

Negotiating princely power  
in late medieval France:  
Jeanne de Penthièvre, duchess of Brittany  
(c.1325–1384)

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## Abstract

Jeanne de Penthièvre (r. 1341–1365) inherited the duchy of Brittany, but was challenged by her collateral relatives in a lengthy civil war and ultimately defeated, though she remained politically active until her death. This thesis uses her career as a case study of the ways princely power was expressed and implemented in the fourteenth century, and includes a critical biography and an edition of the 1341 legal brief for her succession. It focuses especially on official records such as legal arguments, charters, orders, and seals, and incorporates the close reading of individual texts alongside broader linguistic and quantitative analyses. The high nobility of fourteenth-century France has been relatively underserved by this type of examination of the influences of rank, relationships, gender, and conflict within the focused context of an individual's life, an approach which demonstrates the flexibility of non-royal political authority. Jeanne's participation across different areas of government (such as finances, bureaucracy, warfare, and diplomacy) reveals a variable balance of power between Jeanne and her husband as spouses and as co-rulers. The terms used to establish her power in the official *acta* suggest further that simple descriptions of power often used in modern scholarship on noblewomen do not adequately characterize or explain late medieval views of these dynamics. The legal arguments advanced in defence of Jeanne's claim to the duchy reveal disagreements about the technical relationship of the duke/duchess to the rest of Franco-Breton political society. Jeanne's ability to assert her authority was particularly important in the contested circumstances of her rule, and her adherence to or deviation from contemporary expectations was important in establishing her legitimacy. Contemporary Breton and French chroniclers, particularly Froissart, complement this perspective with their reactions to her rule; Jeanne's reputation was informed by the multilayered standards attached to her positions as heiress, wife, and duchess.

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## **Author's declaration**

I declare that this thesis, and the research on which it is based, is my own work. Where reference is made to the works of others, the extent to which that work has been used is indicated and duly acknowledged in the text and bibliography. This work has not been already accepted in substance for any degree, nor is it being concurrently submitted in candidature at any other university, or for any other degree.

## Introduction

*Enterons en le grant matère et hystore de Bretagne, qui grandement renlumine ce livre...*<sup>1</sup>

Jeanne de Penthièvre, ironically, is perhaps best known for what she did not do: in the middle of the fourteenth century, she did not win a war. This loss introduced the dynasty that was to oversee the duchy of Brittany's heyday as a semi-autonomous principality before its definitive absorption into France in 1532. If this outcome has had the predictable effect of diverting attention from what preceded it, however, Jeanne's defeat did not negate the significance of her career. By age twelve, her parental inheritance made her a countess and lady of numerous territories across northern France and, as heir to her uncle Duke Jean III, she had the further prospect of becoming duchess of Brittany and viscountess of Limoges. As it happened, her succession was challenged in a lengthy conflict that was bound up with the opening struggles of the eventual Hundred Years' War, begun only four years earlier in 1337. But it took more than two decades for Jeanne to lose her fight, which ended with the death of her husband Charles de Blois at the battle of Auray in 1364 and the installation of their rival's son as Duke Jean IV. In the interval, Jeanne had had those twenty-three years to assert herself as the ruler of Brittany, and she continued to defend and advance her interests at the highest levels of French political society for the rest of her life.

Her turbulent career, while having had only cursory attention from historians, is documented in the usual products of a late medieval administration—Jeanne's writs, her court cases, grants, treaties—as well as by the occasional chronicler who remarked on events in Brittany.<sup>2</sup> This corpus offers a case study in late medieval political power: a topic close to the heart of traditional historiography, but one that, even from this focused starting-point, branches out in several directions. Jeanne's authority was shaped by the co-rule she shared with her husband

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1. 'Let us go into the great matter and history of Brittany, which greatly illuminates this book', Jean Froissart, *Chroniques de J. Froissart*, ed. Siméon Luce (Paris, 1869–1899), 2:86 (hereafter cited as Froissart B).

2. To date, the only scholarly works focusing specifically on Jeanne de Penthièvre (and always in comparison with her counterpart in the war) are those of François Plaine, "Jeanne de Penthièvre, duchesse de Bretagne, et Jeanne de Flandre, comtesse de Montfort: Étude biographique et critique," *Mémoires de la Société archéologique et historique des Côtes-du-Nord* 6 (1874): 1–47, and Katrin E. Sjørnsen, "The War of the Two Jeanne: Rulership in the Fourteenth Century," *Medieval*

Charles. They jointly exercised power over most aspects of government, though Jeanne's role was not identical in all respects to his, and was differentiated both in practice and in the way it was described in their official documents. These variations influenced but did not mitigate her authority and responsibilities in the areas she ruled; as a result, the wider ties she cultivated with her followers and administrators (both individually and as a group) featured large in her efforts to defend her status both during the war and afterwards. While Jeanne's claims and exercise of power responded (with varying effectiveness) to the challenges occasioned by the wars, they were also subject to expectations beyond Jeanne's immediate control. Competing assumptions about what a spouse, a parent, or even a prince should do and why, worked both for and against Jeanne across her career and in her posthumous reputation. All these different concepts and expressions of power did not add up to a single consistent pattern, but they were still facets of a whole because they remained rooted in the precise context of Jeanne's own experience.

## The duchy of Brittany and the War of Succession

Since Brittany was the most significant part of Jeanne's domain in terms of prestige, value, and the place it occupied in her life, it is important to understand its complex position in the Anglo-French political sphere. By the time Jeanne inherited the duchy in 1341 her ancestors had styled themselves dukes for roughly four hundred years, though the kings of France had recognized the title only recently, when Philippe le Bel named Duke Jean II a peer of France in 1297.<sup>3</sup> This move to bind Brittany more closely to the growing realm marked a fitting close to the thirteenth century, which had seen the region move away from the remaining influence of Plantagenet dominion and the dukes begin to pay liege rather than simple homage to the French monarch.<sup>4</sup> This did not mean that the English

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*Feminist Forum* 51 (2015): 4–40.

3. Paul Jeulin, "L'hommage de la Bretagne en droit et dans les faits," *Annales de Bretagne* 41.3–4 (1934): 403, 429; Jean-Christophe Cassard, "Pairie de France et Barons de Bretagne: Plasticité et vacuité des mythes historico-politiques," in *Vérité poétique, vérité médiévale: Mythes, modèles et idéologies politiques au Moyen Âge*, ed. Jean-Christophe Cassard, Élisabeth Gaucher, and Jean Kerhervé (Brest, 2007), 60–61. Alain Barbetorte (r. 936–952) was the first to use the title of 'duke' of Brittany: Patrick Galliou and Michael Jones, *The Bretons, The Peoples of Europe* (Oxford, 1991), 155–58, 168. On Brittany's earlier political structures, see André Chédeville and Hubert Guillotel, *La Bretagne des saints et des rois Ve-Xe siècle* (Rennes, 1984), 71–87, 278–94, 354–73; Bertrand Yeurc'h, *La noblesse en Bretagne: Titres et offices prééminenciers sous les ducs de Bretagne* (Perros-Guirec, 2014), esp. 23, 24; Arthur le Moyne de La Borderie, *Essai sur la géographie féodale de la Bretagne* (Rennes, 1889), 6–11, 73ff.

4. Jeulin, "Hommage," 419ff.; Arthur le Moyne de La Borderie, *Histoire de Bretagne* (Rennes, 1896–1914), 3:315ff., 350–51; Jean-Pierre Leguay and Hervé Martin, *Fastes et malheurs de la Bretagne ducal 1213–1532* (Rennes, 1982), 30–38; B.-A. Pocquet du Haut-Jussé, *Les papes et les ducs de Bretagne: Essai sur les rapports du Saint-Siège avec un État* (1928; repr., Spézet, 2000), 162; Frédéric Morvan, "Le Livre des Ostz (1294): Un éclairage sur les rapports du duc avec la noblesse

kings had lost all power over Brittany by the fourteenth century: the interests of trade bound their lands too closely, and the king could pressure the duke by confiscating the honour of Richmond, a not inconsiderable territory in the north of England which entered ducal hands from the cadet branch in the mid-twelfth century.<sup>5</sup> But while Jeanne's immediate predecessor, Jean III (r. 1312–1341), offered homage to Edward III (r. 1327–1377) for Richmond in 1334, he was of a solidly Francophile bent.<sup>6</sup> He provided Louis X (r. 1314–1315) with military assistance in Flanders and did likewise for Philippe VI (r. 1328–1350) some twenty-five years later.<sup>7</sup> Childless despite three marriages, he was even willing to cede Brittany to the French crown as a solution to his inheritance, though his barons blocked this project.<sup>8</sup> Ironically, the failure of this plan contributed to the crisis that broke out upon Jean III's death on 30 April 1341, a crisis that would reconfigure the Breton political balance.

The story of the Breton War of Succession has been told many times, so it suffices here to paint the broad outlines and results.<sup>9</sup> Jean was survived by a niece from his late younger brother: this was Jeanne de Penthièvre, who had been presumed his heir and was married to Charles de Blois, nephew of King Philippe VI. However, in 1341 Jean III's estranged half-brother Jean de Montfort (Montfort-l'Aumary, near Paris) claimed the duchy. Both sides petitioned Philippe to receive their homage; on 7 September 1341 the king accepted that of Charles

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bretonne à la fin du XIIIe siècle," in *Noblesses de Bretagne du Moyen âge à nos jours*, ed. Jean Kerhervé (Rennes, 1999), 37–39. English influence in the duchy reached its peak during the reign of Duchess Constance (1161–1201) and her husband Duke Geoffroy II Plantagenet (1158–1186), though see Yannick Hillion, "La Bretagne et la rivalité Capétiens-Plantagenêts. Un exemple: la duchesse Constance (1186–1202)," *Annales de Bretagne et des pays de l'Ouest* 92 (1985): 111–144, on Constance's later neutrality. Although this period has been characterized as an 'interlude' in the story of French relations (e.g. Galliou and Jones, *Bretons*, 187), Judith Everard, *Brittany and the Angevins: Province and Empire, 1158–1203* (Cambridge, 2000), has demonstrated the importance of Brittany within the Plantagenet empire and, conversely, its lasting impact on the duchy—not least regarding the rules of succession: Marcel Planiol, ed., *La très ancienne coutume de Bretagne* (Rennes, 1896), 319–25 (hereafter cited as *TAC*); Judith Everard, "The 'Assize of Count Geoffrey' (1185): Law and Politics in Angevin Brittany," in *Expectations of the Law in the Middle Ages*, ed. Anthony Musson (Woodbridge, 2001), 53–65.

5. Galliou and Jones, *Bretons*, 182–83, 193–94. This same cadet line represented Jeanne's maternal ancestors, and it was for their benefit that Alain III (d. 1040) constituted the first apanage of Penthièvre around 1034: La Borderie, *Géographie*, 51–55; Frédéric Morvan, "La maison de Penthièvre (1212–1334), rivale des duc de Bretagne," *Mémoires de la société d'histoire et d'archéologie de Bretagne* 81 (2009): 20.

6. La Borderie, *Histoire*, 3:391, 394, 396; Jeulin, "Hommage," 430; Pocquet du Haut-Jussé, *Papes*, 163–207; Frédéric Morvan, ed., "Actes de Jean III" (Electronic document, 1 Feb. 2013).

7. Jeulin, "Hommage," 430, 432.

8. Hercule Géraud, ed., *Chronique latine de Guillaume de Nangis de 1113 à 1300, avec les continuations de cette chronique de 1300 à 1368* (Paris, 1843), 2:144.

9. The most comprehensive treatment, though in places based too heavily on that of Froissart, remains La Borderie, *Histoire*, 3:411–597. See also the standard accounts of Leguay and Martin, *Fastes*, 98–108; Jean-Christophe Cassard, *La Guerre de Succession de Bretagne* (Spézet, 2006), 11–20; or, more concisely, Galliou and Jones, *Bretons*, 217–20.

de Blois on his wife's behalf. Unfortunately, Jean de Montfort took advantage of Philippe's conflict with Edward III to offer his homage in England instead, and war broke out with the aid of French troops on the Blois-Penthièvre side and English forces on the Montfortist. Jean died of illness in 1345 and his claim was defended instead by his wife, Jeanne de Flandre, until she departed for England herself with their young son and daughter, Jean and Jeanne.

This period of intense fighting was followed by one of smaller skirmishes and sieges, interrupted by the occasional chevauchée. The Anglo-Montfortists retained control primarily at the very west and south of Brittany; Franco-Penthièvre forces held the north, east, and centre. On the Penthièvre side, misfortune struck when Charles was captured at La Roche-Derrien on 20 June 1347 and brought to England. An abortive attempt to negotiate an alliance with Edward III would have shortened his captivity to only six years. As it was, it stretched to nine, and Charles was released only upon promising an exorbitant ransom. The younger Jean de Montfort returned to Brittany in 1362, provoking fierce fighting that was broken up by sporadic attempts to work out a compromise. Finally, Charles was killed in battle near Auray on 29 September 1364, and King Charles V (r. 1364–1380) opted to keep Brittany within the French fold by accepting Jean's homage. At the first treaty of Guérande, concluded on 12 April 1365, Jeanne de Penthièvre ceded her rights to the duchy to the new duke Jean IV (d. 1399), in exchange for retaining most of her other holdings, a pension, and the provisional reversion of the duchy to her line in default of male Montfortist heirs—though women were barred from future succession save as a last resort.

The war had a somewhat meandering coda, for Jean IV's reign was far from untroubled. His English sympathies, though less absolute than often assumed, nonetheless prompted his barons to exile him there in 1373.<sup>10</sup> Jeanne, who had tried to have her late husband canonized in 1371, used this opportunity to seek the restitution of her duchy. However, she ended up supporting the recall of Jean IV when Charles V attempted instead to annex Brittany to the crown in 1379. This brief rebellion ended in 1380 when the second treaty of Guérande reinstated the terms of the first. Jeanne survived the treaty by a short while, dying at La Roche-Derrien just shy of her sixtieth year.

While this account of the war and its aftermath has some six centuries of tradition behind it, it unfortunately leaves much unsaid.<sup>11</sup> Written in full know-

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10. Michael Jones, *Ducal Brittany 1364–1399: Relations with England and France during the Reign of Duke John IV* (Oxford, 1970).

11. Bertrand d'Argentré, *L'histoire de Bretagne* (Rennes, 1582) (hereafter cited as d'Argentré), was the first account written after Brittany's integration into France and proved a strong model for the Enlightenment historians of Brittany: Gui Alexis Lobineau, *Histoire de Bretagne* (Paris, 1707), and Hyacinthe Morice, *Histoire ecclésiastique et civile de Bretagne* (Paris, 1850), whose work was itself derivative of Lobineau's. On this historiographical tradition, which has remained influential, see Jean Kerhervé, "Écriture et réécriture de l'histoire dans *l'Histoire de Bretagne* de Bertrand

ledge of the Montfortist victory, it allows little place for the fact that Jeanne and Charles did rule substantial parts of Brittany for over two decades, and the details of this administration have not been subject to scholarly analysis.<sup>12</sup> Focusing on the war, it has been a story of battles and the men who waged them; this has left Jeanne largely in the shadow of her husband Charles.<sup>13</sup> Both of these omissions are unjustified in light of the surviving documentary evidence.

### Assessing the sources

At the canonization trial of Charles de Blois, a witness recalled that Charles had responded to the loss of the castle containing much of his archives by giving thanks to God for all that he did.<sup>14</sup> The duke's cavalier response to the loss of his archives may cause historians to cringe. Fortunately, all was not lost. The most substantial component of the surviving corpus is the *acta*, administrative documents that included a range of materials in accordance with the many needs of governance. Most often these were formal charters confirming the transfer of property, money, and rights, or *mandements* that gave instructions to ducal officials to carry out specific tasks; but we also have some of Jeanne and Charles'

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d'Argentré: l'Exemple du Livre XII," in *Chroniqueurs et historiens de la Bretagne du Moyen Âge au milieu du XXe siècle*, ed. Noël-Yves Tonnerre (Rennes, 2001), 77–109; Jean Queniart, "Les mauristes et l'historiographie bretonne," in *Chroniqueurs et historiens de la Bretagne du Moyen Âge au milieu du XXe siècle*, ed. Noël-Yves Tonnerre (Rennes, 2001), 111–123.

12. Michael Jones, ed., *Recueil des actes de Charles de Blois et Jeanne de Penthièvre, duc et duchesse de Bretagne (1341–1364), suivi des actes de Jeanne de Penthièvre (1364–1384)* (Rennes, 1996), 42–45 (hereafter cited as *RACJ*), naturally, provides a brief summary of the contents of the surviving *acta*. Pocquet du Haut-Jussé, *Papes*, 209–66, is something of an exception, although his particular focus on relations with the papacy means he does not treat the internal administration of Brittany in much detail. Work on the structures of Breton government has included Jeanne and Charles' rule at least in passing, but has tended to focus on the better-documented Montfortist dynasty: Marcel Planiol, *Histoire des institutions de la Bretagne* (1953–1955; Mayenne, 1981–1984), vol. 3, book 1; Jean Kerhervé, *L'État breton aux 14e et 15e siècles: Les ducs, l'argent et les hommes* (Paris, 1987); Michael Jones, "The Chancery of the Duchy of Brittany from Peter Mauclerc to Duchess Anne, 1213–1514," in *The Creation of Brittany: A Late Medieval State* (London, 1988), 132–37.

13. For example, Leguay and Martin, *Fastes*, 102–07, covers the events of the war only through 'les opérations militaires'. Cassard, *Guerre*, 15–16, characterized the conflict as 'sans chef' when Charles was absent. It is this problem which Sjurssen, "Jeannes," 32–38, addresses, if relatively briefly. Charles' interest as a sainted duke has further driven the disparity: François Plaine, *Histoire du bienheureux Charles de Blois, duc de Bretagne et vicomte de Limoges*, in *Monuments du Procès de Canonisation du Bienheureux Charles de Blois, Duc de Bretagne, 1320–1364*, ed. Antoine de Sérent (Saint-Brieuc, 1921); B.-A. Pocquet du Haut-Jussé, "La 'sainteté' de Charles de Blois," *Revue des questions historiques* 105 (1926): 108–114; Jean-Christophe Cassard, *Charles de Blois (1319–1364): Duc de Bretagne et bienheureux* (Brest, 1994); Jean-Christophe Cassard, "Les coulisses de la sainteté? Charles de Blois vu par son entourage," *Annales de Bretagne et des pays de l'Ouest* 110 (2009): 183–196; Michael Jones, "Politics, Sanctity and the Breton State: The Case of the Blessed Charles de Blois, Duke of Brittany (d. 1364)," in *The Medieval State: Essays Presented to James Campbell*, ed. J. R. Maddicott and D. M. Palliser (London, 2000), 215–232.

14. 'Quando fuit sibi nunciata perdicio sui castri...in quo erant carte et littere tocius sui ducatus...[Carolus] dicebat: 'Benedicatur Deus de omnibus que nobis donat', Antoine de Sérent, ed., *Monuments du procès de canonisation du bienheureux Charles de Blois, duc de Bretagne, 1320–1364* (Saint-Brieuc, 1921), 63 (hereafter cited as *MPC*).

letters to other rulers, legal agreements, a handful of treaties, and a healthy miscellany of more isolated aspects of administration. Aside from the few documents from the royal court, these acts were not produced by a strictly-regulated princely chancery, but rather a body of itinerant secretaries (usually between three and six) accompanying Jeanne and Charles, apparently including a chancellor though this individual was rarely specified.<sup>15</sup> One of these notaries claimed that he wrote over 10,000 letters in Jeanne and Charles' service—unfortunately, not nearly so many have come down to us today.<sup>16</sup> Even if he exaggerated, the 416 known *acta* are certainly a pale shadow of four decades of administration.<sup>17</sup> While this is an adequate corpus, comparison with the 1,442 acts of their rival Jean IV for an almost equal period throws its deficiencies into relief.<sup>18</sup> Nevertheless, this collection is ample by the standards of earlier periods: the compiled acts from several generations of ducal rule in the twelfth and thirteenth centuries yields only 215 surviving records from a comparable timespan.<sup>19</sup>

Most of the *acta* have been edited by Michael Jones, although new references, and occasionally even new acts, still turn up in the archives.<sup>20</sup> The unevenness of their preservation is shown in Figure 1, which gives the proportions of documents extant as originals, as copies made by other administrators ('secondary') or later historians ('tertiary'), or simply indicated (without a surviving text) by other acts, inventories, or historiographical accounts. While originals and their copies sur-

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15. *RACJ*, 32, 33, 36. Beneficiaries were no longer responsible for the composition: Jones, "Chancery," 123; cf. Michael Jones, *Le premier inventaire du Trésor des chartes des ducs de Bretagne (1395)*. Hervé Le Grant et les origines du Chronicon Briocense (Rennes, 2007), 19–21, for a comparison with other ducal and royal chanceries.

16. *MPC*, 98.

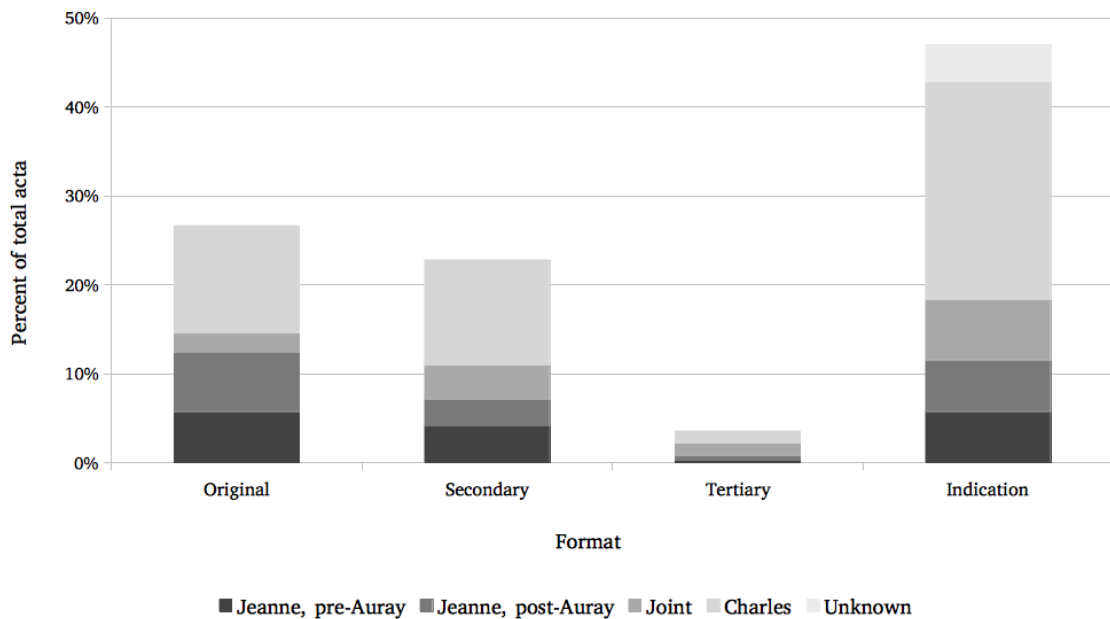
17. Jones counts 413 acts, to which must be added the three acts edited here in Appendix B. 343 acts date to before Auray. Cf. Jones, "Chancery," 134.

18. Michael Jones, ed., *Recueil des actes de Jean IV, duc de Bretagne* (Rennes, 1980–2001), 3 vols.; Jones, "Chancery," 113. See *RACJ*, 32, for some causes of the reduced Penthievre documentation, including the decreased productivity of the ducal chancery during the conflict. Note that the itinerant Blois-Penthievre chancery did not have a specific archive for their records (Jones, *Le Grant*, 21–22), though testimony in 1371 mentioned 'sui castri de Suzeniouc [i.e. Suscinio]...in quo erant carte et littere tocius sui ducatus, prout [Charles] credebat, licet in veritate aliquae dictarum litterarum essent in castro Meduane [i.e. Mayenne]', *MPC*, 63, which suggests certain large stashes of official paperwork, some outside of Brittany.

19. Judith Everard and Michael Jones, eds., *The Charters of Duchess Constance of Brittany and her family, 1171–1221* (Woodbridge, 1999).

20. *RACJ*, and Michael Jones, ed., "Supplément au Recueil des actes de Charles de Blois et Jeanne de Penthievre" (Electronic document, 4 Jan. 2013) (hereafter cited as *RACJ* Supplément). I have located a reference to a lost act in Jean Le Fèvre, *Journal de Jean le Fèvre, évêque de Chartres, chancelier des rois de Sicile Louis I et Louis II d'Anjou*, ed. H. Moranvillé (Paris, 1887), 66, 74–75, and Archives départementales des Côtes d'Armor, Saint-Brieuc, E 65–1, f. 75; three copies of lost acts in Archives départementales des Pyrénées-Atlantiques, Pau, E 740 (see Appendix B); and a 'new' original—Archives départementales des Côtes d'Armor, Saint-Brieuc, E 1286—misplaced in the archives at the time of Jones' edition, that helps fill in the relatively sparse period of the mid-1370s. The extant originals are concentrated in the archives at Nantes (which houses the *trésor des chartes* of the Breton dukes) but extend to the other departmental and municipal archives of





**Figure 1:** Relative preservation of *acta*<sup>21</sup>

vive in roughly equal numbers, nearly 50% of the total are only passing mentions rather than complete texts.<sup>22</sup> Nor is this sampling always random. While Jeanne's solo acts before 1364 are approximately equally likely to be found as originals, copies, or indications, after this date the proportion shifts in favour of originals. This reflects the fact that many of these were quittances to Jean IV for his various obligations to Jeanne, and he carefully hoarded these records.<sup>23</sup> Conversely, the number of passing mentions to Charles' acts stems partly from earlier historians' greater interest in the activities of the duke compared to those of the duchess.

The *acta* give a reasonably broad view of Jeanne's financial, diplomatic, and even military management, her settling of grievances and bestowal of patronage, even her travels.<sup>24</sup> Their lacunae, however, mean that not all aspects of her government can be analyzed at the same level of detail. We cannot, for example, reconstruct Jeanne's itinerary on a small time-scale: Jones' effort identifies just shy of 150 known locations visited by the ducal couple over their joint reign, or about one every two months!<sup>25</sup> However, long-term patterns in Jeanne's activity suggest the evolution of her behaviour and governance. Conversely, it is

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Brittany; the national collections in Paris; and even archives in the south of France and England.

21. Proportions are based on the 'best' exemplar of each act. I exclude those *acta* not issued directly by Jeanne and/or Charles.

22. The proportion represented by the 108 originals is roughly consistent with the acts of Duchess Constance's family (52 originals) and of Jean IV (383).

23. *RACJ*, 237–38, 240, 245. Jean IV has also been accused of deliberately destroying documents from the period of the war: *RACJ*, 32; Planiol, *Institutions*, 3:23.

24. See chapters four to six.

25. *RACJ*, 47–51; he highlights the lengthy gaps between surviving documents and failure to regularly place-date acts.

often more productive to use case studies of a particular act or series of inter-related acts, than to attempt to depict Jeanne's administration quantitatively. For instance, Jeanne's material environment is only attested in two postmortem inventories of her personal possessions; these represent just a small moment in time and place, but they help represent her general circumstances and her religious life, less well-attested in other sources.<sup>26</sup> Nonetheless, numbers (even if approximate) can help elucidate the scope and shape of a situation. To this end, I will follow Michael Jones' enumeration of the *acta* to facilitate concordance with this critical resource.

It can be difficult to identify Jeanne's role in issuing certain *acta*, even beyond issues of accidental anonymity (see Figure 1) or the confusion of titles and chronology. A document in their joint names corroborated 'par madamme la duchesse' in Charles' presence, or in Jeanne's name but with the double corroboration (or just Charles'), or mentioning Jeanne though given in only Charles' name, make it hard to pin down the real participants.<sup>27</sup> However, sporadic use of the formula 'a la relacion' to indicate the delegation of a task, suggests that elsewhere the duchess or duke *were* somehow involved.<sup>28</sup> This is further confirmed by Jeanne and Charles' tendency to use their personal seals almost exclusively rather than any 'grand sceaux' of the type used in the later Breton chancery.<sup>29</sup> The nineteen good impressions of Jeanne's seal and four fragmentary ones (along with six of her signet) are all of this type, and there are only brief indications of the existence any other type of seal. The post-mortem inventories listed among Jeanne's possessions numerous seal matrices 'tant granz que petiz', but unfortunately these cannot indicate how these were actually used.<sup>30</sup> On the other hand, two of her acts from 1349 and 1351 were described by a later inventory as being '[s]cellee du grand seel de Bretagne'.<sup>31</sup> Both were apparently sealed at locations other than

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26. Arthur le Moyne de La Borderie, ed., *Inventaire du mobilier de Jeanne la Boîteuse, duchesse de Bretagne (1384)* (Nantes, 1854) (hereafter cited as *Inventaire (1384)*); L.-J. Denis, ed., "Inventaire de Jeanne de Penthièvre, duchesse de Bretagne, femme de Charles de Blois (1393)," *Bulletin archéologique du Comité des Travaux historiques* année 1917 (1917): 194–205 (hereafter cited as *Inventaire (1393)*). The first catalogued Jeanne's immediate possessions at her death, collected from La Roche-Derrien and brought to Guingamp by Olivier de Clisson; the second was made when Olivier returned the goods to Jean de Blois-Penthièvre. In 1370, Jeanne had acknowledged a (much smaller) delivery of documents and jewellery from Olivier: *RACJ*, 246. Cf. the possessions of her daughter and son-in-law: H. Moranvillé, ed., *Inventaire de l'orfèvrerie et des joyaux de Louis Ier, duc d'Anjou* (Paris, 1903).

27. *RACJ*, 176–77; 178, 56–57, 58–62, 75; 163–65.

28. Olivier Guyotjeannin, Jacques Pycke, and Benoît-Michel Tock, *Diplomatique médiévale*, 3rd ed., *L'atelier du médiéviste 2* (Turnhout, 2006), 153; *RACJ*, e.g. 82, 94, 107, 108, 117, 121.

29. *RACJ*, 38, 40. For more on the designs of Jeanne's seals, see chapter nine, page 216.

30. *Inventaire (1384)*, 4, 5; *Inventaire (1393)*, 198, 199, 204.

31. AD P-A, E 740, f. 2v, 3v; see Appendix B. Several 'gardes des sceaux' did keep the official seals of various locations—Léon, Guingamp, Dinan—in the name of the duke or duchess: *RACJ*, 53, 235; *MPC*, 169.

where Jeanne issued the act, and in one she had delegated the matter ('à la relation'), which strongly suggests that Jeanne's usual seal did only get applied to documents with which she was personally involved and had approved.<sup>32</sup>

These documents are valuable not only for their factual content but for their rhetoric; because we have no means of knowing Jeanne's personal opinions, her actual views of power become less important than the fact that the *acta* conventionally invoked her voice in their texts. The use of the first person to issue acts meant that, rhetorically, Jeanne was supposed to have issued the orders with her own mouth, whether or not she had in fact approved them.<sup>33</sup> To say that Jeanne acted in these texts is a valid reflection of the contemporary interpretation. Moreover, the stylized formulae used to establish the technical force of these documents were tools in her portrayal as a prince: 'les chartes avaient aussi, ou du moins pouvaient avoir, une autre fonction: manifester le pouvoir et la puissance de leur auteur...en frappant les esprits par la qualité formelle des actes'.<sup>34</sup>

The acts thus did not convey Jeanne's self-image, but an image constructed on her behalf, using generalized standards to clearly communicate the scope and nature of her authority to others. The promulgation and audience of the *acta* would have varied with the importance and nature of each transaction—from highly visible treaties to records of transactions made for archival purposes to the brief administrative orders whose survival is in most cases essentially accidental.<sup>35</sup> Nearly all the acts were in French, with only rare Latin exceptions coming from the royal chancery; this would have made them more widely intelligible than the

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32. This was also made more likely by the relative informality of the chancery's production of acts: *RACJ*, 41. To be sure, Jeanne and Charles were sometimes separated from their seals, and 'en l'absence dou nostre' borrowed one another's: e.g. *ibid.*, 196–99. But there is no evidence that personal seals were used in the owner's absence.

33. The use of the plural 'nous' regardless of the number of participants can muddy the waters in jointly-issued documents, e.g. *ibid.*, 71. Only four acts used an informal/singular 'je': two donations from Jeanne to Charles, and two letters to Louis d'Anjou, all unusual documents to which we shall return (*ibid.*, nos. 19, 22, 355, 356).

34. Benoît-Michel Tock, introduction to *Les actes comme expression du pouvoir au Haut Moyen Âge*, ed. Marie-José Gasse-Grandjean and Benoît-Michel Tock (Turnhout, 2003), 11; cf. Guyotjeannin, Pycke, and Tock, *Diplomatique*, 102; Hagen Keller, "The Privilege in the Public Interaction of the Exercise of Power: Forms of Symbolic Communication Beyond the Text," in *Medieval Legal Process: Physical, Spoken and Written Performance in the Middle Ages*, ed. Marco Mostert and P. S. Barnwell (Turnhout, 2011), 77; Herwig Wolfram, "Political Theory and Narrative in Charters," *Viator* 26 (1995): 42; Brigitte Bedos-Rezak, "Medieval Identity: A Sign and a Concept," *American Historical Review* 105 (2000): 1491; Brigitte Bedos-Rezak, "In Search of a Semiotic Paradigm: The Matter of Sealing in Medieval Thought and Praxis (1050–1400)," in *Good Impressions: Image and Authority in Medieval Seals*, ed. Noël Adams, John Cherry, and James Robinson (London, 2008), 2. The style of the documents, modelled on French royal practices though usually lacking compositional flourish, tended to be fairly regular, but could display sloppiness over such details as location, date, corroboration, or the mention of seals (*RACJ*, 29, 31). These tendencies were typical of the pre-Montfortist chancelleries: Jones, "Chancery," 118–19, 121.

35. See Jones, *Le Grant*, 19–23, for what little is known about the development of the ducal archives before the Montfortists.

primarily Latin *acta* of Jeanne's thirteenth-century predecessors.<sup>36</sup> Jeanne's formal charters would often have been disseminated by public readings; the written copy sometimes included explicit orders for its announcement, and the practice was common at this time.<sup>37</sup> Most nuances of Jeanne's claims probably interested only those associated with power in some capacity—both those intimately involved with Jeanne and Charles' administration and the larger circles of political society—but then, this comprised 'all those who mattered in the kingdom'.<sup>38</sup>

The *acta* are not the only evidence for Jeanne's career. Certain episodes, such as the debate provoked by the death of Duke Jean III on 30 April 1341, are particularly well-documented through other texts.<sup>39</sup> This was thanks largely to the complexity of the proceedings in the royal court, each stage of which was associated with new records. First, lawyers made arguments for each candidate's claims, which were compiled into lengthy legal briefs that detailed the case point-by-point, refuted their opponent's arguments, and refuted the refutations made against them in turn. Philippe VI then ordered an inquiry into customary practices related to points raised in each legal brief; if we do not have the list of questions they used, the summary of the witnesses' responses for both sides survive.<sup>40</sup> Finally, the royal verdict given shortly after the end of the inquiry summarized both cases before announcing that Charles would be received 'in nostris fide & hommagio ex causa dictæ ejus uxoris'.<sup>41</sup> Likewise (though under very different circumstances) the complexity of the inquiry into Charles' sanctity in the 1370s generated a well-rounded set of documents.<sup>42</sup> These included the letters from Jeanne and others appointing the men to lead the investigation (against the earlier protests of Jean IV), the interviews on Charles' life and miracles undertaken

36. e.g. *RACJ*, 98–101, 176–77, 244.

37. e.g. *RACJ*, 118–19; Jones, *Actes Jean IV*, 137; see also Carol Symes, "Out in the Open, in Arras: Sightlines, Soundscapes and the Shaping of a Medieval Public Sphere," in *Cities, Texts, and Social Networks, 400–1500: Experiences and Perceptions of Medieval Urban Space*, ed. Caroline Goodson, Anne E. Lester, and Carol Symes (Farnham, 2010), 290.

38. Pierre Chaplais, "Jean Le Fèvre, Abbot of Saint-Vaast, Arras, and the *Songe du Vergier*," in *Recognitions: Essays presented to Edmund Fryde*, ed. Colin Richmond and Isobel Harvey (Aberystwyth, 1996), 205. The distinction between the 'gens d'autorité' and those divorced from political life was quite familiar to contemporaries: Bernard Guenée, *L'opinion publique à la fin du Moyen Age, d'après la 'Chronique de Charles VI' du Religieux de Saint-Denis* (Paris, 2002), 101–08, 115–21, 130–38, 150, 154.

39. See Michael Jones, "Some documents relating to the disputed succession to the duchy of Brittany, 1341," *Camden Miscellany* 24 (1972): 1, for further details on the manuscripts, and cf. Figure 19 on page 173. A combined edition of these texts is in preparation by Michael Jones, Bertrand Yeurc'h, and myself.

40. The Penthhièvre witnesses deposed on 27–30 August and 1 and 4 September 1341; the Montfort witnesses, 27 August, 29 August–1 September, and 4 and 5 September.

41. 'In our faith and homage through cause of his wife', Hyacinthe Morice, ed., *Mémoires pour servir de preuves à l'Histoire ecclésiastique et civile de Bretagne* (Paris, 1742), 1:1424 (hereafter cited as *Preuves*).

42. See chapter three for the fuller context of this process.

mainly at Angers in 1371 but also in Périgueux, the deliberations of the papal curia over the next few years, and finally a mention on 7 September 1376 of Pope Gregory XI's (1370–1378) impending decision to canonize Charles.<sup>43</sup> Since this process, like the debates of 1341, were pivotal events in Jeanne's career, it is useful to be able to examine them from these multiple angles; they also help diversify the perspectives offered by the *acta*.<sup>44</sup>

Other events, less well-attested, can be retraced by alternative means. In December 1378 Jeanne presented her claims against Charles V's bid for direct control after Jean IV's exile.<sup>45</sup> The transcript of her arguments is lost; instead, our information is filtered through three indirect sources. The first is a rather brief *procès verbal* from the *registre des plaidoiries* which outlined the debate's chronology.<sup>46</sup> The second is an analytical summary by the jurist and historian of Brittany Bertrand d'Argentré (1519–1590), apparently based on the original brief, that summarized Jeanne's main points.<sup>47</sup> Finally, even before the case began, Charles V commissioned two works dismissing Jeanne's rights (among other legal issues): the *Somnium Viridarii*, finished in 1376, and its 1378 French translation *Le Songe du Vergier*.<sup>48</sup> Using these three accounts, we achieve a reasonable understanding

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43. MPC, 1–455; Jones, *Actes Jean IV*, 170, 191, 213, 221; Noël Maurice-Denis Boulet, “La canonisation de Charles de Blois (1376),” *Revue d'histoire de l'Église de France* 28 (1942): 217–224; Pochet du Haut-Jussé, “Sainteté”; André Vauchez, “Canonisation et politique au XIVe siècle: Documents inédits des Archives du Vatican relatifs au procès de canonisation de Charles de Blois, duc de Bretagne († 1364),” in *Miscellanea in onore di Monsignor Martino Giusti*, vol. 2 (Vatican, 1978), 381–404; André Vauchez, “Dévotion et vie quotidienne à Périgueux au temps de Charles V, d'après un recueil de miracles de Charles de Blois,” in *Villes, Bonnes Villes, Cités et Capitales: Études d'histoire urbaine (XII–XVIIIe siècle) offertes à Bernard Chevalier*, ed. Monique Bourin (Caen, 1993), 305–314. Some of these include editions or partial editions of the relevant texts.

44. See especially chapters five (page 119) and eight.

45. See chapter three, page 71.

46. Archives nationales, Paris, X1A 1471, published in J. Bréjon de Lavergnée, “La confiscation du duché en 1378,” *Mémoires de la Société d'histoire et d'archéologie de Bretagne* 59 (1982): 34–43.

47. d'Argentré, 632–36.

48. [Évart de Trémaugon?], *Somnium Viridarii*, ed. Marion Schnerb-Lièvre (Paris, 1993) (hereafter cited as *Somnium*), begun in 1374; [Jean Le Fèvre?], *Le Songe du Vergier*, ed. Marion Schnerb-Lièvre (Paris, 1982), esp. 1:lxv–lxx (hereafter cited as *Songe*), on the king's close interest in the project which (according to his manuscript copy) he ‘fi[st] compiler, translater et escrire’. For Brittany, see *Somnium*, 1:293–305; *Songe*, 1:258–68. The former was probably written by Évart de Trémaugon, a Breton jurist and churchman in the royal circle; but while some (including Schnerb-Lièvre) have also attributed to him the translation, Chaplais, “*Songe*,” argues that this was the work of Jean Le Fèvre—who in addition to counselling the king, served as chancellor to Louis d'Anjou and Marie de Blois-Penthièvre in the 1380s and assisted with negotiations surrounding the second treaty of Guérande: *Songe*, 1:lxv–lxxxviii; Le Fèvre, *Le Fèvre*; Alfred Coville, *La vie intellectuelle dans les domaines d'Anjou-Provence de 1380 à 1435* (Paris, 1941), 113. The translation of the *Somnium* (which also expanded, adapted, and refined the original text) was probably planned from the start: *Songe*, xliii. However, the tradition that the Latin compilation was simply a preparatory draft for the ‘real’ French work has been questioned (e.g. Jean-Pierre Royer, *L'église et le royaume de France au XIVe siècle d'après le “Songe du Vergier” et la jurisprudence du Parlement* (Paris, 1969), 201): rather, Chaplais, “*Songe*,” 205, demonstrates the interdependent value of having the book in both languages.

of what transpired, even if details have been eclipsed.

In addition to these administrative sources, we may finally note the perspective offered by the chronicles that reported on Breton affairs.<sup>49</sup> There was a surge in historiographical production in the duchy after the war, though the *Chroniques* of Jean Froissart (c. 1337–1404) have had the most influence on the study and narration of the conflict from the fifteenth through the nineteenth centuries.<sup>50</sup> Most Breton historiographers wrote under the patronage of the Montfortist dukes. Two of them worked in the administration of Jean IV: Guillaume de Saint-André, who wrote a rhymed epic biography known as the *Libvre du bon Jehan* (c. 1381–1385), and Hervé le Grant, who was likely responsible for the unfinished *Chronicon Briocense/Chronique de Saint-Brieuc* (1394–c. 1416), composed in Latin.<sup>51</sup> Later, Duke François II (d. 1488) and his daughter, Duchess Anne (d. 1514), sponsored the *Cronicques et ystores des Bretons*, the *Genealogie des roys, ducs et princes de Bretagne*, and the *Livre des cronicques des roys, ducs, et princes de Bretagne armoricane* of Pierre Le Baud (d. 1505) and the *Grandes cronicques de Bretagne* by Alain Bouchart (d. after 1514).<sup>52</sup> In these, Jeanne, the losing rival, was most often only

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49. Terms such as ‘chronique’ and ‘histoire’ were used interchangeably by medieval historiographers: Bernard Guenée, “Histoires, annales, chroniques: Essai sur les genres historiques au Moyen Âge,” *Annales: Économies, Sociétés, Civilisations* 28 (1973): 997–1016; Peter Ainsworth, *Jean Froissart and the Fabric of History: Truth, Myth, and Fiction in the Chroniques* (Oxford, 1990), 48.

