



Open Library of Humanities



Part of the Ubiquity
Partner Network



Open Library of Humanities

New Approaches to Late Medieval Court Record

How to Cite: Verreycken, Q 2019 'En nous humblement requerant': Crime Narrations and Rhetorical Strategies in Late Medieval Pardon Letters. *Open Library of Humanities*, 5(1): 62, pp. 1–31. DOI: <https://doi.org/10.16995/olh.389>

Published: 19 September 2019

Peer Review:

This article has been peer reviewed through the double-blind process of *Open Library of Humanities*, which is a journal published by the Open Library of Humanities.

Copyright:

© 2019 The Author(s). This is an open-access article distributed under the terms of the Creative Commons Attribution 4.0 International License (CC-BY 4.0), which permits unrestricted use, distribution, and reproduction in any medium, provided the original author and source are credited. See <http://creativecommons.org/licenses/by/4.0/>.

Open Access:

Open Library of Humanities is a peer-reviewed open access journal.

Digital Preservation:

The Open Library of Humanities and all its journals are digitally preserved in the CLOCKSS scholarly archive service.

NEW APPROACHES TO LATE MEDIEVAL COURT RECORD

'En nous humblement requerant': Crime Narrations and Rhetorical Strategies in Late Medieval Pardon Letters

Quentin Verreycken

Harvard University, Cambridge (Massachusetts), US
quentin_verreycken@g.harvard.edu

The charters of pardon or 'remission letters' granted by the king of France and the duke of Burgundy in the late Middle Ages have often been interpreted as a valuable source material to access to the lives, memories, and even the 'voices' of the ordinary people who did not produce any other writing. The preamble of each letter was indeed a copy of the supplication submitted by the future pardon beneficiary, in which he narrated his crime and begged for the sovereign's mercy. However, as with many other documents preserved in court and chancery records, remission letters engage historians with a series of methodological questions due to the nature of the documents and the context in which they were produced. Because they hoped to be granted the monarch's mercy, petitioners used a series of legal and rhetorical techniques to describe themselves and elaborate their narrations, following the advice of the clerks and lawyers who helped them to compose their petitions. This article explores some of these strategies used by French and Burgundian pardon beneficiaries and compares them to those found in English petitions for pardon. It argues that rather than being considered as an obstacle to accessing to the truth behind the sources, these strategies should be analysed as the testimony of the legal and administrative practices of the time.

Introduction

On an unspecified day around the year 1435, Ywain Voet, a Flemish messenger of the ducal equerry of Philip the Good, 'accidentally encountered' (*d'aventure rencontra*) another messenger named Master Jehan and beat him to death. After fleeing from the county of Flanders to escape justice, Ywain submitted a petition for pardon to the duke of Burgundy, explaining the reasons for his fatal gesture. One year before this affair, Master Jehan, who was such a close friend to Ywain that they 'had fraternal company as if they were brothers' (*avoit compaignie fraternelle comme a son frere*), seduced Ywain's wife and eloped with her, taking some of Ywain's properties along with her. Thus, when Ywain Voet unexpectedly met Jehan, he was immediately 'moved by sentiments' (*esmeu de couraige*), remembering the betrayal of his former friend, and could not refrain from killing him. In the end, the messenger was fortunate enough, because Philip the Good and his counsellors were convinced by his arguments and granted him a pardon in the form of a remission letter in December 1438, which contained a copy of Ywain's petition.¹

Unlike the duke of Burgundy and the members of his council, a contemporary reader of Ywain Voet's petition may be sceptical about his story. How can we be sure that what is presented as an unpremeditated brawl wouldn't have been an ambush in reality? After all, the document tells us very little about the context of Ywain's crime. The petitioner was apparently unarmed when he met Master Jehan, but he also admitted in the petition that he was accompanied by two other men whose participation in the fight remains uncertain. Moreover, the place where they fought is not mentioned: was it in Nieuwpoort, the place of residence of Ywain and Jehan, or in another city of Flanders? Did they meet on the street, or maybe in a tavern, a popular place for travellers and messengers like them? Were there other people present during the scene or did it take place out of sight? In fact, most of the petition is dedicated to Jehan's betrayal and Ywain's feelings about this, as if the petitioner wanted his motivations to overshadow the circumstances of his crime. Ywain may have had good reasons to elaborate his story that way, as he was probably aware that

¹ Archives départementales du Nord [hereafter ADN], B 1682 fol. 34r–v. See also Arnade and Prevenier (2015: 97–8), from whom I borrow the English translation of this case.

admitting premeditation would jeopardize his demand for a remission letter. Indeed, even though there was theoretically no real limit to the ducal power to pardon in the 15th century, it was common knowledge that 'there are causes or motives because of which there is a greater tendency to grant a pardon' ('*y a des causes ou motiz pour quoy on est plus enclin de passer la grace*'), as wrote Odart Morchesne, a notary and secretary at the French royal chancery, in the formulary he achieved in 1426 (O.S.) according to its dating – that is to say, between 31 March 1426 and 20 April 1427 (N.S.). Homicide, in particular, was more excusable 'when the case was committed by anger rather than ambush or malice' ('*quant le cas est advenu de chaude cole et non pas d'aguet appensé ne de mauvais malice*') (Guyotjeannin, Lusignan, and Frunzeanu, 2005: 424). Although it is very unlikely that Ywain Voet had ever heard about Morchesne's formulary, he may have benefited from the help of legal advisors who were familiars with the rules of the ducal chancery to draft his petition, adapting his testimony to the criteria for remissibility recommended by Morchesne. Ultimately, whether Ywain Voet deliberately tried to dissimulate some aspects of the circumstances of his crime or not, it is clear that he elaborated a narrative oriented toward one single purpose: to demonstrate that his case was excusable and that he deserved to be pardoned by the duke.

This speculative reflection on the sincerity of Ywain Voet's petition illustrates what Shannon McSheffrey (2008: 65) calls the 'epistemic doubt' experienced by historians when working on archival documents, particularly legal records. Not only are these sources often incomplete or fragmented, but they are also not designed to offer an unbiased record of the past. It is a common statement that the critical interpretation of documents is an integral part of the historical method. Yet the use of critical method itself has long been considered as a preliminary step for historical research, while the disciplines that examined documents were assigned to the role of 'auxiliary sciences' of history. The impact of the linguistic turn on the Humanities in the 1960s and 1970s represented a first change in this regard, compelling historians to develop a new hermeneutic of historical texts as the elements and products of 'discourses', a concept famously developed by Michel Foucault (1972 [1969]) in *The Archaeology of Knowledge* to designate an ensemble of signs, practices, and ideas

organizing a system of meaning or statements. Moreover, since the beginning of the 1990s, there has been an increasing body of literature on the role of the archives not as the static locations of repository of historical documents, but rather as the institutions that collected, organized, and preserved information, mirroring the efforts of the State to control and manage what Randolph Head (2007) calls 'political knowledge'. In addition to Foucault's *Archaeology of Knowledge*, Jacques Derrida's *Archive Fever* (1996) is commonly considered as a theoretical initiator for this 'archival turn' (De Vivo, 2013; Walsham, 2016). For Derrida, archives are the product of political power through the process of archiving, and this archival knowledge itself generates new forms of power over us, by deciding which information remains accessible to us. The 'power of the archives' therefore structures and preconditions the historical truth itself (Schenk, 2013). In the domain of the history of crimes and criminal justice, the linguistic and archival turns have been important steps for the understanding of legal and court records. Since the development of social history that provoked a new interest in these sources, scholars were used to read judicial records 'against the grain', in order to extract information about the society in which they were produced, which has little to do with the reasons why these documents were recorded – what Dietmar Schenk (2013: 41) calls 'outwitting the archive'. Emmanuel Le Roy Ladurie's *Montaillou* (1980 [1975]), Carlo Ginzburg's *The Cheese and the Worms* (1980 [1976]), or Natalie Zemon Davis' *The Return of Martin Guerre* (1983) are some examples of classical microhistory masterpieces. In contrast, the linguistic and archival turns led scholars to reconsider these sources as a matter of study on their own, revealing the internal logic of the institutions that produced them. This new epistemological approach of criminal records 'along the grain' (Stoler, 2009) therefore offered a better understanding of the discourses, ideologies, and rituals operating within the judicial process (Gauvard and Jacob, 2000; Arnold, 2001; Goodich, 2006).

