In 1292, a Norman and a Bayonnais mariner allegedly got into a quarrel over who was to draw water first from a freshwater source on the Island of Quéménès off the west coast of Brittany. One of the mariners was killed (most probably the Norman), and the Normans retaliated by attacking Anglo-Gascon shipping in the Atlantic and the English Channel. The quarrel thus developed into a maritime war characterised by rampant piracy, which in the end led to the Philippe le Bel’s confiscation of the Duchy of Gascony and to the Gascon War (1294–97). Therefore, the maritime war between Anglo-Gascon and Norman mariners brought thirty-five years of peace between England and France to an end.

This quarrel was, however, neither the first nor the last time that the Norman and the Bayonnais mariners clashed. Indeed, in 1282 they had entered a peace treaty, and in 1316–18 and in 1323–25, they waged maritime war against each other. These conflicts will be dealt with in chapter 7. In this chapter I shall only deal with the 1292–93 war, since it represents a good case study of how maritime wars were primarily waged through piracy. The maritime war between the Anglo-Gascons and the Normans is especially well suited for this investigation, because of all the maritime wars in the period from 1280–1330, it contains the most detailed accounts of how and why these wars were waged. The purpose of the chapter is to examine how a maritime war started, what the martial practices of this kind of war were, and how contemporaries understood the conflict and its causes.

My approach to the study of maritime wars is inspired by Georges Duby’s in his book on the Battle of Bouvines, 1214. Duby wrote:

I attempted a sort of ethnography of the military practice in the beginning of the thirteenth century. I approached the combatants of Bouvines like an exotic people, noting the strangeness and the singularity of their acts, of their cries, of their passions, and of the mirages that dazzled them. Similarly, to situate the battle in the context of the war, the truce, and the peace seemed to me a means of circumscribing more precisely the field which we call politics… Finally, I attempted to investigate how an event was made
and unmade since, in the end, it exists only because one speaks of it, since it is, strictly speaking, made by those who tell its story.\(^1\)

The murder of the mariner and the subsequent events leading up to the citation in autumn 1293 of Edward I at the Parlement de Paris to answer for the actions of his subjects, the French confiscation of the Duchy of Gascony and the outbreak of the Gascon War are described in several sources, legal and diplomatic records as well as chronicles. Even though we have to remain cautious as to the descriptions of the events, combined they give, at the very least, a plausible course of events.

I shall now present the course of the events as they appear in the English and French legal and diplomatic records. I will then follow up by presenting the views of the chronicles concerning what had happened. These are coloured by the patriotism of the writers, but they contain several important details about the agents involved, the practices in maritime conflict and the way in which the writers retrospectively understood the causes of the mariners’ conflict and the Gascon War. Finally, I shall analyse three specific practices of maritime war, all related to the noble private war and private enforcement of justice.

**THE CINQUE PORTS’ ACCOUNT OF THE NORMAN PIRACIES**

The Portsmen’s account of the piracies and the damages done to the Anglo-Gascons by the Normans in 1292–93 is expressed in the Portsmen’s petition of defence for their actions during the maritime war. This writ in the extant version furthermore includes a list of damages done exclusively to Bayonnais mariners and merchants. These accounts of the events can be found in three almost identical versions in the English National Archives, C 47/27/15/1, C 47/31/5/2 and C 47/31/6. The C 47/27/15/1 furthermore includes a report by the seneschal of Saintonge, Rostand de Soler, concerning a Norman raid up the Charente in 1293 (which I analyse in

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1 “je tentai une sorte d’ethnographie de la pratique militaire au début du XIII\(^e\) siècle: je m’approchai des combattants de Bouvines comme d’une peuplade exotique, notant l’étrangeté, la singularité de leurs gestes, de leurs cris, de leurs passions, des mirages qui les éblouissaient. Parallèlement, situer la bataille par rapport à la guerre, par rapport à la trêve, à la paix, me parut un moyen de circonscrire plus exactement le champ de ce que nous appelons le politique… Enfin, je tâchai de voir comment un événement se fait et se défait, puisque, en fin de compte, il n’existe que par ce qu’on en dit puisqu’il est à proprement parler fabriqué par ceux qui en répandent la renommée.” Duby, Georges, *Le dimanche de Bouvines*, in G. Duby, *Feodalité* (Paris, 1996), pp. 830–831.
the third part of the chapter). This account of this Norman raid is also separately recorded in C 47/31/5/1. We are thus dealing with three distinct accounts of Norman maritime depredations against Anglo-Gascon mariners, but as C 47/27/15/1 demonstrates, these depredations were clearly interrelated and part of the same overall conflict between Norman and Anglo-Gascon mariners in 1292 and 1293. It should be noted that these documents are not the originals issued by the Portsmen, the Bayonnais or Rostand de Soler. Rather, they seem to be later copies of the Portsmen’s account, the list of damages and the seneschal’s report, compiled together no doubt for use in negotiations with the French at the end of the Gascon War, or possibly even during the numerous Anglo-French negotiations during the first three decades of the fourteenth century. The dating of the documents has been subject to some confusion. Champollion-Figéac dated the Portsmen’s petition and the list of damages done to the Bayonnais to c. 1292; Rodger and Rose, in English Naval Documents 1204–1960, date them to 1293; and Marsden dated them to 1299. Marsden’s dating is untenable however, as the Portsmen’s account at one point mentions that the damages were done in the twentieth and twenty-first years (of Edward I’s reign), that is, 1292, but Champollion’s transcription dates one of the Norman attacks in the Cinque Ports petition to 1298. This, however, rests on a false reading of the year by Champollion. In C 47/31/5/2, it says the xxv year of Edward’s reign and not xxvi as Champollion assumed. Neither Champollion-Figéac nor Marsden seem to consider that we are in fact dealing with two accounts of separate origin. Based on the other sources available and especially the chronicles, it seems to me that the Portmen’s account was, in all likelihood, written in or shortly after 1293. The Bayonnais account of losses suffered because of Norman piracies is undated, but presumably it hails from the same period. In any case, the extant documents in the National Archives suggest that the report by Rostand de Soler (which neither Champollion-Figéac nor Marsden seem to have considered), the Portmen’s account and the Bayonnais list of damages were initially three different documents, but that they were written together to be presented during the peace negotiations and discussions of restitution due to the different mariners—perhaps even as early as the

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2 I have provided transcriptions of these accounts in Appendices 3 and 4.
4 This assumption is supported by EMDP, I, 395.
autumn of 1293—to be presented at the *Parlement de Paris* in connection with the citation of Edward I.

The Portmen’s account runs accordingly: During Lent of 1292 at the source of St. Kymenois, convincingly identified by the historian Hubert Michaë as the island of Quéménès off the west coast of Brittany (see below), some Norman and Bayonnais mariners got into an argument about who was to draw water first from the freshwater source on the island. The argument developed into a fight where a Bayonnais was killed (this contradicted both the internal logic of the course of events presented by the Portmen and most other sources recounting the incident). This murder started a series of ferocious Norman attacks on Anglo-Gascon mariners. First, the Normans attacked a Bayonnais ship which was destroyed, plundered and the crew was killed. Then the Normans headed south for their initial destination, Bordeaux, to buy and freight wine, but on the way they attacked and sank four Bayonnais ships at Royan-sur-Gironde. These actions led to the assembly of the English, Irish, Bayonnais, Norman and Breton mariners in Bordeaux by the constable of that town, and he made them swear to refrain from further conflict. The English and the Bayonnais then left Bordeaux in groups of four to six ships, but they were soon pursued by eighty Norman ships not only laden with wine, but also fitted for war, with castles and hoist banners signalling hostile intent. On the way back to Normandy, the Normans attacked ships from Bayonne and Ireland. During the spring and summer of 1292, the Norman depredations continued as they attacked English, Bayonnais and Irish ships off the coast of Normandy and in Norman ports, with widespread plunder and killing as the consequence. For instance, the crew and pilgrims (in total forty persons) on board ships from Winchelsea and Hastings allegedly had their feet, hands and finally heads cut off in Dieppe. In the summer, Philippe le Bel sent a knight to Bordeaux to proclaim peace and punishment of life, limbs and all possession to anyone who harmed the English and the Irish. Indeed, both Philippe le Bel and Edward I issued several orders to

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5 I have primarily used the original charter, (see Appendix 4), rather than Champollion’s somewhat faulty transcription of the Portmen’s account. I will, however, give references to his edition for ease of reference for the reader.

6 This passage has not been transcribed by Champollion in full. In TNA document C 47/31/5 it says: “biens robberent a la vailance de v c livres les mariners couperent les piez e les poynz a prez pur meuze aseurer leur besognes(?) couperent les testes a la moun-taunce de xl homes qe mariners qe peleryns e les neefs enfundrent en la mer.” See Appendix 4.
their mariners to keep the peace. Nevertheless, the Norman piracies continued, and this led to a growing feeling of insecurity amongst the Anglo-Gascon mariners. They consequently carried only half the usual cargo in their ships so as to be able to better escape or fight off attackers. Thus, the result was human as well as economic loss for English subjects.

The following year, in 1293, the English sailed undisturbed to Bordeaux, but upon return, the Normans lay in wait off Brittany and attacked the English, plundered seventy ships and killed the crews and the merchants. Furthermore, in Saint-Malo, two Bayonnais ships were attacked by the Normans, and seventy mariners were either flayed or hanged in their skins with dogs.

In response, the English mariners assembled a great fleet of merchant ships—for the protection that greater numbers confer—in Portsmouth and left on 24 April for Gascony to trade. However, due to contrary winds, they lay still for a long time off Saint-Mathieu. When the Norman wine fleet, armed for war, came sailing from the south, charged with only half a cargo to be able to better fight the English, a naval battle off Saint-Mathieu commenced. In this battle, the English were victorious, and the Normans suffered tremendous losses, allegedly 200 ships.

It is important to note here that I find it hard to believe that the bellicose Portsmen only had peaceful intentions. I rather assume that this fleet was assembled for a well-planned ambush, and that it had vengeance as its objective, not trade. Whether the Norman fleet was indeed manned for war is not known, but they might very well have been, if nothing else then for self-defence. To this account by the Portsmen, the list of thirteen individual incidents of Bayonnais losses in valuables and lives due to Norman piracies is added, which elaborates on the already detailed account of losses in the Portsmen’s petition of defence.

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7 Edward I forbade on at least four different occasions his subjects from attacking the French at sea. CPR 1292–1301, pp. 16, 18, 29, 30 and 31. CCR 1288–1296, p. 284. On 29 May 1293, Edward wrote to the Cinque Ports, their warden, Great Yarmouth, the ports of Norfolk and Suffolk, Southampton, Dorset, Somerset, Devon and Cornwall. He prohibited them from causing damage to the French, but allowed them to continue peaceful trade, except for the Cinque Ports who had not obeyed the king’s commands. Accordingly, the Portsmen were prohibited from going to France until a settlement had been reached. Likewise, Philippe le Bel prohibited his subjects from harming the English mariners. ANF J 631, no. 8, Champollion, I, 394. See also Powicke, F.M., Thirteenth Century, 1216–1307, 2nd edn (London, 1962), p. 645.