50. Jean Kerhervé, “Aux origines d’un sentiment national: Les chroniqueurs bretons à la fin du Moyen Âge,” *Bulletin de la Société Archéologique du Finistère* 108 (1980): 165–206; Michael Jones, “‘Mon Pais et ma Nation’: Breton Identity in the Fourteenth Century,” in *The Creation of Brittany: A Late Medieval State* (London, 1988), 283–307; Michael Jones, “The Breton Civil War,” in *Froissart: Historian*, ed. J. J. N. Palmer (Woodbridge, 1981), 64–81; Michael Jones, “Ancenis, Froissart and the Beginnings of the War of Succession in Brittany (1341),” in *Between France and England: Politics, Power and Society in Late Medieval Brittany* (Aldershot, 2003), IV:1–12; Jones, *Le Grant*; Jean-Christophe Cassard, “Les chroniqueurs et historiens bretons face à la guerre de Succession,” in *Chroniqueurs et historiens de la Bretagne du Moyen Âge au milieu du XXe siècle*, ed. Noël-Yves Tonnerre (Rennes, 2001), and the other essays in this volume; Cassard, *Guerre*, 287–306; Dominique Philippe, “L’élaboration d’une méthode historique: La chronique bretonne aux XIVe et XVe siècles,” *Annales de Bretagne et des pays de l’Ouest* 104 (1997): 47–58; Leguay and Martin, *Fastes*, 166–68. The textual history of Froissart’s chronicle is tackled more fully in chapter ten; it has been repeatedly edited in whole or in part in Froissart B; Jean Froissart, *Chroniques: Livre I, le manuscrit d’Amiens*, ed. George T. Diller (Geneva, 1991–1998) (hereafter cited as Froissart Amiens); and Jean Froissart, *Chroniques: Dernière rédaction du premier livre, édition du manuscrit de Rome Reg. lat. 869*, ed. George T. Diller (Geneva, 1972) (hereafter cited as Froissart Rome).

51. The *Libvre* survives in four fifteenth-century versions, all copied from different exemplars; the modern critical edition and translation is Guillaume de Saint-André, *Chronique de l’État Breton*, ed. Jean-Michel Cauneau and Dominique Philippe (Rennes, 2005). The *Chronicon* has never been fully edited: [Hervé Le Grant?], *Chronicon Briocense*, in *Mémoires pour servir de preuves à l’Histoire ecclésiastique et civile de Bretagne*, ed. Hyacinthe Morice (Paris, 1742) (hereafter cited as *Chr. Brioc.*), is highly excerpted, while the edition/translation begun in [Hervé Le Grant?], *Chronicon Briocense: Chronique de Saint-Brieuc (fin 14e siècle), éditée et traduite d’après les manuscrits BN 6003–BN 8899*, ed. and trans. Gwenaél Le Duc and Claude Sterckx, vol. 1 (Rennes, 1972) (hereafter cited as *Chr. St-Brieuc*), covers only a fraction of the work. A detailed summary, however, can be found in Paul de Berthou, “Analyse sommaire et critique de la *Chronique de Saint-Brieuc*,” *Bulletin archéologique de l’Association bretonne* 19 (1900): 3–110. Jones, *Le Grant*, 69ff., has presented the definitive case for its authorship.

52. On the works of Le Baud, see Jean-Christophe Cassard, “Un historien au travail: Pierre Le

an incidental player in another story.<sup>53</sup> For the French chroniclers, Brittany itself was only one thread in a larger tapestry.<sup>54</sup> Only Cuvelier, probably a churchman associated with the court since the 1370s, turned a detailed eye to Brittany in writing his panegyric *La chanson de Bertrand du Guesclin*.<sup>55</sup> As a category, the works of these chroniclers have occasioned much frustration among historians for their unreliability as factual sources, even as they often remain our only evidence for many events and are also important witnesses to contemporary social attitudes.<sup>56</sup> Their importance as supplements to the more technical documents discussed above should thus not be neglected. However, the distinctive interest of the chronicle tradition lies in its insights into Jeanne's late and posthumous reputation, which can only be fully appreciated by focusing separately on these works in their own right.

It is easy, as a medieval historian, to compile a 'wish list' of sources we cannot have. Financial records, for Jeanne's household or for various territories, would

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Baud," *Mémoires de la société d'histoire et d'archéologie de Bretagne* 62 (1985): 67–95, and the editions Pierre Le Baud, *Croniques et ystoires des Bretons*, ed. Charles de la Lande de Calan (Rennes, 1907–1922); Jean Kerhervé, "La 'Genealogie des roys, ducs et princes de Bretagne' de Pierre Le Baud (1486)," in *Bretagne et pays celtiques: Langues, histoire, civilisation. Mélanges offerts à la mémoire de Léon Fleuriot*, ed. Gwennolé Le Menn and Jean-Yves Le Moing (Rennes, 1992), 519–560; Pierre Le Baud, *Histoire de Bretagne, avec les Chroniques des Maisons de Vitré et de Laval*, ed. C. d'Hosier (Paris, 1638). The work of Alain Bouchart, *Les grandes croniques de Bretagne*, ed. Marie-Louise Auger, Gustave Jeanneau, and Bernard Guenée (Paris, 1998) (hereafter cited as Bouchart), was on the whole more successful, if less original.

53. The fragmentary chronicle from c. 1475 by Duke François II's chamberlain, Jean de Saint Paul, *Chronique de Bretagne de Jean de Saint-Paul, chambellan du duc François II*, ed. Arthur le Moyne de La Borderie (Nantes, 1881), does not even mention her.

54. These French chronicles still interest us for the occasional detail: Géraud, *Guillaume de Nangis*, whose continuation for the years 1340–1368 was begun in 1360 by a monk, possibly Jean de Venette (Hercule Géraud, "De Guillaume de Nangis et de ses continuateurs," *Bibliothèque de l'école des chartes* 3 (1842): 29ff., and esp. 38); Siméon Luce, ed., *Chronique des quatre premiers Valois (1327–1393)* (Paris, 1862), perhaps written by a clergyman of Rouen in the late fourteenth-century; Jules Viard, ed., *Les grandes chroniques de France* (Paris, 1920–1953), originally developed in the historiographical tradition of Saint-Denis by the monk Primat, then endorsed by Charles V as the 'official' chronicle (Norbert Kersken, "High and Late Medieval National Historiography," in *Historiography in the Middle Ages*, ed. Deborah Mauskopf Deliyannis (Leiden, 2003), 200; Anne D. Hedeman, "Valois Legitimacy: Editorial Changes in Charles V's *Grandes Chroniques de France*," *The Art Bulletin* 66 (1984): 98; Hélène Charpentier, "Louis VI–Louis VII: Chronique nationale et biographies royales dans les *Grandes chroniques de France*," in *Chroniques nationales et chroniques universelles: Actes du Colloque d'Amiens, 16–17 janvier 1988*, ed. Danielle Buschinger (Göppingen, 1990), 37–38; Bernard Guenée, *Histoire et culture historique dans l'Occident médiéval* (Paris, 1980), 339–40); and H. Moranvillé, ed., *Chronographie Regum Francorum* (Paris, 1892–1897), a relatively derivative Latin chronicle of the early fifteenth century.

55. Jean-Claude Faucon, ed., *La chanson de Bertrand du Guesclin de Cuvelier* (Toulouse, 1990), 3:117–20, 144–45.

56. Froissart is perhaps the most famous example. For Breton affairs, François Plaine, "De l'autorité de Froissard comme historien des guerres de Bretagne au XIVE siècle, 1341–1364," *Revue de Bretagne et de Vendée* 29 (1871): 5–32, 119–136, was the first to attack authors such as La Borderie for relying on the *Chroniques* as a factual authority (though in this his *Histoire* was no different from those of Lobineau or Morice). This inexactitude is not restricted to his account of Brittany: J. J. N. Palmer, ed., introduction to *Froissart: Historian* (Woodbridge, 1981), 3, and the other essays in that volume.

have helped illuminate itineraries, lifestyles, day-to-day management, networks, and more.<sup>57</sup> Some accounts for Limoges, compiled by the *receveur* Pierre Molin, survive; but, so far from the regular orbit of the duchess and duke, they reveal little of their immediate spending and activities.<sup>58</sup> The Franciscan church at Guingamp in which she and Charles were buried burned in 1591; only the duke's relics were saved, erasing the visual evidence which Jeanne's tomb might once have yielded.<sup>59</sup> The possibilities for research are thus guided by the sources that do survive, which represented a forum for '[un] dialogue politique, [une] communication généralisée qui, dans la plupart des cas, doit dépasser—tout en les utilisant—ceux qui sont dans ces affaires les auxiliaires des gouvernements, les juristes'.<sup>60</sup> Jeanne's career is characterized by these perspectives: if we cannot recover every aspect of it, her active place as a prince in the public, political world of the late medieval nobility is attested beyond question.

### Jeanne as a case study of princely power

The broad theme of this thesis is the princely power of Jeanne de Penthièvre. Of course, there was no strict, technical definition of a 'prince' in the Middle Ages. The term was used indiscriminately of kings and queens and of the great lords and ladies who held their lands from the monarch.<sup>61</sup> The *Très ancienne coutume* of Brittany even spoke of the 'Duc de Bretagne et des autres princes de la Duchie'.<sup>62</sup> Many of Jeanne's actual prerogatives—delivering justice, owning land, commanding service of others—were replicated all the way up and down the ladder of the medieval nobility (if not always cast in comparable terms).<sup>63</sup>

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57. Cf. Christelle Balouzat-Loubet, *Le gouvernement de la comtesse Mahaut en Artois (1302–1329)* (Turnhout, 2014), 27, 166ff., 243ff.; Monique Sommé, *Isabelle de Portugal, duchesse de Bourgogne: Une femme au pouvoir au XVe siècle* (Villeneuve d'Ascq, 1998), chapters 6 and 7; Jones, *Actes Jean IV*, 1:49–73.

58. Archives départementales des Pyrénées-Atlantiques, Pau, E 624–1, and cf. *RACJ*, 255. The one account (1365–1366) of Marie de Blois-Penthièvre as duchess of Anjou, fortuitously mentions Jeanne and her son Henri in passing: Archives nationales, Paris, KK 241.

59. Plaine, *Histoire du bienheureux Charles de Blois, duc de Bretagne et vicomte de Limoges*, 747.

60. Jean-Philippe Genet, "Culture et communication politique dans l'État européen de la fin du Moyen Âge," in *Axes et méthodes de l'histoire politique en France*, ed. Serge Berstein and Pierre Milza (Paris, 1998), 276.

61. Marcel Pacaut, "Recherche sur les termes 'Princeps, principatus, prince, principauté' au Moyen-âge," in *Les principautés au Moyen-Age* (Bordeaux, 1979), 22–23; Robert Fossier, "Sur les principautés médiévales particulièrement en France," in *Les principautés au Moyen-Age* (Bordeaux, 1979), 10–11. This was true both in works of political theory, such as the *Policraticus*, and in administrative practice: for such variation within Jeanne's own *acta*, see *RACJ*, e.g. 67, 73, 78, 125; Médiathèque Jacques Demy, Nantes, MS 1695, n. 11. Conversely, 'dame' was used of Jeanne as well as lesser ladies.

62. 'Duke of Brittany and the other princes of the duchy', *TAC*, 224; cf. Jean Kerhervé, introduction to *Noblesses de Bretagne du Moyen âge à nos jours*, ed. Jean Kerhervé (Rennes, 1999), 17.

63. Cf. Philippe Contamine, "La seigneurie en France à la fin du Moyen Âge: Quelques problèmes



However, in addition to reflecting contemporary usage in describing the ruler of the duchy of Brittany, thinking about Jeanne's power from this specific angle helps situate it in relation to the extensive modern scholarly discussions of the medieval elite, while highlighting some limits of this comparative material in characterizing Jeanne's rule.

The first part of this thesis presents a critical biography of Jeanne de Penthièvre, since many basic factual and chronological aspects of her career are uncertain and little critical work has been done to clarify the picture or counteract the centuries of accumulated misconceptions. Since the scope of Jeanne's connections to various people and territories played a central role in her career, chapter one outlines Jeanne's familial background, the lands to which this entitled her in Brittany and across France, and the circumstances of her marriage to Charles de Blois, which was arranged in the expectation that she would inherit the duchy. Chapter two reframes the traditional narrative of the war in light of the three major shifts which marked Jeanne's experience of the conflict, especially the capture of her husband, and explores the resulting changes in her involvement in the Breton government over this period. Finally, the third chapter examines the neglected second half of Jeanne's political career. It highlights the financial problems resulting from the rocky settlement of the treaty of Guérande and the impact of the drawn-out conflicts on Jeanne's lifestyle. It also places her bid to reclaim the duchy in 1379 into the context of her activity in the 1370s, and clarifies her role as a leader in the rebellion against Charles V. Establishing the shape of Jeanne's career demonstrates her importance in the politics of fourteenth-century France and allows a more focused analytical approach in the remainder of the thesis.

In practical terms, Jeanne's rule during the war was defined primarily by her partnership with Charles and the variable balance of power they shared. Co-rule and the concept of the 'lordship unit' have become increasingly recognized as central power structures in the medieval aristocracy. Woodacre recently demonstrated the importance of power-sharing across five ruling couples in the kingdom of Navarre from 1274 to 1512.<sup>64</sup> This is particularly important since studies of the nobility as a group have frequently either focused on defining nobles through their masculine warrior ethos and so tacitly leave aside the issue of the noblewoman, or treated noblewomen as a separate subject.<sup>65</sup> This approach reflects in

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généraux," in *Seigneurs et Seigneuries au Moyen Âge: Actes du 117e Congrès national des sociétés savantes* (Paris, 1993), 22.

64. Elena Woodacre, *The Queens Regent of Navarre: Succession, Politics, and Partnership, 1274–1512* (Basingstoke, 2013); cf. Sjursen, "Jeannes."

65. e.g. Marie-Thérèse Caron, *Noblesse et pouvoir royal en France, XIIIe-XVIe siècle* (Paris, 1994); Philippe Contamine, *La noblesse au royaume de France de Philippe le Bel à Louis XII* (Paris, 1997); Anne J. Duggan, ed., *Nobles and Nobility in Medieval Europe: Concepts, Origins, Transformations* (Woodbridge, 2000); David Crouch, *The Birth of Nobility: Constructing Aristocracy in England and France 900–1300* (Harlow, UK, 2005), chapter 12; Françoise Autrand, "L'image de la noblesse en

some ways the male-dominated outlook of medieval society, and this principle of exclusion has strongly shaped the treatment of medieval women in earlier scholarship.<sup>66</sup> Accordingly, recognition of female roles and female power has taken place much on its own terms: networks between women, female roles within the family, informal power-brokering, and female religious and cultural patronage, to name a few.<sup>67</sup> But while valuable in expanding a hitherto rigid understanding of the methods of exercising power, these do not address the real incorporation of women into the medieval political world as the study of shared power has done.

Woodacre's comparative approach, meanwhile, does allow her to identify differences between multiple queen-king couples, but not to weigh the detailed variations within a single relationship. Consequently, the chapters in part two each consider a different aspect of Jeanne's official activities through a combination of case studies, quantitative analysis, and prosopographical elements using the evidence drawn from the *acta* and the testimonies of 1341 and 1371. Chapter four assesses Jeanne's oversight of the material and fiscal manipulation of her possessions, with attention to the different areas under her control. She and Charles worked closely together on many of these activities, though on smaller-scale or less permanent transactions their independence was more evident. Chapter five considers the control Jeanne had over her power base: councillors and other officers, rewards for service, and interpretations of this service among those who obeyed her. Service to the duke was often interchangeable with that to the duchess, helping concretize the shared nature of their government. Chapter six addresses two sides of Jeanne's ability to retain control as a lord: the more routine issues of litigation and justice (focusing on a protracted dispute with her maternal relatives), and those tied to the circumstances of war and diplomacy (especially 1347 to 1353). The duchess and duke's joint management of prolonged, complex affairs amidst changing circumstances demonstrates the importance of their cooperation as well as their potential for individually choosing strategies of quite

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France à la fin du Moyen Âge: Tradition et nouveauté," *Comptes rendus des séances de l'Académie des Inscriptions et Belles-Lettres* 123.2 (1979): 349. Arguments against this approach, however, are not new: Eric Bousmar, "La noblesse, une affaire d'homme? l'Apport du féminisme à un examen des représentations de la noblesse dans les milieux bourguignons," *Publication du Centre européen d'études bourguignonnes (XIVe-XVIe s.)* 37 (1997): 147–155; Michel Nassiet, *Parenté, noblesse et états dynastiques, XVe-XVIe siècles* (Paris, 2000).

66. Shulamith Shahar, *The Fourth Estate: A history of women in the Middle Ages*, trans. Chaya Galai (London, 1983); Margaret Wade Labarge, *A Small Sound of the Trumpet: Women in Medieval Life* (Boston, 1986).

67. June Hall McCash, ed., *The Cultural Patronage of Medieval Women* (Athens, 1996); Jo Ann McNamara and Suzanne Wemple, "The Power of Women Through the Family in Medieval Europe, 500–1100," in *Women and Power in the Middle Ages*, ed. Mary Erler and Maryanne Kowaleski (Athens, 1988), 83–101; Theodore Evergates, ed., *Aristocratic Women in Medieval France* (Philadelphia, 1999); Susan M. Johns, *Noblewomen, Aristocracy and Power in the Twelfth-Century Anglo-Norman Realm* (Manchester, 2003), 53ff.; Barbara A. Hanawalt, "Lady Honor Lisle's Networks of Influence," in *Women and Power in the Middle Ages*, ed. Mary Erler and Maryanne Kowaleski (Athens, 1988), 188–212.

different political significance.

Jeanne's vigorous exercise of authority also challenges the chronology which scholars have used to frame the power of noblewomen in the Middle Ages. The important and routine political participation of noblewomen in politics (as co-rulers or on their own) has been studied in both individual cases and as a group, and these provide important points of comparison for Jeanne's actual role.<sup>68</sup> However, insofar as there has been an attempt to consolidate these findings into a narrative of female rulership, it has stopped short of Jeanne's career in the fourteenth century.<sup>69</sup> Duby posited that noblewomen had little part to play in the political world after the year 1000, when the final crystallization of male primogeniture encouraged a conception of 'lineage' and all that depended on it—wealth, power, prestige—exclusive of, and condescending towards, aristocratic women.<sup>70</sup> Later, the influential study by McNamara and Wemple, which instead saw the family as *necessary* for noblewomen's access to public power, argued that it was by the twelfth century that 'queens and empresses, as well as ladies on a somewhat more modest level, were excluded from public life' as a consequence of increasing royal power.<sup>71</sup> Subsequently, other authors demonstrated that it was 'no longer possible to depict well-born women as powerless in medieval society'

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68. Sommé, *Isabelle*; Evergates, *Women*; Jennifer C. Ward, "Noblewomen, Family, and Identity in Later Medieval Europe," in *Nobles and Nobility in Medieval Europe: Concepts, Origins, Transformations*, ed. Anne J. Duggan (Woodbridge, 2000), 245–62; Fredric L. Cheyette, *Ermenegard of Narbonne and the World of the Troubadours* (Ithaca, 2001); Michelle Bubenicek, *Quand les femmes gouvernent. Droit et politique au XIVe siècle: Yolande de Flandre* (Paris, 2002); Johns, *Noblewomen*; Kimberly A. LoPrete, *Adela of Blois: Countess and Lord (c. 1067–1137)* (Dublin, 2007); Katrin E. Sjursen, "Peaceweavers' Sisters: Medieval Noblewomen as Military Leaders in Northern France, 1000–1337" (PhD diss., University of California at Santa Barbara, 2010); Balouzat-Loubet, *Mahaut*. The issue of considering such women as anomalies has nonetheless proved to be endemic to scholarship on medieval noblewomen of all ranks: LoPrete, *Adela*, 3, speaks of 'the traditional scholarly reflex to undermine Adela [of Blois]'s historical significance by labeling her a rule-proving exception', while Helen E. Maurer, *Margaret of Anjou: Queenship and Power in Late Medieval England* (Woodbridge, 2003), 4, argues that 'a study of Margaret of Anjou's queenship also has value because she was anomalous: her experiences pushed the limits of the gender system that she and her contemporaries accepted and acknowledged'. But while it remains important to assess the degree to which a woman was viewed as exceptional or not by her contemporaries, as Tracy Adams, *The Life and Afterlife of Isabeau of Bavaria* (Baltimore, 2010), xxii, xxv, has suggested, our definitions of anomalous or normal should change as our understanding grows.

69. Despite, of course, the careers of Mahaut d'Artois, Yolande de Flandre, and Isabelle de Portugal among the studies above!

70. His 'thesis' developed across several works, including Georges Duby, "Women and Power," in *Cultures of Power: Lordship, Status, and Process in Twelfth-Century Europe*, ed. Thomas N. Bisson (Philadelphia, 1995), 69–85; Georges Duby, *The Chivalrous Society*, trans. Cynthia Postan (London, 1977); Georges Duby, *Love and Marriage in the Middle Ages*, trans. Jane Dunnett (Cambridge, 1994); Georges Duby, *Women of the Twelfth Century: Remembering the Dead*, trans. Jean Birrell, vol. 2 (Cambridge, 1998).

71. McNamara and Wemple, "Power," 96–97; cf. Joanna H. Drell, "Aristocratic Economies: Women and Family," in *The Oxford Handbook of Women and Gender in Medieval Europe*, ed. Judith M. Bennett and Ruth Mazo Karras (Oxford, 2013), 329–31.

all the way through the thirteenth century.<sup>72</sup> LoPrete finally went so far as to reject the paradigm: ‘neither the formation of territorial principalities nor the growing powers of the French kings prevented aristocratic women from exercising the same lordly powers as their male peers’.<sup>73</sup> Yet there seems to still be an implicit end point to this perspective: after all, her article was aimed at female lordship ‘1050–1250’.<sup>74</sup> Likewise, attention to the Capetian queens far outweighs that given to those of the early Valois dynasty. It is only with the late fourteenth-century crisis of Charles VI’s madness and the corresponding importance of his queen, Isabeau of Bavaria, that extensive scholarly analysis picks up again.<sup>75</sup>

The view that women became less politically-engaged after the thirteenth century is belied not only by Jeanne’s practice, but by the way her power was characterized in the official documents of her rule. The third part of this thesis presents two case studies of the major source materials for Jeanne’s rule, beginning in chapter seven with the *acta* issued by Jeanne de Penthièvre and the precise vocabulary they used to delineate the roles and power relations of the participants. These terms seem in some ways to conform to a distinction used in modern scholarship between ‘power’ (the ability to enact one’s will) and ‘authority’ (the formal right of command).<sup>76</sup> However, close analysis of the distribution of such concepts in Jeanne’s acts demonstrates that the contemporary understanding was much more nuanced, attributing to her (and Charles) multiple types of power at once; these dynamics were influenced by the dual roles which they simultaneously held as duchess and duke, husband and wife. This chapter proposes an alternative framework for breaking down the efficacy of status and control according to the type of activity and the people over whom it was exercised, thereby more precisely encapsulating the ways in which princes—or other men and women—could engage with political power.

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72. Evergates, *Women*, 4. A similar chronology had already been suggested by the analysis of Brigitte Bedos-Rezak, “Women, Seals, and Power in Medieval France, 1150–1350,” in *Women and Power in the Middle Ages*, ed. Mary Erler and Maryanne Kowaleski (Athens, 1988), 64–65, which saw the ‘peak’ of women’s sealing from 1251–1300, declining thereafter. Mary Erler and Maryanne Kowaleski, eds., *Women and Power in the Middle Ages* (Athens, 1988), 6, remarked upon the discrepancy between this chronology and that advanced by McNamara and Wemple.

73. Kimberly A. LoPrete, “Women, Gender and Lordship in France, c.1050–1250,” *History Compass* 5–6 (2007): 1931.

74. There have been a few studies of individual fourteenth-century noblewomen, especially heiresses (Balouzat-Loubet, *Mahaut*; Bubenicek, *Yolande*); these are clearly outnumbered by those on women of the thirteenth century and earlier (LoPrete, *Adela*; Cheyette, *Ermengard*; Evergates, *Women*; Sjurson, “Leaders”).

75. Even here, proper study of this queen is fairly recent: Rachel Gibbons, “Isabeau of Bavaria, Queen of France (1385–1422): The Creation of an Historical Villainess,” *Transactions of the Royal Historical Society* 6 (1996): 51; Adams, *Isabeau*.

76. See Erler and Kowaleski, *Power*; Brenda Bolton and Christine Meek, eds., *Aspects of Power and Authority in the Middle Ages* (Turnhout, 2007); and Merry E. Wiesner-Hanks, *Gender in History* (Oxford, 2001), for some of the most prominent examples.

Yet there has been a resilient one-size-fits-all understanding of the medieval noblewoman. To take one example, LoPrete argues that if '[r]egent duchesses, countesses, and viscountesses might well affect events on a wider political stage than the more numerous wives...of lower-ranking knights and castle lords', it was nevertheless true that 'their authority arose from the same sources and they wielded lordly powers in largely the same circumstances'.<sup>77</sup> LoPrete here refers to the absence of male relatives, which certainly could affect women's roles and would affect Jeanne's; but the different implications of status between great ladies and lesser ones was more than a matter of scale.<sup>78</sup> In fact, there was a particular ambiguity that came with being a prince, and this was not limited to women in that role. Historians seeking to identify the key qualities of the nobility have been especially focused on the vague 'lower boundary' of the noble class and on the visible standards associated with 'living nobly'.<sup>79</sup> Crouch has outlined the process by which, in France, basic standards of 'being noble' came into definition, placing the end point of the process in the reign of Philippe IV when letters of ennoblement were first issued.<sup>80</sup> Such considerations hardly applied to Jeanne's status—or rather, her nobility could not be doubted; but the distinctive nature of her position at the head of the duchy of Brittany were made especially visible in the multi-stage debate in 1341 over who should receive the duchy of Brittany after the death of Jean III. Chapter eight uses the succession arguments advanced on behalf of each side and the results of the royal inquiry on custom to open a window onto the ways in which the role of the prince could be defined in relation to the social groups around them. The Penthièvre case has not received critical attention since d'Argentré's summary in the sixteenth century, and so our understanding has been dictated by the terms of the Montfortist perspective, which emphasized the royal pretensions of the duke.<sup>81</sup>

The comparison between the duke and the king, however, was not unproblematic. Although royal power increased over the course of the Middle Ages, Reynolds has questioned the assumption that the king was ever considered merely 'primus inter pares'.<sup>82</sup> The nature of his authority, in particular, was idealized and dis-

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77. LoPrete, "Gender," 1926.

78. Ibid., 1925, likewise seems to make this point, but does not resolve the contradiction.

79. e.g. Gareth Prosser, "The later medieval French *noblesse*," in *France in the Later Middle Ages 1200–1500*, ed. David Potter (Oxford, 2002), 208; Caron, *Noblesse*, 13; Contamine, *Noblesse*, 65–77; Maurice Keen, *Chivalry* (New Haven, 1984), 146–5, among other aspects of nobility; Peter S. Lewis, *Later Medieval France: The Polity* (London, 1968), 173–83.

80. A distinct process which he contrasts with the vaguer delineations apparent in England: Crouch, *Nobility*, 3.

81. d'Argentré, 387–96. In order to address the scholarly oversight of this key document, an edition of the Penthièvre case is presented in appendix A.

82. Susan Reynolds, *Kingdoms and Communities in Western Europe, 900–1300*, 2nd ed. (Oxford, 1997), xlvi; Lewis, *Polity*, 85; Richard A. Jackson, *Vive Le Roi! A History of the French Coronation*

cussed much more than that of the rest of the nobility (just as was that of the queen).<sup>83</sup> And although the kingly model invited emulation by other powerful French lords, Jeanne's career was constructed along quite different lines (as, for that matter, was Charles').<sup>84</sup> The Penthièvre succession case opposed the Montfortist contentions by associating the prince with the regional nobility rather than with the monarchy; it emphasized the duke's commitment to the shared practices and prerogatives that defined them as a community.<sup>85</sup> While this was no more a strictly accurate description of the prince in society than was the Montfortist case, it is an important example of the different models which could be used by contemporaries to explain social relationships. More importantly, ducal status was debatable precisely because of the importance of visible conformity to the recognized norms of correct behaviour: the duke of Brittany played a role both like and unlike those above and below him.

These social distinctions are particularly crucial when considering the rela-

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from *Charles V to Charles X* (Chapel Hill, 1984); Raymond Cazelles, *Société politique, noblesse et couronne sous Jean le Bon et Charles V* (Geneva, 1982); Jacques Krynen, *L'empire du roi: Idées et croyances politiques en France, XIIIe-XVe siècle* (Paris, 1993); Ainsworth, *Fabric*, 97.

83. Daisy Delogu, *Theorizing the Ideal Sovereign: The Rise of the French Vernacular Royal Biography* (Toronto, 2008); Jacques Krynen, *Idéal du prince et pouvoir royal en France à la fin du Moyen Âge (1380–1440): Étude de la littérature politique du temps* (Paris, 1981); Marc Bloch, *Les rois thaumaturges: Étude sur le caractère surnaturel attribué à la puissance royale particulièrement en France et en Angleterre* (1924; repr., Paris, 1961); Ernst A. Kantorowicz, *The King's Two Bodies: A Study in Mediaeval Political Theology* (Princeton, 1957), though some of his conclusions press too far; Torsten Hiltmann, "Les 'autres' rois," in *Les 'autres' rois: Études sur la royauté comme notion hiérarchique dans la société au bas Moyen Âge et au début de l'époque moderne*, ed. Torsten Hiltmann (Munich, 2010), 9; on the different trends in French and English kingship, see Charles T. Wood, *Joan of Arc and Richard III: Sex, Saints, and Government in the Middle Ages* (Oxford, 1988), 12–28.

84. Ferdinand Lot and Rober Fawtier, *Histoire des institutions françaises au moyen âge* (Paris, 1957–1962), 1:viii–ix, xi; B.-A. Pocquet du Haut-Jussé, *Deux féodaux: Bourgogne et Bretagne (1363–1491)* (Paris, 1935); Bernard Guillemain, preface to *Les principautés au Moyen-Âge* (Bordeaux, 1979), 7; while Hiltmann, "Rois," 10, and the other essays in that collection have demonstrated that the title of king was re-used in non-political arenas. Among the most significant principalities in this regard was the duchy of Burgundy, and for that matter, fifteenth-century Brittany: see for example Richard Vaughan, *Philip the Good: The Apogee of Burgundy*, 2nd ed. (1970; Woodbridge, 2002); Pocquet du Haut-Jussé, *Féodaux*; Guillemain, preface to *Principautés*, 7; Michael Jones, "The crown and the provinces in the fourteenth century," in *France in the Later Middle Ages*, ed. David Potter (Oxford, 2002), 61–89; Graeme Small, "The crown and the provinces in the fifteenth century," in *France in the Later Middle Ages*, ed. David Potter (Oxford, 2002), 130–154; Graeme Small, *Late Medieval France, European History in Perspective* (Basingstoke, 2009), 213–14; Graeme Small, "Of Burgundian Dukes, Counts, Saints and Kings (14 C.E.-c. 1500)," in *The Ideology of Burgundy: The Promotion of National Consciousness, 1364–1565*, ed. D'Arcy Jonathan Dacre Boulton and Jan R. Veenstra (Leiden, 2006), 151–187; Jan R. Veenstra, "'Le Prince qui se Veult Faire de Nouvel Roy': Literature and Ideology of Burgundian Self-Determination," in *The Ideology of Burgundy: The Promotion of National Consciousness, 1364–1565*, ed. D'Arcy Jonathan Dacre Boulton and Jan R. Veenstra (Leiden, 2006), 195–221. Some great princes, such as Louis d'Anjou and John of Gaunt, sought kingdoms of their own to fill their ambitions: Anthony Goodman, *John of Gaunt: The Exercise of Princely Power in Fourteenth-Century Europe* (London, 1992), 111–12. Note that the adoption of specific formulae such as 'par la grace de Dieu' did not necessarily indicate royal emulation: Dominique Vondrus-Reissner, "La formule 'par la grâce de Dieu' dans les actes de Jean IV d'Armagnac," *Bibliothèque de l'école des chartes* 151 (1993): 171–180.

85. I refer here especially to the work of Reynolds, *Communities*.

tionship of Jeanne's power to the model provided by the queens of France. The research on queenship has developed strong examples of the multifaceted approach to power which the study of Jeanne's career requires, especially in its attention to the constructed nature of queenly authority. The requirements, prerogatives, and status of queens have been detailed in a way those of other noblewomen have not.<sup>86</sup> By focusing on the Capetian queens to the early thirteenth century, Facinger furthered the appreciation of the queen's role as a partner in royal government.<sup>87</sup> The study of post-Capetian queens has also called attention to the importance French queens regent, a 'vocation' which, Poulet argues, stemmed from the entrenchment of queenly power in her dynastic role.<sup>88</sup>

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86. Françoise Barry, *La reine de France* (Paris, 1964), was the first study comparing French queens across the Ancien Régime Philip the Good: The Apogee of Burgundy to understand the qualities and experiences that transcended those of any one titleholder. Theresa Earenfight, *Queenship in Medieval Europe* (Basingstoke, 2013), 10, has nonetheless questioned whether the role of a queen was always considered an office.

On the queen's evolving legal rights and control over her household and dower lands, see Anne-Hélène Alliot, "L'entourage et l'hôtel de Jeanne d'Évreux, reine de France (1324–1371)," *Annales de Bretagne et des Pays de l'Ouest* 116 (2009): 169–180; Marie Hivergneaux, "Autour d'Aliénor d'Aquitaine: Entourage et pouvoir au prisme des chartes (1137–1189)," in *Plantagenêts et Capétiens: Confrontations et héritages*, ed. Martin Aurell and Noël-Yves Tonnerre (Turnhout, 2006), 61–74; Murielle Gaude-Ferragu, *La reine au moyen âge: Le pouvoir au féminin, XIVe-XVe siècle* (Paris, 2014), 197ff.

On her cultural patronage and the public, ceremonial image of the queen, see Tracy Chapman Hamilton, "Queenship and Kinship in the French *Bible moralisée*: The Example of Blanche of Castile and Vienna ÖNB 2554," in *Capetian Women*, ed. Kathleen Nolan (New York, 2003), 177–208; Bernard Guenée and Françoise Lehoux, *Les entrées royales françaises de 1328 à 1515* (Paris, 1968); Elizabeth McCartney, "Ceremonies and Privileges of Office: Queenship in Late Medieval France," in *Power of the Weak: Studies on Medieval Women*, ed. Jennifer Carpenter and Sally-Beth MacLean (Urbana, 1995), 178–219; Claire Richter Sherman, "The Queen in Charles V's 'Coronation Book': Jeanne de Bourbon and the 'Ordo ad Reginam Benedicendam'," *Viator* 8 (1977): 255–297; Murielle Gaude-Ferragu, "Les dernières volontés de la reine de France: Les deux testaments de Jeanne de Bourgogne, femme de Philippe VI de Valois (1329, 1336)," *Annuaire-Bulletin de la Société de l'Histoire de France Année 2007* (2009): 23–66; Gaude-Ferragu, *Reine*; Michael Jones, "The rituals and significance of ducal civic entries in late medieval Brittany," *Journal of Medieval History* 29 (2003): 287–314.

For the impact of different life stages and comparisons between reigning queens and dowagers, see John Carmi Parsons, "Introduction: Family, Sex, and Power: The Rhythms of Medieval Queenship," in *Medieval Queenship*, ed. John Carmi Parsons (1993; repr., New York, 1998), 1–11; André Poulet, "Capetian Women and the Regency: The Genesis of a Vocation," in *Medieval Queenship*, ed. John Carmi Parsons (1993; repr., New York, 1998), 93–116; RáGena C. DeAragon, "Wife, Widow, and Mother: Some Comparisons between Eleanor of Aquitaine and Noblewomen of the Anglo-Norman and Angevin World," in *Eleanor of Aquitaine: Lord and Lady*, ed. Bonnie Wheeler and John Carmi Parsons (2003; repr., New York, 2008), 97–113; Lois L. Huneycutt, "The Creation of a Crone: The Historical Reputation of Adelaide of Maurienne," in *Capetian Women*, ed. Kathleen Nolan (New York, 2003), 27–43.

87. Marion Facinger, "A Study of Medieval Queenship: Capetian France, 987–1237," *Studies in Medieval and Renaissance History* 5 (1968): 46 et al. She posited a decline in their official political participation by the time of Philippe Auguste, which tallied with Barry's identification of a change in queenship after the thirteenth century (Barry, *Reine*, 263), but Miriam Shadis, "Blanche of Castile and Facinger's 'Medieval Queenship': Reassessing the Argument," in *Capetian Women*, ed. Kathleen Nolan (New York, 2003), 137–161, has demonstrated the problems with this model.

88. Poulet, "Vocation." Cf. McCartney, "Office," esp. 125ff.; Elizabeth A. R. Brown, "Queens, Regencies, and Royal Power in Thirteenth- and Fourteenth-Century France" (Paper presented at the annual meeting of the American Historical Association, Washington, D.C., December 29,

While the interest of queens as archetypes of women in power is thus significant, queens are still not directly comparable with Jeanne's experience of power or its characterization in several important ways.<sup>89</sup> In terms of shared power, being married to the king of France or England meant the limitations placed on a queen's behaviour were stricter in order to preserve her husband's status: she could ask him to act for her, or could wield his royal authority, but the shifting, mutable balance of power between Jeanne and Charles was simply not possible. In France especially, the exclusion of female royal heirs in the fourteenth century sharpened the divide between the male and female monarch, and the latter always derived her power from the former.<sup>90</sup> The expectations of Jeanne's position were far from a simple carbon-copy of her more illustrious contemporaries: as an heiress, as a co-ruler, as a prince bound by ties of homage (not marriage!) to the kings of France, she existed in a separate social space that had its own standards.

The final part of the thesis adopts a thematic approach that crosses the boundaries between the rhetoric and implementation of Jeanne's power to assess the cumulative effects of the trends outlined above. Chapter nine focuses on the significance of Jeanne's actions in the context of her contested rule and the need to demonstrate her legitimacy as duchess of Brittany. The fact that she, rather than Charles, was the source of their claims had implications for their relative roles as duchess and duke; both the succession arguments and the arrangements for their marriage outlined a partnership in governing the territories Jeanne was to inherit, but suggested that Charles would take on the duties which Jeanne

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1982); Craig Taylor, "The Salic Law, French Queenship, and the Defense of Women in the Late Middle Ages," *French Historical Studies* 29 (2006): esp. 556ff.; Rachel Gibbons, "Isabeau de Bavière: Reine de France ou 'lieutenant-général' du royaume?," in *Femmes de pouvoir, femmes politiques durant les derniers siècles du Moyen Âge et au cours de la première Renaissance*, ed. Éric Bousmar et al. (Brussels, 2012), 101–112. Meanwhile, the exclusion of English queens from the regency (in part because they were *not* ineligible to succeed) changed the dynamics of their relationships with living kings: Wood, *Government*, 12–28; Lisa Benz St. John, *Three Medieval Queens: Queenship and the Crown in Fourteenth-Century England* (New York, 2012); J. L. Laynesmith, *The Last Medieval Queens: English Queenship, 1445–1503* (Oxford, 2004); Maurer, *Margaret*.

89. It is particularly striking that Amalie Fössel, "The Political Tradition of Female Rulership in Medieval Europe," in *The Oxford Handbook of Women and Gender in Medieval Europe*, ed. Judith M. Bennett and Ruth Mazo Karras (Oxford, 2013), 68–83, after framing a conversation about the political action of medieval noblewomen, goes on to focus on queens instead.

90. Paul Viollet, "Comment les femmes ont été exclues, en France, de la succession à la couronne," *Mémoires de l'Académie des inscriptions et belles-lettres* 34.2 (1895): 125–178; Craig Taylor, "The Salic Law and the Valois Succession to the French Crown," *French History* 15 (2001): 358–377; Taylor, "Queenship." Since non-French queens were able to rule in their own right, their model was also very different from that of the French queens consort or regent: Armin Wolf, "Reigning Queens in Medieval Europe: When, Where, and Why," in *Medieval Queenship*, ed. John Carmi Parsons (1993; repr., New York, 1998), 169–188; Woodacre, *Queens*; Isabelle Heullant-Donat and Franck Collard, "Deux autres Jeanne...," in *Une histoire pour un royaume, XIIIe-XVe siècle: Actes du colloque Corpus regni, organisé en hommage à Colette Beaune*, ed. Anne-Hélène Alliot (Paris, 2010), 281–309; John Carmi Parsons, ed., *Medieval Queenship* (1993; repr., New York, 1998); Bethany Aram, "Authority and Maternity in Late-Medieval Castile: Four Queens Regnant," in *Aspects of Power and Authority in the Middle Ages*, ed. Brenda Bolton and Christine Meek (Turnhout, 2007), 121–129.



could not fulfill. In practice Jeanne and Charles did jointly assume the characteristic responsibilities of the dukes of Brittany, even while the way she shaped and presented her relationships with the group over whom she ruled and with powers outside the duchy was not identical to Charles'. Because this gave them both shared and individual legitimacy as princes, Jeanne was able to take similar steps to defend her position even after the treaty of Guérande, although she was less successful at asserting her authority than she had been during her co-rule.

Chapter ten considers the development of Jeanne's posthumous reputation in the chronicles which discussed her in the Breton war, and the relationship of these portrayals to tropes evident during her lifetime. Froissart's portrait of her, for instance, evolved over subsequent redactions from a more 'realistic' emphasis on her position as heiress and administrator, to one more heroic and dynamic—yet conventionalized. The themes of his portrayal can be found not only in Jeanne's actions but in the depictions of Jeanne's role in her official administrative documents, even if Froissart was also inspired by other models he used within his own work. His views contrasted with other chroniclers' reactions, particularly to the events of 1363-4 and the battle of Auray, which cast Jeanne's place in the conflict in a negative light. This tradition was influenced by standards especially associated with the highly visible ideal of queenly behaviour, though it could also be modified according to more political concerns, such as the interests of the historiographers of Duchess Anne in Jeanne's function as an heiress. However, even condemnations of Jeanne's behaviour tended to invert, rather than invent, interpretations of her authority; though power was assimilated to recognized standards, there were multiple ways of assessing the same role.

