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‘Feloun’ and ‘Felonye’: Violence and Violent Crime in Chaucer’s *Canterbury Tales*

William Snell

Knytes kemyn fro Hendry Kyng

Wykkyd men, withoute lesying [lying]⁽¹⁾

The recorded details leave little to the imagination. It was early in the evening, some time after 5:00 p.m. of Tuesday, 29 December 1170. The place was the church of Canterbury; the victim, one Thomas Becket, archbishop, age 50. Death due to severe cranial lacerations. If eyewitness accounts are to be believed,⁽²⁾ four armed and belligerent men entered the building and an altercation took place. One of the assailants struck the victim between the shoulder blades with the flat of his sword, forcing him to relinquish his embrace of a pillar. Another of the attackers (either William de Traci, the youngest of the group, or Reginald FitzUrse, the leader) aimed another blow, which was intercepted by one of the archbishop’s acolytes in attendance, a master Edward Grim, who was wounded in the arm. Somehow the blow also wounded Becket who, proceeding to kneel down and offer his neck for execution, received another stroke of the sword to the upper body, prostrating him on the floor. A third man, a certain Richard le Breton, otherwise known as ‘Richard Brito’ or Robert ‘de Broc’, who had previously been excommunicated by Becket, raised his weapon and delivered the coup de grace by striking Becket across the skull with

such force that the blade broke the church pavement. He had cut off the crown of the archbishop's head. The last assailant, probably a disgruntled clerk named Hugh of Horsea or Hugh 'de Merville' (nicknamed 'Mauclerk'), placed a foot on Becket's neck and with the point of his sword proceeded to scrape out the victim's brains. Thus ended what has more recently been described as 'an instant eternity of evil and wrong'.⁽³⁾ As in so many modern-day crimes, some details are blurred, eyewitness accounts conflict. Yet what remains undisputed is that a heinous and violent murder was committed (unless, that is, one accepts the verdict of *felon de se* while of unsound mind, promoted by one of the characters in T. S. Eliot's dramatization of the event!); that it incurred a popular sense of outrage, that the perpetrators went unpunished, and that they were, with the exemption of perhaps one, of a particular social rank. Zealous defenders of peace, champions and upholders of principle and just cause these knights were not, although it might be suggested that they were perhaps over zealous in their behavior, or that they had even been provoked.

This aim of this paper, however, is not to address any controversy that might surround the demise of Thomas Becket. Rather, without reaching any forthright conclusions, I intend to highlight some ways in which grave crime, or 'felony', is treated in Chaucer's works: 'felonie of herte avysed and cast biforn, with wicked wil to do vengeance, and therto his resoun consenteth; and sothly this is deedly synne', to quote the Parson on the dangers of 'ire'.⁽⁴⁾ And also to examine how such crimes reflect on the knightly class, one which reveled in proud violence, the excesses of which for a long time were not prosecuted by the same mechanism that was employed against the lower orders; a law unto themselves who were all too frequently plunderers, bandits, and slayers. The subject of felony in medieval literature has been treated

before, notably by Richard Kaeuper, John Alford, and others.⁽⁵⁾ But I would like here to add some observations of my own with specific regard to the *Canterbury Tales*.

I would contend that the term 'felony' in Chaucer's time was essentially a fluid one, in that it would seem from the early Middle Ages to have been equated with wickedness and anger, cruelty, malice, treachery, deceit, revenge, ruthlessness and sin. Hence the variety of nuance that can be placed on the word as it appears in medieval English literature. More concretely it was a class of crime regarded by both Common and Statute law as of a graver character than those determined misdemeanors or trespass, encompassing the usually open crimes of homicide, rape, robbery (recognized as a capital offence in 1348), and gaol-breaking, and the more underhand ones of larceny, receiving, and arson, all of which could receive the death penalty (whereas trespass was usually punished with a fine). The term was, to quote Alan Harding, 'a vivid but imprecise word' which implied 'a certain venom, malice and premeditation in the felon'.⁽⁶⁾ John Alford, who has correlated the many references to felony in Langland, adds that the term was 'not used with great precision in the Middle Ages.'⁽⁷⁾ 'Moral' John Gower employs the term some 16 times in *Confessio Amantis*, a statistic which, if we consider that the poem comprises of over 30,000 lines, would hardly seem noteworthy. David Burnley has observed that the term is rarely used in Chaucer outside his translation of the *Consolation of Philosophy* (*Boece*), the frequency therein being a result of Jean de Meun's predilection for the word.⁽⁸⁾ There is no avoiding the French connection: in Nicholas Trivet's 'Life of Constance', in *Les Chroniques ecrites pour Marie d'Angleterre, fille d'Edward I*, which Chaucer probably drew upon for the Man of Law's Tale, he distinctly uses the term