Going back to the case of Ywain Voet, the source that preserved the story of his crime is a charter of pardon or 'remission letter' granted by the Duke of Burgundy, Philip the Good. Remission letters ('*lettres de rémission*' in French or '*brieven van remissie*' in Dutch) were legal documents in which a king or a prince granted pardon to criminals who petitioned for his mercy. For the late medieval period, the most numerous and

homogenous series of remission letters copied in chancery records are those granted by the kings of France, registered in the *Trésor des chartes*, and those granted by the dukes of Burgundy, preserved in the *registres de l'audience* (François, 1942; Gauvard, 1991: 59–109; Verreycken, 2014: 45–65).² The power to pardon criminals was in fact a major feature of sovereignty in the late Middle Ages and many lay rulers began to deliver charters of pardon from the 13th century onwards (Verreycken, 2019). One of the earliest surviving series of royal pardon letters are those granted by the English Crown and recorded in a register of letters patent called the patent rolls, which was created under King John in 1201 (Hurnard, 1969; Lacey, 2009). Yet while late medieval charters of pardon – including those granted by the English kings – were usually brief and formulaic, French and Burgundian remission letters are remarkable documents because of their rich narrative and descriptive content. The preamble of each letter indeed developed an argumentation to support the monarch's decision, which was in fact a copy of the petition or supplication (*'supplique'*) submitted by the pardon recipient, who narrated his crime and explained the reasons why he deserved to be pardoned.

Because of the abundance of their narrative content, remission letters are considered as a source of major importance for the history of late medieval justice, violence, and social conflicts: they allow medievalists to study the transcripts of petitions produced by the 'silent masses' (Würgler, 2002). Remission letters first encountered the interest of social historians who saw in these sources 'a spontaneous, living, and sometimes confused testimony, whose human authenticity appears when reading it' (Bourin and Chevalier, 1981: 246). Natalie Zemon Davis' *Fiction in the Archives* (1987) has however been decisive for the development of a critical attitude vis-à-vis the content of remission letters. The crime stories preserved in remission letters were copied from the petitions submitted by the future pardon beneficiaries. These petitions were not neutral observations, but rather constructed narratives combining the self-indulgent testimonies of the petitioners with the legal and

² Though remission letters can be found in other series. See, for example, Beaulant (2015, 2018: 19–69); Dominé-Cohn (2012); Pégeot, Derniame, and Hénin (2013).

rhetorical expertise of chancery clerks and lawyers who helped them to elaborate their supplications. For Davis, these narratives therefore had fictional qualities in the sense that they were embellished stories designed to catch the monarch's pity and demonstrate that the crime of the petitioner was remissible. Following Davis' example, criminal justice historians thereafter developed a source-critical approach regarding the narratives of pardon letters, even though they have not given up on analysing these sources 'against the grain', in order to access the 'stories of ordinary people's habits, cultural assumptions, and social practices' as well as the 'customs, behaviors, and actions of often semiliterate people who left us no other forms of writing' (Arnade and Prevenier, 2015: 5). Scholars also developed a growing interest for the petitioning practices in general (Heerma van Voss, 2002; Dodd, 2007; Dodd, Musson, and Ormrod, 2009; Ormrod, 2009), examining the strategies of persuasion adopted by the petitioners who asked for a favour or the redress of an injustice (Dodd, 2011b; Smith and Killick, 2018). In many aspects, these recent works on petitioning are in line with the debates among criminal justice historians regarding the 'voices' of criminals preserved in legal records. They also offer some interesting perspectives on the construction of multiple discourses in the sources, resulting from the interactions between the petitioners and the clerks and legal advisors who helped them to elaborate their demand.

The aim of this article is to offer a re-examination of the crime stories preserved in late medieval pardon letters, considering the theoretical framework of the last 20 years on interpreting petitions and legal records. The research is based on a corpus of almost 1,000 remission letters granted by the king of France and the duke of Burgundy during the second part of the 15th century (Verreycken, 2018b), whose narrative preambles will be analysed to underline the petitioning strategies developed by the supplicants and their legal advisors in order to elaborate a narration supporting the demand for pardon. I will also compare these strategies with those adopted by the petitioners for pardon in late medieval England, in order to illustrate how the legal, institutional, and political context influenced the elaboration of the crime narratives.

The writing of petitions: A plurality of voices

Surely, the 14th and 15th centuries were 'an age of the petition par excellence' (Dodd and Petit-Renaud, 2015: 240), as every subject had the right to beg the sovereign for a grace, a favour, or the redressing of an injustice, whereas most decisions taken by the monarchs were initiated by a written request. Despite the popularity of petitioning in the late Middle Ages, a major obstacle for the study of these documents is that they only occasionally survived in the records. At the chanceries of the king of France and the duke of Burgundy, every petition for pardon that was accepted by the monarch was transcribed in the narrative preamble of the remission letter, after the formula of notification 'let it be known to all those present and to come that we have received the humble supplication of...' (*'savoir faisons a tous presens et a venir nous avoir receu l'umble supplicacion de...'*). However, no original petition survived for the medieval period, which suggests that it was destroyed after the charter of pardon was sealed and recorded in the *Trésor des chartes* or the *registres de l'audience*, or when the demand of the petitioner was rejected. It is only from the 16th century onwards that some petitions for pardon can be found in the Low Countries, in the archives of the Habsburg Privy Council and the Council of Brabant (Rousseaux and Mertens de Wilmars, 1999; Vrolijk, 2004). In comparison, the situation in the royal chancery of late medieval England was the opposite. Unlike French and Burgundian remission letters, English pardon letters did not contain a preamble based on the petition submitted by the supplicant. Every charter immediately began with the dispositive clauses of pardon: 'let it be known that by our special grace and our free will we have pardoned, remitted and acquitted [...]' (*'sciatis quod nos de gratia nostra speciali ac ex certa scientia et mero motu nostris pardonavimus, remisimus et relaxavimus'*). However, Helen Lacey (2018: 40) estimates that approximately 800 petitions for (or relating to) pardon from the 14th century survived in the so-called 'Ancient Petitions series' in the National Archives,³ and there are at least one hundred more to be found in the 15th century (Verreycken, 2018b: 140). In total, 900 petitions is a modest number

³ For more information on the Ancient Petitions series, see Dodd (2009).

considering that thousands of pardons were granted by the Crown every decade, but it allows to make some hypotheses on how the petitions were elaborated.

A petition for pardon had hypothetically at least two authors: the petitioner or supplicant, who elaborated a narrative of his crime based on his experience and his own interests, and a literate man, who was familiar with the norms of the chancery and transformed the supplicant's testimony into a written petition. The petitioner might also have sought the advice of lawyers or notaries to elaborate the arguments of his supplication (Davis, 1987: 15–25; Gauvard, 1997; Texier, 2014: 200–4). The study of original petitions in England and the Low Countries reveals that most of them were written by various experienced hands. Sometimes they also featured dialectal expressions, which indicate that they were not exclusively drafted by chancery clerks but also by local scribes or notaries who were consulted by the supplicant (Haskett, 1993; Vrolijk, 2004: 310–36; Killick, 2018). The language used in the petitions is a complex question that could not be discussed in the available space here, but it should be noted that a petition was not necessarily written in the native language of the petitioner, which again suggests that he could not elaborate his supplication alone. In England, most petitions were written in French until the third decade of the 15th century, when English became the dominant language of the royal administration (Dodd; 2011a), while the French chancery abandoned Latin in favour of French from the 1350s onwards (Lusignan, 2004: 121–22). In the Low Countries, French had been the language of the court of the dukes and the Burgundian administration since the late 14th century and so almost all remission letters were written in this language until 1477, when the 'Great Privilege' of Mary of Burgundy stipulated that every document issued by the chancery would be written in the language of its recipient. From that moment, 40 to 60 percent of the remission letters were written in Dutch or Flemish (Beaulant, 2018: 180–84; Verreycken, 2018b: 169–73; see also Boone, 2009).