The fact that the categorizations outlined above—noblemen and women, kings and queens—contribute to but do not fully encapsulate the conceptualization and expression of Jeanne's power, reflects the diversity of medieval perceptions of how and why political power should be exercised. It is for this reason that, while this thesis expands our understanding of female rule, it aims to look at Jeanne's power in the broader scope of princely authority. Gender remains one tool for explaining the different expectations and possibilities attached to the roles of men and women in society, and as we shall see, many aspects of Jeanne's career were intimately tied to these standards. However, Jeanne's career was equally shaped by her rank, by the moment in which she lived, by the conflicts she fought and the people she knew, and so to study her life sheds light on princely power in a broader form. This approach does not aim for a single coherent view of Jeanne's power because that is not how the sources of her life represented it, though there were certain recurring features. Rather, it is interested in using one person's career to explore how an individual's power was not only a function of the individual, but a process of navigating externally-defined expectations, relationships, and circumstances.

**Part 1** | **The career of Jeanne  
de Penthièvre**

## 1 | Birth, family, and inheritance

*JEANNE DE BRETAGNE...surnommée la BOITEUSE. Ce qui a donné subject d'erreur à ceux qui l'ont appelée CLAUDE, luy formants un nom propre de son défaut corporel.*<sup>1</sup>

In the late nineteenth century, François Plaine's biography of Jeanne de Penthièvre sought methodically to correct some of the accumulated errors and 'accusations sans preuve et sans fondement' made about the duchess in the last several hundred years of historiography.<sup>2</sup> His account's brevity and penchant for eulogy, however, limit its effectiveness, and subsequent scholarship largely continues the inherited contradictions of Jeanne's set-piece narrative.<sup>3</sup> A new survey of her career is therefore due, which will provide the factual background on which our subsequent thematic analysis will hang. It seeks to clarify (so far as possible) the discrepancies of previous accounts by examining a more complete body of evidence. More fundamentally, by examining the whole of Jeanne's life rather than simply those aspects important to the history of the Breton civil war, it suggests different trends, turning points, and continuities from the traditional framework.

### Birth, marriage, and family

Jeanne de Penthièvre was the only known, surviving child of Jeanne d'Avaugour (d. 1327) and Guy de Penthièvre (d. 1331). Guy was the younger full brother

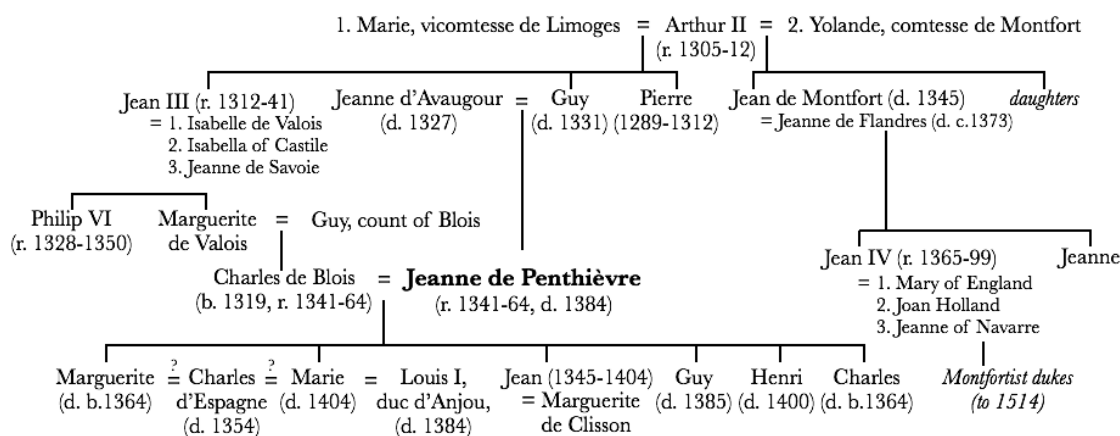
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1. 'Jeanne of Brittany, called the Lame, which has been the cause of error for those who have called her Claude, forming for her a proper name out of her bodily defect', André Du Chesne, *Histoire de la Maison de Chastillon sur Marne* (Paris, 1621), 204 (hereafter cited as Du Chesne). As Plaine, "Jeanne," 13–14, noted, the epithet 'la Boîteuse' was not contemporary, but is first attested from the early sixteenth century in Bouchart, 33. Du Chesne here referred to Nicolas Vignier, *Sommaire de l'Histoire des Francois* (Paris, 1579), 328 (the work of a French royal historiographer: Jones, "Succession," 2), and to Jean Du Tillet, *La Chronique des Roys de France* (Paris, 1550), f. 59v, who was responsible not only for the misinformed pun but also for creating a strange hybrid of the two duchesses Jeanne, the paradoxically Amazonian Claude. Cf. chapter ten, page 262.

2. Plaine, "Jeanne," 38.

3. In this regard, the difference between popular histories and the standard reference works is remarkably small: e.g. Philippe Tourault, *Les ducs et duchesses de Bretagne, Xe-XVIIe siècle* (Paris, 2009), 202; Leguay and Martin, *Fastes*, 99, 107. The generally sympathetic and thoughtful view of Jeanne's deeds in La Borderie, *Histoire*, 3:572–3, 596–7, and the newer study by Sjursen, "Jeannes," demonstrate that antipathy alone is not the source of all such misconceptions or stereotyping.

## PART 1: THE CAREER OF JEANNE DE PENTHIÈVRE



**Figure 2:** Family tree of Jeanne de Penthièvre

of Duke Jean III; he married Jeanne, eldest of the three daughters of Henri IV d'Avaugour and Jeanne d'Harcourt, in 1318 (see Figure 2).<sup>4</sup>

Jeanne's birth, where recorded, is undated, but the timing is significant for interpreting later events.<sup>5</sup> Du Chesne remarked that 'ceste Princesse perdit le Comte Guy son pere à l'âge de douze ans, & à dix-neuf fut mariée', suggesting a date c.1319.<sup>6</sup> Plaine, in his biography, prefers 1324.<sup>7</sup> But La Borderie offers the only attempt at documentary analysis to establish the chronology, using clues about Jeanne's age drawn from the 1337 contract concerning Jeanne and Charles' marriage to propose c.1322.<sup>8</sup> While La Borderie's approach was sound, however, certain assumptions skewed his results. The contract described Jeanne as 'dedens un an ou deux...d'age de porter enfans', and La Borderie argues that Jeanne would therefore have been fifteen or sixteen years old at the time.<sup>9</sup> Medieval canon law, however, stated that girls reached maturity at age twelve, and this was reflected

4. *Chr. Brioc.*, 1:42; Le Baud, *Histoire*, 260–61; Du Chesne, 212; Lobineau, *Histoire*, clarifications on 300–01.

5. e.g. *Chr. Brioc.*, 1:42; *MPC*, 393; Lobineau, *Histoire*, 308; d'Argentré, 366.

6. 'This princess lost Count Guy, her father, at the age of twelve, and was married at nineteen', Du Chesne, 212–13. This chronology cannot fit exactly with his dating of the marriage contract (*ibid.*, vol. 'Preuves', 118–20) and that of Guy and Jeanne's marriage. He may have been influenced by Charles' birth-date, given here as 1319: *ibid.*, 204 (Jones, "Politics," 217, suggests that Charles was likely born in 1321, but cf. *RACJ*, 21). This proposal has been adopted by, for instance, Morvan, "Penthièvre," 51; Marie-Laure Surget, "Mariage et pouvoir: Réflexion sur le rôle de l'alliance dans les relations entre les Évreux-Navarre et les Valois au XIV siècle (1325–1376)," *Annales de Normandie* 58 (2008): 36.

7. Plaine, "Jeanne," 14.

8. La Borderie, *Histoire*, 3:403. His influence has guaranteed the wide acceptance of this chronology, as by Jones, "Succession," 16 and note 7; John Bell Henneman, *Olivier de Clisson and Political Society in France Under Charles V and Charles VI* (Philadelphia, 1996), 22; Saint-André, *Chronique*, 235.

9. 'Of an age to bear children in a year or two', La Borderie, *Histoire*, 3:406; Archives nationales, Paris, K 42, n. 37 bis. Cf. Morice, *Histoire*, 242–43.

in Breton custom.<sup>10</sup> While this was not a hard-and-fast rule (and the nobility often waited until fourteen years for girls to bear children), the contract also asserted that ‘en ce que touche l’assentement & dassentement de li marier, le malice peut supployer l’aage’, claiming that Jeanne could make this legal judgement despite being underage in precisely the technical sense.<sup>11</sup> Jeanne was therefore probably between ten and twelve years old in 1337, and a birth-date of 1325 or 1326 seems most plausible.<sup>12</sup> A tantalizing but frustrating note from Charles’ canonization trial does not contradict this, or at least steers us further from the earlier dates. Érart de Léon, related by marriage to Guy de Penthièvre, reported that Duke Charles cured a man who had been blind for fifteen years, ever since an accident ‘in anno quo domina Iohanna ducissa Bricannie nata fuit’.<sup>13</sup> Since Charles became duke in 1341, by this timeline the man could not have been blinded before 1326.<sup>14</sup>

After her parents’ deaths, Jeanne was given into the tutelage of her uncle the duke.<sup>15</sup> A series of proposals for her hand were made as Jeanne approached marriageable age. The succession arguments later referred to ‘Amaury de Craon ou le filz au seigneur de Harrecourt’ as possible suitors, though whether these were ever serious possibilities is unclear.<sup>16</sup> The first for which we have solid evidence

10. TAC, 131; Geneviève Ribordy, “The Age at Marriage in Late Medieval France: Ideals and Reality,” *INTAMS Review* 13 (2007): 76; Roland Carron, *Enfant et parenté dans la France médiévale, Xe-XIIIe siècles* (Geneva, 1989), 29, 107.

11. ‘Concerning the assent or dissent to marry him, intelligence could make up for age’, AN, K 42, n. 37 bis. Cf. Ribordy, “Marriage,” 76–78, 80–81; Theodore Evergates, “Aristocratic Women in the County of Champagne,” in *Aristocratic Women in Medieval France*, ed. Theodore Evergates (Philadelphia, 1999), 90.

12. Plaine, *Histoire du bienheureux Charles de Blois, duc de Bretagne et vicomte de Limoges*, 478–80, may have reasoned along these lines when he apparently revised his earlier opinion, stating that Jeanne was five or six at her father’s death and eleven at her marriage, though he does not revisit the issue of her birth explicitly.

13. ‘The year in which Lady Jeanne, the duchess of Brittany, was born’, *MPC*, 393.

14. We cannot rely absolutely on these numbers (if the timing of a miraculous event counts at all!), but given the other evidence in favour of a later date we can perhaps lend Érart’s statement more credibility than otherwise. By contrast, another witness dated the cure to roughly five years before Charles’ death, after twenty-five years of blindness—but here, the chronology is nonsensical even within his tale, since Guy would have been dead well before then: *ibid.*, 390–91.

15. *RACJ*, 22, and note 36, after Médiathèque Jacques Demy, Nantes, MS 1682, n. 6 (pub. *Preuves*, 1:1394–95, 11 March 1339), but this refers to both Jean III and Geoffroy II Botherel, lord of Quintin (d. 1347) as Jeanne’s ‘garde’, whereas Jones states that only Charles was under Geoffroy’s tutelage. Meanwhile, Hervé de Léon’s retainer recalled that it was his employer who had given Jeanne away in marriage: *MPC*, 36. Hervé (d. 1343) was Jeanne’s uncle by marriage and a staunch Penthièvre supporter after 1341: Galliou and Jones, *Bretons*, 220. In Brittany, boys were traditionally under tutelage until majority at fourteen, but they might then have the guidance of a ‘curateur’ until twenty or twenty-five: TAC, 130; Carron, *Enfant*, 107. This is presumably why Jeanne remained officially in the care of others, rather than that of her husband. The deaths of Jeanne’s parents are recorded in *Preuves*, 112, and the necrologies of Guingamp (see Lobineau, *Histoire*, 307–08); Pocquet du Haut-Jussé, *Papes*, 175, mistakenly implies that Jeanne d’Avaugour was alive in 1332 (though this may have been an error in the original document).

16. Bibliothèque nationale de France, Paris, MS fr. 18697, f. 134. Amaury IV de Craon (1326–

came in 1335 from Edward III on behalf of his younger brother John of Cornwall (d. 1336): whether because Jean III was not inclined to revive Brittany's former ties to England, or because of the earl's early death, the project fell through.<sup>17</sup>

More successful was the proposal of Philippe d'Évreux (d. 1343), sprung from the cadet branch of the defunct Capetian monarchy and now king of Navarre, who suggested that Jeanne marry his young son Charles (1332–1387, known posthumously as 'le Mauvais').<sup>18</sup> Charles and Jeanne were formally engaged, but the arrangement was dissatisfactory on several counts.<sup>19</sup> Charles' youth meant that heirs would not be produced for some time.<sup>20</sup> It was also alleged in the Penthièvre succession case that Jean III had required that Charles 'lessast les armes de France pour prandre les armes de Bretagne', and that Philippe had refused.<sup>21</sup> More concretely, by 1337 the brewing trouble with England meant that King Philippe VI was particularly anxious to ensure good relations with Brittany, which could not be guaranteed by adding further to the power of the house of Évreux.<sup>22</sup> The wedding contract composed at Paris on 4 June 1337 bought out Charles and Philippe d'Évreux in favour of Charles de Blois, the younger son of Guy, count of Blois (d. 1342), and of Philippe VI's sister Marguerite de Valois (d. 1342).<sup>23</sup> Charles was

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1373) was the scion of a notable Angevin family who was eventually to switch to the English cause in France, though his half-brother Pierre fought for the Penthièvre side in Brittany (Fabrice Lachaud, "La structure familiale des Craon du XI<sup>e</sup> siècle à 1415: Le concept lignager en question" (PhD diss., Université Michel de Montaigne - Bordeaux III, 2012), 844, 848). Jean IV d'Harcourt (d. 1346), himself descended from the same Norman family as Jeanne's maternal grandmother, had three sons, none of which were married before 1340: *Dictionnaire de biographie française*, s.v. "Harcourt, Jean IV d'."

17. *Preuves*, 1:1375. Jean III had briefly considered simply giving Brittany to Philippe VI in exchange for the duchy of Orléans, but his barons strongly opposed this move: Raymond Cazelles, *La société politique et la crise de la royauté sous Philippe de Valois* (Paris, 1958), 140; Géraud, *Guillaume de Nangis*, 144–45.

18. Surget, "Alliance," 27, 35–37; Woodacre, *Queens*, 69.

19. Philippe VI claimed that 'la plus grant partie du pays de Bretagne & des amis de ladite Damoiselle ne s'acorderoient en nulle maniere audit mariage', though this is difficult to verify: AN, K 42, n. 37 bis. The barons' ratification was, however, integral to Jeanne's engagement to Charles de Blois: BnF, MS fr. 18697, f. 133v.

20. AN, K 42, n. 37 bis; Surget, "Alliance," 35.

21. 'Leave the arms of France to take the arms of Brittany', BnF, MS fr. 18697, f. 134; see also chapter eight, page 182. The adoption of arms continued to play a role in subsequent Breton alliances: Louis d'Anjou, for instance, was to quarter his arms with those of Brittany (*RACJ*, 208).

22. Cf. Woodacre, *Queens*, 69; Cazelles, *Crise*, 141–42; Henneman, *Olivier de Clisson*, 241, and note 15; Cassard, *Guerre*, 13.

23. AN, K 42, n. 37 bis. This match may also have appealed because it was not the first attempt to link the houses of Brittany and Blois: after the death of Jeanne d'Avaugour, Guy de Penthièvre broke off his engagement with Jeanne de Belleville—soon thereafter to become the mother of Olivier IV de Clisson (1336–1407), future constable of France—to contract instead with Marie de Blois, Charles' sister, but he died before the marriage could be solemnized: Pocquet du Haut-Jussé, *Papes*, 204–05; Guillaume Mollat, ed., *Études et documents sur l'histoire de Bretagne (XIII<sup>e</sup>-XVI<sup>e</sup> siècles)* (Paris, 1907), 49–51; Henneman, *Olivier de Clisson*, 227, 312 (note 45). This arrangement likely also demonstrated Philippe VI's ongoing interest in Brittany, for Guy was then Jean's heir apparent. Similarly, the third wife of Jean III was Jeanne de Savoie (d. 1344), niece of Philippe

to pay the Navarrese 10,000 *livres*, and ‘s’il avenoit que le Duché de Bretagne escheist à ladite Damoiselle, vivant [Charles de Blois]’ this increased to 20,000.<sup>24</sup> If any further arrangements for the future of the couple—for instance, Jeanne’s dower lands—were specified at this time, the records have since been lost.<sup>25</sup>

Was 4 June 1337 actually ‘le jour quil la espousa’, as convention would have it?<sup>26</sup> The contract was signed in Paris, but there are indications that the wedding proper took place in Brittany, not least that it purportedly took place ‘presant les barons du pais et du consentement du duc’.<sup>27</sup> Likewise, the wedding may have involved oaths that bore a strong resemblance to those made by the dukes for their investiture at Rennes; if so, it would be strange to have performed these in Paris.<sup>28</sup> However, we cannot definitively assume 1337 to be the date of such a ceremony: there are indications that Jeanne and Charles’ contemporaries saw 1338 if not 1339 (n.s.) as the start of their wedlock. The servants testifying at the canonization trial who dated their service from the marriage of Jeanne and Charles rarely went back to 1337.<sup>29</sup> The most precise suggested ‘tempore quo Reges Francie et Anglie fuerunt apud Burenfousse videlicet anno Domini millesimo trecentesimo trigesimo nono’ or alternatively, ‘anno Domini millesimo trecentesimo trigesimo octavo’.<sup>30</sup> Others dated backwards from the time of the trial, giving estimates for the marriage between ‘triginta anni elapsi et amplius’, and 33 years ago (1338–1341).<sup>31</sup> Some of these approximations were clearly less accurate than others, and we know that Jeanne and Charles were acting together as countess and count of Penthievre by early March 1339.<sup>32</sup> But the overall impression of at least a year’s lapse between the Parisian contract and the public recognition of the marriage influenced later accounts, notably Le Baud.<sup>33</sup> This may reflect the distinction between ‘esposailles’ and ‘matrimoine’ attested in

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VI, who approved the union: Géraud, *Guillaume de Nangis*, 2:110; Pocquet du Haut-Jussé, *Papes*, 203. Jean had first married Isabelle de Valois (d. c. 1303) before he became duke (or Philip, king).

24. ‘If it happened that the duchy of Brittany fell to the said young lady while Charles lives’, AN, K 42, n. 37 bis.

25. Cf. *RACJ*, 137 for her potential dower in Guise.

26. BnF, MS fr. 18697, f. 134v; Plaine, “Jeanne,” 15; Cassard, *Guerre*, 11.

27. BnF, MS fr. 18697, f. 134v; cf. Jones, “Succession,” 49, and La Borderie, *Histoire*, 3:542–43.

28. BnF, MS fr. 18697, f. 139v. Cuvelier (sections XIV–XIX) described how Bertrand du Guesclin (d. 1380), future constable of France, participated in his first tournament at Rennes; Faucon, *Cuvelier*, 2:14, and La Borderie, *Histoire*, 3:542–43, link this celebration with Jeanne’s wedding festivities on the basis of Bertrand’s age.

29. Cf. chapter five, page 120.

30. ‘The time at which the kings of France and England were at Buironfosse, namely in the year of the Lord 1339 [20 October]’, or 1338, *MPC*, 35, 147.

31. ‘Thirty years past and more’, *ibid.*, 46, 51, 62, 169.

32. See note 15.

33. Le Baud, *Histoire*, 1:267.

contemporary practice; both roughly meant ‘marriage’, but there was a distinction between formalizing the bond and putting it into practice.<sup>34</sup> Especially since Jeanne was underage in 1337, Charles might not have joined her immediately in Brittany: only after her majority would the transition to married life become meaningful to their household.<sup>35</sup>

Jeanne and Charles had a total of six children.<sup>36</sup> Their two daughters were probably born first: Marguerite (who died before 1364, possibly in 1354) and Marie (d. 1404), later duchess of Anjou and titular queen of Jerusalem and Sicily by marriage.<sup>37</sup> Jeanne and Charles’ eldest son, Jean, was not born until 5 February 1345, an event that Jeanne quickly announced to Charles’ relatives.<sup>38</sup> Three more sons were to follow: Guy (d. 1385), born before Charles’ capture in 1347 since he was mentioned in the treaty of 1353; Henri (d. 1400), under the care of ‘nourrices’ in 1365, so probably born later in their marriage, at least after Charles’ return in 1356; and Charles, known only from a brief reference in the canonization trial and again deceased before 1364.<sup>39</sup> In addition to repeating names found within both Jeanne and Charles’ families and thereby reinforcing those links in general, the significance of naming their first-born son after the late duke while they fought for Jeanne’s succession was probably not lost on contemporaries.<sup>40</sup>

Jeanne was closely involved with her children’s matrimonial arrangements. In early 1352, she and Charles wed their daughter to the constable of France, Charles de la Cerda (d. 1354, also known as Charles d’Espagne).<sup>41</sup> This marriage is little

34. See, for instance, *RACJ*, 142–43; cf. Ribordy, “Marriage,” 77. The Latin terms used in *MPC*, usually *desponsata* or *matrimonium*, do not seem to have been used systematically to make any particular distinction.

35. Which, if we can then assume she had come of age by 1338 when he joined her, reinforces a birth-date of 1325 or 1326.

36. Froissart B, 6:340, gave Charles a bastard son called Jean, who supposedly died beside him at Auray. This seems unlikely, based on reports of his character in *MPC*, though not impossible. Pocquet du Haut-Jussé, *Papes*, 261, suggests that this might have been conflation with one Thomas, a bastard son of Guy de Penthièvre who pursued a career in the church.

37. *MPC*, 39; Françoise Arlot, “Dans la tourmente du XIVE siècle, Marie de Blois, comtesse de provence et reine de Naples,” *Provence historique* 56 (2006): 53–54, says that Marie ‘naît autour de 1340, sans doute en 1343’, which is reasonable in light of the timing of Jeanne’s marriage, but she gives no source for this information. She also claims that Marie was the third-born child, again plausibly if on unclear grounds.

38. Le Baud, *Histoire*, 296 (and cf. in 1352, ‘Jehan nostredit fils quant il sera en age’, Bibliothèque nationale de France, Paris, MS nouv. acq. fr. 9811, n. 4; *RACJ*, 139); Jeanne reported the birth to Charles’ brother Louis de Blois by 18 March, *RACJ*, 89 (Archives départementales des Côtes d’Armor, Saint-Brieuc, 22 J 1).

39. *RACJ*, 142, 260–61; AN, KK 241, f. 9; *MPC*, 39. Henri was also the only living sibling not to endorse the canonization proceedings of 1371, further suggesting that he was still underage. So little is known of Charles’ life that he could have been born first, but the choice of names suggests otherwise.

40. Nassiet, *Parenté*, 30.

41. For discussion of the diplomatic context of this match, see chapters two (page 55) and six (page 137).



documented, and there are two points yet to be settled in the historiography: when the match took place, and which of Jeanne and Charles' two daughters was involved. The timing has been placed at various points between 1351 and March 1352.<sup>42</sup> It seems more likely that the process was extended across this period. There are two fixed textual references: the grant of papal dispensation to Charles d'Espagne on 4 January 1352, and the payments made on 6 March for the delivery of the jewels and other accoutrements brought to Chanteloup for the 'noces et epousailles'.<sup>43</sup> Since Jeanne and Charles had been involved in the Anglo-French negotiations at Calais in the autumn of 1351, the betrothal was probably formalized at this point, allowing time to seek the dispensation by January; the March ceremony would then have been the wedding proper.

Unfortunately, that same papal dispensation did not actually name the bride-to-be, but specified only 'quacumque nobili muliere'.<sup>44</sup> Le Baud wrote that

l'une des filles dudit Monsieur Charles...fut femme de Monsieur Charles d'Espagne, Comte d'Angoulesme, & Connestable de France, duquel elle fut depuis separee; & tost apres le Roy Charles de Navarre, fist tuer ledit Monsieur Charles d'Espagne, son mary. L'autre fut la dessusdite Marie...<sup>45</sup>

This would make her Marguerite, a tradition maintained by some scholars.<sup>46</sup> The separation to which Le Baud referred is otherwise unknown; Marguerite was sometimes said rather to have died of grief after her husband's demise. On the other hand, their younger daughter Marie was described as 'comtesse Dangoulesme' in 1360: Charles d'Espagne had received this property when he was made constable, and it is difficult to imagine how the title might have become Marie's unless she was his widow.<sup>47</sup> However, by the terms of the 1353 treaty, 'Marie sa fille' was sent as a hostage to England for the repayment of her father's ransom, which seems unlikely if she had been so recently married out of

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42. See *RACJ*, 44: R. Delachenal, *Histoire de Charles V* (Paris, 1909–1931), 1:82, posited the earlier date, while points in 1352 were identified by Cazelles, *Société*, 94, and Françoise Autrand, *Charles V* (Paris, 1994), 118.

43. Eugène Déprez, J. Glénisson, and Guillaume Mollat, eds., *Clément VI (1342–1352): Lettres closes, patentes et curiales se rapportant à la France* (Paris, 1901–1959), 3:n. 5144 (hereafter cited as *Lettres Clément VI*); Archives départementales de Loire-Atlantiques, Nantes, 107 J 35.

44. 'Whichever noble woman', *Lettres Clément VI*, 3:n. 5144.

45. 'One of the daughters of the said lord Charles was the wife of milord Charles d'Espagne, count of Angoulême and constable of France, from whom she was later separated; and soon after King Charles de Navare had the said lord Charles d'Espagne, her husband, killed. The other was the abovesaid Marie', Le Baud, *Histoire*, 330.

46. Accounts that name her as Marguerite include *RACJ*, 44; Cazelles, *Société*, 165; Pocquet du Haut-Jussé, *Papes*, 314; Morice, *Histoire*, 282; Lobineau, *Histoire*, 346; Caron, *Noblesse*, 312. Other scholars leave her nameless: d'Argentré, 444; Du Chesne, 221; Le Baud, *Histoire*, 311; Paulin Paris, ed., *Les grandes chroniques de France* (Paris, 1836–1838), 6:5; *MPC*, 28.

47. *RACJ*, 199; Cazelles, *Société*, 47; cf. Arlot, "Marie," 57. By the second redaction, Marie's title of countess of Angoulême was no longer used, perhaps in relation to the transfer of the property in the Anglo-French treaty of Brétigny (1360): John Le Patourel, "The Treaty of Brétigny, 1360,"

the family.<sup>48</sup> In 1357, also, Charles levied an *aide* in Limoges for the payment of his ransom and the dowry of ‘Madame Marie sa fille’, which was not usually done for a remarriage.<sup>49</sup> Since this union lasted less than three years thanks to the constable’s assassination, evidence for settling this question is scarce.<sup>50</sup>

Jeanne also arranged to marry her eldest son Jean to Margaret, daughter of Edward III.<sup>51</sup> Though the alliance was soon aborted, Jean had already arrived in England by 18 June 1353, along with Guy and her daughter Marie as hostages in accordance with the treaty.<sup>52</sup> Only Marie returned when Charles was finally liberated in 1356. She was to have a lengthy career as duchess of Anjou after her marriage to Louis (d. 1384), second son of King Jean II, in August 1360.<sup>53</sup> The precise terms of the marriage, including the future succession of Brittany, were initially worked out at Nantes on 6 May in the presence of ‘les diz duc et duchesse’, though the match may have been envisioned since Charles had raised the marriage *aide* in 1357.<sup>54</sup> Marie and Louis remained in close contact with Jeanne, and took in Henri during the hectic year of 1365, though this relationship became somewhat complicated under the strain of 1379, and in the 1380s Louis still had to ‘traitier avec la vielle duchesse de Bretaingne de ce que ele doit à monseigneur le duc à cause du mariage de Madame la duchesse d’Anjou’.<sup>55</sup> Henri, who was at his mother’s side in 1379 despite his close ties to Louis, was the only other child with whom Jeanne continued to have personal contact.<sup>56</sup> Guy died in

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*Transactions of the Royal Historical Society* 10 (1960): 24, 38.

48. *RACJ*, 145.

49. *ibid.*, 183. The practice of such seignorial levies was not entirely fixed, but tended to have certain limits: *TAC*, 252; Eusèbe Jacob Laurière et al., eds., *Ordonnances des roys de France de la troisième race* (Paris, 1723–1849), 3:56; Elizabeth A. R. Brown, *Customary Aids and Royal Finance in Capetian France: The Marriage Aid of Philip the Fair* (Cambridge, MA, 1992), 4, 12, 35, 79, 183.

50. For more on the familial and political background of the constable and the context of his assassination by Charles II de Navarre, see Cazelles, *Société*, 92–95.

51. *RACJ*, 142–43 (1 March 1353). The cadets of Jean and Margaret (that is, Guy and Mary) could be substituted in the case of their older sibling’s death.

52. Thomas Rymer, ed., *Foedera, Conventiones, Literae, et Cujuscunq[ue] Generis Acta Publica*, 2nd ed. (London, 1726–1735), 5:756, 860 (hereafter cited as Rymer); *RACJ*, 145, 156. For further discussion of these proceedings, see chapters two (page 55) and chapter six (page 143).

53. *RACJ*, 206–09; Arlot, “Marie.”

54. *RACJ*, 199–200; Arlot, “Marie,” 60–61, 63–64. Marie received Château du Loir and La Roche sur Yon as her dower. Louis had been engaged to an Aragonese princess since 1352, and the traditional story would have that his marriage instead to Marie was a love-match. Arlot, however outlines the advantages this new union actually offered to Jean II—even if Louis’ decision to rejoin his wife in 1363 instead of remaining in England as a hostage for his father provoked something of a diplomatic crisis.

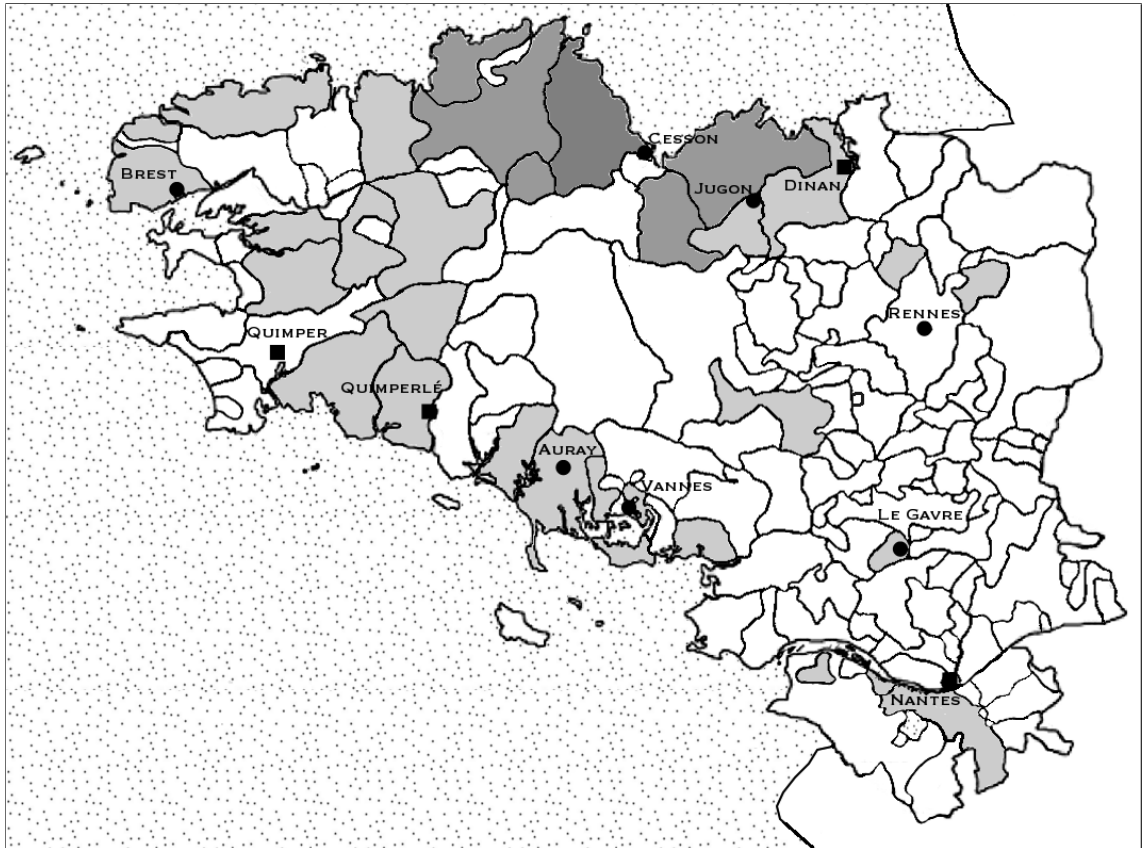
55. ‘Negotiate with the old duchess of Brittany about that which she owes milord the duke from the marriage of milady the duchess of Anjou’, Le Fèvre, *Le Fèvre*, 4; AN, KK 241, f. 7v, 8v, 9, 10, 11, 12.

56. He was also with Jeanne in 1373: Pocquet du Haut-Jussé, *Papes*, 272. Henri became closely involved with his Angevin in-laws, through whom he gained the title of despot of Romania:

England a year after his mother's death, while Jean was released with the help of Olivier de Clisson (d. 1407) only in 1387.<sup>57</sup>

### A patchwork inheritance

The lands that Jeanne inherited can be divided into two main categories: those she inherited directly from Guy de Penthièvre and Jeanne d'Avaugour, and those she received by representation from Jean III and which were contested in 1341.<sup>58</sup> These areas are shown on Figure 3.<sup>59</sup> Her parental holdings gave her control over



**Figure 3:** Map of Jeanne's inheritance within Brittany from Jeanne d'Avaugour (dark grey), Guy de Penthièvre (medium grey), and Duke Jean III (light grey), with important towns held entirely (circle) or partially (square) by the duke

Raymond-Joseph Loenert, "Hospitaliers et Navarrais en Grèce, 1376–1383: Régestes et documents," in *Byzantina et Franco-Graeca: Articles parus de 1935 à 1966*, ed. Peter Schreiner, Storia e letteratura: Raccolta di studi e testi (Rome, 1970), 335, and note 4, 346, 359; Le Fèvre, *Le Fèvre*, 70 and *passim*; Edmond Martène and Ursin Durand, eds., *Thesaurus novus anecdotorum* (Paris, 1717), 1612.

57. Jones, *Actes Jean IV*, 102 (note 5); Henneman, *Olivier de Clisson*, 114–15. Jean married Olivier's daughter Marguerite (d. 1441) the following year: Henneman, *Olivier de Clisson*, 120. Their granddaughter Nicole (d. 1481) was the last of the line to claim the ducal title, which she sold to King Louis XI: Leguay and Martin, *Fastes*, 399.

58. The principle of representation meant that the child, male or female, was considered to take the place of their parent and so receive all the benefits of that position in the succession: *TAC*, 210.

59. This and all other maps, save where noted, are based in part on that developed by La Borderie (see his *Histoire*, volume 3, and La Borderie, *Géographie*).

most of Brittany's northern coastline, and approximately one-fifth of Brittany.<sup>60</sup> Her mother, heiress to her own father Henri d'Avaugour, passed to Jeanne the county of Goëlo with the castellany of Lannion.<sup>61</sup> Guy de Penthièvre, having received Limoges from his brother in 1315, was persuaded in 1317 to trade it for the apanage of Penthièvre.<sup>62</sup> This combined inheritance effectively reconstructed the historical apanage of Penthièvre such as it had originally been given to Jeanne's ancestor Eudes in 1034, less the cessions of Morlaix-Lanmeur (c. 1179), Quintin (c. 1227), and Jugon and Cesson, retained by Jean III.<sup>63</sup>

This inheritance was not restricted to Brittany, however. Jeanne's maternal grandfather Henri IV d'Avaugour was also lord of Mayenne, not far beyond the Breton borders.<sup>64</sup> Meanwhile, Henri's wife Jeanne d'Harcourt had brought as her dowry certain properties in Normandy, though their transmission to Jeanne d'Avaugour and thence to Jeanne de Penthièvre was contested by Henri's other daughters, Marguerite and Isabeau.<sup>65</sup> Finally, Jeanne inherited the hôtel of Mâcon in Paris (by the present rue Saint-Séverin on the *rive gauche*), which had formerly been occupied by Yves Le Prévôt, bishop of Saint-Malo.<sup>66</sup>

Likewise, while the most important legacy of her uncle Jean III was the Breton duchy itself, he too held various external properties. The most important was the viscounty of Limoges, which he had from his mother Marie (d. 1290).<sup>67</sup> The Limousin was highly fractured, with several lords of roughly equal importance holding sway over their particular domains and only a distant relationship to any

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60. Leguay and Martin, *Fastes*, 121.

61. La Borderie, *Géographie*, 60; Le Baud, *Histoire*, 263, 265.

62. Archives départementales de Loire-Atlantiques, Nantes, E 1–4.

63. La Borderie, *Géographie*, 48, 50–60; Kerhervé, *État*, 52–3; Galliou and Jones, *Bretons*, 217. Eudes was the younger brother of Duke Alain III (d. 1040).

64. Jeanne and Charles gave this seignury to Louis d'Anjou as part of their daughter Marie's dowry: *RACJ*, 199–200, 206–09. The public announcement of the arrangements in August, however, entailed slightly different territories from those outlined in the first redaction. Both comprised the seignury of Guise, their lands around Paris except the manor of Petite Bretagne, the castellany of Pontmain in Mayenne, and 1,500 *livres* in lieu of Châteauceaux (Champtoceaux), which Louis was to help Jeanne and Charles recover. The second draft of the marriage contract added the rest of Mayenne, as well as Bonne Vilette in Normandy. Châteauceaux had been given to Louis as part of his apanage after being taken by French forces at the start of the war. As part of Brittany, it was returned to Jean IV with the treaty of Guérande, though it remained a point of contention for years to come: Henneman, *Olivier de Clisson*, 47, 252–53 (note 80); A. Bourdeaut, "Châteauceaux au XIV<sup>me</sup> siècle," *Mémoires de la Société d'agriculture, sciences et arts d'Angers* 17 (1914): 127, 134–35, 142; Le Fèvre, *Le Fèvre*, 66, 74–75; *Preuves*, 2:299–300.

65. *RACJ*, 127–28, 252, and see further on this debate in chapter six, page 129. These territories were likewise included in the Angevin wedding contract.

66. *RACJ*, 115; *Preuves*, 1:1063; cf. Philippe Lorentz and Dany Sandron, *Atlas de Paris au Moyen Âge: Espace urbain, habitat, société, religion, lieux de pouvoir* (Paris, 2006), 106 (map).

67. On her marriage to Arthur II de Bretagne (d. 1312), see Vincent Roblin, *Recueil des actes des vicomtes de Limoges, Xe-XIV<sup>e</sup> siècle* (Geneva, 2009), 41–42.

centralizing power.<sup>68</sup> The vicecomital domain incorporated the town of Limoges (including the castle, but not the ‘cité’), though this relationship was often tense: Jeanne and Charles had to send ‘réformateurs’ to the viscounty in 1346 to check the abuses of their officers, which did not prevent the inhabitants of Limoges from compiling a list of further complaints a few years later.<sup>69</sup> But aside from Limoges itself, the viscounty also comprised the towns and castellanies of Aixe, Ans, Auberoche (sold to the cardinal of Périgord in 1347), Ayen, Châteaux-Chervix, Excideuil, Génis-Moruscles, Masséré, Nontron, Saint-Yrieix, Ségur (held from the chapter of Saint-Yrieix), and Thiviers.<sup>70</sup> All of this was formally given to Jeanne and Charles by royal sentence in 1345, after the death of the dowager-duchess Jeanne de Savoie who had held the viscounty since 1341.<sup>71</sup>

Just as with Jeanne’s parental inheritance, the lands of the Breton dukes included certain properties in Paris and the Île-de-France. Chailly (now Chilly-Mazarin) was also part of Jeanne de Savoie’s dower, then transferred by Jeanne and Charles to Jean de Derval in 1343; though his sister Aliénor tried to claim it after him, it was finally given to Louis d’Anjou in 1360. Other properties included Longjumeil (likewise given to Louis), the hôtel of Nigeon (at which Guy de Penthièvre died), and the manor of Petite Bretagne (on the Rue St-Thomas du Louvre, now under the extended palace); the latter two returned to Jean IV at the treaty of Guérande in 1365, though he ceded the rights to Longjumeil and Chailly.<sup>72</sup>

Finally, Jeanne’s marriage made her lady of Guise, which Charles had received as his portion of his father’s inheritance.<sup>73</sup> Combined, these territories gave them footholds across much of northern and central France, though Jeanne and Charles acted mainly as count and countess of Penthièvre until the death of Duke Jean III on 30 April 1341.<sup>74</sup>

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68. Philippe Bernard-Allée, Marie-Françoise André, and Ginette Pallier, *Atlas du Limousin: Une nouvelle image du Limousin* (Limoges, 1994), 46.

69. Gustave Clément-Simon, *La vicomté de Limoges, géographie et statistique féodales* (Périgueux, 1873), 21; *RACJ*, 95, 273–76; Louis Guibert, ed., *Documents, analyses de pièces, extraits & notes relatifs à l’histoire municipale des deux villes de Limoges* (Limoges, 1897–1902), 1:321, 325.

70. Clément-Simon, *Limoges*, 22–23, 83; *RACJ*, 98–101, 175, 235; AD P-A, E 624–1; Archives départementales des Pyrénées-Atlantiques, Pau, E 624–2, and cf. Figure 6. The income from La Roche-l’Abeille was counted separately in the account of 1345, although Clément-Simon describes it as only a subsidiary *seigneurie* of Aixe.

71. *RACJ*, 87.

72. *Preuves*, 1:1592; Henri Furgeot, *Actes du parlement de Paris: Deuxième série, de l’an 1328 à l’an 1350. Jugés* (Paris, 1920–1960), nos. 8107 (27 March 1348), 8614 (13 August), 8711 (18 November); *RACJ*, 67–71, 199, 206; Archives départementales de Loire-Atlantiques, Nantes, E 90–2. Petite Bretagne had been specifically reserved from Marie’s dower in 1360: *RACJ*, 199, 206.

