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THE TREATMENT OF PRISONERS OF WAR IN THE MIDDLE AGES: WESTERN EUROPEAN EXAMPLES*

Taking defeated enemies prisoner has been an integral element of armed conflicts from time immemorial. A prisoner of war was a war trophy, a particular symbol of victory, a confirmatioNiwin of the winner's strength and of his advantage over his opponent. So humiliation of the enemy played an important socio-psychological role and it is by this aspect that we can explain cases of cruelty, torture, the mutilation of prisoners, as well as the keeping of them in inhuman conditions and forcing them to do slave work.

The history of armed conflicts based on sources indicates that, at first, prisoners were not taken for ransom — they were killed or else captured in order to be used as a free labor force, to be sold into captivity, or sometimes to be exchanged for one's "own" prisoners in the enemy's captivity.[1] The

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* This article is the result of the author's research on the treatment of captives in the Middle Ages on the basis of West European examples. On this subject see Andrzej NIEWIŃSKI, "Traktowanie jeńców i ich losy [Treating Captives and their Fates]," in IDEM, *Jeniectwo wojenne w późnośredniowiecznej Polsce. Studia nad problematyką zjawiska na tle zachodnioeuropejskim* [Prisoners of War in Late Medieval Poland. Studies on the Issue of the Phenomenon against the Western European Background] (Lublin: Wydawnictwo Episteme, 2015), 131–182. Because research on the issue discussed in the present study is still ongoing, remarks on the essence of the captive's fate and its legal, ethical and social contexts are limited here to an indispensable minimum.

[1] Loss of freedom happened to immediate participants of military actions, but it was often (or even primarily) the civilian population which was taken into captivity. Hence an important distinction in the terms: prisoners of war were captured in battles (clashes of troops) or in sieges (a garrison defending a fortress), and captives were people not taking active part in military actions (victims of plundering raids or inhabitants of besieged castles). In practice, however, keeping such a distinction consistently is

status of the prisoner of war was in principle the same as the status of a slave, and his fate was extraordinarily hard and uncertain. Even if he did not immediately meet his death, he usually stayed in captivity for the rest of his life. Sometimes it happened that he managed to escape or was ransomed, but, considering the range of the phenomenon, these were relatively rare cases.[2]

A significant change in the collective consciousness in the issue of prisoners of war occurred after the devastating defeat suffered by the army of the Kingdom of Jerusalem at Hattin in 1187. Saladin's capture of Jerusalem was a crushing blow for the whole Christian world, and the conflict with the Islamic world entered a new phase. In previous centuries, basically a prisoner was solely the object of his new family's care, or of that of Church institutions.[3] Now, the fact that so many Christians were taken prisoner by followers of a different religion had a great impact on the sensitivity to their fate. Prayers for the release of prisoners of war were introduced into the liturgy as an obligatory element.[4] Prisoners started being perceived as an image of Christ, as co-believers, as neighbor in need.[5] The civic duty was not so stressed, as was the case in Islamic culture,[6] but rather

very difficult. Moreover, sources do not always precisely say if a person taken into captivity actively opposed the capture or not, and hence if he is a prisoner of war or a captive.

[2] Cf. James William BRODMAN, *Ransoming Captives in Crusader Spain. The Order of Merced on the Christian-Islamic Frontier* (Philadelphia: University of Pennsylvania Press, 1986), 113–115; Jarbel RODRIGUEZ, *Captives and their Saviors in the Medieval Crown of Aragon* (Washington: The Catholic University of America Press, 2007), 176–178.

[3] For this issue see Andrzej NIEWIŃSKI, "Kościół w średniowieczu wobec problemów niewoli militarnej [The Medieval Church's Attitude Towards the Problems of Military Captivity], in *Ecclesia et bellum. Kościół wobec wojny i zaangażowania militarnego duchowieństwa w wiekach średnich* [Ecclesia et Bellum. The Church's Attitude Towards War and Military Involvement of the Clergy in the Middle Ages], edi. Radosław Kotecki and Jacek Maciejewski (Bydgoszcz: Wydawnictwo UKW, 2016), 64–81.

[4] Yvonne FRIEDMAN, *Encounter Between Enemies. Captivity and Ransom in the Latin Kingdom of Jerusalem* (Leiden: Brill, 2002), 87.

[5] To a large degree Pope Innocent III contributed to the popularization of such a view. For more on this issue, see Andrzej NIEWIŃSKI, "Kościół w średniowieczu wobec problemów niewoli militarnej [The Medieval Church's Attitude Towards the Problems of Military Captivity]. In *Ecclesia et bellum. Kościół wobec wojny i zaangażowania militarnego duchowieństwa w wiekach średnich* [Ecclesia et Bellum. The Church's Attitude Towards War and Military Involvement of the Clergy in the Middle Ages], edited by Radosław Kotecki and Jacek Maciejewski (Bydgoszcz: Wydawnictwo UKW, 2016), 64–81.

[6] For the followers of Islam care for a prisoner as for a soldier fighting for the good of the country was included in the state authorities' duty and it had a social dimension; in practice, however, it was mainly the family that was interested in freeing the prisoner, although means were

the spiritual dimension of the care for prisoners, an act of charity, a service that translated into the perspective of eternal life. A *novum* that can be noticed at the end of the 12th century is the evolution of spirituality towards enhancing the status of people who endured suffering or privation, which was especially clearly seen in the case of a prisoner who was in the hands of the "infidels". Care for prisoners was then combined with care for the poor, orphans, the ill and pilgrims.[7]

The history of the Christian-Muslim conflict in the Middle Ages shows that a prisoner did not always have a chance to stay alive or to regain his freedom by paying a ransom. When Abū Yūsuf Ya'qūb Al-Mansūr, the Caliph of Morocco of the Almohad Dynasty, defeated Alfonso VIII of Castile's army at Alarcos in 1195 he captured between 5 and 24 thousand Castile and Leon armed knights who were treated as war trophies, which means the winners could treat them according to their own preferences — e.g. sell them as slaves. Again, at Las Navas de Tolosa (1212) Alfonso VIII gave a clear order to kill the enemy — if someone took a prisoner he was to be killed together with the prisoner.[8] The executions of members of religious orders were also frequent. In Syria (between 1174 and 1193) Templars taken prisoners were killed without exception. It was similar after the Battle of Hattin; the prisoners were taken to Damascus where Saladin ordered all Templars and Hospitallers to be beheaded — about 200 knights.[9]

A gradual formalization of the ransoming procedure may be noticed on the Christian side more or less from the 11th century — in the earlier period, in fact, it is difficult to see any systematic actions aimed at popularizing the practice of ransoming in an organized form. Freeing a prisoner by way of ransoming had a rather occasional and individual character, dependent on the actual interests of the two parties. The first steps towards the institutionnalization of this practice were made in the Iberian Peninsula, more or less simultaneously with the foundation of the Order of Santiago at the end of the 12th century, whose aim was releasing prisoners. We come across the first regulations of this type as early as 1130 — Fuero d'Escalona (a collection of municipal privileges) provides that the owner of a Muslim prisoner had the

often raised by way of a collection of money. Cf. Yvonne FRIEDMAN, "Between Prayer and Action: Responsibility for Prisoners of War." *Rivista di Storia del Christianesimo* 5 (2008): 79.

[7] Pascal BURESI, "Captifs et rachat de captifs. Du miracle à l'institution," *Cahiers de Civilisation Médiévale X^e^-XII^e^ Siècles* 50 (2007): 125.

[8] Ibid., 116.

[9] Alan John FOREY, "The Military Orders and the Ransoming of Captives from Islam (Twelfth to Early Fourteenth Centuries)," *Studia Monastica* 33 (1991), No. 2: 260.

duty of selling him for a lower price if the possibility arose of exchanging him for a Christian prisoner.[10] Town communities clearly took care of their citizens.

Systematized regulations and norms concerning prisoners of war (probably the oldest in Europe) contained in the law code the *Siete Partidas*[11] that was an extensive compilation of Roman law and customary law, were a manifestation of such care of the ruler. In Chapter 29 of the Second Part it defined in detail the way a prisoner should be treated,[12] pointed to the proper conduct as far as his property and property law were concerned, the reasons why prisoners should be released and indicated whose duty it was exactly. The king, although he had the right to prisoners who occupied higher positions in the social hierarchy, was not personally responsible for freeing his subjects — the procedure of releasing prisoners was in no way administratively or institutionally connected with the royal court.[13] After mentioning the reasons why a Christian prisoner should be

[10] Pascal BURESI, *La frontière entre chrétienté et Islam dans la pénisule Ibérique: du Tage à la Sierra Morena (fin X^e-milieu XIII^e siècle)* (Paris: Publibook, 2004), 115.

[11] *Las siete partidas del Sabio Rey don Alonso el Nono; nuevamente glosadas por Gregorio López*, ed. facs. de la de Salamanca, 1533 (Madrid: Boletín Oficial del Estad, 1974).

[12] In *Las siete partidas* the word "*prisionero*" refers to a Christian prisoner captured by co-religionists, whereas *cautivo* concerns a Christian captured by followers of another religion ("aquellos que caen en prision de omes de otra creencia"). The former should be treated as a prisoner of war, which means he should be left alive, not made a slave, and not be subjected to torture; and the latter was in a much worse situation since nothing limited his owners' lawlessness: he could be killed, sold as a slave, was often tortured and lost all rights to his property as well as to contact with his family (cf. James BRODMAN, "Captives or Prisoners: Society and Obligation in Medieval Iberia." *Anuario de Historia de la Iglesia* 20 (2011): 207). It is worth noting that the distinction between a prisoner and a slave was also emphasized in another place (*Partida* IV, 21,1), where, in connection, with classical sources of slavery (war, selling oneself voluntarily, and being born of a slave mother) known even in ancient history and then codified in Roman law and binding on the strength of *ius gentium*, three categories of slaves are mentioned: adversaries of the faith who were captured during war, those born of a slave mother, and free people who sold themselves into captivity. It arises from this that according to Alfonso — unlike the ancient tradition where a prisoner inevitably became a slave, as it were — the status of a slave in the context of military captivity was designed for infidels only, and Christians taken prisoners were not to be treated as slaves — they had defined rights, whereas a slave was deprived of any rights (see Angel MUÑOZ GARCÍA, "La condition del hombre en la Edad Media: ¿siervo, esclavo o qué?," *Revista de Filosofia* 25 (2007), No. 57: 115–142). The document being discussed also says precisely that, although he who bought a prisoner should not treat him as a slave, he nevertheless has the right to exact a ransom for him, which the prisoner has the duty to pay, and if he cannot do it he has the obligation to serve his master for at least 5 years (cf. *Partida* II, 29, 11).

