White Rose Research Online

eprints@whiterose.ac.uk
https://eprints.whiterose.ac.uk
Universities of Leeds, Sheffield and York

Deposited via The University of Sheffield.

White Rose Research Online URL for this paper:
https://eprints.whiterose.ac.uk/id/eprint/244692/

Version: Published Version

Article:
Bailey, E.J. (2026) Letters of pardon, oaths, and the limits of loyalty during the Lancastrian conquest and rule of France, 1419–24. Journal of Medieval History, 52 (4). pp. 592-610. ISSN: 0304-4181

https://doi.org/10.1080/03044181.2026.2704597

Reuse
This article is distributed under the terms of the Creative Commons Attribution-NonCommercial-NoDerivs (CC BY-NC-ND) licence. This licence only allows you to download this work and share it with others as long as you credit the authors, but you can't change the article in any way or use it commercially. More information and the full terms of the licence here: https://creativecommons.org/licenses/

Takedown
If you consider content in White Rose Research Online to be in breach of UK law, please notify us by emailing eprints@whiterose.ac.uk including the URL of the record and the reason for the withdrawal request.

UNIVERSITY OF LEEDS
University of Sheffield
UNIVERSITY of York



Routledge
Taylor & Francis Group

Journal of Medieval History

ISSN: 0304-4181 (Print) 1873-1279 (Online) Journal homepage: www.tandfonline.com/journals/rmed20

Letters of Pardon, Oaths, and the Limits of Loyalty during the Lancastrian Conquest and Rule of France, 1419–24

Eleanor J. Bailey

To cite this article: Eleanor J. Bailey (2026) Letters of Pardon, Oaths, and the Limits of Loyalty during the Lancastrian Conquest and Rule of France, 1419–24, Journal of Medieval History, 52:4, 592-610, DOI: 10.1080/03044181.2026.2704597

To link to this article: https://doi.org/10.1080/03044181.2026.2704597

© 2026 The Author(s). Published by Informa UK Limited, trading as Taylor & Francis Group

Published online: 30 Jul 2026.

Submit your article to this journal

Article views: 187

View related articles

View Crossmark data

Full Terms & Conditions of access and use can be found at
https://www.tandfonline.com/action/journalInformation?journalCode=rmed20

JOURNAL OF MEDIEVAL HISTORY
2026, VOL. 52, NO. 4, 592–610
https://doi.org/10.1080/03044181.2026.2704597

Routledge
Taylor & Francis Group

OPEN ACCESS Check for updates

Letters of Pardon, Oaths, and the Limits of Loyalty during the Lancastrian Conquest and Rule of France, 1419–24

Eleanor J. Bailey

School of History, Philosophy and Digital Humanities, University of Sheffield, Sheffield, UK

ABSTRACT

This article examines letters of pardon for what they can reveal about loyalty during political regime change. The ability to pardon was a royal privilege, particularly important for establishing and reaffirming bonds of allegiance post-conquest. During the English conquest and rule of Normandy and northern France in the fifteenth century Henry V and Henry VI gave letters of pardon in response to appeals from a broad social range. Oaths were incorporated into these letters as a guarantee of future allegiance in exchange for mercy, and petitioners also persuasively claimed acts of loyalty. Pardons are a vibrant insight into the lives and interactions of ordinary people negotiating the contested political landscape of war and rival claims to legitimacy, and they offer a multifaceted perspective on what promising loyalty and 'living loyally' could look like in the fifteenth century. This article is part of a Special Issue on Loyalty in Medieval Europe.

ARTICLE HISTORY
Received 24 September 2025
Accepted 29 June 2026

KEYWORDS
Allegiance; England; France; loyalty; mercy; oaths; pardons; petitions

In July 1423 24-year-old Jean le Moitier, living in the town of Rue (in Picardy, north-west of Amiens), appealed for pardon to King Henry VI of England and France for robbing, pillaging, and riding in the company of the king's enemies on '*chevauchée*'. He claimed to have recently married and moved to the nearby town of Fontaine-sur-Somme, living 'in our obedience', and to have been greatly oppressed by the king's officers who doubted his new-found allegiance and goodwill. Preferring mercy to the rigours of justice and considering that Jean had suffered enough and since earned a good name and reputation, the council of Henry VI in Paris decided to pardon him. The king's secretary recorded the letter of pardon in the registers of chancery stored in the *Trésor des Chartes*.[1] For this pardon to be enacted and for the silence imposed on Jean's crimes to be '*perpetuel*', the king required that he take an oath of loyalty:

CONTACT Eleanor J. Bailey ejbailey98@outlook.com

[1] The treasury occupied a building near the Palais de Justice and Sainte-Chapelle in Paris: Olivier Guyotjeannin, '*Super omnes thesauros rerum temporalium*: Les fonctions du Trésor des Chartes du Roi de France (XIV^{e}–XV^{e} siècle)', in *Écrit et pouvoir dans les chancelleries médiévales: espace français, espace anglais*, ed. Kouky Fianu and DeLloyd J. Guth (Brepols, 1997), 109–31 (125). The following abbreviations will be used throughout: AN = Archives Nationales de France; TNA = The National Archives.

© 2026 The Author(s). Published by Informa UK Limited, trading as Taylor & Francis Group
This is an Open Access article distributed under the terms of the Creative Commons Attribution-NonCommercial-NoDerivatives License (http://creativecommons.org/licenses/by-nc-nd/4.0/), which permits non-commercial re-use, distribution, and reproduction in any medium, provided the original work is properly cited, and is not altered, transformed, or built upon in any way. The terms on which this article has been published allow the posting of the Accepted Manuscript in a repository by the author(s) or with their consent.

> Considering this he will make a good and loyal oath (*bon et loyal serment*) in the hands of our *bailli* of Amiens or his lieutenant to be henceforth a good and loyal subject (*bon et loyal subgiet*) and truly obedient to us, and to keep without infringing the treaty of final peace, which you will well remember was made lately between our dear lords our grandfather and father the kings of France and England.[2]

This example is one of hundreds of *lettres de rémission* (henceforth called letters of pardon) registered in the French and Norman chanceries that were signed by the councils of the English kings or by the monarchs themselves during the conquest and rule of Normandy and northern France. The right to give pardon to criminals was well-established in late medieval English and French kingship and rested on the principle that in some criminal cases mercy might be preferred to the rigours of procedural justice. Pardons were bestowed in response to appeals, which were the product of both a petitioner's spoken testimony and the mediation of lawyers who wrote on their behalf for a court of judicial equity. Petitioners expressed regret, suffering, and a desire to return to their lives and livelihoods, and legal conventions were used to persuade the court that the petitioner was corrigible and remissible. Premeditation and malice were denied, and factors such as charge of a family or their own age (either infirmity or youth) might be emphasised. If the petitioner was deemed pardonable based on these testimonies, the crown's verdict was then sent for enforcement by sealed letter to royal officers, such as *baillis* in Normandy, and the crime was forgotten.[3]

In Jean's case, his criminal actions implicated him as a potential enemy of King Henry VI in France. He had not only robbed people, he had allegedly done so in the company of the king's adversaries and could be incriminated as a 'brigand' which was punishable by death. English men-at-arms Richard Walfrey and Thomas Kent were ordered on 18 January 1418 to hang any brigands they captured.[4] In practice the English kings of France often exercised the prerogative to show mercy. This expression of royal grace to those who had aided the enemy was especially important during and after a conquest, when reconciliation between conqueror and conquered rested on the submission of the conquered and the forgiveness of the conqueror. For kings Henry V and Henry VI, the need to cement their authority in France (particularly in Normandy) made giving letters of pardon a vital and necessary marker of political legitimacy in a contested post-conquest jurisdiction. This article will explore this dynamic and the relation of pardoning to the treaty of Troyes in Lancastrian France from 1419 to 1424.

The requirement of Jean le Moitier to give an oath in exchange for immunity from the rigours of justice appears to be a sensible attempt on the part of Henry VI's council in France to guarantee the future allegiance of a criminal of questionable fealty. But oaths were not normally asked of petitioners for pardon in France, which were broadly standardised documents: this is evident both in the archives of pardon letters themselves and in contemporary letter-writing formularies. In this case the chancery was consciously adding something to the usual refrain that the petitioner was to be

[2] AN, JJ 172, no. 327 (pp. 342–43).
[3] Claude Gauvard, *De grace especial: crime, état et société en France à la fin du moyen âge* (Éditions de la Sorbonne, 1991), Open Editions e-book, https://books.openedition.org/psorbonne/35658 (accessed 20 June 2026), esp. part 4; Natalie Zemon Davis, *Fiction in the Archives: Pardon Tales and their Tellers in Sixteenth-Century France* (Stanford University Press, 1987), 11. On 'silence' and forgetting: Nicholas Offenstadt, *Faire la paix au moyen âge* (Odile Jacob, 2007), 50–56.
[4] The men-at-arms were stationed at 'Tanye', possibly Tanis in Manche; TNA, C 64/8, m. 14.

pardoned, their goods returned, their good reputation restored, and silence imposed about their crimes. This article will also attempt to understand these oaths as a way for the Lancastrian kings of France to obtain verbal consent to their rule from vulnerable petitioners, many of whom claimed to have simply been in the wrong place at the wrong time during the English conquest. Loyalty pledges repaired the bond between a criminal (and potentially treasonous) but remorseful subject and a merciful monarch in the interests of common peace.