8 This was normal procedure in wartime. See James, Wine Trade, p. 17.

9 Champollion, I, 395.

10 TNA C 47/31/5/1, Champollion, I, 396.
The primary goal of the Cinque Ports’ account was to show that the Normans started the war and that the Normans had acted against the French king’s prohibitions of continuing the war. The Normans therefore had no right of vengeance or restitution. In contrast, the English were merely acting in self-defence. In addition, the Portsmen threatened Edward that if he agreed to extradite them to French courts of justice or if they felt that an English court would treat them unfairly (that is, declare them guilty), they would take their families, leave the kingdom and earn their livelihood at sea by indiscriminate piracy (as they had done in 1265–66).

This account is, however, a very one-sided presentation of the course of events. For instance, it omits the Bayonnais attack on La Rochelle following the naval battle off Saint-Mathieu in 1293, and the rather graphic and horrifying details of the Normans’ ferocious treatment of English mariners makes the document circumstantial. While the Normans may or may not have committed these outrageous acts, the portrayal of it supported the English case of self-defence against the monstrosity of the Normans. Thus, it follows a model for vendetta narratives described by Trevor Dean, where what “we are left with is not an objective account of a crime, but a tale spun within the limits of contemporary credibility”.11

However, the French complaints and the chronicles do support the core of the Portsmen’s account, and overall it gives a plausible image of the Normans’ actions. Yet it remains inconceivable, to my mind at least, that the bellicose Cinque Ports would have tolerated Norman hostilities for so long without retaliating, but of course the Portsmen omitted this in their account.

Philippe le Bel’s Citation of Edward I to Appear in Court in 1293

Philippe le Bel’s citation of Edward I to answer charges in the Parlement de Paris for his subjects’ actions in the maritime war was not specifically oriented on the actions of Anglo-Gascon mariners against French mariners. Rather, the focus of the complaint was the Bayonnais’ and the Gascons’ acts of rebellion against the French Crown and the English king’s failure—as the French king’s vassal—to punish them. Thus, en gros the French complaints against the Anglo-Gascons tacitly confirm the course

of events as portrayed by the Cinque Ports and other English sources treated below.

In the autumn of 1293, Philippe le Bel thus complained of the Bayonnais' and other English subjects' crimes against the French. Generally, he claimed that the Bayonnais had demonstrated their disdain and their evil intentions by the plundering, the capturing and the killing of Normans and other French subjects, in contempt of the French king's prohibitions against further acts of violence. Since Edward had done nothing to stop their actions, nor had he given restitution to the victims, the blame accordingly fell on him.

The Bayonnais' attack on La Rochelle was particularly stressed, but neither the Normans' piracies nor the naval battle was explicitly referred to. The reason that the attack on La Rochelle was one of the main charges of the citation was that it constituted an attack on the French king's property and hence on the kingdom of France, since La Rochelle and Poitou had been royal territory since 1271. Thus, this attack transformed a war between regional maritime communities into an attack on the French king. For these actions, Philippe demanded that the Bayonnais and other criminals were delivered into French custody for imprisonment and trial in France. When the Bayonnais refused—and since Edward seemingly did not want to carry out the French demands—Philippe saw no other alternative but to threaten to confiscate the Duchy of Gascony. Edward had failed in his feudal obligation to his liege lord for the Duchy, the king of France, by omitting to correct or answer for his subjects' crimes. However, this threat of confiscation and the initial actions of French royal officers in the Duchy led to a Gascon rebellion with maltreatment, beatings, hostage-taking or outright killing of the royal officers and other French subjects. For instance, it was claimed that Normans, who for ten years had lived peacefully in Bordeaux and Bourg, were killed for speaking French in public, and in Fronsac, French customs officers were decapitated. Philippe summarised the problem in the following manner: since Edward had done nothing to stop the Bayonnais' and the Anglo-Gascons' crimes, rebellion and killings of the French—especially the royal officers—Edward was indicted at the Parlement de Paris in January 1294.13

12 The Bayonnais and Anglo-Gascons claimed that Philippe le Bel had never taken an active role in stopping or punishing the Normans, who, despite his prohibitions, had continued their piracies. ANF J 631, no. 8.
Thus, the French king was more preoccupied with the general crimes, the rebellion and the disdain for the royal officials than the preceding acts of war at sea. This preoccupation was something which the French kings increasingly took very seriously, as exemplified by the fate of the Gascon lord Jourdain de l’Isle Jourdain, who was executed in Paris in 1323 for the killing of royal officers.14

In response, Edward I sent his brother, Edmund of Lancaster, to France to negotiate, and the English accepted the surrender of Gascon hostages and a temporary French occupation of Gascony, presumably for forty days,15 agreed upon verbally and in secret. During the spring and summer of 1294, however, it became clear to Edward that Philippe had no intentions of giving up the occupation, as Philippe maintained the citation of Edward to appear in the Parlement in Paris. Since no safe-conduct was granted and no delay was allowed, Edward failed to show up in Parlement and was condemned as a defaulter on 19 May, and Gascony was declared confiscated. This prompted Edward to renounce his homage to the king of France on 24 June. England and France were now at war.16 The war was relatively short without any major battles or losses, and it ended in October 1297 with a truce so that the English could deal with a rebellion in Scotland and the French with a rebellion in Flanders. However, a formal peace treaty was not concluded until 1303. It ended with the restoration of Gascony to Edward.

THE CHRONICLERS’ PORTRAYAL OF MARITIME WAR AND ITS CAUSES

Several English annals and chronicles described this maritime war and its causes. It is difficult to determine the level of interdependence of most of these accounts, or indeed even how much they relied upon the Portsmen’s account (the chronicles seem ignorant of the individual Bayonnais losses and Rostand de Soler’s report). However, even when interdependence is clear, the chroniclers often supply additional and original material to the accounts. Thus, while in many cases they seem to be based on rumours and hear-say, they provide details of events which are not completely unlikely to have happened, or which, at the very least, seemed credible

15 Langtoft, p. 200.
to the authors and their audience. In the following, I have striven to use only chronicles written in the 1290s and the first decade of the fourteenth century. Thus, I have used only those accounts which are closest to the events.

The *Chronicle of Bury St. Edmunds*, which for this incident may well have been written not long after the maritime war,\(^{17}\) notes that in 1293, two naval battles took place where the English, the Irish and the Bayonnais defeated the Normans. Both occurred off Saint-Mathieu, the first on 15 May 1293, and the second on 26 May. In these, the Normans were allegedly aided by Germans, Flemings and Lombards but to no avail, and the Anglo-Gascons were victorious in both.\(^{18}\)

Likewise, the *Flores Historiarum* wrote about the war in 1293 that a great discord had arisen between the English and the Normans. The Normans in their fury and folly had massacred several English mariners and hanged them from the yard-arm with dogs. Accordingly, the Portsmen mustered a fleet to avenge the injuries caused to the English. They defeated the Normans and plundered their ships, but Edward I refused to have any of the spoils, since he had not permitted this retaliation. This prompted the terrified French to appeal for help to Philippe le Bel, and the kings sent negotiators to make peace. This failed, however, because of the schemes of the French king’s brother, Charles de Valois.\(^{19}\)

The *Annales Londonienses* wrote that the Portsmen set out to avenge themselves against the Normans, and in this account, the Normans had commenced their depredations at the instigations of Charles de Valois.\(^{20}\) The *Annales Oseneia* noted that English were subject to attacks by the French because of the fury and insanity of the French. Consequently, the Irish, the men of Portsmouth and the Portsmen assembled a fleet in secret (since Edward had prohibited retaliation), and defeated and plundered the French at sea. This led Philippe le Bel to forbid trade with England.\(^{21}\) The *Annales Dunstaplia* supplies the interesting piece of information that the cause of the war was the Normans’ killing of a Bayonnais nobleman. This started a series of reciprocal killings, burnings and plundering between the English and the French, with the Portsmen as

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\(^{17}\) *Bury St. Edmunds*, p. xl.

\(^{18}\) *Bury St. Edmunds*, pp. 116–117.

\(^{19}\) *Flores*, III, 85–86.


\(^{21}\) *Annales Oseneia*, pp. 335–336.
prominent participants. As in the *Annales Oseneia*, Charles de Valois played a leading role in fuelling French hostilities against the English.22

The Augustinian canon Walter of Guisborough, who wrote his chronicle at the latest in 1305, though possibly before, provided a more detailed account of the war in 1293. He wrote that an Englishman and a Norman mariner met at a freshwater source in Normandy. They got into a fight over who was to draw water first, and the Norman was killed. The Englishman fled, but the Norman’s comrades pursued him and his fellows. The Normans then sent messengers to the Cinque Ports to demand the surrender of the guilty party. The Normans asserted that failure to comply would result in acts of vindictive violence against Portsmen in general. Apparently nothing came of this, and the Normans took matters into their own hands. The Normans attacked six English ships at sea and captured two of them, and they hanged the English from the yard-arms with dogs and sailed around with them to show their contempt for the English. Thus, the Normans continued plundering and killing English mariners, for instance at the Zwin. The Portsmen swore vengeance and assembled a fleet, whereupon they commenced a war (*certamine*) with the Normans which culminated in a naval battle in the English Channel, where English, Irish and Dutch mariners defeated a fleet of Normans, French, Flemings and Genovese. Guisborough goes on to say that this battle was orchestrated by Charles de Valois, and that the Norman aggression should be understood as being backed by the French king. Nonetheless, the defeat resulted in Charles de Valois complaining to Edward I, and in demanding punishment of the English and restitution for the Normans for the damages perpetrated by the English.23

The chronicler Peter Langtoft also described the conflict (at the latest in 1305). He relates that in 1293 there was a war between English and Normans at sea, but he does not mention any royal involvement on either side. Rather, he states that the Cinque Ports, Yarmouth, other English and Irish ports, and Bayonne scored a great naval victory against the Normans, but that Edward I only desired peace.24 However, he continues by saying that since Philippe le Bel and Charles de Valois coveted Gascony, they summoned the Normans and the Picards and had them accuse Edward I of secretly ordering the attack on the Norman mariners. Furthermore, the Normans accused the English of having assembled a navy under the false

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24 Langtoft, p 196.
pretence of going on a crusade when the real purpose of the English fleet was to attack the Normans. Thus, Langtoft assumed French royal ill will towards and treachery (fausine) against the English.\textsuperscript{25}