The multiplication of contributors in the process of writing a petition raises a question of authorship regarding who elaborated the narrative of the crime. The first person responsible for composing a petition was the supplicant. In a society of orality and public performances of narrations, even the most unlearned petitioners

had some storytelling experience that allowed them to elaborate their narratives (Davis, 1987: 18–19; Texier, 2014: 202). The occasional presence of insults such as 'son of a bitch' (*'fils de putain'*) in some remission letters also illustrates the willingness of the petitioners to offer a direct account of the words they heard or pronounced, thus reinforcing the credibility of their testimony (Haemers and Demeyer, 2019). On the contrary, one can suppose that the legal vocabulary and the chancery formulae frequently used in the petitions were the results of the intervention of the clerks and scribes who assisted the supplicant. However, it may be possible that some of these technical arguments had been suggested by the petitioners themselves. Michael Clanchy's study of English records has challenged the idea of a strict separation between literacy and illiteracy in the late medieval period by showing that the ability to write was not limited to clergymen: knights, merchants, and even peasants were progressively implied in the 'written business', and so they developed some literacy skills (Clanchy, 2013 [1979]). Similarly, Anthony Musson has shown that there were various occasions when subjects could acquire some elementary knowledge of law (2001). As a letter patent, a pardon or remission letter was supposed to be read by anyone who asked to see the proof that the petitioner had been pardoned. Some charters may also have been displayed or read publicly (Petrowiste, 2004: 330; Lecuppre-Desjardin, 2010: 158). Therefore, the publicity of petitions and charters of pardon should not be neglected neither.

On the other hand, the clerks and scribes who received the testimonies of the supplicants and transcribed them may also have played an important role in the shaping of the crime narratives contained in petitions (Hurnard, 1969: 230–32; Gauvard, 1997). They were experienced writers, trained to the *ars dictaminis* – the rhetorical art of composing a letter – and they had access to chancery formularies that compiled examples of petitions and charters of pardon (Dodd, 2011b). In the Low Countries, the similarities between the narratives of the remission letters and the *Cent Nouvelles Nouvelles*, a collection of comic tales that echoes Boccaccio's *Decameron*, led several historians to suggest a reciprocal influence between the Chancery clerks in charge of receiving petitions and the writers at the court of the duke of Burgundy (Arnade and Prevenier, 2015: 15–18; Prevenier, 2017). Even though

it was the petitioners who gave the details about the contexts of the crimes they committed, chancery clerks may have suggested them how to elaborate their stories, which explains why many petitions for pardon and remission letters shared a similar structure and identical arguments (Musin and Nassiet, 2010). These documents resulted from 'an exchange among several people about events, points of law, and chancellery style' (Davis, 1987: 24) and so they must be analysed not as the direct transcription of the single 'voice' of the supplicant, but rather as collaboratively constructed narratives in which different discourses coexisted – which John Arnold (2001: 12) calls 'heteroglossia'.

Speeches of the Self

'[The petitioner] must put in the remission letter the truth about his case as it happened, without lying, as if he were confessing to God' (*'on doit mettre en la lettre de remission la verité du cas ainsi qu'il est, sanz en mentir ne que on feroit en se confessant a Dieu'*) (Guyotjeannin, Lusignan, and Frunzeanu, 2005: 425). By drawing a clear parallel between the confession to God and the petition for pardon to the monarch, Odart Morchesne's formulary illustrates both the political and the religious dimensions of the power to pardon, as a manifestation of the monarch's sovereign judicial authority and the application of the Christian idea of mercy. This remark by the chancery clerk also indicates that begging for a royal pardon was similar to an act of penance, which requires the absolute sincerity of the petitioner. Historians usually agree that petitioning generates a sort of 'knowledge of the self' (Delumeau, 1990: 7) as does the confession, in the sense that the petitioner has to introduce himself at the beginning of his supplication and create an autobiographical account on a dramatic episode of his life. In her contribution to this Special Collection, Lidia Luisa Zanetti Domingues (2019) demonstrates how the figure of the 'confessing self' elaborated by the petitioners and their legal advisors in 14th-century Sienna served as a rhetorical strategy based on the internalisation of the discourses of penance. In 14th- and 15th-century France, England, and the Burgundian Low Countries, it was sometimes required to the supplicant to perform an act of penance to obtain his pardon, especially when his crime was particularly horrible or when the victim's family was reluctant to make an arrangement with him (Moeglin, 1997:

230; Beulant, 2018: 313–17; Lacey, 2018: 61; Verreycken, 2018b: 356–58). Some petitioners also mentioned their regrets (*'est tres dolant et repentans'*)⁴ regarding their criminal actions (Texier, 2001). However, this discourse on the repentance of the supplicants remained occasional; most petitioners rather argued that they always had been good persons and that they were barely responsible for the crime they committed. Therefore, in this section I would like to discuss the rhetorical discourse of selfhood used by the French, Burgundian, and English petitioners, based on the construction of the figure of an 'ideal subject'.

Every petition for pardon began with a sentence in which the supplicant introduces himself to the prince or the king: 'Jehan Van Schenghen, squire, our subject born in our country of Zeeland' (*'Jehan Van Schenghen, escuier, notre subget natif de notre pais de Zellande'*);⁵ 'Jehanin Galand, young man to be married aged of around XXIII years, son of Guillem Galand, living in the city of Fontaines on the river of Somme' (*'Jehanin Galand jeune homme a marier aagé de XXIII ans ou environ, filz de Guillem Galand, demourant en la ville de Fontaines sur la riviere de Somme'*);⁶ 'John Bartelot of Tetsworth in your shire of Oxford, husbandman' (*'John Bartelot of Tettisworth in youre shire of Oxenford, husbondman'*).⁷ The subsequent lines of the petition, describing the crime committed by the petitioner, sometimes provided additional information on his life. For example, we learn from the remission letter obtained by Denis le Tavernier and Pierre Barillos in January 1472 that when they returned from military service in November 1471, they were dramatically impoverished; to survive, they were forced to enter the house of a priest by night and steal his goods.⁸ Jehan de Lesays, who was pardoned by Duke Charles the Bold in October 1467, was an officer and taxman of the abbot of Saint-Oyan in the county of Burgundy until he fought two brothers, both named Jehan Vauchier, who refused to pay the tax; during the scuffle he killed the older brother and then fled the county.⁹

⁴ ADN, B 1685 fol. 22r–23r.

⁵ ADN, B 1695 fol. 47r–v.

⁶ Archives Nationales [hereafter AN], JJ 195 fol. 98.

⁷ The National Archives [hereafter TNA], SC 8/181/9039.

⁸ AN, JJ 197 fol. 86 v.

⁹ ADN, B 1693 fol. 18 v.

It is usually admitted by historiography that pardoned criminality was mainly masculine: women rarely represented more than one percent of the petitioners (Arnade and Prevenier, 2015: 305; Gauvard, 1991: 300; Muchembled, 1989: 19; Paresys, 1998: 17). Though any subject from every strata of the medieval society could obtain a charter of pardon, most beneficiaries were labourers, artisans, or merchants. These petitioners frequently insisted on their state of poverty as a 'poor man of labour' (*'poure homme laboureur'*)¹⁰ or a 'poor young companion' (*'poure jeune compaignon'*).¹¹ Similarly, Richard Harrold wrote that he was an old man *'ifalle in to grete poverté'* because he served the king at war and was now in prison.¹² French and Burgundian petitioners frequently wrote at the end of their supplications that they fled to escape justice and were then living 'in strange marches and regions in great poverty and misery' (*'en estranges marches et contrees en grant poureté et misere'*).¹³ Yet this rhetoric of poverty referred to the moral situation of the petitioners as a supplicant and it did not reflect their levels of wealth (Gauvard, 1991: 400–2). Moreover, the purchase of a charter of pardon was very expensive: six *livres parisis* in France, six *livres tournois* in the Low Countries, and 16 pounds and four shillings in England. The petitioners also often had to make a financial arrangement with the victim party and, in the Low Countries, to pay a fine or *amende civile* to the ducal treasury (Hoareau, 2005: 226; Verreycken, 2014: 50, 215–16). Therefore, the petitioners who did not have a high standard of living could afford a royal or a princely pardon only with the financial support of their families. Nobility was usually overrepresented amongst the supplicants because of the politics of patronage and clientelism developed by the monarchs (Prevenier, 2010). Yet in France and the Burgundian Low Countries, noblemen rarely represented more than two percent of the pardon beneficiaries (Baatsen and De Meyer, 2014; Gauvard, 1991: 74; Muchembled, 1989: 39–40; Paresys, 1998: 28–29), whereas in England this proportion could reach almost 20 percent (Kesselring, 2003: 77). Finally, there were other social or professional categories that

¹⁰ AN, JJ 195 fol. 40.

