R. Allen Brown Memorial Lecture

'HOLDING TO THE RULES OF WAR (*BELLICA IURA TENENTES*)': RIGHT CONDUCT BEFORE, DURING, AND AFTER BATTLE IN NORTH-WESTERN EUROPE IN THE ELEVENTH CENTURY

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Allen Brown's essay on his battle at his conference takes us through the events of 14 October 1066 until the fighting was over, the battle won.[1] I would like to begin where Allen left off, with the 'after battle', though I shall return later to the 'before' and the 'during'. The most vivid narrative of the events of the night of 14 October and of the following day was given by Wace, writing a hundred years later:

> Proudly Duke William asked for his banner to be carried to the place where the standard had been, and had it raised on high there. That was a sign that he had conquered and knocked down the standard. He had his tent set up amongst the dead, … ordered his lodgings (*hostel*) to be taken there. He had his victuals brought there and his supper prepared. Suddenly along came Walter Giffard, spurring his horse. 'My lord', he said, 'what are you doing? It is not fitting for you to remain here with the dead. Many an Englishman lies here among the dead, covered in blood, but unhurt or only wounded, having smeared themselves with their own blood. … They intend to get up in the night and make their escape. But before they do, they intend to avenge themselves. They do not mind if they die so long as they have killed a Norman. We do them wrong, they say.

Despite the fears voiced by Giffard, there William stayed.

> That night he lay in the field and ate and drank amongst the dead. The next day was Sunday. Those who had lain in the open and those who had stayed awake in the fields and suffered much hardship, rose early and made their way through the fields. They buried their friends, those whose bodies they could find. The noble ladies in the land went to seek their husbands: some went looking for their fathers or spouses, or for sons or brothers, and they carried them to their towns and buried them in the churches. Clerics and priests of the country, at the request of their friends took those whom they were seeking and built mass graves (*charniers*) and placed them there.[2]

The brief account in the Latin poem known as the *Carmen de Hastingae Proelio* begins in the same way but ends very differently:

> The victor spent the night resting among the dead, waiting for dawn to return. … After the brilliant lamp of Phoebus had shone forth and cleansed the world of its gloomy shades, the duke surveyed the battlefield, and, removing his own dead, had them buried in the bosom of the earth. But the bodies of the English that strewed the ground he left to be eaten by worms and wolves, by birds and dogs.[3]

1 R. Allen Brown, 'The Battle of Hastings', *ANS* 3, 1980 (1981), 1–21 and 197–200.
2 Wace, *The Roman de Rou*, trans. Glyn S. Burgess, St Helier 2002, part III, lines 8881–8966.
3 *Carmen*, lines 561–2, 567–72.

This is also, by implication at least, what happened according to the Norman monk William of Jumièges (hereafter called WJ), writing in the early 1070s:

> The most valiant duke, returning from the pursuit and the slaughter of his enemies, came back to the field of battle in the middle of the night. At first light, having despoiled the corpses of his enemies, and buried the bodies of his dear comrades, he took the road for London.[4]

But the duke's chaplain, William of Poitiers (hereafter called WP), writing later in the 1070s, had a different story:

> It would have been right for the flesh of the English, who through so great an injustice had rushed headlong to their death, to be devoured by the mouths of the vulture and the wolf, and for the fields to have been covered with their unburied bones. But to him [Duke William] such a punishment seemed cruel (*crudele*). He gave free licence to those who wished to recover their remains for burial.[5]

How should we respond to these differing statements? As yet archaeology offers no help, since no burial pits have been discovered on or near the battlefield – although, as Eleanor Searle pointed out, the so-called Malfosse known to the twelfth-century monks of Battle could well have been one.[6] Some twentieth-century historians have followed Wace in preferring WP's account of what happened to the English dead rather than the version given by William of Jumièges and the *Carmen*.[7] Others, such as David Bates, followed E. A. Freeman's example and combined the two versions.[8]

In his 1980 paper Allen Brown certainly gave no truck to the Latin poem. Just two years earlier in 1978, the year of the very first Battle Conference, the *English Historical Review* had published an article on the *Carmen* by R. H. C. Davis. He concluded that it was a literary exercise composed after 1125 and that 'as a source for the history of the Norman Conquest it is simply ridiculous'.[9] Hence in the first paper in the first volume of the Battle Proceedings, Nicholas Brooks, quick off the mark, noted that he had decided to ignore the *Carmen* in the light of both Davis's article and a then forthcoming study in which D. D. R. Owen claimed that because the poet made extensive use of the *Chanson de Roland* it had to be both late and unreliable.[10] Allen had also been quick off the mark. I quote a letter written by Gillian Murten soon after Allen's death in 1989.

> I recall our first meeting in January 1977, a few months after Battle Abbey had been acquired for the nation and when East Sussex County Council were considering ways of celebrating the event. We sat in his room at King's College – Allen seemingly asleep

4 Jumièges, II, 170–1.

5 Poitiers, 142–3. Moreover he said nothing about where William spent that night.

6 *Chron. Battle*, 16. For a listing of battlefield archaeology see *Blood Red Roses: The Archaeology of a Mass Grave from the Battle of Towton, AD 1461*, ed. Veronica Fiorato and others, Oxford 2000.

7 R. Allen Brown, *The Normans and the Norman Conquest*, London 1969, 174; Jim Bradbury, *The Battle of Hastings*, Stroud 1998, 213. David C. Douglas, *William the Conqueror: The Norman Impact upon England*, London 1964, 201, omits the subject altogether.

8 'William organized the burial only of his own dead … Poitiers does note that the English were allowed freely to bury their own casualties and with some justification thought this a generous gesture': David Bates, *William the Conqueror*, 2nd edn, Stroud 1989, 94; Freeman, *Norman Conquest*, III, 340 n. 6 (I give the pagination of the 1873 edn).

9 R. H. C. Davis, 'The *Carmen de Hastingae Proelio*', *EHR* 93, 1978, 241–61 (a position he maintained when the article was reprinted in 1991, see Poitiers, p. xxviii).

10 N. P. Brooks and H. E. Walker, 'The Authority and Interpretation of the Bayeux Tapestry', *ANS* 1, 1978 (1979), 1–34, 191–9, at 192; D. D. R. Owen, 'The Epic and History: *Chanson de Roland* and the *Carmen de Hastingae Proelio*', *Medium Aevum* 51, 1982, 18–34.