‘feloun’ and ‘felonie’ repeatedly: ‘e ferri tiel coup en le haterel [neck; head] le feloun... e le feloun chai ebatu a la terre.’⁽⁹⁾ Chaucer, however, has recourse to the term only once in the story, when it is directly linked to the murder of Hermengyld:

‘If I be giltless of this felonye,
My socour be, for ellis shal I dye!’ [642-3]

But I would assert that despite the lexical rarity of the term in the *Canterbury Tales*, the concept is evident throughout. Indeed, we find a latent undercurrent of violence which extends to the society of the time, be it the Miller using his head as a battering ram or the throat-slitting of a schoolboy and casting of his body into a cesspit (the Prioress’s Tale).

In Langland’s *Piers Plowman* (B-Text)⁽¹⁰⁾ the phrase ‘falsely and feloniously’ is often employed, and Langland makes the observation that it was not customary to hang ‘an feloun / Ofter than ones, though he were a tretour’ (perhaps a reference to Edward III’s pardon of one survivor of the rope in 1363). We are also reminded more than once that ‘On Good Friday... a felon was ysaved / That had lyved al his lif with lesynges and with thefte’ through contrition (Passus X: 413-4 and Passus XII: 202), and given the advice that travel on horseback might be safer than on foot:

For Outlawe is in the wode and under bank loiteth
(Passus XVII: 104)

which would have been appreciated by pilgrims and is certainly one reason to account for Chaucer’s travelling in a group. Indeed, four-

teenth and fifteenth-century verses, charms and prayers against thieves confirm a general fear of attack :

Save vs lor bothe day and nyght
Fro al enemyes and from al thieves...⁽¹¹⁾

Pilgrimage was a great opportunity for thieves and villains, hence the widowed Knight de la Tour Landry's warning to his daughters to avoid pilgrimages 'as they would the plague' due to the dubious company one might meet. A statute of Richard II (12RII, cap.7) in 1388 decreed that all persons claiming to be pilgrims who could not produce specially stamped letters of approval, unless disabled or infirm, were to be arrested.⁽¹²⁾

There can be no denying that the Middle Ages was an overtly dangerous period in England's history. Lawrence Stone has suggested that medieval society was twice as violence prone as early modern English society,⁽¹³⁾ and L. O. Pike in his two-volume *History of Crime in England* of 1873 (Vol. I : 254-55) estimated that in the 1860s security of life was 18 times as great as in the so-called 'Age of Chivalry', based on 88 cases for 1348 in Yorkshire (although his population estimate was somewhat inaccurate). More recently Barbara Hanawalt has cautiously arrived at a pre-Black Death mortality figure of 35-50,000 population in England, with 5.2 - 3.6 homicides per year per 10,000 — a statistic so high that in medieval London or Oxford a citizen ran more risk of being killed by a fellow than in an accident.⁽¹⁴⁾ She makes the interesting observation that Sunday was the day of murder in medieval English society, usually in the evening between vespers and midnight, a 'pierce or cut' accounting for 73% of fatal deaths, knife wounds for 42%, and a staff for 27% : 'Medieval men routinely carried some sort of

knife or dagger on their persons' (cf. Simkin in the Reeve's Tale and his 'panade', 'knyf' and 'boidekyn'; and how serious are we to take the Host's boast in the Prologue to the Monk's Tale that 'I am perilous with knyf in honde' [1919]?). In London 61% of homicides were committed in the street.⁽¹⁵⁾ Seasonal changes can also be linked to increases in violent crime, Spring and Summer perhaps provoking tensions in the competition for food left over from the previous harvest. This is not to mention the stresses of overpopulation, such as in Oxford before the Black Death. Suffice to say that the dangers inherent in daily life are also brought out in Chaucer's writing: for example the Nun's Priest's Tale and in the Knight's reflection on Fortune (later echoed in the Prologue to the Monk's Tale) that