The Dominican friar, Nicolas Trevet, also remarked on the maritime war. He wrote that after the English merchants suffered losses at sea, they appealed to Edward, who then sent Henry de Lacy to France to ask for restitution. However, while de Lacy waited for an answer, the Normans assembled a fleet of 200 ships or more to attack the Anglo-Gascons, but they were repulsed, defeated and plundered in Gascony. This led to French royal anger, and Philippe sent envoys to England to demand restitution for the Norman ships and goods if Edward wanted to keep Gascony. The non-compliance by of the French to submit to negotiations to settle the maritime war led to the Gascon War.\textsuperscript{26}

Trevet’s account was probably the source of at least some of the information about the maritime war used by the Benedictine monk William Rishanger. Rishanger wrote that two mariners, an Englishman and a Norman, met in Gascony at a freshwater source where they both wanted to be first to draw water. This led to an argument and finally to a fight in which the Norman tried to stab the Englishman with his sword. The Englishman grabbed the Norman’s hand that held the sword and, while trying to gain control, the Norman accidentally stabbed himself and died. When the Normans learned of the stabbing, they immediately attacked the English to avenge the death of their comrade, but the English resisted and escaped. The Normans then complained to Philippe le Bel, and to arouse his anger they said that a failure to punish the English would bring dishonour and shame on the king and on the French in general. Thus, the king ordered his mariners to avenge the murder wherever they met the English. Rishanger continues his account by giving an example of a Norman pirate attack. He tells how the Normans were lying in wait on the trading routes and soon observed an English ship, which they quickly intercepted. The Normans used hooks to pull in the English, and they commenced a naval battle in which some English mariners were taken captive and hanged from the highest mast of the Normans’ ship. As a result, Rishanger writes that fear and hatred grew in the people of both kingdoms, and the soil was sown for the ensuing war.\textsuperscript{27}

\begin{itemize}
\item \textsuperscript{25} Langtoft, p. 200.
\item \textsuperscript{26} Trevet, pp. 325–329.
\item \textsuperscript{27} Rishanger, pp. 130–131.
\end{itemize}
Thus in general, the English chronicles supply details of the commencement of the war which in some instances seem credible, even though the location of the initial killing is confused. Furthermore, most of them stress that the war was masterminded at its inception—or soon afterwards—by Philippe le Bel and especially Charles de Valois.

Unsurprisingly, the French chroniclers did not share this view of events. In his chronicle dated to before 1300, Guillaume de Nangis, chronicler of the Abbey of Saint-Denis, indicated that the cause for the maritime war was Edward I’s evil intentions. The treacherous English king had assembled a fleet, particularly from Bayonne, under the pretence of going on a crusade. In reality, however, he ordered the fleet to attack French ships and land, especially Normandy; the Anglo-Bayonnais mariners attacked, killed or took the French prisoners, and they plundered and destroyed the French ships. The English attack on La Rochelle and Edward’s defiance of the Philippe le Bel’s rightful summons for him to stand trial in Paris were particularly stressed, and the account justified the French confiscation of Gascony.28 In c. 1306, the French sergeant and poet, Guillaume Guiart,29 followed Guillaume de Nangis’ account. He also mentioned Edward I’s pretence of going on crusade in order to attack French shipping, but he added original material to Nangis’ account by stating that Edward sent his fleet to Guernsey where it lay in wait and attacked the Normans as they returned from Gascony. The Normans were killed and their ships plundered, whereupon the Bayonnais proceeded to the Bay of Biscay and sacked La Rochelle.30 Interestingly, the Chronica Sancti Bertini states that the war had its origin in the quarrel between two mariners near Saint-Mathieu, which led to bloody naval fights in which Spanish, Normans, English and Flemings participated. Thus, this chronicle does not suggest that the evil will of the kings was the cause of the war, but the mariners’ quarrels. Moreover, it confirms the place of the killing to be in Brittany.31 A curious and interesting source in this regard is the Chronographia Regum Francorum,32 which has Flemings, not Normans, as the initial victims of

28 Nangis, p. 574.
32 This part of the chronicle was probably written in the first decades of the fourteenth century. Chronographia, III, pp. v–vii.
English aggression. In 1290, some Flemish merchants were returning from Gascony to Sluis. In La Rochelle, they entered into a quarrel with Bayonnais merchants, and one of the Bayonnais was killed. The Flemings then sailed on, and in the port of Saint-Mathieu they met other Bayonnais and English merchants. Here, a battle commenced, and many were killed. In the battle, the Flemings were supported by Norman, French and Picard mariners, and together they defeated the Anglo-Bayonnais, of whom only few escaped back to England. The Cinque Ports complained of this to Edward I and asked for help, and he granted them the right to take revenge on the Flemings, the French, the Normans and the Picards. This action started a war at sea which greatly damaged the French. The summoning of Edward to Paris and the invasion of Gascony followed, but no connection between the maritime war and the Gascon War is made.33 Nevertheless, here Edward was indirectly implicated in the English retaliations, but the incident and the story are different. We cannot entirely dismiss the account, and it is quite possible that there were several incidents involving French mariners against the English leading up to 1292 which might explain why the conflict escalated so quickly.

In these accounts of the events at sea which led to the Gascon War, it is interesting to note that many of the medieval chroniclers blamed Philippe le Bel, Charles de Valois or Edward I for masterminding the maritime war.34 Few of them seem to accept the notion that the kings only became involved belatedly and were simply reacting to a war which had started between the mariners. They thus dismiss the possibility that the war had its origins in quarrels over maritime matters, rather than in the carrying out of secret royal plans.

Modern historians have traditionally analysed this maritime war in the context of the kings and their policies rather than from the perspective of the mariners. While all recognize that the maritime war was the precursor to the Gascon War, some have accepted the chroniclers’ argument that Philippe le Bel and Charles de Valois incited the Normans’ aggression.35 Furthermore, Jean Favier gave some credence to Edward I’s role in the

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33 Chronographia, I, 39–40.
escalation of the conflict, but most historians are simply at a loss in explaining how—in their view—a relatively insignificant quarrel between mariners could develop into a full-scale war between the kingdoms. Only Frederick M. Powicke seems to have taken the mariners' personal conflicts seriously, but even he refrained from a more detailed analysis of the causes of the maritime war. These historians' portrayals are important because they demonstrate what has been considered essential in the research on medieval piracy and maritime wars, namely that it was an extension of royal policy with little importance in and of itself apart from the influence of the general relations of the kingdoms. However, none of the historians doubt that the final reason for the escalation of the killing of a mariner into a full-scale war lay with Philippe le Bel alone, as he was ultimately the only one of the actors in this drama who had the power to stop the escalation of events. However, while there seems little doubt that the final decision for war was Philippe’s, we cannot simply assume that this was completely based on secret and long-harboured plans for the conquest of Gascony, nor on erratic behaviour by Philippe le Bel as assumed by Strayer. The attacks on La Rochelle and on the royal officers seem to have been the crucial moments in the escalation of events. It forced Philippe to take an aggressive stance, since failure to address and punish these attacks by the subjects of a powerful vassal would have signalled royal weakness to the magnates of France in general. In any case, from a juridical point of view, Philippe was justified in his actions against Edward, not only for the attack on La Rochelle, but also for the attacks on French officers and Gascon appellants at the Parlement de Paris. So, it

39 See, for instance, Rodger, Safeguard, pp. 78–79.
40 Strayer, Reign, p. 319.
41 “such tactics [French royal support in court of appellants against ducal officials] paradoxically increased the threat of French authority in the duchy. Indeed, the abuse of Gascon appellants provided the French with an excellent justification for war against the English. When in 1293 Philip IV ordered Edward I to the French court to answer charges against him, the Capetian noted that the Gascon government had imprisoned appellants, extorted their property and homes, driven out their heirs, and even killed some litigants. All this was done, Philip declared, in contempt ‘of the reverence owed us, in great and grave prejudice to our superiority and disdain of our jurisdiction’… Although there were a number of other French grievances, the abuse of appellants alone would have provided Philip IV ample reason to confiscate Edward I’s Gascon fief.” Kicklighter, J.A.,
seems that both Edward and Philippe were being forced by the escalation of events and the actions of their subjects to engage in a war that they—at least initially—did not want.

The Breton Context

Many of the above-mentioned historians correctly claim that the exact chain of events at sea is unknown to us, since most of the claims and counter-claims in the sources cannot be verified. However, the analysis by Hubert Michéa of sailing conditions off the western coast of Brittany in the Middle Ages makes at least some portions of the accounts credible.

Based on two contemporary diplomatic documents which mention that the island of Kyvenoys or Keveneys was located on the Breton west coast near Le Conquet, Michéa convincingly demonstrates that the Kymenois mentioned in the Cinque Ports’ account was probably the Island of Quéménès. Michéa shows this in the following way: The travel time between England and Bordeaux could take anything from seven to thirty or more days depending on the circumstances. When going to and from Bordeaux, one would normally sail by the Raz du Four and Raz de Sein, and one would often have to stop for provisioning, especially fresh water, and safe haven in case of bad weather at Saint-Mathieu, l’Aber du Conquet, Camaret, Morgat near Crozon or Bertheaume. However, here the mariniers had to pay sea taxes to the counts of Léon which, unsurprisingly, were detested. So, in good weather the mariniers tried to circumvent these straits by sailing around the Island of Ouessant or by anchoring and provisioning for water at the archipelago of Molène, specifically the Island of Quéménès, where there was a freshwater source and where they would be out of the immediate reach of the toll collectors from Le Conquet. The mariniers had to hurry in taking on water, however, for the tide changed every six hours. If they arrived at low tide at the end of the day, they could


leave six hours later at high tide and thus cross the dangerous Breton west coast in the minimum of time. If, however, they remained for too long on the island, or if they missed the tide, they ran the risk of being charged by the toll officers and being stranded on the island for a longer period of time. Michéa estimates (based on the amount of water taken in on an eighteenth-century ship in this area) that a person needed two litres of water per day. If one had a crew of thirty men, which seems usual for the ships at the time, and one would take on water for ten days, this would add up to 600 litres of water. Michéa assumes that it took one hour to fill twelve fifty-litre barrels with water and then some time to transport the barrels to and from the source. Accordingly, the crews could quite easily get into a struggle over who was to draw water first, since the changing tides forced them to hurry if they wanted to avoid being stranded on the island. Under these stressed conditions, and perhaps further stimulated by an already existing animosity between different groups of mariners, conflict was liable to break out. From this perspective, the quarrel at the freshwater source seems plausible and even understandable.

**DOGS, Baucens AND A RAID UP THE CHARENTE**

The sources for the maritime war between the Anglo-Bayonnais and the Normans in 1292–93 contain three interesting practices of war which I will analyse in the following section. These are the hanging of mariners with dogs, the use of the red banner, the *baucens*, as a sign of a special kind of war and a Norman raid up the Charente River in 1293. Collectively, I consider these practices as signs of a maritime war or a *guerra maritima*, but I reserve the explanation of this term for the end of the chapter.