> – while I put to him the idea of a 'centre' of Anglo-Norman studies at Battle. The eyes flew open with the realisation of what this could mean and our planning of the first conference was under way.[11]

For the second Battle Conference (1979), Allen organized and presided over a tape-recorded debate on the *Carmen* between Davis and L. J. Engels, the latter defending the view that had been generally held ever since its discovery in 1826, i.e. that it was the poem mentioned by Orderic Vitalis as having been composed by Guy, bishop of Amiens, and that it had been completed as early as 1068. The generally accepted view had certainly not gone unchallenged, notably by G. H. White.[12] None the less, as the work of Raymonde Foreville, Sten Körner, and Kurt-Ulrich Jäschke demonstrates, reinforced by the 1972 edition by Morton and Muntz, it had survived the challenge.[13]

Davis's article changed all that. The 1979 debate, with contributions from Raymonde Foreville and from a number of those who were to become Battle veterans – Marjorie Chibnall (director of the Conference from 1989 to 1994), Eleanor Searle (the first Allen Brown Memorial Lecturer), Cecily Clark, Elisabeth van Houts, and Graham Loud – must have been a great occasion, a testimony to Allen's ability to bring together opposing opinions in friendly as well as keen discussion. At one stage in the debate, Engels put in a request for an escape to tea, as the tea bell was then ringing, but it was disallowed. Things evidently became quite animated since in his introduction Allen commented that 'the tapes proved most difficult to edit and even interpret'.[14] But Allen's own view of the outcome of the debate is clear enough. Whereas in 1969 he had been prepared to treat the *Carmen* as a useful and early source, by 1980 he was 'inclined to think' that 'R. H. C. Davis has successfully dismissed the *Song of the Battle of Hastings* from the canon of early or contemporary and acceptable texts for the study of the Norman Conquest.'[15]

Others interpreted the debate differently. According to Bernard Bachrach, 'Engels thoroughly demonstrated the inadequacy of Davis's arguments.'[16] Others such as David Bates and Stephen Morillo were also reluctant to jettison it as a source for the battle.[17] In 1989 Elisabeth van Houts argued for a return to the old orthodoxy on the date of the poem, but at the same time explicitly confirmed doubts about its reliability. 'Although it is an early text, it is not necessarily a reliable source.'[18] In 1996 Giovanni Orlandi made what seems to me to be a telling observation on the

11 Letter dated 10 Feb. 1989, quoted with the author's permission.

12 *Complete Peerage*, XII (1), appendix L. Cf. Douglas, *William the Conqueror*, 200 n. 2.

13 Guillaume de Poitiers, *Histoire de Guillaume le Conquérant*, ed. and trans. Raymonde Foreville, Paris 1952, pp. xxxv–xxxvii; Sten Körner, *The Battle of Hastings, England, and Europe 1035–1066*, Lund 1964, 91–100; *The Carmen de Hastingae Proelio of Guy, Bishop of Amiens*, ed. and trans. Catherine Morton and Hope Muntz, Oxford 1972; K.-U. Jäschke, *Wilhelm der Eroberer: sein doppelter Herrschaftsantritt im Jahr 1066*, Sigmaringen 1977.

14 R. H. C. Davis, L. J. Engels and others, 'The *Carmen de Hastingae Proelio*: A Discussion', *ANS* 2, 1979 (1980), 1–20, esp. 19 (quotation at 1–2).

15 Brown, *Normans*, 143 n. 12; Brown, 'Battle of Hastings', 2–3. Lucien Musset also accepted Davis's case, *La Tapisserie de Bayeux: oeuvre d'art et document historique*, Saint-Léger-Vauban 1989, 88, and in translation, *The Bayeux Tapestry*, Woodbridge 2005, 81.

16 Bernard S. Bachrach, 'On the Origins of William the Conqueror's Horse Transports', *Technology and Culture* 25, 1985, 505–32 at 529. Michel de Boüard seems to have agreed, *Guillaume le Conquérant*, Paris 1984, 331–2.

17 Bates, *William the Conqueror*, 29, 79–80; Stephen Morillo, *Warfare under the Anglo-Norman Kings, 1066–1135*, Woodbridge 1994, 163; *The Battle of Hastings: Sources and Interpretations*, ed. and intro. idem, Woodbridge 1996, 45.

18 Elisabeth van Houts, 'Latin Poetry and the Anglo-Norman Court 1066–1135: *The Carmen de Hastingae Proelio*', *JMH* 15, 1989, 39–62. In the 1979 debate Marjorie Chibnall had already made the point

poet's 'archaic and primitive' approach.[19] But the uncertainties remained. Hence most historians adopted the line taken by Jim Bradbury in 1998: 'as our knowledge stands at present it would be unwise to give the *Carmen* the credence that we give to William of Poitiers, the *Anglo-Saxon Chronicle*, or the Bayeux Tapestry'.[20] This means that for my purposes here by far the most important post-1978 publication is Frank Barlow's new edition of the Song of the Battle of Hastings in 1999. This demonstrated that it was overwhelmingly likely that the *Carmen* was early and that, as long suspected, WP had read and responded to it.[21] In his 2002 book on the battle of Hastings, Ken Lawson was able to take advantage of the new edition. One consequence was that on the subject of what happened to the bodies of the English dead, he followed the *Carmen*: they were left as carrion for birds and beasts.[22]

My intention here, however, is not to try to reconstruct what 'really happened' in October 1066. Always very difficult, it is, as is well known, especially so for those cases obscured by the fog of war, and even more problematic in the dust and heat of battle.[23] As evidence for what 'really happened', the few sentences which WJ gave to the subject, and the even fewer of the Anglo-Saxon Chronicles, are frustratingly brief, while both Guy of Amiens and WP strike me as being in different ways unreliable. On WP I take George Garnett's line when he referred to him writing something 'in a rare moment of honesty'.[24] In these circumstances I have only admiration for those who try to find out what really happened. Here I prefer to see WJ, Guy of Amiens, and WP as three northern French authors who represent three individual and different views of the proper conduct of war in the second half of the eleventh century. Approached in this way, the *Carmen*'s verse warrants as much credence as the prose of WJ and WP.

In the eleventh and twelfth centuries huge changes were taking place in the ways in which wars were fought, and in particular in the ways the enemy was treated. In earlier centuries, in Matthew Strickland's words,

> enemy warriors of all ranks were habitually slain on the battlefield or after capture, while the taking of heads as trophies was commonplace. Concepts of ransom, of a degree of immunity afforded to those of noble birth from summary execution, and still less notions of clemency as a virtue to be exercised by a magnanimous victor were almost wholly absent. Given this conduct between warrior elites, it is unsurprising that

that the inclusion of elements from chansons de geste (a) do not prove a late date but (b) can make an early source unreliable: 'The *Carmen*: Discussion', 20.

19 Giovanni Orlandi, 'Some Afterthoughts on the *Carmen de Hastingae Proelio*', in *Media Latinitas: A Collection of Essays to Mark the Occasion of the Retirement of L. J. Engels*, ed. R. I. A. Nip and others, Instrumenta Patristica 28, Turnhout 1996, 117–27.

20 Bradbury, *Battle of Hastings*, 152–3, in a book dedicated in part to 'all the many friends met and made at Pyke House, Battle'.

21 *Carmen*, pp. xxix–xxx, xl–xlii, lvii. In the edition of the *Gesta Guillelmi* of William of Poitiers which she took on after Ralph Davis's death, Marjorie Chibnall expressed the view that on balance the Carmen probably pre-dated 1070 but may not have been seen by WP (pp. xxviii–xxix). But in a letter to me (dated 21 Mar. 1997, which I quote with her permission), she wrote: 'I felt at the end of my work that WP had almost certainly seen the Carmen and even referred to it directly in the comments he made on the difference between his own historical work and the fanciful accounts of the poets! But I remained cautious – perhaps over-cautious – out of respect for Ralph, whose name will appear on the title page above mine, and who might not have been convinced even now'.