Som man desireth for to han richesse,
 That cause is of his mordre or greet sinesse ;
 And somde out of his prisoun fayn,
 That in his hous is of his meynee slayn. [1255-59]

John Bellamy notes that England was renown in late medieval Europe for its high rate of crime,⁽¹⁶⁾ and Gower would certainly have agreed with this view as is evident from one passage at least in *Vox Clamatis* (1382-84): 'This rough, pernicious people devises more treachery, crime, fighting, uproar, and harm than laws.'⁽¹⁷⁾ This does not mean that England was any more lawless than other countries. Indeed, Richard Kaeuper has stated that 'Extant English and French court records are distressingly similar in their numbing recitation of assault and ambush, robbery and murder, often accompanied by all the cruelty that men can inflict on other men.'⁽¹⁸⁾ But by 1390 it would appear that there was a significant increase in criminal deeds being committed, and especially

so under the protection of the magnates and richer gentry. Even though, as in present times, crime tended to manifest itself in waves, there is much more evidence to believe that the fifteenth century was worse than the fourteenth, mostly due to the more pernicious organization of criminal activity.

Failure or perversion of justice is one of the most common themes in fourteenth-century satiric writing. In the *Tale of Gamelyn* the hero, falsely outlawed, rescues his brother as he is about to be condemned to death by a corrupt judge and jury. Amidst the bribery and corruption, it is the gentlemen of England who, if they failed to intimidate a jury, resorted to violence (in Kaeuper's words, 'a laying on of hands that was far from apostolic'⁽¹⁹⁾). Maurice Keene hits the pejorative nail on the head when he writes

The social threat came rather from the violence of the least deprived sectors of society, lords, landowners and gentlemen; that is to say, ironically, from those with whom the principle responsibility for law and the enforcement and maintenance of order locally lay.... Under the shadow of the quarrels of the great, lesser men could too easily follow their example and pursue their own quarrels by violent means...⁽²⁰⁾

The privileged classes could always depend on their vassals to do the dirty work : thus in the *Physician's Tale* (Appius's dark employment of Claudius), the *Second Nun's Tale*, and Walter in the *Clerk's Tale* (as Chaucer remarks, 'and eek swich folk wel kan / Doon execucioun in thynges badde' [521-2]). In some respects this might reflect the trend in crime towards the end of the fourteenth century of criminals in high

places to distance themselves from their crimes. Knights were often in a position to abuse power (what Hanawalt describes as 'a thin line between legitimate exercise of authority and crime') and it was held that murder and pillage were occupational advantages. The lessons of war were hard to forget between periods of combat on service abroad, including abduction and ransom-holding. But the Physician's Tale, which ends with the whole gamut of gruesome death and punishment from hanging (the punishment normally reserved for convicted felons), a beheading, a suicide, and banishment, also highlights (as does the Tale of Gamelin, no longer attributed to Chaucer) the judicial corruption of the age.

Geoffrey Chaucer could have been no stranger to violent crime both personally and on a professional level. In November 1336, his great uncle died following a fight. Chaucer himself was a victim on at least one occasion: in September of 1390 he was assaulted and ribbed twice by highwaymen, the assailants later being caught, tried and convicted.⁽²¹⁾ In his capacity as a Justice of the Peace in Kent, a position to which he was appointed in 1385, his duties would have inevitably brought him in contact with breaches of the peace and trespass, not to mention direct contact with felons which might have a bearing on one passage in the Man of Law's Tale:

Have ye not sen sometime a pale face
Among the press [crowd], of hym that hath be lad
Towards his deeth, wher as hym gat no grace,
And swich colour in his face hath had
Men myghte knowe his face that was bistrad
Amongst alle the faces in that route? [645-50]