[13] Cf. James BRODMAN, "Captives or Prisoners: Society and Obligation in Medieval Iberia," *Anuario de Historia de la Iglesia* 20 (2011): 208.

released,[14] including the way of paying ransom, the *Siete Partidas* code clearly says that first of all his co-religionists, the closest members of his family, his vassals (but sovereigns also had similar duties to their vassals) and broadly understood friends should take care of it. In a case where they failed to perform this duty and the prisoner died in captivity, his family was to bear the consequences of a financial nature:

> If any of the prisoners belonging to the categories described above die in prison due to not making efforts to free him [on the side of those whom such a duty concerned*], the king, or* his representative should take everything that [the prisoner] possessed, have the notary write down [the possessed goods] and auction them off with the bishop's or his deputy's consent, and the money obtained in this way devoted to ransoming [other] prisoners, so that it would not be inherited by those [relatives] who contributed to the prisoner's death because they did not want to ransom him even if they could do so.[15]

Even though the authorities did not interfere with the process of ransoming, the law provided for the protection of the prisoner's property against possible abuse:

[14] It was to be mainly an expression of piety and love of one's neighbor, although such reasons were also mentioned for receiving a reward from God and the people, as well as doing harm to the enemy by releasing a prisoner from his power. There is also a reference to a biblical passage (Matt 26, 36) speaking about a reward for those who aided prisoners and condemning those who did not do so—see *Partida* II, 29, 2.

[15] "Pero si qualquier de la manera de los captiuos que diximos, por mengua de non auer quien lo sacasse, se muriesse en la prision, deue estonce el Rey, o el que estuuiesse en su lugar, tomar todo lo que ouiesse, o mandarlo meter en carta al Escriuano publico, e venderlo en almoneda, con consejo del Obispo, o del que touiesse sus vezes. E el precio, que por dello ouieren, darlo para sacar captiuos, porque lo sus bienes non sean heredados de aquellos que le dexaron morir en captiuo, podiendolo sacar, e non quisieron" (*Partida* II, 29, 3). A vassal and his lord had obligations to each other: if a vassal did not do anything that was in his power (at the cost not only of his own property, but of his life as well) to save his lord, the lord, after his return from captivity, would have the right to take everything away from him, and, on the other hand, if a lord did not take any steps to release his vassal (with the additional reservation that such an intervention would not cause considerable losses of property), the vassal—if he survived and returned from captivity—had the right to leave his lord and go to another one, declaring war on the former: "E del señor, e del vassallo dezimos, que estos son tenidos de sacar de captiuos vnos a otros. Ca el vassallo non tan solamente es tenido de lo sacar por su auer, mas aun auenturar el cuerpo á muerte o a prisión para sacarlo. E si lo pudiese fazer et non quisiese, sin la traycion que faria por que deue morir, quando el señor saliesse puedele con derecho tomar todo lo que ouiere. E el señor otrosi que non quisiese sacar al vasallo de captiuo en que cayese en su seruicio, podiéndolo fazer, en manera que non fuesse grande su daño, assi como perdiendolo que ouiesse, o grand partida dello, o menguando en la tierra de su señorio, sin el aleue que en ello faria, puede aquel vasallo quando saliere partirse dél, dcsnaturándosele por esta razon, e yrse á otro señor, et fazerle guerra, e ser en su destruymiento sin mala estança de sí" (*Partida* II, 29,3).

> At the time when prisoners are held in captivity, all their goods should be diligently protected so that nobody can take them by resorting to violence or deception, or in any other way, except using [these goods] for their benefit. If someone used the goods with a different aim [and not for the prisoners' good], he should pay doubly, and moreover, he should suffer punishment for violence if he took [the goods] away by force, or for deception, if he practiced it. The duty to protect those goods rests mainly with the relatives [of the prisoner], but they have to be people who are sagacious and free of any suspicions, and moreover, ones who do not inherit his goods, and hence in no way profit from the death of the prisoner or from his long stay in captivity. If a prisoner does not have such relatives the king should entrust other people with managing his property, ones who will take care of his goods without causing their loss or depletion.[16]

However, the process of negotiating the conditions of ransoming had a private character and it was mainly the responsibility of the prisoner's family, with the exception of such cases where political factors were involved, such as an armistice or making peace that offered an opportunity for releasing prisoners.[17] Since this task was usually too difficult for the members of the family, the institution of intermediaries (*alfaqueques*)[18] was established. Thus it was on the Iberian Peninsula that, because of the specific geopolitical situation, the practical aspect of interest in the fate of prisoners developed, and this interest found its expression in actual assistance through legal regulations, with the engagement of intermediaries and religious institutions (the Trinitarian Order and the Order of the Blessed Virgin Mary of Mercy).[19]

An interesting example that is worth noting here, even though it does not concern the Middle Ages, is the case of the ransom for author of *Don*

[16] Ibid.

[17] For example, James II of Aragon in 1319 negotiated a period of armistice with a Muslim ruler, depending on the number of prisoners freed by him: 10 years for 200–300 prisoners and only 2–3 years in case of freeing only 50 prisoners. Cf. BRODMAN, "Captives or Prisoners," 219.

[18] The Spanish term *alfaqueque* comes from the Arab word *al-fakkak* meaning literally "redeemer", "liberator" (Muslims called them *al-fakkakin*). Known in Castile as *alfaqueques* they were also called *mostolafs* in Catalonia and *exeas* in Aragon. See María Teresa FERRER Y MALLIOL, "Els redemptors de captius: Mostolafs, eixees o alfaquecs (segles XII-XIII)," *Medievalia* 9 (1990): 85–106. This institution appeared in Arab countries and was adopted by Christians in the Iberian Peninsula. Although the features and functions of *alfaqueques* were only defined precisely in *Partidas*, mentions of them may be found in the collections of colonization privileges as early as the 10th and 11th centuries. Cf. Gertrudis PAYÀS y Iclar ALONSO, "La mediación lingüística institucionalizada en las fronteras hispano-mapuche e hispano-árabe, ¿un patrón similar?," *Historia* 42 (2009), vol. I, enero-junio: 196.

[19] James William BRODMAN, *Ransoming Captives in Crusader Spain. The Order of Merced on the Christian-Islamic Frontier* (Philadelphia: University of Pennsylvania Press, 1986); Stephen BENSCH, "From Prizes of war to Domestic Merchandise. The Changing Face of Slavery in Catalonia and Aragon," *Viator* 25 (1994): 72–73.

Quijote. Miguel de Cervantes, who fought at Lepanto (1571), was coming back from Naples to Spain in 1575 and was kidnapped by Turkish-Berber corsairs along with his younger brother Rodrigo. He found himself in Algiers as a prisoner of Ramadan Pasha who held the office of administrator of Algiers, and he spent 5 years in captivity[20]. Cervantes later referred to this time in his works — a number of autobiographical motifs appear, among others, in his *Los baños de Argel*, where he talks exactly about the life of Christian prisoners in captivity. We learn that the prisoners enjoyed some freedom, although on the other hand they were often treated cruelly, which is illustrated, for instance, by the following passage from *Don Quijote*:

> […] closed in prison or in the house that the Turks call a "bath,"[21] where Christian prisoners are held, both those belonging to the king, and to private persons, as well as those they call *Almach*, that is, prisoners of the council, serving the town in its public works and other occupations. These prisoners' situation is made very difficult as far as regaining freedom is concerned, for if they are owned by the community and they do not have a particular master, there is nobody to bargain over the ransom, even if they have it. To these baths […] some people from the town bring their prisoners, especially when they are designed for ransoming, for it is there that they hold them loose and well guarded, until the pay comes. Also, the king's prisoners do not go out to work together with the others, unless the ransom does not come for a long time. In such a case, in order to make them ask for the money with more enthusiasm, they tell them to work and carry wood with the others, which is not light work. So I was one of the prisoners waiting to be ransomed, for when it turned out that I was a captain, despite my confession that my possibilities are little and I do not have wealth at all, this came to nothing and I was qualified as a nobleman and a man to be ransomed. They put a chain on me more as a sign of my status than to tie me, and in this way I was spending time in that bath with many other noblemen and notorieties, signed and designed to be ransomed. And although hunger and nudity sometimes might tire us, or even always did, nothing was so tiring as every now and then listening to and watching unheard of and unseen atrocities that my master did to Christians. Every day he hanged one, impaled this or cut off the ears of that, and for such trivial reasons, or even with no reason, that Turks knew that he does so only to do something, and because by nature he is a murderer of the whole human kind.[22]

It should be noted that the work — one of the most famous works in general literature — probably would never have been written, if not for the

[20] María Teresa Ruiz BARRERA, "Redención de cautivos: una especial obra de misericordia de la Orden de la Merced," in *La Iglesia Española y las instituciones de caridad: actas del Simposium (1/4–IX-2006)*, ed. F. Javier Campos y Fdez. de Sevilla, 841–862 (Madrid: R.C.U. Escorial-Ma. Cristina, Servicio de Publicaciones, 2006), 846.

[21] A yard or enclosure where tents were put up or cabins were built for prisoners. Quoted after: Miguel DE CERVANTES, *Przemyślny szlachcic Don Kichot z Manchy* [The Ingenious Gentleman Sir Quixote of La Mancha], transl., introd. and ed. W. Charchalis (Poznań: Dom Wydawniczy Rebis, 2006), 510, footnote 82.