22 M. K. Lawson, *The Battle of Hastings*, 1066, Stroud 2002, 214–15.

23 See, e.g., Andrew Ayton's comment on 'making up a jigsaw picture by fitting together the pieces from a number of different, incomplete puzzles': Andrew Ayton, 'Crécy and the Chroniclers', in *The Battle of Crécy, 1346*, ed. Andrew Ayton and Philip Preston, Woodbridge 2005, 287–350 at 349–50.

24 George Garnett, 'Coronation and Propaganda: Some Implications of the Norman Claim to the Throne of England in 1066', *TRHS* 5th series 36, 1986, 91–116 at 95.

> equal ruthlessness was shown to non-combatants; able-bodied men might be peremptorily slain, as were those deemed useless such as the old and sick, while survivors, often predominantly women and children, were enslaved.[25]

But all these old ways of doing things either had disappeared or were disappearing from the battlefields of eleventh-century France as more chivalrous notions of war gradually took hold.[26] Given the magnitude of these changes, affecting the lives of all sorts of people in such fundamental ways, it would be surprising if different people did not have different views about the right, the proper and honourable way of conducting war, and if these different views did not inform their depictions of campaigns. This, at any rate, is the premise that underlies this paper, and this, I suggest, is what we should bear in mind when reading authors with such different backgrounds as the monk William of Jumièges, the bishop Guy of Amiens, and the former soldier William of Poitiers.[27]

Whatever actually happened to the bodies after the battle, I want to focus on the different emphases these authors chose to give. Here I take my cue from Jennie Hooper in an article on representations of the aftermath of battle in Anglo-Saxon art. Although referring to the *Carmen* as a later source, she none the less used it as well as WJ in order to point up WP's concern: 'William of Poitiers is more concerned with stressing the "courtesy" of the Normans in the manner of the disposal of the dead in marked contrast to other sources'.[28] Burying the enemy dead had long been seen as a humane act. According to Nithard, the victors in the battle of Fontenoy (841) buried the dead of both sides, *amicos et inimicos, fideles et infideles pariter*, but he makes it clear that this was unusual, a sign of extraordinary pity, *notabilis misericordia*.[29] According to Dudo of Saint-Quentin, in 962 Duke Richard I of Normandy

25 'Rules of War or War without Rules?' in *Transcultural Wars from the Middle Ages to the 21st Century*, ed. Hans-Henning Kortüm, Berlin 2006, 107–40 at 118. Cf. 'In the British Isles before 1066, the general fate of those defeated in battle or taken in war was either death or enslavement': Matthew Strickland, 'Killing or Clemency? Ransom, Chivalry and Changing Attitudes to Defeated Opponents in Britain and Northern France, 7th–12th Centuries', in *Krieg im Mittelalter*, ed. Hans-Henning Kortüm, Berlin 2001, 93–122 at 95.

26 Changes in the conduct of warfare are very much Matthew Strickland's subject, see esp. his *War and Chivalry: The Conduct and Perception of War in England and Normandy, 1066–1217*, Cambridge 1996, and 'Slaughter, Slavery or Ransom? The Impact of the Conquest on Conduct in Warfare', in *England in the Eleventh Century: Proceedings of the 1990 Harlaxton Symposium*, ed. Carola Hicks, Stamford 1992, 41–59. I have benefited greatly from his kindness in commenting upon a draft of this paper.

27 If, as Elisabeth van Houts has argued, WJ was already writing in the 1050s (Jumièges, I, pp. xxxii–xxxv), then he may well have been several decades older than WP. See also David Bates, 'The Conqueror's Earliest Historians and the Writing of his Biography', in *Writing Medieval Biography, 750–1250: Essays in Honour of Professor Frank Barlow*, ed. David Bates, Julia Crick, and Sarah Hamilton, Woodbridge 2006, 130–41 at 132–4.

28 Jennie Hooper, 'The "Rows of the Battle-Swan": The Aftermath of Battle in Anglo-Saxon Art', in *Armies, Chivalry and Warfare in Medieval Britain and France: Proceedings of the 1995 Harlaxton Symposium*, ed. Matthew Strickland, Stamford 1998, 81–99 at 96–7. Cf. Frank Barlow, *The Godwins: The Rise and Fall of a Noble Dynasty*, London 2002, 114.

29 Nithard, *Histoire des fils de Louis le Pieux*, ed. and trans. Ph. Lauer, Paris 1926, bk III c. 1. Cf. the account in the Annals of Saint-Bertin in which the victors, *pietate ferventes … obtentu christianitatis*, ordered the bishops to bury *mortuorum cadavera, prout temporis opportunitas sineret* (*Annales Bertiniani*, ed. G. Waitz, MGH SRG 5, Hanover 1883, 38). For the traumatic circumstances see Janet L. Nelson, 'Violence in the Carolingian World and the Ritualization of Ninth-Century Warfare', in *Violence and Society in the Early Medieval West*, ed. Guy Halsall, Woodbridge 1998, 90–107 at 100. How much time the bishops actually had for the task is another matter. One of the defeated, the poet Angilbert, evidently thought not much: 'That night and the following day … the dead are naked, vultures, crows and wolves greedily devour their flesh. They grow stiff, and their corpses lie there, unburied, helpless' ('Nox et sequens dies illam … Nudati sunt mortui; illorum carnes vultur, corvus, lupus vorant acriter. Orrent, carent sepulturis, vanum iacet cadaver'): *Poetry of the Carolingian Renaissance*, ed. Peter

inflicted a crushing defeat on an invading army, returned to the battlefield next day, and, on finding 640 bodies there, was moved to pity. 'He ordered them to be buried … he had the thickets and bogs searched, and found many dead and wounded, and he attended to them with the same dutifulness.'[30] The implication here too is that normal practice was different. In Germany, for example, when Henry IV defeated the Saxons in 1075 at Homburg, the next day he had just his own dead buried.[31] In 1015 Boleslav Chobry, having defeated a German force, left their dead – including Margrave Gero and 200 of the finest soldiers according to Thietmar of Merseburg – unburied until an envoy from Emperor Henry II, Bishop Eid of Meissen, was given permission to bury the soldiers and return Gero's body to his family.[32] The fact that, as Thietmar's account makes plain, the emperor and his entourage were not far away, means that in 1015 the circumstances were very different from those in which Harold's mother is said to have asked Duke William for her son's body and had her request refused. Moreover the disarray of English forces after Hastings meant that there was no prospect of the defeated being avenged in the manner later envisaged in the *Chanson de Roland* when Turpin comforted Roland and Oliver with the thought that when Charlemagne's main army arrived, 'Our Frenchmen will … find us dead and cut to pieces. They will raise us in coffins on sumpters, they will shed tears of sorrow and pity for us. They will bury us in hallowed ground within church walls; neither wolves, nor pigs nor dogs will devour us.'[33] Whatever happened to Harold and the other English dead, what is clear, as Jennie Hooper emphasized, is that Old English and Scandinavian literature suggests that in these parts of the world it was normal practice to leave corpses of enemy dead as food for carrion, especially ravens.[34]

This, however, wrote William of Poitiers, 'seemed cruel' – an illustration of the way in which he stood in dialogue with both Guy of Amiens and WJ.[35] And here it seems that William was a spokesman for values that were coming into fashion. Writing about the battle of Stamford Bridge (1066), Orderic Vitalis asserted that 'Travellers cannot fail to recognize the field, for a great mountain of dead men's bones still lies there and bears witness to the terrible slaughter on both sides.' Yet he said nothing of the kind about the three battlefields of early twelfth-century Normandy: Tinchebrai (1106), Brémule (1119), and Bourgthéroulde (1124).[36] This

Godman, London 1985, 264–5. Cf. 'they gathered up and buried the bodies of their followers' ('collectis ac sepultis eorum cadaveribus, qui ex sua parte ceciderant'): *The Annals of Fulda*, trans. Timothy Reuter, Manchester 1992, 19.