73. *Ibid.*, 16, 21.

74. In *ibid.*, 53 (July 1341), Charles was still referred to simply as ‘sires de Penthevre’, perhaps since he had not yet given homage for the duchy.

## The trouble with Brittany

Jean de Montfort pressed an unlikely suit when, in 1341, he claimed that his late brother had named Jean as his heir long before his death and confirmed this in his will.<sup>75</sup> There was no love lost between the two brothers: Jean III had gone so far as an attempt to have the marriage between Arthur II and Yolande de Montfort retroactively annulled.<sup>76</sup> If successful, this would have negated their children's claims to a place in the ducal succession.<sup>77</sup>

For its part, the Penthièvre case played up the confirmation of Jeanne's successional rights by the duke and barons since the time of her marriage to Charles—and the matrimonial politics of 1335–1337 suggest that this had some basis in actual expectations.<sup>78</sup> We cannot verify whether Jean III was really concerned with the transmission of the 'armes de Bretagne' when substituting Charles de Blois for Charles de Navarre (as claimed in 1341); but Philippe would not have taken such an interest in the arrangements if Jeanne was only to inherit Penthièvre rather than the entire duchy.<sup>79</sup> More explicitly, Edward III's emissaries had referred to Jeanne as 'haeredem praedicti ducis'.<sup>80</sup> Yet historians have been reluctant to recognize this accepted preference of Jeanne over Jean de Montfort.<sup>81</sup> In this light the details of the contract of 1337 require fuller examination:

le dit Challe nostre neveu soblege a nostre dit cousin le roy de Navarre en diz mil livres tournois...Et sil avenoit que la duche de Bretagne escheist a la dicte damoiselle vivant nostre dit neveu, yl soblegera a paier a nostre dit cousin le roy de Navarre ou a ceuls qui de luy aront cause vint mille livres tournois a paier a deus ans ensievans commenchant le premier paiement au chief de lan que nostre dit neveu et sa femme seroient en possession et saisine et joiroient des proffis de la dicte duche. Ainsy toutevoies que se nostre dit neveu trespassoit de cest siecle sanz hoir de son corps ou li et les hoirs de son corps trespasassent durans les deus ans dessus dis ou que la dicte damoiselle morust avant le dit Challe sans hoir de son corps

75. 'Le dit duc Jahan, darrainement mort...long temps avant sa mort...declarra et exprima...que se il navoit hoir de sa char que apres sa mort la dicte duche, avec toute ses appartenances, devoit venir et appartenir...au dit conte son frere', Jones, "Succession," 17–18. It remains difficult to imagine how the question might have gone ignored in drawing up the will itself, which happened with the aid of the ducal council (the text does not survive): *Preuves*, 1:1398.

76. Archives départementales de Loire-Atlantiques, Nantes, E 37–1.

77. Froissart B, 2:88, recounted that Jean 'doubtet que ses frères li coens de Montfort n'enforçast, apriès son deciès, le droit de sa jone nièce, par se poissance', and even the Montfortist chroniclers largely accepted this narrative, most notably the historiographers of Duchess Anne: Le Baud, *Histoire*, 267; Bouchart, 2:33–34. This contrasts with the claims of Gérard, *Guillaume de Nangis*, 2:144, that Jean feared the duchy falling into female hands (and so tried to give Brittany away).

78. 'With the barons of the region present and by consent of the duke, that he would hold the duchy without alienating it', BnF, MS fr. 18697, f. 134–134v.

79. *Ibid.*, f. 134; cf. Jones, *Ducal Brittany*, 8.

80. 'The heir of the aforesaid duke', *Preuves*, 1:1375; Rymer, 4:683.

81. Cassard, *Guerre*, 11–12; Leguay and Martin, *Fastes*, 100.

ou ses dis hoirs durans les dis deus ans, les autres hoirs de nostre dit neveu ne ses successeurs ne seroient tenus de paier a nostre dit cousin le roy de Navarre...des vint mille livres dessus dictes fors ce dont les termes seroient escheus.<sup>82</sup>

La Borderie argues that the ‘termes modestes, discrets, purement hypothétiques’ describing the future of the duchy precluded any official recognition of Jeanne as heiress by this point, a view echoed by Pocquet du Haut-Jussé.<sup>83</sup> But this takes into account only the very brief phrase ‘et sil avenoit’, and not the critical follow-up ‘*vivant* nostre dit neveu’ (emphasis mine). Jeanne’s succession was hardly a question of ‘if’, only of ‘when’: Charles would not want to be bound to pay a greater sum than necessary if he was not to fully enjoy the duchy which was supposed to come to him!<sup>84</sup> Plaine thereby correctly concluded that this amounted to a ‘formal stipulation’ of Jeanne’s succession in the event of Jean III’s death without heirs.<sup>85</sup>

The will of Jean III, mentioned by Jean de Montfort, does not now survive, and as the Penthièvre lawyers pointed out in 1341, their opponent ‘ne monstre point de testament si ne fet a recevoir a son dire quant il ne le monstre’.<sup>86</sup> What might have happened to it after it was given into the keeping of the viscount of Rohan on 26 May 1340 is uncertain: its executors undertook an inventory of the ducal treasure at Nantes cathedral on 15 June 1341, but this is the last we hear of it.<sup>87</sup> It is likely that the will had made no provisions for the succession: Jean de Montfort’s dubious claims aside, an anecdote apparently accepted by both parties was that Jean III’s final words on the matter were that he did not want to be bothered with it further. But in the Penthièvre version, Jean III had reproved his

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82. ‘The said Charles, our nephew, obligates himself to our said cousin the king of Navarre for 10,000 *livres tournois*. And if it happens that the duchy of Brittany falls to the said young lady during the life of our said nephew, he will pledge himself to pay to our said cousin the king of Navarre or to those who may claim through him 20,000 *livres tournois*, to be paid in the two years following, the first payment starting at the start of the year in which our said nephew and his wife should be in possession, holding, and enjoyment of the profits of the said duchy, so that nevertheless if our said nephew should pass from this world without heir of his body, or if he and the heirs of his body should die during the abovesaid two years, or if the said young lady dies before the said Charles without heir of her body, or her heirs [die], during the said two years, the other heirs of our said nephew and his successors will not be bound to pay to our said cousin the king of Navarre the aforesaid 20,000 *livres tournois*, save for that for which the term has already come’, AN, K 42, n. 37 bis.

83. La Borderie, *Histoire*, 3:407; Pocquet du Haut-Jussé, *Papes*, 268, and note 1.

84. Cf. the marriage contract of Marie de Blois-Penthièvre and Louis d’Anjou, which *did* discuss the Breton succession in a purely hypothetical manner: *RACJ*, 200.

85. Plaine, “Jeanne,” 15; cf. Planiol, *Institutions*, 3:21.

86. ‘Does not show any testament, and so it should not be accepted on his say-so when he does not show it’, BnF, MS fr. 18697, f. 143–143v.

87. *Preuves*, 1:1413–15. The executors present were Jean de Derval, Philippe de *Castro Decanus*, Éon de Rougé, and Guillaume de Rougé, representing families which would prove favourable to the Penthièvre cause in the war; Robert de Saint-Pere and Jean de Rohan were likewise named as executors elsewhere (*ibid.*, 1:1398, 1412–13).

brother's request sharply: 'beau freres vous faictes mal de moy chargez car vous ne debvriez pas voulloir que je chargasse lame de moy pour vous'; the Montfortist phrasing was slightly more neutral 'por Dieu lan lessat en pez et qe il ne vouloit pas charger lame de li'.<sup>88</sup> Depending on which version was accepted, Jean III appeared either to be reluctant to choose—or reluctant to go back on a choice already made; given this ambiguity, it is best not to take these statements as evidence for the contents of the missing will.

But on 21 April 1341 Guy de Blois met at Les Montils in Blois with his two sons and, under the auspices of Philippe VI (who confirmed the act on the 27th), revisited Charles' marriage contract of 1337. This time, among arrangements for Charles to pay back to Louis the 10,000 *livres* which his brother had pledged four years earlier, it stipulated that 'Monseigneur de Pointhieure s'obligera au Roy de Navarre dès maintenant és autres vint mille livres tournois, qui sont à paier à deus ans, quant il joira de la Duché de Bretagne selon la fourme & condition contenues és lettres sur ce faites souz le seel du Roy'.<sup>89</sup> Pocquet du Haut-Jussé maintained that this 'ne lui conférait pas un titre', but this hedging is unjustified.<sup>90</sup> The terms of the marriage contract had protected Charles from committing to pay the 20,000 *livres* before his and Jeanne's future was certain; now he had pledged to do so, effective immediately. It seemed evident that Jeanne was to inherit from her dying uncle—who chose not to review the question in his deathbed codicil (of minor importance) drawn up on 29 April 1341, the day before his death.<sup>91</sup>

In any case, after the death of Jean III, his half-brother Jean de Montfort asserted his own claim and sparked a complex legal debate over the succession.<sup>92</sup> Broadly speaking, these were based two fundamentally dissimilar assumptions. The Penthièvre brief contended that according to Breton custom inheritance devolved upon the eldest child and that Jeanne *represented* her later father Guy, second-born of Arthur II's children.<sup>93</sup> Jean de Montfort's lawyers argued instead that by degrees of consanguinity Jean was more closely-related to the late duke than was Jeanne, and that this was the practice applicable in France. Since Brit-

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88. 'Fair brother, you do ill to burden me, for you should not want me to burden my soul on your behalf', BnF, MS fr. 18697, f. 143v; 'for God's sake, he should be left in peace, and he did not wish to burden his soul', Jones, "Succession," 52.

89. 'Milord of Penthièvre will obligate himself to the king of Navarre as of now, for the other 20,000 *livres tournois*, which are to be paid in two years from when he will enjoy the duchy of Brittany, in accordance with the form and manner contained in the letters [of 1337] written upon this under the seal of the king', Du Chesne, vol. 'Preuves', 120.

90. Pocquet du Haut-Jussé, *Papes*, 210 (note 2). One might begin with pointing out the act's use of the present and future tenses rather than the conditional of the first contract!

91. *RACJ*, 21–22, and note 35, accepts the reliability of this document, though doubts that it was done with knowledge of the imminence of Jean III's passing.

92. See Figure 19 for the general chronology of this process; the details of the arguments will be explored more fully in chapter eight.

93. BnF, MS fr. 18697, f. 124, 125–125v.



tany had become a French peerage in 1297, the Montfortists claimed further that Jeanne, as a woman, was ineligible to succeed based on the recent precedent set by the royal successions of 1316, 1322, and 1328.<sup>94</sup>

Various accusations have been levelled against the fairness which this case met with in the court of peers in Paris.<sup>95</sup> Even in the legal briefs themselves, Jean de Montfort accused those who supported Charles de Blois of acting ‘ou par favour evident ou par violence et contrainete ou pour cause de ce qe ils atienent a sa famme par lignage’, encompassing not only Charles’ Breton partisans but potentially King Philippe himself.<sup>96</sup> Avoiding comment on the legal technicalities, Bertrand d’Argentré criticized the haste with which the inquiry into local custom was conducted, cutting short the Montfortist testimony in an eagerness to ensure that the decision would fall in favour of Charles and Jeanne—though, as it transpired, Penthièvre and Montfortist witnesses were in fact brought forward in equal numbers, including some from Brittany on both sides.<sup>97</sup> Philippe’s inclination towards his nephew and niece is certainly shown by his hand in their matchmaking. But whatever the balance of law and politics, with the *arrêt* de Conflans of 7 September, 1341, the court formally accepted Jeanne’s bid and allowed Charles de Blois to perform homage for the duchy.<sup>98</sup>

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94. Louis X (d. 1316) was succeeded by his brother Philippe V (d. 1322) rather than by his daughter Jeanne (d. 1349); Philippe was in turn succeeded by his brother Charles IV instead of his daughters; and after Charles’ death, Philippe VI de Valois was elected king, bypassing the claims of Edward III via his mother Isabelle (d. 1358), daughter of Philippe IV (d. 1314). The process of excluding female succession, both to the crown and to other titles, evolved over several stages and prompted an increasing distinction between private inheritance and public office that would feature in the Breton succession cases and shape subsequent portrayals of princely power: Viollet, “Femmes”; Taylor, “Valois Succession,” 36162; Taylor, “Queenship,” 550–53; Charles T. Wood, *The French Apanages and the Capetian Monarchy, 1224–1328* (Cambridge, MA, 1966), 35–36, 39, 43, 48–66; 86 Krynen, *Empire*, 128–35; Balouzat-Loubet, *Mahaut*; Elizabeth A. R. Brown, *Royal Marriage, Royal Property, and the Patrimony of the Crown: Inalienability and the Prerogative in Fourteenth-Century France*, Humanities Working Paper 71 (Pasadena, 1982), 22, 31, and note 79. The document granting the peerage is preserved in Archives départementales de Loire-Atlantiques, Nantes, E 103–4. Over time, the Montfortist dukes came to reject their status as peers: Bréjon de Lavergnée, “Confiscation,” 338, and note 33.

95. These accusations are, in turn, more or less well-justified: e.g. Saint-André, *Chronique*, l. 114–124; Le Baud, *Histoire*, 224; Lobineau, *Histoire*, 316; Morice, *Histoire*, 1:251; Leguay and Martin, *Fastes*, 100; Cassard, *Guerre*, 23, 32.

96. ‘Either through clear favouritism, or through violence and compulsion, or because they are related to his wife through her lineage’, Jones, “Succession,” 50.

97. d’Argentré, 396; cf. Morice, *Histoire*, 1:251; Cassard, *Guerre*, 35. Moreover, the testimony of the *tesmoins singuliers* complicates the chronology of Jean de Montfort’s flight from Paris, which Jones dated to the hiatus of interviews between 1 and 4 September: but it is now clear that Montfortist witnesses testified on 4–5 September too: Jones, “War,” 78; Michel Saliou, “Un problème de légitimité: Le débat juridique Blois/Montfort, 1341” (master’s thesis, Université de Bretagne Occidentale, 1994), 12; BnF, MS fr. 18697, f. 174, 178v, 180.

98. *Preuves*, 1:1421–24.

## 2 | The war for Brittany, 1341–1365

*...ont contrestie contre la puissance de mes adversaires, anemies et malvuillanz et ceux anemis repellez et rusez, repellent et rusent, de jour en jour du dit duchie et de mon droit que je avoie et ay en ycelui.*<sup>1</sup>

Military conflict followed the decision at Conflans almost immediately, and would continue for twenty-three years. Jean de Montfort was captured by French royal forces at Nantes in November, but proposals to buy out his claims failed.<sup>2</sup> His wife, Jeanne de Flandre, conducted a rigorous defense across southern and western Brittany in his absence, and the Montfortists allied with Edward III of England, without whom resistance would have proved impossible to maintain in the face of the French armies that Charles brought into Brittany on his wife's behalf.<sup>3</sup> Jean de Montfort, at liberty again, fell ill and died on 26 September 1345; his wife had left for England with their infant son Jean (d. 1399) in 1343.<sup>4</sup> Until 1362, when the younger Jean de Montfort returned to Brittany, their cause was upheld almost exclusively by English efforts.<sup>5</sup> The shape of this conflict is well-known; what remains for us to consider is how these unfolding events, in a war often called after the two duchesses involved, affected Jeanne's career.<sup>6</sup>

### Jeanne's duchy

We may first consider the general impact of the war on Jeanne's rule. How did it affect the areas which she and Charles could govern, and who recognized their

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1. 'They have opposed the power of my adversaries, enemies, and ill-wishers, and have repelled and driven back these enemies, and daily do repel and drive them back from the said duchy and from my right which I had and have in it', *RACJ*, 72.

2. La Borderie, *Histoire*, 440; Michael Jones, "Edward III's Captains in Brittany," in *England in the Fourteenth Century*, ed. W. Mark Ormrod (Woodbridge, 1986), 106, 208; *RACJ*, 54–56.

3. Galliou and Jones, *Bretons*, 222; La Borderie, *Histoire*, 3:434–35. She used Hennebont as her base, though Froissart's account of her personal military exploits is invented: Froissart B, 2:143–46; Plaine, "Jeanne," 3–5; *RACJ*, 62; Jones, "Captains," 106–07.

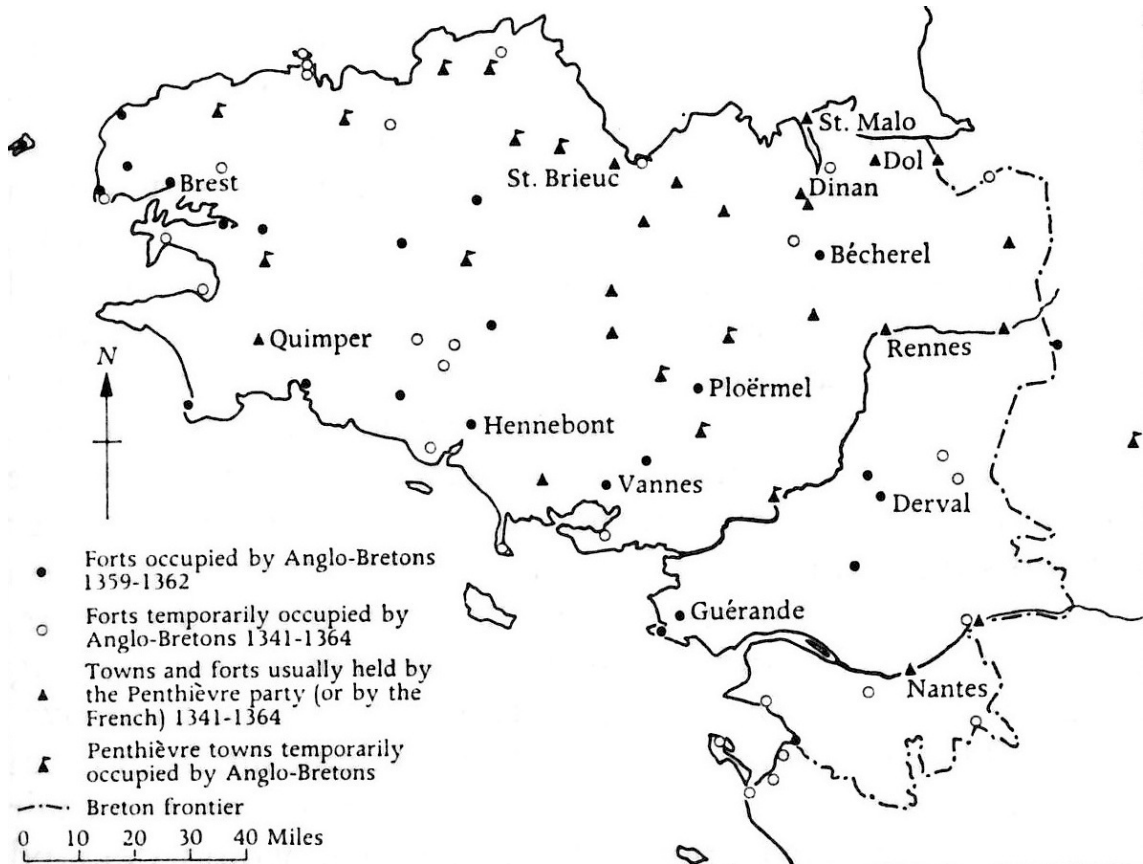
4. La Borderie, *Histoire*, 3:488–91; Plaine, "Jeanne," 10; Jones, *Ducal Brittany*, 16.

5. Jones, *Ducal Brittany*, 16–19.

6. La Borderie, *Histoire*, 3:421–597, remains a useful overview, although his narrative has been revised in its details, especially by Michael Jones, *Between France and England: Politics, Power and Society in Late Medieval Brittany* (Aldershot, 2003), sections III–V, and Jones, "War." More succinct accounts of the military action appear in Leguay and Martin, *Fastes*, 100–07, and Galliou and

authority? Both answers, of course, changed over time, but there were certain patterns. The Penthièvre camp were most successful at consolidating their hold over the northern and western portions of Brittany.

The extent of English-led incursions into the duchy are shown in Figure 4:



**Figure 4:** Map of Anglo-Breton control during the war (from Michael Jones, *Ducal Brittany 1364–1399: Relations with England and France during the Reign of Duke John IV* (Oxford, 1970), 13)

This balance was obviously influenced by the location of Jeanne’s family lands, but this was not the only factor. Edward III had his own specific interests in Brittany, and these influenced his strategy. A French triumph in the duchy could hinder English trade with their lands in Guyenne, while English control would make a convenient entry-point into France; his efforts were therefore focused on securing the southern coast and western tip of the peninsula (though his lieutenants acted further afield).<sup>7</sup> Many inhabitants of this region would have shared his views on trade and been amenable to this influence.<sup>8</sup> But the Penthièvre party had their footholds in the west as well, especially in Quimper, which remained

Jones, *Bretons*, 220–27, while Cassard, *Guerre*, includes several studies of specific aspects of the conflict.

7. See the map of Edward’s campaign in 1342: Jones, “War,” 66. The Anglo-Breton administration was based at Vannes after it was captured in 1343, and they held Brest until 1397: Jones, *Ducal Brittany*, 27, 143–71; Leguay and Martin, *Fastes*, 104.

8. Galliou and Jones, *Bretons*, 222.

staunchly loyal to Jeanne and Charles until November 1364, despite its bloody (and supposedly miraculous) capture by Charles in 1344.<sup>9</sup>

The shape of this divide was also the result of the interaction between geography and social status in Brittany. The early need to defend the eastern border had led to the creation of large territorial units with powerful lords (carefully separated, it is true, by lesser holdings).<sup>10</sup> The central region, underpopulated, was likewise best divided into a few extensive lordships, even if these lost bits and pieces over time.<sup>11</sup> But the western section was largely dominated by members of the lesser nobility.<sup>12</sup> Having the allegiance of the great lords or of the lower echelons of the nobility thus meant controlling a certain part of Brittany, and evidence suggests that the Penthièvre cause garnered stronger support among the upper aristocracy than did the Montfortists. Firstly, both of the succession arguments *agreed* that their followers came from different sectors of society. The Penthièvre case stated that

il y a la plus partye du peuple de Bretagne qui obbeist a Charles et touz les prelatz exempte deux et tous les barons et [bannerez] excepte troys ou quatre et [sil] y a aulcune partie du peuple qui ensuit loppinion du compte de Montfort se sont giens simples et b[es]tiaulx qui ensuyvent lun autre comme ouailles.<sup>13</sup>

The Montfortists spun this differently, but did not dispute the basic fact:

suppose que il ait aucuns prellaz cest par favour evident que ils ont au dit Challes...[mais] il a touz les abbez et les priours, les colleges, les doyens et arcediacres et le clergie, toute les giens des bones villes et le comun peuple.<sup>14</sup>

There was clearly some exaggeration here—the Penthièvre faction did not embrace all but a handful of the Breton nobles, nor did Jean hold a monopoly on urban loyalty. But there was substance to the hierarchical split of the nobility and

9. *Chr. Brioc.*, 1:42; *MPC*, 134, 143, 350, and *passim*; Leguay and Martin, *Fastes*, 111.

10. La Borderie, *Géographie*, 6–7, 21–22.

11. *Ibid.*, 27–33.

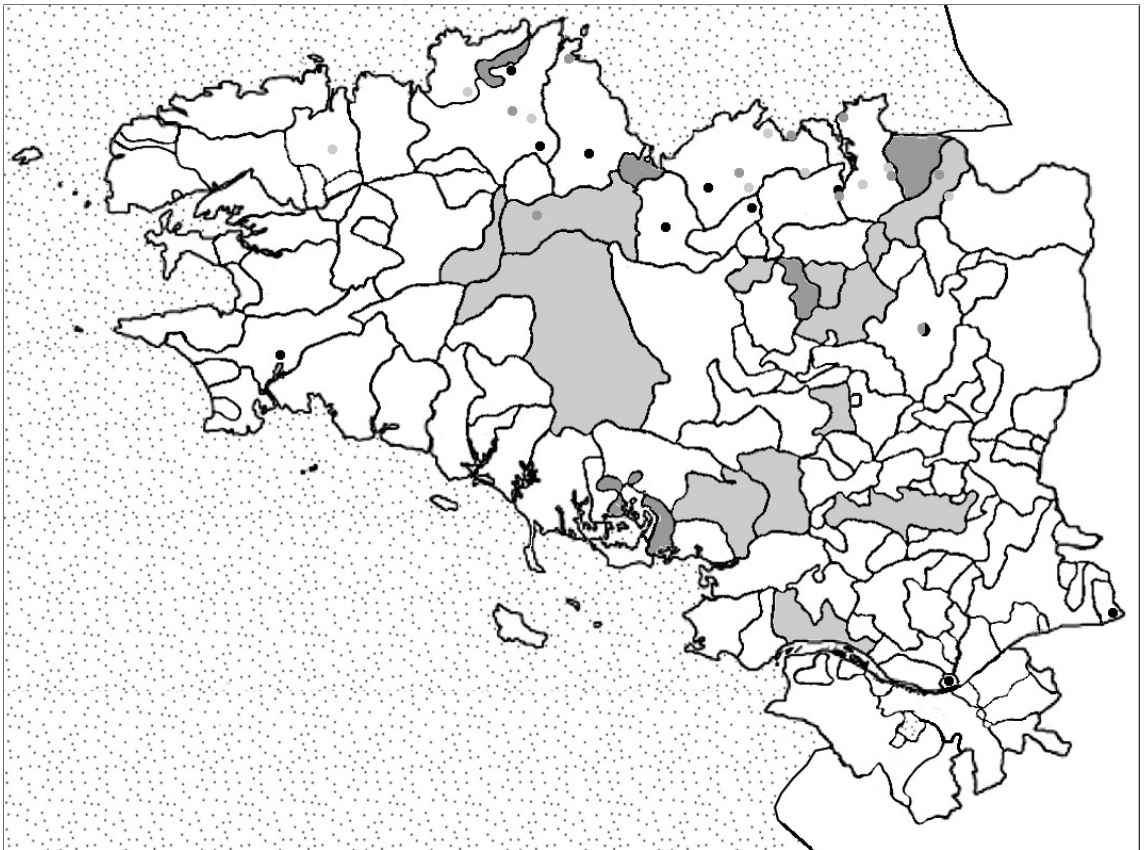
12. Jones, *Ducal Brittany*, 10, 12.

13. ‘The greater part of the people of Brittany obey Charles, including all the prelates except two, and all the barons and bannerets except three or four, and if there is some portion of the people who follow the opinion of the count of Montfort, they are simple and bestial people who follow one another like sheep’, BnF, MS fr. 18697, f. 161 (cf. 134v). Pocquet du Haut-Jussé argues that the bishops who declined to actively support Jeanne’s claim were probably Alain An Gall of Quimper and Geoffroy de Saint-Guen of Vannes—both holding sees in the south and who would prove sympathetic to the English cause. After Geoffroy’s death in 1347, Pope Clement VI (d. 1352) appointed a councillor of Jeanne and Charles, Gautier de Saint-Pern/Père, to the post: Pocquet du Haut-Jussé, *Papes*, 212, 260.

14. ‘Supposing that he has any prelates, it is because of the clear favoritism which they have for the said Charles, but he [Jean de Montfort] has all the abbots and the priors, the colleges, the deans and archdeacons and the clergy, all the folk of the *bonnes villes* and the common people’, Jones, ‘Succession,’ 50.

church into the two camps. The Breton witnesses questioned in the proceedings of 1341 in favour of either side followed these lines: important lords and three bishops appeared for Charles and Jeanne, while Jean's few witnesses from Brittany were monks, priests, rectors.<sup>15</sup> These participants did not strictly constitute a proto-Penthièvre or Montfortist party, as Cassard has claimed, but they hint at the situation in the duchy at the moment the crisis broke out.<sup>16</sup> Since Jeanne and Charles had enjoyed greater favour at the court of Jean III in the years leading to this point, this should not come as a surprise.

This imbalance remained strong across the war.<sup>17</sup> The great lords of western Brittany were the noblemen most likely to have their own independent ties to France, and so to disdain Jean's English alliance.<sup>18</sup> They and the bishops often served on Jeanne and Charles' councils.<sup>19</sup> Their adherence thus contributed to the relative stability of Jeanne and Charles' territorial control. The assembly of



**Figure 5:** Map showing geographical distribution of attendees at Dinan on 29 November, 1352: churchmen (dark grey), noblemen (light grey), towns (black)

15. BnF, MS fr. 18697, f. 166v-181. For a more detailed examination of the 1341 witnesses, Breton and otherwise, see chapter eight.

16. Cassard, *Guerre*, 27.

17. Jones, *Ducal Brittany*, 11; Galliou and Jones, *Bretons*, 220, 222; Leguay and Martin, *Fastes*, 101.

18. Henneman, *Olivier de Clisson*, 25.

19. See Figure 11 in chapter five.

bishops and abbots, noblemen, and townsmen that Jeanne convened in late 1352 gives a quick snapshot of the effects of this support (Figure 5).<sup>20</sup> While some of these participants may have attended more from obedience than from active enthusiasm for the Penthièvre cause, more than a quarter of those present are known to have been ducal councillors or had predecessors who were; many more had been recipients of Jeanne and Charles' generosity or were otherwise involved in their administration. It was therefore with significant political and territorial advantages that the Penthièvre party began the war. The scope of these territories, the adherence of these supporters, would shape Jeanne's undertakings as the struggle played out and afterwards.

### 'La guerre des deux Jeanne'

The course of the war offers an important means of identifying major turning-points in Jeanne's circumstances and demarcating different 'phases' in her exercise of power. Traditionally, this might mean highlighting the chief battles which determined her party's military fortunes and shaped the war's legacy: Charles' violent taking of Quimper in 1344, his own capture by Thomas Dagworth at La Roche-Derrien on 20 June 1347, the romanticized but tactically-irrelevant *Combat des Trente* on 26 March 1351 followed quickly by the disastrous battle of Mauron on 14 August 1352, then the nine-month siege of Rennes from October 1356 by the duke of Lancaster, and at last Charles de Blois' defeat and death at Auray on 29 September 1364.<sup>21</sup> These dates give a sort of road map to the war, but they cannot convey the more complex rhythms of the conflict.

More importantly, structuring the war through military events creates a framework that, if not insignificant from Jeanne's perspective, was less so in comparison to other turning-points that impacted her activity as duchess.<sup>22</sup> Just as the negotiations for her marriage had been conducted in the expectation of her succession, so the variations in her husband's circumstances strongly defined her role and activity. After the *arrêt* of Conflans, which put a formal capstone on the negotiations of the early years of Jeanne's life, this point of view suggests a division into four periods:

1. to 20 June 1347 (capture of Charles de Blois at La Roche-Derrien)
3. to mid-August 1356 (return of Charles to Brittany)
3. to 29 September 1364 (battle of Auray, death of Charles de Blois)
4. to 12 April 1365 (treaty of Guérande)

20. BnF, MS nouv. acq. fr. 9811, n. 4; *RACJ*, 139–40; *RACJ Supplément*, n. 152; La Borderie, *Histoire*, 3:534–35. For context, see below (page 55) and cf. chapter nine (page 210).

21. The battles of 1347, 1352, and 1364 can all be quickly spotted in the family trees of the Breton nobility, for most of a generation was wiped out on each occasion.

22. La Borderie, *Histoire*, 425–29; Jones, "War," 64–66, 78; Leguay and Martin, *Fastes*, 102–07.

The concrete effects of this structure can be easily seen in a quick survey of Jeanne’s activity across these periods.<sup>23</sup>

**First period** Jeanne, still a young woman, played a relatively modest role in the first period of the war. It was during these years that she gave birth to most of their children, which would have further influenced the scope of her participation. Perhaps correspondingly, extant accounts rarely note Jeanne’s presence outside of Jugon, an area relatively removed from the fighting, before 1347 (see Figure 4).<sup>24</sup> During this time, Charles was very mobile in his pursuit of the war—and while doubtless Jeanne accompanied him on occasion, these journeys cannot generally be traced.<sup>25</sup> However, as early as May 1342 we have surviving records of Jeanne’s contributions to the duchy’s administration, both alone and with Charles.<sup>26</sup> Among their early charters, several rewarded various supporters for their services to the cause, reflecting the intensity of the combat at this stage.<sup>27</sup> Jeanne took an early role in supervising the well-being of various religious institutions in the area, from diverse abbeys to the cathedral of Rennes.<sup>28</sup> The couple also began to manage the viscounty of Limoges, although it had not yet been formally granted them by Philippe VI (which only happened on 10 January 1345) and was still part of the dower of Jeanne de Savoie.<sup>29</sup>

**Second period** This first period of wartime administration ended on 20 July 1347 when Charles was captured by the English during his siege of La Roche-Derrien.<sup>30</sup> This opened nine years of negotiations for his freedom, during which Jeanne became the main overseer of governmental activity within Brittany.<sup>31</sup> The king appointed a series of governors of Charles’ lands during his absence, most notably Philippe des Trois Mons, but their roles seem to have been restrained.<sup>32</sup>

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23. The trends highlighted here will help contextualize the detailed analysis of different aspects of Jeanne’s administration undertaken in chapters four to six.

24. She purportedly gave birth to Jean at Jugon: Lobineau, *Histoire*, 1:336, which may be why she did not accompany Charles on his trip to Limoges and Avignon around this time (*RACJ*, 89). Her itinerary is very incomplete, and we might assume she was occasionally with Charles (who favoured Guingamp) where he appears alone in our records: *ibid.*, 47–50.

25. Aside from one joint act issued ‘en noz tentes devant la ville de Hambont’: *ibid.*, 62 (13 June 1342).

26. *Ibid.*, 56.

27. *Ibid.*, 56–62, 67–71.

28. *Ibid.*, 57, 65, 75, 79.

29. *RACJ*, 77–79, 81, 87; *Preuves*, 1:1442–47.

30. Michael Jones, “Sir Thomas Dagworth et la guerre civile en Bretagne au XIV<sup>e</sup> siècle: Quelques documents inédits,” *Annales de Bretagne et des Pays de l’Ouest* 88 (1980): 621–639.

31. Froissart B, 4:43.

32. *RACJ*, 119–20; *RACJ Supplément*, n. 380; Eugène Déprez, “La querelle de Bretagne de la

Meanwhile, Jeanne's acts for this period show an increased involvement with international political networks, starting with her request for the pope's aid only a few months after her husband's capture.<sup>33</sup> This intricate process will be analyzed in detail in chapter six as an important example of Jeanne and Charles' political collaboration, but the core developments—and some of their consequences—can be outlined here. Jeanne initially entered into negotiations with both Philippe VI and Edward III, mainly via papal intermediaries, and hoped to marry her son to Edward's daughter, but no real progress was evident for several years. Both she and Charles attended the Anglo-French peace talks at Calais in late 1351, after which negotiations with France reached their high point with the marriage of their daughter to Charles de la Cerda in early 1352; Jeanne and Charles had only concluded temporary truces with England to this point.<sup>34</sup>

On 29 November 1352, however, Jeanne summoned a large assembly of Breton bishops, religious houses, barons, and townsmen to confirm her choice of ambassadors to England for negotiating Charles' liberation.<sup>35</sup> This was the first meeting of what has been termed the Breton 'estates'—expanding the normal council advising the prince to include representatives of the 'commun'.<sup>36</sup> Before 1352, Edward III had showed concern for the integrity of the truces he made with Charles and Jeanne and had sought the confirmation not only of the duke and duchess but of the rest of the Breton community. But this had amounted only to the naming of the various social tiers in the text of the treaty, not the actual ratification by this wider group.<sup>37</sup> Their involvement here was probably contingent on the expectation that Charles' freedom would be subject to some degree of ransom: it was expedient for Jeanne to assess and obtain her townsmen's commitment to such an expense before the negotiations, rather than risk jeopardizing them afterwards through protracted bargaining.<sup>38</sup> Accordingly, the towns sum-

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captivité de Charles de Blois à la majorité de Jean IV de Montfort (1347–1362),” *Mémoires de la Société d'histoire et d'archéologie de Bretagne* 7 (1926): 54; Pocquet du Haut-Jussé, *Papes*, 233 (note 109). Philippe des Trois Mons was a prominent member of the royal council: Cazelles, *Société*, 266–67.

33. *RACJ*, 104, 105, 122, 140–46, 147, 148; cf. Lettres Clément VI, nos. 3484, 3709, 4271, 4667. Pocquet du Haut-Jussé, *Papes*, is the best account of ducal relations with the Holy See, though Déprez, “Querelle,” gives a more concentrated account of the problems of 1347–1356.

34. *Preuves*, 1:1463–64; Rymer, 5:721; *RACJ*, 110–11; Pocquet du Haut-Jussé, *Papes*, 243–4; Déprez, “Querelle,” 35–6.

35. *RACJ*, 139; *RACJ* Supplément, n. 152; original in BnF, MS nouv. acq. fr. 9811, n. 4.

36. B.-A. Pocquet du Haut-Jussé, “Les faux états de Bretagne de 1315 et les premiers états de Bretagne,” *Bibliothèque de l'École des Chartes* 86 (1925): 388–406; Armand Rebillon, *Les états de Bretagne de 1661 à 1789* (Paris, 1932), 16; La Borderie, *Histoire*, 3:534–36; Pocquet du Haut-Jussé, *Papes*, 245; Peter S. Lewis, *Essays in Later Medieval French History* (London, 1985), 129, 135; Judith Everard, “Aristocratic Assemblies in Brittany, 1066–1203,” in *Political Assemblies in the Earlier Middle Ages*, ed. Paul S. Barnwell and Marco Mostert (Turnhout, 2003), 115–132.

37. *Preuves*, 1:1463–64.

38. The primary motivation for consultative action at this time was to obtain the necessary rati-



moned here were those on which Jeanne could most rely—not to adhere to her diplomatic choices (which may have been of more concern to the great lords) but to underwrite the financial obligation which the treaty would eventually entail.<sup>39</sup>

Although Edward had served as protector to the young Jean de Montfort (now in his early teens), he seemed willing to drop his support of the young prince in an offensive and defensive treaty concluded on 1 March 1353 that set Charles' ransom at 300,000 *écus* (£50,000).<sup>40</sup> But despite arrangements for the marriage of Margaret and Jean de Blois-Penthièvre going ahead at Avignon, Edward finally changed his mind, for obscure reasons.<sup>41</sup> An explanation found in two fourteenth-century chronicles and espoused by La Borderie centered on events on the Île Tristan, off the lower western coast of the peninsula by Douarnenez, during Charles' return visit in 1354.<sup>42</sup> Robert of Avesbury recorded that

quaedam insula in Britannia, cum castro in eadem...per Anglicos custodita, capta est furtive per Britones, adhaerentes dicto Domino Carolo, & omnes Anglici, in eisdem insula & castro inventi, interfecti sunt. Quibus ad noticiam Domini Regis Angliae perlatis, dictus Dominus Carolus gratiam ipsius Regis perdidit.<sup>43</sup>

The chronicle of the canon Henry Knighton (less-informed, per La Borderie) added that Charles himself visited the island and with his men committed the slaughter,

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fication of the levies which the lord or king wished to impose, on the principle that what touched all should be approved by all (Jeannine Quillet, "Community, counsel and representation," in *The Cambridge History of Medieval Political Thought c.350–c.1450*, ed. J. H. Burns (Cambridge, 1988), 568; P. G. Stein, "Roman Law," in *The Cambridge History of Medieval Political Thought c.350–c.1450*, ed. J. H. Burns (Cambridge, 1988), 47). Cf. Cazelles, *Société*, 16.

39. With the exception of La Roche-Derrien in the earlier part of the war, the towns of Jeanne's apanage demonstrated their active adherence to her cause: Cassard, *Guerre*, 74. The lack of any local financial records before the later fourteenth century unfortunately makes it impossible to follow the actual collection of the eventual ransom money, though we have some information on the dispatch of this money to Edward, and for an order for an *aide* to be collected in Limoges for the purpose: *RACJ*, 178, 181, 183, 185, 189.

40. *RACJ*, 140–46, esp. clause 6; Friedrich Bock, "Some new documents illustrating the early years of the Hundred Years War (1353–1356)," *Bulletin of the John Rylands Library* 15 (1931): 60–99; Chris Given-Wilson and Françoise Bériac, "Edward III's Prisoners of War: The Battle of Poitiers and Its Context," *The English Historical Review* 116 (2001): 823; W. Mark Ormrod, *Edward III*, Yale English Monarchs (New Haven, 2011), 335.

41. *RACJ*, 147, 151–52.

42. La Borderie, *Histoire*, 537; cf. *RACJ*, 147, although Pocquet du Haut-Jussé cites 'un autre chroniqueur' who puts it instead in 1353: Pocquet du Haut-Jussé, *Papes*, 247.

43. 'A certain island in Brittany with a castle on it, guarded by Englishmen, was stealthily captured by the Bretons, who were followers of the said Lord Charles, and all the Englishmen who were found on the island and in the castle were killed: which things having been brought to the attention of the lord king of England, the said Lord Charles lost the favour of the king', Robert of Avesbury, *Roberti de Avesbury Historia de mirabilibus gestis Eduardi III*, ed. John Joscelin and Thomas Hearnly (Oxford, 1720), 194. This chronicle of Robert of Avesbury (a churchman, d. after 1359) was a history of the military events of the first thirty years of Edward III's reign: *Encyclopedia of the Medieval Chronicle*, ed. Graeme Dunphy (Leiden, 2010), s.v. "Robert of Avesbury."

though he does not place the episode in the context of the negotiations.<sup>44</sup>

D'Argentré and some of the later Breton historians instead blamed 'le Comte d'Herby nepveu du Roy, qui aymoît le party de la Comtesse [de Montfort], & du ieune Duc de Bretagne'; he, reminding the king forcefully of his prior promises to the Montfortists, brought about the end of the treaty.<sup>45</sup> Pocquet du Haut-Jussé, meanwhile, attributed the failure to the ongoing hesitations of the papal curia in light of French disapproval. The need for royal consent remained a strong theme in papal communications about the marriage paperwork in early 1354, up to the point where the constable Charles d'Espagne, Jeanne and Charles' son-in-law, was assassinated. This, Pocquet argues, caused any commitment from Jean II for paying Charles' ransom to evaporate, which finally broke Edward's own resolve.<sup>46</sup>

We must note the curious mention from the royal accounts shortly after this point, on 31 August 1353, about 'Domicella Johanna de Britannia, detenta in prisione domini Regis, et de ejus mandato, ob certam causam, apud Thiron'.<sup>47</sup> Blanchard noted that the index of the edition which cites this entry 'l'identifie avec la femme de Charles de Blois': that is, Moranvillé collated this entry with one indubitably referring to Jeanne de Penthièvre.<sup>48</sup> However, this identification is problematic. It is unclear why Jeanne would have been referred to as 'domicella' by 1353: she had been called 'damoysele' during the early period of her rule, but she was no longer a younger woman or girl.<sup>49</sup> The other possibility is Jeanne, lady of Cassel (d. 1355), Jean de Montfort's older sister; she was referred to still as 'Iohanna de Britania' after her marriage and was, in the words of Michael Jones, 'vastly experienced in the Montfort family's almost perpetual litigation', though she too was more appropriately a 'domina' rather than a 'domicella'.<sup>50</sup> This identification might be further strengthened by the case 'apud Thiron', within reach of Nogent-le-Rotrou, to which Jeanne of Cassel, not de Penthièvre, had a claim.<sup>51</sup>

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44. 'Cum vidisset infirmiora patriae postea supervenit cum CCC. viris armatis', G. H. Martin, ed. and trans., *Knighton's Chronicle, 1337–1396* (Oxford, 1995), 124. Knighton (an Augustinian, d. c. 1396) wrote his chronicle from around 1378 to 1396, recording the interactions of England and surrounding countries from the tenth century: *Encyclopedia of the Medieval Chronicle*, ed. Graeme Dunphy (Leiden, 2010), s.v. "Knighton, Henry."