Finally, this article will interrogate how petitioners proved their loyalty and remissibility in a broader landscape of loyalty where being loyal meant living and acting a certain way. As testimonies, letters of pardon shed light on an aspect of how people responded to the upheaval of war and protected their place and future in society. By testifying to acts of loyalty such as performing military service, doing honest labour, keeping English company, and being of good reputation, petitioners fashioned themselves and were fashioned in collaborative dialogue as ideal subjects. This contribution of petitioners to the historical record can thus advance our understanding of what loyalty meant during a regime change from the perspective of those who were dependent on royal justice and mercy as well as those who enforced it.

Mercy and the Treaty of Troyes (1420)

Henry V of England spent much of his reign conquering Normandy and the Île-de-France in the pursuit of his Plantagenet claim to the French crown. His rivals were Charles VI Valois, King of France, and his son the *dauphin* and future Charles VII. After Henry landed at Touques on 1 August 1417 those living in Normandy had to judge whether to submit to his rule or flee to the dauphin, who had established his own sovereign Armagnac government in Poitiers in opposition to Burgundian control of Paris under Duke John the Fearless.[5] Rouen fell to English siege in January 1419, and by the summer almost all of Normandy was under Henry's control. This provoked resistance and peasant communities were often implicated in sheltering 'brigands' in the Norman countryside.[6] Despite this, Henry found supporters in Normandy and Burgundy who were prepared to support him as the king of France and who were driven as much by self-interest in their personal feuds and an end to the war as they were by ideology about legitimate kingship.[7] In the first two years of the Lancastrian phase of the war Henry held the complex position of claiming both the rightful kingship of France by descent from the French royal line, and the right of conquest as a warlord. This can be seen in the careful

[5] On Charles VII's jurisdiction in Poitiers: Roger G. Little, *The Parlement of Poitiers: War, Government and Politics in France, 1418–1436* (Royal Historical Society, 1984).

[6] The term 'brigand' was highly charged and used politically and pejoratively by the English to reduce any association between resistance to their conquest and honourable outlawry: Vincent Challet, 'Tuchins et brigands des bois: communautés paysannes et mouvements d'autodéfense en Normandie pendant la Guerre de Cent Ans', in *Images de la contestation du pouvoir dans le monde Normande (X^e–XVIII^e siècle)*, ed. Catherine Bougy and Sophie Poirey (Presses Universitaires de Caen, 2007), 135–46; see also Michael R. Evans, 'Brigandage and Resistance in Lancastrian Normandy: A Study of the Remission Evidence', *Reading Medieval Studies* 18 (1992): 103–34; B. J.H. Rowe, 'John Duke of Bedford and the Norman "Brigands"', *English Historical Review* 47 (1932): 583–600.

[7] Henry's Englishness did not automatically invalidate his claim, and the idea of a dominating national loyalty in this period has been problematised by revisionist scholars: Howard Kaminsky, 'The Noble Feud in the Later Middle Ages', *Past & Present* 177 (2002): 55–83 (73); Philippe Contamine, 'La "France anglaise" au XV^e siècle: mythe ou réalité', in *La 'France anglaise' au moyen âge: colloque des historiens médiévistes français et britanniques* (111^e Congrès national des Sociétés savants, 1988), 17–30.

balancing act between rewarding loyal Englishmen in his service with grants of seized land and possessions in Normandy (the 'Lancastrian land settlement') and confirming land and possessions to native Normans who swore homage to him.[8]

By April 1420, when Henry V's treasurer-general of Normandy William Allington was ordered to render his accounts within Normandy at the *Chambre des Comptes* in Caen rather than with the English Exchequer, it is evident that Henry intended to rule in France not just as an absent duke leveraging his claim but as a king in France.[9] In seeking to establish the foundations of long-term governance in France, especially Normandy, bestowing pardons to French and Norman petitioners was a way for Henry V to express his authority and, from May 1420, his proximity to French royal majesty.[10] Pardons were part of a wider genre of medieval complaint culture which emphasised the petitioner's humility, devotion, and submission.[11] Peace and order could be interrupted, disputes might go unsolved, and royal intermediaries could abuse their station to the detriment of local communities, but appeals for mercy relied on the petitioner trusting that an ultimate source of authority could remedy these problems. By appealing to royal grace, individuals and communities accepted that 'changes to their personal circumstances were entirely subject to the judgement of the person or body who received their request'.[12] By responding, monarchs could present themselves as a benevolent, conciliatory, and judicially sovereign force with the power to intervene in and overrule local judicial decisions.[13] Additionally, mercy was a step towards reconciliation in a postwar context. Requests for protection 'typically came in moments of insecurity', and those who sought protection required it most when claimants to political authority 'needed to flex their sovereignty' in newly conquered territories.[14] There are parallels between the pardon and military amnesty, and between the supplication of the criminal and

[8] Christopher T. Allmand, 'The Lancastrian Land Settlement in Normandy, 1417–50', *The Economic History Review* 21 (1968): 461–79.
[9] Anne Curry, 'La chambre des comptes de Normandie sous l'occupation anglaise, 1417–1450', in *Les chambres des comptes en France aux XIV^e et XV^e siècles,* ed. Philippe Contamine and Olivier Mattéoni (Institut de la gestion publique et du développement économique, comité pour l'histoire économique et financière de la France, 1998), 91–125 (para. 35), Open Editions e-book, https://books.openedition.org/igpde/5609 (accessed 20 June 2026).
[10] On the distribution of land to English settlers in Normandy: Allmand, 'The Lancastrian Land Settlement', 461–79. On municipal governance and the protection of trade under the Lancastrian kings: Neil Murphy, 'Between France, England and Burgundy: Amiens Under the Lancastrian Dual Monarchy, 1422–35', *French History* 26 (2012): 143–63; Neil Murphy, 'War, Government and Commerce: The Towns of Lancastrian France under Henry V's Rule, 1417–1422', in *Henry V: New Interpretations,* ed. Gwilym Dodd (York Medieval Press, 2013), 249–72. For the civic pageantry and heraldic propaganda of the fifteenth-century dual monarchy: John W. McKenna, 'Henry VI of England and the Dual Monarchy: Aspects of Royal Political Propaganda 1422–1432', *Journal of the Warburg and Courtauld Institutes* 28 (1965): 145–62; Lawrence M. Bryant, 'Configurations of the Community in Late Medieval Spectacles: Paris and London during the Dual Monarchy', in *City and Spectacle in Medieval Europe*, ed. Barbara Hanawalt and Kathryn Reyerson (University of Minnesota Press, 1994), 3–33.
[11] Geoffrey Koziol, 'The Early History of Rites of Supplication', in *Suppliques et requêtes: le gouvernement par la grâce en occident (XII^e–XV^e siècle)*, ed. Hélène Millet (École française de Rome, 2003), 21–36 (34).
[12] Gwilym Dodd and Sophie Petit-Renaud, 'Grace and Favour: The Petition and Its Mechanisms', in *Government and Political Life in England and France, c. 1300–c.1500*, ed. Christopher Fletcher, Jean-Philippe Genet and John Watts (Cambridge University Press, 2015), 240–78 (240).
[13] Claude Gauvard, 'Les clercs de la chancellerie royale française et l'écriture des lettres de rémission aux XIV^e et XV^e siècles', in *Écrit et Pouvoir*, ed. Fianu and Guth, 282–92 (286).
[14] Jillian Bjerke, 'Under his Protection: Securing Land, Loyalty and Sovereignty in Thirteenth-Century Champagne and Navarre', *French History* 38 (2024): 446–58 (457). See also: Stefan Esders, 'Loyalty Oaths and the Transformation of Political Legitimacy in the Medieval West', *Medieval Worlds* 19 (2023): 119–40 (134); Quentin Verreycken, 'The Power to Pardon in Late Medieval and Early Modern Europe: New Perspectives in the History of Criminal Justice', *History Compass* 17 (2019): 1–17 (7).

the communal public penance performed by a surrendered town 'to allow pity to prevail over vengeance, mercy over justice'.[15]

