Ages: Essays in Honour of Richard P. Abels*, eds. John D. Hosler and Steven Isaac (Woodbridge, Suffolk: Boydell & Brewer, 2020): 192-93, accessed August 20, 2021, doi:10.2307/j.ctvxhrk8t.15.

employed as they were in Europe. Indeed, Saladin never fulfilled his end of the agreement signed at Acre, and Richard, in frustration, publicly executed 2,600 of the captives taken when Acre surrendered.[60] Though Dan Jones notes that such a mass execution was horrifically barbaric, even by the standards of the day, he is careful to point out that such actions were neither unprecedented nor illegal, citing Saladin's record of selling captives into slavery and ordering his own mass executions.[61] Despite the frequently brutal treatment of prisoners on the Crusades, however, many prisoner exchanges proceeded without interruption, and Saladin himself often ransomed the highest-ranking Crusaders he captured, as in the aftermath of the Battle of Hattin in 1187.[62] Even in such instances, however, only certain prisoners were spared, with Saladin happily ordering the execution of the Templars and Hospitallers taken at Hattin.[63] Without a shared culture or mutual adherence to a system of limited warfare, prisoner of war treatment in the Holy Land remained inextricably tied to the whims of the victor.

Back in Europe, the Christian foot soldiers and peasants that found themselves caught up in battle with English armies suffered similarly uncertain treatment in defeat. Although the Church decrees of the Peace of God movement of the tenth century and the council of Clermont in 1095 ostensibly banned Christian armies from attacking noncombatants, the temptation to plunder the countryside both for profit and to strike

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[60] Ibid., 593.

[61] Jones, *Crusaders*, 239.

[62] Ibid., 222.

[63] Gillingham, "Treatment of Prisoners of War," 209-10.

a blow against the feudal owner of the territory was simply too powerful an urge, and

the Church proclamations went largely unheeded.[64] Despite this trend, however, the

rapid expansion of the English economy during the twelfth century described by

Oksanen opened up the possibility for many commoners to ransom themselves.[65] This

increased wealth among the peasantry often encouraged marauding armies to refrain

from engaging in indiscriminate slaughter in the hopes of making an even greater profit,

as when Henry the Young King captured Norwich and ransomed many of its residents

during his 1174 rebellion against his father.[66] This was by no means a guarantee,

however, and peasants and commoners on the battlefield were still largely unprotected

against the worst excesses of their enemies.

However, in extreme circumstances, the English and their French neighbors still

massacred entire towns. After residents of the town of Beziers in Toulouse

assassinated their lord Raymond Trenchevel, viscount of Beziers and Carcassonne, in

1167, Raymond's son Roger Malebranche "put the whole of its inhabitants, men and

women, to death by hanging them, or by other torments, and he filled the town with

new inmates," when he recaptured the town two years later.[67] That fact that

contemporary writers regarded this act as just demonstrates that they believed that

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[64] Peter Clarke, "The Medieval Clergy and Violence: An Historiographical Introduction," in *Violence and the Medieval Clergy*, eds. Gerhard Jaritz and Ana Marinković, (New York: Central European University Press, 2010), 7, accessed July 29, 2021, http://www.jstor.org/stable/10.7829/j.ctvsf1qbr.4.

[65] Oksanen, "Knights, Mercenaries, and Paid Soldiers," in *Knighthood and Society,* 78-80.

[66] Roger of Wendover, *Flowers*, 2:28.

[67] Robert de Monte, *The Chronicles of Robert De Monte*, 772.

there were some circumstances in which wholesale slaughter was acceptable. Occurrences as scandalous and outrageous as this were uncommon, however, and were not necessary for justifying the deaths of commoners and foot soldiers. In spite of this, massacres remained unusual, perhaps due to the wasted opportunity for ransom they represented.

Indeed, residents of most towns that fell to Angevin armies paid ransom to their foes in exchange for their safety. Although William of Newburgh merely reports that Richard de Luci, the Justicar of England under Henry II, besieged and burned Leicester in 1173, Roger of Wendover provides more detail.[68] According to his account, "When the greater part of the city had been burned, the citizens began to treat of peace, on condition of paying three hundred marks to the king, and having leave to remove to whatever place they chose."[69] Though Church law governing the treatment of noncombatants was woefully inadequate, the improved economic prospects of many towns offered a different form of protection.[70] Even when townsfolk were unable to band together to offer a combined payment, many individual peasants ransomed themselves, as at Norwich, when a rebel army backing Henry the Young King sacked the town in 1174.[71] Without any formal legal protections, the ecclesiastical decrees governing military conduct proved largely ineffectual, and the fates of these commoners

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[68] William of Newburgh, *History*, 488.