30 'Those who were still alive he had carried gently to Rouen on litters, and healed': Dudo of Saint-Quentin, *History of the Normans*, trans. Eric Christiansen, Woodbridge 1998, 150. WJ followed Dudo's account, adding that once the wounded had recovered they were sent back to their lord, Count Theobald: Jumièges, I, 124–7.

31 This is explicitly stated by two authors, Bruno of Merseburg and an anonymous poet, who took opposing sides in the conflict: *Brunonis Saxonicum Bellum*, in *Quellen zur Geschichte Kaiser Heinrichs IV*, ed. Franz-Josef Schmale, Darmstadt 1963, 191–405 at 256 (c. 46); *Carmen de Bello Saxonico*, ibid. 143–89 at 184 (bk III, lines 213–16). The anonymous poet looked upon the Saxons as a fierce and cruel people (*Carmen de Bello Saxonico*, bk I, lines 11, 116, 187; bk II, line 52; bk III, line 30), much as contemporary French and Italians looked upon the English.

32 Thietmar of Merseburg, *Chronicon*, ed. and trans. W. Trillmich, Darmstadt 1966, bk VII, c. 22.

33 To which Roland replied, 'Well said, sir'. In due course Charlemagne did what was wanted: *The Song of Roland*, ed. Gerard J. Brault, 2 vols, London 1978, II, lines 1746–52, 2945–60.

34 Hooper, 'Rows of the Battle-Swan', 85–92, 97.

35 And in consequence we should, as David Bates puts it, 'credit him … with considerable awareness of the moral, legal and political problems he was dealing with': David Bates, 'William the Conqueror and his Wider European Western World', *HSJ* 15, 2004 (2006), 73–87 at 85.

36 Orderic, II, 168–9; VI, 88–91, 234–43, 348–51.

perhaps is to read too much into three silences, but it is also the implication of Suger's account of the threatened German invasion of 1124. While some French wanted to go over to the attack, the hardened warriors advised that it was better to allow the enemy to advance until they found retreat cut off, then slaughter them pitilessly as though they were Saracens, leaving the bodies of the barbarians exposed to wolves and crows to their eternal shame ('tanquam Sarracenos inmisericorditer trucidare, inhumata barbarorum corpora lupis et corvis ad eorum perhemnem ignominiam exponere'). Such killing and such cruelty (*crudelitas*) were justified by the cause: defence of the land.[37] If not to bury them was to treat them as Saracens, the implication is that the bodies of Christian enemies were expected to be better treated. Not all Christians, of course, not those who were branded as barbarians. Consider Richard of Hexham's account of the fate of Scots after the battle of the Standard in 1138.

> Those who cruelly massacred multitudes and left them unburied, were themselves even more miserably slaughtered, and obtained neither their country's nor a foreign rite of burial but were either dismembered or torn to pieces, exposed to dogs, birds, and wild animals, or left to decay and rot in the open air.[38]

These Scots were not buried because they themselves did not bury their victims; they were barbarians and slavers.[39] 'We are not like them' was Richard of Hexham's point. Again the implication is that in wars between people who shared a culture, the enemy should be given a decent burial. Whether they actually were, and how soon after the battle this happened, no doubt varied greatly, depending, above all, on the precise circumstances in which the victorious army found itself.[40] Whatever actually happened on 15 October, William of Poitiers spoke for those Frenchmen and Italians who looked upon the English as barbarians.[41]

I shall now look briefly at four other episodes from the *Carmen*'s narrative of the Hastings campaign: the taking of captives in the days before the battle; the Taillefer incident; the death of Harold; and the slaughter of the English at Hastings. On all four, Bishop Guy's narrative reflects the old ways of making war.

First, as part of an extended account, much of it the form of eye-witness report brought to Harold, of the ravaging undertaken by William's troops in the days after their landing, Guy wrote, 'He has taken captive boys and girls, even widows, and also all the cattle.'[42] WJ passed over this stage of the campaign altogether, and although WP explained Harold's rapid march south in terms of the English

37 Suger, *Vie de Louis VI le Gros*, ed. Henri Waquet, Paris 1929, 222.

38 Richard of Hexham, *De Gestis Regis Stephani*, in *Chronicles*, ed. Howlett, III, 164.

39 Ibid. 156–7, 160, 163, 165, for Richard of Hexham's view of the Scots as slave raiders and barbarians. In Aelred of Rievaulx's narrative of the battle, not only do the Scots appear as barbarians, but those who fought against them were – like crusaders – promised remission of sins: *Relatio de Standardo*, ibid. 182, 188, 195–6.

40 This is a subject on which very little has been written, though I have had the advantage of being able to read as yet unpublished work by Philip Morgan. The conflicting accounts of the fate of the bodies of the French dead at Agincourt vividly illustrate the difficulties of the subject: Anne Curry, *The Battle of Agincourt: Sources and Interpretations*, Woodbridge 2000, 88, 108–9, 127, 170.

41 See my 'Conquering the Barbarians: War and Chivalry in Twelfth-Century Britain', *HSJ* 4, 1992 (1993), 67–84, and '1066 and the Introduction of Chivalry into England', in *Law and Government in Medieval England and Normandy: Essays in Honour of Sir James Holt*, ed. George Garnett and John Hudson, Cambridge 1994, 31–55; both repr. in John Gillingham, *The English in the Twelfth Century: Imperialism, National Identity and Political Values*, Woodbridge 2000, 41–58 at 57, 209–31 at 216.