45. 'The count of Derby, the king's nephew, who loved the party of the countess and of the young duke of Brittany', d'Argentré, 442; cf. Lobineau, *Histoire*, 346; Morice, *Histoire*, 283. The 'count' was Henry, earl of Derby and Leicester, duke of Lancaster, and cousin of Edward III (d. 1361).

46. Pocquet du Haut-Jussé, *Papes*, 247–48.

47. Archives départementales de Loire-Atlantiques, Nantes, 107 J 22, quator (notes of René Blanchard); cf. Archives départementales de Loire-Atlantiques, Nantes, 107 J 16.

48. H. Moranvillé, "Extraits de journaux du trésor (1345–1419)," *Bibliothèque de l'École des Chartes* 49 (1888): 440; cf. *RACJ*, 88.

49. Cf. BnF, MS fr. 18697; Jones, "Succession," e.g. 20.

50. Jones, "Succession," 70–71.

51. Olivier de Romanet, *Géographie du Perche* (Mortagne, 1890–1902), 2:87ff.; Bubenicek, *Yolande*, 166–67, though neither she nor Philippe-Joseph-Emmanuel de Smyttere, *Robert de Cas-*

Naturally, if Jeanne de Penthièvre had indeed been detained by Jean II, it would influence the interpretation of the treaty of 1 March 1353 and its failure; but it would be imprudent to advance on such delicate grounds.

Each of these solutions presents its difficulties. It is unlikely that Charles would have attacked a relatively insignificant garrison held by his erstwhile ally, and it is unclear why his allies might have done so—or why such an event could disrupt this important alliance if other causes were not also at play. There is insufficient justification for the opposition of Henry of Lancaster, whom Pope Clement VI had engaged for Charles' cause and who even received a letter of thanks for his efforts.<sup>52</sup> Pocquet du Haut-Jussé's interpretation has the appeal of drawing on well-established trends in the French monarchy's reactions to the Breton difficulties, but it does not explain the grant of papal dispensations on 6 May 1353 and 13 May 1354.<sup>53</sup> The most likely explanation is that, as Anglo-French talks broke apart in 1354 after the (likewise abandoned) treaty of Guines (6 April), Edward's decision to abandon his protégé appealed less than a more straightforward financial arrangement—particularly when he could continue to receive the incomes from Brittany as tutor to the young Jean.<sup>54</sup> Moreover, Ormrod's suggestion that the king operated throughout the negotiations with 'calculated duplicity' may mean that the rupture should not be considered so startling as to need much external explanation.<sup>55</sup> Ultimately Jeanne, Charles, and (again) the Breton assembly formally renounced the plans, and Charles' liberation came in 1356 only for the enormous sum of 700,000 *florines a lescu* (£116,667).<sup>56</sup>

This phase of Jeanne's career spanned two of the periods of the war identified by La Borderie, first featuring an upsurge of military activity until 1352, followed by a decade of stagnation. Paralleling the English support of the Mont-

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*sel et Jehanne de Bretagne sa femme (XIVe siècle)* (Hazebrouck, 1884), mention any such incident.

52. W. H. Bliss and C. Johnson, eds., *Calendar of Papal Registers Relating To Great Britain and Ireland*, vol. 3 (London, 1897), 34, 42, 46.

53. *RACJ*, 147. Pocquet du Haut-Jussé, like Déprez, "Querelle," 42, did not have access to the text of the treaty proper, uncovered three years after he wrote by Bock, "Documents"; he thus mistakenly thought that the dispensation of 13 May for Guy and Marie to wed were a new proposal made only to counter Edward's wavering, where the arrangement had already been discussed in 1353: Pocquet du Haut-Jussé, *Papes*, 249.

54. Given-Wilson and Bériac, "Prisoners," 823–24, although they seem to overlook the 'political nature' of the earlier treaty; Ormrod, *Edward III*, 335; cf. Déprez, "Querelle," 42. Bock, "Documents," 79–80, points out that the Breton alliance had provided the English with useful leverage during the negotiations, but when these failed it was more advantageous to maintain the Breton war as a distraction to the French.

55. Ormrod, *Edward III*, 336.

56. *RACJ*, 158, 177; Ormrod, *Edward III*, 354. By comparison, the ransom of Jean II was set by the treaty of Brétigny at 3 million florins/*écus* (£500,000), though Déprez, "Querelle," 51, erroneously thought Charles' ransom to be more than twice Jean's: Le Patourel, "Brétigny," 24, 32; Ormrod, *Edward III*, 405; John Bell Henneman, *Royal Taxation in Fourteenth-Century France: The Captivity and Ransom of John II, 1356–1370* (Philadelphia, 1976), 84ff., for the negotiations surrounding the king's release.

fortist cause, the major fighting took place under French leadership, but Jeanne helped organize the defense and financing of certain towns.<sup>57</sup> But what most characterized the period 1347–1356 were the skirmishes of small fighting groups led by captains on both sides operating more-or-less autonomously in hope of profit.<sup>58</sup> If this caused a certain constant level of turmoil, Jeanne's acts attest her attempt to maintain supervision of routine affairs within the duchy. Her role as sole effective leader of her cause was accompanied by a change in her personal habits. From 1348 to 1351 most of her recorded activity was conducted at Dinan/Léhon rather than Jugon. In the later years of the captivity, she also spent time at Guingamp, especially for the stretch in 1354 when Charles was permitted to return to the duchy (30 January to after Easter); they went together to St-Malo on the twenty-first of April to see him off.<sup>59</sup>

**Third period** After Charles' definitive return to the duchy, as during his few brief visits before 1356, Jeanne's role was more modest, perhaps even by choice, than during the long years of her husband's absence. As in the first period, Jeanne was involved with roughly one-quarter of the surviving acts, most directed towards Breton affairs and matters in Limoges, compared with more than 40 percent of the extant acts from the second period (although the rate of survival for this period is comparably lower than for that on either side). Charles seems to have handled most of the transactions concerning his ransom on his own; this comprised the majority of their international correspondence at this time.<sup>60</sup> However, there is clear evidence of their collaboration in matters of government, for which Jeanne had demonstrated her capacity for nine years. Her center of residence moved to the ducal city of Nantes, where she often resided alongside Charles.<sup>61</sup> It is likely that Jeanne accompanied her husband on some of his visits to northern Brittany across this final period, though she sometimes remained at Nantes when he traveled.<sup>62</sup> Charles also spent some time in Paris attending to the problems caused by King Jean II's capture at Poitiers in 1356 and the Parisian uprisings

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57. *RACJ*, 104–07, 129, 140, 153–54. Guy de Nesle, marshal of France, led the Penthièvre forces at Mauron, where most of the recently-formed Order of the Star was slaughtered: Galliou and Jones, *Bretons*, 226; D'Arcy Jonathan Dacre Boulton, *The Knights of the Crown: The Monarchical Orders of Knighthood in Later Medieval Europe 1325–1520* (Woodbridge, 1987), 182.

58. Galliou and Jones, *Bretons*, 225; Jones, *Ducal Brittany*, 48; Jones, "Captains," 105, 118; Leguay and Martin, *Fastes*, 105–06, 112–14; La Borderie, *Histoire*, 3:507–530.

59. *RACJ*, 48–49. After his capture, Charles had been taken first to Vannes, then to Brest, leaving for England only towards the end of 1348 (La Borderie, *Histoire*, 3:505); he also returned from November 1354 to 24 June 1355 (*RACJ*, 154).

60. *Ibid.*, 178, 181, 187–90.

61. *Ibid.*, 49–50.

62. e.g. *ibid.*, 228–29.

under Étienne Marcel in 1357–58.<sup>63</sup> Jeanne likely remained behind to oversee the Breton administration.

Having regained the support of his royal protector, the younger Jean de Montfort was allowed to return to the duchy in 1362, sparking a violent upsurge of activity during the war's final years.<sup>64</sup> The two armies met at the Landes d'Evran on 24 July 1363, and Charles and Jean drafted a provisional treaty on the twelfth.<sup>65</sup> This called for a partition of the duchy, roughly following the geographic distribution of each side's supporters: the south and west would go to Jean, including Nantes, and the north and east (with Rennes) to Jeanne and Charles. The reason for the compromise's failure is unrecorded, though some chronicles reported simply that Charles refused it.<sup>66</sup> Our only solid information about these late negotiations comes from the notarial transcript of the meeting which Charles and Jean held on 24 February 1364 at Poitiers under the aegis of Edward the Black Prince (d. 1376), where Charles declared he 'n'estoit mie illec venu devant luy pour respondre aux ditz proposez de par ledict Monsieur le Comte'.<sup>67</sup>

Why he did so is uncertain, but many accounts in the fourteenth century and later attributed the rupture in negotiations to Jeanne.<sup>68</sup> And it seems impossible that Jeanne was not involved with the decision: it was, after all, her land to dispose of. Half a duchy would have seemed a richer prospect to the young Jean de Montfort than to Jeanne, who had acted as duchess for years: but this did not necessarily make the decision a product of personal choice.<sup>69</sup> Even Guillaume de Saint-André, who blamed the Penthièvre side for rejecting the peace of 1363, wrote strongly against the idea of breaking Brittany in two; his protagonist Jean de Montfort asserted that 'Dieu ne veult pas que je devise/mon duché en nulle guise'.<sup>70</sup> Given the defensiveness of the Breton nobility when regional prerogatives were threatened (as would be demonstrated the following decade), a division might have been untenable.

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63. R. Delachenal, ed., *Chronique des règnes de Jean II et de Charles V* (Paris, 1910–1920), 3:106–07; *RACJ*, 171; Cazelles, *Société*, 253.

64. Jones, *Actes Jean IV*, 80.

65. The terms of which are now lost, but preserved in their outline by the early fifteenth-century *Chr. Brioc.*, 1:43 (whose author, probably the ducal archivist Hervé Le Grant, had access to the original documents: Jones, *Le Grant*, 69ff); cf. *RACJ*, 222.

66. Saint-André, *Chronique*, l. 966–69; *Chr. Brioc.*, 43; Saint Paul, *Chronique*, 15.

67. 'Had not at all come there to respond to the terms proposed by the said lord count', *Preuves*, 1:1565–66.

68. These portrayals range from the matter-of-fact to the comedic: Froissart B, 6:152; Le Baud, *Histoire*, 321; Bouchart, 580; d'Argentré, 473; Lobineau, *Histoire*, 370. Note, however, that La Borderie, *Histoire*, 3:565, was incorrect in claiming that this view was to be found in all the historiography.

69. Cf. Delachenal, *Charles V*, 3:151; Plaine, *Histoire du bienheureux Charles de Blois, duc de Bretagne et vicomte de Limoges*, 688.

70. 'God does not wish that I divide my duchy in any way', Saint-André, *Chronique*, l. 585–86.

**Fourth period** So the question was instead decided at the battle of Auray on 29 September 1364, where Charles was killed.<sup>71</sup> The news reached Jeanne at Nantes, and she immediately made for Angers and her daughter's family.<sup>72</sup> One story circulated that she tried to bring along a chest of Charles' wealth when she fled, but then found it contained only the deceased duke's spare hairshirts!<sup>73</sup> There was no single reason why Charles' death meant that Jeanne had to surrender the duchy: 'la bataille ne devait pas suffire à arrêter la guerre de Succession'.<sup>74</sup> It was her inheritance, not Charles', and she could have remarried.<sup>75</sup> Several towns resisted the Montfortists: Jugon, Dinan, and especially Quimper.<sup>76</sup> For some time after the battle, it was unclear what direction events would take. Froissart reported that Jeanne and Louis d'Anjou initially attempted to form something of a coalition to continue the fight.<sup>77</sup> Pope Urban V (d. 1370) wrote on 5 November with condolences to Jeanne, but avoided discussing the political fallout of her loss.<sup>78</sup> Even in December, his messenger to her and Jean was instructed to seek at least a truce if lasting peace was not yet possible because of the 'offensionibus et commotionibus bellicosus, que viam dicte pacis difficiliorum redderent'.<sup>79</sup>

But circumstances were against her. The recent battle had once again been immensely destructive to the ranks of the Breton nobility through both death and capture, leaving Jeanne in a difficult position from which to wage war.<sup>80</sup> She would be better able to bargain protected by the powerful duke of Anjou than at the mercy of Jean IV. It may also have been unclear what support she could expect to receive from France. Charles V had ascended the throne only earlier that year, and was reluctant to rupture the relative stability existing with England; nor could he afford for the Breton situation to remain a distraction. With her husband

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71. La Borderie, *Histoire*, 3:582–93, analyzes the battle in some depth, to which must be added the new work of Laurence Moal, *Auray 1364: Un combat pour la Bretagne* (Rennes, 2012), especially on the battle's iconic significance.

72. MPC, 112, 121; Géraud, *Guillaume de Nangis*, 2:352–53.

73. MPC, 112, 121, 176.

74. Moal, *Auray*, 117.

75. Arthur le Moyne de La Borderie, "La guerre de Blois & de Montfort: Compétiteurs au duché de Bretagne, 1341 à 1364," *Revue de Bretagne et de Vendée* année 31 (1887): 66. We know she did not immediately rule out the possibility of a second husband: RACJ, 45, 237.

76. The first two surrendered by the end of October, but Quimper held out until mid-November: Jones, *Actes Jean IV*, 1:96–98; La Borderie, *Histoire*, 4:6–7.

77. Froissart B, 6:173.

78. Paul Cacheux and Guillaume Mollat, eds., *Lettres secrètes & curiales du pape Urbain V (1362–1370) se rapportant à la France* (Paris, 1902–1955), n. 1340; Pocquet du Haut-Jussé, *Papes*, 268.

79. 'Warlike aggressions and stirrings, which render difficult the path of the said peace', Cacheux and Mollat, *Urbain V*, n. 1414.

80. La Borderie, *Histoire*, 3:595–96; Galliou and Jones, *Bretons*, 227; Moal, *Auray*, 97–98; Jones, "War," 79–80, says that the list of the dead and captured in Froissart B, 6:340, is more accurate than most of the chronicle's Breton reports.

gone, Jeanne's relationship to the French monarchy was less assured, and it was in the king's interest to maintain the duchy's allegiance regardless of who was in power.<sup>81</sup> It was time for reconciliation.

Prompted by King Charles, Jeanne acquiesced to talks and, writing from Angers on 11 March 1365, appointed delegates to represent her, chosen from among the ducal councillors (Hugues de Montrelais, bishop of Saint-Brieuc, Jean, lord of Beaumanoir, Guy de Rochefort, lord of Acérac), along with one of Louis d'Anjou's men (Guy de Cléder).<sup>82</sup> The result was the first treaty of Guérande on 12 April.<sup>83</sup> It is often claimed that this reserved her use of the title of duchess of Brittany, which appears in almost all of her subsequent acts, but this was in fact not explicitly discussed in the treaty itself.<sup>84</sup> In addition to the territories inherited directly from her parents (Penthièvre, Goëlo, Mayenne, etc.), Jeanne also retained the viscounty of Limoges—now overrun by the English, whom Jean de Montfort was to help remove; and she was exempt from homage to Jean for her lifetime.<sup>85</sup> She was to receive an indemnity of 10,000 *livres* each year in compensation for Brittany, one of 3,000 *livres* for her other losses, and half of any *aides* which Jean raised on her lands. The new duke was to persuade Edward III to release Jeanne's sons, the eldest of whom was to marry Jean de Montfort's sister Jeanne. Finally, while the succession of Brittany was no longer to pass through the female line, it was stipulated that should Jean de Montfort die without male heirs, the duchy would revert to those of Jeanne de Penthièvre. These terms left aside entirely the actual legitimacy of the claims to Jean III's inheritance.<sup>86</sup>

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81. La Borderie, *Histoire*, 3:596; Leguay and Martin, *Fastes*, 107; Henneman, *Olivier de Clisson*, 41; Moal, *Auray*, 120; Delachenal, *Charles V*, 3:161–62.

82. *RACJ*, 233–34; cf. 139, 200, 211; Le Fèvre, *Le Fèvre*, 56 and *passim*. Both Hugues and Guy were soon to appear in the administration of Jean IV: Pocquet du Haut-Jussé, *Papes*, 269–70.

83. *Preuves*, 1588–99. The same terms as at the Landes d'Evran were initially proposed, but Jean IV rejected them this time; see Le Baud, *Histoire*, 333.

84. Archives départementales des Pyrénées-Atlantiques, Pau, E 40, gives the original version of the treaty, which varies only slightly (and not in substance) from the many later copies. Jean de Montfort was to have 'le nom & les armes' of the duchy. Plaine, "Jeanne," 31, and La Borderie, *Histoire*, 4:9, imply that Jeanne's title was left aside, but it is included by Galliou and Jones, *Bretons*, 227; Cassard, *Guerre*, 243–44; and Moal, *Auray*, 122. Cassard also claims that Jeanne was permitted the full use of the arms of Brittany, which contradicts the clause granting them to Jean and Jeanne's actual practice: she only ever used the Breton and Penthièvre arms impaled.

85. Henneman, *Olivier de Clisson*, 41, mistakenly reads the clause stipulating that homage *will* be required from Jeanne's heirs as pertaining to Jeanne herself.

86. François Plaine, "Charles de Blois et le comte de Montfort: Recherches et éclaircissements sur le débat de la succession au duché de Bretagne (1341–1364)," *Revue de Bretagne et de Vendée* 28 (1870): 178.

### 3 | Later life, 1365–1384

*Nous povons clerement conclurre que la dit[e] dame de Penthievre, fame de sainte memoire monseigneur Charles de Bloys, est vraye duchesse de Bre-taigne...*<sup>1</sup>

After this settlement, Jeanne's career was far from over, even if it underwent a radical change.<sup>2</sup> Her remaining possessions and high connections still placed her among the first ranks of the aristocracy.<sup>3</sup> The last two decades of her life were spent dealing with the fallout from the treaty of Guérande and the war more generally, albeit with varying degrees of success.

#### A new centre of business

Jeanne's patterns of residence after Auray until the late 1370s seem to have been entirely unlike those at any phase of the war. Paris became the place where she conducted her most important business. Having relinquished to Jean IV those Parisian properties which had not already gone to Marie de Blois-Penthièvre and Louis d'Anjou, she may have relied on the same hospitality she had received at Angers when staying in Paris.<sup>4</sup> But although most of our positive evidence for Jeanne's location situates her in the capital, reading between the lines demonstrates that she was not permanently there. In 1373 Charles V granted her a house in Paris when, 'venue demourer en nostre bonne ville de Paris', she 'n'y avoit aucune maison ou elle peust demourer'.<sup>5</sup> Pocquet du Haut-Jussé suggests that she

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1. 'We can clearly conclude that the said lady of Penthièvre, wife of milord Charles de Blois of holy memory, is the true duchess of Brittany', *Songe*, 1:262.

2. Plaine, "Jeanne," becomes much more cursory after this point, and he is verbose compared to more general histories of the duchy, such as Leguay and Martin, *Fastes*, 123, 127–27.

3. Cf. Pocquet du Haut-Jussé, *Papes*, 271.

4. Though we do not know the outcome of an inquiry into her aunts' rights to the hôtel of Mâcon in 1348, surviving documents, most notably the negotiations for Marie's dowry, do not mention it in her possession again: *RACJ*, 115, 199, 206.

5. 'Having come to dwell in our *bonne ville* of Paris, she had no house where she might live', *RACJ* Supplément, n. 401. It was located 'ou biez cimettiere Saint Jehan'—that is, near the modern rue du Bourg-Tibourg: Lorentz and Sandron, *Atlas*, 130, 189 (map); Henri Sauval, *Histoire et recherches des antiquités de la ville de Paris* (Paris, 1724), 2:132. Jean de Blois-Penthièvre sold this house around 1391: Sauval, *Paris*, 3:666.



lived mainly at Guingamp, though his reasons are unclear.<sup>6</sup> She had a lieutenant in Brittany, Olivier de Clisson (d. 1407), to manage her finances since at least 1370.<sup>7</sup> But because Jean IV complained in 1372 that Charles V had granted safeguards for travel within Brittany, including one to Jeanne, she must have returned at least occasionally.<sup>8</sup> She may have also moved between Paris and Angers, where in 1375 she showed a renewed interest in Breton affairs.

### The difficult settlement of the treaty of Guérande

Jeanne's presence in Paris and absence from (or at least inactivity in) Brittany were, in effect, prompted by her financial needs. The treaty of Guérande stipulated that Jeanne was to be remunerated by Jean to the tune of 13,000 *livres*, even as the war had left her with high debts.<sup>9</sup> Accordingly, much of her recorded activity from the 1360s centred around securing the payments due to her, known from Jean IV's careful collection of the *quittances* she issued him.<sup>10</sup> The process of assigning her appropriate lands for this purpose was convoluted, largely because Jean IV was himself having difficulties obtaining certain properties from Charles V.<sup>11</sup> Although she received payments of 2,000 *francs* in 1366 (along with a payment from Charles V for some of the deficit) and the full 10,000 *livres* in 1367, by 23 February 1367 she had already named ambassadors to negotiate the more permanent settlement with the duke.<sup>12</sup> Thereafter, the payments seemed to come, albeit in a rather patchwork process, and any payment for 1369 is no longer recorded. She had received l'Aigle in Normandy by January 1366, though this was probably not worth the entire sum; Jean added certain unspecified territories in Burgundy before 1368.<sup>13</sup> In 1369, Olivier de Clisson offered to pay seven of the ten thousand *livres* for Jean IV.<sup>14</sup>

In 1371 Jeanne and Jean undertook further negotiations under royal supervi-

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6. Pocquet du Haut-Jussé, *Papes*, 274, probably after La Borderie, *Histoire*, 4:7 (also without reference); cf. Leguay and Martin, *Fastes*, 221, that she had 'refugiée sur ses terres'.

7. *RACJ*, 245–46; Henneman, *Olivier de Clisson*, 47, 252 (notes 77, 78), though with the incorrect date of 9 May 1369 as given by *Preuves*, 1:1631–32, and Lobineau, *Histoire*, vol. 'Preuves', 537–38.

8. Jones, *Actes Jean IV*, 223.

9. *Preuves*, 1:1591–92. No record of the assignation of the 3,000 *livres*' annuity survives.

10. *RACJ*, 237–40, 245, 247, 250–51; *RACJ Supplément*, n. 398; Le Fèvre, *Le Fèvre*, 66, 74–75.

11. Jones, *Ducal Brittany*, 71–72, and note 4; Henneman, *Olivier de Clisson*, 46, 252 (note 73).

12. *RACJ*, 237–39; *Preuves*, 1:1613–4.

13. *RACJ*, 240, 250; *RACJ Supplément*, n. 398; Archives départementales des Côtes d'Armor, Saint-Brieuc, E 36, f. 24v, 509; Jeanne subsequently gave l'Aigle to her aunt Isabeau d'Avaugour in satisfaction of a debt of 500 *livres*, which suggests the size of the deficit even though l'Aigle was first mentioned in a *quittance* for the full amount: *RACJ*, 253.

14. Henneman, *Olivier de Clisson*, 51.

sion.<sup>15</sup> Although Jeanne was supposed to finally receive a substitute ‘assiette’ in Brittany, a complete assignation was impossible since Jean IV was still making

plusours et longues poursuites par devers nostre tressouverain seigneur le Roy de France pour li demander et requerir la restitution et residue de certaines terres quil li devoit rendre et delivrer, les quelles nostre dit seigneur le Roy ne peu bonnement recouvrer ne retraire du conte de Flandres et dautres qui les tiennent.<sup>16</sup>

Because of this tangle, in 1372 Charles V himself finally took over Jean IV’s debt to Jeanne, and Jeanne issued final quittances to the duke.<sup>17</sup> Even this seems to have been something of a sticking point, since two documents survive; as both are now in the Archives nationales, it is unclear whether they reached their intended recipient.<sup>18</sup> One of these was the ‘quittance telle comme le duc la veult avoir’; the other, that ‘que len veult bien que la duchesse baille au duc’.<sup>19</sup> The latter repeated in detail the clause from the treaty of Guérande specifying that if Jean IV should die without male heirs, Brittany would return to Jeanne’s line, and it downplayed the statements of commitment at the end, such as removing the confirmation of her son-in-law the duke of Anjou.

Perhaps because of this disagreement, Jean IV was apparently still responsible for the *rente* in 1381, when Louis d’Anjou agreed to take over 2,000 *livres* from the whole.<sup>20</sup> This perhaps explains the existence in the mid-1380s among the possessions of Marie de Blois-Penthièvre, ‘lettres de madame ma mere, que Dieux absoille, par lesquelles elle le quitteroit à touz jours de Iim livres de rente à de la somme de Xm livres qu’il lui estoit tenu asseoir à heritage’.<sup>21</sup> Marie and Louis were using this letter as a bargaining chip to get Jean IV to return Châteaueaux. In this scenario, Jeanne would have issued the quittance but given it to Louis d’Anjou as surety, which was evidently a shrewd move: Châteaueaux was apparently handed over only in 1387.<sup>22</sup>

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15. *RACJ*, 247.

16. ‘Many long appeals to our most sovereign lord the king of France, to ask and request the restitution and remainder of certain lands which he was to return and hand over to him, the which our said lord the king could not well regain or take back from the count of Flanders and the others who held them’, *RACJ*, 250; Jones, *Actes Jean IV*, 1:135, 190–91, 208–11, 215.

17. AD C-A, E 36, f. 539v; Jones, *Actes Jean IV*, 1:215.

18. *RACJ*, 250–51.

19. ‘Quittance in the form that the duke wishes to have it’; ‘as the duchess would be willing to give it to the duke’.

20. Henneman, *Olivier de Clisson*, 101–02; cf. *Preuves*, 2:299.

21. ‘Letters of milady mother, whom may God absolve, by which she quit [Jean IV] forever of 2,000 *livres*’ rent to be taken off the sum of 10,000 *livres* which he was bound to assign her as a heritable holding’, Le Fèvre, *Le Fèvre*, 66.

22. Joseph Vaesen, Bernard de Mandrot, and Étienne Charavay, *Lettres de Louis XI, roi de France*, vol. 10 (Paris, 1907), 266, and note 2.

These difficulties compounded her other financial problems. Many debts of the war were still outstanding, including 25,000 of the 32,000 florins which she and Charles had borrowed back in 1345, and which were still owed to the papal curia.<sup>23</sup> Meanwhile, her commitment to other expenses—a contribution to the ransom of Bertrand du Guesclin after the disastrous battle of Najera (1367), various payments to Louis d’Anjou, as well as, no doubt, the costs for her extensive legal battles and for the canonization proceedings begun in 1369—left her with a serious financial shortfall that needed desperate redress.<sup>24</sup>

On 4 May 1366 she took two loans from the English merchant John Goldbeter, one for 60,000 florins to be repaid over eight years, and a smaller one for 10,200 florins to be repaid in the coming year.<sup>25</sup> These may have been intended for the liberation of her sons in England, since in the contract she promised to obtain the confirmation of ‘les enfans delle qui sont a present en hostage...si tost et incontinent comme il[s] seront hors’.<sup>26</sup> As collateral, she used her rights to the viscounty of Limoges, but she failed to make the payments and sought to retract her pledge.<sup>27</sup> On 13 September 1368, she named court procurers to answer charges which touched upon the ‘ventes et subostacions’ of Limoges.<sup>28</sup> Sovereignty over Limoges had been transferred to the English with the treaty of Brétigny in 1360, although Edward the Black Prince, duke of Guyenne, had made some fuss over Jeanne’s delay in offering homage for the viscounty in 1366.<sup>29</sup> Goldbeter complained to Edward, who ordered the confiscation and sale of the viscounty to repay Jeanne’s debt.<sup>30</sup> The buyer, at precisely 70,200 florins, was none other than the English captain Robert Knolles (d. 1407), who had made his debut as a

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23. Pocquet du Haut-Jussé, *Papes*, 223–25, 272; *RACJ*, 88–89, 176–77; and see chapter four, page 93.

24. *RACJ*, 245–46, 249, 259–60; *RACJ* Supplément, nos. 397, 400, 402; *Preuves*, 1:1670–71. Louis d’Anjou paid 1,000 *francs* to their procuror for the canonization (*Preuves*, 1:1667–68).

25. *RACJ*, 236–37. Goldbeter encountered recurring trouble in England for illegal mercantile activity, and was excommunicated for usury around the time of Jeanne’s loan: *Oxford Dictionary of National Biography*, s.v. “Goldbeter, John (fl. 1337–1364)”; James M. Murray, *Bruges, Cradle of Capitalism, 1280–1390* (Cambridge, 2005), 270.

26. ‘Her children, who are presently in hostage, just as soon as they are free’, *RACJ*, 237, though Henneman, *Olivier de Clisson*, 46, discusses only the general debt left by the war.

27. Michael Jones, personal communication, October 18, 2014, which included his proposed additions to the *ODNB* entry on Goldbeter; Archives départementales de Loire-Atlantiques, Nantes, E 217–2.

28. ‘Sales and auction’, *RACJ*, 242.

29. Le Patourel, “Brétigny,” 24; Pocquet du Haut-Jussé, *Papes*, 271. It was the pope, rather than Jean IV as promised by the treaty of Guérande (*Preuves*, 1:1591), who helped negotiate Edward’s tolerance (cf. Gustave Clément-Simon, *La rupture du traité de Brétigny et ses conséquences en Limousin* (Paris, 1898), 18–19 (note 3)). Charles had given his homage on 24 February 1364 at the conference at Poitiers: *RACJ*, 228.

30. Henneman, *Olivier de Clisson*, 46.

freebooter in Brittany.<sup>31</sup> Some of the bourgeois of Limoges were involved in this legal process: this was probably the ‘desobeissances, rebellions et offences’ for which Jeanne issued a reluctant pardon on 25 March 1369.<sup>32</sup>

Her viscounty was saved when Olivier de Clisson used money he borrowed from the Parisian merchant Barthélemy Spifame to pay off Jeanne’s debt to Goldbeter, perhaps to spite his erstwhile English allies.<sup>33</sup> However, in early 1369 Charles V had begun a project to reclaim control over the lands lost at Brétigny, an endeavour which made use of the vicountess’ collaboration. On 9 July, ‘ex urgentibus et necessariis causis et utilitate nostra et nostrorum evidente’, she ostensibly gave Limoges to the king.<sup>34</sup> This was intended simply to ‘permettre au roi de France d’arracher le Limousin aux Anglais’ by helping sway the regional lords back into the royal fold.<sup>35</sup> Charles secretly ‘returned’ the viscounty to her on the same day.<sup>36</sup> Military action took several years, and Limoges was sacked by the Black Prince in 1370, but the town gave the castle to the king on 14 November 1371.<sup>37</sup> Their submission included the clause that Jeanne would surrender all of her rights and jurisdiction over the castle and chastellany of Limoges in exchange for an annuity of 1,000 *livres* and the castle of ‘Nemoux’ (Nemours, dép. Seine-et-Marne).<sup>38</sup> She retained the remainder of the viscounty.<sup>39</sup>

Thereafter, Olivier de Clisson became Jeanne’s financial agent.<sup>40</sup> In 1372, he and Jeanne managed to repay Spifame, possibly thanks to the transfer of the 10,000 *livres*’ payment from Jean IV to Charles V.<sup>41</sup> However, Jeanne was unable

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31. Jones, “Captains,” 105; Jones, *Ducal Brittany*, 48; AD L-A, E 217–2.

32. *RACJ*, 237, 242.

33. Henneman, *Olivier de Clisson*, 46. Note, however, that in 1371 Jeanne attested that these 9,920 florins had been borrowed ‘ad requestam, petitionem, et rogacionem ipsius domine ducisse’: Médiathèque Jacques Demy, Nantes, MS 1703, n. 5 (cf. *RACJ*, 248). Spifame was among the more powerful financial figures of mid-fourteenth-century France, being a royal creditor and merchant to the elite under Philippe VI and Charles V: Léon Mirot, “Études lucquoises,” *Bibliothèque de l’école des chartes* 88 (1927): 76.

34. ‘Because of pressing and necessary reasons, and for the evident benefit of us and ours’, *RACJ*, 243–44.

35. Delachenal, *Charles V*, 4:223, esp. note 2; Henneman, *Olivier de Clisson*, 55; Clément-Simon, *Rupture*, 18–21; Guibert, *Limoges*, 2:230.

36. Guibert, *Limoges*, 1:333–34; *RACJ*, 244; Plaine, “Jeanne,” 45. The transfer back to Jeanne was confirmed by Charles VI (r.1380–1344) on 4 January 1381: Plaine, “Jeanne,” 46; *RACJ*, 262. Cf. the ‘lettres de Limoges’ in *Inventaire* (1384), 5.

37. Ormrod, *Edward III*, 507–08; Guibert, *Limoges*, 1:338–44; Clément-Simon, *Rupture*, 51–52, with a date of 14 December.

38. Charles united Limoges to the crown, but then gifted it to the inhabitants: Guibert, *Limoges*, 1:342, 345–53.

39. Though, amidst the turmoil, it took some time for portions to be returned to her control: *RACJ*, 253, 255.

40. *Ibid.*, 245–47, 257, where Jeanne had him respond to a local complaint in court.

41. *Ibid.*, 249–50. The quittance does not specify an exact sum: AD L-A, E 217–3.

to repay Olivier. She reimbursed (via Spifame) 3,325 *livres* on 2 September 1378, but still had the debt of 9,920 florins outstanding from 1371.<sup>42</sup> Olivier had Jeanne formally warned by the papal auditor on 22 May 1379, then excommunicated for non-payment a year later after she ignored a summons in April.<sup>43</sup> This was, it seemed, the necessary step to secure her cooperation.<sup>44</sup> Perhaps because of such outstanding debts, after Jeanne's death in 1384 Olivier's wife, Marguerite de Rohan, received a number of items after Olivier assisted with the inventory of Jeanne's belongings, though most of them were eventually returned to Jean de Blois-Penthièvre.<sup>45</sup>

### Opportunities and frustrations

Political manoeuvres accompanied Jeanne's financial ones. Beginning in the later 1360s, support for a cult of Charles de Blois as a saint began to spread from Blois through Brittany and elsewhere, encouraged by the Franciscans.<sup>46</sup> Although Jean IV made vigorous attempts to resist it and was initially supported by Pope Urban V, by 1369 even Charles V (whose relations with Jean were strained) petitioned Avignon to instigate a formal canonization inquiry, and it was soon authorized.<sup>47</sup> Jeanne wrote from Paris on 24 June 1371 to nominate Raoul de Kerguiniou, a Franciscan, to serve as the party's procuror; Louis d'Anjou, Marie de Blois-Penthièvre, and Jeanne's sons Jean and Guy did likewise.<sup>48</sup> Following a series of papal bulls beginning on 17 August 1369, the inquest began at Angers on 9

42. Henneman, *Olivier de Clisson*, 97; *RACJ*, 248, 259. These figures being much smaller than those involved in the Goldbeter debt, it is clear that we have lost several portions of the proceedings.

43. *RACJ*, 248, 262. She had, however, acknowledged her debt in March of 1380: Nantes, Méd., MS 1703, n. 9.

44. Henneman, *Olivier de Clisson*, 270 (note 58).

45. These included 'une pièce d'or de Castille en une bourse de cuir', 'unes patenostres blanches et une estache d'or', and 'la belle selle de la haquenée de Madame avec tout son hernois', all of which 'la contesse ot'—a designation retained in the inventory of their restitution to Jeanne's son: Archives départementales de Loire-Atlantiques, Nantes, E 126–2; Inventaire (1393), nos. 31, 36, 46. Alternatively, these may have gone to Marguerite to cover the remaining 500 *livres* she was owed since at least 1370: *RACJ*, 246.

46. Pocquet du Haut-Jussé, *Papes*, 274–75; Jones, "Politics," 221; Vauchez, "Canonisation," 383; André Vauchez, *La sainteté en Occident aux derniers siècles du Moyen Age* (Rome, 1981), 269, 271. On Jeanne and Charles' especial patronage of the Franciscan order (and the support they received in return), see Hervé Martin, *Les ordres mendiants en Bretagne (vers 1230–vers 1530): Pauvreté volontaire et prédication à la fin du Moyen-Age* (Paris, 1975), 367–71, 407–13.

47. Jones, *Actes Jean IV*, 1:170, 191, 213; Pocquet du Haut-Jussé, *Papes*, 275; Vauchez, *Sainteté*, 104; Vauchez, "Canonisation," 390–91; Jones, *Ducal Brittany*, 70–71; Henneman, *Olivier de Clisson*, 63; Laurent Héry, "Le culte de Charles de Blois: Résistances et réticences," *Annales de Bretagne et des pays de l'Ouest* 103 (1996): 43, 47. Perhaps Jeanne had broached the matter on her trip to Avignon in 1365, though nothing formal began until 1369: *RACJ*, 235; Vauchez, *Sainteté*, 270–71.

48. *MPC*, 5–8. Raoul was a monk at Guingamp, the site of Charles' burial and cult, and had reportedly witnessed one of Charles' most famous posthumous miracles there: *MPC*, 286; Plaine, *Histoire du bienheureux Charles de Blois, duc de Bretagne et vicomte de Limoges*, 739.

September 1371 and closed, 195 interviews later, on 18 December.<sup>49</sup> In addition, a further inquiry was conducted at Périgueux (near their domains in the Limousin), to which the cult had spread thanks to the ever-zealous efforts of the Friars Minor.<sup>50</sup>

At Avignon, the results were examined and corrected before final consideration and approval by the pope.<sup>51</sup> By 7 September 1376, it had been announced that Charles' elevation to the altars would occur the following Wednesday, that is, 10 September.<sup>52</sup> But at the very last moment the effort was left inexplicably unfinished, and Gregory XI moved back to Rome without performing the ceremony.<sup>53</sup> Still, the circumstances were sufficiently ambiguous that references to 'St. Charles' were not unknown in following decades. Already around the time of the process, the tomb of Charles' and Jeanne's seneschal Roland de Coëtgourheden (d. 1370) depicted Charles as intercessor, presenting Roland to the Virgin Mary.<sup>54</sup> And Bertrand du Guesclin requested in his will that 'un pèlerin soit pour nous envée en veage a Saint Charles'.<sup>55</sup> Such veneration continued sporadically into the fifteenth century.<sup>56</sup> However, any effect on the contemporary situation was overshadowed when Jean IV, destabilized by his overly pro-English policies and conduct, was driven into exile in 1373.<sup>57</sup>

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49. Louis had offered the site as a substitute when the proper destination, Guingamp, was effectively blocked by Jean IV: MPC, 4–5; Pocquet du Haut-Jussé, "Sainteté," 108.

50. Vauchez, "Dévotion," 306–07; Vauchez, *Sainteté*, 174.

51. Vauchez, "Canonisation," 390–91. The process began on 18 June 1372; they found six procedural errors, which Gregory XI forgave on 13 February 1376: Pocquet du Haut-Jussé, "Sainteté," 110–11.

52. Vauchez, "Canonisation," 390.

53. Boulet, "Canonisation," 223, argued that with this announcement made and the date imminent, it was more likely that Charles had in fact been canonized successfully and the records simply lost in the move; but M.-H. Laurent, "Charles de Blois fut-il canonisé en 1376?," *Revue d'histoire ecclésiastique* 46 (1951): 182–6, has shown that in the end Charles' elevation to the altars never took place, a view now commonly accepted. The changing political situation, including the increasing tension between Jeanne and Charles V, may have played a role, but the abrupt rupture suggests a certain level of chaotic spontaneity: Jones, "Politics," 223; Laurent Héry, "La 'sainteté' de Charles de Blois ou l'échec d'une entreprise de canonisation politique," *Britannia Monastica* 10 (2006): 21–41; Héry, "Culte."

54. Christiane Prigent, *Pouvoir ducal, religion, et production artistique en Basse-Bretagne de 1350 à 1575* (Paris, 1992), 128–30; Jean-Yves Copy, "Du nouveau sur la couronne ducale bretonne: Le témoignage des tombeaux," *Mémoires de la Société d'Histoire et d'Archéologie de Bretagne* 59 (1982): 112–15.

55. Michael Jones, *Letters, Orders and Musters of Bertrand du Guesclin, 1357–1380* (Woodbridge, 2004), 329; *Preuves*, 2:287.

56. *Preuves*, 2:143; Du Chesne, vol. 'Preuves', 132; Plaine, *Histoire du bienheureux Charles de Blois, duc de Bretagne et vicomte de Limoges*, 746. But by 1454, renewed calls from his descendants for the completion of the canonisation project showed recognition of its failure in the fourteenth century: Jones, "Politics," 229–30.

57. For a survey of the course of his disagreement with Charles V thereafter, see Bréjon de Lavergnée, "Confiscation," 330–31.