It should be pointed out here that only Anglo-Gascon sources are consulted for these events. To my knowledge no Norman account of events exists. Nevertheless, even if the Norman mariners did not do the things that they were accused of here, these actions were still within the credible limits of contemporary beliefs. Thus, these sources describe credible practices for maritime war, whether the Normans had recourse to them or not.

**The Hanging of Mariners With Dogs**

The hanging of the mariners with dogs is mentioned in several of the sources. In the Cinque Ports’ account, it was claimed that when the

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Malouins and the Normans attacked the Bayonnais at Saint-Malo, “they hanged some and others they flayed and hung by their skins, and they hung dogs next to the Christians despite the Christianity of you [Edward I] and your men”.45 This is the only time when the document states that the Normans hanged men with dogs, but the theme of hanging defeated mariners from the ship’s yard-arm is repeated throughout the text. In the attack on an Irish vessel off Cherbourg, the Normans “took the ship and killed the mariners and hanged a boy from the yard-arm, and they took the 500 pounds and took the ship to the harbour of Caen with the boy still hanging from the yard-arm”.46 The document also mentioned how a London merchant was attacked at the Seine estuary and the mariners were hanged from the yard-arm of their ship.47 However, these descriptions do not dominate the accounts; the usual model is that the Normans attacked the vessels, plundered them and killed all or part of the crew, took the survivors prisoner, held them for ransom and finally sunk the ships. These descriptions of hanging seem to be included in the document to display the extreme savagery of the Normans. Nevertheless, that these horrible descriptions do not dominate the account could be an argument for their veracity, since one would assume that in a genuine vilification campaign this savagery would have been exaggerated and expanded to include all the Norman attacks. Accordingly, a tentative rendition of at least some of the Normans’ procedures would be that they hanged the defeated mariners from the yard-arms, at least on one occasion with dogs. This depiction is supported by five English chronicles. Guisborough writes that the Normans on one occasion “hanged men with dogs on the masts of their ships and by sailing thus they did not differentiate between dog and Englishman”.48 In the Flores Historiarum, the story is repeated: “A very great discord broke out between the English and the Normans. Indeed, the Norman mariners in their furious [and erroneous] assaults massacred some Englishmen in various ways while others were hanged from the

45 “‘les uns pendirent, e les autres escorcherent e les pendirent par leur quirs de mesme e pendirent mastins juste les cristiens en depit de la cristiense et de vous [Edward I] e de vos homes.’” TNA C 47/31/5/1, Champollion, I, 395.
46 “e la neef pristrent e occistrent les maryners e un garcoun pendirent a la verge del tref e les cinck cent livres pristrent e menerent la neef en le havene de Caan a tut le garcoun penu.” TNA C 47/31/5/1, Champollion, I, 393.
47 TNA C 47/31/5/1, Champollion, I, 395.
ship’s yard-arm with dogs”.49 The Annales Wigornienses states that: “The Barons of the Cinques Ports [are] grieving their associates [who were] maimed by the Normans, hanged between dogs and flayed. In the same [month of] May, they engaged in naval battle with the killers and, 246 warriors and mariners having been killed, the victorious English returned with much booty”.50

Rishanger also mentioned the hanging of men from the yard-arm, however without the mentioning of dogs.51 The somewhat later Chronicon de Lanercost mentions that Charles de Valois “subjected pilgrims and scholars to many afflictions, even putting some poor people to death on the gallows and hanging beside them live dogs to which he likened them”.52 In the English translation, the editor noted that in the margin of the manuscript “is sketched a gallows whereon hang some Englishmen, alternated with dogs”.53 It should be noted, however, that this was not the treatment suffered by mariners, but by English pilgrims and scholars in France.

It should come as no surprise that these English accounts would emphasize the savagery and ruthlessness of their adversaries. Initially, one might understand these allegations of hanging men with dogs as a charge invented to vilify the opponents, garner sympathy for the English mariners and consequently consider their retaliation as self-defence. However, the hanging of the men from the yard-arms seems to have been a traditional maritime custom for dealing with criminals and enemies in the Middle Ages, as for instance shown by the French chronicler, Geffroi de Paris,54 and it was a practice that continued well into the modern era.

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51 Rishanger, p. 131. “quemdam Anglicum trahentes de navi sua, mox in summitate mali navis Normannici suspenderunt.”  
53 Chronicle of Lanercost, p. 96, n. 2. I have not been able to locate this sketch, however. To my knowledge it is neither to be found in the manuscript in the British Library nor in the legal and diplomatic records in the TNA.  
54 Geffroi de Paris, II. 7593–7598, p. 163. “Cel temps, Flamens par mer aloient;/ Avec Baonnois se routoient;/ Blez et vins assez par mer prirent;/ Et moult granz damages firent/ Aux Anglois, et moult en occirent,/ Et d’autres plusors en pendirent.”
In the seventeenth and eighteenth centuries, in the Caribbean, captured and executed pirates’ bodies were hoisted on the yard-arms when entering a friendly harbour to display a successful pirate hunt. The hanging of pirates or defeated enemies next to dogs, however, seems especially demeaning. Nevertheless, the charge of hanging men with dogs might actually be true. In the following, I will explore the symbolic meaning of the dog, and why it was so demeaning to be hanged with one. This will render credibility to the impression that the Normans might actually have done this.

In the Middle Ages, the perception of the dog was ambiguous. Some historians have stressed the overall positive view of the dog in the Middle Ages, since its function in the hunt (the sport of nobles) and as watchdogs led it to be praised, especially for the virtue of loyalty. Others, however, stress the negative symbolism of the dog equally. An example of this opposing view can be seen in the interpretation of a ritual of punishment in twelfth-century Germany, which entailed that a rebellious nobleman begging forgiveness of his liege lord should crawl on all fours through the village with a dog on his back (the so-called Hundetragen). Bernd Schwenk claims that this ritual was a way of redeeming oneself, as the carrying of the dog was a demonstration of one’s renewed loyalty, since the dog was the symbol of this virtue. Far from being a degradation of the rebellious nobleman, according to Schwenk this should be seen as a return to honour, since the dog was not an ignoble beast but rather one of the most praised animals in the Middle Ages. Opposing this view, Mariëlle Hageman has stated that the carrying of a dog in a medieval judicial ritual could never be perceived as anything other than a degradation. Drawing on, for instance, the description of the dog in the Revelation of John, where dogs are compared to the sexually immoral, murderers, idolaters and everyone who loves and practices falsehood, Hageman presents the dog as a symbol of disloyalty, infidelity, laziness, dirtiness, greed, lack

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55 Earle, Pirate Wars, p. 145.
of self-control and madness due to rabidity. Hageman concludes that far from being an animal with which one associated positive traits overall, the dog was more likely a symbol of fundamental flaws.\textsuperscript{59} This view is supported by Galbert of Bruges’ description of the execution of the provost of Ypres. He wrote: “the people of Ypres, thirsting for the death of the provost, twisted the viscera of a dog around his neck, and placed the muzzle of a dog next to his mouth, now drawing its last breath, thus likening him and his deeds to a dog”.\textsuperscript{60}

Hageman’s view of the dog’s role in rituals of degradation is supported by Joyce Salisbury. In \textit{The Beast Within} she writes:

The mental images that caused people on the one hand to claim superiority over the animal world and on the other to note the reality that they were joined to their animals in liability for their animals’ behaviour was expressed in some laws that punished people by reducing them to a bestial level, an ultimate humiliation.\textsuperscript{61}

Aleksander Pluskowski has reached the same conclusion in regard to the dog’s status in the early and High Middle Ages. He notes that “in northern Europe, the wolf (alongside the ‘servile’ dog) was more often than not singled out as an animal referent for the bestial degradation of humanity”.\textsuperscript{62} While he concedes that Christianity seems to have introduced a difference between wolves and dogs, where dogs were seen as the protector of the flock against the wolf, in the vernacular Marie de France’s \textit{lais} “canine loyalty is only praised in a single tale—all the others represent dogs as greedy, litigious and garrulous. Wolves, though cruel and rapacious, stand for fallen nobility, but nobility nonetheless”.\textsuperscript{63} Thus, in Pluskowski’s view, there seems to have been a gradual transition of the dog’s symbolic role

\textsuperscript{62} Pluskowski, Aleksander, \textit{Wolves and the Wilderness in the Middle Ages} (Woodbridge, 2006), p. 173.
\textsuperscript{63} Pluskowski, \textit{Wolves}, p. 88.
during the Middle Ages, and while it was praised for its loyalty, it was also despised for its servility.

In his treatment of the holy greyhound Guinefort, Jean-Claude Schmitt notes the connection that people made between the *canicule* (an annual Mediterranean heat wave) and rabid dogs. While this connection applies to the association between meteorological and astrological phenomena and animal behaviour, the belief connects dogs’ madness (rabidity) with the forces of nature at the same time as also expressing a general view of dogs being prone to madness.\(^64\)

This view of the dog’s inherent madness was expressed by Peter Langtoft, who wrote about the Scots’ attack on England: “Which the mad dogs have worked in their folly”.\(^65\) Langtoft furthermore stressed the lowness of the dog. Thus, when he wrote about the Gascon War: “The proud Frenchman would bring us so low/ And cause us to be honoured no more than dogs”.\(^66\) Another example of the value attributed to dogs can be found in Froissart’s account of the Jacquerie and their massacres of French nobles in 1358. He wrote: “these evil people assembled without the direction of a leader or armour and they robbed and burned everything and killed all the noblemen they could find and they restrained and raped all ladies and virgins without pity and without mercy like mad dogs. Indeed never among Christians or Saracens were there those who would commit such mad acts as these evil people committed”.\(^67\) On the Battle of Roosebeke, 1382, Froissart likewise wrote that the French footsoldiers, armed with daggers, slaughtered the Flemings and that they showed them no more mercy than would have been shown a dog.\(^68\) This quotation clearly shows the low status of the dog—that is, as a being to which one would not show mercy. Being called a dog (*chien*) was also a terrible insult. Nicole Gonthier notes that the insults of dog and excommunicated were often combined, and concerning the dog, she writes that “the dog is an animal which one kills

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67 “ces méchans gens asamblés sans chief et sans armures, roboient et ardoient tout et tuoient gentils hommes qu’ils trouvoient, et efforchoient et violoient toutes dames aet pucelles sans pité et sans mercy, enssi comme chiens enragiés. Certes onques n’avint entre crestiens, ne Sarrazins telle forsenerie que ces méchans gens faisoient.” Froissart, VI, 45–46. See also p. 49, n. 8 and p. 51.
68 “A paines estoient Flament cheu, quant pilliart et gros varlès venoient, qui se boutoi-ent entre les gens d’armes, portoient grandes coustilles dont il les parochioient, ne nulle pité il n’en avoient non plus que che fussent chien.” Froissart, X, 171.
as a public health measure to eradicate the danger of wandering packs. It is evident how this comparison can wound; it implies that the person to which it applies is not worth more than one of these pestilent beasts which one dispatched of in a rather inelegant fashion".69

The use of dogs in judicial procedures for torture and punishment is documented in the punishment of a Jew in Paris in 1391:

Salmon de Barselonne, Jew and then convert. He was condemned to be hanged by the feet with a big dog on each side. Then he was encouraged to convert to Christianity and to be baptised to save his soul. And under the crenelation of the Chatelet he was baptised by the chaplains of St. Germain and his godfathers were an officer of the court, a mounted sergeant and the jailer. And when this was done he was hanged by the neck.70

It is interesting that while Salmon was executed, his companion was only beaten and banished from the kingdom. Thus, it was in some way a punishment for a crime committed by the Jews but which for Salmon's part first entailed a shaming “ritual” by hanging him with dogs from his feet, probably to force him to convert so that the French could execute him with a clear conscience, confident that his soul would be saved. This was a recording of a true occurrence which, however, had been put into a hapax (a manual establishing the guidelines of how different crimes were to be treated. It was almost certainly written on the orders of the Provost of Paris, Jean de Folleville). Thus, the entry was not a singular occurrence,71 but rather an example of a cultural custom of punishment for these types of crimes.