[69] Roger of Wendover, *Flowers*, 2: 25.

[70] Michael Bennett, "Military 'Professionalism' in the Twelfth Century," in D. J. B. Trim 49-50; Strickland, *War and Chivalry*, 272.

[71] Roger of Wendover, *Flowers*, 2: 28.

hinged upon their ability to pay for their freedom and their lives, but even this marked

an improvement in their fortunes.

Though the Church was largely unable to protect commoners from the ravages

of war, ecclesiastical decrees proved remarkably effective for protecting clergymen in

Angevin England. Even so, the rise of the Angevin Dynasty in England proved to be

something of a mixed blessing for ecclesiastics and members of the Church. Although

the end of the Anarchy greatly reduced the number of direct attacks on members of the

Church and religious buildings for a time, with the exception of Richard's distinguished

career as a Crusader, the Angevins proved to be no friends of the Church. Despite their

continual efforts to weaken the Church's power in England, ecclesiastical protections

remained firmly in place as Church law grew increasingly well defined and prevalent

across Europe.[72] Indeed, Anne Duggan notes a growth in the sophistication and

legislative authority of the decrees issued by the four Lateran Councils over the course

of the twelfth and early thirteenth centuries.[73] As a result, the Angevins typically

required careful justification when attacking ecclesiastical targets to avoid provoking

repercussions from the Church. The strong position of the Church in the latter half of

the twelfth century offered clergymen a greater amount of protection than any time

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[72] Danica Summerlin, "England, Normandy, and the Ecclesiastical 'New Law' in the Later Twelfth Century," in *Anglo-Norman Studies XLII: Proceedings of the Battle Conference 2019*, ed. S. D. Church (Woodbridge, Suffolk: Boydell & Brewer, 2020), 156, accessed March 22, 2021, doi:10.2307/j.ctvxhrjvk.14.

[73] Anne J. Duggan, "Conciliar Law 1123–1215: The Legislation of the Four Lateran Councils," in *The History of Medieval Canon Law in the Classical Period, 1140-1234: From Gratian to the Decretals of Pope Gregory IX*, eds Wilfried Hartmann and Kenneth Pennington (Washington, D.C.: Catholic University of America Press, 2008), 320-21, accessed July 28, 2021, doi:10.2307/j.ctt2853s5.14.

since the Norman Conquest, but the conditional nature of these protections still permitted some attacks against clergymen and Church communities deemed to have taken direct military action against the king of England.

Though not all attacks on Church property ceased with the end of the Anarchy, those that continued either were a product of particular brash or impious lords, or were only undertaken after carefully establishing their legitimacy. When Richard, the young Duke of Aquitaine, took up arms against his father Henry in 1174, his forces occupied and fortified a cathedral in Santonge, a province in Aquitaine. In response, Henry II "…then approached the cathedral which was full of soldiers and loose characters, not to attack it but purify it from its desecration. Altogether, reckoning both those who were in the church and those who were taken elsewhere, sixty knights and four hundred cross-bow men were made prisoners."[74] The difference in the presentation of these actions between father and son here is stark, but ultimately, both men launched attacks on a Church building theoretically immune from war. In practice, however, Keen argues that such immunity was largely unenforceable, especially considering the frequency with which cathedrals such as this one were converted into makeshift fortresses.[75] By framing his move against the cathedral as an attempt to right a wrong rather than as a true assault, however, Henry was able to avoid backlash from the ecclesiastical hierarchy, which was particularly important for the king in light of his poor standing with the Church after the murder of Thomas Becket, the Archbishop of Canterbury and the king's former friend and chancellor.

[74] Roger of Wendover, *Flowers*, 2: 27.

[75] Keen, *Laws of War*, 192-93.