¹¹ ADN, B 1693 fol. 76v–77.

¹² TNA, SC 8/304/15178.

¹³ ADN, B 1687 fol. 25r–v.

could be favoured by royal or princely mercy. Soldiers, for example, often reached ten to 20 percent of the pardon beneficiaries in periods of intense military activity (Villalon, 2013; Verreycken, 2018a; b).

In a pioneering article, historian Otto Ulbricht offered a critical analysis of early modern German petitions (*'Supplikationen'*) as 'ego-documents' that sometimes gave personal information on the petitioner who supposedly elaborated them (1996). Following Mary Fulbrook's and Ulinka Rublack's definition of ego-documents as a source 'providing an account of, or revealing privileged information about, the 'self' who produced it' (2010: 263), this concept can also be applied usefully to the preambles of remission letters. These narratives contained self-reflexive discourses by which the petitioners provided details on their lives, social backgrounds, and even their mentalities. While a lot of supplicants claimed that they had a good reputation (*'bonne vie, fame, renommee et honneste conversacion'*)¹⁴ or were in charge of women and children (*'chargé de femme et enffans'*),¹⁵ others explained that they had acted boldly because of their youth, 'as young people usually do' (*'par jeuneste et ainsi que jeunes gens font communement'*).¹⁶ Similarly, soldiers who petitioned for a pardon frequently detailed their military service and how they had suffered from war and by exposing their bodies to danger. See, for example, the beginning of the remission letter for Jehan Gremont, a French man-at-arms from the company of the marshal of France, Joachim Rouault:

es derrenieres guerres qui ont esté sur les marches de Picardie, ledit suppliant a esté tousiours en notre service en la compaignie de sondit maistre et s'est acquité loyaulment en notre service ou fait desdites guerres en telle maniere que luy estant en la compaignie de sondit maistre il fut navré en plusieurs lieux, mesmement d'un cop de fleche en la teste par ceulx tenans le party contraire, dont il a esté en grant dangier de sa personne [...].

[during the last wars in the marches of Picardy, the aforesaid supplicant was always in our service in the company of his master; and in our service he

¹⁴ ADB, B 1693 fol. 92r–93r.

¹⁵ ADN, B 1703 fol. 34v–35.

¹⁶ ADN, B 1681 fol. 47–49.

loyally went to the wars in such a way that, when he was in the company of his master, he was hurt in different parts of his body, including an arrow shot in his head by those who led the enemy party, because of which his person was in great danger.]¹⁷

Yet how could we trust these discourses on the self, considering they were elaborated by the petitioners and their advisors to support a demand for pardon? As Arnold argues, individuals who confessed and elaborated self-reflexive discourses in the context of a judicial process consciously or subconsciously endorsed the role attributed by the institution they faced (1998: 384). This does not mean that these discourses were a complete invention, because the individuals possessed a certain degree of agency in producing their speeches, but they nevertheless acted within the legal and moral categories of the institution (Laurendeau, 2010: 18–21). In the case of the pardoning process, petitioning before a king or a prince was first and foremost an act of submission before the monarch's authority in order to obtain his mercy. For Claude Gauvard, the 'self' described in a supplication was a *sujet idéal*, an idealized version of the petitioner as a humble and repentant subject ('*humblement requerant*', as it is frequently written at the end of the preambles of French remission letters) (Gauvard, 1991: 849–93). This concept is similar to what literary theorists call the '*persona*', the figure of the author as it is portrayed in self-descriptive texts (Cherry, 1998). For the petitioner, adopting the stereotype of the good subject to shape their *personae* was an absolute necessity to secure the monarch's sympathy and to make his case remissible. Petitioners who evoked their good reputation, poverty, youth, or military service knew that these were some of the qualities that facilitated the grant of a pardon (Beaulant, 2018: 306–13; Verreycken, 2014: 103–4, 228–33). A good example of this strategy of 'self-identification' (Brubaker, 2004: 41–42) to positive stereotypes is the remission letter obtained by the squire Jehan de Thiboutot in 1481. At the beginning of his supplication, de Thiboutot insisted on the fact that since an early age he had fought for the king and the *res publica* ('*pour le bien et utilité de nous*

¹⁷ AN, JJ 195 fol. 159.

et de la chose publique').¹⁸ In late medieval France, the *res publica* was a fundamental concept in the political theory of royal government, as an equivalent of the emerging state (Petit-Renaud, 2001: 72–79). But whereas the king regularly evoked the *res publica* in the preamble of his legislation, 15th-century pardon recipients rarely employed this concept. In the case of de Thiboutot's supplication, the use of this concept from royal propaganda followed the squire's agenda: he begged to be pardoned for the insults he pronounced against the king six years ago, which was assimilated to a crime of *lèse-majesté* (Hoareau-Dodinau, 1984). Did de Thiboutot truly view himself as a servant of the state and the community or was this a purely rhetorical argument to create a positive *persona*? Did the squire have the idea to mention the public thing in his petition or was this suggested by a clerk or legal advisor? Probably no one can answer these questions. What seems clear, however, is the fact that in this petition, the reference to the service to the *res publica* was a discourse of 'calculated conformity' (Scott, 1985: 241) used to balance the offence committed against royal majesty.

Narrating the crime: Making violence acceptable

Not all the crimes committed by late medieval people necessarily involved physical violence or bloodshed. Theft, insults, money counterfeiting, and even debt were condemned by law and justice and are well-documented in court and chancery records (Claustre, 2007; Prétou, 2011; Toureille, 2006). In England, there have been several attempts by the Commons to restraint the royal pardon, as when the 1328 statute of Northampton restricted royal pardon to homicides committed in self-defence or by accident, but three other statutes promulgated in 1330, 1336, and 1340 deplored that this measure was not enforced (*The Statutes of the Realm*, vol. 1, 1810: 257, 264, 275, 286). Similarly, in France, after Jean II was captured at the battle of Poitiers in 1356, the General Estates pressed the Dauphin to promulgate the 1357 royal ordinance in which he declared that he would no longer grant remission letters for murder, mutilation, ravishment or rape, arson, or breach of peace and safeguard

¹⁸ AN, JJ 209 fol. 92v.

(*Ordonnances des roys de France de la troisième race*, vol. 3, 1732: 129). Jean and his successors ignored this prescription and continued to pardon these crimes until the middle of the 16th century (Gauvard, 1991: 75). Even though there was theoretically no limit to the power to pardon, it appears that in late medieval France and the Burgundian Low Countries most pardoned crimes were homicides and assaults, and their presence in the records continuously increased until they exceeded 80 percent of cases from the 1450s onward (Muchembled, 1989; Gauvard, 1991; Paresys, 1998). Homicides also predominated in pardon letters in 13th- and 14th-century England, but it is more difficult to have a general picture of the pardoned criminality in the 15th century, for the Crown began to regularly grant pardons for general offences without specifying the crime committed by the petitioner in the charter.¹⁹

There have been numerous discussions among scholars on the reasons why late medieval monarchs privileged to pardon homicides rather than other categories of crimes. The most frequent explanation is that the power to pardon was used as a remedy for the 'rigor of justice' ('*voulans [...] misericorde preferer a rigueur de justice*' is a recurrent formula in the dispositive of remission letters). While legislation and customary law stipulated that any sort of homicide should be punished by death, those committed under mitigating circumstances such as self-defence or accident were considered more acceptable. The king or the prince, unlike his justices, could base his judgment on the notions of equity and mercy or be inspired by the principles of Roman law according to which the will to harm (the '*dol*') predominates. Therefore, he preferably granted his pardon for accidental homicide or in self-defence because it avoided an injustice caused by an overly strict application of law.²⁰ This procedure was particularly routinized in England, for royal justice had the possibility to condemn someone for excusable homicide and then recommend him for a pardon '*de cursu*' or

¹⁹ These 'global' pardons represented around 39 percent of individual charters of pardon in the time of Edward IV (Verreycken, 2018b: 371). They continued to predominate under Henry VII and until the early years of the reign of Henry VIII. According to Kesselring (2003: 76), they represented 16 percent of individual charters of pardon during the total Tudor period (1485–1503).

²⁰ On the notion of equity as an exception to common law at the English court of Chancery, see also Klinck (2010: 13–40).