[22] Ibid., 510–511.

efforts made by members of the Order of the Blessed Virgin Mary of Mercy and the Trinitarian Order who were the only hope for many prisoners captured by Muslims. In 1577 Mercedarian friars came to Algiers with money coming both from private and official sources (the means for ransoming prisoners were also donated by persons holding high offices and wielding authority), with the intention of buying as many prisoners as possible. On average, a ransom amounted to about 100 escudos for one prisoner; for Miguel Cervantes a much bigger ransom was demanded — as much as 500 escudos.[23] Because of the letters of recommendation from highly-placed persons (John of Austria and Duke of Sessa) that were found on him, Muslims recognized him as an important, and hence valuable, prisoner. Since the means the monk had were insufficient, only Rodrigo was bought out (for the money given by his family). Apart from him, 105 other prisoners were released.[24] A Mercedarian, Jorge de Olivar did not abandon his efforts to set Miguel free. For a year he even stayed voluntarily in Algiers as a hostage. He helped the writer in planning an escape that ultimately did not take place (Cervantes tried to escape four times altogether, but the attempts were unsuccessful. Miraculously he stayed alive, as attempts to escape were usually punished by death). Ultimately, a member of the Trinitarian Order, Juan Gil, undertook the mission of setting Cervantes free and his efforts proved to be successful. Trinitarians, as was stated above, gained money from various donations, among others. It is known that in 1579 Philip II, King of Spain and Portugal, gave the Order 190 thousand maravedís[25] for ransoming Christian prisoners who had been captured while being in the king's service.[26] Part of this money might have been used for ransoming Cervantes who had rendered military service before he was captured. At the same time, the Cervantes family was still raising money by writing petitions as well as selling or pledging everything they possessed. For an impoverished family with many children, paying the ransom twice was an inconceivable financial burden. Members of the family (especially the mother, Leonor), however, after the return of Rodrigo did everything to

[23] Craig TAYLOR, *Taylor, Structures of Reform: The Mercedarian Order in the Spanish Golden Age* (Leiden: Brill, 2000), 27.

[24] Krzysztof ŚLIWA, *Vida de Miguel de Cervantes* (Kassel: Edition Reichenberger, 2005), 197.

[25] Maravedí is an old monetary unit used in Spain from the 12th to the 19th centuries. In the period being discussed a golden escudo (a unit used parallel with the maravedí) was worth about 400 maravedís, so 190 thousand maravedís was a sum equal to nearly 500 escudos.

[26] Maria Antonia GARCÉS, *Cervantes in Algiers: A Captive's Tale* (Nashville: Vanderbilt University Press, 2002), 107.

ransom Miguel as well. For this goal, his two sisters renounced their dowries. Altogether they managed to raise 300 escudos but this sum was still not big enough.[27] The situation was saved by Juan Gil who supplied the lacking money, taking it from the means he had at his disposal for ransoming prisoners. In this way in October 1580 Cervantes at last had a real chance of being released. However, the chance was almost missed. Although the then administrator of Algiers, Hadim Hasan Pasha, finally agreed to ransom Miguel de Cervantes for the earlier negotiated sum, he insidiously demanded 500 gold escudos. Juan Gil at once went to the town's merchants and usurers to exchange the money that he had for gold. If he had not done so and had not given the ransom in the form demanded on the same day, Cervantes would probably never have been released,[28] for Hasan Pasha was just leaving for Constantinople taking his prisoners with him. This meant that, after leaving Algiers, attempts to ransom the prisoner would not have been continued as the Orders ransoming prisoners did not act in the western part of the Mediterranean Basin and so Cervantes would have never come back to his homeland from Constantinople.[29]

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The custom of treating prisoners in a noble way and of the practice of ransoming them was transferred to England along with the Norman invasion and step by step was instilled in the aristocratic circles. As early as the beginning of the 11th century the good treatment of prisoners started being perceived as a ruler's standard behavior. As the chronicler Adémar de Chabannes writes, William the Great, Duke of Aquitaine, refused to kill or mutilate his defeated opponents. Again, Dudo of Saint-Quentin described Richard I of Normandy's reaction to the fate of those defeated after the unsuccessful attack against Rouen launched by Theobald I, called the Trickster, the Count of Blois, in the description of which he stressed that Richard felt bitter grief and sympathy seeing the death of so many people. On his order, the dead were buried and the living carried on stretchers to the town where their wounds were dressed. He also ordered the searching of the

[27] Donald P. MCCRORY, *No Ordinary Man: The Life and Times of Miguel de Cervantes* (Mineola, N.Y.: Dover Publications, 2006), 89.

[28] The writer immortalized his would-be saviors, the Mercedarian Jorge de Olivar and the Trinitarian Juan Gil, in his two works containing biographical motifs: *Los baños de Argel* and *Los tratos de Argel.* See TAYLOR, *Structures of Reform*, 295.

[29] GARCÉS, *Cervantes in Algiers*, 108 ff.

thickets and swamps where, apart from many dead bodies, a lot of wounded soldiers were found who were also helped. Wilhelm of Jumièges confirms this account and supplements it with the information that Richard sent the wounded who had regained their health to Theobald without demanding any ransom for them.[30]

Strickland made an important distinction between local conflicts over power, where basically no chivalrous rules were observed (stratagems, assassinations, surprise attacks etc. were used), and an open armed conflict, where the point was not so much to kill or mutilate the enemy, but to win in a struggle, and, additionally, also win some spoils and capture the greatest number of prisoners for ransom.[31] In the former case, chivalrous behavior found practically no application, and in the latter the defeated knights had a reason for counting on being left alive.

The image of the knight as a particular icon of western civilization is primarily connected with chivalrous conduct towards opponents and the weak.[32] The parenetic image of the knight propagated earlier by Froissart was based on the assumption that a real knight always shows chivalry towards defeated rivals, he does not hold them as prisoners for a longer period of time than it is necessary, and demands a moderate ransom.[33] Thus it was required that the winner refrained from such consequences of his victory that would include atrocities and the desire for base profits. According to Gillingham, the merciful treatment of defeated enemies is, in fact, the main feature of knighthood. He perceives the code of chivalry as a particular code of behavior whose task is to limit violence and cruelty in the context of military activities that is expressed in the way prisoners are treated.[34] The principles and spirit of knighthood were already strongly rooted in England in the period of the rule by William the Conqueror's son, Henry I (1100–1135),

[30] Ibid.

[31] Cf. Metthew STRICKLAND, "Killing or Clemency? Ransom, Chivalry and Changing Attitudes to Defeated Opponents in Britain and Northern France, 7th–12th Centuries," In *Krieg in Mittelalter*, ed. Hans-Henning Kortüm (Berlin: Akademie Verlag, 2001),114 ff.

[32] On this subject see Maurice H. KEEN, *Chivalry* (New Haven and London: Yale University, 1984), 249.

[33] Cf. Jehan (Jean) FROISSART, *Œuvres de Froissart. Chroniques*, ed. M. Kervyn de Lettenhove, vol. I-XXV (Osnabrück: BiblioVerlag, 1967; reimpression de l'edition de 1867–1877)—vol. V, 460 ff.; vol. VIII, 50.

[34] See John Gillingham, "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: Cambridge University Press, 1994), 32.

and they gave a definite character to military actions,[35] even though pillage and plunder, as well as siege, and not clashes reminiscent of knights' tournaments, were still the most popular way of conducting war.[36] The fact should also be taken into consideration that the code of chivalry also included such notions as retaliation, justice and just anger that were often used to justify the brutal treatment of the defeated.[37]

In the period of the Hundred Years' War there were frequent cases of marauding and attacking civilian populations. The so-called *chevauchées*, forays or raids, were a popular war tactic at that period; their aim was to destroy and to plunder villages and towns; the consequences of that tactic were disastrous primarily for the civilian population. 14th century authors like Honoré Bouvet, Christine de Pizan or Philippe de Mézières criticized this unethical way of conducting war and soldiers' behavior, postulating principles based on chivalric ideals as the model of behavior. Those remarks also concerned — indirectly or directly — people taken into military captivity. Christine de Pizan, an Italian poet and writer living in France and writing in French, is, after Bouvet, the most influential popularizer of the ideology of a just war. In her *Livre de fais des arms et de chevalerie* she raises the issues of the soldier's pay, ransom, treatment of prisoners and the civilian population[38]. As Legnano and Bouvet earlier stated, she says that if in the past the law allowed ancient knights to kill prisoners, sell them into captivity or treat them like slaves, Christian law based on mercy and charity does not approve of such conduct; on the contrary, it condemns it cate-

[35] Charles MILLS, *The History of Chivalry or Knighthood and Its Times*, vol. I (London: Longman, 1828), 388.

[36] The aim of plundering as war tactics was to weaken the enemy, by depriving him of the resources of food among other things. On the domination of such an approach see MILLS, *The History of Chivalry*, 151; CONTAMINE, *La guerre au Moyen Age,* 219; Matthew STRICKLAND, *War and Chivalry: The Conduct and Perception of War in England and Normandy, 1066–1217* (Cambridge: Cambridge University Press, 1996), 258 ff.; Richard KAUEUPER, *Chivalry and Violence in Medieval Europe* (Oxford: Oxford University Press, 1999), 176–85. John Gillingham also draws the reader's attention to the origin of that tactic, referring to Vegetius' classical work that is the source of inspiration for such medieval authors as H. Bouvet and Christine de Pisan: "Saepius enim penuria quam pugna consumit exercitum, et ferro saevior fames est" (Vegatius, *Epitoma rei militaris* 69). Cf. John GILLINGHAM, "Richard I and the Science of War." in *War and Government: Essays in Honour of J.O. Prestwich*, ed. John Gillingam and James Clarke Holt (Woodbridge Suffolk: Boydell Press, 1984), 201.

[37] Cf. Craig TAYLOR, *Chivalry and the Ideals of Knighthood in France during the Hundred Years War* (Cambridge: Cambridge University Press, 2013), 177 ff.

[38] On this subject see Andrzej NIEWIŃSKI, "Wskazania Christine de Pisan *O czynach zbrojnych i rycerstwie* [Christine de Pisan's Recommendations *The Book of Feats of Arms and Chivalry*," *Teka Komisji Historycznej Oddział PAN w Lublinie* 13 (2016): 19–40.

gorically.[39] Sending a captive to prison and torturing him in order to exact a ransom from him deprecates a Christian, or even questions the authenticity of his morality.[40] What is more, one who captured a prisoner, besides the duty to keep him alive also has the duty to defend him against anyone who would like to hurt him.