42 *Carmen*, lines 145–66, in particular lines 165–6: 'Captivos ducit pueros, captasque puellas, / Insuper et viduas, et simul omne pecus.'

king's reaction to Norman ravaging, he did not go into any detail about it.[43] Do Guy of Amiens's words imply that he envisaged the Normans taking slaves? Or did he imagine them acting like the supporters of Hugh de Gournay as described by Orderic Vitalis, when wives and even infants in cradles, as well as knights and farmers, were captured in order to extort ransoms?[44] But raiders taking slaves tend to kill babies rather than carry them with them.[45] In any event in 1118 when Hugh de Gournay's rebellion occurred, slavery in Normandy was in the distant past. Not so in 1066. Although the absence of evidence means that it could have died out by then, William of Poitiers still felt it worth making the point that when William sailed back to his duchy in 1067, he did not take slaves. 'How gloriously he returned, not carrying a crowd of captives (*vulgus captivum*) in the Roman fashion'.[46] Not only did the Normans keep the English slave system going for at least a generation after 1066, but there is some evidence that they enslaved when that was the custom of the country in which they were making war. As Orderic wrote of Robert of Rhuddlan: 'for 15 years he harried the Welsh mercilessly … some he slaughtered *irreverenter* like cattle, others he kept for years in chains, or forced into a harsh and unlawful slavery. It is not right that Christians should so oppress their brothers'.[47] When campaigning in Sicily, in 1063 for example, the Normans took and sold prisoners.[48] If Guy of Amiens knew, as presumably he did, that the England of his day was still very much a slave-owning society, with, for example, the slave market at Lewes (Sussex) recorded in Domesday Book, it would hardly be surprising if he envisaged the Normans as they ravaged the Sussex countryside capturing women, boys, and girls with a view to enslaving them.[49]

Secondly, in Guy's version of the Taillefer story, a juggler named 'Incisor-ferri' encouraged the French and terrified the English by throwing his sword high in the air.[50] This episode was one of those that first generated suspicion about the value of the *Carmen*, partly on grounds of its supposed implausibility and partly because the other extant versions of the tale – in Henry of Huntingdon, Gaimar, Wace, and Benoit de Saint-Maure – all post-date 1130.[51] Here I wish only to draw attention to an aspect of the *Carmen* version that is unique to it. According to this, the sword-juggler killed an Englishman who rushed out to meet his challenge, then cut off his head, and, turning to his comrades, displayed this object of joy (*hec gaudia*),

43 Poitiers, 122–5.

44 Orderic, VI, 192–3.

45 Hence the atrocity stories discussed in Gillingham, *The English*, 44–6, 102.

46 Poitiers, 174–5. On the evidence for domestic slavery being taken for granted in Normandy c. 1020 see David Pelteret, 'Slave Raiding and Slave Trading in Early England', *ASE* 9, 1981, 99–114 at 108–9. On the other hand, WP's references (Poitiers, 68–71), to the possibility of Harold, after falling into Guy of Ponthieu's hands, being sold by him, should probably be interpreted as ransom, since aristocratic adult males made dangerous slaves and it was much more profitable to ransom them rather than sell them in a slave market.

47 Orderic, IV, 138–9.

48 'Nostri … reliquos vero debellatos vendentes, pecuniam infinitam accipiunt': *De rebus gestis Rogerii Calabriae et Siciliae comitis auctore Gaufredo Malaterra*, ed. E. Pontieri, Bologna 1927, 44. See also G. A. Loud, 'Coinage, Wealth, and Plunder in the Age of Robert Guiscard', *EHR* 114, 1999, 815–43.

49 The designer of the Bayeux Tapestry, by contrast, seems to have imagined a woman and child fleeing unmolested from their burning house.

50 *Carmen*, lines 391–405. According to Aelred's account of the battle of the Standard, Walter Espec said that whereas the cross of Christ and relics of saints go before us, the Scots are preceded by *histriones, saltatores et saltatrices: Chronicles*, ed. Howlett, III, 189.

51 G. H. White, 'Companions of the Conqueror', *Genealogists' Magazine* 9, 1944, 417–24 at 423 n.; Davis, '*Carmen*', 248, 257; Owen, 'Epic and History', 28, 32. The various versions are discussed by W. Sayers, 'The Jongleur Taillefer at Hastings: Antecedents and Literary Fate', *Viator* 13, 1983, 77–88.

at which all the French rejoiced.[52] The display of heads as symbols of, depending on the observer's viewpoint, triumph or humiliation is very well known in many societies. At the siege of Crema in 1159, for example, the Germans cut the heads off dead Italians and juggled with them.[53] In 1093 when the Welsh finally succeeded in killing Robert of Rhuddlan, the Norman who had led so many raids against them, 'they cut off his head and fixed it on the mast of a ship as a sign of victory'. Robert's men launched ships and pursued the pirates, 'bitterly distressed when they saw the head of their leader on the ship's mast. When Gruffudd and his accomplices looked back and saw how maddened the pursuers were because of the insult, they took down the head and threw it into the sea.'[54]

The English too took heads, as in the display of the heads of defeated Scots at Durham *c*. 1003 and again in 1039.[55] On occasions heads were taken to the king. Under 1053 the D version of the Anglo-Saxon Chronicle reports that 'it was decided that Rhys, the Welsh king's brother, should be killed because he was causing injuries; and his head was brought to Gloucester on the eve of the Epiphany'. According to the version of 1063 common to both D and E, the head of Gruffudd ap Llewelyn was presented to Harold, who in turn presented it to Edward the Confessor. Evidently these English authors saw such displays of heads as things to be proud of. Compare this with Orderic's story of what happened in 1071 when Earl Edwin tried to raise rebellion against William. The earl was betrayed by three of his own *familiares*, and the Normans then killed him. When William heard of the treachery by which the earl of the Mercians had met his death, he burst into tears. When the traitors brought the head of Edwin to him, expecting a reward, he angrily sent them into exile.[56] Where did Orderic get this story from? His very next sentence runs, 'William of Poitiers has brought his history up to this point, eloquently describing the deeds of William in a clever imitation of the style of Sallust.' William's tears are surely WP's depiction of the sensitive duke, horrified by a barbarous custom.[57] Whatever was the case earlier – see *Waltharius* – by the twelfth century cutting off the heads of enemies was not the kind of thing done when civilized men fought each other, and by this time the French and English unquestionably saw themselves as civilized peoples. Hence Gerald de Barri's explicit statement that in French-style warfare the custom was to take prisoners and ransom them, but the custom in Welsh and Irish warfare was to massacre and cut off heads.[58] But, as is well known, in 'inter-cultural conflicts, where participants regarded their opponents as different or inferior, the conventions which normally governed warfare might often be abandoned'.[59] By the twelfth century when the French or English decapitated dead enemies, it signified

52 *Carmen*, lines 402–3. Earlier (lines 137–8) he had claimed that Harold decapitated his brother Tostig before burying both head and trunk.

53 Otto of Freising and Rahewin, *Gesta Frederici*, ed. F.-J. Schmale, Darmstadt 1965, bk 4, c. 55.

54 Orderic, IV, 140–3.

55 *Symeonis Monachi Opera*, I, 90–1, 215–16.

56 Orderic, II, 258–9. Was it the treachery that made William weep? Perhaps, but Gruffudd too had been betrayed by his own men in 1063.

57 Although Orderic's earlier comment (II, 256–9) on how William deceived Morcar – the background to Edwin's resistance – is unlikely to have been WP's.

58 *Waltharius and Ruodlieb*, ed. and trans. Dennis M. Kratz, London 1984, lines 939, 979, 1019; *Expugnatio Hibernica*, in *Giraldi Cambrensis Opera*, V, bk II, c. 38, repeated in *Itinerarium Kambriae*, ibid. VI, bk II, c. 8.