Indeed, the strength of the Church's response to Becket's untimely death in 1190 deeply influenced the remainder of Henry's reign, and even his sons proved reluctant to move against prominent clergymen without first carefully justifying their actions. Whether Henry intended to order Becket's execution, or, as Thomas Compton suggests, the four knights who carried it out had their own reasons for doing so, the public outrage across Europe and pressure from the papacy effectively forced Henry to abandon his efforts to curtail Church power in England, and drove the king to make several dramatic shows of penitence.[76] According to Roger of Wendover, Henry was ultimately forced to make a number of huge concessions for his part in Becket's murder, including financing 200 knights in defense of the Holy Land, and renouncing all his past laws and decrees reducing the Church's authority in his domains.[77] Indeed, although Thomas Becket was not particularly well liked in life, or even especially effective at defending Church authority against the Constitutions of Clarendon as archbishop, he accomplished more in death on that front than he did in life.[78] Indeed, the shocking nature of his death built up a legendary status surrounding him, lending the Church considerable influence in its rebuke of Henry II.[79] The weight of the subsequent outrage

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[76] Thomas K. Compton, "The Murderers of Thomas Becket," *The Historian* 35, no. 2 (1973): 238-55, accessed April 24, 2021, http://www.jstor.org/stable/24443257

[77] Roger of Wendover, *Flowers*, 2:22.

[78] Z. N. Brooke, "The Effect of Becket's Murder on Papal Authority in England," *Cambridge Historical Journal* 2, no. 3 (1928): 213, accessed August 17, 2021, http://www.jstor.org/stable/3020770.

[79] Michael Staunton, "The Lives of Thomas Becket and the Church of Canterbury," in *Cathedrals, Communities and Conflict in the Anglo-Norman World*, eds Paul Dalton, Charles Insley and Louise J. Wilkinson (Woodbridge, Suffolk: Boydell & Brewer, 2011), 169-86, accessed April 24, 2021, http://www.jstor.org/stable/10.7722/j.ctt81q16.16.

was sufficient both to force Henry to give in to the Church's demands and to reassert the strength of ecclesiastical immunity for clergymen.

As before, however, ecclesiastical immunity had limits and restrictions, especially for clergymen who took a direct hand in secular or military affairs. When William de Longchamp, the Bishop of Ely and King Richard's chancellor while he was away on Crusade, arrested the newly minted Archbishop of York and illegitimate son of Henry II, Geoffrey, while he was taking refuge in a church in 1192, the ensuing scandal toppled the chancellor.[80] As Sidney Painter suggested, not only did Longchamp's actions alienate even neutral prelates across the kingdom, but also "had placed William de Longchamp at the mercy of his opponents," including John, the king's brother, leading to his capture and expulsion from England.[81] Even after his fall from secular power, however, his clerical status offered Longchamp protection, and not only was his captivity brief, but the Pope also decreed that anyone who injured him would be immediately excommunicated.[82] Though William de Longchamp had violated Geoffrey's right of sanctuary and his own ecclesiastical immunity, the Church was still unwilling to fully disavow him.

Several years later, however, the Church did renounce its protection of a bishop captured in battle. In 1197, Richard I captured Philip de Dreux, the bishop of Beauvais, while storming the castle of Milly in the Beauvais district of northern France. According to William of Newburgh, the bishop, "hearing that Milly was besieged, hastily took up

[80] William of Newburgh, *History,* 582-83.

[81] Painter, *William Marshal*, 88-91.

[82] Florence of Worcester, *Chronicle*, 306; Painter, *William Marshal*, 91.

arms—not those, indeed, of his own calling, but belonging to a secular, and not a spiritual warfare; and, marching with an armed host against the enemy, boldly attacked and engaged them, like a leader of war rather than in religion."[83] By taking such a direct military action, however, Philip de Dreux forfeited his right to ecclesiastical immunity. Though he appealed to the Pope for his release, no relief was forthcoming, as the bishop had been captured as a soldier and not as a clergyman.[84] This cleverly crafted excuse allowed Richard to imprison one of his clerical enemies without encountering the same type of papal resistance that forced his father to make so many concessions. In similar fashion, Richard I was able to justify sacking the monastery of St. Valery in northeastern Normandy in 1197 after he learned the town was being used to smuggle supplies from England to the king of France.[85] Although his case against the monks of St. Valery was not as strong as his case against the bishop of Beauvais, the sack of St. Valery seems to gone without protest, perhaps in part due to the Church's ongoing efforts to persuade Richard to return to the Holy Land.

Clergymen were not the only group whose status as noncombatants theoretically offered immunity from the consequences of war, though for women, who also did not actively participate in warfare, such immunity was far less certain. Under the Angevin Dynasty, women caught up in warfare saw the continuation of two diverging trends regarding their treatment in defeat. The decline of slavery in Anglo-Norman England made peasant women less appealing targets for capture or abduction,

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[83] William of Newburgh, *History*, 668.