Despite the (theoretically) binding knightly principles, the treatment of a captured opponent depended to a large degree on the good will of he who had captured him. A prisoner's fate was to a varying degree influenced by such factors as the prospects of financial profits, fear of a reprimand from superiors, the willingness to avenge wrongs suffered earlier or the complex of values formed within the knightly ethos. In the period of the Hundred Years' War prisoners were often executed, and on the basis of the preserved data it is impossible to state unambiguously that most of them were left alive, as there is no information about how many were killed.[41]

The fact that ever more often knights defeated on battlefield were not killed but taken into captivity may be explained by knights' solidarity. In such a point of view, surrender was not perceived unambiguously any more as a stain on one's honor, although a knight who always fought till the very end was appreciated. When, during the Battle of Lewes (1264), Hugh le Despenser, one of Simon de Montfort's closest friends, persuaded Philip Basset to surrender, he refused, choosing to fight as long as he could stand on his feet. He only surrendered after sustaining 20 wounds, maintaining in this way the knight's honor. Surrender was additionally made easier by the fact that a prisoner, with considerable certainty, could count on staying alive.[42]

Even though a prisoner was not considered (or at least should not have been considered) a knight of a lower category, stressing the superiority of the winner remained important. The act of surrender, as a rule, had a definite

[39] Christine de PIZAN, *The Book of Feats of Arms and of Chivalry,* transl. Sumner Willard and ed. Charity Cannon Willard (Pennsylvania: Penn State Press, 1999), 169.

[40] Ibid., 170. In this context a warning of a moral nature appears: whoever in such a way gains any financial profits, he should be aware of the utterly vile character of his deed and ought to return the goods gained, as otherwise they will be his condemnation.

[41] Rémy AMBÜHL, *The Prisoners of War in the Hundred Years' War. Ransom Culture in the Late Middle Ages* (Cambridge: Cambridge University Pres, 2013), 49.

[42] Cf. John GILLINGHAM, "Surrender in Medieval Europe — an Indirect Approach", in *How Fighting Ends: a History of Surrender*, ed. Holgen Afflerbach and Hew Strachan (Oxford: Oxford University Press, 2012), 57.

pattern.[43] Falling to one's knees was one of the gestures that were confirmation that a real change in his existential status had happened in the prisoner. The gestures had a universal significance in medieval Europe. If a knight decided to stop further fighting and be taken into captivity, he dismounted from the horse and kneeled with his hands extended towards his opponent, which was supposed to express his request for mercy, that is, for the sparing of his life. An additional way of manifesting one's capitulation was kneeling with one's hands crossed on one's breast, which showed his submissiveness and consent for the tying of his wrists.[44] Moreover, a declaration of surrender and of putting oneself at the winner's mercy was made (it did not have to be a common formula); from that moment on, the winner was to ensure the prisoner protection and proper treatment.[45]

The next stage of surrender was giving the weapon to the winner[46] and handing him the right glove, which was a symbolic resignation from using strength and a guarantee of promises and obligations issuing from the status of a prisoner.[47] The final moment was giving the helmet to the winner, which was the symbol of giving the whole person to him.[48]

In the circle of cultural traditions of Western Europe, the act of taking somebody prisoner basically had the character of a contract concluded between the prisoner and the one who had captured him, and the uttering of the words of an oath, also defined as "the word of honor", the winner's right

[43] On this issue see Andrzej NIEWIŃSKI, "Jak dostawano się do niewoli [How People Were Taken Prisoner]," in IDEM, *Jeniectwo wojenne*, 105–130.

[44] Hannelore ZUG TUCCI, "Venezia e i prigionieri di guerra nel Medioevo," *Studi Veneziani* 14 (1987): 24–26.

[45] Jean-Claude MAIRE VIGUEUR, *Rycerze i mieszczanie. Wojna, konflikty i społeczeństwo w średniowiecznych Włoszech XII-XIII wiek* [Knights and Townspeople: War, Conflicts and Society in Medieval Italy of the 12th-13th Centuries], transl. Anna Gabryś (Warszawa: Wydawnictwo Naukowe PWN, 2008), 69.

[46] Taking the opponent's weapon had a special importance (especially in the case of commanders); it was connected with taking off the right glove and the helmet—a loss of these two fundamental articles serving one's protection meant that the fighter became practically disarmed, unable not only to attack but also to defend himself. See ZUG TUCCI, "Venezia e i prigioneri," 26.

[47] The symbolism of the right glove issued from the fact that it was a sort of extension of the right arm, serving to formalize promises and obligations. For the winner, the helmet and glove—objects of small sizes, easy to keep—were tangible proof that the captive legally belonged to him (in case the fact was challenged by someone). See ZUG TUCCI, "Venezia e i prigioneri,". 26–27.

[48] The exceptional symbolic value of the helmet resulted from the fact that it protected the most important part of the body, and, moreover, it had a highly individual character that could not be compared to anything else, as it allowed its owner to be identified. By giving one's helmet, the prisoner, in a way, gave himself. ZUG TUCCI, "Venezia e i prigioneri," 26–27.

hand's touch/handshake,[49] the taking of the captive's weapon and part of his armor (usually the glove, but sometimes the helmet as well) as a sign of having the right to the prisoner, were its essential elements. On the strength of this contract, the prisoner lost his freedom and the duty of his "owner" was from that moment to provide him with protection and to keep him alive; if he left the prisoner alone on the battlefield he lost the right to him.[50] On the side of the prisoner who gave himself into captivity, the gesture of raising his hand and/or saying the words "I surrender", or more rarely "ransom", were important as the expression of his will to surrender and give up further fight.[51]

Despite the changes that occurred in the perception of surrender in the battlefield, it was usually seen as the last resort. This is illustrated by the example of Lambert de Thury (one of Simon de Montfort's best knights in the period of the Albigensian Crusade) who, seeing that he would not defeat the enemies, declared his readiness to surrender under the condition that he and several of his men would not be killed or mutilated, that they would be held with maintaining their honors, they would not be divided, they would be released after paying a sensible ransom and that they would not be given to anybody else. In case consent to these conditions would not be given he would rather die, but not without fighting. After his demands were accepted, which was confirmed by a handshake, the opponents were formally taken prisoners. The knight who suggested their surrender and promised to satisfy their demands (he was a cousin of Count de Foix who was famous for treating prisoners cruelly) did not fulfill the negotiated terms and passed the prisoners to Count de Foix who threw the prisoners into such a cramped dungeon that they could not lay down or straighten up there.[52]

Sometimes surrender caused problems of a nature connected with honor — it might happen that a knight had to choose between surrender to a person belonging to a different social class, and staying alive. In the second half of the 14th century Rolandino of Padua writes about the case of the

[49] See GILLINGHAM, "Surrender in Medieval Europe," 56 ff.

[50] TAYLOR, *Chivalry*, 195 ff.; Maurice H. KEEN, *The Laws of War in the Later Middle Ages* (London: Routledge, 1965), 165 ff. The one who touched his right hand first had the right to the prisoner, and after that the captive was to be transferred to a safe place. However, in the course of battle it was difficult to stop and complete the necessary formalities, and also to ensure the prisoner's safety.

[51] AMBÜHL, *The Prisoners of War*, 106; Anne CURRY, *Agincourt: A New History* (Stroud: Tempus Publishing, 2005), 214.

[52] Cf. GILLINGHAM, "Surrender in Medieval Europe," 56 ff.

knight Tiso da Camposampiero who, surrounded on the battlefield, refused to surrender to a person of a lower class, and since there were no other knights he could surrender to he ultimately died.[53] Similarly, the French King John the Good at Poitiers, surrounded together with his son by a hundred English and Gascon knights who shouted that he should surrender but did not dare approach him, asked: "Who am I to surrender to? Where is my cousin, the Prince of Wales?". Denis de Morbecque, one of the knights, allegedly answered: Sire, he is not here, but if you yield yourself to me I will lead you to him." The King agreed and surrendered by handing him his glove; however, his request was not honored immediately: he was taken by force from the knight whose prisoner he formally was, and his kidnappers quarreled about who was the first to capture him, and hence had the right to ransom. The French King once again asked to be led to his cousin, remarking that he was rich enough to pay ransom to all the knights interested in his person, which calmed down the excited knights. Finally, after the Earl of Warwick intervened, the prisoner was safely brought to Prince of Wales who received him with honors[54].

Thus, from the 12th century on surrender — in definite circumstances — was considered reasonable (the more so if the struggle was prolonged) and honorable. The famous Geoffroi de Charny, who in the 14th century was regarded as the model for a knight, in his treatise on knighthood (to a large degree based on his own experiences) wrote: "If you were defeated, does not God show you His great grace if you are taken prisoner in a honorable way, respected both by your people and by the opponents?"[55] Surrender did not leave a stain on one's honor, which is proven, for instance, by the fate of the legendary Bertrand du Guesclin whose reputation was not ruined at all in spite of his being captured four times.[56]

[53] Cf. Maurice KEEN, *Rycerstwo* [*Chivalry*], transl. Arkadiusz Bugaj (Warszawa: Państwowy Instytut Wydawniczy, 2014), 65.

[54] *Stories from Froissart*, by Barry St. Leger, vol. I-III (London: Colburn and Bentley, 1832), vol. I, 69–71; Robin NEILLANDS, *The Hundred Years' War* (London: Routledge, 2002), 131.

[55] *The Book of Chivalry of Geoffroi de Charny*, ed. and trans. Richard W. Kaeuper and Elspeth Kennedy (Philadelphia: University of Pennsylvania Press, 1996), 133.

[56] Cf. KEEN, *The Laws of War*, 124. The colorful figure of Bertrand du Guesclin was immortalized mainly in *Chronicle* by Cuvelier. Apart from the valor that is indispensable for a knight, Bertrand was marked by an impetuous and belligerent character that was manifest even when he was a child—see Anne Curry, *The Hundred Years' War: 1337–1453* (Oxford: Osprey Publishing, 2002), 69. As a seventeen-year-old he took part in a knights' tournament secretly borrowing a horse and armor from one of his cousins. He defeated the most eminent knights, but he did not want to fight against his father who took part in the same tournament. He was the unquestioned winner and he revealed his identity only at the end of the tournament, which was quite a surprise to his father.