The sight of someone being ‘anhanged by the nekke bon’ (Pardoner’s Tale: 3062) must have been a familiar one. In addition, it has been heavily suggested that Chaucer himself became very close to being prosecuted as a felon on more than one occasion. Documentation testifies that Chaucer was in September 1397 charged with contempt and trespass (‘*e placito contemptus et transgressionis*’⁽²²⁾) and may have been forced to relinquish his responsibilities at the Customs under threat of accusation of extortion, although this was ‘a way of life in the fourteenth century where public office was concerned.’⁽²³⁾ However, a potentially more serious incident occurred in 1380, five years before Chaucer was made Justice of the Peace for Kent, involving a certain Cecilia Chaumpaigne. This is a well-documented case and has been thoroughly examined by Henry Kelly.⁽²⁴⁾ The consensus of opinion seems to be that our author was a naught boy, but not in the way that the indictment suggests, and may have been the victim of an attempt at extortion on the part of the young woman concerned. The term ‘raptus’ often meant a form of abduction and Pearsall assumed in the ‘Cecily’ case that Chaucer was guilty of something from the care he took to secure immunity from prosecution. In Morris Arnold’s *Select Cases of Trespass from King’s Courts, 1307-1399*, there is far less vagueness about the term:

1369: ‘predictus Johannes Writtle die et anno predictis Margaretam uxorem suam rapuit...’

1389: ‘Ricardus prefatam Margeriam rapuit...’⁽²⁵⁾

It would appear that Cecily threatened ‘rape’, although Pearsall romantically insists that ‘some violence of passion is hidden away behind the

legal documents.'⁽²⁶⁾ Is Chaucer's shame in any way evidenced by his avoidance of explicit reference to the act, such as in Lucrece's rape in *The Legend of Good Women* [1812-18]? To all intents and purposes Chaucer would appear to have paid an out of court settlement (for a 'deed of renunciation' on her part). Litigation was the order of the day, and indeed the fourteenth century has been described as one of a combination of violence and litigation, but pardons also were not difficult to come by, a state of affairs lamented by Hoccleve in his *Regiment of Princes*,⁽²⁷⁾ although 'few offenders were irrevocably alienated by society and few men's careers were irretrievably blighted by a single crime'⁽²⁸⁾ Thus Chaucer had little to fear for his reputation or livelihood. Of course it cannot be ruled out that Cecily was, if not an heiress, married (and she probably was),⁽²⁹⁾ and here it might be asserted that the distinction between a property crime against the husband and personal crime against the woman were often blurred. The abduction or rape of a wife was often accompanied by the removal of goods and chattels, and was perceived as an act of vengeance on the husband and a way of bringing 'shame' on an enemy' — a practice alluded to in *Piers Plowman* (B: Passus IV):

And thanne com Pees into parlement and putte vp a bille
 How Wrong ayeins his wille hadde his wif taken,
 And how he ravysshed Rose...
 And Margrete of hir mydenhede maugree [by force] hire chekes
 [47-50]

In Chaucer's Tale of Melibee we find an example to match of this manifestation of revenge : the attack on Melibeus's wife, Prudence, and daughter.

Recent opinions have pointed toward what would appear to have been a general tendency to trivialise rape, sexual or otherwise, during the Middle Ages — a crime which was made a capital felony by the 1285 Statute of Westminster II, placing the onus on men — although few cases were prosecuted in the first half of the thirteenth century.⁽³⁰⁾ Yet in the literature of the period we find what is almost tantamount to a celebration of the act. Katheryn Gravdal has pointed out that ‘in one fifth of the extant Old French pastourelles’ for example, ‘the shepherdess is raped by the medieval knight.’ She goes on to assert that ‘rape in the pastourelle was acceptable to the medieval audience’ one reasoning being that ‘it met with no resisting reader.’⁽³¹⁾ She also makes the important observation that in most pastourelles ‘Marion’ is not a shepherdess at all but, perhaps displaying a medieval penchant for cross-dressing, ‘the courtly lady, dressed in a shepherdess costume.’⁽³²⁾ In this regard it is notable how the knight in the Wife of Bath’s Tale comes across the maiden and by ‘verray force,... rafte hir maydenheed’ [888]. Her rape is reminiscent of not only the pastourelle tradition but also Middle English romances such as *Sir Degare*. And yet no analogue has been thus far identified for this section of the tale. Given that courts in the Middle Ages were predominantly male dominated, the Queen’s leniency is perhaps more than ironic :

By course of lawe [he] sholde han loste his heed—
 Paraventure swich was the statut tho... [892-3]

But what, one wonders, would have been the fate of the rapist in the tale if he had been a ploughman? As in the pastourelle tradition there is an attempt to camouflage the seriousness of the crime with humour, although in his description of the punishment Chaucer does to some

extent come to terms with the gravity of the crime. Yet by the end of the tale we have virtually forgotten the act and are encouraged to take a sympathetic view of the knight.