[84] Gillingham, *Richard I*, 308.

[85] Roger of Wendover, *Flowers*, 2:167.

especially since their lack of financial autonomy ensured that most women were not able to pay their own ransom.[86] As a result, lower-class women generally saw a decline in direct attacks by raiding soldiers and were rarely carried off, even if their homes were pillaged. Among noblewomen, however, direct involvement in military campaigns grew more common during this period, and with this increased role in warfare came increased risks. Much like the case of the Empress Matilda during the Anarchy, the rare noblewomen who served as commanders or marched with armies were regarded as combatants, and were therefore eligible for capture and ransom or imprisonment. Ironically, this meant that even as lower-class women were less likely to be captured or otherwise targeted, noblewomen were becoming more acceptable targets for capture and ransom in the aftermath of a defeat.

The improved treatment of commoner women in the latter half of the twelfth century in England was actually part of a larger trend that swept across Europe that closely followed the decline of slavery on the continent.   This trend is best documented in England, however, as the sudden cultural shift brought about by the Norman invasion drew more attention from contemporary writers to the decline of slavery than on the continent, where the process occurred much more slowly.[87] John Gillingham argues

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[86] Patricia Skinner, "Gender and Poverty in the Medieval Community," in *Medieval Women in Their Communities*, ed. Diane Watt (Toronto: University of Wales, 1997), 204-205, accessed August 24, 2021, http://search.ebscohost.com.proxy006.nclive.org/login.aspx?direct=true&db=nlebk&AN=42648&site=eds-live&scope=site.

[87] John Gillingham, "Women, Children and the Profits of War," in *Gender and Historiography: Studies in the Earlier Middle Ages in Honour of Pauline Stafford*, eds. Janet L. Nelson, Susan Reynolds, and Susan M. Johns (London: University of London Press, 2012), 72, accessed May 12, 2021, http://www.jstor.org/stable/j.ctv5139fw.11.

that commoner women in particular benefitted from the decline of slavery, as they were often the preferred targets of slave raids, but unlike their male relatives, were not as likely to be killed once there was no longer a market to sell them.[88] Indeed, without the prospect of a substantial profit to motivate them, soldiers were unlikely to take the time or effort needed to track down and carry off peasant women, as doing so would only slow them down and provide an opportunity for their enemies to counterattack.[89] In part due to the difficulty and lack of profit to be gained by ransoming women, Caroline Dunn argues that women were simply not captured in military action, finding too few examples to include in her study of abducted women.[90] Although peasant women were no doubt still assaulted by marauding soldiers, such attacks were likely entirely opportunistic, and no longer part of any form of systematic targeting of women.

For the noblewomen directly involving themselves in military affairs, however, capture and imprisonment were increasingly common consequences for defeat. Indeed, practical necessity overrode any chivalric attitudes towards noblewomen: if a noblewoman was captured in battle, either alongside her husband or as a commander in her own right, then releasing her served only to return an important leader to the enemy who could coordinate continued resistance. Even so, there was evidently a degree of discomfort associated with the capture of noblewomen, as chroniclers such as

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[88] Ibid., 62.

[89] Ibid., 72.

[90] Caroline Dunn, *Stolen Women in Medieval England: Rape, Abduction, and Adultery, 1100–1500* (Cambridge: Cambridge University Press, 2013), 9-10, accessed July 12, 2021, http://search.ebscohost.com.proxy006.nclive.org/login.aspx?direct=true&db=nlebk&AN=494789&site=eds-live&scope=site.

William of Newburgh attempted to justify the capture of Petronilla de Grandmesnil, the

Countess of Leicester, who was taken alongside her husband Robert de Beaumont, the

Earl of Leicester, in 1173. According to William of Newburgh, the countess was "a

woman of masculine mind" whose presence in her husband's marauding army

displayed her martial inclinations.[91] Roger of Wendover also alludes to her belligerence

and strong will, writing that "[t]he countess on had on her finger a beautiful ring, which

she flung into the neighboring river, rather than suffer the enemy to make such gain by

capturing her."[92] Indeed, according to David Crouch, clerical sources emphasized the

folly of the countess's military involvement, contrasting her knightly equipment with

her ignominious—though just—capture.[93] Regardless, the soldiers in the field

evidently did not shared the chroniclers' reservations regarding the capture of a

woman, as she was chased down and taken prisoner despite her efforts to flee. The

countess's decision to directly involve herself in her husband's military campaign made

her a valid target in the aftermath of their defeat.