The treatment of a prisoner was sometimes cruel, but it could be extraordinarily courteous as well. The French knight Eustache de Ribemont fought against King Edward III at Calais and was defeated although he fought valiantly and brought the King to his knees twice. Finally he, however, surrendered not knowing that the knight he was fighting was the King of England. For his valor he was treated with great generosity: the king was full of admiration for his knightly virtues and released him without ransom, and what is more, he gave him a generous gift — his own diadem of pearls.[57] On the other hand, despite the magnanimous treatment of the prisoners and the receiving of them with a sumptuous dinner, Edward was not willing to spare the ordinary inhabitants of Calais. As legend has it, only his wife Queen Philippa's intervention caused him to abandon his intention to kill them.[58]

Another example of the surrender of a knight is the duel between John of Gaunt, Duke of Lancaster, and the French knight Jean de Villemur during the massacre at Limoges. The duel ended with the Duke's victory, and Villemur and his companions surrendered, admitting they were defeated and asking to be treated accordingly to the law of war, to which the Duke of Lancaster magnanimously answered that he would not even dare think of a different solution.[59]

It would be a mistake, however, to draw the conclusion that all medieval battles were reiminscent more of knights' tournaments than bloody clashes,

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From that event his career started. Within the space of twenty-three years he took part in every great battle, often as a commander. He was captured four times and the high ransom exacted from him was always (at least partly) paid by the French king. The most spectacular case connected with the ransom was that of 1367: captured in the Battle of Nájera and asked by the Black Prince how he felt in captivity, he wittily answered the he felt splendid as he was the most honored knight in the world. When asked to develop that answer the Frenchman explained that he felt that way because he was flattered by the fact that the Prince did not have the courage to release him. The Prince of Wales, thus provoked, immediately set the sum of 100 thousand francs (although he, indeed, did not want to release such an important prisoner; however, he could go back on his word that he had rashly given) that was paid with the assistance of the King of France Charles the Wise and of the Duke of Anjou (cf. FROISSART, *Œuvres de Froissart. Chroniques*, vol. VII, 245 ff.; MILLS, *The History of Chivarly*, 192 ff.). D. Green, on the other hand, gives a different, legendary version of the story: the Prince of Wales ordered the Frenchman to set the sum of the ransom himself, and when he mentioned 100 thousand francs the Prince immediately paid half of this sum and sent du Guesclin to France so that he could raise the rest of the money there. Cf. David GREEN, *Edward, the Black Prince: Power in Medieval Europe* (Harlow: Pearson Education, 2001), 90.

[57] Cf. FROISSART, *Œuvres de Froissart. Chroniques*, vol. V, 246 ff.; Christopher T. ALLMAND, *Society at War. The Experience of England and France during the Hundred Years' War* (Edinburgh: Boydell Press, 1973), 24; TAYLOR, *Chivalry*, 98.

[58] Cf. MILLS, *The History of Chivalry*, 22.

[59] Cf. GREEN, *Edward, the Black Prince*, 90.

and prisoners were treated according to the requirements of honor. Armed conflicts in the 14th and 15th centuries, like the Battles of Crécy, Poitiers or Agincourt were characterized by fierceness: prisoners were often not taken or they were killed.[60] Incidentally, it has to be added that cases of abuse also happened with respect to civilian populations. The massacre at Limoges (1370) is an example; it is mentioned by Froissart in his chronicle[61] that after the town had been captured on the Black Prince's order it was plundered and burned, and all its defenders and inhabitants were brutally killed. The author of the account explains the whole event by the great anger of the Prince who, in an act of revenge for the treason committed by the bishop of Limoges, treated the townspeople mercilessly, sparing only a few knights.[62]

An earlier example of non-chivalrous treatment of the defeated by a monarch is the case of the captives of Bourgtheroulde (1124): Henry I sentenced three captured knights, supporters of his rebellious nephew, to lose their eyes. This caused the Count of Flanders, Charles the Good, to protest; he condemned the improper treatment of prisoners and referred to the observed forms, charging the king with violating them: "[…] you behave against our customs, punishing by mutilating the captive knights who are in the service of their lord."[63] However, the king was able to convince the

[60] In this context J. Flori remarks that "killing a captured enemy might be a waste, as it depraved the victorious knights of the part of the ransom they were entitled to". Sometimes the winners decided to do so, being afraid that the enemy would like to recapture the prisoners. It was thus, among others, at Agincourt or at Aljubarrota. Froissart noted that in the face of a real threat of an English and Portuguese armies' victorious counter-attack, the French were forced to kill the prisoners they had captured; he deplored it, begrudging the lost 400 thousand francs, for so he estimated the sum of the expected ransom. Jean FLORI, *Rycerze i rycerstwo w średniowieczu* [*Knights and Chivalry in the Middle Ages*], trans. Edyta Trojańska (Poznań: Dom Wydawniczy Rebis, 2003), 151–152.

[61] FROISSART, *Œuvres de Froissart*, vol. VIII, 38 ff.

[62] Cf. D. Green, *Edward, the Black Prince*…, p. 93; C. Taylor, *Chivalry*…, p. 39.

[63] See ORDERIC VITALIS, *Historia ecclesiastica*, PL 118: 0909A-0909C: "Tunc Carolus, marchio Flandriae, qui Balduino iuueni in ducatu successit, cum multis nobilibus curiae regis interfuit. Infaustorum quoque condemnationi pie condoluit, atque, caeteris audacior, ait: «Rem nostris ritibus inusitatam, domine rex, facis, qui milites bello captos in seruitio domini sui debilitatione membrorum punis?». Cui respondit rex: «Rem iustam, domine consul, facio, et hoc manifesta ratione probabo. Goisfredus enim et Odardus consensu dominorum suorum legitimi homines mei fuerunt, periuriique nefas ultro committentes, mihi fidem suam mentiti sunt, et idcirco nece seu priuatione membrorum puniri meruerunt. Pro seruanda, quam mihi iuraverant, fidelitate, omnia potius quae in mundo habebant, debuissent deserere, quam ulli hominum contra ius aliquatenus inhaerere, fidemque suam nequiter prodendo, legalis heri foedus disrumpere. Lucas autem homagium mihi nunquam fecit; sed in castro Pontis Aldemari contra me nuper dimicauit. Ad postremum, pace facta, quidquid foris fecerat indulsi, et cum equis rebusque suis liberum abire permisi. At ille hostibus meis protinus adhaesit, rediuiuas, illis iunctus, inimicitias

Count that his behavior was right by charging the condemned with breaking their word, which was a serious charge. He argued that earlier they had already been in captivity and were released after they had taken an oath that they would not fight against Henry I.[64]

Treating prisoners that was contrary to the knightly ethos also took place at Harfleur (1415). After five weeks of siege the town surrendered and negotiations with Henry V started. While *Gesta Henrici Quinti* (an anonymous source having the character of propaganda) extolled the king's magnanimity, *Great Chronicle of London* stresses the monarch's conscious humiliation of the surrendering French commanders.[65] Henry decided to keep 30 captives for himself, including two commanders, Gaucourt and Estoutville.[66] However, they did not regain their freedom despite the concluded agreement. Some of them were brought to England, and only one was released after a year so that he could go and bring his ransom. From the petition addressed to the Duke of Gloucester eight years later, after Henry V's death, it follows that the remaining ones were still held in captivity and lived in abject poverty, living off alms. The Duke acceded to the prisoners' request and released all of them (only seven remained). The commanders were to regain freedom on condition that several English prisoners held in France would be set free and a certain ransom would be paid for them. Moreover, they were to recover the gold crucifix, jewelry and a few other objects the king had lost in the battle. After long-lasting efforts Gaucourt and Estoutville carried out their part of the obligations, delivering the precious objects and the English prisoners to London. Henry broke his word then and did not release them in accordance to the earlier agreement. They only managed to regain freedom after his death in 1425 by way of exchanging a captured English earl.[67]

In a similar way, contrary to the accepted principles according to which the ruler released prisoners after capturing the town or the fortress, did

in me agitauit, et peiora prioribus addidit. Quin etiam indecentes de me cantilenas facetus coraula composuit, ad iniuriam mei palam cantauit, maleuolosque mihi hostes ad cachinnos ita saepe prouocauit. Nunc idcirco Deus illum mihi tradidit ut castigetur, ut a nefariis operibus cessare cogatur, aliique, dum temerarii ausus illius correptionem audierint, commode corrigantur». His auditis, Flandriae dux conticuit, quia quid contra haec rationabiliter obiiceret non habuit".

[64] Cf. STRICKLAND, "Killing or Clemency?," 108.

[65] Cf. ALLMAND, *Society at War*, 118 ff.

[66] Honoré Bouvet stated that a captured knight, just like a captured town, did not belong to the soldier who had captured him, but to his superior or to the ruler fighting the war. See Honoré BOUVET, *L'Arbre de battailles*, ed. Ernest Nys (Bruxelles and Leipzig: Muquardt, 1883), 102, 138 — after: FLORI, *Knights and Chivalry*, 152.

[67] AMBÜHL, *Prisoners of War*, 73 ff.

Henry treat the prisoners of Meaux (1422), of whom he killed several despite the fact that they had surrendered, convinced that they would stay alive.[68] The execution of the prisoners of Agincourt is also ascribed to such conduct by the monarch which does not suit the knightly ideal, although it was justified by the fear of a French attack.[69] Facts known from sources show that in the case of Henry the otherwise well-rooted practice of sparing prisoners' lives was not applied — they were completely at the king's grace, or more often — disgrace.[70]

As the above cited examples show, there were more or less established principles concerning treating prisoners, but rulers, in fact just like knights or ordinary soldiers, did not always observe them. Such factors as treason (mutiny, rebellion, indeed any kind of disobedience was treated as treason), lèse-majesté, considerable losses in men during a battle or siege (apart from individual traits of character), inspiring a desire for revenge, influenced the lack of the king's grace. Behavior perceived as a stain on one's own honor should be added here. But the existence of definite principles is confirmed by the fact that, firstly, improper behavior was condemned (Henry I, Henry V) and, secondly, kings thought it necessary to explain their decision (e.g. Henry I excused the blinding of the prisoners by their treason, and Henry V invoked lèse-majesté).

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Treating a captured person depended to a large degree on his social position for obvious reasons — a considerable sum of money as a ransom could be obtained for a higher standing dignitary — but also on the general situation on the battlefield (sometimes there was the necessity of killing the enemy) and factors of a personal nature (e.g. revenge). It should be, however, noted, that even treating captured kings was not identical in all cases, or even similar. This may be illustrated by the examples of Richard

[68] Craig TAYLOR, "Henry V Flower of Chivalry," in *Henry V: New Interpretations*, ed. Gwilym Dodd (Woodbridge: York Medieval Press in Association with The Boydell Press, 2013), 239. The author stresses that revenge, like mercy, was a constant element of the code of chivalry.

[69] See: Anne CURRY, *The Battle of Agincourt. Sources and Interpretations* (Woodbridge: BOYE6, 2000), 341–345.

[70] Bouvet, as has already been mentioned, thought that, although killing a prisoner was against the law of war, he might be killed on the battlefield. He made two reservations: "from the moment when a man surrendered and was taken prisoner, he deserves mercy […] and killing him is forbidden […] unless it is recognized that his escape would lead to an even greater war". BOUVET, *L'Arbre*, 152.

the Lionheart, Louis IX of France, Enzo of Sardinia, David II Bruce and John the Good.