59 Michael Prestwich, 'Transcultural Warfare: The Later Middle Ages', in *Transcultural Wars*, ed. Kortüm, 43–56 at 47. The essays discussing the circumstances in which men chose to abandon conventional constraints from antiquity to the twentieth century in *The Laws of War: Constraints on Warfare in the Western World*, ed. Michael Howard, George J. Andreopoulos, and Mark R. Shulman, London 1994, include a particularly fine one by Robert C. Stacey on 'The Age of Chivalry'.

the abandonment of conventions they applied in warfare between themselves.[60] According to the Welsh *Brut,* in 1106 Hywel ap Goronwy was slain 'by the treachery of the French'. He was betrayed and strangled, taken 'well-nigh dead to the French, and they cut his head off'.[61] In the late twelfth-century *La Geste des Engleis en Yrlande* a woman called Alice of Abergavenny beheaded seventy Irish prisoners. This, the poet said, 'was done to shame the Irish'.[62] It is not inconceivable that at Hastings the English were similarly shamed. But if they were, William of Poitiers said nothing about it.[63]

Thirdly, the death of Harold. Decapitation also plays a part in the *Carmen*'s account of the killing of Harold. According to this, Duke William joined in fierce fighting around Harold, and it was his lance that pierced the king's chest, drenching the ground with a stream of blood. Then Eustace of Boulogne cut off Harold's head, Hugh 'the noble heir of Ponthieu' put a spear into his entrails, and a fourth named man, Gilfard, 'cut off his thigh (*coxam*) and carried it away'.[64] This too led scholars to doubt the *Carmen*'s value. Indeed, as Barlow noted, the account of 'the butchery of Harold' has attracted 'almost universal scorn'.[65] As Allen Brown put it, 'the whole improbable incident recorded by the Carmen goes far to condemn that source itself', for such a feat of arms 'would have been bruited abroad in every court and *chanson* in Latin Christendom and beyond'.[66] This line of argument has been generally accepted.[67] I am not so sure. According to William of Poitiers, 'it is just and glorious and praiseworthy to kill a tyrant'.[68] Yet on this praiseworthy subject he remained silent. Why? Was it because 'no one who knew had survived the battle'?[69] But if this had been the reason, why should William not have said so? Instead, in the place where the reader expects an account of Harold's death, the most decisive moment of all, William placed first of all a string of classical references, to Hector and Achilles, to Aeneas and Turnus, to Tydeus in the *Thebaid*, and then a reference to the duke's 'piety in the worship of the true God, who alone is God from eternity to the end of the world and beyond', before finally announcing that he 'will bring the battle which he so bravely as well as justly won, to a true and concise conclusion'. At

60 Frederick Suppe, 'The Cultural Significance of Decapitation in High Medieval Wales and the Marches', *Bulletin of the Board of Celtic Studies* 36, 1989, 147–60.

61 *Brut y Tywysogyon, or The Chronicle of the Princes: Red Book of Hergest Version*, ed. and trans. Thomas Jones, Cardiff 1955, 48–51.

62 *The Deeds of the Normans in Ireland: La Geste des Engleis en Yrlande: A New Edition of the Chronicle formerly known as The Song of Dermot and the Earl*, ed. Evelyn Mullally, Dublin 2002, 91. Cf. the account of Sir Humphrey Gilbert's practice of building avenues of Irish heads: Thomas Churchyard, *A Generall Rehearsall of Warres*, London 1579, Q, iii.

63 Similarly in his version of the fighting, there is nothing about Duke William decapitating enemies, whereas Guy of Amiens has him beheading some, dismembering others: *Carmen*, line 483. Although the duke himself is not shown doing it, decapitation figures quite prominently in the Bayeux Tapestry's depiction of the battle.

64 *Carmen*, lines 533–49. For discussion and identification of the four, ibid. p. lxxxii.

65 Ibid. p. lxxxiv. Michel de Boüard took it seriously, though interestingly his version of *caput amputat ense* was 'l'atteignit au visage': *Guillaume le Conquérant*, 331–2.

66 Brown, 'Battle of Hastings', 18.

67 Ken Lawson, for example, reckoned that for this reason the *Carmen*'s account of Harold's death 'can be rejected with some confidence': Lawson, *Battle of Hastings*, 206–7. Cf. Bradbury, *Battle of Hastings*, 152.

68 Poitiers, 138–9.

69 Ibid. 136 n. 3. 'The possibility that no survivor of the battle knew exactly when or how Harold died should never be overlooked': ibid. p. xxix. See also Marjorie Chibnall, 'Orderic Vitalis and the Bayeux Tapestry', in *The Bayeux Tapestry: Embroidering the Facts of History*, ed. Pierre Bouet, Brian Levy, and François Neveux, Caen 2004, 127–133 at 131. But at the time this was written, for a conference in 1999, the new edition of the *Carmen* had not yet appeared.

which point all the reader is told is that the English now knew that their king and his brothers had been killed, and so they turned in flight.[70] I prefer Barlow's suggestion that William of Poitiers chose to conceal an episode which he considered shameful.[71] After all he certainly chose to omit any mention of Duke William's mutilation of the defenders of Alençon *c*. 1051, preferring instead the classical allusion, 'I came, I saw, I conquered.' Yet WJ had evidently had no worries about portraying the duke cutting off the hands and feet of the men who had mocked and insulted him – and this in a work due to be presented to the duke himself.[72] In other words it looks as though WP regarded some actions as shameful, which other contemporaries did not.

This may also apply to the way in which Harold was killed. One of the *Carmen*'s four killers, Hugh of Ponthieu, was a nephew of Bishop Guy and a hero of the poem, referred to as a son of Hector (*Hectorides*). It was Hugh who, while the duke rested after the battle, pursued the English: 'ever vigilant … he spent the night in encounters of every kind, neither weighed down by sleep nor allowing himself to dream'. As Barlow pointed out, Bishop Guy must have believed that killing Harold in the way he described 'was to the honour of his family and friends'. In naming the four whom he credited with finishing off Harold, Guy wrote, 'others were there but these four were better than the rest … holding to the rules of war (*bellica iura tenentes*) they were the ones who killed Harold'.[73] WP clearly believed in fighting by other rules. He took pains to present William as the chivalrous knight who aimed not to kill his enemies but to unhorse them and take them prisoner.[74] Yet even in WP's account it is clear that Harold's body was left in a state that made identification of it difficult.[75] But how Harold's body had got into this state was not something he cared to write about. That something happened that was regarded as shameful by those who believed in the new morality of chivalry is suggested by William of Malmesbury's account of the conqueror branding with disgrace and degrading from his knighthood (*militia*) a knight who hacked at Harold's thigh (*femur*) as he lay on the ground.[76] It is worth thinking about the killing of Simon de Montfort at Evesham in 1265. According to a narrative composed by an Evesham man within a few months of the battle, Sir Roger de Mortimer struck him through the neck with his lance. 'And then some others beheaded him, cut off his hands and feet, and riddled his body, long since dead, with wounds all over. And a torment never before heard of: they cut his private parts (*les privés membres de nature*) clean off.'[77] Other sources report that Earl Simon's head, his testicles in the mouth, was sent to Roger de Mortimer's wife.[78] It is hard not to be reminded of the old suspicion that when Guy used the word *coxa* and William of Malmesbury the word *femur,* they were both dealing in euphemism.[79]