Perhaps the most famous woman to be imprisoned during the latter half of the

twelfth century was Eleanor of Aquitaine, the queen of England who was kept under

guard at the hands of her husband for her role in the repeated uprisings of her sons.

Unlike most prisoners of war during the twelfth century, Eleanor had no clear path to

freedom, as she was confined under marital and royal authority rather than as a direct

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[91] William of Newburgh, *History*, 489.

[92] Roger of Wendover, *Flowers*, 2:26.

[93] David Crouch, *The English Aristocracy, 1070-1272: A Social Transformation* (New Haven: Yale University Press, 2011), 214, accessed May 24, 2021, http://www.jstor.org/stable/j.ctt5vm4wx.19.

result of military defeat and capture.[94] After all, as both her husband and her king,

Henry II held considerable legal power over her and was under little pressure to release

her. Despite the indefinite nature of Eleanor's imprisonment, however, Jean Flori

argues that it was neither absolute, nor even particularly strict confinement, citing the

queen's appearances at various towns across England in the Pipe Rolls.[95] Though the

terms of her imprisonment were likely less severe than those of even knightly

prisoners, the queen's sixteen-year imprisonment clearly left an impact on her.

Eleanor's first act upon being liberated by her newly crowned son Richard was to order

the release of all prisoners across England, "knowing from her own experience how

painful to mankind is imprisonment."[96] Though by no means a typical example, the

experience of Eleanor of Aquitaine demonstrates the possible consequences of defeat

for noblewomen in Angevin England.

Eleanor's experience in captivity closely paralleled that of hostages during the

period, many of which also faced perpetual imprisonment. Indeed, the years following

the end of the Anarchy and the rise of the Angevin Dynasty saw the continued increase

in the number of hostage agreements used both to secure treaties and to ensure loyalty.

Accompanying this sustained proliferation of hostage arrangements was an expansion

of the groups that hostages could be pulled from, with women appearing increasingly

often as hostages in domestic arrangements. Despite this increase, however, female

[94] Roger of Wendover, *Flowers*, 2:77.

[95] Jean Flori, *Eleanor of Aquitaine: Queen and Rebel*, trans. Oliver Classe (Edinburgh: Edinburgh University Press, 2007), 118, accessed June 1, 2021, http://www.jstor.org/stable/10.3366/j.ctt1r28s4.11.

[96] Roger of Wendover, *Flowers*, 2:77.

hostages rarely appear guaranteeing large-scale or international treaties, and never rivaled the number of male hostages even in smaller, domestic agreements.[97] More surprising are the bishops and other high-ranking members of the clergy who appear as hostages in unusual circumstances, whose ecclesiastical immunity makes them an unlikely candidate for hostageship. Interestingly, despite the continued trend of merciful treatment towards many European hostages in the event of treaty violations, even these ostensibly protected classes of hostages were not immune to harsh reprisals. Though such punishments proved increasingly uncommon even as hostage agreements grew in prevalence and formality, the threat of violent reprisal continued to hang over hostages during the latter half of the twelfth century.

Much as before, hostage agreements that were breached or otherwise strained often resulted in physical harm for the hostages provided by the offending party. A classic example of this took place during the Welsh uprising of 1164, when Henry II's expedition to suppress the Welsh was halted by poor weather. According to Gerald of Wales, "Having dismembered the hostages whom he had previously received, he was compelled, by a sudden and violent fall of rain, to retreat with his army."[98] Interestingly, Henry did not immediately harm his hostages when the rebellion broke out, despite the widespread nature of the revolt and the failure of the hostages to ensure compliance. Instead, according to Warren, Henry first sought to quell the rebellion by force of arms, only mutilating and killing his hostages in frustration when

[97] Gwen Seabourne, *Imprisoning Medieval Women: The Non-Judicial Confinement and Abduction of Women in England, C.1170-1509* (Abingdon: Routledge, 2011), 45-46.

[98] Giraldus Cambrensis, *The Itinerary through Wales, and the Description of Wales*, trans. by W. Llewelyn Williams (London: J.M. Dent & Co., 1908), 134.

his expedition stalled and he was forced to retreat.[99] This episode demonstrates both the leeway afforded to many hostages after a broken agreement, as well as the possible consequences for such a breach. Although many hostages were spared retribution in aftermath of a violated agreement, many others, including these Welsh hostages, faced torture and execution.