King Richard the Lionheart, captured in 1192 at Vienna, remained a prisoner for over a year, and then was ransomed. The leading figure of the Third Crusade, because of a peculiar irony of fate, was not captured by enemies of the Christian faith or even by his opponents with whom he was formally in the state of war, but by the Austrian Duke Leopold V (whom he had made turn against him when the Duke had insulted him a year before at Acre when Leopold demanded being treated on equal terms with kings). This means that he was not a prisoner of war *sensu stricto.*[71] In addition, as a knight returning from a crusade he had the status of a pilgrim being under the protection of the Church, which the French chronicler Rigord did not fail to point out, remarking that capturing a pilgrim is against Christian customs.[72]

So Duke Leopold perpetrated a sacrilege, but this did not stop him from demanding — and finally exacting — a ransom. Richard fell victim to political manoeuvring with the participation of Leopold, Holy Roman Emperor Henry VI and his own brother John, trying to seize the opportunity to assume power in England. While not sure that he would ever be released, the prisoner experienced hard times in captivity,[73] retaining his honor, however. Leopold and Henry agreed that they would split the ransom amounting to 100 thousand merks, although they carefully avoided the term "ransom."[74] Richard was handed over to the Emperor who charged him with betraying the Holy Land by devising a plot whose aim was to murder Conrad of Montferrat. The charges were dismissed and the Emperor proposed his

[71] The whole incident rather reminded one of a kidnapping, although according to the account given by Roger of Howden, Richard, when he was surrounded, stated that he would surrender to Duke Leopold himself only, and he did so, giving up his sword as a sign of surrender. It is not known, however, what was the true course of events. The chronicler William of Newburgh stresses that the king was manacled, which was an affront to his dignity, and according to Gervase of Canterbury Richard was proclaimed a traitor and there was even the threat that he would be stoned or hanged by the furious Viennese crowd. Cf. John GILLINGHAM, "Cœur de Lion in Captivity," *Quaestiones Medii Aevi Novae* 18 (2013): 67.

[72] RIGORD, *Histoire de Philippe Auguste*, edition, traduction et notes sous la direction d'Élisabeth Carpentier, Georges Pon, and Yves Chauvin (Paris: CNRS éditions, 2006), 314.

[73] In Peter of Blois' letter to Conrad, the Archbishop of Mainz, there is a mention of the king being manacled and debilitated by hunger; William of Newburgh also mentions heavy chains, while Otto of Sankt Blasien says that for a whole year Richard stayed with the emperor "vinctus", which may mean that he was simply in captivity. See John GILLINGHAM, "The Kidnapped King: Richard I in Germany 1192–1194," *German Historical Institute London Bulletin* 30 (2008), No. 1: 18, 22.

[74] Ulrike KESSLER, *Richard I. Löwenherz: König, Kreuzritter, Abenteurer* (Graz: Styria Verlag, 1995), 267.

mediation in Richard's reconciliation with King Philip of France, for which the former was supposed to pay the sum mentioned above. The whole problem was then presented as an action to improve international relations.[75]

Up to the moment of the paying the ransom however, Richard was to remain in captivity. After his probable refusal to pay liege homage to the Emperor, a new ransom was agreed to — 150 thousand Cologne marks. Despite this, the situation was still uncertain, for Henry considered the possibility of an alliance with France or the prospect of gaining such a sum from Philip and John for holding Richard in captivity.[76] Ultimately the English king was released in February 1194. Some sources say that he was nevertheless forced to pay homage as a condition for being released, which resulted in his repeat coronation after his return from captivity; however, later he was released from his liege obligations by the emperor.[77] Richard's legend as an unblemished knight survived despite the humiliation that he suffered as a prisoner, in turn, the fate of the remaining people who took part in the incident was unenviable: Leopold died at the end of 1194 and his son Frederick swore that he would be taking part in a crusade for the same period of time that Richard had spent in captivity. In the course of the crusade he died. Emperor Henry died in 1197, and was succeeded by Otto IV of the Welf dynasty. The reputation of Pope Celestine, who basically did nothing to help to release Richard, was also tarnished. He excommunicated Leopold, but he did it *post factum*, that is, when the prisoner had already been released.[78]

Louis IX of France is another king-prisoner, but the circumstances of his stay in captivity were utterly different. The defeat that the Egyptian crusades suffered in 1217 and 1250 resulted in many Christian prisoners remaining in the hands of Muslims. King Louis felt responsible for their fate. Setting out for the Seventh Crusade he took with him, among others, the Minister General of the Trinitarian Order.[79] Louis was induced to undertake the crusade — that Innocent IV officially sanctioned in 1245 — by his grave illness that he suffered in 1244 (in the same year that Latin rule in Jerusalem ended).[80] After three years of preparations he set out in 1248. He easily

[75] GILLINGHAM, "Cœur de Lion in Captivity," 68.

[76] Ibid., 71.

[77] Roger of Howden and Ralph de Diceto refer to this event, although other English chroniclers pass over it in silence — see GILLINGHAM, "The Kidnapped King," 26–27.

[78] GILLINGHAM, "Cœur de Lion in Captivity," 76.

[79] FRIEDMAN, *Encounter between Enemies*, 97.

[80] Cecilia GAPOSCHKIN, "The Captivity of Louis IX," *Quaestiones Medii Aevi Novae* 18 (2013) 90.

captured Damietta and after several months he went to Cairo. An attempt to capture the town of Al-Mansurah made in February 1250 by Robert d'Artois, the king's younger brother, ended in a total fiasco. The Muslim blockade cut the French troops off from the supplies from Damietta, which resulted in hunger and soon disease started to spread. Many soldiers died and Louis ordered a return to Damietta.[81] It was proposed to escape by river, but he refused as he did not want to leave his men in such a difficult position. And on their way back Louis and the remnants of his men were attacked by a party of Mamluks.[82] Muslim sources say that in an uneven fight 30 thousand Christians were killed. The king himself was gravely ill and could not fight.[83] A little later negotiations he held with the Muslims were frustrated because of the treason committed by one of the French commanders; thinking that it was the king's order, the French surrendered, many of them were killed and the remainder together with Louis were taken prisoner by the Egyptian Ayyubids.[84] The prisoners left alive, including the king, were manacled.[85]

Louis' health was so bad that Turan-Shah[86] put him into his doctors' care and they proved to be more efficient than the French ones. Louis himself, in turn, so despaired after he had been taken prisoner that for two days he did not eat or drink anything and he only desired to be dead. But his health improved and so did the conditions in which he was held: he received a robe worthy of a king, was given back his breviary taken from him when he was captured so that he could pray, and his chaplain and cook were allowed to stay with him. The Sultan even invited him to a banquet but Louis refused, saying that he would only be exposed to Muslims' ridicule.[87]

[81] Ibid., 92. The author of the article draws a considerable part of the information from the account by Seneschal Jean de Joinville, the author of *The Life of Saint Louis*, the king's faithful companion and an eyewitness of the events. *The Life of Saint Louis, King of France* (*Vie de St. Louis, Roi de France,* Paris 1847–1851) by Le Nain de Tillemont takes into consideration practically all known Latin sources and at least one Arab source, hence it may be a reliable source of information on this subject.

[82] Mamluks were non-muslim slave soldiers belonging to the state, coming from outside Islamic countries. In 1250, when Louis stayed in captivity, they established a sultanate overthrowing the ruling Ayyubid dynasty.

[83] GAPOSCHKIN, "The Captivity of Louis IX," 93.

[84] A Sunni dynasty founded by Saladin ruling in the Middle East for nearly 100 years. See Peter M. HOLT, *Bliski Wschód od wypraw krzyżowych do 1517 roku* [The Age of the Crusades, The Near East from the Eleventh Century to 1517], trans. Barbara Czarska (Warszawa: Państwowy Instytut Wydawniczy, 1993), 76–83.

[85] GAPOSCHKIN, "The Captivity of Louis IX," 94.

[86] In the years 1249–1250 Sultan of Egypt and Damascus of the Ayyubid dynasty.

[87] Peter JACKSON, *The Seventh Crusade 1244–1254. Sources and Documents* (Farnham: Ashgate Publishing, 2009), 160.

Holding the remaining prisoners whose number, according to Muslim sources, amounted to over 20 thousand, would not bring any profit. They were too great a group, and this is why Turan-Shah decided to undertake radical steps: some prisoners were offered an alternative — death or conversion to Islam, to others (the wealthiest) the possibility of ransom was indicated, and Turan-Shah ordered the remaining part to be killed. Here the historical source is (it seems) enriched with elements typical of a *stricte* literary narration derived from popular legends.[88] Each night one of his men was to behead 300 prisoners and throw their bodies into the Nile, and this was to go on until all of them would be killed. The surviving prisoners were given new clothes and their safety was ensured.[89]

After several days, when Louis was allowed to see his brothers and those of his men who were left alive, he issued the order to stop individual negotiations concerning ransoms, declaring that he himself would settle the conditions and costs of releasing all those who were kept as prisoners. Joinville writes that in the course of the talks with Turan-Shah (with whom Louis did not meet in person, talking only to his emissaries) it was demanded from the king that castles and land in Syria should be given back, and when the king refused, he was threatened with torture.[90] Finally, it was agreed that the king and all the Christians kept in captivity would be released on condition that a 10-year truce would be made, Damietta would be given back to Muslims, 800 thousand gold bezants (gold coins produced by the government of the Byzantine Empire) would be paid and all Muslim prisoners would be released. Moreover, all Christians were to be given a guarantee of moving around safely in the territory controlled by Muslims.[91]

However, things took a different turn. On the day when the terms of the agreement were to come into force Bahri Mamluks murdered Turan-Shah and took over power. All the earlier agreements concerning prisoners became uncertain. One of the two Mamluk leaders, Emir Faris ad-Din Aktai al-Jemdar asked Louis what he would give him for murdering his enemy. He

[88] Indirectly this may prove the attractiveness of the subject of prisoners of war as material for literary narration, and — on the other hand — it shows that the tale of the fate of prisoners is open for literary (fairy-tale, legendary, adventurous literature etc.) interpolations.

[89] GAPOSCHKIN, "The Captivity of Louis IX," 96.