70 Poitiers, 134–7.
71 *Carmen*, p. lxxxv. Much of the present paper is simply an expansion of points made by Barlow.
72 Poitiers, 28–9; Jumièges, I, 4–7; II, 124–5; Frank Barlow, *William I and the Norman Conquest*, London 1965, 19–20.
73 *Carmen*, pp. lxxxiv–lxxxv, lines 541–4, 562–5.
74 Poitiers, 14–17, 24–5.
75 Ibid. 140–1.
76 Malmesbury, *Gesta Regum*, I, 456–7.
77 Olivier de Laborderie, J. R. Maddicott, and David Carpenter, 'The Last Hours of Simon de Montfort: A New Account', *EHR* 115, 2000, 378–412 at 408. This author says it was known that Mortimer struck the fatal blow *comme il poeyt par armes et en armes estre coneus*. Knights would not have been so easily recognizable in 1066.
78 David Carpenter, *The Battles of Lewes and Evesham 1264/65*, Keele 1987, 65.
79 On *coxa* see *Carmen*, ed. Morton and Muntz, 37 n. 1. *Femur, femoris* is clearly Old Testament usage,

Finally, the slaughter. According to the Carmen:

> The report 'Harold is dead' flew throughout the battlefield and fear then softened brave hearts. The English refuse to fight (*bella negant Angli*). Defeated they ask for quarter. Despairing of life they flee from death. In this place the duke despatched two thousand to Hades, besides thousands more beyond counting.[80]

Whether or not the English asked for quarter, there are no reports of prisoners taken in or after the battle.[81] The scale of the slaughter made a huge impression on contemporaries. Adam of Bremen, writing *c*. 1080, reckoned that almost 100,000 died. He regarded the conquest as so important as to justify a digression in his *History of the Archbishops of Bremen*. The digression begins, not as in the English translation with the words 'that memorable battle', but with 'that memorable slaughter' (*illa clades memorabilis*). According to a contemporary annalist at Angers, William won the kingdom of the English *in bello publico* with great and heartrending cruel slaughter (*magna ac miserabili cede cruento*). In a letter to King William sent in 1080 Gregory VII wrote, 'I have had to bear from certain brothers the great and almost infamous charge that I lent my aid to killing on so great a scale (*ad tanta homicidia*)'.[82]

WP could not conceal the scale of the slaughter – indeed he did not try – but he did his best to justify it, and to show William in as humane a light as possible. 'We are impelled by right reason to place on record that through his *pia continentia* he always avoided slaughter unless compelled by military pressure (*bellica vi*) or some other grave necessity.'[83] During his conquest of Maine, he could have killed those faithless men who received a usurper, 'but with his usual moderation he preferred to spare men's blood, however guilty they were'.[84] But, according to William, the 'barbarous' English deserved their fate; they were 'impious men'. Even so his Duke William, when he discovered the extent of the slaughter, surveyed it 'not without pity'.[85] By contrast the *Carmen* almost revels in the killing, certainly portrays Mars the god of war as exulting in it.[86] WJ does not go so far as this but differs from WP in that he consistently reports slaughter in battle in a very matter-of-fact tone, as though it was normal. He describes, for example, how in 1069 an army led by two of Harold's sons was beaten with a loss of 'one thousand and seven hundred warriors, some of them magnates … It is said that if night had not put an end to the battle, all would have been cut down by death's razor.' In that same year the Normans pursued

as in the recurring phrase *egressi sunt de femore eius* for the children of Jacob and Gideon: Genesis 46: 26, Exodus 1: 34, Judges 8: 30 (references I owe to the kindness of David Ganz). See also David J. Bernstein, *The Mystery of the Bayeux Tapestry*, London 1986, 160, 220. For Matthew Strickland's note on these parallels see *War and Chivalry*, 5 n. 16.

80 *Carmen*, lines 551–6.

81 By writing that the duke's ferocity was such that he spared no one who resisted (*nulli contra stanti parceret*), WP left open the possibility that those who surrendered were spared: Poitiers, 136–7.

82 *History of the Archbishops of Hamburg-Bremen by Adam of Bremen*, trans. Francis J. Tschan, New York 1959, 158. The Latin texts for all three quotations from contemporary sources are conveniently brought together in the footnotes to Elisabeth van Houts, 'The Norman Conquest through European Eyes', *EHR* 110, 1995, 832–53 at 836 n. 2, 847 n. 1, 851 n. 2.

83 Nor did Duke William put prisoners of war to the sword as other princes did, and as they were entitled to by custom and established law (*iuxta ritum sive legum instituta*): Poitiers, 38–9.

84 Ibid. 60–1.

85 Twice WP represented Hastings as a battle between Normans and barbarians: ibid. 128–9, 132–3, 138–9; cf. 166–7 and 164–5, where the men of Kent, owing to their closeness to Gaul, are less savage. The contrasting fates of Manceaux and English, the two peoples who accepted the rule of a 'usurper', are striking.

86 *Carmen*, lines 345–62, 498–500.

the English into York and 'by sword and fire they massacred almost the entire population from the very young to the old and grey'.[87] To judge by Orderic's account of military events in 1069, it looks as though WP may have made no mention of a massacre at York.[88]

A recent analysis of early medieval warfare by Guy Halsall emphasized that so much slaughter in battle was 'not the result of innate bloodlust'. As he points out, it could not have been easy to take prisoners either during or immediately after a hard-fought hand-to-hand battle when emotions were so whipped up.[89] But it could be done. At the battle of Andernach, for example, in 876 between Charles the Bald and Louis the Younger, 'Louis took alive many of Charles's leading men, whom in his humanity he ordered to be spared unharmed.'[90] The language of the Fulda Annals here implies that these leading men were fortunate. But by the twelfth century a French or English or German noble was very unlucky indeed if he died in battle. If he were on the losing side, he could reckon with being captured and held to ransom, but not killed. His relative immunity, however, depended less on the quality of his armour and more on the values, expectations, and intentions with which the victors had entered the fight. To illustrate the point we need only compare the battles of Lewes and Evesham. At Evesham in 1265, Edward and his friends had gone into battle intending to kill, and they killed. Not just Earl Simon, but another two dozen knights of aristocratic birth died in the field (compared with just seven named men captured). Only fifteen months earlier, at the battle of Lewes in 1264, it had been very different. Although the fighting was fierce – contemporary narratives put the casualties at two to three thousand, for chivalrous values gave little or no protection to ordinary soldiers – only two knights were killed. By contrast more than thirty nobles were captured, among them Philip Basset. His is a revealing case. His assailants constantly begged him to surrender, but he refused for as long as he could remain standing. By the time he eventually did yield, he had received more than twenty wounds. Evidently at Lewes huge efforts were made not to kill.[91] It could be done. Indeed in 1265 the reluctance to kill men of high status had been the norm for well over a century in England and for much longer on the Continent.[92] Evesham came as a shock – 'the murder of Evesham', Robert of Gloucester called it, 'for battle it was none'.[93]

By what date had the chivalrous reluctance to kill fellow aristocrats become widespread? Matthew Strickland has suggested that we should look to eleventh-century France.[94] Since the new ways of conducting war were matters of life and death, it

87 Jumièges, II, 180–3. For other examples of his matter-of-fact tone see ibid. II, 12–13, 20–1, 120–3, 144–5.

88 Orderic, II, 222–5, 230–1, though WP clearly offended Orderic by his justification of the harrying of the North. See John Gillingham, 'William the Bastard at War', in *Studies in Medieval History Presented to R. Allen Brown*, ed. Christopher Harper-Bill, Christopher J. Holdsworth, and Janet L. Nelson, Woodbridge 1989, 141–58 at 141–2, 158.