This period also saw a notable uptick in the number of women used as hostages, especially for domestic agreements. Seabourne references a number of female hostages demanded by the Angevin kings from their vassals as part of "the heyday of domestic hostage-taking by kings," including the daughter of Viscount Eudo of Porhoët, in Brittany, who Henry II was accused of seducing while she was in his custody.[100] Seabourne argues, however, that male hostages were strongly preferred for large-scale, international, or particularly important agreements and hostage exchanges such as treaty between Henry II and King William I of Scotland in the aftermath of the 1174 uprising.[101] Indeed, this treaty demanded exclusively male hostages from among the highest-ranked members of Scottish nobility, including William's brother.[102] As Kosto argues, however, women taken as hostages faced many of the same risks as male hostages, including mutilation and execution in extreme cases.[103] The lack of

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[99] Warren, *Henry II*, 163-64.

[100] Seabourne, *Imprisoning Medieval Women,* 46; Warren, *Henry II,* 119*.*

[101] Ibid.

[102] Roger of Howden, *The Annals of Roger De Hoveden. Comprising the History of England and of Other Countries of Europe from A.D. 732 to A.D. 1201*, trans. by Henry T. Riley (London: H.G. Bohn, 1853), 400.

[103] Kosto, *Hostages*, 85-86.

inheritance rights for women during this period ensured that daughters and wives remained less desirable as hostages than sons or male relatives whose status as potential heirs made their possible loss more painful for a nobleman contemplating violating his agreement. As a result, even though female hostages became much more common under the Angevin dynasty, they never appeared in numbers rivaling their male counterparts.

In extraordinary circumstances, even clergymen could serve as hostages, as when several English bishops stood as hostages for the payment of Richard I's ransom in 1193. According to William of Newburgh, "the archbishop of Rouen, the bishop of Bath, and many noblemen, were left in [Richard's] stead with the [Holy Roman Emperor Henry VI], as hostages, either for the completion of the sum not yet paid, or as a guarantee for certain compacts."[104] This, of course, presented an awkward situation in the event of a breach of the agreement, as William of Newburgh suggests happened when he claims the emperor attempted to recapture Richard, a claim that Anthony Bridge contests, pointing out that Richard's journey home appears to have gone largely uncontested.[105] Though the bishops doubtless forfeited ecclesiastical immunity for the duration of their hostageship, actually harming them would likely bring widespread condemnation, making clergymen highly unappealing as hostages for most lords. As a result, clergymen appear to be used as hostages in exceptionally unusual circumstances, as the unwillingness of most lords to carry out the implied threats of hostageship against a member of the Church further restricted the few circumstances in which a

[104] William of Newburgh, *History,* 618.

[105] Ibid.; Bridge, *Richard the Lionheart,* 214.

clergyman might serve as a logical candidate for a hostage agreement. Indeed,

Richard's situation was an unusual one, as his captor, Duke Leopold of Austria, a vassal

of Henry VI, had already been excommunicated for his part in the capture and

imprisonment of a Crusader.[106] Even so, the threats levied against Richard's hostages

never materialized, and they were all eventually returned home safely, though the

threats were credible enough to ensure the English king's continued compliance until

Leopold's untimely death resolved the situation.

Though hostage agreements were not always upheld, they often remained an

effective means of securing a treaty. The implied threats against a family member or

close personal friend serving as a hostage served as a powerful deterrent against treaty

breaking and as a continual reminder of the subordinate position of the defeated.

Though this dynamic could often fuel resentment and occasionally inspired uprisings,

hostage agreements were usually honored by all parties, as the costs involved in

breaking such an agreement rarely outweighed the potential gain, especially for vassals

supplying hostages to their overlords. As a result, the Angevins made frequent usage of

hostages in a variety of situations, most notably routinely taking hostages from their

vassals to ensure loyalty. The precarious nature of hostageship, however, ensured that

these hostages were only safe as long as their family or friends back home honored

their end of the deal. Otherwise, the only thing standing between them and mutilation

or execution was the personal inclinations of their furious captor, though such

clemency proved surprisingly common in the Angevin Empire.

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[106] Gillingham, *Richard I*, 253.