[90] Jean de Joinville writes that the king simply answered to these threats that he was a prisoner and they could do to him anything they wanted. See Jean DE JOINVILLE, *Czyny Ludwika Świętego króla Francji* [Life of Saint Louis], introduction by Jerzy Hauziński, trans. and commentary by Marzena Głodek (Warszawa: Wydawnictwo Akademickie Dialog, 2002), 101–103; GAPOSCHKIN, "The Captivity of Louis IX," 98 and 102.

[91] JOINVILLE, *Czyny Ludwika Świętego*, 103 ff.; JACKSON, *The Seventh Crusade*, 106.

also argued that Turan-Shah surely would not have kept to the terms of the agreement. The king, however, did not give him an answer. The prisoners were afraid that all of them would be killed, but soon they were ensured that the agreement would remain in force, except that now it was the Mamluks who were its beneficiary. When half of the ransom was delivered a problem arose about how to choose the people who were to remain in captivity in order to guarantee payment of the other half. Louis immediately declared his readiness to remain, but the Muslims demanded that he should leave one of his brothers (finally it was Alphonse, Count of Poitiers) as a hostage, and then the prisoners were released according to the agreement.[92]

Although he remained in captivity only one month the experience had a great influence on Louis intensifying his sensitivity to prisoners' suffering and the feeling of responsibility for their fate. This is why he spent the following 4 years in Acre, Jaffa and Caesarea conducting negotiations with the Muslims of Egypt and Syria, and using his own money for ransoming Christian prisoners. Releasing them became his priority, which proves that ransoming prisoners stopped being perceived as a solely private problem.[93] The king returned to France in 1254. He died a few years later during the next crusade which he had joined.

The story of Enzo of Sardinia — the king of Sardinia, a natural son[94] of Emperor Frederick II Hohenstauf, is utterly different. Enzo was defeated and captured by Bolognese militias in 1249 in the Battle of Fossalta. Taken to Bologna and sentenced to life imprisonment he spent over 20 years in captivity.[95]

Very similar to his father, educated and at the same time courageous and valiant, he was considered to be an ideal knight. Why did he meet such a cruel fate and how was he treated when he was a prisoner? The wars between the Guelphs and the Ghibellines against the background of the conflict between the Emperor and the Papacy are the direct context here. Enzo fought against the Guelph forces from 1242, supporting the Emperor's offensive in Lombardy. He found himself at Fossalta when he came to the aid of the Guelphs of Modena attacked by the Bolognese. In battle he suffered defeat and surrendered, together with 1200 infantry and 400

[92] GAPOSCHKIN, "The Captivity of Louis IX," 102.

[93] FRIEDMAN, *Encounter between Enemies*, 96–99.

[94] However, he was legitimized by the emperor in 1239 and recognized as a potential heir to the throne. See E. WINKELMANN, "Zum Leben König Entios," *Forschungen zur Deutschen Geschichte* 26 (1886): 311–312.

[95] Ibid., p. 312.

knights. Most of them were soon, after paying ransom, released, but the king remained in captivity as a living symbol of the anti-emperor party's superiority.[96] The Emperor, in turn (nor any of his other sons), did not undertake any diplomatic steps aimed at releasing his son — he only wrote a letter, demanding in harsh words his release, to which he received an answer saying that the captured king would remain in captivity forever.[97] He was kept in the attic of the so-called New Palace (added to the Palazzo del Podesta). A legend says that he was closed in an iron cage hanging down from the ceiling on a chain. The guards who, according to special regulations could not be younger than 25, were forbidden from playing games with him, or even talking to him. Sources say that the prisoner unsuccessfully tried to escape about 1253.[98] With time, however, the conditions he was kept in became more bearable, the king had servants, a cook, a shoemaker, a tailor, doctors and a notary at his disposal — he mentions all of them in his testament. He also had contacts with Bolognese noblemen. What is important is that he also mentions his three daughters, all of whom were illegitimate. He could also devote himself to studies and writing poems — he is thought to be the first man to present Bologne with Sicilian lyric poetry.[99]

The long period of the king-prisoner's captivity is most extraordinary: after so many years nobody remembered the real reasons of his imprisonment any more, and in the process of the constant re-invention of the past the captive gradually became a historical myth, a symbol, a honorary guest. When he died in 1272 a truly royal funeral was held, and over the next centuries his role in history and in the life of the town was ideologically reversed. A legend was even created according to which the famous Bolognese family Bentivoglio is derived from him. The King of Sardinia after his death became the King of Bologne.[100]

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[96] Francesco ROVERSI MONACO, "'King of Bologna': The Captivity of Enzo, King of Sardinia, between History and Myth," *Quaestiones Medii Aeve Novae* 19 (2014): 284.

[97] Ibid., 285. According to another version of the event the Emperor did try to ransom his son, offering great sums, and when this did not produce the desired effect he proposed exchanging him for the son of the Marquess of Monferrato whom he had captured, but the exchange did not come into effect because of the death of the latter. Lodovico FRATI, *La prigionia del re Enzo a Bologna con appendice di documenti* (Bologna: Forgotten Books, 1902), 11.

[98] ROVERSI MONACO, "'King of Bologna'," 288.

[99] "Fu Enzo che porto a Bologna la poesia. Di poesia a Bologna non v'e traccia [...] prima della venuta di Enzo. Con lui entro a Bologna la poesia della scuola sicilina". Maurizio VITALE, *La veneranda favella: studi di storia della lingua italiana* (Napoli: Morano, 1988), 59.

[100] ROVERSI MONACO, "'King of Bologna'," 290, 297.

Another example is that from a somewhat later period: David II[101] of Scotland, a young king, was taken prisoner by the English when the Scots suffered defeat at the Battle of Neville's Cross in 1346 (he was only 22 then).[102] This occurrence put an end to the Scottish invasion of England that was supported by France. David was not the only king of Scotland who was taken into English captivity — before him there were John Balliol who was treated by Edward I more like a mutinous vassal than a sovereign king, and then James I of the Stuart dynasty.[103] The context in which the captivity of particular Scottish kings in the 13th — 15th centuries took place was defined by the aggressive claims to the Scottish throne started by Edward I; at the end of the 13th century they resulted in the Wars of Scottish Independence.[104] An important feature in the attitude towards this kind of prisoner was the fact that the English each time realized the necessity of recognizing the Scottish ruler held in captivity as a legitimate king, as only as such he was valuable and could be a bargaining chip in negotiations with the Scots.[105]

Sent to France after the Battle of Halidon Hill (1333) that was lost by the Scots, David the Bruce returned to Scotland 9 years later to be able to support France in her war against England on the strength of Auld Alliance.[106] As was mentioned above, he was captured in 1346 and Edward III ordered that he should be held (along with other captives belonging to the

[101] He was the son of Robert the Bruce, a charismatic leader and then the King of Scots who, after the Battle of Bannockburn where he defeated Edward II's army, (1314) re-established an independent Scottish kingdom. David's right to the throne was debatable because the first pretender was Robert II Stewart, the son of Marjorie — the daughter of Robert the Bruce by his first wife (and ultimately it was he who became king after the death of David who left no children). It may also be mentioned that David was Edward III's brother-in-law: he married his younger daughter, Joan of the Tower.

[102] On this issue see Andy KING, "'According to the custom used in French and Scottish wars': Prisoners and casualties on the Scottish Marches in the fourteenth century," *Journal of Medieval History*" 28 (2002), No. 3: 269.

[103] His mother, Elisabeth de Burgh together with her stepdaughter, her husband's sisters and a few ladies-in-waiting were also held in English captivity (in the years 1306–1315).

[104] Michael PENMAN, "The Lion Captive: Scottish Royals as Prisoners of England, c. 1070 – c. 1424." *Quaestiones Medii Aevi Novae* 19 (2015): 415.

[105] The same, slightly paradoxical principle could also be applied in the case of John the Good — in order to gain profit resulting from his capture Edward III had to recognize that John was the legitimate king of France, and in this way lose any basis for his own claims to the French throne.

[106] The so-called Auld Alliance—a military and diplomatic alliance made in 1295 (and then renewed) between the kingdoms of Scotland and France against England. On this subject see Elizabeth BONNER, "Scotland's 'Auld Alliance' with France, 1295–1560," *History* 84 (1999): 5–30.

Scottish nobility) for him, not allowing him to be ransomed[107]. The king, wounded by two arrows, was taken to a nearby castle where he was given medical aid. At the beginning of January 1347 the manacled prisoner came to London where he was received at the Tower by the eight-year-old Lionel, Duke of Clarence, the son of Edward III. The royal surgeon took care of David who was held in the Tower. It is not known precisely what the conditions of David's stay in captivity were, but there is the basis to assume that the means he had at his disposal allowed him to live a fairly comfortable, albeit modest, life, being surrounded by his servants[108]. Moreover, he could meet his companions captured with him at Neville's Cross, who were also held at the Tower, and contact the English king. However, David's wife Joan, even though she was the sister of Edward III, could join him only after two years' captivity[109].

The prisoner's situation gradually improved because of the fact that Edward III noticed in him a tool for neutralizing the Scots as France's allies. Hence, the Scottish king enjoyed more freedom, and in 1348 he even took part in a ceremonial tournament occasioned by the establishment of the Order of the Garter. Although he came to London as a manacled prisoner, he gained value as a meaningful figure in the political strife between England and France, which resulted in hum being treated better[110].

However, this was connected with definite expectations. Firstly, the English king gave an order that the prisoner should raise funds for his living costs. Secondly, being released was to be accompanied by considerable concessions of a political nature — Edward III was to write a letter to the Pope, in which he would officially recognize David as the ruler of Scotland and renounce the ransom, but on condition that one of his younger sons (probably Lionel, Duke of Clarence or John of Gaunt) became the heir to the Scottish throne if David died leaving no children.[111] On his part, David made an agreement with Edward promising to support England in her potential war against the Stuarts,[112] if that

[107] John de Coupland, a squire from Northumberland, who captured David, did not want to simply turn over his prisoner, so the king made him a knight banneret and gave him a yearly pension for the rest of his life. PENMAN, "The Lion Captive," 120.

[108] A. A. M. DUNCAN, "Honi soit qui mal y pense: David II and Edward III, 1346–52," *Scottish Historical Review* 67 (1988): 119.

[109] PENMAN, "The Lion Captive," 422.

[110] Ibid.