On a final note, in Mad Blood Stirring Edward Muir draws the attention to the connection between dogs and revenge in late medieval Friulian vendettas. In the language used to describe these vendettas, the enemy was styled as or likened to dogs or pigs because of their perceived


filthiness, promiscuity, senseless aggressiveness and indeed the profanity of these animals. Accordingly, the enemies were sometimes—as a final act of disgrace—fed to dogs or pigs. For instance, a defamatory sonnet circulated in Venice “ended with a vision of the traitor hanging by his foot from the gallows while dogs and crows pulled apart his body”.72

With this analysis of the view of the dog in the Middle Ages, I return to the Normans and their treatment of the defeated English. As was apparent even in the English chronicles, the Normans (erroneously in the English opinion) felt they had been deprived of justice and consequently took action themselves to obtain restitution and revenge. Indeed, denial of justice was one of the defining reasons for waging a guerra—a noble private war.73 In fact, both Rishanger and Guisborough stated that the Normans at first tried to get restoration through the normal channels, that is, through an appeal to Philippe or Edward I. While several of the English chronicles described the fury and madness of the Normans, they still maintained the notion that this was a Norman act of private justice.

It is in this light that the hanging of men with dogs from yard-arms becomes credible, for as an act of degradation it expressed the criminality of the English for their killing of a Norman. It also expressed the Normans’ consideration of the Anglo-Bayonnais as a greedy, rapacious and litigious lot with no more honour than dogs. Accordingly, this was the treatment that they merited. While it is uncertain how widespread this treatment was (it might indeed have happened only on one occasion, which the chroniclers picked up, since it expressed the savagery of the Normans), given the circumstances it certainly seems credible. Thus, the motives of the Norman aggression differ from the primarily profit-oriented piracies described in chapter 2.

Justine Firnhaber-Baker has analysed the techniques of seigneurial war in the fourteenth century. Concerning these wars, she writes that they almost invariably involved acts of violence and domination that produced no direct material benefit for the attackers, but which humiliated their enemy, resulting in the loss of prestige for the opposition and reinforcing bonds of solidarity within the attackers’ own group…. Certain noblemen erected gallows and performed executions in enemy territory during a war in order to claim jurisdiction and demonstrate dominance…No one can really have thought that these performances represented the normal

72 Muir, Mad Blood, p. 141.
73 Keen, Maurice, The Laws of War in the Late Middle Ages (London & Toronto, 1965), pp. 73 and 226.
functioning of seigneurial justice, but they served to demonstrate publicly the lord’s claim to jurisdiction, his (or occasionally her) ability to enforce that claim and his opponent’s impotence in the face of this violence.74

The hanging of mariners with dogs should be seen in the same vein as what was done by nobles on land, namely a demonstration of power over the sea, the criminality of the Anglo-Gascons and that justice had been served. It was thus more akin to the noble private war than mere piracy for profit.

The Baucens

The second practice evoked by the Portsmen was the Normans’ alleged use of the baucens. The Cinque Ports petition states the following regarding the Norman fleet which returned from Bordeaux in 1293:

with 190 ships well manned with men-at-arms, castles erected fore and aft and on each masthead. They wore banners of red silk [cendal] each 2 ells broad and 50 long, called baucans, what the English call ‘streamers’, which among mariners everywhere signify war to the death [guere mortele] . Thus in peacetime and without warning the Normans wickedly attacked your people…. And all these things were done as acts of warfare begun and continued by the Normans as is known by all…. thus, we are not held to make restitution nor amends since it is the usage and law of the sea that things done or taken at sea in war where the said baucens are hoist do not warrant restitution nor amends by one party to the other displaying this banner. It is furthermore the usage and law of the kingdom of England that if a man kills or does a similar act in self-defense he is not held to cause either in times of peace nor in times of war.75

75 “c lxxx [the TNA C 47/31/6 has ‘cc’] neefs bien eskipees de gent de armes chasteus hordys devaut e derere, chasteus au somet de chescun mast banere despleis de ruge cendal chescun banere de ii aunes de large et xxx aunes de long lesqueles banere sount apele baucens et la gent de Engletere les apeles stremeres e celes baneres signifient mort saunz remede et mortele guere en touz les lious ou mariners sount et en celle fourme et en celle manere Normaundz vindrent sur vos gentz e les asailirent fêleuneusement en cuntre la pees auaunt crie…. Et tutes cestes choses sont fetes par fet de guere comencee et continuee par Normaundz e notories sunt e apertes…. nous ne sumes tenu fere restitutionus ne amende si nule chose eit este fet, ou prise par nous en la dire guere kar il est usage et ley de mer qe des choses fetes, ou prises sur mer en guerre meiment et ou le dit Bacuan seyt leve ne doit estrre fet restitutionu ne amende del une partie a le autre qi tele banere leve Cest usage et ley del reaume de Engletere, qe si home feist une mort ou autre fet semblable en soi defendant il nest tenus de ceo ne en tens de pees, ne de guerre.” TNA C 47/31/5/1—see Appendix 4, Champollion, I, 396–97. Marsden, Law and Custom, pp. 53–54.
Several interesting things are stated in this document, which describes how war and aggression at sea were perceived. The immediate purpose of this description was obviously to exculpate the Portsmen for the plunder of a Norman fleet. Accordingly, they would refer to commonly recognised signs for war and piracy at sea. Thus, first of all they stated that the Normans had erected castles on both sterns and on the mast, like men of war. While life at sea in the Middle Ages was always a risky affair because piracy abounded, the raising of castles and the manning of the ships with warriors were unusual because the castles would slow the ships down. Furthermore, by manning the ships with additional warriors and by only charging half a load it clearly indicated that they had ill-intent. Thus, to all intents and purposes, the Normans were on the war-path. Peaceful trading was just a pretext for sailing south. One could argue, however, that, at least in 1293, the raising of castles, the manning with extra warriors and charging half a load could just as well be seen as safety precautions in hostile waters. Indeed, in the same source, the English stated that they, too, at one point only charged half a load, stating that this was out of fear of Norman pirates. What really justified the Anglo-Bayonnais attack was the display of the baucens. By unfurling the baucens, the Normans effectively declared the harshest type of war in the Middle Ages, la guerre mortelle, literally a merciless war to the death,76 which effectively put aside all other conventions of conflict at sea, namely reprisal and restitution. Frederic Cheyette commented that the baucens signalled the maritime equivalent of chivalric warfare and that this most probably denoted an old maritime custom; Robert Jones has argued that the unfurling of banners before a battle was the traditional way of legitimising the ensuing acts of war.77 Likewise, Maurice Keen noted that the display of banners had a considerable legal significance, since actions taken under these circumstances were performed “in actu belli”.78

There are two components to the analysis of the baucens, the name and the symbolism of the colour red on banners.

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76 Keen, Laws of War, pp 104–6, Kaeuper, War, p. 227.
78 Keen, Laws of War, pp. 106–107.
The name itself is somewhat rare in the sources, at least when it comes to maritime conflict. Banners clearly played an important role at sea, enabling ships to recognise each other, not least to determine friend from foe, as an agreement between Flanders and England stipulates in 1297. In addition, banners could clearly deter and scare off pirates, as the English king’s and the admiral’s banners did in 1314 against Flemish pirates. Nevertheless, to my knowledge, the name baucens is only encountered twice elsewhere between 1280–1330, namely in 1296 in the account for the expenses of the French fleet by Count Jean d’Arrode and Miqueu de Manx, and in 1324 when Edward II ordered that the galleys which were being built should be supplied with baucens.

According to both Frédéric Godefroy’s *Dictionnaire de l’ancienne langue française* and Algirdas Julien Greimas’ *Dictionnaire de l’ancien français*, the name baucens means “spotted with clearly separated black and white colours”, and it was usually used to describe the appearance of horses. In *Glossaire Nautique*, Augustin Jal was at a loss to explain the origin of the name baucens and how it was connected with the red banner described by the Portsmen in 1293. However, he noted that the Knights Templar had a black-and-white banner called baucens. The Templars’ banner and the red banner of the mariners only had the name in common, though.

In *La Règle du Temple* (probably from between 1257 and 1265), the baucens is described in article ninety-nine as a black-and-white banner used by the seneschal and signifying command. The editor, Henri de Curzon, noted that:

This word signifies simply a division of two colours, here the black and white…. The term baucant… was mostly applied to horses, etc. It is a corruption of the original meaning of the term that resulted in the naming of the banner itself as the baucent, and so the new meaning was not confined to the Knights Templar as one is sometimes led to believe. Rather it was used by Christians and pagans alike from the Orient as well as the West…. Often, it is that which we called the flamme, a long and straight two-pointed pennon flying from the top of the mast of a ship.

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80 *Foedera 1307–1327*, p. 262.  
85 “Ce mot signifie simplement mi-parti de deux couleurs; ici le noir et le blanc…. le qualitatif baucent… s’appliquait surtout aux chevaux, etc. C’est une corruption du
This last remark leads us away from the Templars, whose influence, despite their exploits as sea-warriors in the Mediterranean, seems rather unlikely in regard to a practice by mariners in northern Europe. Rather, it seems as if the Templars had adopted the general term *baucens* and applied it to their specific banner, since the meaning corresponded to their heraldic colours.