'of course' (Green, 1976; Lacey, 2009: 21–22). The monarchs thus used their power to pardon as an instrument of social control in order to distinguish acceptable forms of violence that were legally condemned but socially accepted, and unacceptable forms of violence that were considered as inexcusable by both law and society (Gauvard, 2005: 264–82).

We have seen that petitions for pardon are carefully constructed narratives complying both legal and diplomatic requirements. The first obligation for any supplicant was to provide an accurate description of the crime for which he or she asked forgiveness. In France, the *ordonnance cabochienne* of 1413 stipulated that petitioners 'must express to us and our counsel the case of their request [...] [and] the manner, quality, circumstance of the offences' ('ilz expriment bien au long à nous et à nostre conseil le cas duquel ils nous feront la requeste, [...] la manière, qualité, circonstance des délitz') (Coville, 1891: 142). French and Burgundian petitions for pardon therefore usually offer a detailed account of the context of the crime, following the basic three-act structure of a story.

Firstly, the supplicant began with an exposition establishing the context of the crime: 'during the year one thousand four hundred and fifty one, when the aforesaid supplicant was at the *ducasse* and festival of the city and parish of the metier of Dudzele' ('en l'an mil quatrecent cinquante et ung ainsi que ledit suppliant estoit a la ducasse et feste de la ville et paroisse du mestier de Dudseelle').²¹ In this part, he generally explained that he was not looking for trouble until a particular incident had caused a problem or conflict. In the case of a homicide, the source of this conflict was usually the victim himself, who provoked a dispute or attacked the supplicant: 'the aforesaid Big Jehan came promptly in that house and had very rigorous words against the aforesaid supplicant' ('dans laquelle maison icelluy Grant Jehan vint incontinent et print parolles tres rigoureuses a l'encontre dudit suppliant').²² If the petition concerned a theft, it was the supplicant who found himself impoverished and/or found an opportunity to steal something: 'the aforesaid supplicant joined a

²¹ ADN, B 1686 fol. 26v–27r.

²² AN, JJ 206 fol. 71v.

man named Jehan Mutant, in order to find a way to earn money and pay the debts he could not afford' (*'ledit suppliant s'est acompaigné avecques ung nommé Jehan Mutant afin de trouver façon d'avoir argent et pour paier aucunes debtes qu'il devoit et n'avoit de quoy paier'*).²³

The second part of the story narrated the confrontation of the supplicant with this problem, which, in the case of a homicide, usually took the form of the description of a deadly scuffle: 'the aforesaid Boucant and two other companions drew their swords against them, looking like they wanted to kill them, so that the aforesaid supplicants were forced to defend themselves' (*'lesdits Boucant et autres deux compaignons tirerent leurs espees sur eulx, faisant maniere de les vouloir tuer, tellement que lesdits supliants furent contrains d'eulx deffrendre'*).²⁴ Supplicants usually insisted on the fact that they acted in self-defence (*'en soy defendant'* or *'pour se defendre'*)²⁵ or by anger (*'de chaulde cole et par temptacion de l'ennemy'*).²⁶ They were provoked by the victims who insulted them and offended their honour (*'pour ce qu'il avoit esté oultraigieusement injurié de rudes et grosses parolles'*).²⁷

Finally, the third act described the consequences of the crime, such as the death of the victim: 'he drew a knife he was carrying and hit the aforesaid Estienne on the thigh, because of which blow he ended his life' (*'par chaulde coule il tira ung cousteau qu'il avoit et en frappa icellui Estienne en la cuisse, duquel coup il a terminé vie par mort'*).²⁸ Moreover, most supplicants concluded their stories by saying how they ran away or where they had been captured by local justice, before they submitted their supplications to the prince or the king: 'because of which case the aforesaid supplicant, fearing the rigour of justice, fled the city of Puycerdan and he would not dare reside there unless our grace and mercy be imparted to him, which he humbly beseeches' (*'a l'occasion duquel cas ledit suppliant, doubtant rigueur de justice, s'est*

²³ AN, JJ 206 fol. 30v–31r.

²⁴ ADN, B 1695 fol. 38r–v.

²⁵ AN, JJ 195 fol. 32, 273v.

²⁶ ADN, B 1693 fol. 20v–21.

²⁷ ADN, B 1694 fol. 3v–4v.

²⁸ ADN, B 1693 fol. 57r–v.

absenté de ladite ville de Puyssardin et n'y oseroit converser se notre grace et misericorde ne lui estoient sur ce imparties, humblement requerant iceulx'.²⁹

In comparison to French and Burgundian remission letters, English pardon letters were formulaic documents that did not contain any narrative preamble. However, they employed a rich vocabulary to qualify the crime committed by the petitioner – murder (*murder*), homicide (*homicidium*), trespass (*transgressio*), offence (*offensa*), misprision (*mesprisio*), forfeiture (*forisfactura*), etc. In contrast, French and Burgundian remission letters usually referred to the offence itself simply as 'the aforesaid case'. This difference was due to specificity of the English common law and legal system, wherein a significant part of the criminal procedure was dedicated to the legal qualification of the nature of the infraction itself. As such, the Crown's decision to grant or not to grant a pardon letter was partially based on a legal analysis of the category of crime committed by the supplicant (Green, 1976; Texier, 2014).

The few surviving original petitions for pardon in late medieval England were rarely more detailed than the charters of pardon. For example, Nicholas de Bolton asked the king: 'may please your good grace to grant him a charter of pardon for the ravishment of Elianore de Merten he committed' (*'vous plese de votre bonne grace lui granter chartre de pardon del ravissement de Elianore de Merten qui feust faite par asseut de lui'*).³⁰ John Dixon required a pardon because 'in the city of Egremont he felonously killed John Lyster' (*'en la ville de Egremont felonusement occist John Lyster'*).³¹ English petitioners frequently used rhetorical strategies similar to those employed in France or the Burgundian principalities, like Philip Amotesham who argued that he accidentally shot Thomas Ingram without malice aforethought (*'encontre la volunté de mesme le Philip et non pas par malice prepensee'*),³² whereas William Laweles claimed he killed William Belle in self-defence.³³ Similarly, John Hamely invoked that he was wrongly indicted by his enemies for the rape of Joan

²⁹ AN, JJ 207 fol. 89 v–90 r.

³⁰ TNA, SC 8/179/8926.

³¹ TNA, SC 8/231/11503.

³² TNA, SC 8/255/12728.

³³ TNA, SC 8/123/6137.

Soor ('*endité et retté torceneusement par enemyte du rapt Johane la femme Rauf Soor*').³⁴ These arguments 'tended to be short and to the point' (Lacey, 2018: 46), and only occasionally a petition developed a narration similar to those from French and Burgundian supplications. The best example for this is Roger Skrowe's petition submitted around 1471. After introducing himself to the monarch, Skrowe explained that he was commissioned by William Lynel, constable of Hanslope, to cease a riot between several persons ('*William Lynell, thanne your high constable there, and seyng the seid ryot and afray called your besecher with other and comaunded theym to wayte uppon hym for to goo to the seid riotous persones and ceasse them in kepyng of your peas*'). His opponents, however, resisted him and during the scuffle one of the rioters was killed ('*at which comyng to the seid riotous persones they would not obey your lawes but of their froward and croked disposicion and malice made asaulte uppon the seid constable and your besecher [...] soo that in that same assaulte oon of the seid riotous persones was hurte and thereby died*').³⁵

Although French, Burgundian, and English petitions for pardon offered embellished crime stories shaped by rhetorical strategies, one should not conclude that these documents were entirely fictional. When the royal or ducal council received a petition for pardon, they sometimes commissioned a local officer to make an inquiry in order to check the supplicant's statements when it was suspicious. Moreover, in France and in the Burgundian principalities, once a remission letter was granted, it had to be endorsed by a local justice. The '*entérinement*' or ratification trial led to a second inquiry and the victim's party could refute the contents of the remission letter. A letter that was found '*subreptice et obreptice*' (fallacious and concealing) was rejected by the court, the pardon was nullified, and the criminal prosecution of the supplicant could start again.³⁶ In that sense,

³⁴ TNA, SC 8/227/11320.

³⁵ TNA, SC 8/251/12527.