As the itinerary for this period shows, this did not seem to have any immediate effect on Jeanne's activities, but a crisis began to build over the fate of the duchy which would occupy the rest of the decade. By 1375 Jeanne again took a direct hand in the affairs of her patrimony of Penthièvre.<sup>58</sup> She returned at last to Guingamp by 30 September 1377, when she appointed a new financial officer for her territory of Tréguier.<sup>59</sup> Although in these acts she was certainly not operating as 'duchess of Brittany' in any meaningful sense, it seems clear by the mid-1370s she already had designs on reviving the fullness of her title.<sup>60</sup> It was at this time that Charles V commissioned the *Somnium Viridarii* and *Le Songe du Vergier*.<sup>61</sup> Structured as a debate between a knight and a cleric on various political, social, and scholarly issues, two chapters addressed the legal arguments pertaining to the rights to Brittany.<sup>62</sup> Charles V saw in Jean IV's exile an opportunity to assume direct control over the territory himself, especially with the death of Jean IV's long-time protector, Edward III, on 21 June 1377.<sup>63</sup> Jeanne's relocation to Brittany may have signalled to Charles her eventual resistance to this plan, to which the *Somnium* and *Songe* constituted a preemptive response—one that, by appearing in the two versions, was designed to reach both clerical and lay political players 'in the most effective way'.<sup>64</sup>

The actual legal proceedings began on 9 December 1378, when Jean IV was *in absentia* declared guilty of *lèse-majesté*, and his duchy forfeit.<sup>65</sup> Jeanne's procurer also announced her intentions to the court, and on the 10th her case was presented.<sup>66</sup> According to d'Argentré, this used three initial lines of argument. In the first instance, Jeanne's case evoked what amounted to the entire story of the War of Succession. 'Elle fist deduire en son opposition, l'arrest de Conflans, donné au profit de Charles de Blois, la reception en foy & hommage d'iceluy', and thereafter

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58. AD C-A, E 1286.

59. *RACJ*, 255.

60. Her son-in-law Louis d'Anjou, meanwhile, had been named the king's lieutenant in Brittany: Bréjon de Lavergnée, "Confiscation," 331.

61. See introduction, page 21.

62. *Somnium*, 1:293–305; *Songe*, 1:258–268; cf. lxx-lxxiv.

63. Jones, *Ducal Brittany*, 85; Henneman, *Olivier de Clisson*, 86–91; Leguay and Martin, *Fastes*, 124–27; Pocquet du Haut-Jussé, *Papes*, 304.

64. Chaplais, "Songe," 205.

65. Bréjon de Lavergnée, "Confiscation," 340–43, following AN, X1A 1471; Simon Hirsch Cutler, *The Law of Treason in Later Medieval France* (Cambridge, 1981), 21, 37–38, 97–98, 175, on this case in the development of treason charges during the Hundred Years' War, where divided loyalties could easily provoke such accusations (and 9–15 on the origins of the concept of *lèse-majesté*); Michael Jones, "'Bons Bretons et Bons Francoys': The Language and Meaning of Treason in Later Medieval France," in *The Creation of Brittany: A Late Medieval State* (London, 1988), 329–350, for a discussion of Breton ideas of *lèse-majesté* within the broader context; cf. Bubenicek, *Yolande*, 254–59.

66. Bréjon de Lavergnée, "Confiscation," 332–33; *RACJ*, 259–60.

he had fought a just war for their rights.<sup>67</sup> But after his defeat, ‘elle desconfortee & desolee...auroit esté contrainte par le Roi, qui avoit les Anglois sur les bras de composer de son droit par le traicté de Guerrande, elle n’osant desobeir au Roy’.<sup>68</sup> Moreover, her emissaries were forced to consent to the disfavoured treaty without notifying her as had been promised. As a result, the treaty by which Jean IV had become duke was ‘nul, fait par force, & menaces, & en maison d’ennemy’.<sup>69</sup>

Secondly, its validity was further undermined because the ‘duke’ had thereafter upheld scarcely a single clause. Jeanne listed numerous violations of the prerogatives established for her Guérande, from Jean IV’s usurpation of towns (sometimes on behalf of his English allies) within her parental inheritance, to his non-payment of the infamous 10,000 *livres* and his withholding of taxes due her.<sup>70</sup> Despite complaining to the king, she had been told only to wait—with the assurance that her rights would be upheld. Then, too, there was the issue that a ‘traicté fait apres un arrest, ne devoit avoir effect’: the preexisting royal decision outweighed any later negotiations.<sup>71</sup> This combination of factors meant that whatever (dubious) validity the treaty had had in 1365, it had since lost all force; as a result, ‘la felonnie par luy commise ne pouvoit estre cause de confisquer le droit, qui ne luy appartenoit pas’.<sup>72</sup>

Finally, even if the treaty was still valid, Jean IV’s ‘civil death’ through the king’s condemnation meant that her children were now the legal holders of the duchy by the terms of 1365.<sup>73</sup> This was reinforced by the fact that, ‘au paravant que le traicté de Guerrande eust oncques esté passé, ladicte dame auroit fait transport, & sestoit demise de tous ses biens à ses enfans en substituant les uns aux autres, & par ce tout ce qui estoit survenu apres le droit acquis, ne leur devoit, ne pouvoit nuire’.<sup>74</sup> There is no surviving record of such donation to Jeanne’s

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67. ‘She put forward in opposition to him the sentence of Conflans, given to the advantage of Charles de Blois, [and] his reception in faith and homage’, d’Argentré, 633–34.

68. ‘She, discouraged and abandoned, was constrained by the king, who had his hands full with the English, to concede her rights in the treaty of Guérande, as she did not dare to disobey the king’, *ibid.*, 634.

69. ‘Void, made by force, threats, and in the house of a foe’, *ibid.* Claiming coercion was not uncommon as a means of avoiding obligations: e.g. Olivier de Clisson (1387), Henneman, *Olivier de Clisson*, 122, 279–80 (note 17); Jones, *Ducal Brittany*, 106; Jean IV (1380, 1392), Jones, *Actes Jean IV*, 1: 295–96, 2:498–501.

70. d’Argentré, 634.

71. ‘Treaty made after a sentence should not have effect’, *ibid.*

72. ‘The betrayal committed by him cannot be cause for confiscating the rights, which did not belong to him’, *ibid.*, 635.

73. *Ibid.* If this accurately reflects the structure of Jeanne’s arguments, it is perhaps significant that she put this point last: she preferred to recover the duchy for herself, but would claim it for her heirs if necessary.

74. ‘Before the treaty of Guérande was ever passed, the said lady had transported and divested herself of all her goods to her children (substituting the ones for the others), and because of this, all that happened after their acquisition of the rights should not and cannot damage them’, *ibid.*, 645.



children (their absence in England presumably dictating the necessity of ‘substituting’) but it might have been undertaken, perhaps covertly, after Auray as a contingency for when or if Jeanne lost her rights to Brittany. Jeanne’s gift to her offspring was presented as a stronger claim than that represented by the treaty of Guérande—which, after all, had been so poorly upheld.<sup>75</sup>

The *Songe du Vergier*, however, had shown that Jean IV’s title was legitimate (despite Conflans) so that it could be then confiscated.<sup>76</sup> It rehashed and discarded Jeanne’s original claims from 1341 to make sure that she could not be said to have any in 1378.<sup>77</sup> It foresaw the second of Jeanne’s actual arguments, that ‘ceste renunciacion fust condictionelle, conme il appiert par le dit traitctié, laquelle condiction, qui devoit estre aconplie par le dit messire Jehan de Montfort, ne fust onques aconplie’.<sup>78</sup> The *Songe* also mentioned the clause in Guérande promising the duchy to Jeanne’s heirs in the eventuality that Jean de Montfort had none. The response set up in advance was that ‘n’estoit pas l’entente que, se lez condicions n’estoient aconplies, qu’elle y eust plus de droit qu’elle avoit par avant le dit acort’—which was to say, none.<sup>79</sup> Jeanne’s argument in 1378 that denied any validity to Guérande from the start obviously went beyond that which had been foreseen a few years earlier; but the monarchy’s willingness to entirely reverse its position with regards to the legitimacy of her own succession suggests that this battle was already lost.

So, since these arguments had failed to persuade, Jeanne presented a new point which d’Argentré deemed ‘tresnotable’: that the nature of Brittany did not allow it to be confiscated, since it had never been part of France in the first place.<sup>80</sup> This was based on the nature of previous homages from the duke to the king, and maintained a fiction (which the later Montfortists were also to embrace) that no fealty was actually entailed.<sup>81</sup> The conclusion drawn from this version of the Franco-Breton relationship was that the king could take no such action unilaterally, but needed the consent of the Breton lords and people. This was closely tied to an argument that had been advanced for the Penthièvre succession in 1341, whereby French control over Brittany was limited simply because of how

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75. Henneman, *Olivier de Clisson*, 92, was unaware of d’Argentré’s analysis; he overemphasized the importance of such an argument, but denied that it had actually been made.

76. *Songe*, 1:258–61, 265; this is particularly interesting in light of Le Fèvre’s other role as chancellor to Louis d’Anjou and Marie de Blois-Penthièvre.

77. *Ibid.*, 1:261–62, 266–67.

78. ‘This renunciation was conditional, as can be seen in the said treaty, which condition, which was to be fulfilled by the said lord Jean de Montfort, was never fulfilled’, *ibid.*, 1:263.

79. ‘It was not the intention that, if the conditions were not fulfilled, she should have more of a right than she had before the said agreement’, *ibid.*, 1:268.

80. d’Argentré, 635.

81. Jeulin, “Hommage.”

the duchy had become a French fief—not because it had been given to the duke, but because the duke had offered his submission to France.<sup>82</sup>

We do not know what response, if any, the king's lawyers made to this argument, though it took more than a week of deliberation, until 18 December, for the pronouncement of 'l'arrest contre le duc de Bretagne'.<sup>83</sup> Both Jeanne and Jean found themselves deprived of their rights, though it was not until April that the change was put into effect. But Charles V inadvertently found himself suddenly deprived of allies. The elites of Brittany put up a strong resistance to the king-as-duke's attempted takeover of the duchy.<sup>84</sup> On 25 April 1379 they created a league to 'entr'ayder à la garde & défense du droit Ducal de Bretagne, contre tous ceux qui voudroient prendre la saisine & possession dudit Duché, excepté à qui elle doit appartenir en droite ligne', a statement of intent which nicely left undefined who that might be.<sup>85</sup> Among most of the major barons, the name of Jeanne de Penthièvre did not appear, though she gave them her support.<sup>86</sup> With her son-in-law as the royal representative in Brittany (and presumably still no love lost for Jean IV) it was prudent for her to keep her options open, and more importantly to formally avoid any compromising situations which might prejudice her in future.

Her concerns were realistic. On 11 May, Louis d'Anjou sent Jeanne a letter, largely overlooked in modern scholarship.<sup>87</sup> Written (according to Pocquet du Haut-Jussé) partly on behalf of Charles V, the duke warned that he had heard

comment aucuns Chevaliers, autres gens d'armes & Communes du pais de Bretagne, ont fait aucunes alliances, & se sont mis senssemble pour resister contre les gens envoyez de par Monsieur audit pais, pour mettre en sa main les forteresses du Domaine de la Duché...& que ce fait par vostre instigation & pourchas, & de toutes les gens & entreprises entendent à faire chef le beau frere Henry vostre fils, lesquelles choses je ne puis croire que vostre entendement fust si troublé ne obscurcy que cette offence & faute voulussiez faire ne perpetrer à Monsieur, ne aussi emettre vostre Estat & personne & vos enfans en tant de dés-honneur, blasme, peril & mal...<sup>88</sup>

82. BnF, MS fr. 18697, e.g. f. 149.

83. 'The sentence against the duke of Brittany', Bréjon de Lavergnée, "Confiscation," 343.

84. Bertrand du Guesclin, at once Jeanne's longstanding ally and constable of France, kept a low profile during these events: B.-A. Pocquet du Haut-Jussé, "La dernière phase de la vie de du Guesclin, l'affaire de Bretagne," *Bibliothèque de l'école des chartes* 125 (1967): 142–189. Charles V also faced rebellions in Languedoc over the imposition of increased taxation: Delachenal, *Charles V*, 5:289–90, 294, 302–04; cf. 411–12 for his deathbed revocation of these taxes.

85. 'Help one another for the guarding and defense of the ducal rights of Brittany, against all those who might want to take ownership and possession of the said duchy, except for the one to which it must belong in the true line', Lobineau, *Histoire*, 2:593.

86. Pocquet du Haut-Jussé, "Du Guesclin," 170; *Chr. Brioc.*, 1:53ff. She was included first among the backers of Jean IV for negotiations in October 1379: Jones, *Actes Jean IV*, 1:281.

87. Only Pocquet du Haut-Jussé, "Du Guesclin," 146–47, 170, to my knowledge, mentions them.

88. 'How certain knights, other men-at-arms, and communities of the land of Brittany have made certain alliances, and have gotten together to resist the men sent by milord to the said land, to take

A second warning followed four days later.<sup>89</sup> These letters confirm the significance of the phrasing of the Breton league: returning to Jean IV was, evidently, not their first recourse, though even then they may have envisioned that eventuality. Instead, it was the son of the duchess Jeanne—‘substituting’, perhaps, for his captive brother, a rightful heir both by the treaty of Guérande and by Jeanne’s alleged transfer before it—who was seen as the potential head of the rebellious Bretons.<sup>90</sup> But at the same time, it was Jeanne herself who was the leader, or at least the lynch-pin, of the movement. It was to her that Louis wrote, as agent of the French cause as well as with whatever filial feelings he held, in order to persuade her away from the movement. If she, who was so clearly rebuffed in Paris, gave up the fight, how willing would the rest be to continue?<sup>91</sup>

Jeanne’s lack of written commitment to the rebellion was likely because she faced a more complex decision than the rest of the lords, who simply did not wish to be put under direct royal control but cared less whether the alternative was Penthievre or Montfort. But it was not yet clear to Jeanne which side of her bread was buttered: whether the Breton rebellion or a relenting king was more likely to grant her satisfaction. This careful navigation can be seen in her eventual reply to Louis in early July. Her letter described how, having arrived at Dinan on her way to meet him,

plusours de mes cousins, chevaliers et escuiers du pais et de la ville de Dynam, mes feaulx, vindrent a moy et a luy et me distrent que je nyroie point hors de la ville de Dynam, ne mon dit filz, pour aler a vous en aucune maniere et firent fermer les portes de la dicte ville et que vrayement je nyroie point si ce nestoit par dessus les portes et que ils ne me lesseront pas aler jusques a tant que ils aient bons hostages de moy rendre en la ville de Dinan et toute ma compaignie saine et en bon point sanz faire

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the fortresses of the ducal domain into his hand, and that this was done at your instigation and efforts, and that they intend to make your son, my brother-in-law Henri, head of all the men and business: the which things I cannot believe that your understanding was so troubled or clouded that you would have wanted to commit or perpetrate such offense and fault against milord, nor to put your status, person, and children in such dishonour, opprobrium, danger, and wickedness’, Paul Hay du Chastelet, *Histoire de Bertrand du Guesclin, connestable de France* (Paris, 1666), 468, along with a like missive to Henri; as we have it, these letters exist only in draft state, but the follow-up correspondence indicates that a finished version was in fact sent to Jeanne.

89. Ibid., 469–70. It had no further mention of plans for Henri, but added that ‘il conviendrait que pour garder ma loyauté, si comme faire le dois & suis tenu envers Monseigneur & la Couronne, je y fasse sans le oser refuser à mon pouvoir tout ce qu’il m’en voudroit ordonner & commander, ne ne vous y emerveyé, ne ne pourrois donner conseil, confort ne aide’, making this as much Charles V’s warning as Louis’. Luce, *Valois*, 283–84, spoke of a proposal to give the duchy to Henri, allegedly supported by Louis d’Anjou, Olivier de Clisson, and the other lords of the French party but rejected by most Bretons, who preferred Jean IV. Henneman, *Olivier de Clisson*, 97, tentatively dates this to late May—but these letters belie the possibility of French support for such a plan, and is likely that the late fourteenth-century chronicler had gotten his rumours confused.

90. The league, however had probably sent to Jean de Blois-Penthievre in England in March: Jones, *Ducal Brittany*, 85–86, and note 7; Henneman, *Olivier de Clisson*, 94.

91. Pocquet du Haut-Jussé, “Du Guesclin,” 171.

obligacion ne aucun traictie ne grez o nulz seigneurs vivanz.<sup>92</sup>

This staged manoeuvre clearly demonstrated her unwillingness to break fully with the French faction, even while her priorities still obviously lay with the Breton dissidents. This may have been in part to protect her own safety and that of Henri, given Louis' earlier threats; but her second letter to him suggests a more politically-strategic purpose. Having received forgiveness for her absence from the rendezvous, she assured him that

touz jours pense je o leide Dieu garder ma loyaute vers mons. le Roy et vers vous et est mon entente de aler pardevers vous moy et mondit filz le plus tost que je pourre et que je verre et trouvere mon lieu et mon point, ce que je desire de tout mon cuer et feray touz jours ce et autres choses quil vous plaira me commander et encharger.<sup>93</sup>

Jeanne was still open to negotiation: if the king would restore her to her 'lieu et point' (however unlikely that was), she would cease her rebellion. This approach differed markedly from the open defiance which Jean IV had sent the king during his exile: with the possibility of both reward and recrimination hanging in the balance, Jeanne preferred to maintain a thoroughly artificial neutrality.<sup>94</sup>

However, drastic steps had already been taken. Even before Louis' original letter, on 4 May the league of barons had already sent envoys to England to seek out the exiled duke.<sup>95</sup> This news likely reached Louis after he had dispatched his first warning, and may have even prompted the second letter so soon after—the new text, after all, made no more mention of Henri's leadership.<sup>96</sup> As the situation intensified, it became increasingly urgent to change Jeanne's mind.

But better an heirless duke with whom she had a treaty, than a king who had rejected her right to be called duchess. Jean IV did not actually return to reclaim

92. 'Several of my cousins, knights, and squires of the region and of the town of Dinan, my men, came to me and told me that I would not at all leave Dinan, nor my said son, to go to you in any way, and they had the gates of the said town closed, and [said] that truly I would not go unless it was over the gates, and that they would not let me go until they had good hostages from me to return to the town of Dinan with all my company in good health, without making any obligation, treaty, or agreement with any lord alive', Bibliothèque nationale de France, Paris, MS fr. 10237, f. 12; *RACJ*, 260–61.

93. 'I always think to keep, with the help of God, my loyalty towards milord the king and towards you, and it is my intent to come to you, me and my said son, as soon as I can and have seen and recovered my place and my position (that which I desire with all my heart), and I will always do this and other things with which it will please you to command and charge me', BnF, MS fr. 10237, f. 10; *RACJ*, 261.

94. Jones, *Actes Jean IV*, 230–32.

95. *Preuves*, 2:218–19; cf. La Borderie, *Histoire*, 4:50.

96. The French envoy Jean Le Mercier, a member of the royal council and recently ennobled for his services, reached Paris on 3 May and returned to Brittany on 15 May (perhaps with Louis' letter): Henneman, *Olivier de Clisson*, 97; Cazelles, *Société*, 75. A very fast messenger might have reached Paris from Rennes in something like 4 days, but average travel times would have been closer to a week or more, based on the findings of Marjorie Nice Boyer, "A Day's Journey in Mediaeval France," *Speculum* 26 (1951): 606.

his duchy until August 1379, at which point Jeanne was apparently amenable to her cousin's presence.<sup>97</sup> The *Chronicon Briocense* had her at his reception at Dinan, where she set an example for the rest of the lords and, with Jean, received their praise.<sup>98</sup> Whatever conviviality there may or may not have been, this committed Jeanne fully to relying on the eventual applicability of the 'escape clause' in the treaty of Guérande. The duke's return prompted a further bout of combat and tense negotiations, but Charles V died from illness in September 1380, and a few months into the reign of his successor (the minor Charles VI under the tutelage of his uncles, including Louis d'Anjou) Jean IV signed the second treaty of Guérande, which essentially renewed the terms of the first.<sup>99</sup> Jeanne and her son Henri swore to uphold this agreement on 2 May 1381.<sup>100</sup>

### A quiet end

Unlike the first treaty, the second did not drive Jeanne to another self-imposed exile from Brittany. In fact, she took up residence in La Roche-Derrien and, as far as our records show, mostly stayed there for the next three years.<sup>101</sup> Presumably during this time she was mostly concerned with the administration of her northern lands. This was sometimes a joint venture with the reinstated Jean IV: when he conceded certain rights to Charles de Dinan on 12 July 1381, Jeanne reissued the grant as her own reward for Charles' services.<sup>102</sup> Very few *acta* survive from before her death on 10 September 1384, however, which is an unfortunate loss for the sake of comparison to the period 1365–1375.<sup>103</sup> She was buried, as planned, next to Charles at the Franciscan church of Guingamp, 'entre le grant aultier et les pieds de monseigneur et madame de Penthevre que Dieu pardoint'.<sup>104</sup>

### Lifestyle

Though I have focused hitherto primarily on Jeanne's involvement with politics and the struggles in Brittany because these are the areas of her life which are

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97. B.-A. Pocquet du Haut-Jussé, review of *Le Retour du duc Jean IV en Bretagne, 1379*, by Jules Haize, *Bulletin de la société d'histoire et d'archéologie de Bretagne* 2 (1921): 52–55.

98. *Chr. Brioc.*, 55.

99. Henneman, *Olivier de Clisson*, 97–100, 103–04; *Preuves*, 2:298–301; Jones, *Ducal Brittany*, 87–89.

100. *RACJ*, 262–63.

101. *RACJ*, 263; Archives départementales des Côtes d'Armor, Saint-Brieuc, E 1762; Inventaire (1384), 4.

102. AD C-A, E 1762.

103. *Preuves*, 2:481, after a necrology of the abbey of Beauport.

104. 'Between the high altar and the feet of milord and milady of Penthièvre, whom may God pardon', *RACJ*, 221; Le Baud, *Histoire*, 387.

most well-documented, we can get a certain sense of her personal circumstances, habits, and interests from certain more incidental remarks and records. For instance, although neither Jeanne nor the other sponsors of Charles' canonization trial appeared for interview, the other witnesses occasionally discussed her life with Charles. He was known for his asceticism, especially (according to Jeanne) after his captivity.<sup>105</sup> He did not make his wife share his devotional ways: he removed his hairshirt when he went to sleep with her, and allowed her to keep a mattress on her side of the bed while he slept on a mat.<sup>106</sup> Yet 'ipsa hec diu non permisit quando percepit, sed cum ipso iacuit dicta domina ducissa supra matam aut sargiam vel eciam culcitram punctam'!<sup>107</sup> One witness did recall that Charles would fast 'quando a domina ducissa absens erat', suggesting that she was not entirely supportive of his extreme devotion.<sup>108</sup> On the other hand, she helped him donate food to paupers (the number of whom increased after their inheritance in 1341), and retained a fragment of his hairshirt at her death.<sup>109</sup>

Like all nobles of the period, she and Charles were active in their charity and sponsorship of religious institutions, though the number of gifts attested in the remaining *acta* is limited, especially in contrast with the lengthy recitals of Charles' generosity to churches in the canonization trial. The value of the canonization testimony with regards to Jeanne's own patronage is ambiguous, aside from the two direct mentions made of her:

Item fundavit in ecclesia collegiata beatorum Donaciani et Rogaciani extra muros Nannetenses sex prebendas, qualibet de quinquaginta libris redditus annui et perpetui...ipsemet litteras dicte fundacionis dictavit, et scripsit de mandato eiusdem dicti Domini Caroli, et Domine Ducisse ejus uxoris,<sup>110</sup>

and

instituit et ordinavit quasdam nundinas vocatas nundinas sancti Martini iuxta dictam villam de Guengampo semel in anno...et super institucione dictarum nundinarum vidit iste litteras scriptas et confectas, ac sigillis dicti

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105. *MPC*, 66, though cf. 182.

106. *Ibid.*, 30, 35, 79, 93, 107, 109, 163.

107. 'When she had seen this, she did not long allow it, but rather the said lady duchess laid down with him upon the mat or pad or other prickly mattress', *ibid.*, 158. Previous commentators seem to have overlooked this part of the anecdote, most notably Vauchez, *Sainteté*, 422.

108. 'When he was away from the duchess', *MPC*, 162. Given that he was reportedly heard to complain that only his marriage stood between him and his monastic calling (*ibid.*), this could be forgiven.

109. *MPC*, 115; *Inventaire* (1384), 6. In addition to any sentimental value, it was inventoried among Jeanne's collection of devotional objects.

110. 'Likewise he founded six chaplainries in the collegial church of blessed Donatian and Rogatian outside the walls of Nantes, [each] of fifty *livres* given yearly in perpetuity; he himself composed the letters of the said foundation, and wrote at the command of the same Lord Charles and the lady duchess his wife', *MPC*, 75.

Domini Caroli, et Domine Ducisse eius uxoris sigillatas.<sup>111</sup>

Witnesses also listed donations attested in the *acta* without mentioning Jeanne's involvement: a yard given to the Dominicans of Nantes, or support for the hospital at the city's bridge.<sup>112</sup> But on the whole the gifts recalled in 1371 are not reflected in the surviving *acta* and so the precise conditions of their donation cannot be verified. We must suspect that at least some were also the shared decision of Jeanne and Charles, especially the gifts to the memory of Jeanne's parents, or expensive projects such as the canonization of Saint Yves Hélori.<sup>113</sup>

Jeanne's known religious donations fall into three categories. Firstly, there were grants of rents or properties to specific institutions for their general well-being or prestige.<sup>114</sup> Alternatively, she and Charles could confirm grants made by another individual.<sup>115</sup> Finally, they gave valuable objects or sponsored specific functions within an institution.<sup>116</sup> The second type was the most common because it was an effective means of rewarding their servants, including several important figures in the ducal administration.<sup>117</sup> In doing so, Jeanne and Charles gained some measure of spiritual benefit for themselves as well; the lists in 1371 suggest that almost as much credit was given for allowing a grant as for making one oneself.<sup>118</sup> The choice of locations reflected Jeanne and Charles' support base, focusing especially on Nantes and Guingamp. Other sites, such as the abbeys of Beauport (founded by Alain d'Avaugour) or St-Sulpice-la-Forêt (likely founded by Conan I) had historical connections to Jeanne's family.<sup>119</sup> Unsurprisingly, this patronage was focused around their personal favourites and political advantage.

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111. 'He instituted and ordered a certain market called the market of Saint-Martin near the said town of Guingamp once yearly; and he saw the letters written and composed about the arrangement of the said market, and sealed with the seals of the said Lord Charles and the lady duchess his wife', *ibid.*, 87; cf. *RACJ*, 231. This witness had access to the original declaration (now lost) and noticed that other gifts were sealed only by the duke; other reports of the market omit Jeanne, either through ignorance or through perceived irrelevance to the present context: *MPC*, e.g. 138, 152, 153

112. *RACJ*, 179–80 and *MPC*, 41; *RACJ*, 219, 221 and *MPC*, 58–59, 83.

113. *Ibid.*, 69, 95, 105. Saint Yves (1253–1303), a lawyer at Tréguier, had been a 'sujet des comtes de Penthièvre', which legacy Jeanne's father Guy wanted to honour: he and Jean III had instigated the canonization procedure which began on 26 February 1330: Pocquet du Haut-Jussé, *Papes*, 226; Jean-Christophe Cassard, *Saint Yves de Tréguier: Un saint du XIIIe siècle* (Paris, 1992), 132–33. It since having been suspended, Jeanne and Charles moved after 1345 to have it reopened, at the cost of 3,000 florins: *MPC*, 93.

114. *RACJ*, 75, 179–80, 231; *MPC*, 87.

115. *RACJ*, 97–98, 180, 186–87, 216, 219–20, 221, 222, 226, 229–30; *RACJ* Supplément, n. 379.

116. *RACJ*, 118–19, 209–10, 221, 228–29; *MPC*, 75.

117. Their treasurer Pierre Poulart, perhaps the most important of these, in turn bequeathed the abbey of Beauport a *dîme* he had himself been given by Jeanne and Charles: *Preuves*, 1:1454 (*sic* for 1554), cf. *RACJ*, 291.

118. *Ibid.*, 230.

119. *Preuves*, 1:732; P. Anger, "Cartulaire de St-Sulpice-la-Forêt," *Bulletin et Mémoires de la So-*

Jeanne's possessions at her death suggest that she herself was a collector of relics (or had inherited some from Charles). A few were specifically identified in 1384: a nail from the doors of Jerusalem, a piece of the True Cross, the skull of Saint Julienne, and perhaps the piece of Charles' hairshirt.<sup>120</sup> More than a dozen other relics and reliquaries were mentioned but left unspecified.<sup>121</sup> The later inventory added others commemorating saints George, William, 'Xyace' (probably Saint Cyr), and of course Yves Hélori.<sup>122</sup> These relics constituted only a fraction of Jeanne's collection of liturgical and devotional objects (a flock of *Agni Dei*, crosses, rosaries, images, etc.) which comprised the most significant bulk of her recorded possessions by a sizeable margin.<sup>123</sup> These items could play a role in her patronage of churches, since the inventory noted that one altar cloth 'est aux Cordeliers', presumably the Franciscan community at Guingamp.<sup>124</sup>

Jeanne also owned a small book with a notated office of the Three Maries; one of the sacramental office; one of the story of Saint Catherine; a small missal and a large; 'un grant breviaire à l'usage de Romme couvert de linge blanc, et le breviaire de Madame auxi à l'usage de Romme couvert de samit inde' and one or two further breviaries; and 'unes heures tres belles, couvertes a II tables d'argent doré et amaillé, où est d'un costé le Cruxifi et Nostre Damme, et l'autre a son estuy'.<sup>125</sup> By contrast, the later inventory attested only two non-religious books: 'un Romanz' and 'un grant Romanz', without going so far as to identify the stories they contained.<sup>126</sup> Other signs of her interest in the arts are limited. Markstrom's analysis of four of the motets of Guillaume de Machaut (d. 1377) proposes Jeanne as a potential patroness of the piece 'O livoris feritas'—yet even this tentative connection is based on slim supposition and remains unconvincing.<sup>127</sup>

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*ciété Archéologique du Département d'Ille-et-Vilaine* 34 (1905): 165.

120. Inventaire (1384), 5, 6. Charles had given another piece of the Cross to Notre-Dame de Lamballe in 1360: *RACJ*, 209–10.

121. And the 1393 list suggests that additional objects might have been reliquaries, such as the gilded crown: Inventaire (1384), 6; Inventaire (1393), n. 62.

122. Inventaire (1393), nos. 113–15, 117.

123. Rohou's recent study of Charles and Jeanne's patronage calculates 41% of the total; see the online summary of her thesis (which is not currently available for consultation): Julie Rohou, "Entre politique et religion: Les arts à la cour de Charles de Blois et Jeanne de Penthièvre" (master's thesis, École nationale des chartes, 2012), accessed August 31, 2015, <http://theses.enc.sorbonne.fr/2012/rohou>.

124. Inventaire (1384), 7.

125. 'A large breviary for the Use of Rome covered in white linen, and milady's breviary, also for the Use of Rome covered in dark blue samite'; 'a very beautiful book of hours, covered with two panels of gilded and enamelled silver, where on one side there is the Crucifixion and Our Lady, and the other has its cover', Inventaire (1384), 5, 7, 12; Inventaire (1393), nos. 83, 84, 87, 139, 142.

126. Inventaire (1393), nos. 139, 143. There is no way to judge whether Jeanne commissioned these herself or inherited them.

127. Markstrom suggests that the song allegorized the plight of either Charles de Blois—whose wife would have commissioned the song—or Raoul de Brienne, comte d'Eu, the French constable



But of course, the war and its contingent drain on finances were not propitious to excessive patronage. Nevertheless, the *Chroniques Annaulx*, noting her death, called her ‘mater singularissima & filia Ordinis Minorum’: a brief but eloquent recognition of Jeanne’s pursuits as a religious patron.<sup>128</sup>

By contrast, the effects of financial drain are evident in Jeanne’s material circumstances at the few points where these were documented. She owned numerous luxury items but these spent a fair amount of time out of her possession. In 1372 the pope lectured the Parisian abbey of Sainte-Geneviève for having unjustly retained some of Jeanne’s jewelery, precious stones, and other moveable goods.<sup>129</sup> Upon repaying half of a loan for 1,000 *livres* from Marguerite de Rohan, she was given back pledges which included ‘un ruby appelle le Ruby a la Caille...un safire appelle le safire de Limoges’, and twenty-two other pieces of jewelery and gems.<sup>130</sup> Her personal belongings in 1384, which Pocquet du Haut-Jussé characterized as ‘excessivement pauvre’, almost paradoxically included treasures of this sort and recently-purchased fine cloth goods, alongside a number of objects—silver plates and ornaments, religious objects, clothing—described as ‘vieulz’, ‘rompuz’, ‘usé’, and, on one occasion, ‘rude’.<sup>131</sup> If this list did not comprise all that she owned, and if she was by no means deprived of the expected comforts of her rank, it remains an interesting reflection of her stretched finances in the last two decades of her life.<sup>132</sup>

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captured by the English at Caen in 1346 and executed by King Jean II in 1350. He is unable to find, however, any demonstrable link between Jeanne and Machaut, his only tentative connections deriving from an erroneous assumption that Charles (‘Comte de Blois’) was known as ‘de Châtillon’ during the Middle Ages when in fact the name was not applied until several centuries later. He acknowledges that his argument for Jeanne’s patronage recedes in light of the more convincing interpretation based on Raoul de Brienne: Kurt Markstrom, “Machaut and the Wild Beast,” *Acta Musicologica* 61 (1989): 22–23.

128. ‘A most remarkable mother and daughter of the Order of Friars Minor’, *Preuves*, 1:114. This fifteenth-century chronicle’s history is difficult to trace, and seems to have been cobbled together from other accounts, cartularies, and so on: *Encyclopedia of the Medieval Chronicle*, ed. Graeme Dunphy (Leiden, 2010), s.v. “Chroniques annaulx (Annalistic Chronicles).”

129. Pocquet du Haut-Jussé, *Papes*, 274.

130. ‘A ruby called the Ruby of the Quail; a sapphire called the Sapphire of Limoges’, *RACJ*, 246. The ruby was originally a treasure of the Breton dukes—though not, as Kerhervé, *État*, 1:304, understands Bouchart, 2:249, to say, of the first Jean de Montfort. It subsequently found its way into the hands of Charles V via Louis d’Anjou, as recorded by an inventory of 1379: Jules Labarte, *Inventaire du mobilier de Charles V, roi de France* (Paris, 1879), 80. But in 1413 Jean de Berry (d. 1416) gave it to his niece, the duchess Jeanne de France (d. 1433), daughter of Charles VI (d. 1422) and wife of Duke Jean V (d. 1442): Bouchart, 2:248–49. According to d’Argentré, 872, the ruby was briefly pledged for 10,000 *écus* in 1429, which gives some idea of its value; likewise, it and the gold ring into which it had been set by 1472 weighed 11.13 grams: Kerhervé, *État*, 1:304. The sapphire did not appear in the inventory of Jeanne’s affairs from La Roche-Derrien, suggesting that it was not in her immediate possession at the end of her life; but it did make its way back to her son by 1393: *Inventaire* (1384); *Inventaire* (1393), 203.

131. *Inventaire* (1384), 4–10.

132. Cf. the multi-volume Moranvillé, *Inventaire Anjou*.

**Part 2** | **Shared power and the realities of rule**

For twenty-three years, Jeanne ruled alongside her husband Charles; this section aims to tease out the patterns in how they shared power and why this balance varied. That the ducal administration of Brittany cannot be understood without considering the role of the duchess has been demonstrated in Sjursen's recent article on Jeanne de Flandre and Jeanne de Penthièvre.<sup>1</sup> Sjursen investigates the 'division of labor' within 'the lordship couple that comprised the leadership of the duchy', and effectively argues that although the two Jeanne's had come by their positions through different means—the one by marriage, the other by inheritance—neither was precluded from contributing to and even leading any given component of government.<sup>2</sup> This did not mean that they simply duplicated the roles of their husbands, but that the normal social acceptance of a ruling 'lordship unit' bestowed political authority on both partners. There of course remains much more work to be done on Jeanne de Penthièvre's administration beyond that which Sjursen's overview could capture. In particular, more extensive quantitative analysis is needed to identify trends and fluctuations in Jeanne's governance. It is also important to put Jeanne's *acta* into dialogue with sources such as the Penthièvre succession arguments and Charles' canonization trial in order to flesh out a picture of the contemporary visibility of power-sharing 'on the ground' as it were. But above all, since Sjursen's approach has demonstrated how Jeanne's shared rule fit into a typical model of lordship, I would like now like to dissect this model to look at how Jeanne and Charles' rule incorporated multiple approaches to sharing individual aspects of government.

Although Jeanne routinely helped manage their diverse territories, the regularity of her participation and the way in which her activity intersected with Charles' was fluid rather than fixed. We cannot now reliably trace the influence of factors such as illness, pregnancy, and above all personality, which were doubtless among the most significant reasons Jeanne's role varied.<sup>3</sup> We can, however,

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1. Sjursen, "Jeannes."

2. *Ibid.*, 6.

3. *Ibid.*, 33-34, attempts to build an interesting argument around the timing of Jeanne's child-bearing as an influence on her political role, but in mistaking Jean for Jeanne's first child rather than first (surviving) *son*, she overlooks Jeanne's two or three pregnancies before 1345. The available data is not adequate to measure variations on the month-to-month timescale that would in

highlight numerous axes along which these variations occurred. There was, for instance, a chronological dimension: Jeanne became more involved over time, perhaps as she matured and gained experience. Her experience itself was shaped by their political circumstances: Charles' nine-year captivity in England meant that Jeanne shouldered the responsibilities of rule more single-handedly than she did before or after, though this did not mean her influence was only provisional or restricted to this period. Instead, the attention she devoted to the needs of government grew or decreased independently across different areas of the administration. If she remained continually invested in financial issues, dispensing justice, and rewarding her followers, her involvement with the defense of her duchy or consulting the ducal council peaked during Charles' absence. Within Brittany, the physical evolution of the war encouraged Jeanne to deal mostly within the core areas under Penthievre control, whereas Charles' attention extended to the contested south and west. And on a wider geographical scale, Jeanne had more direct supervision of Breton affairs than those of the Limousin, and more there than in the couple's other domains; yet these internal interests all had a larger place in Jeanne's activity than did interactions with external powers such as the courts of France, England, and Avignon, which were more usually Charles' concern. These were not simply the product of mobility or distance, but represented Jeanne and Charles' different official and personal ties. As a result, being invested with a like authority did not mean that Jeanne and Charles shared only a single power relationship as a couple, but rather many.

The diversity of approaches to power-sharing between ruling couples was recognized by Woodacre in her recent study of five Navarrese queens from 1274 to 1512.<sup>4</sup> Although each of these women inherited the Iberian kingdom in their own right, as Jeanne did Brittany, 'there was an open assumption, based on traditions that favoured the rights of a husband, that the king consort would be directly involved in the rule of the kingdom'; it was instead the extent and manner of his involvement that was not predetermined.<sup>5</sup> Between the five sets of Navarrese spouses, Woodacre identifies three different patterns of power-sharing. These were differentiated both in the amount of responsibility given to each partner, and in the ways they chose to tackle the multifaceted business of government. The first of these, which Woodacre names 'His Way', represented the nominal authority of the wife but her functional absence from governmental activity even

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fact be required to establish such a correlation for the period 1341-1347.

4. These queens were Juana I (Jeanne de Navarre), r. 1274 - 1305, also queen consort of Philippe IV le Bel of France; Juana II (Jeanne d'Évreux), r. 1329-1349, daughter of Louis X le Hutin of France, dispossessed of the French throne in 1316 in the first test of female successional exclusion; Blanca I, r. 1425-1441; Leonor, r. 1479 (lieutenant since 1462); and Catalina I, r. 1483-1512, the last queen of an independent Navarre.

5. Woodacre, *Queens*, 170; 61-5, 93, 150.

in her own inheritance, a partnership in name rather than practice.<sup>6</sup> When this balance was more evenly distributed, it could take two forms. In the so-called ‘Team Players’ dynamic, the couple prioritized acting together in their domains, but were able to separate physically as necessary, and could independently attend to different types of administrative tasks as well.<sup>7</sup> This approach was flexible and relatively closely coordinated. In contrast, while the method of ‘Divide and Conquer’ also assumed the more-or-less equal importance of husband and wife, it was predicated upon a greater degree of independence.<sup>8</sup> Each spouse took charge of a different territorial unit within which they pursued their own administration. When their goals were aligned, this division could be a tool of mutual support, but it could also enable the pursuit of contradictory goals.

In broad terms, Jeanne and Charles’ rule could be considered an example of Woodacre’s ‘Team Players’ thanks to their ‘ability to work together and to divide up duties or give one partner primary responsibility on a particular project or area of administration’.<sup>9</sup> This goes some way towards capturing the variability in their power sharing and provides a useful marker for comparison with other political partnerships. However, this label also demands consideration of the underlying circumstances under which the balance changed (such as those I have just outlined) and the effects of the different sub-relationships it implies. On different occasions, Jeanne could leave much of the administration to Charles, serve as his lieutenant, act with him in partnership, or pursue her own path. These were all facets of Jeanne’s personal role, but they were shaped by different causes and contributed to the overall partnership in distinct ways. The efficacy of a power-sharing relationship depended less on the degree to which the participants were able to express their individual wills than on their ability to contribute to the whole. Thus, while the following three chapters will analyze Jeanne’s responsibilities in relation to specific aspects of government in turn—a necessary approach given the lack of systematic study of the non-military side of the civil war period—they will demonstrate the recurring influence of the trends highlighted above and show how a given power dynamic could apply to disparate scenarios.

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6. Ibid., 44.

7. Ibid., 66-7.

8. Ibid., 104.

9. Ibid., 167.

## 4 | Managing property: Land and money

*Charles, duc de Bretagne, et Jehanne, duchesse de Bretagne, sa fame, heiresse pour le tout de haut et noble prince nostre treschier oncle mons. Jehan, jadis duc de Bretagne...*<sup>1</sup>

This chapter explores the dynamics of joint financial responsibility by examining the economic opportunities and challenges to which Jeanne and Charles responded. A lack of records makes it impossible to analyze certain typical areas of interest such as the expenditures of the ducal households, dower and pension arrangements, or the change in finances over time.<sup>2</sup> An isolated account from Limoges, however, demonstrates that while their incomes were significant, Jeanne and Charles faced difficulties in their revenues as a result of the wars which meant that their finances were not on par with those of their peers or successors. This general picture provides the background for assessing Jeanne's role in different aspects of gaining and controlling their resources from 1341 to 1364.