[111] Michael PENMAN, *The Bruce Dynasty in Scotland: David II, 1329–71* (East Linton: Tuckwell, 2004), 153–174

[112] David's nephew Robert Stuart (previously the pretender to the throne, and then the first king of the House of Stuart) exercised authority as the Guardian of the kingdom during David's absence.

dynasty came to power. He was released on parole in 1351 and went to Scotland to negotiate the terms of regaining freedom, but the Scottish parliament did not agree to them, categorically refusing to recognize a king who would not be free of English influences. Since David's intention was to persuade them to be loyal to the English king he was not treated kindly.[113] According to his earlier promise he returned to England and in 1354 he again tried to regain freedom. Under the terms of the unratified treaty of Newcastle the prisoner was to be released in exchange for 90 thousand merks and 20 Scottish hostages of noble descent. However, Robert Stuart managed to scuttle this plan by convincing the Scottish parliament to accept the French proposal, generously backed with gold, to continue the war against England. In the resulting situation, Edward distanced himself from further fruitless negotiations aiming at concluding an advantageous agreement with Scotland, and her king remained in captivity.[114]

The conditions of his stay in captivity again were changed — this time for the worse. In 1355 David was put in a castle outside London and was much more isolated than before. Indeed, he had a private chapel and could go hunting, but no Scotsman was allowed to come close to him without having been previously permitted.[115] He was also separated from his wife who remained in London. In addition, France's defeat at Poitiers to a large degree reduced the value of David as a prisoner whose status was a lot lower than that of the king of France who had been taken prisoner. Ultimately the king of Scots' 11-year stay in captivity was ended by the Treaty of Berwick that set the sum of ransom at 100 thousand merks and 20 hostages. David II of the House of Bruce was released in autumn 1357.[116]

The history of the last protagonist of this short review and the previous account overlap — John the Good, the king of France, was taken into captivity in 1356 at Poitiers together with his younger son Philip by Edward Prince of Wales, commonly known as the Black Prince. The occurrence described by Froissart is considered a classic example of the knightly treatment of a captive: it is enough to mention the fact that after the battle a banquet was given in his honor, and the Black Prince himself waited on him.[117] The question suggests itself if we are really dealing here with the triumph of the knightly ethos?

[113] PENMAN, *The Bruce Dynasty in Scotland*, 165 ff.
[114] PENMAN, "The Lion Captive," 425.
[115] Ibid., 426.
[116] Ibid., 428.
[117] *Stories from Froissart*, 73.

The Battle of Poitiers was one of the crucial moments in the extremely exhausting, for both sides, Hundred Years' War. The King of France, John the Good, was one of the most powerful monarchs of the time, and at the same time he was famous for chivalry. He was the founder of the Order of the Star (in imitation of the French Order of the Garter), known among others for its members not being allowed to go away from the battlefield for more than a quarter of a mile. Capturing him at Poitiers was the result of a bravado charge that had no chance of success, but it was perceived as an attempt at saving French honor after their commanders had left the battlefield. The king's futile fight and surrender had disastrous effects on France's political and economical situation, but even so the monarch's behavior gained universal recognition.[118]

The English side was as kind as the French one. The royal prisoner was received with honors. However, the Black Prince knew that before the clash John ordered his soldiers not to take prisoners, and that is why during the banquet he allegedly asked John a trick question: "Dear cousin, if you captured me, like I, with God's grace, have captured you, what would you do with me?". However, the king did not answer and the prince did not bring up the subject again.[119]

Despite these outer manifestations of courtesy the English were guided by purely mercantile reasons and were going to fully use this precious bargaining chip the French ruler was for them. Besides financial profit, considerable diplomatic advantages could also be gained. First, the king was held in Bordeaux, where the terms of the truce were also negotiated. At that time, John practically enjoyed a lot of freedom — he even tried to continue his rule from afar, maintaining active contact with the political elite of France (or what was left of it after the defeat at Poitiers) and intensively trying to convince his subjects that his release and a truce with England were the most important issues for the good of the kingdom.[120] The truce

[118] Neil MURPHY, "Politics, Honour and Display: The Captivity of John the Good," *Quaestiones Medii Aevi Novae* 19 (2014): 319.

[119] "Le prince, apres sa très grande et noble victoire, icelle propre nuyt se loga au propre lieu ou la bataille oult esté, et souppa avec lui le roy Jehan de France. Et lui dit le prince ces paroles: 'Beau cousin, se vous m'eussiez prins comme la mercy Dieu j'ay vous, que feissiez vous de moy?' A ce ne respondi riens le roy. Et donc ne lui en parla plus le prince, car pas ne voulloit son cousin plus courchier qu'il estoit." Siméon LUCE, *Chronique des quatre premiers Valois (1327–1393)* (Paris: Jules Renuard, 1862), 57–58.

[120] However, John II was still a prisoner and so it was up to Edward III what degree of freedom he would enjoy, and Edward might limit that freedom according to his will. For example, he did not allow Cardinal Talleyrand to have a private conversation with the French king. Françoise BERIAC-

negotiated in 1357 was nevertheless badly received in Paris[121]. The opposition of the Estates General was growing. Dauphin Charles, the son of John, during his absence became regent of France taking the title of "lieutenant de roi,"[122] and tried to rule the country, which John definitely did not make easy for him. The conflict between the king and the dauphin resulted in the weakening of the authority of the king, and this was, obviously, advantageous for England.[123]

The Black Prince came to London with his prisoners in May 1357. King John was put up in the Savoy Palace, a royal residence. With this further display of his magnanimity and generosity, Edward III wanted to show the defeated opponent how great his wealth was, and also to force him to keep up with him in proving his value. So the French king and his son lived a lavish life spending great sums of money on clothes, gourmet food, entertainment (e.g. hunting) and gifts for English dignitaries.[124] The French monarch's stay in London involved exorbitant costs, which additionally weakened France.

After long negotiations conducted in Westminster, an agreement was finally signed (1358) settling the terms of releasing the prisoners: the first installment of the ransom for the king was to be paid in half a year's time. However, the French side was not able to raise the necessary money and the agreement was cancelled.[125] In the meantime, Edward saw a chance to make a claim to the French throne again and he agreed to prolong the truce signed in Bordeaux so that he had the time to prepare an invasion. In turn, the next London agreement (1359) was, to the French monarch's surprise, rejected by the Estates General because of the great territorial demands made by England.[126] The conditions of his stay in captivity evidently worsened– the king's contacts and his freedom of movement were limited, and the guard was strengthened in fear of attempts at releasing him. He was also transferred from London to Hertford Castle. Edward resumed military activities and set out towards Reims — the place of coronation of the kings

LAINE and Chris GIVEN-WILSON, *Les prisonniers de la bataille de Poitiers* (Paris: Honoré Champion, 2002), 134–135.

[121] MURPHY, "Politics, Honour and Display," 322.

[122] Roland DELACHENAL, *Histoire de Charles V*, Paris: Libraerie Alphonse Picard, 1909, 246.

[123] MURPHY, "Politics, Honour and Display," 324.

[124] For instance, when Edward III presented John with a silver goblet from his table, the French king immediately returned the favor by sending him his own goblet that had belonged to his predecessor Saint Louis IX. MURPHY, "Politics, Honour and Display," 326.

[125] Ibid., p. 330.

[126] BERIAC-LAINE and GIVEN-WILSON, *Les prisonniers de la bataille de Poitiers*, 139.

of France. When the siege proved fruitless he tried to capture Paris. His campaign, however, turned out to be a complete defeat. Without achieving his aim he entered into negotiations again; this time the sum of the ransom was settled at 4 million gold écus (then it was reduced to 3 million; the sum exceeded the annual income of the French crown 15 times) and a few French territories in exchange for Edward's formal renunciation of the rights to the French throne. The situation was paradoxical because by renouncing his claims Edward *de facto* received a considerable portion of the kingdom.[127]

The Treaty of Brétigny was signed in May 1360. John returned to London and despite his very difficult financial situation he was still overspending, making generous donations to churches and religious orders among other things. At the same time, he wrote to his subjects urging them to supply the ransom on time, and again explaining that his release would serve the good of the kingdom, whereas not paying the ransom would cover the kingdom with shame.[128]

The French king was released in autumn of that year and he returned to France, leaving Louis of Anjou in English-held Calais as a replacement hostage, which guaranteed the supply of the remaining part of the ransom. When in 1363 King John was informed that Louis had escaped, he returned to captivity, as otherwise his conduct would be contrary to the code of chivalry. In England he was greeted with honors, but the monarch suddenly died 3 months later, which completely wasted the advantage of the English.[129] The Hundred Years' War was resumed a few years later on the initiative of the new king of France, Charles V, who broke the terms of the Treaty of Brétigny, which resulted in Edward III returning to his earlier claims to the title as the legitimate king of France.[130]

The examples cited of kings held in captivity show how different were the ways prisoners were treated, even if they were of the same rank, lived in the same culture circle (except Saint Louis who was prisoner of the followers of Islam) and in nearly the same era. They also show that reasons of economical-political nature were usually more important than those dictated by the code of chivalry. At the same time, the crusades and closer

[127] Anne CURRY, *Hundred Years' War 1337–1453* (Palgrave: Osprey Publishing, 2003), 58.

[128] In his letters he instructed townsmen that they could raise money by e.g. selling or pledging their wives' or wealthy widows' valuables: "Se mestier est, veuillez engager vos joyaux, ceux de vos femmes et des riches veuves". DELACHENAL, *Histoire de Charles V*, 226.

[129] MURPHY, "Politics, Honour and Display," 340.

[130] CURRY, *Hundred Years' War*, 3.

contact with the world of Islam contributed to a considerable increase in sensitivity to the fate of prisoners of war, which was reflected in institutionalizing (partially, at least) the procedure of releasing them.

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THE TREATMENT OF PRISONERS IN WAR IN THE MIDDLE AGES: WESTERN EUROPEAN EXAMPLES

Summary

The present article indicates some examples of the circumstances and ways of taking prisoners of war into captivity during military conflicts, the different possibilities of treating them and some measures to release them. The article includes, among others, fixed gestures and signs that were used to manifest the intention of giving oneself into the hands of one's opponent and the ways of treating other prisoners of war.

The examples cited herein, related to the captivity of kings, illustrate how different were the ways of treating prisoners of war, even of the same rank. Moreover, they show that some aspects of a politico-economic nature were superior to those indicated by the chivalric code. At the same time, the Crusades and close encounters with the Islamic world contributed to the considerable growth of sensibility to the fate of prisoners of war, which was expressed by the institutionalised (at least partially) procedure of giving freedom.

Key words: Middle Ages; War; Prisoners.

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