³⁶ For examples of ratification trials in which the victim party or the witnesses contested the content of a remission letter, see Arnade and Prevenier (2015: 173–221) and Beulant (2018: 485–90). A similar procedure existed in late medieval England, where every pardon letter should be proclaimed by a local court, after the beneficiary had made an arrangement with the victim's party. However, the justice had no power to reject the royal pardon except when it suspected the charter to be falsified or the beneficiary to be an impostor (Hurnard, 1969: 59–66; Lacey, 2009: 25, 91).

people who petitioned for mercy could embellish their stories in order to make their cases pardonable, but they had no interest in making a false testimony when they wrote their supplications, because they risked seeing their demands rejected, or their remission letter cancelled. Therefore, we can consider with Pierre Braun that the narratives in the remission letters were a 'dressing of the truth' that fit with the social and legal norms of pardonable violence, but was also provable in court (Braun, 1984: 209; see also Beaulant, 2018: 309). Once a remission letter was granted and ratified, the petitioner's testimony became the judicial truth. From the criminal historian's point of view, this story, even if it was not completely accurate, contained information about how social interactions were perceived through a certain culture of violence and honour. As a performative legal document, its content can also be interpreted as an indication of how the supplicant elaborated a discourse to exonerate himself while facing royal or princely justice. The 'voice' of the petitioner, affected by the intervention of clerks and lawyers who gave him advice, was the product of a legal context and a formulaic language that must be studied on its own.

Conclusion

'Crimes and criminals, as well as their policing and detection, are themselves rooted firmly in narrative', criminal historians Anne-Marie Kilday and David S. Nash (2017: 3) have recently written. This statement is appealing for scholars investigating pardon letters and petitions for pardon: these sources are supplications that required the petitioners to develop a storytelling based on legal and social stereotypes in order to make their cases pardonable. The preamble of the French and Burgundian remission letters, as well as the English petitions from the Ancient Petition series, are the products of the codified interactions between rulers and ruled. As such, they were not the neutral depiction of the deeds of the supplicants, but a complex argumentation based on rhetorical and legal strategies inspired by epistolary manuals and chancery formularies. Reading these sources 'against the grain', through the filter of a legally constructed narrative, allows historians to partially access to the social realities of the past. But examining how and why this narrative was elaborated also offers a chance:

to see as far as possible how people worked their way through dimensions of norms and relationships, through conflicting demands, ambivalent fears and other emotions, how men and women gave these meaning, what narrative forms this took and what this meant in a particular context (Fulbrook and Rublack, 2010: 271).

In that sense, I agree with the conclusions of Tomislav Popić (2019) in his contribution to the present Special Collection about the simplification of realities in late medieval civic court records from Dalmatian cities, which is to say that scholars must consider the interests of both power holders and litigants when reading legal records. The discourses they preserve are the products of the interactions between individuals and institutions. They tell us as much about the agency of the individuals who elaborated them as the legal, administrative, and ideological context in which they were produced.

Acknowledgements

This article has been a long time in the making. It was originally presented as a draft paper at the very stimulating workshop organized at Durham University in June 2017 by Jamie Page and Frans Camphuijsen. It probably would not have been finished without the patience and guidance of Jamie and Frans, from which I am very grateful. I would also like to thank the anonymous readers and editorial staff of the *Open Library of Humanities* journal for their constructive comments on this article, as well as the Belgian Fund for Scientific Research – FNRS and the Belgian American Educational Foundation for their generous research support.

Competing Interests

The author has no competing interests to declare.

References

- Arnade, P** and **Prevenier, W** 2015 *Honor, Vengeance, and Social Trouble. Pardon Letters in the Burgundian Low Countries*. Ithaca: Cornell University Press.
- Arnold, J H** 1998 The Historian as Inquisitor: The Ethics of Interrogating Subaltern Voices. *Rethinking History: The Journal of Theory and Practice*, 2(3): 379–386. DOI: <https://doi.org/10.1080/13642529809408974>

- Arnold, J H** 2001 *Inquisition and Power. Catharism and the Confessing Subject in Medieval Languedoc*. Philadelphia: University of Pennsylvania Press. DOI: <https://doi.org/10.9783/9780812201161>
- Baatsen, I and De Meyer, A** 2014 Forcing or Reflecting Multiple Identities? Analyzing Processes of Identification in a Sample of Fifteenth-Century Letters of Remission from Bruges and Mechelen. In: Soen, V, Junot, Y and Mariage, F (Eds.), *L'identité au pluriel. Jeux et enjeux des appartenances autour des anciens Pays-Bas (14^e–18^e siècles)*. Villeneuve-d'Ascq: Revue du Nord. pp. 23–38.
- Beulant, R** 2015 Fonction et usage de la lettre de rémission chez les ducs de Bourgogne à la fin du Moyen Âge. *Annales de Janua*, 3.
- Beulant, R** 2018 *Les lettres de remission des ducs de Bourgogne. Étude sur les normativités sociales, politiques et juridiques*. Unpublished thesis (PhD), Université de Bourgogne-Franche-Comté.
- Boone, M** 2009 Langue, pouvoirs et dialogue. Aspects linguistiques de la communication entre les ducs de Bourgogne et leurs sujets flamands (1385–1505). *Revue Du Nord*, 379(1): 9–33. DOI: <https://doi.org/10.3917/rdn.379.0009>
- Bourin, M and Chevalier, B** 1981 Le comportement criminel dans les pays de la Loire moyenne, d'après les lettres de rémission (vers 1380–vers 1450). *Annales de Bretagne et des pays de l'Ouest*, 88(3): 245–263. DOI: <https://doi.org/10.3406/abpo.1981.3050>
- Braun, P** 1984 La valeur documentaire des lettres de rémission. In *La faute, la répression et le pardon. Actes du 107^e congrès national des sociétés savantes, section de philologie et d'histoire jusqu'à 1610 (Brest, 1982)*. Paris: Comité des travaux historiques et scientifiques. pp. 207–221.
- Brubaker, R** 2004 *Ethnicity without Groups*. Cambridge: Harvard University Press.
- Cherry, R D** 1998 Ethos Versus Persona. *Written Communication*, 15(3): 384–410. DOI: <https://doi.org/10.1177/0741088398015003009>
- Clanchy, M T** 2013 [1979] *From Memory to Written Record: England 1066–1307*. Malden: Wiley-Blackwell.
- Claustre, J** 2007 *Dans les geôles du roi: l'emprisonnement pour dette à Paris à la fin du Moyen Age*. Paris: Publications de la Sorbonne.

- Coville, A** 1891 *L'ordonnance cabochienne (26–27 mai 1413)*. Paris: Picard.
- Davis, N Z** 1983 *The Return of Martin Guerre*. Cambridge, Massachusetts: Harvard University Press.
- Davis, N Z** 1987 *Fiction in the Archives. Pardon Tales and their Tellers in Sixteenth-Century France*. Cambridge: Polity.
- Delumeau, J** 1990 *L'aveu et le pardon. Les difficultés de la confession. XIII^e–XVIII^e siècle*. Paris: Fayard.
- De Vivo, F** 2013 Cœur de l'État, lieu de tension. Le tournant archivistique vu de Venise (XV^e–XVII^e siècle). *Annales. Histoire, Sciences Sociales*, 68(3): 699–728. DOI: <https://doi.org/10.1017/S0395264900016048>
- Derrida, J** 1996 *Archive Fever: A Freudian Impression*. Chicago: University of Chicago Press. DOI: <https://doi.org/10.2307/465144>
- Dodd, G** 2007 *Justice and Grace. Private Petitioning and the English Parliament in the Late Middle Ages*. Oxford: Oxford University Press.
- Dodd, G** 2009 Parliamentary Petitions? The Origins and Provenance of the 'Ancient Petitions' (SC 8) in the National Archives. In: Dodd, G, Musson, A and Ormrod, M W (Eds.), *Medieval Petitions: Grace and Grievance*. York: York Medieval Press, University of York. pp. 12–46.
- Dodd, G** 2011a The Rise of English, the Decline of French: Supplications to the English Crown, c.1420–1450. *Speculum*, 86(1): 117–150. DOI: <https://doi.org/10.1017/S0038713410003507>
- Dodd, G** 2011b Writing Wrongs: the Drafting of Supplications to the Crown in Later Fourteenth-Century England. *Medium Aevum*, 80(2): 217–246. DOI: <https://doi.org/10.2307/43632872>
- Dodd, G, Musson, H and Ormrod, W M** (Eds.) 2009 *Medieval Petitions: Grace and Grievance*. York: York Medieval Press, University of York.
- Dodd, G and Petit-Renaud, S** 2015 Grace and Favour: the Petition and Its Mechanisms. In: Fletcher, C, Genet, J P and Watts, J (Eds.), *Government and Political Life in England and France, c.1300–c.1500*. Cambridge: Cambridge University Press. pp. 241–278.