A survey of Jeanne's landed transactions, interventions in ducal taxation, and financial borrowing show that she and Charles both closely supervised their property, but there were two variants in this joint administration: the ability for either partner to deal with individual affairs as they came up, and their commitment to making and publicizing decisions together. While both Jeanne and Charles were equally capable of engaging with finances and this afforded them some flexibility in attending to business quickly, they were more likely to act jointly when a given sale, gift, or loan was of greater value. Consequently, if Charles took a leading role in the day-to-day issuing of orders (or, if day-to-day orders were more often issued in Charles' name), Jeanne helped make the guiding decisions not simply because of her position as heiress, but because her opinion on important issues mattered. In contrast, financial issues that were perceived as more Charles' personal concern (even if they affected Jeanne), such as his ransom or the management of territories he personally inherited, tended to reduce Jeanne's participation. Still,

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1. 'Charles, duke of Brittany, and Jeanne, duchess of Brittany, his wife, heiress entire of the high and noble prince our dearest uncle milord Jean, formerly duke of Brittany', *RACJ*, 67.

2. Kerhervé, *État*, provides a meticulous examination of the later medieval finances of Brittany, while Sommé, *Isabelle*, shows the possibilities of using this type of analysis in the study of a female prince's power where such documents do survive.

two donations in 1343 from Jeanne to Charles of lands in Brittany and Limoges demonstrate Jeanne's persistent investment in resources ostensibly transferred entirely to Charles' control. Even though he already had functional rights to the lands through her, she could not simply put aside her status. The relationships implied by homage or marriage were thus complicated by Jeanne's claims to inheritance, and vice versa. Since the control of land and its revenues were at the heart of noble power, these interactions constituted a core structure of Jeanne and Charles' power dynamic.

### Revenues and expenditures in the Limousin, 1344–1347

The only surviving financial account from Jeanne and Charles' rule is that of Pierre Molin, *receveur* of Limoges, for the incomes from the various lordships comprising the viscounty (Figure 6) and for local expenditures in 1344–1346.<sup>3</sup> This provides a case study for the couple's financial situation and the effect of the turbulence in the region during the Anglo-French wars on their revenue.<sup>4</sup> The yields of several areas were incommensurate with their physical importance. Ans, comprising seventeen parishes, was among the largest in the viscounty, yet it was only eighth in income.<sup>5</sup> Still, it produced nearly double the revenues of Nontron, though half its size.<sup>6</sup> Both *seigneuries* fell to anti-French forces in the summer of 1345.<sup>7</sup> Meanwhile, Molin recorded payments for new weapons and soldiers for Excideuil, the second-largest territory after Nontron: in the same period, it returned a relatively paltry sum.<sup>8</sup> And in October 1345, a French army failed to recover Auberoche from the English; it did not even merit an entry here.<sup>9</sup>

These attacks likely affected Jeanne and Charles' financial solvency there. From 31 March 1345 to 23 September 1346 (a period only half as long as the

3. Fair copy: AD P-A, E 624–1; draft: AD P-A, E 624–2. See also Michael Jones, ed., "Recettes et dépenses faites par Pierre Molin le jeune, receveur du duc de Bretagne dans la vicomté de Limoges" (Electronic document, 2 April 2016).

4. Cf. Guy Bois, "Noblesse et crise des revenus seigneuriaux en France aux XIVe et XVe siècles: Essai d'interprétation," in *La noblesse au Moyen Âge*, ed. Philippe Contamine (Paris, 1976), 223.

5. Clément-Simon, *Limoges*, 89. It lost 28% of its *feux* across the fourteenth and fifteenth centuries: Jean Tricard, *Les campagnes limousines du XIVe au XVIe siècle: Originalité et limites d'une reconstruction rurale* (Paris, 1996), 96 (note 35), 242.

6. Clément-Simon, *Limoges*, 132. Nontron suffered a more than 55% reduction in *feux*: Tricard, *Campagnes*, 95, 242. In 1345 the custodian of the castle, Itier de Magnac, betrayed the castle to the English; he recovered his confiscated lands only in 1357: *RACJ*, 175–76.

7. Jonathan Sumption, *The Hundred Years War*, 2nd ed. (London, 1999–2015), 1:458.

8. Jones, "Molin," nos. 85–91; Clément-Simon, *Limoges*, 119. In two centuries, Excideuil lost 30 to 40% of its *feux*: Tricard, *Campagnes*, 95, 242. Charles also ordered 62 arbalests to Nantes and 4 to Ségur: Jones, "Molin," nos. 70, 118.

9. Sumption, *War*, 1:468. After its eventual recapture, Philippe VI sold it to the cardinal of Périgord for 24,000 florins in November 1346: *RACJ*, 98–101.

Territory	Amount	Recorded date range <sup>10</sup>
Limoges	1,241l 16s 8d <sup>11</sup> plus 89l 10s 6d in 'weak coin'	8 June 1344–7 Dec. 1346
La Roche l'Abeille	421l 12s	12 July 1345–19 Jan. 1347 <sup>12</sup>
Aixe	316l 14s <sup>13</sup>	22 Apr. 1345–1 Jan. 1347
Masséré	319l	27 Apr. 1345–25 Nov. 1346
Ayen	227l	23 May 1345–9 June 1346
Château-Chervix	123l 15s 3d	4 Sept. 1346
Excideuil	122l	s.d.*
Ségur	119l 4d	3 Jan. 1346
Ans	70l 5s	s.d.*
Nontron	37l 6s	s.d.*
Saint-Yrieix	23l	s.d.
Génis-Moruscles	21l	s.d.*
Thiviers	10l 10s	s.d.
<b>Total</b>	<b>3,052l 19s 3d and 89l 10s 6d in 'weak coin'</b>	<b>8 June 1344–19 Jan. 1347</b>

**Figure 6:** Receipts from the viscounty of Limoges for the period 1344–1346

recorded incomes), Molin spent some 3,919 *livres tournois*.<sup>14</sup> Using crude averages as a guide, the viscounty brought Jeanne and Charles just shy of 100 *livres* per month while they spent around 220 *livres*. It was not unusual for princely ex-

10. Molin titled those sections marked here with an asterisk 'l'an [13]44', but the accounts of Limoges, Aixe, and Ayen suggest this did not necessarily correspond with the recorded dates of payment, which is perhaps why the date was omitted from the second draft.

11. Total across two entries: 381l 6s 8d (8 June 1344–5 Dec. 1346 [possibly *sic* for 1345], header gives 'l'an [13]44') and 865l 10s (14 Dec. 1345–7 Dec. 1346, header gives 'l'an [13]45'). By comparison, the Montfortist *receveurs* in Brittany were supposed to report their incomes to the *chambre des comptes* every year—but on average only 31.7% did so, with another 36.9% coming every two years: Kerhervé, *État*, 387–88.

12. Or to 24 July 1346.

13. Total across two entries: 75l 19s (22 Apr. 1345–10 Mar. 1346, section labeled 'l'an [13]44') and 240l 15s (6 June 1345–1 Jan. 1347, section labeled 'l'an [13]45').

14. Molin divided the expenditures into the years 1345 (2,486l 8s 10d, plus a rouncy and '24 ciefs de pollaile') and 1346 (1,433l 8s 6d, plus 53 *livres tournois petiz*). Although Molin paid in both *livres tournois* and *écus*, these figures have been standardized with the help of Peter Spufford, *Handbook of Medieval Exchange*, Royal Historical Society Guides and Handbooks (London, 1986), 167, 172, 176, 189—though emendations and unclear figures make the sums strictly approximate. Molin noted in one entry that 30 *écus* was equivalent to 27 *livres*, giving an exchange of one *écu* = 18*st*, a rate also recorded for two other entries and which corresponds nicely with average exchanges for this period, and so has been applied across this account: *ibid.*, 189.



penditures to exceed their means; over-expenditure among nobles was notorious and in many ways socially necessary.<sup>15</sup> In the early 1480s, when our data is best, the Breton dukes saw yearly deficits between 1.5% and 3.7% of their income.<sup>16</sup> Molin's figures, however, did not represent the entirety of Jeanne and Charles' finances: they had other sources of revenue and other expenses to pay. For instance, the wages of regional officials and messengers amounted to at least 13%, and perhaps as much as 38.4%, of Molin's expenditure, a proportion possible only given a lack of spending on other areas—most notably the upkeep of a duke and duchess who were nearly always absent.<sup>17</sup> Thus, the discrepancies may have been less extreme than this sample suggests.

While it is fortuitous that this account moves us beyond the usual borders studied by historians of the Breton dukes, Limoges is most useful as an illustration of the sorts of difficulties Jeanne and Charles faced within Brittany. The viscounty was only a portion of Jeanne's inheritance, and not the largest. We do not have the sources to determine her Breton and other revenues for this period, but negotiations across her career offer some points of comparison. The treaty of Guérande gave her an annuity of 10,000 *livres* for Brittany, and of 3,000 *livres* for her Parisian properties (a few of which she retained).<sup>18</sup> These sums no doubt fell short of their full worth: the marriage contract of Marie and Louis in 1360 gave 1,500 *livres* in lieu of Châteauceaux alone, a sum they were able to deduct just from their receipts of Nantes.<sup>19</sup> Penthièvre was ostensibly worth 8,000 *livres* in 1317, when Guy exchanged Limoges for the Breton apanage.<sup>20</sup> The value of Jeanne's other lands can be partially assessed from negotiations over dividing Henri IV d'Avaugour's inheritance.<sup>21</sup> In Mayenne, Jeanne and Charles granted temporary *rentes* of 300 *livres* in 1339, then in 1347 a sixth of the revenues plus 300 *livres* taken from the remaining five-sixths.<sup>22</sup> Their Norman lands

15. Lewis, *Polity*, 201–08; Keen, *Chivalry*, 153–55.

16. Kerhervé, *État*, 163, 167, though giving 3.9% instead.

17. Some costs were explicitly marked as 'pour ses gages' or 'ses despenses', or were for the completion of a specific task; this total gives the lower boundary of this range. The higher figure includes payments which seem to have been made to individuals fulfilling a specific function (e.g. judge, seneschal, captain) within the viscounty, but whose exact purpose was not stated. By comparison, the wages and pensions of François II over 4 years occupied only 8.65% of the duchy's costs: see figures in *ibid.*, 163. Charles received a one-time payment from Molin of 1,500 *écus* (1,445l 8s) on 31 March 1345, which may have been linked to his exceptional visit to the viscounty, although Jeanne also requested a (much smaller) sum on 7 August 1346 (not 'captured spies' as Sjursen, "Jeannes," 35, thought): cf. *RACJ*, 97, though the *mandement* was Jeanne's rather than Charles' per Molin's account.

18. *Preuves*, 1:1591–92.

19. *RACJ*, 199, 206.

20. *Preuves*, 1:1270.

21. For details of the dispute, see chapter six, page 129.

22. *Preuves*, 1:1394–95; *RACJ*, 102–03; cf. Médiathèque Jacques Demy, Nantes, MS 1699, n. 9.

meant handing over an annuity of 1,000 *livres* each to Isabeau and Marguerite d'Avaugour, a sum worth either a third or a quarter of the total value.<sup>23</sup> For the county of Goëlle, Isabeau received a *rente* of 500 *livres* while Marguerite received 300; Breton custom did not stipulate a set proportion for cadets, but a net worth of at least 1,500 *livres* seems assured, and possibly substantially more.<sup>24</sup>

Each of Jeanne and Charles' properties was thus worth considerably more than most noble families had in total; their combined value put them on a different financial playing field than the majority of the aristocracy.<sup>25</sup> Of course, by the 1480s—a troubled decade for the Breton dukes—any one of François II's many revenue sources at least doubled the sums recorded by Pierre Molin.<sup>26</sup> Even among her contemporaries, Jeanne was by no means near the top of the pile—consider only the extraordinary fortune of Olivier de Clisson, who at his death in 1407 could claim more than one million *livres* in moveables, to see how far aristocratic wealth could extend.<sup>27</sup> But the damages and expenses of waging war clearly took their toll on Jeanne and Charles' substantial resources, and they had to take complex steps to manage their funds.

## Shared management of incomes and costs

Although our information about any given area of finances is patchy at best for this period, we can overlay several different data sets to get an sense of how the couple handled the acquisition and use of fiscal resources. Figures 7 to 9 show figures from their management of lands and rents, taxes, and loans—not because these areas were exceptional, but because the records associated with them survive in sufficient numbers across their reign to begin compensating for the lacunae.<sup>28</sup> These numbers can only take us so far, but they suggest several trends in how the couple acted together in handling their resources.

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23. *RACJ*, 127, 150–51; Nantes, Méd., MS 1699, 9; Nantes, Méd., MS 1695, n. 11. Jeanne and Charles may never have fully relinquished these incomes.

24. *RACJ*, 149, 168–69; *TAC*, 211–14.

25. Similarly, at the turn of the fourteenth century the count of Forez lived on 10,000 *livres* annually while the lesser regional lords rarely took in so much as 500. In Burgundy, these sums were adjusted upwards: 28,600 *livres* for the count, and between 1,000 and 10,000 *livres* for those below him—but if there was no absolute scale on which to measure seigneurial income, the financial status of the prince in their region was readily apparent: Contamine, *Noblesse*, 104–05. But although its severity varied according to geography and status, noble incomes suffered an overall decline over the fourteenth century: Bois, “Revenus,” esp. 219–227.

26. Kerhervé, *État*, 163; Leguay and Martin, *Fastes*, 397–404.

27. Henneman, *Olivier de Clisson*, 200. The difference between the belongings of Jeanne at her death and those of her son-in-law and daughter is also illustrative: *Inventaire* (1384); *Inventaire* (1393); Moranvillé, *Inventaire Anjou*; cf. introduction, page 18.

28. Regular taxes began in Brittany only with the Montfortist dukes, but before and after his captivity, Charles occasionally imposed taxes like those used in France: Kerhervé, *État*, 79, 81, 535; Galliou and Jones, *Bretons*, 240; *RACJ*, 91, 104, 183, 185, 193; Henneman, *Taxation*, 3–6.

		Ducal domain	Penthièvre	Brittany (other)	Mayenne	Limoges	Île-de-France	Normandy	Guise	TOTAL
Donation	Jeanne	2	1	–	–	1	–	–	–	4
	Both	7	10	1	4	2	3	2	2	31
	Charles	3	1	–	–	–	–	–	4	8
Sale	Jeanne	–	–	–	–	2	–	–	–	2
	Both	–	–	1	–	3	–	–	–	4
	Charles	–	–	–	–	–	–	–	2	2
Negotiation	Jeanne	3	1	–	1	–	1	–	–	6
	Both	2	1	1	–	–	–	2	–	6
	Charles	5	2	–	4	–	1	–	5	17
TOTAL		22	16	3	9	8	5	4	13	80

*Categories:*

– *Donation*: Lands transferred to another without recorded financial exchange in return, including both gifts and *amortissements* made on behalf of others

– *Sale*: Lands transferred to another in exchange for payment

– *Negotiation*: Discussion over disputed property claims (made against Jeanne and Charles or by them against others), whether or not the eventual outcome resulted in a transferral of ownership

**Figure 7:** Number of transactions concerning lands and their resources, 1341–1364<sup>29</sup>

While Molin received letters from the duke and duchess individually, such orders could result from a more complex process. Jeanne and Charles could agree the terms of payment together, then issue subsequent orders for payment in Charles' name alone, or less frequently, Jeanne's.<sup>30</sup> The more permanent or financially significant a transaction, the more it was preferable for both spouses to be involved, or at least for the other to confirm the move at a later point. For example, even when Jeanne and Charles approved grants established in the reigns of their predecessors, which now required the new princes' confirmation but did not alter the status quo, they usually acted with their joint authority.<sup>31</sup>

29. I include only actual transfers of property or its yields, although granting other rights may have also been profitable for Jeanne and Charles. I count separately each of the properties entailed in a single act, as well as the individual documents of a protracted transaction. But where an original act was later confirmed by the other spouse, these have been counted together as a joint action; unfortunately, not all such confirmations have survived, which necessarily distorts the picture of apparently 'solo' acts. Penthièvre and the ducal domain are tallied separately because of the distinction made in Jeanne's 1343 donation: see below, page 97.

30. *RACJ*, 149–53, 155–56.

31. e.g. *ibid.*, 56–57, 189–90, 196–97.

Year	By	Beneficiary	Details
1343	Jeanne	cathedral of Rennes	tax exemption
1348		Nantes	directing war taxes to the town's defense and requisitioning the surplus
1349		cathedral of Rennes	non-prejudice
1352			non-prejudice
1344	Charles	cathedral of Nantes	non-prejudice
1358		abbey of La Fontaine-Daniel	confirming tax exemption
1359		inhabitants of Saint-Malo	exemption for export taxes
1362		subjects of the lords of Fougères and Porhoët	non-prejudice
1362	Both	Pierre Poulard	granted the <i>dîme</i> of Trémeur
1364		bishop, chapter, and clergy of cathedral of Tréguier	permanent exemption from all taxes in exchange for relics of St. Yves Hélori

**Figure 8:** Interventions concerning taxes by Jeanne and Charles, 1341–1364<sup>32</sup>

Date	Sum	Recipients	Lender	Repaid
On or before 6 Sept. 1344	1,250 <i>l.t.</i>	Charles	Louis de Blois	unknown
On or before 26 Jan. 1345	10,000 <i>écus</i>	Jeanne and Charles	Queen Jeanne de Bourgogne	unknown
25 Feb. 1345	32,000 florins	Jeanne and Charles	Clement VI/ Malabayla brothers	suspended 16 Jan. 1375
Before 12 Mar. 1351	160 <i>l</i> or more <sup>33</sup>	Jeanne	Guy and Jean de Lastrade	yearly from 1351
After 9 Aug. 1356	2,000 <i>écus</i>	Jeanne and Charles	abbey of Saint-Melaine of Rennes	1 Jan./25 May 1358
unknown	1,400 <i>l</i>	Charles	Chapter of Nantes	25 Sept. 1420 (Jean V)

**Figure 9:** Loans to Jeanne de Penthièvre and Charles de Blois, 1341–1364<sup>34</sup>

32. *RACJ*, 79, 121, 140, 187, 220, 228–29; *RACJ Supplément*, nos. 370, 391. The king's governor appointed during Charles' captivity, Philippe de Trois Mons, was responsible for a similar protection in 1350: *RACJ Supplément*, n. 380.

33. Jeanne ordered payments of 80 *livres* until she fulfilled 'la some en laquelle lad. dame estoit redevable ausd. de Lestrade': *RACJ*, 126. These 'certaines et grosses sommes' were related to the recapture of certain castles in the Limousin: AD P-A, E 740, f. 3v, and see Appendix B.

34. *RACJ*, 82, 88, 89, 126, 183–85 (cf. 187–89), 232.

Conversely, there was more flexibility when chasing up overdue payments, a frequent occurrence in the surviving financial records.<sup>35</sup> Moreover, during Charles' absence Jeanne made a temporary assignation to satisfy her aunt Isabeau while stating that she preferred to wait for Charles' return to make more formal arrangements.<sup>36</sup> The negotiations over potential transactions were much more readily handled by one or the other alone, but the moments where an agreement was finally concluded were more likely to be handled jointly once again. As a final illustration we may note that yearly tax exemptions and letters of non-prejudice were easily handled by Jeanne or Charles alone, but they cooperated to grant an irrevocable exemption such as that to Tréguier cathedral (in exchange for some relics of Yves Hélor!) or the permanent assignation of the revenues.<sup>37</sup>

Such interactions applied not only across a given category of financial activity, but also in individual cases such as the protracted repayment of the loan of 32,000 florins from the papal curia.<sup>38</sup> On 20 February 1345 Charles borrowed the money in his name and Jeanne's from Jacques, Antoine, and Guyot Malabayla d'Asti, promising 'quod domina ducissa ratam habebat mutuum et debitum'; thereafter they were jointly engaged with the continued management of the sum.<sup>39</sup> Jeanne consented on 15 March to the loan, which was to be reimbursed in three years, and they received the sum by the hand of Gouffier de Lastours on 17 June.<sup>40</sup> The trouble came, of course, with repaying the loan. Charles' intervening imprisonment perhaps slowed the process, though Jeanne took steps to manage the obligation during his absence. On 22 October 1349, she sent her representative to confirm their debt towards the curia and promise to repay it within a year; this was a neat reverse performance of Charles' original commitment on her behalf.<sup>41</sup> She also sent Pierre Poulard to negotiate the sale of some lands in Limoges on 15 October 1352.<sup>42</sup> As a result, Guillaume Aubert purchased La Roche-l'Abeille from Jeanne and Charles on 23 June 1357, for which he repaid the curia 7,000 florins

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35. Ibid., 57, 89–90, 115–16, 121, 122, 155, 191–92, and cf. 194–95.

36. Ibid., 152–53. Jeanne's motives were not necessarily strictly technical: see chapter eight, page 129 and following.

37. Ibid., 220, 228–29. Pierre Poulard later bequeathed the *dîme* to the abbey of Beauport: *Preuves*, 1:1554.

38. This chronology is based on Pocquet du Haut-Jussé, *Papes*, 224–25, 254–55, 272–74, supplemented by reference to additional documents as cited hereafter.

39. 'That the lady duchess had ratified the loan and debt', *RACJ*, 88. The money was described as belonging to the 'camere apostolice', and the Malabayla brothers confirmed the money belonged to the pope on 26 May 1349.

40. Nine men from Limoges also promised to be guarantors of the loan on 21 May: *ibid.*, 89–91. A second quittance was given 20 June.

41. *Ibid.*, 120.

42. *Ibid.*, 137–38.

by 16 February 1360.<sup>43</sup> By the 21st, the terms were renegotiated with the Malabayla brothers: the repayment was to take five years, finishing at Easter 1365. Even if there was reason to expect this attempt to be more successful than the last, Charles' death of course interrupted; this is an instructive development, for it did *not* mark a turning-point in the process. His will provided for the alienation of his lands to pay his debts, but Jeanne continued to struggle to find the necessary funds.<sup>44</sup> After the Easter deadline sailed by unremarked—this fell less than two weeks after the treaty of Guérande—she took no immediate steps to fulfill her obligations; this was more the result of Jean IV's own slow reimbursements after the treaty than any decrease in her obligation.<sup>45</sup> Papal tolerance allowed her to make small payments over the course of six years from 1369 to 1375, when on 16 January Gregory XI suspended the remainder of the debt for Jeanne's lifetime, with some 9,000 florins still outstanding.<sup>46</sup>

This process certainly showcases the practical necessity of getting the consent of all parties concerned, and how Jeanne's participation facilitated handling the debt while Charles was in England. However, the equal standing on which Jeanne and Charles routinely engaged with this process and with their other financial engagements suggests more than mere technicality. Moreover, Jeanne and Charles were equally able to act alone: if it is to be expected that Charles' imprisonment meant Jeanne took on more responsibilities, these almost never constituted the first occasion she had engaged with such business, even within the limited scope of our documentation. Jeanne's responsibility as a decision-maker, title-holder, and as a contracting party was of fundamental importance.

## Different responsibilities

The significance of the patterns outlined above is highlighted by contrast with certain financial concerns that motivated Jeanne and Charles differently. For in-

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43. *RACJ*, 176–77.

44. *MPC*, 31.

45. See chapter three, page 65.

46. These payments took mainly the form of donations to specific churches of interest to the pope: *RACJ*, 243, 246–47. On 17 February and 30 September 1369, Urban V asked Jeanne to pay 1,000 florins to St-Germain d'Auxerre; she did so by 2 May 1369 and 24 July 1370, respectively. He also requested an annuity of 300 *livres* for St-Germain de Montpellier, which Jeanne purchased with royal confirmation by 21 June 1369. In addition, Jeanne benefited from two year-long reprieves on the debt, granted on Easter (1 April) 1369 and Easter (14 April) 1370, and on 14 July 1371 Gregory XI remitted 10,000 florins (perhaps equivalent to Jeanne's down payment for the annuity) along with a five-year delay on repayment (to Easter 1376). There were occasional attempts to take a harder line with Jeanne: on 15 July 1371 Gregory absolved Jeanne of excommunication for non-payment of debts, then on 31 July asked her to pay 5,000 florins to St. Germain d'Auxerre, on pain of excommunication. These met with no more success, however; when he suspended the loan, Gregory also renegotiated the payments for the 5,000 florins, to be made yearly until the feast of Saint Michael 1380. There is no record that these ever happened.

stance, the creation of coinage was a right which the dukes had long exercised, and it was one that Charles—but not Jeanne—seems to have begun exercising in earnest from 1350, and especially from 1355–1356.<sup>47</sup> All extant coins are stamped with the legend of the duke, suggesting that the issuing of money was not something with which Jeanne was usually concerned.<sup>48</sup> Charles also attempted to open a new mint at Quimper in 1360, the same year as he forbade the circulation of non-French money in the duchy, and prosecuted and pardoned three counterfeiters in 1351.<sup>49</sup> In Limoges in 1358, an order from the dauphin Charles reflected the ongoing work of the mint there in Charles de Blois' name since 1351.<sup>50</sup> This predominance does not reflect a universal pattern, either for heiresses or otherwise.<sup>51</sup> But it was in keeping with Breton practices. Neither Constance or Alix issued coins in Brittany, though their husbands, Geoffroy II (d. 1186) and Pierre Mauclerc (r. 1213–1237), did.<sup>52</sup> Duchess Anne was responsible for minting a wide variety of money, but only during two brief phases of her reign (1488–1491 and 1498–99) when she was not the queen of France.<sup>53</sup> Tradition may have governed Jeanne and Charles' respective usage of the mints; all the same, since the production of coins began only during Charles' captivity, it would be interesting to know Jeanne's actual influence during these early years.<sup>54</sup>

The chronology of the coinage does suggest that practical rather than symbolic reasons drove the production.<sup>55</sup> The late introduction of gold coins in Charles' name indicates that these responded to developments in the wider French economy.<sup>56</sup> The Breton *royal* represented a significant devaluation compared to the

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47. Yves Coativy, *La monnaie des ducs de Bretagne: De l'an mil à 1499* (Rennes, 2006), 269; BnF, MS fr. 18697, f. 166ff; Cassard, "Mythes," 62; *Preuves*, 1:1258 (1315); and the disagreements in 1320 and 1340: Morvan, "Jean III"; Archives départementales d'Ille-et-Vilaine, Rennes, 1 F 617, nos. 1 and 7.

48. Musée Dobrée, Nantes, Base de données: Monnaies des Ducs de Bretagne, accessed October 4, 2015, [http://grand-patrimoine.loire-atlantique.fr/jcms/les-collections/bases-de-donnees-en-ligne/collections-numismatiques/monnaies/monnaies-de-ducs-de-bretagne-fr-t1\\_129651](http://grand-patrimoine.loire-atlantique.fr/jcms/les-collections/bases-de-donnees-en-ligne/collections-numismatiques/monnaies/monnaies-de-ducs-de-bretagne-fr-t1_129651), offers an extensive and accessible collection.

49. *RACJ*, 129, 202–03; Coativy, *Monnaie*, 271–72.

50. *RACJ*, 190; Coativy, *Monnaie*, 278–81. Philippe VI also had a mint in the town.

51. Woodacre, *Queens*, 39–40, 152–53; Alan M. Stahl, "Coinage in the Name of Medieval Women," in *Medieval Women and the Sources of Medieval History*, ed. Joel T. Rosenthal (Athens, GA, 1990), 321–341; Karen S. Nichols, "Countesses as Rulers in Flanders," in *Aristocratic Women in Medieval France*, ed. Theodore Evergates (Philadelphia, 1999), 117.

52. Coativy, *Monnaie*, 63, 95ff.; Everard, *Angevins*, 110.

53. Coativy, *Monnaie*, 172–73, 196; Musée Dobrée, Nantes, Base de données: Monnaies des Ducs de Bretagne.

54. Either by choice or because of difficult circumstances, Jeanne does not seem to have used the mint at Guingamp or that at Limoges before selling the town to Charles V.

55. Cf. Prigent, *Basse-Bretagne*, 142.

56. Whereas Jean IV tended to instead copy English and Flemish coins: Gildas Salaün, *Trésors de Guérande: Monnaies ducales (1342–1365)* (Nantes, 2001); Daniel Cariou, "À propos du royal

French equivalent, weighing 3.51g instead of 3.71g and using a weaker alloy; but it was circulated at the standard value so as to augment Jeanne and Charles' income during a time when the French money was unstable.<sup>57</sup> More importantly, because most of the coins dated from the late 1350s, it is compelling to see the minting of coins as the product of Charles' fundraising for his ransom.

This ransom dictated many of their financial needs of this period, and increased Charles' prominence as a financial player over Jeanne after 1356. The treaty which established the enormous ransom of 700,000 *écus*, unlike the debt to the papal curia, made Charles alone responsible for the sum—even though it was to remain Jeanne's problem after Charles' death with the ongoing captivity of her sons.<sup>58</sup> Accordingly, he oversaw the arrangements for payment and many of the efforts to raise money, including the extraordinary impositions allowed by custom.<sup>59</sup> Paralleling the developments in France for the ransom of Jean II, the fundraising process encouraged the development of a more robust financial system and the imposition of new taxes in the duchy.<sup>60</sup> This perhaps helps explain why Jeanne's interventions in the levies was restricted to the earlier period of their rule, while Charles' role appears to have increased (see Figure 8). But despite her back seat in the ransom process, Jeanne did commit to repaying the loan of 2,000 *écus* borrowed from the abbot of St-Melaine of Rennes towards the cost of the ransom, demonstrating her ongoing interest in the active administration of other financial transactions.<sup>61</sup>

Similarly, their management of Guise (see Figure 7) and Blois, which Charles had inherited in his own right, was also consistently different from how they governed those which came from Jeanne's family. Almost without exception, the 'dame de Guise' had no part in the administration of these properties, though Charles concerned himself with even fairly minor details.<sup>62</sup> The single act in her name involving Guise was the contract for her daughter's dowry, when she and

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d'or de Charles de Blois," *Annales, Société bretonne de numismatique et d'histoire*, 1996, 24.

57. Cariou, "Royal d'or," 24; Musée Dobrée, Nantes, Base de données: Monnaies des Ducs de Bretagne, inventory number N-23; Cazelles, *Société*, 18–20; Spufford, *Exchange*, 176, 178.

58. Likewise, the annulled treaty of 1353 included Jeanne on a very equal footing, but assigned responsibility for the ransom only to the *Duk'*: *RACJ*, 143, 156; Michael Jones, "The Ransom of Jean de Bretagne, Count of Penthievre: An Aspect of English Foreign Policy, 1386–1388," in *The Creation of Brittany: A Late Medieval State* (London, 1988), 267–68.

59. *RACJ*, e.g. 178, 181, 183, 189, 209.

60. Jones, *Ducal Brittany*, 27; Henneman, *Taxation*.

61. *RACJ*, 183–85; cf. Figure 9.

62. *Ibid.*, 147, 186, 190–91; these seem roughly equivalent to the sorts of payments he authorized to Pierre Molin. Similarly, Woodacre observes a strong geographical divide in the influence of Jeanne de Navarre versus that of her husband, Philippe VI. The later Navarrese queens Blanca and Leonor also used a division of labour to govern a scattered domain, but they tended to do so physically, with the queen remaining in charge of their own domain while the king consort attended to the lands in his own charge: Woodacre, *Queens*, 44, 104, 119.



Charles gave the whole domain away! She was (indirectly) involved with a more routine transaction only once, when in 1352 Charles made an exchange with the sire de Fléchinel, and Jeanne promised to ‘tenir et garder a nostre dit chevalier toutes les choses dessus dictes...Et renoncons quant ad ce tant seulement a tel droit que nous y povons avoir a cause de douaire, de don de nocces, ou en autre maniere’.<sup>63</sup> This was a classic example of including additional confirmation by those who might be affected in the future to ensure that an arrangement would not be contested: it contrasts with the ‘normal’ presentation of similar orders within Brittany (or Limoges, or elsewhere). Those acts were co-issued; or where they were not, Jeanne was never merely added on to Charles’ orders to attest to a specific clause, but had the power to confirm (or, presumably, deny) the entirety of a transaction. Direct landownership thus strongly promoted Jeanne’s oversight of this aspect of finances, just as having a titled wife shaped and constrained Charles’ government of her lands.

### Joint interests and the donations of 1343

This seems self-evident but hides real complexity. After all, in the *arrêt* of Conflans Philippe VI welcomed Charles into ‘nostris fide & hommagio’ for the duchy of Brittany.<sup>64</sup> And while it took royal jurisdiction to formally grant them the viscounty of Limoges in 1345, Charles also performed homage to the many lords from whom the various individual *seigneuries* were held.<sup>65</sup> He did this all by right of his wife, but after his death, Jeanne had to perform the same homages again (though she was exempt from doing so to Jean IV for Penthièvre).<sup>66</sup> The different statuses of the duke and duchess and their roles within their marriage partnership had ramifications for their claims to land.

Two documents from their early rule demonstrate the complicated interface between theory and practice. Twice in 1343, Jeanne gifted various properties to Charles. First, in October, she gave him a number of territories, some ‘a moy et appartenantes par raison de la succession du dit duchie, si comme [les autres] se departent des fieux Davaugour’, as shown in Figure 10.<sup>67</sup> Then, in December,

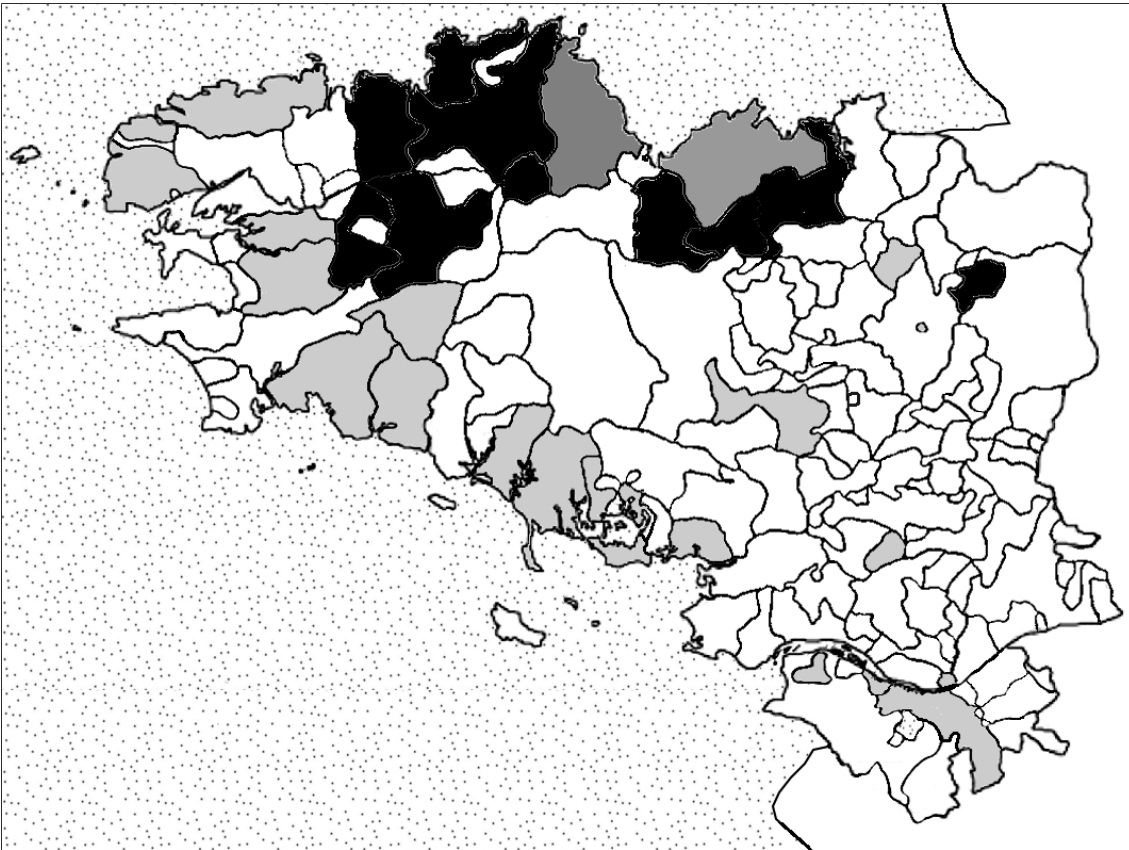
63. ‘To hold and keep for our said knight all the aforesaid things; and we renounce with regards to this only, such right as we may have because of a dower, or a nuptial gift, or in any other way’, *RACJ*, 137. Because of Marie’s dowry, the potential complication of dower lands never in fact manifested: *ibid.*, 199–200.

64. ‘Our faith and homage’, *Preuves*, 1:1424. However, see chapter five, page 124.

65. *Preuves*, 1:1442–1447; *RACJ*, 87, 88, 224, 228, 266; Clément-Simon, *Limoges*, 25–26; Pocquet du Haut-Jussé, *Papes*, 271. This may help explain why Jeanne and Charles began to exercise control in the viscounty even before this date.

66. *RACJ*, 233, 235, 247; Cacheux and Mollat, *Urbain V*, nos. 2079, 2097; Pocquet du Haut-Jussé, *Papes*, 271; *Preuves*, 1:1592.

67. ‘Belonging to me because of the succession of the said duchy, just as the others come from the Avaugour fiefs’, *RACJ*, 72. Jeanne also explicitly reserved a substitute set of lands, including



**Figure 10:** Maximum extent of the 1343 donation from Jeanne to Charles in Brittany (black) set against their domains (greys)<sup>68</sup>

she added the viscounty of Limoges, almost a year before Philippe VI officially awarded it to them.<sup>69</sup> This rewarded Charles' 'labours, paines, et travaux... a moy, de mon dit seigneur et mari faiz et a faire durant le mariage de nous'.<sup>70</sup> In the Breton lands, Charles would retain free possession 'son viage durant tant seulement'.<sup>71</sup> This life interest would not damage the integrity of the Breton duchy. But Limoges went to Charles 'a heritaige perpetuel', reverting to Jeanne only if Charles predeceased her; otherwise she renounced for herself and for her heirs 'tel droit, action et raison comme je ay et puis avoir'.<sup>72</sup>

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Vannes, Suscinio, and the *presqu'île* of Rhuys, in case Charles was prevented from holding the original configuration.

68. Certain castellanies may have had further subdivisions limiting their boundaries.

69. *RACJ*, 77–9. The *parlement*'s decision to grant Charles the viscounty in 1345 did not mention this transaction, unless this was among the 'lettres' brought forth as proofs: *Preuves*, 1:1442–47. Caroline Spinosi, "Un règlement pacifique dans la succession de Jean III, duc de Bretagne à la vicomté de Limoges," *Revue historique de droit français et étranger* 39 (1961): 456, suggests that Jean de Montfort brought the case to court in response to Jeanne's donation, but she seems to be unaware of Jeanne's other 1343 gift and the discussion of Limoges in the 1341 succession arguments (BnF, MS fr. 18697, f. 135–135v).

70. 'Labours, pains, and work, done for me and to be done by my said lord and husband during our marriage', *RACJ*, 72; cf. chapter seven, page 155.

71. 'During his life only', *ibid.*, 73.

72. 'Such right, influence, and account that I have and might have', *ibid.*, 77, 78.

What this transfer signified in terms of Jeanne and Charles' balance of power depends on the motives behind it. These are the most formal gifts in this corpus; among many clauses for their irrevocability, Jeanne stipulated 'que ce vaille de droit ou par maniere de testament, codicilles ou ma derrain volente'.<sup>73</sup> It is possible there were concerns for Jeanne's health at this point, given the dangers in giving birth to the four or five children they had before 1347. The delay between the two donations, however, suggests the danger was less imminent. Rather, the document recalls the contingency plans laid for the eventuality of Jeanne's death since her betrothal to Charles. To date, they had one or two daughters but no sons, leaving the inheritance insecure in the midst of the war. If Jeanne died, such a gift would have invested important areas with direct (and male) control rather than leaving Charles with just the wardship of a child. Furthermore, the more permanent transfer of Limoges reflected the legal argument pursued successfully from 1341 to 1345: that having belonged to Marie de Limoges rather than to Arthur II himself, it could pass only Marie's descendants.<sup>74</sup> By handing Limoges to Charles, Jeanne separated it more fully from her ducal possessions. She may have hoped that the transfer 'audit Mons. Challes et a ses heirs' (then, presumably their mutual offspring) would help turn it into a familial claim independent from the unstable ducal title.<sup>75</sup>

While the territories Jeanne named were not insignificant, they were relatively concentrated in the north, and took up more of the original Penthièvre apanage than the ducal domain. In addition to the destabilizing effect which the formal transfer of a greater proportion of Brittany might have had on the reception of their claims, adding more territories would have prejudiced the interests of Jeanne's children as dukes (or duchesses) of Brittany. If Jeanne had passed away while Charles enjoyed a long life, their heir would have been left with a much-diminished domain for an extended period, thereby weakening their prospects. It is probably for this reason that Nantes and Rennes, the 'capital' cities, were not included. It was important to provide both for Charles and for the future prince, and it was likely with this in mind that the territories were selected. Gathered largely into two clusters, they look something like an apanage such as had been given to Guy de Penthièvre. However, they were not the same lands: the counties of Goëlle and Penthièvre were excluded. While it made sense to give Charles

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73. 'Let it be valid in law or in manner of a testament, codicil, or my last will', *ibid.*, 73, cf. 78. Cf. the concerns for the validity of potentially controversial donations in royal acts: Elizabeth A. R. Brown, "The King's Conundrum: Endowing Queens and Loyal Servants, Ensuring Salvation, and Protecting the Patrimony in Fourteenth-Century France," in *Medieval Futures: Attitudes to the Future in the Middle Ages*, ed. J. A. Burrow and I. P. Wei (Woodbridge, 2000), 115–165; Brown, *Patrimony*. No other will survives for Jeanne.

74. *Preuves*, 1:1442–47; BnF, MS fr. 18697, f. 135–135v.

75. *RACJ*, 77. The ineffectiveness of the truce of Malestroit had already become apparent: La Borderie, *Histoire*, 3:482.

purchase in the region where their support was strongest, it was also necessary to leave their heir with a clear foothold. But such a substantial apanage would also serve to recompense Charles for his investment in the duchy; having paid to the king of Navarre 20,000 *livres* for the right to marry Jeanne and her lands, it would have been prudent to guarantee his possession of a certain number of territories even if his direct claim to the whole was cut short by his wife's premature demise.<sup>76</sup> Note that this act was issued on 8 October, just a month over the two-year period since the *arrêt* of Conflans during which Charles was to have paid the whole sum. These provisions were reasonable if Jeanne were to die.