Letters of pardon were issued by Charles VI Valois to criminals in the French royal domain throughout his reign (1380–1422), and obtaining a letter of pardon through the French royal chancery remained possible during the period of the Lancastrian conquest and Henry VI's accession, 1419–24. The landscape of authority in France was reshaped by key developments in the establishment of English rule: the fall of Rouen to Henry V and the establishment of a royal chancery there in January 1419, the treaty of Troyes ratifying Henry V's regency and his and his heirs' inheritance of France on 21 May 1420, the death of both kings Henry V and Charles VI in late 1422, the installation of the duke of Bedford as regent of France, and the succession of Henry VI of Lancaster as king of France on 21 October 1422. Despite this, or because of it and the desire to maintain business as normal, entries in the Trésor des Chartes show that letters granting pardon continued to pass through the Parisian chancery, indicating a steadily maintained bureaucratic presence and process under Burgundian control.[16]

When Charles VI died on 21 October 1422 sovereign power was briefly exercised in Paris by the Chancellor of France, Jean le Clerc, and an interim council who signed letters of pardon.[17] In November 1422 Jean de la Rue had the dubious honour of being the first criminal given pardon by the Paris council on the authority of Henry VI as the new king of France.[18] By December Henry VI's uncle the duke of Bedford was in Paris and acting as regent. He heard the appeal of Isabel de Marcoignet for the return of her possessions and those of her brother Loys who had been imprisoned at the siege of Meaux, ruling for the return in her favour.[19] In some cases, the bureaucratic continuity between Charles VI's reign, Henry V's regency, and the minority government of Henry VI can be seen very clearly. Henry du Pont was pardoned after the siege of Meaux in May 1422 by Charles VI 'at the relation' of Henry V as his regent, but the letter was not registered in Paris until 4 December 1422 under the seal of Henry VI with his full titles – 'by the grace of God king of France and England' (*par la grace de Dieu roi de France et d'Angleterre*).[20]

For those living in Normandy it seems that the actual process of obtaining a pardon letter was much the same under the English as it had been previously, once the precedent was established. A branch of the English chancery that had accompanied Henry V to France settled in Rouen after the city surrendered in January 1419. Its records ('The

[15] Jean-Marie Moeglin, 'Pénitence publique et amende honorable au moyen âge', *Revue Historique* 604 (1997): 225–70 (226); Offenstadt, *Faire la paix*, 50.
[16] The registers are now AN, JJ 007–211. They have been scanned and digitised through the HIMANIS (HIstorical MANuscript Indexing for user-controlled Search) project 'HIMANIS Chancery: Trésor des Chartes', http://himanis.huma-num.fr/app/, (accessed 20 June 2026); Theodore Bluche et al., 'Preparatory KWS Experiments for Large-Scale Indexing of a Vast Medieval Manuscript Collection in the HIMANIS Project' (paper presented at the 14th IAPR International Conference on Document Analysis and Recognition, 9–15 November 2017); Dominique Stutzmann, Jean-François Moufflet and Sébastien Hamel, 'La recherche en plein texte dans les sources manuscrites médiévales: enjeux et perspectives du projet HIMANIS pour l'édition électronique', *Médiévales* 73 (2017): 67–96. This article will utilise registers JJ 171 and JJ 172. Citations include the register number, the calendar number as it appears on the folio, and the digital page number (the registers themselves are incompletely numbered with sections missing) in the format: AN, JJ 171/2, no. X (p. X).
[17] AN, JJ 172, no. 171 (p. 178).
[18] AN, JJ 172, no. 173 (pp. 181–82).
[19] AN, JJ 172, no. 178 (p. 185).
[20] AN, JJ 172, no. 180 (pp. 186–87).

Norman Rolls') contain a wealth of information about how the English captured and ruled Normandy from 1417 to 1422.[21] Letters of pardon issued by Henry before 1419 had been issued in Latin and almost always (bar two cases) to English petitioners whose cases had been brought to the king's attention. Many petitioners were soldiers in Henry V's army who probably sought to leverage their service for judicial immunity. On 5 April 1418 the gaoler of Southampton was pardoned for permitting an Irishman named Nicholas Stokes to escape prison.[22] On 1 March 1419 Nicholas Stokes himself, identified as a soldier, admitted to and was pardoned for escaping imprisonment, false coining in England, and the remarkable enterprise of bringing his false coins to France.[23]

The first French-language letter of pardon was issued from Rouen in February 1419 to three brothers and their sister from Thiberville (between Lisieux and Orbec in Normandy), who sought pardon for manslaughter while defending the sister's honour against accusations of infidelity.[24] From early 1420 the Rouen chancery started consistently issuing letters of pardon to French petitioners in French. They included far greater detail about what the petitioner was seeking mercy for than in the English chancery tradition. We also see the use of formulaic phrases which were associated with the French royal chancery, such as the king's '*grace especial*', and the '*silence perpetuel*' imposed upon the king's prosecutors. This change in style suggests that French secretaries, experienced in the French style of writing pardons, were employed by Henry V from 1420 onwards.[25] By adopting the French royal style of mercy, Henry's authority could be presented as continuous with what had gone before in the royal domain, now distributed from Rouen instead of Paris, which may well have been to the convenience of the local Norman population. There is also evidence in the Norman Rolls for the continuity and retention of familiar local officers such as vicomtes and sergeants, though the *bailli* to whom they were subordinate would have been an appointed Englishman after 1417.[26] The importance of Rouen as a strategic base for the English to assimilate existing structures of authority can be seen in the number of letters of pardon enrolled in the Norman Rolls. This increased from a single letter in the French style in 1419 to twenty-seven in 1421.

There is, however, a second key factor in this increase in business.

On 21 May 1420 the treaty of Troyes was signed between Henry V and Charles VI at Troyes cathedral. It was a crucial moment in the establishment of legitimate English rule in France. The agreement legally ratified Henry as regent and acknowledged him and his successors as heirs by right to the entire realm of France. The treaty thus laid the

[21] The Norman Rolls (TNA, C 64/8–17) have been scanned and calendared by the project 'The Norman Rolls of Henry V: 1417–1422', University of Southampton, https://normanrolls.org/ (accessed 20 June 2026), with funding from a Leverhulme Trust Emeritus Fellowship awarded to Professor Anne Curry. Citations include the roll number and membrane number as given in the online database in the format: TNA, C 64/X, m. X.
[22] TNA, C 64/9, m. 33.
[23] TNA, C 64/10, m. 18.
[24] TNA, C 64/10, m. 14. Letters of pardon in the 'English style' were the product of English secretaries who accompanied Henry V in person in Normandy, such as Richard Sturgeon and John Stopyndon: Anne Curry, 'Les rôles normands d'Henri V comme source pour l'histoire militaire (1417–1422)', *Revue du Nord* 446 (2023): 109–24 (113); Anne Curry, 'The Norman Rolls of Henry V', in *People, Power, and Identity in the Late Middle Ages Essays in Memory of Mark Ormrod*, ed. Gwilym Dodd, Helen Lacey and Anthony Musson (Routledge, 2021), 265–82.
[25] French hands are certainly apparent on the last roll of 1422: Curry, 'The Norman Rolls of Henry V', 265–82.
[26] Anne Curry, 'The Baillis of Lancastrian Normandy: "English Men Wearing French Hats"', in *The Plantagenet Empire, 1259–1453: Proceedings of the 2014 Harlaxton Symposium*, ed. Peter Crooks, David Green and Mark W. Ormrod (Paul Watkins Publishing, 2016), 357–68 (364–67).

foundations for a future 'dual monarchy', and Anne Curry has argued that if the last thirty or so years of the Hundred Years War had gone differently 'the "United Kingdom" would have been England and France rather than England and Scotland'.[27]

The treaty of Troyes empowered Henry V as Charles VI's heir and regent with the prerogative to bring places then in Armagnac obedience under the jurisdiction of Paris and the French crown. Those who resisted by compromising the king's military campaigns or through acts of brigandage were guilty of *lèse-majesté*. This could be punished as a capital crime. In practice, Henry V often took a fairly conciliatory attitude during the conquest, protecting those who were prepared to surrender, return to the duchy, and swear fealty from being molested by his new officers, and suspending legal proceedings opened before the English arrival in France on 1 August 1417.[28] He occasionally 'flirted with the rigorous end of the spectrum' of justice, as at the siege of Meaux in May 1422, but even after this siege we find him issuing letters of pardon to the inhabitants.[29]

The treaty itself included a clause confirming Henry's prerogative of mercy as regent:

> Item 20: That during our life, in all places now or in time to come subject to us, the common letters of justice, gifts of offices, benefices and other donations, pardons, remissions, and privileges, shall be written or issued under our name and our seal. Nevertheless because some specific cases might arise which cannot be foreseen by human insight, and in which it may be necessary and fitting that our son, King Henry, should cause his own letters to be written, in such cases, if any occur, it shall be lawful for our said son, for the well-being and security of us and of the government belonging to him, as has been said above, and to avoid the dangers and mischiefs which might otherwise be likely to happen, to write to our subjects his own letters, by which he shall command, forbid and order on our behalf and on his own as regent, according to the nature and quality of the business.[30]

The right to give pardon as regent and heir of the realm was in line with the rights of other royal prince-dukes of France. The dukes of Burgundy and Brittany, for example, possessed quasi-sovereign rights auxiliary to the crown to hold ducal courts of justice which offered the special grace of *rémission*.[31]

From May 1420 Henry V heard petitions for pardon from French and Norman petitioners in the manner of a prince while on campaign in the Île-de-France. The registration of letters granting pardon was split between two overlapping jurisdictions. Most of the letters of pardon given and sealed by Henry V were registered in the Trésor des Chartes. Register JJ 171 covers the period under Charles VI's name leading up to the treaty of Troyes and the first letters of pardon signed for him by Henry V as

[27] Anne Curry, 'Two Kingdoms, One King: The Treaty of Troyes (1420) and the Creation of the Double Monarchy of England and France', in *"The Contending Kingdoms": France and England, 1420–1700*, ed. Glenn Richardson (Routledge, 2008), 23–41 (35).
[28] TNA, C 64/10, mm. 27d, 18d; C 64/ 9 m. 40d.
[29] Rémy Ambühl, 'Henry V and the Administration of Justice: The Surrender of Meaux (May 1422)', *Journal of Medieval History* 43 (2017): 74–88 (87).
[30] Curry, 'Two Kingdoms, One King', Appendix, 39. Curry provides a full translation of the treaty. A Latin text under Henry's name can be found in AN, J646, n. 15, and a Latin version was also enrolled in the Norman Rolls: TNA, C 64/14, mm. 29–28. A copy under Charles' name in French was registered in AN, JJ 171, n. 126 (pp. 147–51).
[31] Peter J. Arnade and Walter Prevenier, *Honor, Vengeance, and Social Trouble: Pardon Letters in the Burgundian Low Countries* (Cornell University Press, 2015); Élodie Lecuppre-Desjardin, *The Illusion of the Burgundian State*, trans. Christoper Fletcher (Manchester University Press, 2022), 320–24; Michael Jones, 'The Chancery of the Duke of Brittany around 1400: Personnel, Practices and Policy', in *Jean de Berry et l'écrit: les pratiques documentaires d'un fils de roi de France*, ed. Olivier Guyotjeannin and Olivier Mattéoni (Éditions de la Sorbonne, 2019), 211–26; and other chapters in the same collection.

regent alongside his council of Anglo-Burgundian war-captains. Some of these letters are distinguishable from the letters of pardon granted by the Paris chancery as they are bound in JJ 171 on smaller pieces of paper, with narrower margins.[32] Register JJ 172 contains further regency letters alongside those given by the Parisian chancery or *parlement*, and the first letters signed on Henry VI's authority as king of France by the duke of Bedford; they close in late 1424 and thus provide the terminus date for this essay.

A smaller number of Henry V's letters of pardon were enrolled through Henry's own chancery in the Norman Rolls, such as that to Jean Guesnon who was pardoned for his involvement in a brawl at a cider tavern while Henry was besieging Montereau.[33] The precedent for cases to pass through the static branch of the English chancery in Rouen independently of the king was established more firmly from early 1421, a logistical necessity while Henry was in England from February to June of that year. Cases continued to be heard at Rouen until Henry's death in 1422, at which point the Norman Rolls closed. Almost all the petitioners recorded in the Norman Rolls were Normans, whereas the Trésor des Chartes included criminals from a much broader regional distribution, excluding the princely duchies. As has been said – 'criminals are everywhere'.[34] The Parisian chancery still heard and pardoned Norman petitioners, indicating Normandy's complex status during the period 1419–22 as a conquered historical duchy remaining within the royal domain of France. Normandy was acknowledged in the treaty of Troyes as Henry's personal possession by right of conquest during his lifetime, but clause 18 of the treaty stipulated that it would revert to the sovereignty of the crown of France on the inheritance of both crowns by Henry or his successor.[35]

One of the first pardons signed by Henry V as 'heir and regent' dates to 1 July 1420. Shortly after the treaty of Troyes was signed the delegations of the two kings and a large Anglo-Burgundian host marched to Montereau and laid siege. When the town surrendered on 1 July the inhabitants were pardoned and permitted to retain their possessions if they promised to remain 'good and loyal subjects' (*bons et loyaulx subgez*) in the future.[36] A separate document preserved in the loose archives of the J series in the Archives Nationales indicates that a few days later (6 July) the inhabitants of the town and the garrison were compelled to swear to obey King Charles VI and his heir Henry V, to uphold Henry's inheritance, not to act contrary to Henry or damage his person, state, or honour, and to do nothing to the prejudice of Henry's ally Philip the Good, duke of Burgundy.[37] The second clause regarding Henry's inheritance amounted to a promise to uphold the terms of the treaty of Troyes. The town swore to remain 'loyal liege men and true subjects of the said most high and most powerful Prince Henry, king of England, and of his heirs perpetually' (*loyaulx hommes liges et vrais subgetz dudit tres hault et tres puissant prince Henry roi d'Angleterre et de ses heirs perpétuellement*) after the death of Charles VI, recognising no other king of France (meaning the disinherited dauphin Charles).[38]

[32] AN, JJ171, nos. 134–198 (pp. 162–225).
[33] AN, C 64/14, m. 28.
[34] Gauvard, *De grace especial*, 241–98, (para. 1).
[35] Curry, 'Two Kingdoms, One King', Appendix, 38.
[36] AN, JJ 171, no. 175 (p. 209).
[37] AN, J 646, no. 16. The last would have been a particularly important clause in the case of Montereau as Philip's father John the Fearless had been assassinated near the town by the Armagnacs on 10 September 1419.
[38] AN, J 646, no. 16.

The precedent was thus adopted at Montereau for Henry V to receive oaths of loyalty to his person and to the treaty of Troyes in exchange for granting mercy to criminal and rebellious subjects guilty of treason. By doing so, he leveraged the grant of judicial immunity in order to obtain oaths legitimising the Lancastrian enterprise in France and the agreement of petitioners to be loyal subjects. It is in this context that we found Jean le Moitier giving an oath at the start of this article. While guarantees of loyalty were important generally to medieval society, they were especially significant in forgiving those who had resisted the king. This included those who were implicated in unintentional collusion with the king's enemies, for example by paying ransoms to them, absenting themselves from the realm, or other crimes which could be construed as treason. The rest of this article explores these cases of loyalty pledges in letters of pardon written in French from 1420–24 to make the case that the English kings of France used the precedent and practice of royal grace to strengthen their position in France when facing treasonous offenders. They did so by incorporating loyalty pledges into pardoning practice. It will also show that there was a broader landscape of loyalty beyond the act of oath-taking, and that both kings and petitioners contributed to constructing an understanding of what it meant to be loyal during a political regime change.

JJ 172 alone contains 532 letters of pardon, and the Norman Rolls around one-hundred entries for individual pardons.[39] Investigating patterns in this combined corpus is made possible by the recent digitisation of both chanceries. The following case studies have been identified by a combination of search querying and sampling and represent the most indicative examples found of oaths being explicitly taken or petitioners offering evidence for their loyalty. The Trésor des Chartes, for example, has been searched for terms such as *loyal, loyauté, loyaux* and *sermens, serment* (oath). However, since search confidence rating ranges between approximately 30 per cent and 100 per cent, samples of twenty-five consecutive letters have also been taken from the beginning and end of register JJ 172 to identify any patterns in oath-taking practices over time. The Norman Rolls have been consulted chronologically in full to identify cases of oath-taking and/or pledges of loyalty. Across both chanceries around two hundred letters have been examined. In combination, this allows for individual cases of oath-taking and loyalty language to be brought to the foreground whilst situating these cases in the context of the wider corpus of letters of pardon and the wider context of English rule in France after the treaty of Troyes.