Under the Angevin Dynasty of the late twelfth and early thirteenth centuries, the treatment of the defeated generally grew more consistent for each class of prisoner as increased wealth and cultural ideas began to favor a more limited style of warfare. Under this chivalric system, knightly combatants were not only enemies to defeat, but also prizes to capture. These knights could then be compelled to pay a fortune for their release under the law of ransom. As a result, knights often focused more closely on capturing and ransoming their foes than they did on accomplishing strategic goals, occasionally wasting highly valuable opportunities to strike strategic blows in their haste to capture wealthy rivals, as when King Philip escaped King Richard's army near Vernon in Normandy in 1198.[107] The system of ransom grew to such importance during the latter half of the twelfth century that even commoners, benefitting from a roaring trade economy, were captured and ransomed in increased numbers. Even as Angevin warfare placed increased emphasis on swift raiding parties, villagers and townsfolk unlucky enough to be targeted were usually able to purchase their own release, rather than being killed outright or sold into slavery. Indeed, the decline of slavery first begun under the Anglo-Normans culminated in the near-total elimination of the practice of buying and selling slaves in Angevin England. The greatest beneficiaries of this cultural shift were peasant women, who once had been prime targets for slave raids but were unlikely to have the money to ransom themselves, and were therefore not frequently targeted during the Angevin period.

The law of ransom did not apply equally to everyone, however. Though noblewomen were captured and imprisoned more often under the Angevin dynasty

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[107] Roger of Wendover, *Flowers,* 2: 174.

than in the Anarchy or under the Anglo-Norman kings, they were rarely ransomed.[108]

Instead, these noblewomen tended to face either swift release or perpetual

imprisonment, based primarily on the threat they posed.[109] Similarly, although bishops

and members of the clergy were occasionally attacked in the latter half of the twelfth

century, the political costs typically associated with such an action precluded the

possibility of ransom. As a result, ecclesiastical immunity usually proved sufficient

deterrence to either prevent a bishop from being captured, or secure his immediate

release if he had been. In the rare cases where such immunity proved insufficient

protection or was revoked outright, targeted clergymen were either murdered instead

of taken prisoner, like Thomas Becket, or imprisoned, like Philip de Dreux, the warlike

bishop of Beauvais. For mercenaries, on the other hand, reputation and perceptions

often determined whether or not they would be ransomed or even spared in the

aftermath of defeat. The disdain that many knights felt towards hired soldiers colored

their treatment of defeated mercenary companies, and as a result, mercenaries were

often massacred on the battlefield rather than ransomed.

The Angevin period was also marked by a shift in how English armies treated

their defeated neighbors. When battling enemies who also adhered to chivalric

warfare, such as French knights, English armies behaved according to the chivalric

code, engaging in limited warfare with the objective of capturing and ransoming the

enemy. Battles against non-chivalric cultures, such as the Welsh and, to a certain

extent, the Scots, proved messier. Welsh soldiers, including some members of the

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[108] Dunn, *Stolen Women* 9-10.

[109] Seabourne, *Imprisoning Medieval Women,* 52.

Welsh nobility, were much more likely to be massacred or imprisoned in the event of a

defeat by an Angevin army than their English counterparts, at least partially a result of

the Welsh tendency to kill rather than capture their enemies. Scottish armies, on the

other hand, also engaged in brutal raids against Angevin England, but Scottish nobility

demonstrated enough honor on the battlefield to often receive clemency in defeat, even

if English rhetoric towards and treaties with the Scots demonstrated considerable

contempt. Similarly, Muslim soldiers defeated by the crusading English were often

captured and ransomed, but were at much greater risk of execution or outright

massacre than Christian prisoners taken by the English. The cultural divide created by

the difference in religion and style of warfare led to more brutal treatment of the

defeated in the Holy Land than on European battlefields, though prolonged cultural

contact between the crusaders and their Muslims adversaries ensured that the practice

of ransom and acts of clemency continued even here.

The late twelfth and early thirteenth centuries also saw a proliferation of

hostage agreements, most notably an expansion in domestic agreements designed to

secure the loyalty of vassals. With this increased number of hostages also came

increased diversity in who was selected as a hostage. The Angevins accepted women as

hostages far more often then their predecessors did, though they still preferred male

hostages for especially important or international treaties. In the case of Richard I's

imprisonment, even bishops were used as hostages to secure the king's release,

forfeiting their ecclesiastical immunity. Despite the influx of new hostages, the legal

structures and restrictions around the practice of hostage taking remained largely

unchanged, with the security and treatment of the hostages almost entirely contingent

on the integrity of the treaty, though Angevin lords often proved surprisingly willing to spare their hostages even after the breach of a treaty. Such transactional security underpinned the conditions of defeat for members of all social strata, ranging from the knights and commoners who purchased their freedom, to the women and clergymen who retained a level of immunity from warfare so long as they chose not to involve themselves in it. Though warfare remained inherently risky for the defeated, the cultural and legal structures governing twelfth- and thirteenth-century England afforded a far greater level of protection to those who bought into the system of chivalric limited warfare.