However, Henri de Curzon's reference to the *flamme* corresponds rather well with the Cinque Ports' account. The significance of a red banner used in warfare is probably best seen in the French kings' Oriflamme, which was precisely a long, purely red banner. The Oriflamme was (at least ideally) only to be used against infidels and rebels, because it signified *guerre mortelle*. Guiart described the Oriflamme in the following manner: "The *Oriflambe* is a banner, somewhat bigger than a pennon. It is a plain banner of red silk and it is unadorned by any motif".86

Samuel Cohn has remarked that the Oriflamme was used, at least in the fourteenth century, not only by the kings of France but also by the count of Foix, the duke of Orléans and the captal de Buch against the Jacques in 1356. However, Cohn states that until the battle of Roosebeke in 1382, the banner was theoretically only to be used against the infidels.87 On the other hand, Duby seems to think that it was displayed at the battle of Bouvines in 1214,88 in which the Flemings and the English could be seen as rebels against the divinely anointed king, thus in a sense as enemies of the Christian divine order. This interpretation is supported by Keen's reflections on the significance of red banners. He remarks that it only seems to have been unfurled in moments of dire necessity and when no quarter was to be given. Accordingly, it was unfurled at the Battle of Crécy (1346), the Battle of Poitiers (1356) and at the Battle of Roosebeke (1382). Concerning the use of the banner at Roosebeke, Keen notes that, according to Froissart, the Oriflamme was only unfurled after much deliberation.

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88 Duby, *Feodalité*, pp. 869 and 983.
and because the Flemings were considered no better than enemies of the faith.  

In his analysis of the history of the Oriflamme, Philippe Contamine has several important observations. Like the baucens, the Oriflamme was, at least until the reign of Philippe VI, a plain red banner. Also, like the baucens, the significance of the Oriflamme was victory or war to the death. Contamine notes some medieval authors’ focus on the blood thirst of the banner. Indeed, Richer de Senones writing between 1255–1267 on the Battle of Bouvines claimed that: “This Oriflamme thirsts for human blood as many are witnessing. Thus today with the help of God I [Gale, the knight who carried the Oriflamme] shall let it drink heavily of the blood of the enemies.” He thus argued that the Oriflamme literally drank the blood of the adversaries. The purpose of the baucens as well as the Oriflamme seems to be to strike terror in the adversary, exactly because of the merciless warfare that it entailed. According to the chansons de geste, the Oriflamme was not only used by Charlemagne and the kings of France, but also by more lowly barons which indicate the more general use and significance of the red banner. Interestingly, the English chronicler Geoffroi le Baker wrote on the Battle of Crécy that once the Oriflamme was raised it was not allowed on pain of death to take prisoners for ransom. I should tell you that it was called the Oriflamme, as showing that when French mercy was set on fire, it was not able to spare the life of any man for ransom, just as oil, when set alight, cannot spare anything that is inflammable.

Thus, like Richer he stressed the insatiable bloodlust which the Oriflamme waked in the French.

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89 Keen, Laws of War, pp. 105–106.
While the Oriflamme seems ideologically only to be used against infidels (that is in crusades),94 the continual use of it against especially the Flemings, but also against the English in the thirteenth and fourteenth centuries, suggests that it would likewise be used in wars against rebels and enemies in general of the realm.

Thus it seems that the Oriflamme and the baucens had a common origin as a red banner signalling war to the death, but from at least the twelfth century the French kings adopted the Oriflamme as their special banner. It was then imbued with a religious and ideological symbolism, which initiated a divergence from the common “red banner”. Accordingly, these two banners had the same overall symbolism and reference to the same military conventions, but from the twelfth century onwards they should be seen as two related, but not symbolically identical, banners.

The use of a red banner for conflict at sea seems to have been a constant in naval warfare until the eighteenth century. In The Pirate Wars, Peter Earle writes that the first time the Jolly Roger was flown was by the French pirate Emmanuel Wynn in 1700.95 The historian David Cordingly remarks in Life Among the Pirates that:

By 1730 the skull and cross bones on a black flag seems to have edged out the other symbols and been adopted by English, French and Spanish pirates operating in the West Indies. Before that date, however, there are examples of plain red or plain black flags being used according to a generally understood colour symbolism: black for death and red for battle. Basil Ringrose’s account of his voyage with the buccaneers led by Captain Bartholomew Sharp includes an incident in January 1681. The buccaneers, in their captured prize the Trinidad, encountered three Spanish warships off the islands of Juan Fernandez. ‘As soon as they saw us, they instantly put out their bloody flags, and we, to show them that we were not as yet daunted, did the same with ours.’ There was an alternative meaning to the plain red and black flags. A French flag book of 1721 includes hand-coloured insignia, and a plain red flag alongside a red pennant. Under the red flags is written ‘Pavillon nomme Sansquartier’ (‘Flag called No Quarter’). The idea that a red flag could mean no quarter is confirmed by Captain Richard Hawkins, who was captured by pirates in 1724. ‘When they [pirates] fight under Jolly Roger, they give quarter, which they do not when they fight under the red or bloody flag.’96

94 In a sermon by Guillaume de Sauqueville, dated to the beginning of the fourteenth century, the red colour of the Oriflamme was claimed to symbolise the furor legis of Christ. Contamine, “L’Oriflamme,” p. 232, n. 1.
95 Earle, Pirate Wars, p. 154.
Thus, the red banner seems to have a medieval origin and to have been a constant in combat at sea and in war to the death well beyond the Middle Ages. While it was used on land as well, the significance cannot have been restricted to the Oriflamme, which in this case must be seen as merely the most illustrious example of this ill-omened banner.

What the Portsmen thus argued in their account was that the *baucens*, by usage and the law of the sea, was the sign of war to the death, that the usual system of reprisal and restitution was annulled and that they were free of guilt and charge. This is referred to as a matter of fact by the community of the sea, but it also appears as an explanation or perhaps rather a reminder to King Edward of the rules of war at sea. This is interesting, since it signals a right to engage in maritime war governed by the customs of the people of the sea, rather than by any royal law.

Leaving aside the one-sided and dubious portrayal of the chain of events in the Portsmen’s account, it is remarkable that if one looks at the actions performed by the Norman mariners, they did not differ significantly from the way in which nobles waged war by plunder, killing, destruction and prisoner-taking. This is referred to as a matter of fact by the community of the sea, but it also appears as an explanation or perhaps rather a reminder to King Edward of the rules of war at sea. This is interesting, since it signals a right to engage in maritime war governed by the customs of the people of the sea, rather than by any royal law.

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So in the end, it remains to be determined if the Normans did unfurl the *baucens* or not. There are good reasons for both believing and doubting it. What speaks against the account is, first of all, that it clearly served the purpose of exculpating the Portsmen of their killing of the Normans by stating that it was an act of war. Furthermore, it is initially doubtful that a trading fleet or convoy would unfurl such a banner and actively seek a confrontation, since the Normans, unlike their opponents, ran the risk of losing their valuable cargo. However, in favour of the unfurling of the *baucens* is that the Bayonnais at least, but probably also the Portsmen, clearly saw this as a war, not as a minor quarrel, a skirmish or an isolated act of piracy. Furthermore, given the course of events and the escalation of a latent conflict between the mariners seemingly brewing for a long time, it is not impossible that the Normans might actually have sought out a final confrontation, confident in their numbers and perhaps fuelled by their hatred, despite the fact that the battle may have started with a carefully prepared Anglo-Bayonnais ambush. This notion, however, rests on the size of the Norman fleet, as stated in the Portsmen’s account. In the end, while we will never know whether the Normans actually unfurled the *baucens*, we are here made aware of the fact that it seemed to be an indisputable martial sign with a specific meaning, not only at sea, but also on land.
A Raid Up the Charente

A third account of the Normans' depredations is to be found in the report of the seneschal of Saintonge, Rostand de Soler, dated to 1293 and concerning a Norman plundering spree up the Charente River.

Apart from Bordeaux and the Gironde area, the Charente River was one of the primary locations for picking up wine to be taken north. Since the Treaty of Paris, 1258–59, Saintonge had been divided between England (or more properly, the Duchy of Gascony) and France. The dividing line was the Charente River, which effectively cut Saintonge in two. The left side of the river was English and the right side was French.

On the English side lay the nominal capital of Saintonge, Saintes. This had been the seat of the former comital power, and it was from here that the English (sous-)seneschal, Rostand de Soler, ruled in the English king's name. The Saintes Bridge over the Charente divided Saintes into an English and a French town. This division was important, because, in their raid, the Norman mariners used the French side as a safe haven for operations against their adversaries and as a means of keeping their backs covered in case of retreat.

The following account and analysis is based on Rostand de Soler's report. He accounted for the violence and terror practised by Norman mariners on the English side of the Charente River from Easter to Ascension, 1293. Some of this information is confirmed by the French royal officers' letters to Philippe le Bel.

In this period, a number of Norman mariners went to Gascony, as they did every year to freight wine. This time, however, there was a further purpose to their voyage, to strike a blow against their Anglo-Bayonnais adversaries in their own backyard. Armed with crossbows, swords, falchions and lances, and clad in haketons and bascinets, they entered the Charente River and soon started wreaking havoc. The Normans worked their way along the English side of Saintonge by attacking the areas from the estuary of the river to the area around Saintes. The neighbourhoods of Saint-Agnant, Saint-Nazaire-sur-Charente and Soubise seem especially

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100 The following analysis relies mainly on Rostand's report from TNA C 47/31/5/1. See Appendix 3.
hard hit, and the Norman bases of operations were probably Tonnay-Charente and Saint-Savinien (on the French side). In a manner reminiscent of their Scandinavian ancestors, they engaged in a riverine raiding campaign of violence, plunder, killing, rape, destruction and desecration of churches, culminating in an alleged threat to attack and burn the town of Saintes, presumably to punish Edward I for not bringing the English and Bayonnais mariners to justice.

Several things in this account are enlightening as to the nature of the mariners’ war and their martial practice. The Norman mariners targeted churches and mansions, and their victims always seem to have been civilians and especially clergy. The defining feature of these targets were the relatively low risk of armed opposition and the large amount of valuables left with little effective defence and opposition. Thus, for instance, the church of Saint-Nazaire-sur-Charente was visited and plundered five times by various groups of Normans.

Indeed, the Normans (apart from two occasions) always operated in small groups, possibly to avoid too much attention, but also because their organisation was based on the ship’s crews. The exact numbers of Normans implicated in the raids are unknown, but Rostand mentioned three named shipmasters, namely Gaufridus Gossa, master of the ship La Rose de Leure (presumably from Leure), Godefredus Cormean and Nicolas de la Mere, both masters of unnamed ships from Barfleur. These three ships carried twenty-two mariners (with masters), but it is clear from the report that more were involved in the assaults. These small groups may also explain their preferred method of assault. The Normans employed different tactics of subterfuge, surprise, breaking and entering—sometimes at night—and outright violent robbery.