As remains lamentably the case today, rape was often an unreported crime, and women were frequently at the receiving end of violence. This is evident in the domestic violence which the battered Wife of Bath testifies to, and the sadistic psychological torture of Patient Griselde.

Murder was, of course, apart from treason the major felony in medieval England (although larceny was evidently the largest category of crime). 'Mordre will out ; that see we day by day' (Nun's Priest's Tale : 3052) writes Chaucer, probably being ironic again. In the *Canterbury Tales* we find examples of virtually ever kind of murder, from matricide (the killing of Donnegild in the Man of Law's Tale) to uxoricide (the act of killing one's wife) in the Manciple's Tale. The notion of culpable homicide, however, was very much different from the present. As Hanawalt has explained, the term *murdrum* initially meant the money that a community was required to pay if a Norman was found dead (a statute introduced by William I and not repealed until 1340)⁽³³⁾ ; secondly it signified slaying 'with malice a forethought',⁽³⁴⁾ a classification which was given statutory recognition in 1390, although the distinction between murder and manslaughter was not made until the sixteenth century. Again, as in modern times, the most accurate records remain for homicide. Yet the most significant point that Hanawalt highlights is the seeming tendency of juries to have punished more severely crimes committed by stealth, in disguise or by cover of night, applauding self-help in disputes : 'thus jurors were more willing to acquit murderers than thieves'.⁽³⁵⁾

Method in killing in 'homicide' was doubtless imbued with moral overtones: decapitation with a sword was more acceptable (more 'honorable': in the Second Nun's Tale Cecilie's assassin uses 'three strokes in the neck':

...for ther was that time an ordinance
That no man shulde doon man swich penance,
The ferthe [fourth] stroke to smiten softe or sore... [529-
531]

than the more reprehensible method of throat-slitting; especially if followed by throwing the victim down a well or hole to conceal the wicked deed. Hence the murderer hired by the Jews in the Prioress's Tale who leapt on the boy and 'kitte his throte, and in a pit hym cast' [1761]; the 'false knight' of the Man of Law's Tale who cuts Hermengild's throat and then lays the knife by Constance⁽³⁶⁾ in contrast to the karate chop of divine vengeance wrought upon the killer from upon high ('An honde him smote upon the nekke bone... And both his eyes brost out of his face...' [669-71]).

Murder from sexual jealousy, or crime of passion, has been a prime motive since time immemorial. Chaucer provides an explicit example in the uxoricide committed by Phoebus in the Manciple's Tale. It is perhaps noteworthy that in Gower's version of the story (*Confession Amantis*, Liber Tercius: 783-817) it is a young knight who 'hadde of hir al that he wolde' (790). Chaucer reverses the roles in a sense, the lover being 'A man of litel reputacioun, nat worth to Phebus in comparisoun' [199-200] while describing Phebus in terms somewhat akin to the Squire:

He was... fulfilled of gentillesse
Of honour, and of parfite worthinesse [123-24]

and yet who 'in his ire... hath his wife yslain.' [302]. Phebus is given the role of the gallant though cuckolded knight ; the seducer is the wimp. What can we deduce from this? Is Chaucer an apologist for his sex and class? This might be borne out by the argument for self-control he makes in the Franklin's Tale :

For in this world, certein, ther no wight is
That he ne dooth or seith somtyme amys.
Ire, siknesse, or constellacioun
Causeth oft to doon amys or speken... [779-784]

Here we can detect a tendency on Chaucer's part to prescribe 'temper-
aunce' and 'governaunce' rather than confrontation and outright con-
demnation. He is an advocate of calmness and restraint, of 'gentillesse'
(so often coupled with 'pity' in Chaucer) as opposed to revenge. This is
also borne out by the reasoning in the Monk's Tale and Wife of
Bath's Tale.

Cases of violent crime in the Middle Ages inevitably reflected on the
knightly class. As Richard Kaeuper has commented, 'the proud violence
of the social ranks who professed the code of chivalry may well have
troubled the peace even more [than violence among the underprivi-
leged] ; this chivalric violence, however, long resisted the label of crime
and the governmental repression that could accompany it.'⁽³⁷⁾ It is a
great paradox of chivalry that the very class that was expected to
promote its high ideals were all to frequently perpetrators of violence

and crime, and abusers of the law. Kaeuper notes this paradox in the fact that the knightly classes 'whose excesses... were for a very long time not prosecuted vigorously by the same mechanisms employed against the misdeeds of lower social orders'. Just as warfare was part of the occupation of the upper classes, so murder, pillage, arson, robbery and burglary could be classified as occupational crimes.