Conclusion

The period from 1035 to 1216 witnessed a number of major changes in English society that dramatically altered the way English armies treated their defeated foes. Although warfare in the eleventh century usually ended in massacres and executions, the rise of chivalry and the emergence of honor as coercive force limiting the expression of violence led to the development of a system of limited warfare that incentivized knights to capture their enemies alive, even at the cost of larger tactical or strategic objectives. Growing economic prosperity ensured that ransom payments were more valuable than ever before, and that increasing numbers of knights and even some commoners were able to purchase their own freedom in defeat. Not all of the defeated were permitted such an opportunity, however. Even by the beginning of the thirteenth century, English armies continued to massacre mercenary forces and foot soldiers overtaken on the battlefield, though particularly wealthy or well-respected individuals

occasionally received clemency despite their less-than-exalted status. Similarly, reputation and wealth were important factors in determining treatment in defeat for the culturally distinct foreigners that the English came into conflict with on their borders and in the Holy Land. Though the cultural divide between the English and their external foes usually led to increased brutality in war, English armies frequently made exceptions for wealthy or well-respected members of foreign nobility.

On the other hand, some groups maintained a level of immunity from war's consequences during this period. With commoners increasingly paying ransom, the decline of the slave trade under Anglo-Norman rule accelerated, and eventually eliminated the market for captured commoners entirely. This, in turn brought an end to the systematic abduction and sale of peasant women, though they remained targets of opportunity for marauding soldiers, particularly for sexual violence. In stark contrast, noblewomen, who started to take a more active role in warfare during this period, received very mild treatment in defeat, and, if captured, were generally released unharmed and without payment. In this, the experience of noblewomen closely resembled the treatment of clergymen, who were granted ecclesiastical immunity and considerable protection from the consequences of warfare as long as they stayed out of secular warfare. Though such immunity had its limitations, and Church property and clergymen alike continued to be targeted to one extent or another, the Church remained committed to maintaining its exemption from the ravages of war, and often applied considerable pressure on knights and noblemen it perceived as unjustly harming its members.

Ironically, hostages, who forfeited their liberty on a conditional basis and were generally given as a guarantee for a treaty or agreement, enjoyed an even more reliable degree of security than even the clergy under the Anglo-Normans and Angevins, despite lacking formal protections under English or canon law. Instead, a hostage's safety and comfort depended entirely on his or her value as collateral for the loyalty or cooperation of his or her friends or family. The remarkable effectiveness of hostage agreements at fulfilling their purpose led to an explosion of such arrangements over the course of the eleventh and twelfth centuries. As a result, even as the total number of hostages skyrocketed, the number of hostages who were mutilated or executed as a result of contractual breaches remained fairly low. Though the formal structure of hostage agreements did not dramatically change under the Anglo-Norman or Angevin dynasties, both dynasties notably expanded the use and variety of hostages. For the Anglo-Normans, hostage agreements proved an increasingly common means of ensuring the loyalty of their vassals and allies. While the Angevins continued this practice, they were also far more willing to accept women as hostages than either their predecessors or their successors.

Ultimately, the conditions of defeat in English warfare changed dramatically over the course of the eleventh, twelfth, and early thirteenth centuries for combatants and bystanders alike. Though changes in the treatment of the defeated were not distributed equally, with members of the upper classes benefitting disproportionally, the English clearly practiced a more limited and restrained form of warfare by the end of the Angevin dynasty. Though defeat on the battlefield still often spelled death for the hosts of foot soldiers who formed the bulk of most medieval armies, increasing numbers of

knights and high-profile combatants faced capture in defeat instead. Likewise, though English armies often pillaged the towns and villages they passed through, the end of the slave trade in England largely eradicated the systematic targeting of peasants for enslavement or execution. Despite the inherent inequalities in England's new chivalric society, which privileged knights above all other members of society in both peace and war, the cultural, legal, and economic developments in the kingdom of England from 1066 to 1216 led to a general improvement in the treatment of the defeated in Anglo-Norman and Angevin warfare.

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