- Dominé-Cohn, D** 2012 Formules et formulation du pouvoir dans le duché de Bretagne: les lettres de rémission duciales de Charles de Blois et Jean IV de Bretagne, ducs de Bretagne. In: Louvriot, É (Ed.), *La formule au Moyen Âge*. Turnhout: Brepols. pp. 219–230. DOI: <https://doi.org/10.1484/M.ARTEM-EB.4.00091>
- Foucault, M** 1972 [1969] *The Archaeology of Knowledge*. London: Tavistock Publications.
- François, M** 1942 Note sur les lettres de rémission transcrites dans les registres du Trésor des chartes. *Bibliothèque de l'École des chartes*, 103(1): 317–324. DOI: <https://doi.org/10.3406/bec.1942.449287>
- Fulbrook, M** and **Rublack, U** 2010 In Relation: the 'Social Self' and Ego-Documents. *German History*, 28(3): 263–272. DOI: <https://doi.org/10.1093/gerhis/ghq065>
- Gauvard, C** 1991 *'De grace especial'. Crime, État et société en France à la fin du Moyen Âge*. Paris: Publications de la Sorbonne.
- Gauvard, C** 1997 Les clercs de la Chancellerie royale française et l'écriture des lettres de rémission aux XIV^e et XV^e siècles. In: Fianu, K and Guth, D J (Eds.), *Écrit et pouvoir dans les chancelleries médiévales: espace français, espace anglais (Actes du colloque international de Montréal, 7–9 septembre 1995)*. Louvain-la-Neuve: FIDEM. pp. 281–291. DOI: <https://doi.org/10.1484/M.TEMA-EB.4.00546>
- Gauvard, C** 2005 *Violence et ordre public au Moyen Âge*. Paris: Picard. DOI: <https://doi.org/10.3917/pica.gauva.2005.01>
- Gauvard, C** and **Jacob, R** (Eds.) 2000 *Les rites de la justice: gestes et rituels judiciaires au Moyen Âge*. Paris: Le Léopard d'or.
- Ginzburg, C** 1980 [1976] *The Cheese and the Worms: The Cosmos of a Sixteenth-Century Miller*. Baltimore: Johns Hopkins University Press.
- Goodich, M** (Ed.) 2006 *Voices from the Bench: The Narratives of Lesser Folk in Medieval Trials*. New York: Palgrave Macmillan.
- Green, T A** 1976 The Jury and the English Law of Homicide, 1200–1600. *Michigan Law Review*, 74: 413–499. DOI: <https://doi.org/10.2307/1287900>

- Guyotjeannin, O, Lusignan, S, and Frunzeanu, E** (Eds.) 2005 *Le formulaire d'Odart Morchesne dans la version du ms BnF fr. 5024*. Paris: École des Chartes.
- Haemers, J and Demeyer, A** 2019 Le cri du rebelle, le cri du criminel. Slogans, insultes et langage des 'malfaiteurs' dans les villes des Pays-Bas méridionaux, XIV^e–XVI^e siècles. *Histoire, Économie & Société*, 37(1): 15–31. DOI: <https://doi.org/10.3917/hes.191.0015>
- Haskett, T S** 1993 County Lawyers? The Composers of the English Chancery Bills. In: Birks, P (Ed.), *The Life of the Law: Proceedings of the Tenth British Legal History Conference, Oxford, 1991*. London: Hambledon. pp. 9–23.
- Head, R C** 2007 Mirroring Governance: Archives, Inventories and Political Knowledge in Early Modern Switzerland and Europe. *Archival Science*, 7(4): 317–329. DOI: <https://doi.org/10.1007/s10502-008-9062-1>
- Heerma van Voss, L** (Ed.) 2002 *Petitions in Social History*. Cambridge: Cambridge University Press. DOI: <https://doi.org/10.1017/CBO9780511550164>
- Hoareau, J** 2005 Argent et miséricorde. Les amendes dans les lettres de rémission des rois de France à la fin du Moyen Âge. In: Garnot, B (Ed.), *Justice et Argent: les crimes et les peines pécuniaires du XIII^e au XXI^e siècle*. Dijon: Éditions de l'université de Dijon. pp. 225–236.
- Hoareau-Dodinau, J** 1984 Les injures au roi dans les lettres de rémission. In *La faute, la répression et le pardon. Actes du 107^e congrès national des sociétés savantes, section de philologie et d'histoire jusqu'à 1610 (Brest, 1982)*. Paris: Comité des travaux historiques et scientifiques. pp. 223–240.
- Hurnard, N D** 1969 *The King's Pardon for Homicide before A.D. 1307*. Oxford: Clarendon Press.
- Kesselring, K J** 2003 *Mercy and Authority in the Tudor State*. Cambridge: Cambridge University Press. DOI: <https://doi.org/10.1017/CBO9780511495854>
- Kilday, A M and Nash, D** 2017 Introduction. In: Kilday, A M and Nash, D (Eds.), *Law, Crime and Deviance since 1700. Micro-Studies in the History of Crime*. London and New York: Bloomsbury. pp. 1–15.
- Killick, H** 2018 The Scribes of Petitions in Late Medieval England. In: Smith, T W and Killick, H (Eds.), *Petitions and Strategies of Persuasion in the Middle Ages*.

The English Crown and the Church, c.1200–c.1550. York: York Medieval Press. pp. 64–87.

Klinck, D R 2010 *Conscience, Equity and the Court of Chancery in Early Modern England*. Farnham: Ashgate.

Lacey, H 2009 *The Royal Pardon: Access to Mercy in Fourteenth-Century England*. York: York Medieval Press, University of York.

Lacey, H 2018 Petitioners for Royal Pardo in Fourteenth-Century England. In: Smith, T W and Killick, H (Eds.), *Petitions and Strategies of Persuasion in the Middle Ages. The English Crown and the Church, c.1200–c.1550*. York: York Medieval Press. pp. 40–63.

Laurendeau, D 2010 Le village et l'inquisiteur. Faire parler et savoir taire au tribunal d'Inquisition de Pamiers (1320–1325). *Histoire & Sociétés Rurales*, 34(2): 13–52.

Lecuppre-Desjardin, É 2010 Des portes qui parlent: placards, feuilles volantes et communication politique dans les villes des Pays-Bas à la fin du Moyen Âge. *Bibliothèque de l'École des chartes*, 168(1): 151–172. DOI: <https://doi.org/10.3406/bec.2010.464015>

Le Roy Ladurie, E 1980 [1975] *Montaillou: Cathars and Catholics in a French Village, 1294–1324*. London: Penguin.

Lusignan, S 2004 *La langue des rois au Moyen Âge: le français en France et en Angleterre*. Paris: PUF.

McSheffrey, S 2008 Detective Fiction in the Archives: Court Records and the Uses of Law in Late Medieval England. *History Workshop Journal*, 65: 65–78. DOI: <https://doi.org/10.1093/hwj/dbm068>

Moeglin, J M 1997 Pénitence publique et amende honorable au Moyen Age. *Revue Historique*, 298(2): 225–269.