The Normans stole practically everything they could lay their hands on. Obviously, they stole money and jewellery, but they also stole cheese, grain, bread, capons, chickens, cattle, weapons, tools like ploughs, utensils and garments like shirts and boots. This plunder was part of a general strategy, namely one of destruction and humiliation of the enemy, which, however, is better illustrated by some significant examples: the desecration of certain churches, the destruction of mills and wine barrels, and the acts of rape.

The fourth time that the church of Saint-Nazaire was attacked, the Normans came in force, 150 or more according to the report. They broke

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101 Confirmed by ANF J 631, no. 8.
open ten barrels of wine and poured it on the ground and then proceeded to destroy chests, clothes and other household goods. The real travesty, however, was their plunder of the church itself. They stole the altar cloth, the candles, the ornamentation of the church including an image of the Virgin, and they took down the cymbals for the church bells and finally stole the Eucharist. Rostand remarks in the report than when they left the church, Gaufridus Gossa contemptuously chewed on the holy Eucharist to the detriment of his soul. In another assault, they stole the baptismal gowns for boys from the church, presumably to sell them on.

While this may be construed as a one-sided vilification of the Normans and their utter un-Christian and monstrous nature, it must be pointed out that the desecration was actually in retaliation for armed resistance in a previous Norman assault, where some of the Normans had been wounded. This resistance had forced the Normans to flee, and when they returned and thoroughly plundered the church, it was probably as revenge for this resistance.

The Normans also destroyed the mills of the priory of Soubise. A more telling act of devastation is, however, the consequent destruction of wine barrels by smashing them and pouring the contents on the ground instead of bringing them along. Although this initially seems idiotic, in all probability it was a calculated action. The Normans probably smashed the barrels because they had already filled their ships with wine on the French side of the river. One could argue that it was irrational to buy wine on the French side when they could take it “for free” from the English side, but by buying from the French and thus paying customs to the French royal officers, they in a sense “paid off” the officers and bought their protection, or at least their benevolence. The purpose was thus to destroy the livelihood of their enemies and to humiliate and terrorise them by deliberately demonstrating that they did not even want to take their wine.

Finally, on two occasions the Normans engaged in the rape of local women. Once again I propose that these actions of destruction and terror should be seen as part of the nobles’ guerra, in which coordinated destruction and rape was an integrated part. Firnhaber-Baker writes about this:

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102 “Gaufridus Gossa magister navis vocati Larosa sancta eucharistia usus fuit ipsam ut dicitur et fama refert corporaliter in sue detrimentum anime corporaliter masticando.” TNA C 47/31/5/1.
The purpose of raiding was to not simply to take things, but also to demonstrate dominance by creating fear and humiliation in both the subject population and one’s principal enemy. Wars almost invariably involved acts of violence and domination that produced no direct material benefit for the attackers, but which humiliated their enemy, resulting in the loss of prestige for the opposition and reinforcing bonds of solidarity within the attackers’ own group.

The Normans also employed other means of violence. In their attacks, they employed a combination of threats, torture and beatings, all with the purpose of extorting money from the victims. In one incident, they tortured a certain Jean Peilhe’s daughter by laying a table on top of her, and then two Normans sat on top of the table in order to make her tell them where her father kept his treasure chest. However, as she was unable to tell them this, they finally let her go and resolved to just plunder the house. This incident is very typical of the Normans’ actions, and while it was in no way a pleasant experience for the Saintongeois, possibly only one of the Norman attacks had a deadly outcome. This also speaks for the overall veracity of the account, since an unalloyed attempt to vilify the Normans would certainly have resulted in more exaggeration and accounts of a general campaign of slaughter and merciless killing. In fact, the report contains many incidents where the Normans failed in their endeavours and had to flee. When all is said and done, however, it must be stressed that, until the threat to attack Saintes, the Normans always seem to have avoided direct armed confrontation with the authorities. Thus, the basic actions of the Normans in Saintonge do not differ from those of other malefactors and violent robbers, like the infamous Folville and Coterel gangs in England.

However, a particular hatred was reserved for any English and Bayonnais residing in Saintonge. A recurrent feature in the report is the Normans’ active search for Englishmen. In the priory of Montier Neuf, the Normans looked for Robin Anglicus and other Englishmen. In the priory of Sainte-Gemme, six Normans entered with drawn swords and, if the prior refused to give up English fugitives, threatened they would damage the priory. In Saintes, the Normans attempted to break into the house of the wealthy English merchant Galterus Anglicus. The worst action of the Normans, and incidentally the one that brought the richest booty by far, was the attack on two Navarrese merchants going from La Rochelle.
to Bordeaux. The Normans mistakenly took these merchants for Bayonnais, and in Saint-Savinien, they killed and plundered the merchants of 8,000 florins. Then the Normans chopped them up, and one of them put the entrails of one of the merchants on the tip of his lance and paraded it through Saint-Savinien crying, “Who wants to buy entrails from Bayonne? I am selling”, while another Norman took the head of the other merchant and first chewed on the ear and then finally ripped it off and ate it. This happened, wrote Rostand, without the intervention of the local authorities. This act seems to have taken the character of a public execution (or perhaps rather lynching), since the display of entrails and head showed the disrespect and heinousness of the crimes of the deceased. Thus, it can be seen as a mock execution and as part of the Norman private enforcement of justice. Taken together, these accounts show the hatred which the Normans felt towards their adversaries, since they were either killed or intended to be killed, whereas the locals were “only” beaten and tortured. This demonstrates that the real target of the raids was the Anglo-Bayonnais, and as the final example will show, ultimately the king of England.

The culmination of the raids occurred when the Normans entered Saintes and allegedly declared several times in public that they would burn and destroy the town to punish the King of England, presumably for the lack of justice for the actions of the Anglo-Bayonnais against the Normans. The attack on the house of Galterus Anglicus resulted in a fight, in which some of the Normans were captured, interrogated and taken off to the castle of Saintes. This apparently led the Normans to mobilise 4,000 (sic!) armed Norman mariners and threaten to attack and burn Saintes. Rostand promptly put the town on alert for a potential siege, and soon afterwards envoys of the Norman mariners and French royal officers showed up to ask for the release of their imprisoned comrades. Rostand—after having conferred with his council—refused, since the envoys did not have a mandate from the French king to demand the release. The Normans then proceeded to threaten to attack Rostand’s properties, and he eventually let the Normans go because the French royal envoys promised to compel them make restitution for the damages against the English king’s subjects. The infrequent arrest of Norman ships by English constables in

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106 “quis vult emere Trypes de Bayona ego vendam.” TNA C 47/31/5/1.
107 This was also reported to Philippe le Bel by his officers in Bordeaux. They added, furthermore, the accusation that the Normans had attacked the Ile d’Oléron during this campaign. ANF J 631, no. 8.
response to some of the Normans’ depredations which resulted in the Normans making restitution, and the actions of Rostand’s men against the Normans in Saintes, were the only times when the Anglo-Saintongeois authorities directly intervened.

Clearly this report attempted to exculpate Rostand from his failure to stop the Normans, and indeed for his release of them from custody. But apart from certain details, especially the alleged number of Normans threatening to attack Saintes, I consider it a credible account, given the number of named witnesses; the precise, detailed and infinitesimal amounts of valuables stolen; the details of wine poured out instead of being brought along; the relatively non-lethal nature of the assaults when a vilification campaign was obviously desirable; and finally, the disparity between the treatment of locals and the Anglo-Bayonnais. Furthermore, the report did not contain any self-promoting descriptions of Rostand himself, quite the contrary actually.

This would not be the last time Saintonge was visited by marauding mariners engaged in a maritime war with the Bayonnais. Between 1306 and 1309, Castilian mariners from Santander, Castro Urdiales and Laredo assembled a fleet and raided up the Charente River in a manner reminiscent of the Normans in 1293. Furthermore, it seems as if during this raid, as with the Normans, the Castilians were especially on the look-out for any English, thus testifying to a particular hatred reserved for this group.

**Guerra**

Thus, what I have described here is the way in which the Norman mariners fought their rivals in 1292–93. I propose that it should be understood as a war, or perhaps rather a *guerra*, in the same way as war was waged on land between kings and noblemen. Indeed, Philippe le Bel’s envoys called the conflict a *guerra maritima*, and the peace treaties of both 1282 and 1318 between Bayonne and the Normans use that word, amongst others, to describe their conflicts. In 1282, one of the words used for the conflict was *guerra*, both in the treaty itself and by the English authorities on the dorse (De guerrarum materia in terra et mari). In the truce of 1318, the conflict was called, amongst other things, *dissensionibus & discordiis*

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108 Foedera 1307–1327, p. 89.  
109 ANF J 631, no. 8.
guerrinis,¹¹⁰ and in 1331(?) Edward proposed a settlement of the dissension et guerre between English and French mariners.¹¹¹ Likewise, in 1317 the Bayonnais described their conflict with the Castilians as a guerra.¹¹²

The notion guerra entails what Justine Firnhaber-Baker has described thus:

raiding in later medieval local war invariably involved surprise; the violence of armed men against unarmed people; and the destruction or appropriation of productive resources, like cattle, ploughs, and food. Repeatedly, the sources tell of sudden, unadvertised attacks, of peasants murdered or mutilated in their fields, of women raped, of vines and trees cut down, of tools destroyed or taken, and of livestock stolen. Not every raid was part of a larger war, but so consistently are these activities associated with guerrae that local warfare and serial raiding might almost be thought of as interchangeable terms for the same phenomenon.¹¹³

The Saintonge raid and the acts of piracy in 1292–93 fit this description perfectly. It is in this way I interpret the piracy of the Norman mariners, whose actions, seen in isolation, were acts of piracy, but the overall framework within which this occurred was a guerra, that is, a large scale conflict between two political and economic communities.

This shows that even the kings recognised that the ports waged wars despite the fact that they, unlike the French nobility, did not have an official right to do so, as described in the jurisconsult and nobleman Philippe de Beaumanoir’s Coutumes de Beauvaisis. In the chapter on war, Beaumanoir circumscribed the way war between nobles should be conducted. Numerous regulations served to limit the scope of the war and its legitimate participants. While Beaumanoir recognised the noblemen’s right to settle their differences by arms, provided they declared this publicly and openly defied an adversary, he continuously stressed the possibility of settling the conflict in court and through the arbitration of the nobles’ overlord, rather than by war.¹¹⁴ However, such (already severely regulated) warfare was the sole prerogative of the nobles. Beaumanoir explicitly denied the bourgeois and the commoners the right to wage war. Instead, he referred them to the courts of law for the settlement of conflicts.¹¹⁵ On a practical

¹¹⁰ Foedera 1307–1327, p. 376.
¹¹¹ EMDP I, 390.
¹¹² Foedera 1307–1327, p. 332.
¹¹⁵ Beaumanoir, Coutumes de Beauvaisis, Articles 1671 and 1672, pp. 356–357.
level, however, this recourse does not seem to have been respected nor punishment meted out as a result.