Oaths in Letters of Pardon

Oaths were an essential component of late medieval society, culture, and legal practice. Practices of oath-swearing required one party to give a verbal and written promise to act preferentially in the future towards the other party. While they were delivered by spoken word 'a written record was clearly considered prudent'.[40] Collective obligation was built into the treaty itself, and the thirteenth clause specified that all the great lords both

[39] Gauvard, *De grace especial*, 59–109 (para. 7).
[40] Alex T. Brown, 'Oaths of Fidelity: Loyalty and Officeholding in Late Medieval Durham', *History* 109 (2024): 34–58 (38). See also on oaths: Lucas Villegas-Aristizábal, 'A Question of Mutual Loyalty: Contractual Relations between the Normans and the Iberians during their Joint Military Activities in the Iberian Peninsula (c. 1018–c. 1146)', *Nottingham Medieval Studies* 67 (2023): 39–66 (44).

spiritual and temporal, along with the estates, cities, citizens, and burgesses of the realm, should swear to uphold it. Swearers had to obey Henry V in as far as he acted for the 'common good', maintain the treaty and its terms, remain 'faithful liege men' (*feaulx hommes lieges*) of Henry V in the event of Charles VI's death and Henry's succession, and not give aid or counsel to the king's enemies or commit damages against Henry's person or possessions.[41]

These promises legitimised Henry's authority as the heir and regent of the realm. Those who swore to be loyal to the treaty swore, by extension, to be loyal subjects. In these oaths the late medieval Anglo-French term *loyauté* was often used explicitly to describe the status of allegiance and the terms of oaths of fealty given by subjects to a monarch. The word carried connotations of fidelity, constancy, and faithfulness, and was often paired with the Middle French *vray* (or in Middle English *trouthe*) and associated with the colour blue in sacred garments and architecture.[42] It was related to the Latin for law and legal, *lex* and *legalis*,[43] and maintained a strong legal dimension as a status which individuals and communities could hold and return to, particularly after surrendering.

Individuals who had resisted the English kings in France but later surrendered were pardoned on condition of their future fidelity. Mahieu de Sernoy, squire, had greatly abetted Henry VI's adversaries, holding the town and castle of Guise (around 65 miles east of Amiens) against the king's allies. It was agreed with the captain that the castle would surrender on 1 March 1425, in return for which the crown offered the garrison remission and pardon. This included Mahieu, who was pardoned in October 1424 on the condition 'that he will make the oath to the final peace of our kingdoms of France and England' (*qu'il fera le serment de la paix final de notre royaumes de France et d'Angleterre*).[44] There was still hope of mercy even for those who had been imprisoned. Marguerite de Puion, wife of Michael Bouyer, sought pardon on her husband's behalf in April 1422 as he languished in prison at Meaux. During the siege of the town Michael had been hit by a cannonball, mutilating one of his legs and leaving him unable to help himself or his wife. Possibly having fallen into debt, he was then willing to make a 'loyal oath' (*loyal serment*) to the treaty of Troyes, in consideration of which he was pardoned and released from prison.[45]

Pardoning those who had held out against siege was in line with the conventions of war and honour in the fifteenth century.[46] However, many petitioners had not directly resisted the king as soldiers. They sought mercy for absence from the realm, unintentional collusion, or paying ransoms to the king's enemies which was outlawed by the treaty of Troyes. For example, Jean Bonvoisin of Ticheville had promised to give himself as a hostage in exchange for his father, but a benevolent Gascon of the Armagnac

[41] AN, JJ 171, no. 126 (pp. 147–51). A surviving example of these oaths can be found in AN, J 646, no. 19. This oath was taken by Thibault de Soissons lord of Moreuil (near Amiens) to uphold the treaty and was sealed on 29 June 1422. The Soissons were associated with the duke of Burgundy as chamberlains.
[42] Matthew Ward, 'True Blue: The Connection between Colour and Loyalty in the Later Middle Ages', *Journal of Medieval History* 46 (2020): 133–55 (134–39).
[43] Coralie Zermatten and Jörg Sonntag, 'Loyalty in the Middle Ages: Introductory Remarks on a Cross-Social Value', in *Loyalty in the Middle Ages: Ideal and Practice of a Cross-Social Value*, ed. Coralie Zermatten and Jörg Sonntag (Brepols, 2015), xi–xxii (xii).
[44] AN, JJ 172, no. 667 (pp. 743–44).
[45] AN, JJ 172, no. 489 (p. 550).
[46] Maurice Keen, *The Laws of War in the Late Middle Ages* (Routledge, 1965), 93.

garrison of Dreux offered to put up half the ransom in return for Jean's service if Jean could source the other half. He left to do so but was captured by English troops at Harcourt and sought pardon for having promised to serve the king's adversaries. Jean swore that he had been and would be 'always our true and loyal subject' (*toujours notre vray et loyal subget*), alongside his three brothers, and was pardoned on 28 April 1422 by Henry V while he besieged Meaux.[47] Another victim, Colart Oger of Clermont-en-Beauvaisis, was pardoned in October 1424 for sheltering the king's enemies. Nine 'brigands' had invaded Colart's home with weapons and clubs and threatened to kill him in his bed unless he provided food and wine. Colart accommodated them and promised under threat not to reveal this to anyone. Two of the brigands were later captured and executed by the justices at Clermont after investigation. For his part in supplying them, Colart was imprisoned and sought pardon. This was granted so long as he served fifteen additional days in prison and made an oath to 'hold the final peace' (*tenir la paix final*) of Troyes.[48]

A notable pardon case because of the protagonist's claimed high rank – is that of the knight Jean d'Espagny, called '*Le Bougne*' (The Burgundian). Any subject within the king's jurisdiction had the right to appeal for mercy in the chancery, including knights, but the majority of petitioners described themselves as a 'poor man' (*pauvre homme*) with no title. This may have legitimately reflected their straitened circumstances, but the phrase was also used as a rhetorical device to persuade the council that the petitioner was a destitute and vulnerable individual who deserved sympathy.[49] Jean, on the other hand, claimed before the Parisian chancery to be the son of the lord Clignet de Brabant, who had served as the Admiral of France, one of Charles VII's generals, and a commander at Agincourt.[50] At around seventeen or eighteen years old Jean had been his father's page and ridden against the English in Ponthieu and northern France. After he was captured, he admitted to 'the great tyranny, cruelty and oppression' (*grant tirannie, cruaulte et oppression*) that he had been made to carry out. He said that he no longer wanted to return with the king's adversaries and had retreated to live in Lancastrian lands (*pays du liege*), 'wanting to be and remain henceforth our good, true and loyal subject and will take the oath of the final peace' (*vouloir d'être et demeurer dorénavant notre bon vray et loyal subget et de fera le serment de la paix final*).[51] He was pardoned for his previous actions on 10 September 1422 in Paris.

We might reasonably doubt whether Jean really had undergone a change of heart or whether he had offered his oath in exchange for protection as a valuable captive. Since oaths marked the socially, politically, and economically 'included' from the 'excluded', any individual, community or institution might be pressured to swear an oath to preserve their position in society in the context of war.[52] After the surrender of Rouen, the governor Guy le Bouteiller took an oath of allegiance to Henry V which the French chronicler Enguerrand de Monstrelet thought was an abandonment of his '*naturel seigneur*' the

[47] TNA, C 64/17, m. 22.
[48] AN, JJ 172, no. 646 (pp. 720–21).
[49] Lidia L.Z. Domingues, *Confession and Criminal Justice in Late Medieval Italy: Siena, 1260–1330* (Oxford University Press, 2021), 191–93.
[50] Enguerrand de Monstrelet, *Chroniques d'Enguerrand de Monstrelet*, ed. Jean Alexandre Buchon, 15 vols. (Paris, 1826–7), 3: 342. I have found no record of Jean elsewhere, and he was possibly a bastard son.
[51] AN, JJ 172, no. 167 (p. 174).
[52] James Lee, '"Ye Shall Disturbe Noe Mans Right": Oath-Taking and Oath-Breaking in Late Medieval and Early Modern Bristol', *Urban History* 34 (2007): 27–38 (37–38).

king of France, maintaining that the inhabitants of Rouen only followed suit for their own security.[53] Canon law distinguished between coercion and 'its counterpart: voluntary or involuntary acquiescence', but this theoretically universal distinction was used politically to suit factional interests.[54] In letters of pardon Lancastrian kings recognised when petitioners claimed to have entered opposing allegiance out of fear and forgave those under Armagnac protection accordingly. However, they gave no admission that their own authority had been acquired in equally violent circumstances. When petitioners promised to give oaths and submitted to the Lancastrian kings for mercy, they were identified as true and loyal subjects without qualification. Acts of submission and allegiance derived their efficacy in part from the circumstances under which they were made, and in appeals for pardon these circumstances were the product of testimony. In the interest of peace, the chancery received those who came to them as loyal subjects and accepted their version of events, subject to local inquiry and enforcement.