Muchembled, R 1989 *La violence au village. Sociabilité et comportements populaires en Artois du XV^e au XVII^e siècle*. Turnhout: Brepols. DOI: <https://doi.org/10.1484/M.VISO-EB.5.112382>

Musin, A and Nassiet, M 2010 Les récits de rémission dans la longue durée. Le cas de l'Anjou du XV^e au XVIII^e siècle. *Revue d'histoire moderne et contemporaine*, 57(4): 51–71. DOI: <https://doi.org/10.3917/rhmc.574.0051>

- Musson, A** 2001 *Medieval Law in Context: The Growth of Legal Consciousness from Magna Carta to the Peasants' Revolt*. Manchester: Manchester University Press.
- Ordonnances des roys de France de la troisième race** 1732–1849. 22 vols. Paris: Imprimerie royale.
- Ormrod, W M** 2009 The Language of Complaint: Multilingualism and Petitioning in Later Medieval England. In: Wogan-Browne, J (Ed.), *Language and Culture in Medieval Britain: the French of England c.1100–c.1500*. York: York Medieval Press. pp. 31–43.
- Paresys, I** 1998 *Aux marges du royaume. Violence, justice et société en Picardie sous François I^{er}*. Paris: Publications de la Sorbonne. DOI: <https://doi.org/10.4000/books.psorbonne.2598>
- Pégeot, P, Derniame, O and Hénin, M** (Eds.) 2013 *Les lettres de rémission du duc de Lorraine René II (1473–1508)*. Turnhout: Brepols. DOI: <https://doi.org/10.1484/M.ARTEM-EB.5.105715>
- Petit-Renaud, S** 2001 *'Faire Loy' au royaume de France: de Philippe VI à Charles V (1328–1380)*. Paris: de Boccard.
- Petrowiste, J** 2004 *À la foire d'empoigne: foires et marchés en Aunis et Saintonge au Moyen Age, vers 1000 – vers 1550*. Toulouse- Jonzac: Université de Toulouse-Le Mirail/Université francophone d'été Saintonge-Québec.
- Popić, T** 2019 Traces of the Past and Social Realities: Late Medieval Court Records from Dalmatian Cities. *Open Library of Humanities*, 5(1): 33, pp. 1–17. DOI: <https://doi.org/10.16995/olh.368>
- Prétou, P** 2011 Pierre Chommeliz, faux-monnayeur du désastre, au milieu du XV^e siècle. *Criminocorpus*. URL: <http://criminocorpus.revues.org/465>.
- Prevenier, W** 2010 The Two Faces of Pardon Jurisdiction in the Burgundian Netherlands. A Royal Road to Social Cohesion and an Effectual Instrument of Princely Clientelism. In: Hoppenbrouwers, P C M, Janse, A and Stein, R (Eds.), *Power and Persuasion. Essays on the Art of State Building in Honour of W.P. Blockmans*. Turnhout: Brepols. pp. 177–195. DOI: <https://doi.org/10.1484/M.STMH-EB.3.2425>

- Prevenier, W** 2017 L'hypothèse d'une transtextualité entre les lettres de rémission des ducs de Bourgogne et la littérature de fiction du XV^e siècle. In: Delsalle, P, Docquier, G, Marchandise, A and Schnerb, B (Eds.), *Pour la singulière affection qu'avons a luy. Études bourguignonnes offertes à Jean-Marie Cauchies*. Turnhout: Brepols. pp. 373–380. DOI: <https://doi.org/10.1484/M.BURG-EB.5.113932>
- Rousseaux, X** and **Mertens de Wilmars, É** 1999 'Concurrence' du pardon et 'politiques' de la répression dans les Pays-Bas espagnols au 16^e siècle. Autour de l'affaire Charlet, 1541. In: Hoareau-Dodinau, J, Rousseaux, X and Texier, P (Eds.), *Le pardon*. Limoges: Presses universitaires de Limoges. pp. 385–417.
- Schenk, D** 2013 "Archivmacht" und geschichtliche Wahrheit. In: Hering, R and Schenk, D (Eds.), *Wie mächtig sind Archive? Perspektiven der Archivwissenschaft*. Hamburg: Hamburg University Press. pp. 21–43. French translation by Forget P 2014 Pouvoir de l'archive et vérité historique. *Écrire l'histoire*, 13–14: 35–53. DOI: <https://doi.org/10.4000/elh.463>
- Scott, J C** 1985 *Weapons of the Weak: Everyday Forms of Peasant Resistance*. New Haven and London: Yale University Press.
- Smith, T W** and **Killick, H** (Eds.) 2018 *Petitions and Strategies of Persuasion in the Middle Ages. The English Crown and the Church, c.1200–c.1550*. York: York Medieval Press.
- Stoler, A L** 2009 *Along the Archival Grain: Epistemic Anxieties and Colonial Common Sense*. Princeton: Princeton University Press. DOI: <https://doi.org/10.1515/9781400835478>
- Texier, P** 2001 'Doulant et courroucié': les avatars de la culpabilité dans les lettres de rémission du XIV^e siècle. In: Hoareau-Dodinau, J and Texier, P (Eds.), *La culpabilité: actes des XX^{ème} Journées d'histoire du droit*. Limoges: Presses universitaires de Limoges. pp. 481–93.
- Texier, P** 2014 La part de l'ombre de la rémission. Remarques sur les requêtes en rémission et leurs rédacteurs. In: Péricard, J (Ed.), *La part de l'ombre. Artisans du pouvoir et arbitres des rapports sociaux (VIII^e–XV^e siècles)*. Limoges: Presses universitaires de Limoges. pp. 182–206.

- The Statutes of the Realm*** 1810–1828. 11 vols. London: Dawsons of Pall Mall.
- Tourelle, V** 2006 *Vol et brigandage au Moyen Âge*. Paris: PUF. DOI: <https://doi.org/10.3917/puf.toure.2006.01>
- Ulbricht, O** 1996 Supplikationen als Ego-Dokumente. Bittschriften von Leibeigenen aus der ersten Hälfte des 17. Jahrhunderts als Beispiel. In: Schulze, W (Ed.), *Ego-Dokumente. Annäherung an den Menschen in der Geschichte*. Berlin: Akademie Verlag, pp. 149–174.
- Verreycken, Q** 2014 *'Pour nous servir en l'armée'. Le gouvernement et le pardon des gens de guerre sous Charles le Téméraire, duc de Bourgogne (1467–1477)*. Louvain-la-Neuve: Presses universitaires de Louvain.
- Verreycken, Q** 2018a Discipliner par la grâce. Les lettres de rémission aux gens de guerre dans l'État bourguignon au XV^e siècle. *Crime, History & Societies*, 22(1): 5–32. DOI: <https://doi.org/10.4000/chs.2113>
- Verreycken, Q** 2018b *L'État de grâce. Guerre et usage du pardon en Angleterre, France et anciens Pays-Bas au XV^e siècle*. Unpublished thesis (PhD), Université catholique de Louvain and Université Saint-Louis – Bruxelles.
- Verreycken, Q** 2019 The Power to Pardon in Late Medieval and Early Modern Europe: New Perspectives in the History of Crime and Criminal Justice. *History Compass*, e12575. DOI: <https://doi.org/10.1111/hic3.12575>
- Villalon, L J A** 2013 'Taking the King's Shilling' to Avoid 'the Wages of Sin': Royal Pardons for Military Malefactors during the Hundred Years War. In: Villalon, L J A and Kagay, D J (Eds.), *The Hundred Years War (Part III). Further Considerations*. Leiden and Boston: Brill. pp. 357–435. DOI: https://doi.org/10.1163/9789004245655_016
- Vrolijk, M** 2004 *Recht door gratie. Gratie bij doodslagen en andere delicten in Vlaanderen, Holland en Zeeland (1531–1567)*. Hilversum: Verloren.
- Walsham, A** 2016 The Social History of the Archive: Record-Keeping in Early Modern Europe. *Past & Present*, 230(11): 9–48. DOI: <https://doi.org/10.1093/pastj/gtw033>
- Würgler, A** 2002 Voices from among the 'Silent Masses': Humble Petitions and Social Conflicts in Early Modern Central Europe. In: Heerma Van Voss, L (Ed.),

Petitions in Social History. Cambridge: Cambridge University Press. pp. 11–34.

DOI: <https://doi.org/10.1017/CBO9780511550164.002>

Zanetti Domingues, L L 2019 Penitential Themes in 14th-Century Sieneese Petitions for Amnesty: How Can They Contribute to the Debate on the 'Voices' of Medieval Court Records? *Open Library of Humanities*, 5(1): 24, 1–30. DOI: <https://doi.org/10.16995/olh.330>

How to cite this article: Verreycken, Q 2019 'En nous humblement requerant': Crime Narrations and Rhetorical Strategies in Late Medieval Pardon Letters. *Open Library of Humanities*, 5(1): 62, pp. 1–31. DOI: <https://doi.org/10.16995/olh.389>

Published: 19 September 2019

Copyright: © 2019 The Author(s). This is an open-access article distributed under the terms of the Creative Commons Attribution 4.0 International License (CC-BY 4.0), which permits unrestricted use, distribution, and reproduction in any medium, provided the original author and source are credited. See <http://creativecommons.org/licenses/by/4.0/>.



Open Library of Humanities is a peer-reviewed open access journal published by Open Library of Humanities.

OPEN ACCESS The Open Access logo, which is a stylized padlock icon.