The regulations of the *Coutumes de Beauvasis* are also reflected in contemporary royal attempts to regulate and indeed prohibit noble *guerra* in France. By this time, the French kings had tried, for a long time and with little success, to prohibit the noble *guerrae*. Based on a reading of the sentences of the *Parlement de Paris*, Louis de Carbonnières has recently argued that the royal French prohibitions in the later Middle Ages were more successful than previously assumed; however, evidence from the thirteenth century and the first decades of the fourteenth century does not support this interpretation. While the *Parlement* condemned and prohibited *guerrae*, these wars still persisted, and the sentences do not seem to conform to a general royal policy or indeed even a successful effort in prohibiting noble wars.\(^\text{116}\) Thus, in 1296, 1304, 1311 and 1314 Philippe le Bel issued various prohibitions of *guerrae* while he was at war, and he prohibited tournaments and restricted the carrying of arms. However, his successors, Louis X, Philippe V and Philippe VI, were forced to moderate these prohibitions and give concessions to regions like Gascony to continue the practice of *guerra*, provided it did not take place when the king was at war.\(^\text{117}\) These prohibitions do not seem to have succeeded for any of these kings, including Philippe le Bel, and as Raymond Cazelles wrote, they seem essentially to have served as a royal claim to power and a bargaining chit in the royal expansion of power in the first decades of the fourteenth century. Thus, for all intents and purposes, the French kings do not seem to have had any success in this period (apart from with Normandy where the prohibition was, however, the creation of the Anglo-Norman and Angevin kings in the twelfth century)\(^\text{118}\) with actively carrying out such a prohibition of noble *guerra*. The one possible exception was perhaps when the French kings were at war themselves and consequently needed the military forces of the noblemen for his wars, as well as for peace to hold sway domestically while the kingdom itself was engaged in war with an external foe.\(^\text{119}\)


\(^\text{118}\) See Yver, *L’interdiction*.

The situation in England was a little different to that in France. Since the eleventh century, effectively noble wars had been prohibited in England, and the English nobility did not wage open wars amongst themselves. The situation was a bit different in some places, though, especially in the Welsh March where the Anglo-Norman kings had encountered difficulties in the Welsh highland. Consequently, the lords in this march were allowed to maintain private armies, officially to protect the kingdom but the privileges and rights granted to these lords meant that in practice they also waged wars amongst themselves—just like their French counterparts (See chapter 6 for a treatment of the marches of England and France). However, the English kings also tried to restrict these wars, and in 1290–92 Edward I intervened in a war between Earl Gilbert of Clare of Gloucester and Earl Humphrey de Bohun of Hereford. These marcher lords were fighting over Morlais Castle, among others, in a region claimed by both. They were determined to settle the dispute by arms. Edward, however, intervened and prohibited the war. When these marcher lords did not adhere to the prohibition, because they felt this was a violation of their rights, Edward, by legal action and imprisonment of the earls, forced them to accept that he could prohibit war amongst the marchers, and that royal orders took precedence over the laws of the march and the privileges of the nobles. In the following years Edward came down hard on other defiant marcher lords and asserted ultimate royal judicial supremacy over Wales.120

Nevertheless, the studies conducted by Stones, Bellamy and Hanawalt show that while open warfare between nobles in England was prohibited in principle, in practice the English nobility did not refrain from using violence against their rivals and to achieve their aims. However, since open war was prohibited, they had recourse to armed gangs and thus waged wars by proxy. While the nobles were not always directly implicated in these actions, it seems that everybody was aware of their involvement and the use of proxies. Nevertheless, the members of these gangs and their employers were rarely punished.121 Thus, while the English kings initially seem better equipped to and more successful in stopping these noble

The success of these initiatives were wholly dependent on the strength of the king. Even a strong king like Edward I does not seem to have been able to quell this completely, and his actions in the Hereford-Gloucester dispute seem to have been more a statement of his sovereign power over the English nobility than an actual pursuit of a royal policy of zero-tolerance of noble violent conflict. It seems that the English kings had to tolerate noble feuds as long as they were not waged as open warfare. Accordingly, while the kings did not like this “private” use of collective violence and prohibited it, in practice they had to accept a certain leeway for nobles to settle their conflicts with violence. But as Philippe de Beaumanoir stressed, this acceptance was not juridically extended to commoners.

Nevertheless, the claim to self-defence by the Portsmen and the clandestine operations of the Normans in Saintonge seem to denote that while the Portsmen and the Normans found that their actions were justified from their point of view, they knew that they were acting against the royal prohibitions and that their actions were not legitimate in a wider sense.

The components in these guerres resembles what other historians have termed as feud. On the term guerre, Paul Hyams notes that:

Old French guere . . . registers violence imminent or already begun. Stephen White’s analysis of its usage in certain chansons de geste of the twelfth and early thirteenth centuries usefully begins by noting that every such act assumes wrongs to justify the action and stories by which each side justifies its own position. The semantic field covered by guere is not quite as clear as a philologist might wish. It seems to cover conflicts not covered by Latin bellum, which essentially denotes the kinds of war started by a recognized authority like king or pope that can be justified along the lines of just war theories. In the twelfth-century schools, and the courts they influenced, these were beginning to be conceptualized as public wars. In consequence, the modern Continental secondary literature describes as private war most situations where Anglophone scholars habitually talk of feud.

There is nothing odd in the fact that mariners waged wars akin to those of the nobles: many mariners cum merchants were rich people with control of ample resources; the mariners already seem organised and to a certain degree endowed with an esprit de corps; they ran a low risk of

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122 Davies, Lordship and Society, pp. 254–269.
getting caught and punished (see chapter 8); and they were probably motivated by a sense of honour and an interest in defence of their common economic interests. Kaeuper’s studies support this interpretation. He shows that while chivalry and the use of violence to the protection of one’s honour were of central importance to the aristocracy, the upper ranks of townsfolk aped this chivalric code. This bourgeois knightliness was primarily found in the French kingdom due to the greater measure of independence of towns and bourgeois from royal control, yet it was also present in some English towns. In France at least, the bourgeois claimed the rights of the chivalric classes to wage war.\textsuperscript{124} Kaeuper writes:

these towns were also collective lordships which entered into private war and took vengeance in the best style of the day. Knightly society often wished to increase its social distance from the bourgeois and chose to measure and emphasize that distance by elaborations of the code of chivalry. Yet the distance can easily be exaggerated and the important point for thinking about the issue of public order is that a code of honour recognizable to all stretched across the ranks of privileged society; whatever refinements ambitious townsfolk might lack in the eyes of their knightly betters, they shared with them a keen appreciation of the defence of honour through prowess.\textsuperscript{125}

While historians like Hyams, Howard Kaminsky and Hillay Zmora claims that the \textit{guerra} or private wars can be characterised as “feuds”,\textsuperscript{126} Firnhaber-Baker distinguishes between the two. She writes:

The sources usually use the same word for seigneurial wars that they do for royal wars: guerres. These wars, fought by the hereditary nobility, ecclesiastical lords, and even municipalities, generally arose over claims to lordship: conflicts over inheritance, over the possession of a castle or, over the marriage of an heiress, over the right to execute justice or to collect taxes, and so forth. They were not ‘feuds’ in the sense of cyclical, vindictory violence waged by kin groups, but rather political struggles pursued through military means. Vengeance entered the picture in that one had to preserve one’s rights and save face if attacked, and no doubt there was emotional satisfaction in defeating one’s opponent and getting one’s way.\textsuperscript{127}

\textsuperscript{124} Kaeuper, \textit{War}, pp. 189–190 and 246.

\textsuperscript{125} Kaeuper, \textit{War}, p. 192.


\textsuperscript{127} Firnhaber-Baker, “Techniques,” p. 91. See also Firnhaber-Baker, “Seigneurial War,” pp. 41–42, for a critique of Gauvard’s focus on wounded honour as a legitimate source for war and violence.
Thus, what Firnhaber-Baker stresses here is that the *guerra* was initially more concerned with material values than insults and emotional damages, even though these of course also played a role. The same is detectable in the mariners’ wars. While emotions of anger and hatred must certainly also have been present, the immediate cause for hostility in the sources appears to be material, not emotional. In the end, while the discussion of what exactly constitutes a feud is beyond the scope of this book,¹²⁸ I find it useful to distinguish on a theoretical level between conflicts motivated by recovery or defence of material values and those motivated by insults to one’s honour.

One factor, however, separated the maritime wars from those of the terrestrial nobility, clergy and towns, namely the centrality of the sea and the waterways for the combatants’ living. Gonçal López Nadal has studied ports engaged in piracy between the sixteenth and the eighteenth centuries and has made some interesting observations which also seem applicable to medieval ports. He notes that alternative methods of commerce—namely trade in neutral vessels, smuggling and corsairing¹²⁹—were not subversive strategies employed in times of need by mariners or merchants, but that they were simply a cheap and convenient (if alternative) way of conducting their traditional activity, trade.¹³⁰ However, he adds that not all ports were engaged in, nor had any interest in, corsairing and piracy. Nadal stresses that corsairing appeared “mainly in societies that found themselves thwarted by an unchallengeable commercial competitor. Not surprisingly, the ports that were most prone to turn to force were the strictly second-rate trading centers, while major trading centers suffered the most from raiding”.¹³¹ This idea seems to fit the medieval ports, as a disproportionate number of pirates came from “minor” ports engaged primarily in freight such as the Cinque Ports, the Norman ports and Bayonne.¹³² This notion seems supported by the similarity in the Middle Ages and the early modern period in the relationship between ports and pirates, and Nadal notes that the pirate ports derived profit from the mariners’ activities, and accordingly they were defended and honoured by their fellow-citizens.¹³³

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¹²⁸ Indeed, the various articles in Netterstrøm, Jeppe B. and Bjørn Poulsen, eds, *Feud in Medieval and Early Modern Europe* demonstrate that no clear and coherent definition of feud exists.
¹²⁹ Nadal seems to use this term to describe acts of piracy as well as privateering.
¹³² See Vale, *Origins*, pp. 149–150, for Bayonne.
¹³³ Nadal, “Corsaring,” p. 130.
This also seems to be the case in the few instances when we have access to records of medieval pirates (for instance the Alards).

In conclusion, the maritime wars of the mariners from 1280–1330 resembled the noble guerra in its form, objectives and symbols. For all intents and purposes, it was a war, but the war was fought with methods which on the surface resembled merely violent robbery at sea. However, contrary to the singular instances of piracy, these wars waged by serial piracies and raids were motivated not only by gain but also by vengeance and private justice.