Instances of loyalty pledges represent a small proportion of the full corpus of letters of pardon. Of the 675 items of business in register JJ 172 of the Trésor des Chartes, Claude Gauvard establishes that 532 were letters of pardon.[55] Of the first twenty-five letters of pardon in this register, all signed before the treaty of Troyes under Charles VI's authority, not one included an oath as part of its formula pardoning the petitioner and restoring their possessions and good name.[56] It was not typical French royal precedent to require an oath of loyalty in letters of pardon, as is further evident in a contemporary formulary by the French clerk and notary Odart Morchesne.[57]

Even under the English kings, oaths were not always requested. Taking a second sample of the last twenty-five letters of pardon in JJ 172, all given under Henry VI's authority from September to November 1424, only four petitioners were explicitly required to take the oath to the treaty (16 per cent).[58]

Several of those who had to give oaths had been 'absent' from the realm, but many more petitioners who were absent were not asked to pledge their fealty on oath. Nor does imprisonment seem to have been a prerequisite for oath-taking. There is no obvious geographical region that was treated with greater suspicion when comparing pardons with and without oaths.[59] What unifies these cases is that petitioners who did have to give oaths had usually acted in a way that could be construed as treasonous by having directly resisted the king or inadvertently aided the king's enemies. Within pardoning practice more generally oath-taking was a demand specific to moments of

[53] Enguerrand, *Chroniques d'Enguerrand de Monstrelet*, ed. Jean Alexandre Buchon, 15 vols. (Paris, 1826–7), 4: 142. On natural lordship see: Katy Bennett, 'The "Natural Lord", Natural Loyalty, and the Construction of English Legitimacy in Late-Medieval Gascony'.

[54] Anna Sapir Abulafia, 'Gratian and the Jews', *Jaarboek Thomas Instituut te Utrecht* 36 (2017): 8–39 (10). The temptation of supernatural evil was also invoked as a defence for criminality: TNA, C 64/16, mm. 35, 32.

[55] Gauvard, *De grace especial*, 59–109, (para. 7). The figure 675 is given by a later scribe who, helpfully, numbered the entries. Allowing for a slight margin of error in miscounting, letters of pardon accounted for around 75–80% of the business enrolled in JJ 172. This compares with 86% in samples from later registers JJ 177–79, counting letters of pardon as a proportion of all the letters in French registered (560 out of 650): *Le formulaire d'Odart Morchesne dans la version du ms BNF fr. 5024*, ed. Olivier Guyotjeannin and Serge Lusignan (École Nationale des Chartes, 2005), 49.

[56] AN, JJ 172, nos. 3–31 (pp. 12–31).

[57] *Formulaire d'Odart Morchesne*, ed. Guyotjeannin and Lusignan, 423–26.

[58] AN, JJ 172, nos. 644–675 (pp. 718–52).

[59] Normandy and the langue d'oïl region are overrepresented in the Trésor des Chartes but this does not reflect a higher rate of criminality or a predisposition for remorse so much as proximity to the king; Gauvard, *De grace especial*, 241–98 (para. 5).

reconciliation after a period of upheaval. For example, the general pardon issued by Charles VII after the recapture of Paris in 1436 forgave those of the city 'who will swear to us that they will henceforth be true subjects and obedient' (*qui nous fera le serment de nous être désormais vray subiets et obeyssant*).[60] Similarly, after the Praguerie revolt in 1440 oaths were explicitly required from pardoned rebels to ensure that loyalty accompanied peace.[61] The relatively low rate of loyalty pledges included in letters of pardon can be explained by the equally low rate of these 'political crimes' pardoned by the kings of France overall. In Claude Gauvard's study of letters of pardon from 1380 to 1422 'political crimes' account for only 5% of the total corpus.[62]

The treaty of Troyes 'explicitly qualified as "rebellious and disobedient" any "city, town, village, castle and person" who aided, abetted, or supported the cause of the dauphin Charles'.[63] In reality, this could not be enforced in the context of war. Overuse of the gallows against inhabitants of besieged towns perceived to be political criminals would produce martyrs and harden sentiment against the ruling authorities judged by the populace to be tyrannical.[64] By instead obtaining the submission and oaths of petitioners for pardon who confessed to these sorts of offences, the English kings of France were able to obtain a broader basis of consent for the treaty (and therefore the legitimacy of English rule in France) which included those who had simply been caught in the wrong place at the wrong time during the war. Henry V also encouraged those who had fled the realm to return to him, promising to be merciful towards his new subjects. Sometimes petitioners for pardon claimed to have heard such proclamations encouraging those absent to return.[65]

The chancery in Rouen seems not to have had a directive to require oaths of loyalty from petitioners for pardon. In the Norman Rolls, of the first twenty-five letters of pardon signed after the treaty of Troyes (the period when Henry V would presumably have been most anxious to enforce his inheritance) not a single petitioner was asked to give an oath to the treaty.[66] However, it is possible that oaths were taken for treasonous crimes at a higher rate in practice than the chancery records indicate. Chancery rolls and registers were living documents, and we may not know if information was added or withheld. When Pierre le Coq was pardoned in October 1424 the notary left a gap in the register to add the fee owed for alms for his forgiveness, but the amount was never entered: 'and paying the fee of [*left blank*]' (*et payant la fot de …*).[67] Alternatively, an oath of loyalty may have been requested at the discretion of royal officers, who as we know from the case of Jean le Moitier were entrusted with receiving oaths on the king's behalf.

[60] *Histoire de Charles VII, roy de France*, ed. Denys Godefroy (Paris, 1661), 796.
[61] Claude Gauvard, 'Pardonner et oublier après la Guerre de Cent ans: le rôle des lettres d'abolition de la chancellerie royale française', in *Vergeben und Vergessen? Vergangenheitsdiskurse nach Besatzung, Bürgerkrieg und Revolution/ Pardonner et oublier? Les discours sur le passé après l'occupation, la guerre civile et la revolution,* ed. Reiner Marcowitz and Werner Paravicini (Oldenbourg Wissenschaftsverlag, 2009), 27–56 (52).
[62] Gauvard, *De grace especial*, 241–98 (para. 1).
[63] Ambühl, 'Henry V and the Administration of Justice', 83.
[64] Katherine Royer, 'The Body in Parts: Reading the Execution Ritual in Late Medieval England', *Historical Reflections/Réflexions historiques* 29 (2003): 319–39 (337); compare the reaction after the Jacquerie revolt of 1358: Justine Firnhaber-Baker, *The Jacquerie of 1358: A French Peasant's Revolt* (Oxford University Press, 2021), 243.
[65] TNA, C 64/17, mm. 20, 19, 14.
[66] TNA, C 64/14, mm. 28, 27, 15, 6; C 64/15, mm. 29, 28, 27, 23, 19, 17, 11, 6, 3; C 64/16, mm. 41, 35, 32, 30, 26, 25, 24, 23.
[67] AN, JJ 172, no. 656 (pp. 731–32).

The higher prevalence of oaths in the Trésor des Chartes compared to the Norman Rolls can also be explained by different ways of obtaining and recording loyalty pledges. The Norman chancery in Rouen particularly favoured introducing its petitioners by the epithet 'our liege man', which was not included in Morchesne's formulary for the French chancery.[68] It experimented with different paraphrases: 'our subject man' (*notre homme subget*), 'our sworn liege man and subject' (*notre homme liege jure et subget*), and 'our liege and obedient man' (*notre homme liege et obeissant*).[69] By way of illustration, on 5 May 1422 Guillaume Allart, Jean Boydect, and Nicholas Hubert, three poor labourers living at Saint-Pierre de Beaumoncel near Beaumont-le-Roger in southern Normandy, admitted that in the previous June they had been approached by a priest who told them they were in grave peril from roving brigands and the men of Charles VII. This priest was going to the dauphin to obtain a safe-conduct to travel under his protection and urged the three men to seek the same. Fearing 'the danger of death' (*le peril de mort*) from the king's enemies on this contested southern frontier of Lancastrian kingship, and not wanting to cause offence to the priest, they agreed. Since they were simple men of good life and renown, mercy was granted for this transgression of trust, though Boydect was not to receive back the two and a half dozen *gros* he had paid for his letter.[70] All three men were identified as 'our liege man' (*notre homme liege*), suggesting that they took an oath of allegiance before obtaining mercy or as part of this exchange. We might ask whether it had simply been expedient for them to play both sides and appeal to two different princes for protection as the wheel of fortune turned in the political conflict around them, but they could hardly admit that.