89 Guy Halsall, *Warfare and Society in the Barbarian West*, 450–900, London 2003, 211.

90 *Annals of Fulda*, trans. Reuter, 81.

91 Carpenter, *Battles of Lewes and Evesham*, 33.

92 Strickland, *War and Chivalry*, 138–42, 153–6, 162–9; John Gillingham, 'Thegns and Knights in Eleventh-Century England: Who was then the Gentleman?', and idem, '1066 and the Introduction of Chivalry into England', in Gillingham, *The English*, 163–85, 209–32.

93 *The Metrical Chronicle of Robert of Gloucester*, ed. W. A. Wright, 2 vols, RS 86, London 1887, II, 765 line 11, 736. 'It is important to recognize just how appallingly novel such aristocratic slaughter was': Laborderie, Maddicott, and Carpenter, 'Last Hours of Simon', 403.

94 Strickland, 'Killing or Clemency?', 106–15. See also my 'Fontenoy and After: Pursuing Enemies to Death in France between the Ninth and Eleventh Centuries', in *Frankland: The Franks and the World of the Early Middle Ages*, ed. Paul Fouracre and David Ganz, forthcoming 2008.

is surely only to be expected that they would have been discussed by contemporaries. I suggest that in the writings of these three northern French authors, Guy of Amiens, WJ, and WP, we see a confrontation of views about the good old ways of making war and the newly fashionable chivalry. Guy, and to a lesser extent also WJ, portrayed the duke as a warrior of, in Barlow's words, 'unshakeable resolution and great military skill, a man without pity, a complete stranger to chivalry. … There is no mention of prisoners of war, of men taken for ransom.'[95] By contrast WP presented the duke as the flower of French knighthood, with emphasis on mercy as a noble virtue.[96] In this sense WP was an advocate of the morality of war that for the next couple of hundred years had, as it were, history on its side – which is why his version of the burial of the dead at Hastings, rather than WJ's version, was the one that made sense to Wace. This may also be why, despite WP's evident bias, scholars have been inclined to believe his version of events.[97] Given that historians such as Matthew Strickland and myself have argued that the rise of the chivalrous ethic was due less to Christian teaching and more to the mutual self-interest of aristocratic soldiers in a more urbanized and monetized society, I am naturally happy to observe that the protagonist of the new values was not the monk or the bishop, but the former soldier.

A few other eleventh-century sources reflect this kind of discussion of morality in war. Several sections of the mid eleventh-century south German Latin poem the *Ruodlieb* comprise a debate about what should be done with high-status prisoners of war. When Ruodlieb told a captured count that he deserved to be hanged from a tree by his legs, everyone shouted, 'What are you waiting for? String him up!' But instead Ruodlieb advised the king – who followed his advice – that mercy was the best policy.[98] In Bruno of Merseburg's *De Bello Saxonico*, composed in the 1080s, a distinction was made between the actions of *rustici* and *personi viles* who killed their prisoners and those of the *probi homines* who looked after their prisoners, treated them if wounded, and even sent them home *gratis*.[99] According the *Deeds of the Lords of Amboise* (admittedly a twelfth-century source), in *c*. 1068 a noble taken prisoner was seized and beheaded by *rustici pedites*.[100] Treating rich prisoners well was a sign of nobility. Nobles at least had the resources and contacts that enabled them to organize the collection of a ransom; poor soldiers were better off killing and stripping their prisoners. By these standards the Normans at Hastings behaved like peasants.

If in the eleventh century different people thought differently about the morality of war, would not William the Bastard himself have known about these discus-

95 *Carmen*, p. xxiii.

96 Poitiers, 14–17, 24–5; Strickland, 'Killing or Clemency?', 113. Dominique Barthélemy, *La Chevalerie: de la Germanie antique à la France du XII^e siècle*, Paris 2007, 183–9, emphasizes the importance and the novelty of WP's depiction of Duke William as a prince of knightly prowess.

97 As insightful and well informed as William of Poitiers was on the conduct of war (see Gillingham, 'William the Bastard at War'), what he offered was far from being 'uncomplicated direct information' (Bates, 'Conqueror's Earliest Historians', 135). Indeed David Bates has made the attractive suggestion that in the light of the violence and 'at times pitiless conduct' of the Conqueror's life and given the fact that WP was writing 'in the midst of contemporary debate about the morality and legality of his [the dukes's] actions', his 'failure to finish the *Gesta Guillelmi* may derive directly from the problems of his subject': ibid. 130, 141. Since WP ended his narrative with the year 1071, it may be that it was his discomfort with his justification of the harrying of the North that finally brought him to a halt.

98 *Ruodlieb*, ed. Fritz Peter Knapp, Stuttgart 1977, bk III, lines 5–22, 54; bk IV, lines 23–4, 86–111, 231–43.

99 *Quellen zur Geschichte Kaiser Heinrichs IV*, ed. Schmale, 392.

100 *Gesta Ambaziensium Dominorum, in Chronique des comtes d'Anjou et des seigneurs d'Amboise*, ed. Louis Halphen and René Poupardin, Paris 1913, 73–132 at 95.

sions?[101] In the light of them did he question some of his own actions, such as his involvement in, and responsibility for, the slaughter at Hastings? Perhaps he even did things in the heat of battle which he later regretted? Who knows? But he did found Battle abbey on the spot.[102]

[101] 'For a would-be biographer of William, the biggest question of all is to ask what did the Conqueror think of what Poitiers was writing. Did he know? Did he care? To nail my colours firmly to the mast, I find absolutely incredible the idea that William would have been unconcerned or unaware': Bates, 'Conqueror's Earliest Historians', 130.

[102] As Barlow observed, 'The Conqueror's penitential church which covers the site should not be overlooked': *Carmen*, p. lxxxv. Cf. Fulk Nerra's grant to Saint-Maurilius (Angers) after his victory over Conan of Brittany at Conquereuil (992) 'propter remedium animae meae et pro penitentia tam magna strage christianorum quae acta est in planicie Conquareth': *Cartulaire noir de la cathédrale d'Angers*, ed. Charles Urseau, Angers 1908, no. 27. See Bernard S. Bachrach, 'The Combat Sculptures at Fulk Nerra's "Battle Abbey" (*c.* 1005–1012)', *HSJ* 3, 1991 (1992), 63–80.