The second half of the fourteenth century, when Chaucer was writing, was a greater period of discord and crime. Indeed, there appears to have been a late medieval crisis in public order during the austere reign of Richard II, which grew worse into the next century. Thus Peggy Knapp has inferred from the *Knight's Tale* that 'it is possible to imagine that a text could be read as alluding to the chivalric practices of old in the hope of reinstating them, substituting them for a less respectable present state of affairs'; that the tale is 'the product of a hope that there lives a benign stability at the center of the world, a hope likely to have been felt by many who would never rule.'⁽³⁸⁾ Considering this, Chaucer's desire for order and calm-mindedness is totally understandable.

A typical example of the lawlessness to manifest itself in the fifteenth century was a murder that took place in October of 1455, featured in the *Paston Letters*, and one that echoes Becket's in some respects in that it provoked shock and anger. Sixty armed men under the leadership of Sir Nicholas Courtney, son of the Earl of Devon, looted the house of Nicholas Radford, an eminent lawyer, and the murdered him: 'smote him in the heed, and felled him... [and one] of them kyt his throat'.⁽³⁹⁾ Three days later the men returned and 'held a mock inquest on [the body], bringing in a verdict of suicide.' Thomas Courteney was to get his comeuppance: he was executed not long after his father, in 1461. This is in contrast to the fate of Saint Thomas of Kent, the 'hooly

blissful martir', whose murder was later overshadowed by the beheading of Piers Galveston and the sadistic execution of Edward II, in that his assassins were saved from secular penalty as only the church could punish the slaying of an ecclesiastic, and they were eventually taken back into Henry's good graces.

In conclusion, I believe that greater examination of felons and felony in Chaucer's works can bring us a little closer to appreciating social mores regarding crime and criminals in the later Middle Ages, or at least serve to confirm that human nature has altered little over the last 600 years. Chaucer was very lucky to have survived his times... things could only get worse.

Notes

This is a revised version of a paper first read at the Tenth International Congress of the New Chaucer Society, July 1996 in Los Angeles, California.

- (1) Richard Leighton Greene, *A Selection of English Carols* (Oxford, 1962) no. 24 (BM Ms Sloane 2593), p. 82.
- (2) The following account is based on that of William fitzWilliam (d. 1190) as described in George Greenaway, trans. and ed. *The Life and Death of Thomas Becket* (London, 1961).
- (3) T. S. Eliot, *Murder in the Cathedral* (London, 1936; second ed.), p. 77.
- (4) *The Riverside Chaucer*, gen. Ed. Larry D. Benson (Boston, 1987) p. 305. All subsequent quotations from Chaucer's works are taken from this edition. For a consideration of the relationship between anger and murder see Judith Shaw, 'Corporeal and Spiritual Homicide, The Sin of Wrath, and the "Parson's Tale"', *Traditio* 38 (1982) : 281-300
- (5) For example see Richard Kaeuper, 'An Historian's Reading of *The Tale of Gamelyn*' *Medium Aevum* 52 (1983) : 51-62 and John Alford, 'Literature and Law in Medieval England' *PMLA* 92 (1977) : 941-51
- (6) Alan Harding, *A Social History of English Law* (Gloucester, Mass., 1973), p. 63.