These styles imply that petitioners or their representatives were obliged to prove allegiance at the chancery before their petition could even be considered, thus erasing the need to repeat the demand in the letter itself. Such was the case for Robinet Benart. Benart, 'a man of noble descent' (*homme de noble ligne*), was pardoned for riding with the king's enemies on 31 March 1422. The chancery at Rouen noted that he had already taken 'the oath to be our true man' (*le serment d'être vray homme de nous*) and received a letter in the customary manner to prove it. He was pardoned so long as he promised to 'hold himself in our true obedience' (*sois tenu en notre vray obeissance*) in the future.[71]

The French chancery at Paris also laboured to note when some petitioners had given and presented oaths of loyalty beyond the usual pardon formula. One particularly unlucky petitioner was the knight Philippe Mallet. He was captured at Agincourt in 1415, paid his ransom from England, and returned to his home town of Meaux in time to be captured a second time after the siege and surrender of Meaux in May 1422. By letters of safe-conduct, he returned to France to pay his ransom again and delivered himself to the provost of Paris to give an oath to the treaty of Troyes. Philippe presented physical proof of this oath (*ainsi que par lettres scellé du sceau de notre châtelet de Paris nous étant suffisamment apparu*) and was restored to his good reputation and

[68] On developments of English formulary and the use of 'liege' in the English chancery see Gwilym Dodd, 'Kingship, Parliament and the Court: The Emergence of "High Style" in Petitions to the English Crown, c.1350–1405', *English Historical Review* 129 (2014): 515–48.
[69] TNA, C 64/14, m. 6; C 64/15 mm. 28; 19.
[70] TNA, C 64/17, m. 20.
[71] TNA, C 64/17, mm. 28–27.

granted pardon for his absence in October 1424.[72] Guillaume de Charny, squire, also sought pardon in October 1424 for supplying shelter, food, and drink during the Pentecostal feast to a Lombard and his company of six of the king's adversaries who had invaded Guillaume's home in Montlignon. Guillaume had been captured at Meaux alongside Philippe Mallet and stated that he had already given an oath to the treaty (*fait le serment du traité de la paix final*) after town's surrender, and so pardon was granted.[73]

As well as revealing dictaminal flexibility and variations in normative practice across the different chanceries and clerks operating in Lancastrian-ruled France, these cases indicate the existence of a broader landscape of loyalty practice. Loyalty was assessable and a petitioner could offer proof of it. Petitioners and those writing on their behalf often gave persuasive evidence not only for having already given oaths but also for earlier acts of loyalty and good conduct. To persuade the chancery of their remissibility, petitioners claimed to have served the English loyally, lived and worked peacefully, and kept good company. Such testimonies of urban and rural life allow us to approach loyalty pledges from a cultural perspective of shared maxims and values as well as a legal one and reflect on what individual petitioners, their lawyers, their communities, and the chancery court considered to be evidence for loyalty.[74] This broadens our outlook on loyalty as created not only from the top down through imposed oath-taking but also from the bottom up by ordinary people seeking to protect themselves and their place in society.

Proof of Loyalty in Lancastrian France

Since the power to pardon was a manifestation of the king's authority as the final arbiter of what was legitimate or 'correct' violence and what, conversely, could not be forgiven, it was important for the chancery to discriminate between a criminal who was a danger to the public order and a repeat offender, and a redeemable subject.[75] Petitioners therefore offered persuasive testimonies to make their case. Most petitioners would have been illiterate, and their testimonies were spoken and put down in writing by a lawyer. What was written in the chancery was a dialogue among the petitioner, their legal representative, and chancery notaries. Repeated defences across many letters of pardon, such as slighted honour, lack of justice, poverty, acting under duress or temptation, and even trauma, suggest that the legally trained jurists added extra conventional details according to the remissible limits of crime and cultural and social ideals of justice, honour, and vulnerability.[76] The appeal for mercy thus presented the petitioner as 'the ideal subject', in Claude Gauvard's words, whose armed or civil service to the realm, desire to live in peace,

[72] AN, JJ 172, no. 650 (p. 724).
[73] AN, JJ 172, no. 648 (pp. 722–23).
[74] Loyalty rests on an 'inner unity of common, fundamental moral maxims, themselves directed by shared rational interests'; Zermatten and Sonntag, 'Loyalty in the Middle Ages', xi.
[75] Gauvard, 'Les clercs de la chancellerie', 287, 291; L.J. Andrew Villalon, '"Taking the King's Shilling" to avoid "The Wages of Sin": Royal Pardons for Military Malefactors during the Hundred Years War', in *The Hundred Years War (Part III): Further Considerations*, ed. L.J. Andrew Villalon and Donald. J. Kagay (Brill, 2013), 357–435 (389–94).
[76] Davis, *Fiction in the Archives*, 19–29; Quentin Verreycken, '"En nous humblement requerant": Crime Narrations and Rhetorical Strategies in Late Medieval Pardon Letters', *Open Library of Humanities* 5 (2019): 1–31 (13); Domingues, *Confession and Criminal Justice*, 191–93; Aleksandra Pfau, 'Warfare, Trauma and Madness in French Remission Letters of the Hundred Years War', in *The Hundred Years War (Part III)*, ed. Villalon and Kagay, 437–54.

charge of family and children, and general good reputation identified them as a candidate for the king's special grace.[77]

In the context of the Lancastrian regime change the ideal subject was a faithful one, who had served the English in France, kept company with men of England, lived honestly without impoverishing the king's subjects, and held a good reputation in their community. Petitioners claimed these acts of loyalty to appeal most persuasively for mercy. By co-opting the 'public language of conformity' individuals could apply pressure on the crown to exercise its obligation to protect its subjects, particularly those who had suffered injustice and persecution.[78]

Loyalty was most obviously proved by armed service to the English in France. Etienne le Forestier, around forty years old, had resisted brigands (*grievands*) and the king's enemies and sought pardon from Paris in January 1422 for killing a man by striking him in the leg in self-defence. Considering that he was a good man and 'has always served us and our predecessors well and loyally and fought in our wars' (*nous a toujours et notre prédécesseurs bien et loyaument servi ou fait de notre guerres*) on the borders of Picardy, the council granted pardon.[79] Jean de la Rue of Plumoisin, another petitioner who had travelled to Paris all the way from Picardy, was pardoned for the manslaughter of Pierre Souquet after a fight broke out between the two men and Jean de la Rue's friend Jean Petit over the price of a captured horse. Jean de la Rue was pardoned from Paris in November 1422 as he was known to be of good reputation 'and also that he has served us well and loyally' (*bien et loyaument servi*). In his testimony Jean alleged that the horse had been captured during a skirmish with the king's enemies to capture the bridge at Plumoisin, and that he and other 'good and loyal subjects' (*bons et loyaulx subgez*) had retaken the bridge for the king.[80] Etienne, Jean, and the men in their company might not have been chivalric compatriots of Henry VI, but they were awarded a degree of recognition that their armed service was a marker of loyalty.[81]

Loyalty could also be measured by keeping English company. Guault le Fevre of Epinay-sur-Odon, southwest of Caen in Normandy, had suffered impoverishment from raids of brigands who demanded money; and fearing for his life, Fevre paid them off even though this had been outlawed. He then rode with the brigands for some time, though 'without entering any town or fortress' (*sans entrer en ville ne forteresse*). Having heard certain proclamations encouraging those absent from the duchy of Normandy to return to the king, Fevre did so and was pardoned on 7 May 1422, claiming to be 'loyally well loved by several men of England' (*loyaulment bien aime de plus des gens d'Angleterre*).[82]

Alongside the legal element of loyalty as an obligation, a duty, and – in the context of lordship – a sworn pledge of fealty, loyalty was also associated with internal moral virtues such as honesty and faithfulness and was often paired with the French *vray* (or in Middle

[77] Gauvard, *De grace especial*, 849–93 (para. 63).
[78] James C. Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance* (Yale University Press, 1985), 289; Domingues, *Confession and Criminal Justice*, 192.
[79] AN, JJ 172, no. 218 (pp. 227–28).
[80] AN, JJ 172, no. 173 (pp. 181–82). Plumoisin is probably Bouin-Plumoison, forty miles north of Amiens.
[81] On 'loyal' armed service in Burgundian letters of pardon see Quentin Verreycken, 'Discipliner par la grâce: les lettres de rémission aux gens de guerre dans l'état bourguignon au XV^{e} siècle', *Crime, histoire & sociétés* 22 (2018): 5–32.
[82] TNA, C 64/17, m. 19.

English *trouthe*).[83] Being loyal was measured by one's daily conduct and honest labour, and petitioners claimed to want to 'live loyally' as reconciled subjects. Colin Ogier, for example, had tried to return to his earlier life after riding as a brigand and being imprisoned, 'desiring to live loyally and return to his merchandise' (*désirant vivre loyaument et retourner à sa marchandise*).[84] Jean Marie of Caen was found to have stolen flour during the siege of the city and as punishment had his goods seized to the value of the flour and was forced to leave and work in Auge. He claimed to have 'lived loyally as he says' (*vécu loiaulment si comme il dit*) ever since, and was pardoned on 21 April 1422 by the council at Rouen and allowed to return to Caen.[85] Guillaume Hanteucisne was a poor man living by his labour and merchandise in the parish of Melleville, Évreux, in eastern Normandy, who claimed to have been imprisoned by Henry VI's adversaries and put into debt by large extortions of money for his release. He was persuaded by a man named Guillaume de Val, who possessed a letter of safe-conduct, to travel under this protection and steal provisions to repay his debts and protect his family, for which he sought pardon. The chancery noted that prior to his capture and falling into debt, Hauteucisne 'always persevered and did his labour and merchandise well and loyally' (*toujours persévéré et fait son dit labour et marchandise bien et loyaulment*).[86] He was pardoned from Paris in May 1424.

Living loyally was also linked to one's reputation. Pierre de Bourdeaux, of the parish of Saint-Vigor-des-Mons in the *vicomté* of Vire in southern Normandy, had not been able to answer a summons for trial at the assizes of Coutances from the bailli of the Cotentin after being arrested for brigandage. Prevented from making the treacherous journey by roving brigands between his home and the bailli, he was banished from the realm for non-appearance. Considering 'that in all he does he has always been of good repute and loyal' (*que en tous ses fait a toujours être preud'homme et loyal*), that he did not favour brigands (he claimed that he was falsely suspected), and that he lived by his labour, Bourdeaux was pardoned on 15 April 1420.[87] In fifteenth-century pardon letters *preud'homme* was a virtue that was both moral and civic and which established good reputation, quite removed from its original twelfth and thirteenth-century chivalric connotations.[88] A '*preud'homme*' of the king was someone who preserved his peace and was known to be wise and good, as opposed to someone who was violent and of ill reputation. By association, a moral, dutiful life was thus a loyal one.

Finally, it was important that petitioners held other bonds to their family and community where they expressed a desire to return. Letters of pardon were often a communal effort undertaken by a group to free a friend or family member from imprisonment or, in extreme cases, possible execution. Obtaining a letter of pardon required a substantial amount of money, the sum of which was not completely out of reach for a labourer but did represent an extortionate expenditure, especially for an unskilled labourer.[89] This

[83] Loyalty is an 'emotional marker, signalling the strength of that person's attachment to a particular role': Steven Vanderputten, 'Communities of Practice and Emotional Aspects of Loyalty in Tenth-and-Eleventh-century Monasticism', in *Loyalty in the Middle Ages*, ed. Zermatten and Sonntag, 279–303 (280).
[84] TNA, C 64/17, m. 26 (2 April 1422).
[85] TNA, C 64/17, m. 23. Auge might refer to any of several towns southeast of Caen in Normandy.
[86] AN, JJ 172, no. 465 (pp. 525–26).
[87] TNA, C 64/13, m. 10.
[88] Gauvard, *De grace especial*, 849–93 (para. 78).
[89] Rémy Scheurer estimated the cost at the end of the fifteenth century to be an extortionate 8 *livres tournois* (*l.t.*) 8 *sous tournois* (*s.t.*), whereas Claude Gauvard thought it did not exceed 32 s.t. (approximately 1 *l.t* 12 *s.t.*); Rémy Scheurer, 'L'enregistrement à la chancellerie de France au cours du XVe siècle', *Bibliothèque de l'École des chartes*

would have been raised by the petitioner's friends, family, and '*amis charnels*' – or 'kith and kin' – an expression used to indicate those within an individual's trust.[90] The term is a common feature of appeals for mercy, and such groups were sometimes collectively identified as a '*partie*' who had petitioned the chancery on behalf of a petitioner who was imprisoned or *in absentia*. This company and the networks of kinship, friendship, and possibly patronage from a local lord in which petitioners were enmeshed were an important part of their self-construction as an ideal subject when making an appeal. Personal loyalties and relationships did not compromise a petitioner's remissibility but rather contributed to proving their place and value in society.

There were therefore several qualities and bonds which a petitioner could offer as evidence for their loyalty in order to obtain mercy from the English kings of France. Armed service, honest work, company with men of England, a good reputation, and communal support signified an individual's eligibility to be pardoned as a subject who had acted loyally and honestly throughout the conquest. After May 1420 petitioners might be asked to give an oath to be loyal and to obey the treaty of Troyes if they had acted treasonably, but there were many other ways for petitioners to prove their commitment to a peaceful future in France.

Conclusion

As the field of 'loyalty studies' grows we must consider bonds of loyalty as not just constraints but also opportunities. Appealing to royal grace was risky, as the petitioner had effectively confessed to the crime and could no longer plead innocence. On the other hand, an honest petitioner was redeemed and saved from the consequences of criminal sin. In the best outcome, the king's grace not only saved a subject's body from the scaffold but also cleansed their soul and conscience of confessed guilt. Lapses into criminality, even treasonous criminality, were forgiven on the principle that these labourers, merchants, petty knights and squires living in Lancastrian France were honest subjects who had lived previously loyal lives and taken oaths of allegiance to the treaty of Troyes to uphold English rule. Their loyalty guaranteed their security.

A petitioner could, of course, misrepresent the facts of their case. But seeking pardon was expensive and time-consuming, and the letter had to stand up to the scrutiny of a local inquiry and cross-referencing between witnesses and the affected party.[91] It was also common for the letters to 'be read by anyone who asked to see proof' and to be 'displayed or read publicly' in the local community, impressing obligations to behave honestly on the conscience of the petitioner.[92] Any doubt between the authentic and the uncertain does not change the fact that petitioners were conscious of the punishment (often capital) which their actions could attract, and their appeals were based on

120 (1962): 104–29 (123); Gauvard, *De grace especial*, 59–109 (para. 25). Aleksandra Pfau also puts the cost of a letter at 32 *s.t.* for the fourteenth century, whereas Quentin Verreycken reckons the cost of a pardon letter to be closer to Scheurer's figure, at 6 *l.t.* in France and the Low Countries; Aleksandra Pfau, *Medieval Communities and the Mad: Narratives of Crime and Mental Illness in Late Medieval France* (Amsterdam University Press, 2021), 39; Verreycken, 'En nous humblement requerant', 12.

[90] Juliette M. Turlan, 'Amis et amis charnels d'après les actes du Parlement au XIV^{e} siècle', *Revue historique de droit français et étranger*, 4th series, 47 (1969): 645–98 (647). I extend my gratitude to Dr Godfried Croenen for his advice on the English translation for '*amis charnels*'.

[91] Davis, *Fiction in the Archives*, 11.

[92] Verreycken, 'En nous humblement requerant', 9.

'knowing what is available to them, what they have to ask for, and how to ask for it most effectively'.[93] The letters of pardon given by the English kings in France were mediated documents which reveal both what the crown desired of its loyal subjects and what individual petitioners and those writing on their behalf considered to be acts of loyalty that might secure a favourable outcome.

Furthermore, we can learn from letters of pardon that loyalty was often most clearly articulated at its most fragile limits. After the treaty of Troyes was signed, oaths were integrated by the English kings of France into letters of pardon given to treasonous offenders to obtain consent for their post-conquest regime from those who had directly resisted it. In the interests of reconciliation and future governance, the English kings and their chanceries had to make peace and evaluate who they could and could not trust. Vulnerable petitioners had to judge who to submit to for satisfaction and what to say. This was negotiated in the practices and language of loyalty. These negotiations through letters of pardon were diligently preserved in the royal chanceries, turning fragility into longevity. This means that, ironically, the king's named criminals and arguably worst supporters, many of whom had been imprisoned or fled to live outside royal jurisdiction, are the individuals of whose pledged loyalty we can be sure.

Acknowledgements

I extend my gratitude to my PhD supervisor Professor Martial Staub for his support of my research. I am also very grateful to the directors of the 'Loyalty in the Medieval World' research network Dr Chris Lewis and Dr Hannah Boston for comments and feedback on earlier versions of this paper. Finally, I would like to thank my two anonymous reviewers for their helpful comments.

Disclosure Statement

No potential conflict of interest was reported by the author(s).

Funding

This work was supported by White Rose College of the Arts and Humanities.

Notes on Contributor

Eleanor J. Bailey is a recent PhD graduate of the University of Sheffield. Her PhD thesis, supervised by Professor Martial Staub, was titled: '"Bon loyal et vray": The praxis of legitimacy and loyalty in Normandy and northern France during the Lancastrian dual monarchy, 1417–1437'. She is a co-convenor of the Medieval Loyalty Network.

ORCID

Eleanor J. Bailey http://orcid.org/0009-0005-0497-8043

[93] Timothy S. Haskett, 'Access to Grace: Bills, Justice, and Governance in England, 1300–1500', in *Suppliques et requêtes*, ed. Hélène Millet, 297–317 (304).