- (7) John Alford, *Piers Plowman : A Glossary of Legal Diction* (Cambridge, 1988), p. 58.
- (8) David Burnley, *A Guide to Chaucer's Language* (London, 1983).
- (9) See Carleton Brown et al. *Sources and Analogues of Chaucer's Canterbury Tales* ed. W. F. Bryan and Germaine Dempster (New York, 1958), p. 171.
- (10) William Langland, *The Vision of Piers Plowman : A Complete Edition of the B-Text* ed. A. V. C. Schmidt (London, 1978).
- (11) See Curt F. Bühler, 'Middle English Verses Against Thieves' *Speculum* XXXIII, 3 (1958) : 371-72. Also Daniel J. Vann, 'Middle English Verses Against Thieves: A Postscript' *Speculum* XXXIV, 4 (1959): 636-37
- (12) Andrew McCall, *The Medieval Underworld* (London, 1979), pp. 34-35.
- (13) Lawrence Stone, 'Interpersonal Violence in English Society, 1300-1980', *Past and Present* 101, Nov. 1983 : 21-33; 32
- (14) Barbara A. Hanawalt, *Crime and Conflict in English Communities, 1300-1348* (Harvard, 1979), p. 99.
- (15) Hanawalt, p. 100.
- (16) John Bellamy, *Crime and Public Order in England in the Later Middle Ages* (London, 1973) p. 137.
- (17) G. C. Macaulay (ed.), *The Complete Works of John Gower*, 4 vols. (Oxford, 1899-1902), iv. 76; English trans., Coleman, *Medieval Readers and Writers*, p. 140.
- (18) Richard W. Kaeuper, *War, Justice, and Public Order : England and France in the Later Middle Ages* (Oxford, 1988) p. 137.
- (19) Kaeuper, 'An Historian's Reading of the *Tale of Gamelyn*' p. 60.
- (20) Maurice Keene, *English Society in the Later Middle Ages, 1348-1500* (Harmondsworth, 1990), pp. 189; 195.
- (21) See Derek Pearsall, *The Life of Geoffrey Chaucer* (Oxford, 1992), p. 213.
- (22) Pearsall, p. 134.
- (23) Donald R. Howard, *Chaucer and the Medieval World* (London, 1987), p. 385.
- (24) See Henry Angsar Kelly, 'Meanings and Uses of *Raptus* in Chaucer's Time,' *Studies in the Age of Chaucer* 20 (1998) ; also Christopher Cannon, '*Raptus* and the Chaumpaigne Release and a Newly Discovered Document Concerning the Life of Geoffrey Chaucer', *Speculum* 68 (January 1993) no. 1 : 74-94

- (25) London ; Selden Soc., 1985. Vol. 1, p. 88.
- (26) Pearsall, p. 137.
- (27) *Hoccleve's Works* Vol. III (EETS e. s. 72) ed. Frederick J. Furnivall (Klaus Reprint, 1978), p. 113.
- (28) Bellamy, p. 195 ; see also p. 198. According to Richard Barber pardons were sometimes issued to criminal outlaws if they would fight in France : *The Knight and Chivalry* (Cambridge, 1970 ; rev. ed. 1995), p. 241. P. J. P. Goldberg in *Women in England c.1275-1525* (Manchester Medieval Sources Series) Manchester Univ., 1995, p. 256 cites from the later fourteenth-century Latin Peace Sessions an example in 1350 of a rape charge dropped against a 'Nicholas de Bolton', who was pardoned 'in consideration of good service in a late conflict in Calais.'
- (29) See Kelly, cited above.
- (30) Hanawalt remarks that in medieval courts it only accounts for 0.3% of crimes. See her paper 'Fur Collar Crime : the Pattern of Crime among the Fourteenth-Century English Nobility', *The Journal of Social History* Vol. 8 (1975): 1-17, p. 6.
- (31) Katheryn Gravdal, 'Camouflaging Rape : the Rhetoric of Sexual Violence in the Medieval Pastourelle', *Romanic Review* Vol. LXXVI (1985) : 361-373
- (32) Gravdal, p. 369.
- (33) Hanawalt, p. 269.
- (34) '*malicia precogitata*' : see Thomas A. Green, 'Societal Concepts of Criminal Liability for Homicide in Medieval England', *Speculum* 47 (1972) : 669-94, p. 691 and Robert J. Branch, "'Al was this land fulfild of fayerye" : The Thematic Employment of Force, Willfulness, and Legal Conventions in Chaucer's *Wife of Bath's Tale*', *Studia Neophilologica* 57 : 41-51 (1985), p. 691.
- (35) See also G. G. Coulton, *Chaucer and His England* (London, 1927), p. 293 ('Judicial statistics of the Middle Ages show the murderer to have had many more chances of survival than a convicted thief.')
- (36) 'If I be giltles of this felonye,
My socour be, fer ellis shal I dye!' [642-3]
- (37) Kaeuper, *War, Justice, and Public Order*, p. 185.
- (38) Peggy Knapp, *Chaucer and the Social Contest* (New York, 1990), p. 17 ; p. 31.
- (39) Keene, pp. 187-88.