What these donations did *not* do was effect practical change in how Jeanne and Charles actually managed these lands even if, on paper, they turned a joint claim into a solo one over specific areas. In Brittany, the documentation is limited, but Jeanne and Charles donated Moncontour to Jean de Beaumanoir together.<sup>77</sup> Since his was only a life interest, Charles may have wished to add Jeanne's support to this gift. But a similar situation seems to have obtained in the viscounty of Limoges, which Jeanne had given away in perpetuity. This is less apparent from the accounts alone, where Charles seems to have taken primary charge of expenditures and Pierre Molin described himself as 'recevour de Mons. de Bretagne'.<sup>78</sup> Jeanne's influence was more restrained, though she did make occasional requests of Molin in 1345–1346, and established a recurring payment through the vicomital *receveur* at least once during Charles' absence.<sup>79</sup> But the management of land and property remained very much a shared responsibility. Three multi-stage transfers within the Limousin are still recorded across their joint rule. The earliest was Philippe VI's sale of the castle of Auberoche to the cardinal of Périgord in 1347, which the 'coniuges' confirmed after the king had promised to obtain the consent of both spouses.<sup>80</sup> Then in 1352, it was decided (probably by Jeanne with Charles' input) to sell certain lands in the region. Jeanne commissioned Pierre Poulard to handle the business, and they confirmed this sale before a public notary in 1357.<sup>81</sup> Finally, when Charles gave the castle of Salon to the lord of Beaufort, Jeanne confirmed the donation in a letter to her officials in the Limousin before they jointly alienated the property in due course.<sup>82</sup>

Several different dynamics are evident here. Charles took the initiative in

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76. AN, K 42, n. 37 bis.

77. *RACJ*, 170–71; cf. *Preuves*, 1:1591.

78. Jones, "Molin," 1.

79. Jones, "Molin," nos. 110 and 131; *RACJ*, 126. Her more limited travels may have made her involvement less convenient.

80. *RACJ*, 98–102; *RACJ* Supplément, n. 374; Archives départementales des Pyrénées-Atlantiques, Pau, E 602.

81. *RACJ*, 138, 176–77. Cf above, page 93.

82. *Ibid.*, 183, 231.

granting Salon, but the process did not move forward until Jeanne was involved. They approved the sale of Auberoche together; interestingly, the royal letters did not use the usual authorization clause between Charles and Jeanne.<sup>83</sup> But Jeanne's status in the viscounty is most evident in the complex sale of La Rochelle-Abeille to Guillaume Aubert. Jeanne's original order was made 'par l'assentement et conseil et suffisamment autorisée de notre très cher et redoubté seigneur et espous Monseigneur de Bretagne', a very unusual clause to appear in any of Jeanne's solo acts.<sup>84</sup> Jeanne was here permanently alienating portions of land, a move which would have required Charles' consent even without the 1343 transfer. Perhaps it was only Charles' captivity that prevented this from being a perfectly ordinary co-authored act. After the sale had been arranged, however, the *instrument publique* which ratified it named Pierre the 'procuratori nobilis principisse domine Johanne de Britannia, ducisse et vicecomitisse patriarum predicatarum', and the ratification was corroborated 'par ma damme la duchesse, en la presence de monseigneur le duc', a unique instance of Charles merely *accompanying* his wife in an act.<sup>85</sup> This strongly suggests Jeanne acted of her own initiative, not as proxy, despite having technically relinquished such a role in the area.

Accordingly, Jeanne's letter nominating Pierre Poulard designated 'notre heritage...tant chastiaux, villes, terres, rentes, boys...et quelconques autres heritages a nous touchanz et appartenanz en notre viconté de Lymoges'.<sup>86</sup> This was more than a recognition that the viscounty would return to Jeanne if she outlived Charles; it, or parts of it, were still considered hers now, and she was personally interested in its management. The management of Jeanne's lands was considered at the time to be a joint enterprise. If these donations did not limit Jeanne's control, neither did they increase Charles', who acted as duke (or count, or viscount) simply by right of marriage. While Jeanne remained alive, the practical effects of the donation were subordinate to more ideological ones. The formal elements of these documents—the narrative preamble and the elaborate technical apparatus—may have been at least as important as the actual scope of the transfer: Charles did not need a legal reason to act within these lands, but his claims needed symbolic reinforcement.<sup>87</sup> It was he, not Jeanne, who was a newcomer to the duchy; meanwhile, the rhetoric of documents throughout the period of the

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83. Cf. chapter seven, page 153.

84. 'By the assent and counsel, and sufficiently authorized by our dearest and dread lord and husband milord of Brittany', *RACJ*, 138.

85. 'Procurator of the noble princess, the lady Jeanne de Bretagne, duchess and viscountess of the aforementioned lands [Brittany, Limoges, Guise, and Mayenne]'; 'by milady the duchess, in the presence of milord the duke', *ibid.*, 176, 177.

86. 'Our inheritance, including castles, towns, lands, annuities, woods, and any other inheritances related and pertaining to us in our viscounty of Limoges', *ibid.*, 138.

87. Cf. chapter nine, page 200.

war placed a great deal of emphasis on Jeanne's rights to the duchy. If Charles could not often escape this reliance on her, the donations may have helped establish him as an independent landowner on par with the other great lords of Brittany, and with his wife.

## Conclusion

Jeanne's financial participation was neither entirely contradictory to nor predicated upon the conditions laid out in written Breton custom. The *Très ancienne coutume* gave the 'fruz' of the wife's land over to the husband but did not allow him to give away control over her lands or goods without her free consent.<sup>88</sup> Jeanne's involvement in fact went well beyond these basic parameters, not least because her authority extended to all the regions under their control. The duke and duchess' finances did not appear to have the same degree of separation as would appear under Jean IV, when two distinct *hôtels* came into being.<sup>89</sup> This arrangement predominated in princely households of the fifteenth century, and it put a particular twist on the interactions between husband and wife: though each could explicitly decide to contribute to the other, they both had their own individual resources and concerns.<sup>90</sup> For Jeanne and Charles, finances were instead primarily a matter of common interest, save only for the exceptional contexts where Jeanne rarely (if ever) participated. The turbulent circumstances of their rule may have contributed to the importance of this joint effort. However, we must also stress their status as individual actors within this approach, since their property and income management did not require their joint input at every turn. On a practical level, the decision to act together or not was sometimes prompted simply by the availability of the other partner and the need for quick action in both financial and territorial matters.<sup>91</sup> Similarly, such separation allowed Jeanne to make land grants to Charles even within the context of their partnership, reinforcing the idea of individual responsibilities within the lordship unit—even if its limited impact on their real actions demonstrates the value in coordinating their efforts. Because the issues of property and money were intimately linked to the fact of Jeanne's inheritance, the prevalence of two different patterns of shared power highlight the significance of her status as well as its insufficiency as the single explanation for her role.

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88. *TAC*, 233–34, 291–93.

89. Kerhervé, *État*, 226.

90. e.g. Sommé, *Isabelle*, 208–10.

91. Cf. Duke Philippe le Bon's delegation of extensive financial duties in Burgundy to Isabelle de Portugal in his absence—but Jeanne's actions did not stem from formal appointment: *ibid.*, 208–10, 408–19. Isabelle seems to be personally interested in finances and wielded extensive powers.

## 5 | Managing people: Followers and service

*Et hoc scit iste testis, ut dicit, quia ipsemet litteras dicte fundacionis dictavit, et scripsit de mandato eiusdem dicti Domini Caroli, et Domine Ducisse ejus uxoris.*<sup>1</sup>

Jeanne and Charles relied on a network of relationships—administrative, political, and personal—to enable their rule. Kerhervé’s detailed study of the fifteenth-century Breton state and its dukes focused precisely on this human element of the ‘moyens de leur politique’, and many other studies have likewise highlighted the importance of these ties in late medieval political life.<sup>2</sup> However, scholars interested in shared power have not made a particularly systematic examination of its visibility in these terms.<sup>3</sup> We can approach this issue from two angles. Quantitative analysis of trends in Jeanne and Charles’ inner circles as well as in the wider administrative network across their territories indicate that the parameters of Jeanne’s authority were shaped both chronologically and geographically.<sup>4</sup> More descriptive evidence for the dynamics between Jeanne and their followers details the effects of shared power on the ground, where personal contact with the princes encouraged a flexibility to match the nature of their government.

During Charles’ absence Jeanne increased the stability of the council’s composition, promoting the careers of those who would continue to serve after Charles’ return; conversely, these lasting changes reflected the trajectory of Jeanne’s political engagement as her influence became more entrenched. Jeanne’s interactions with officials in Brittany and beyond, meanwhile, suggest that as well as changing over time, certain aspects of her governance complemented Charles’ activity. She

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1. ‘And this witness knows this, as he says, because he himself composed the letters of the said foundation, and wrote at the command of the same Lord Charles and the lady duchess his wife’, *MPC*, 75.

2. Kerhervé, *État*, 3; Christelle Balouzat-Loubet, “Bien s’entourer pour mieux gouverner,” *Annales de Bretagne et des Pays de l’Ouest* 116 (2009): 146–165; Hivergneaux, “Entourage”; Alliot, “Entourage.”

3. Woodacre, *Queens*, does not specifically analyze issues relating to personnel outside of other administrative considerations, while the insightful work of Hanawalt, “Networks,” attends mainly to the informal use of ‘domestic’ connections. The discussion of queenly administration in St. John, *Queens*, chapter 6, deals more directly with the questions addressed here, though her approach is different.

4. Cf. *RACJ*, 34, table of careers of Jeanne and Charles’ secretaries.

issued commands more frequently to the areas of the duchy where their support was strongest and focused on the internal administration of their domains over interactions with external powers, whereas Charles' attention was spread more widely. However, the relationships between Jeanne and her followers on a more individual level indicate that Jeanne's role was in no way marginal. Her efforts to reward loyal service were well-documented and even explicitly stressed in the texts of the *acta*, demonstrating her particular attention to the need of fostering these ties. Similarly, the recollections of their former associates at Charles' canonization trial attested the importance of her personal patronage as well as the perceived interchangeability of service to the duchess or the duke. Even if Jeanne and Charles interacted with their followers in different ways, Jeanne's personal and formal connections to many of them augmented her influence—and theirs.

### Chronological and geographical patterns in ducal personnel

Like all princes, Jeanne relied on followers who could offer advice, execute orders in the absence of the duke and duchess, and oversee specialized tasks within the Breton administration.<sup>5</sup> This included but went beyond the household which provided for her daily needs; indeed, her use of the broader network is better-documented than the more intimate circles. The individual careers of those in the ducal council, or the officers named to a specific post and location, may be traceable to a greater or (more usually) lesser extent; but when considered as a whole, these bodies reflect Jeanne's increasing command of the structures of official power, though her focus seems to have been narrower than Charles'.

#### Councillors

The composition of Jeanne and Charles' council changed markedly over time, and so offers a good sample for assessing Jeanne's developing role in the administrative decision-making process.<sup>6</sup> As always, using the *acta* gives only a general picture rather than a complete one. Not all decisions were made with advice, at least not as officially recorded: seventy-eight extant acts named people 'presens', noted that they were held 'en son/leur conseil', or otherwise identified a body of counsel assisting the duke and duchess; other surviving texts were issued 'par madame/monsieur' alone, or simply declined to specify.<sup>7</sup> When used, the coun-

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5. Cf. Balouzat-Loubet, *Mahaut*, 159–85, 202–06, 208ff.; Balouzat-Loubet, "Entourer"; Bubenicek, *Yolande*, 80–82, 130–35; Sommé, *Isabelle*, 221ff. ('L'hôtel'). Thanks to the canonization trial we are better-informed about Charles' servants: *MPC*, and see the descriptive overviews of Cassard, *Charles*, and Cassard, "Entourage."

6. The ducal council existed since at least the thirteenth century, but again, critical examination of this body begins only with the Montfortists: Planiol, *Institutions*, 3:105.

7. While the acts distinguished Jeanne and Charles' 'grand conseil' from the ordinary kind,



cil's membership was not always noted and only rarely in full, giving fifty-five occasions across twenty-three years at which individual ducal advisors can be identified.<sup>8</sup> These yield a list of seventy-four of Jeanne and Charles' 'conseillers clers et lays', whose documented advisory roles are summarized in Figure 11.<sup>9</sup>

Their service may have reached beyond these start and end points. Pierre de la Chapelle claimed twenty-two years in ducal employ, but his first extant appearance at the council is from after 1348, because most of Jeanne and Charles' associates were multifunctional.<sup>10</sup> Pierre presented his ample, if perfectly standard, *curriculum vitae* to the 1371 commission: 'primo fuit cum ipso in officia clerici capelle et deinde dum sacerdos fuit, in officia capellani, et postmodum fuit elemosinarius, seu argentarius ipsius, et aliquociens confessor eiusdem'.<sup>11</sup> His inclusion on the council may not have much antedated its current attestation, after his career had developed for several years. On the other hand, Robert de St-Pere had been one of Jean III's advisors, but a few years lapsed before he was recorded assisting Jeanne and Charles.<sup>12</sup> No doubt others were advising the duke and duchess before and after their appearance in the records, and others who claimed in 1371 to have been among Charles' councillors are not attested here at all.<sup>13</sup> Nevertheless, this inexact image reveals certain trends.

The habitual councillors stand out: Pierre Poulart, Pierre de la Chapelle, Roland Philippe, Guillaume Le Bart, Jacques Le Moine.<sup>14</sup> Others are documented at only a single occasion, suggesting a more minor role: these were more often lords of major Breton families rather than the more habitual bureaucrats who made their living through dedication to ducal business. These temporary appearances seem to have been more common in the years before and after Charles' captivity, though many 'one-off' attendees clustered at single councils, such as those of 8 October 1343 or 6 May 1360: these were both exceptionally solemn occasions that perhaps dictated a greater representation of notable figures.

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the usage is sporadic and not directly correlated with its composition or external circumstances. Likewise, councillors were not apparently more involved in one type of business than others.

8. This does not include those attending the exceptional assembly of the 'états' in 1352.

9. *RACJ*, 211.

10. *MPC*, 71.

11. 'First he was with [Charles] in the office of a cleric of the chapel, and then while he was a priest, in the office of chaplain, and afterwards he was his almoner or financial officer, and sometimes his confessor', *ibid.*

12. Cassard, *Guerre*, 26.

13. 'De consilio dicti Dominus Carolus', *MPC*, 171 (Henri Prévôt).

14. Pierre Poulart served also as treasurer, and was sometimes referred to as a 'miles': *RACJ*, 176; *MPC*, 75, 95, 148, 170, 246. Roland Philippe served already as seneschal in 1345 (see *RACJ*, 35; *MPC*, 89–90). Little is known of Guillaume Le Bart, though he was called 'miles' in 1371: *MPC*, 64. Jacques Le Moine had testified in 1341 and was, in 1357, described as 'rectore ecclesie de Point-Captanal' in the diocese of Quimper; he served as Jeanne's representative in the royal *parlement* in 1348: Bibliothèque nationale de France, Paris, MS fr. 22338, f. 124; *RACJ*, 115, 177.

PART 2: SHARED POWER AND THE REALITIES OF RULE

NAME	1342	1343	1345	1346	1347	1348	1349	1350	1351	1352
HERVÉ VII DE LÉON (d. 1344)	X									
ÉRARD DE LÉON	X									
ALAIN VII DE ROHAN (d. 1352)	X	X	X	X						
GUILLAUME II DE ROCHEFORT (d. 1347)	X		X	X						
OLIVIER II, S. DE LA HUNAUDAVE (d. 1347)	X			X						
PIERRE V DE ROSTRENEAUX (d. 1347)	X			X	X					
ROLAND, S. DE MONTAFILANT (d. 1349)	X	X		X			X			
GEOFFROY II DE QUINTIN (d. 1347)		X		X	X					
JEAN DE BEAUMANOIR			X							
PAYEN IV DE MALESTROIT (d. 1347)			X							
RICHARD DU POIRIER, B. OF TRÉGUIER			X							
GUI DE MONTFORT, B. OF SAINT-BRIEUC			X							
YVES LE PRÉVÔT, B. OF SAINT-MALO			X							
PIERRE BENOÎT, B. OF LÉON			X					X		
AUFFRAY DE MONTBOURCHER			X							
THOMAS (DE) LA VACHE			X							
[SIRE?] DE MONTFORT			X							
GAUTIER DE ST-PERN (LATER B. OF VANNES)			X			X			(x)	
ROBERT DE ST-PERE			X		X					
PIERRE POULART			X	X	X	X	X	X		(x)
NICOLAS DE BRÉAL, ABBOT OF SAINT-MELAINE			X							
JEAN I DE ROUGÉ-DERVAL (d. 1347)				X						
BRICE DE LA ROCHE				X						
GUILLAUME LE VOYER				X	X	X?				(x)
RAINROI LE VOYER, ARCHDEACON OF RENNES					X					
ARCHDEACON OF RHUYS						X				
THIBAUD III DE ROCHEFORT						X	X			
PIERRE DE LA CHAPPELLE, ARCHD. OF TRÉGUIER						X	X	X	X	
ARCHDEACON OF PENTHIÈVRE						X	(x)	X		
GUILLAUME LE BART						X		X	X	
GUY XI DE LAVAL						X				
JEAN D'AVAUGOUR						X				
OLIVIER DE MORZELLES						(x)				(x)
HENRI DE DINAN							X	X		
ÉTIENNE GOYON, S. DE MATIGNON							X			
GEOFFROY DE KERMEIGY							(x)			
JACQUES LE MOINE							(x)			
GEOFFROY LE VOYER								X		
GUILLAUME, ABBOT OF LA FONTAINE-DANIEL									(x)	
GUILLAUME, VOIER D'ARON									(x)	
MORICE DE MAVYNET										X
BONABÈS IV DE ROUGÉ-DERVAL										
ROLAND PHILIPPE										
GUILLAUME PARIS, DEAN OF NANTES										
JEAN LE BART, ABBOT OF ST-GILDAS DE RHUYS										
HUGUES II DE MONSTRELET, B. OF TRÉGUIER										
JEAN OUVROIN										
GUY DE ROCHEFORT										
GEOFFROY DE COËTMOISAN, B. OF CORNOUAILLE										
GUILLAUME DE ROUGÉ										
NICOLAS, B. OF DOL										
JEAN DE LAVAL, S. DE CHÂTILLION, TINTÉNIAC										
LAURENT DE PAGU										
PIERRE DU BOIS DE LA SALLE										
JEAN I DE ROHAN										
JEAN DE CHÂTEAUGIRON-MALESTROIT										
GUY XII DE LAVAL										
JEAN VIRAUMENT										
ROBERT IV PAYNEL, B. OF NANTES										
ABBOT OF GENESTON										
PIERRE DE NANTES, B. OF RENNES										
GEOFFROY DE DINAN										
LOUIS DE DINAN										
ROLAND LE ROUX										
PIERRE DE LANGON										
GUILLAUME RICHER										
BERTRAND DU GUESCLIN										
BERTRAND DE ST-PERE										
HUGUES DE KERANTREIT										
MORICE DU PARC										
PIERRE DU BOISBOISSEL										
OLIVIER DE MAUNY										
ARCHDEACON OF PORHOËT										
JEAN DE KERMOISAN										

symbols: X = attendance at a council; (x) = mention as a councillor colours: light grey = act in Charles' name; medium grey = act in joint names; dark grey = act in Jeanne's name

Figure 11: Councillors of Jeanne de Penthièvre and Charles de Blois (autumn 1341–June 1347; June 1347–Aug. 1356; Aug. 1356–29 Sept. 1364)<sup>15</sup> (left)



The imbalance in the distribution of data, however, actually helps lend weight to some of the trends it displays. Across the three periods, respectively, there are now attested on average 2.8 councils per year, 2.1 councils per year, and 4.6 councils per year—but only this last figure indicates a substantive change in the frequency of council meetings (or at least in attention to noting it). With few exceptions, our knowledge of council meetings comes only when the text of an act survives, and the percentage of extant acts compared to the number of indications is noticeably lower for the period of Charles' captivity compared to those on either side.<sup>16</sup> Consequently, if fewer councils are attested from 1347–1356 but a name—Pierre de la Chapelle, Thibaud de Rochefort, Guillaume Le Bart, Étienne Goyon—suddenly appears frequently in the records, this is strongly suggestive of a real shift from the years before where, if they had really participated so often, we could reasonably expect to see some trace of it.

The shifting attendance of councillors, then, can be studied as a whole.<sup>17</sup> There was a great deal of variation evidenced in the first few years of Jeanne and Charles' rule: twenty-five individuals attended, often only once, over the six years of this first period, or an average of 2.3 distinct persons per council. The second period saw twenty-six in nine years (1.5 per council), followed by forty-four in the eight years of the third (1.6 per council). This suggests that the council was initially a less stable group than it was later to become. Indeed, Jeanne as sole ruler of Brittany in Charles' absence seems to have initiated a substantial change in the composition of the council. She did not consult the council more frequently than she and Charles had previously done, but its membership relied strongly on

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15. Some of this data is more circumstantial than explicit in the sources. For instance, the second attested council, recorded here under 1342, is deduced from a mention in a joint act from 1343 (*RACJ*, 66): clearly the meeting must have occurred before the capture of Hervé VII and Érard de Léon in the early summer of 1342, but how much earlier is unknown. Similarly, the first council listed here under 1345 may have occurred in 1346, as that 3 April was repeated in the medieval calendar (*ibid.*, 89). The identities of individual councillors are also sometimes speculative. Certain titles, particularly those of various archdeacons, recur sufficiently that we might suppose a single prominent individual pursuing their career, but their name has not been recorded. On other occasions, the documents are ambiguous: is the 'Ard. Phs.' recorded in the sixteenth-century copy of a document from 1357 to be supposed a misread abbreviation for the Roland Philippe (Phe-lippes) active at this time, or an otherwise-unattested councillor? Had Guillaume Paris begun his career as dean of Nantes by 1354, or had he only come into the office in 1355? Is 'le confesseur' who attended a council in 1360 (*ibid.*, 194–95) Pierre de la Chapelle, who wrote up the act and later describe himself as 'aliquociens confessor' to Charles (*MPC*, 71)? Where reasonable, I have assumed that these cursory references most likely referred to the usual attendees of the council. In any case, the net effect of these uncertainties is slight, but represent a recurring difficulty in working with these sources.

16. The proportion of complete texts out of known acts are as follows: 1341–1347, 44 texts out of 90 acts (49%); 1347–1356, 37 out of 92 (40%); 1356–1364, 55 out of 120 (46%).

17. Some absences were, of course, occasioned not by decommissioning, but by errands that took councillors such as Rainfroi Le Voyer, Robert de St-Pere, Étienne Goyon, Pierre Poulard, Olivier de Morzelles, and others, out of Brittany: e.g. *RACJ*, 57, 79, 81, 96, 147, 154, 156, 177–78, 181, 189, 191.

new participants (or at least on ones who had not been so regularly called upon before). Of the twenty-five from the first six years, only eight reappeared in the councils before 1356 (and three apparently not until Charles' temporary return in 1354): a retention rate of approximately one-third. The battle of La Roche-Derrien no doubt influenced this: seven of the eleven great lords who had appeared at the early councils were now dead.<sup>18</sup> Two more died before 1356, one (the viscount of Rohan) without giving any further advice. Such shifts demanded that Jeanne reshape her interactions with the barons and with the body of councillors.

However, Jeanne seems to have known how to make use of those in her employ. In 1348 Jeanne issued four letters 'à la relation', that is, by delegation.<sup>19</sup> During the early years of Charles' captivity, it was useful for her to be able to entrust certain matters to those with experience: and these were precisely those who had already given council or would do so under Jeanne.<sup>20</sup> This suggests that her desire to promote the advice of certain individuals was the product of choice as well as circumstances, and that her judgement was effective. If the remaining eleven councillors from the first period were ever called upon again, it was infrequent enough to leave no trace.<sup>21</sup> Conversely, fourteen of Jeanne's twenty-six councillors (54%) continued their services after 1356; four of these had served since before 1347, but seven first appear in the records between 1348 and 1351. Even more strikingly, 61.5% appeared on multiple occasions during this second period, doubling the proportion of repeat attendance. These figures suggest that under Jeanne's oversight, the composition of the council became more regular, and that the core of the later council was established during her solo rule.<sup>22</sup>

Jeanne's own role was also lastingly transformed in this period. If on average she attended one council for every two years before 1347, during Charles' absence, this number soared to 1.9 councils *per* year. And this remained elevated even after Charles' return, at approximately 1.25 councils annually—more than twice as often as she had done before his capture.<sup>23</sup> We must, of course, place these figures into perspective with the number of councils that occurred over

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18. Hervé de Léon had passed away some time before.

19. Guyotjeannin, Pycke, and Tock, *Diplomatique*, 153; *RACJ*, 107, 108, 116–17, though the formula is omitted once. She issued two more such letters in 1349 and one in 1350; Charles did so four times across his rule: *RACJ*, 82, 93–94, 121, 191–92, 220.

20. e.g. Pierre Poulart, Roland de Dinan (sire de Montafilant), Robert de St-Pere, Guillaume Le Voyer, and the archdeacon of Penthièvre.

21. Most of these had not been regular attendees even before 1347: only 36% of the councillors are recorded at more than one council before 1347.

22. This stability decreased slightly in the third period, with 45% of councillors appearing several times, but this is unsurprising given the increased appearances of these meetings. Cf. W. Mark Ormrod, "Edward III's Government of England c. 1346 - 1356" (PhD diss., University of Oxford, 1984), 99–100.

23. Assuming that an undated council mentioned in a letter of Charles V from 1373 occurred in these years: *RACJ* Supplément, 393.

these years: respectively, Jeanne participated in roughly 10%, 90%, and 30% of the council meetings. Again, this represented nearly a tripling of her proportional participation in the last period compared to the first, even if it was only a third as much as during her solo rule. These approximations do not capture the smaller variations between busy years and apparently ‘quiet’ ones. They also cannot tell us whether Jeanne’s involvement with the council (or rather, its increased involvement in her business) changed as a result of the experience she gained governing on her own, or as a result of her growing older—we must recall that she was quite young when she succeeded to the duchy. But these factors were not mutually exclusive. What the evolution of the council does demonstrate is that Jeanne’s impact as an administrator was reflected in the structures supporting ducal rule: there was mutual correspondence between the longevity of careers and patterns begun on her watch (if not necessarily on her orders alone) and her increased share of administrative business alongside Charles.

### Officials

The bureaucratic structure of *seneschaux*, *chastellains*, *receveurs*, *capitaines*, *bailis*, *alloués*, and so on, was another invaluable tool for the implementation of the ducal will over a turbulent and wide-spread territory.<sup>24</sup> Jeanne and Charles relayed specific orders to their local representatives in a variety of matters, though the standard use of phrases such as ‘a nostre seneschal de Jugon, ou a son lieu tenant’ suggest that these interactions did not necessarily depend on such specific individual relationships as did, say, the consultation of councillors.<sup>25</sup> Since not all extant acts required immediate action on the part of their officers, but instead contained a more general address (‘savoir faisons a tous’), the study of the officials conveys only one aspect of Jeanne and Charles’ effective power. But their use of this network was not identical. Except during Charles’ captivity, Jeanne issued more universal charters than individual *mandements*; most ordinary business of the sort committed to writing was carried out in the duke’s name.

This pattern is reflected in the orders made across the duchy of Brittany (see Figure 12). Jeanne’s orders multiplied later in their rule in comparison to the initial period (eight recorded instances versus two). The small sample size limits comparison, but this rise slightly outstripped that of Charles’ known interactions. This echoes the trend of increasingly shared administration established in our study of the council, suggesting the substantive nature of this shift across various areas of government. Again, whether it was the experience she had gained in ruling alone, a greater interest in administration on her part as she grew older, a

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24. These positions entailed a variety of military, administrative, and financial functions.

25. ‘To our seneschal of Jugon, or to his lieutenant’, *RACJ*, 121. The acts rarely named these officers.

Location	1341–1347			1347–1356			1356–1364			TOTAL
	Jeanne	Joint	Charles	Jeanne	Joint	Charles	Jeanne	Joint	Charles	
Auray	-	-	-	-	-	-	-	-	2	2
Châtelaudren	-	-	-	1	-	-	-	-	-	1
Dinan	-	-	2	-	-	-	1	-	-	3
Guingamp	-	-	-	1	-	-	-	-	-	1
Jugon	-	-	-	2	-	-	-	-	1	3
Lanvollon	-	-	-	1	-	-	-	1	-	2
La Roche-Derrien	-	-	-	1	-	-	-	-	1	2
Le Gavre	-	-	-	-	-	-	-	1	-	1
Lesneven	-	-	-	-	-	-	-	-	1	1
Nantes	-	-	5	1	1	1	-	-	1	9
Paimpol	-	-	-	1	-	-	-	-	1	2
Quimper	-	-	-	-	-	-	-	-	3	3
Rennes	1	-	3	-	-	-	1	1	5	11
St-Aubin du Cormier	-	-	-	3	-	-	-	-	1	4
St-Malo	-	-	-	-	-	-	-	-	1	1
Suscinio	-	-	-	-	-	-	-	-	2	2
Tréguier	-	1	-	1	-	-	-	-	-	2
<b>Town</b>										
Bretagne <i>gallo</i>	-	-	-	-	-	-	-	1	3	4
Cornouaille	-	-	-	-	-	-	-	-	2	2
Goëlle	-	-	-	-	1	-	-	1	1	3
Léon	-	-	1	1	-	-	-	-	1	3
Penthièvre	-	-	-	-	-	-	-	-	1	1
Touffou	-	-	-	4	-	-	-	1	-	5
<b>Region</b>										
TOTAL	1	1	11	17	2	1	2	6	27	68

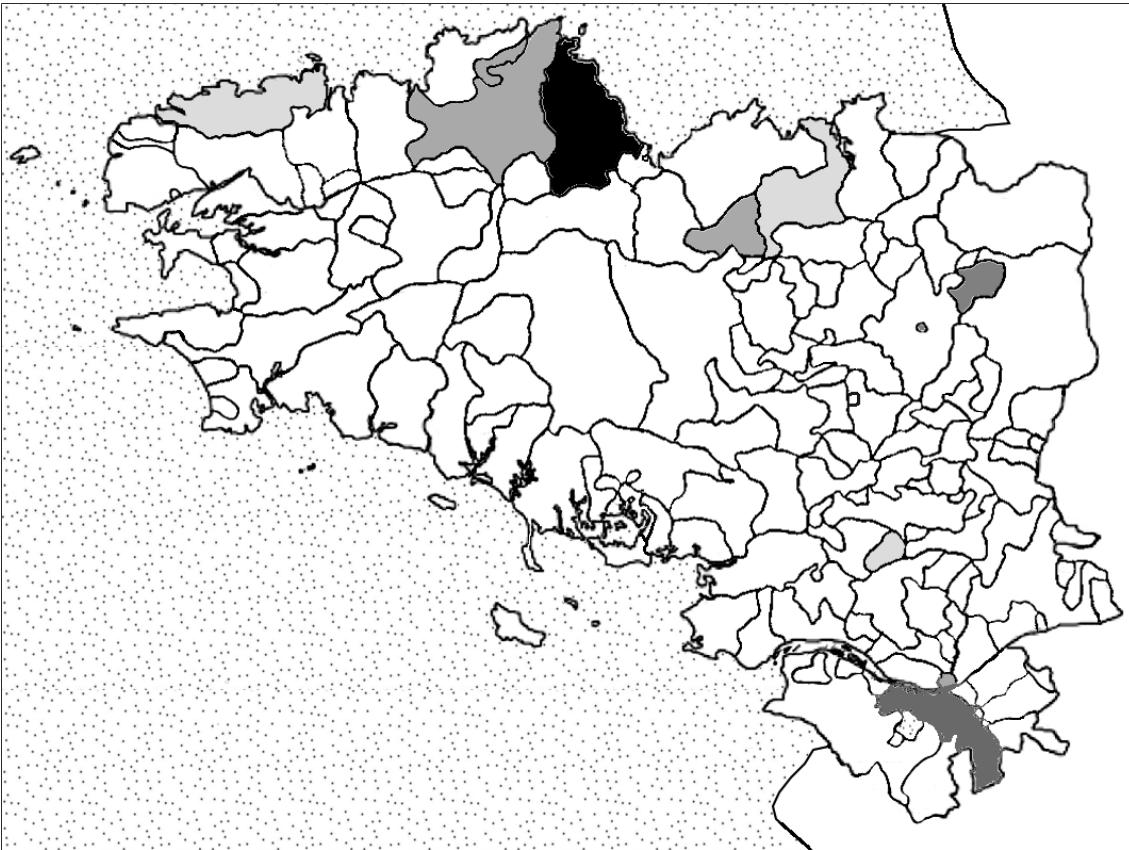
**Figure 12:** Distribution of orders to officials within Brittany, 1341–1364

response to the shifting political and military circumstances, or all three factors causing this change, Jeanne's relationship with the officials of her duchy was not static.

Unlike the council, however, these officers were not itinerant, so we can consider also the physical scope of Jeanne's use of this network. The most obvious difference between Jeanne and Charles' orders was a north-south, east-west split illustrated by mapping the total distribution of her orders across the twenty-three years (Figure 13).<sup>26</sup> Jeanne dealt often with the officials in her septentrional territories, with a secondary focus on the areas around the two 'capitals' of Brittany, particularly the southern forest of Touffou. This meant that the southern and western coasts of the duchy were not usually subject to Jeanne's direct attention, at least insofar as it was channelled through their officials on the ground. This broadly reflected the course of the war, during which the English focused more of their efforts on controlling precisely those regions.<sup>27</sup> By contrast, while Charles by no means ignored the northern territories, he issued more orders to

26. Excluding the officials associated with the meta-regions of Cornouaille and Bretagne *gallo*.

27. See Figure 4 on page 51, and the maps in Jones, "War," 66, and Jones, *Ducal Brittany*, 13.



**Figure 13:** Map of orders to regional officers by Jeanne (alone or with Charles), 1341–1364, with darkness of shading corresponding to frequency (from Figure 12)

his officers in Nantes and especially Rennes. Moreover, he repeatedly engaged with the strategically-significant towns and castles of the south—Quimper, Auray, Suscinio—in the period following his return from England.

This pattern also reflects the general shape of Jeanne’s personal itinerary, which was centered around the major towns of Penthièvre and the capital at Nantes, and contrasted with Charles’ greater mobility. Their distinct habits were largely a product of the war: Charles had to pursue the far-reaching conflict, while the dangers for Jeanne, a non-combatant and not infrequently pregnant, may have encouraged her to stay in the more secure portions of the duchy. The areas were not free of the war by any means, but they were more closely associated with the Penthièvre faction.<sup>28</sup>

Jeanne’s constant presence in the centres of their support must have had an impact on her relationships within the region even as the ‘main’ administration followed Charles.<sup>29</sup> The fact that she did not seek refuge outside of Brittany during

28. The battle of La Roche-Derrien is perhaps the most critical reminder of the northern battles, but in 1344, Charles also ordered the return of items taken from the church of Saint-Sauveur in Dinan for safekeeping during an English attack: *RACJ*, 85. Cf. the destruction of churches in Brittany: Leguay and Martin, *Fastes*, 153.

29. Cf. Sjursen, “Jeannes,” 35. Witnesses at the canonization trial recalled Charles’ own propensity for delivering justice to the needy in the middle of a field, much to the irritation of his scribes! *MPC*, 136; Jones, “Chancery,” 134.



the war speaks to the importance of her physical presence and ability to participate in the government. The strength of Jeanne's ties to local officials is also important for considering her relationship with this area after 1365, when her authority would continue to be grounded among the places and personnel to which she had already established the most regular connections. An official who had been 'custos sigillorum suorum de contractibus passatis in castellania sua de Guengampo', stated in 1371 that 'quorum sigillorum adhuc est custos nomine domine ducisse'.<sup>30</sup>

The official bureaucratic structure was not limited, of course, to Brittany: it stretched across all of the couple's holdings, and even beyond into the royal network. Figure 14 summarizes the surviving instances of Jeanne and Charles' interactions with these administrators:

		1341–1347			1347–1356			1356–1364			
Location		Jeanne	Joint	Charles	Jeanne	Joint	Charles	Jeanne	Joint	Charles	TOTAL
[1]	Limousin	2	1	4	1	-	-	1	2	-	11
	Mayenne	-	-	1	5	-	1	-	-	2	9
[2]	Blois	-	-	-	-	-	-	-	-	2	2
	Guise	-	-	1	-	-	1	-	-	1	3
[3]	Paris	-	-	1	-	-	-	-	-	1	3
	Rouen	-	-	-	-	-	1	-	-	1	2
TOTAL		2	1	7	7	0	3	1	2	7	30

[1] Lands inherited through Jeanne de Penthièvre

[2] Lands inherited through or related to Charles de Blois

[3] Lands not held or inherited by Jeanne and Charles (officers not necessarily their own)

**Figure 14:** Geographic distribution of orders to external officials

We can necessarily confirm the trend highlighted in the previous chapter: Jeanne's lack of involvement with the lands of Blois and Guise extended also to the regions' officials, with whom she did not apparently interact even during Charles' absence.<sup>31</sup> By contrast, she intervened repeatedly in both Limoges and Mayenne. The Norman lands do not seem to have been managed through such an extensive body of personnel as were Jeanne and Charles' other properties: when Jeanne ordered an inquiry into the customs at Bonne Villette in 1351, it was her castellan of Mayenne that fulfilled her command.<sup>32</sup> As a general rule, Charles and Jeanne conducted little of their business outside Brittany in person, acting instead through appointed intermediaries.<sup>33</sup> This was only practical, given the distances involved

30. 'Their keeper of the seal of contracts of their castellany of Guingamp, of which seal he is still the keeper in the name of the lady duchess', *MPC*, 170.

31. See page 96.

32. *RACJ*, 127.

33. *Ibid.*, e.g. 95, 127.

and the dangers of travel to Limoges especially, or to Normandy, or any other area routinely visited by the Anglo-French wars.

However, their interactions outside the duchy were not identical. Charles clearly predominated in handling transactions concerning officials in areas to which neither Jeanne nor Charles had a direct connection; these were usually royal officers such as a ‘thresorier des guerres de monseigneur le Roy’ or ‘les giens de leschequier de Rouan pour monseigneur le Roy’.<sup>34</sup> This division of labour, so to speak, correlates to a broader pattern visible within the *acta*. While certain of Jeanne’s early acts, some issued along with Charles, requested royal confirmation of the provisions, and she occasionally confirmed royal measures taken with regards to her own property, only Charles consistently interacted with the authority of Paris and its representatives.<sup>35</sup> Furthermore, this once again corresponded to Jeanne and Charles’ travel habits. Charles’ main absence from Brittany was, of course, caused by his imprisonment in 1347–1356, but this was far from the only time Charles left the duchy (see Figure 15). Elite medieval couples often separated or rejoined one another as business demanded and as affection suggested: government was mobile, and both wife and husband led itinerant existences. Jean de Berry relocated his wife and children and went to see them according to political circumstances (and we might wonder about the authority this role gave her).<sup>36</sup> In the following century, Philippe le Bon of Burgundy (1396–1467) and Isabelle de Portugal (1397–1471) spent 55% (200 days) of the year together on average, in stark contrast to their eldest son and his wife, who spent at most 145 days together and usually many fewer.<sup>37</sup>

Our records for Jeanne and Charles do not permit examination on this scale, but Charles was often drawn away on business in Paris or, less frequently, other areas of the French kingdom (Figure 15). These trips could last several months, the longest being Charles’ journey from mid-October 1356 to July or August 1357—hardly back in the duchy, he left again, testament itself to the acceptance of Jeanne’s tenure. Jeanne was not confined to Brittany, either, but she seems rarely to have left before 1364, and apparently never without Charles (save to join him at Calais during his captivity). After 1365, Jeanne instead spent much of her time in Paris; but this highlights the extent to which her official network was previously circumscribed within the boundaries of her own domains.

In all likelihood, when Charles attended to affairs in France, Jeanne usually remained in Brittany and continued to oversee things there. The difference in

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34. ‘War-treasurer of milord the king’; ‘the men of the exchequer of Rouen for milord the king’, *RACJ*, 150, 169.

35. *Ibid.*, 98–101.

36. Françoise Lehoux, *Jean de France, duc de Berri: Sa vie, son action politique (1340–1416)* (Paris, 1966–1968), 319–24.

37. Sommé, *Isabelle*, 47.

Location	Dates	Jeanne?
Paris	c. 27 March 1343 to April 1343	Unknown
Paris, Avignon, Limoges	31 December 1344 to 9 March 1345	Brittany
Paris	January 1347	Together, but trip is unconfirmed
Paris, northern France, Avignon, Bruges	17 October 1356 to 23 June 1357	Bruges, otherwise likely Brittany
Paris	November 1357	Unknown, likely Brittany
Paris, possibly Blois	Autumn 1358 to 13 December 1358	Unknown
Northern France and Low Countries	April-May 1362	Unknown
Poitiers	26–28 November 1363	Brittany
Poitiers	24 February 1364	Unknown

**Figure 15:** Travels of Charles de Blois outside Brittany after 1341

Jeanne and Charles' itineraries was useful for achieving a measure of stable rule beyond that which either would have managed on their own. Charles' routine displacements during their joint rule do not seem to have necessitated any specific arrangements. Even his prolonged and unanticipated sojourn in England was distinguished only by the presence of a royal governor appointed by Philippe VI, who appears to have mainly helped Jeanne coordinate the administration of her lands outside of Brittany.<sup>38</sup> The ease with which Jeanne made use of the ducal council and began to issue orders and delegate tasks through her administrative apparatus during this period suggests this was established practice. And who better to maintain the ducal presence, ensure the operations of the government, and remind the barons of their cause, than Jeanne? The many gaps in the record do not allow us to confirm this directly: only one act of Jeanne's from any period when Charles *might* have been travelling now survives.<sup>39</sup> On the other hand, nearly all of Charles' surviving acts while 'abroad' pertained to affairs in the immediate vicinity, or at least not to Brittany: the administration of internal affairs, however mobile within the duchy, rarely travelled beyond its borders.<sup>40</sup>

Accordingly, despite these variations in Jeanne and Charles' use of the admin-

38. *RACJ*, 119–20; *RACJ Supplément*, n. 380; AD P-A, E 740, f. 3–6.

39. *RACJ*, 182.

40. See *ibid.*, 129, for the only extant exception to this rule.

istrative network, the authority which they held over their officers was not much differentiated. For instance, while Jeanne ordered wages paid to judges, agents, and other officials only in Charles' absence, they did sometimes appoint administrators together.<sup>41</sup> And just as she oversaw major changes within the council after 1347, Jeanne did not hesitate to replace her officials. Though Charles had named one Alain Guillemot as *alloué* (lieutenant seneschal) of Nantes, Jeanne gave the post to another; in return, she granted Alain 'plain povoir et mandement especial' to serve as 'chastellain de nostre chastellenie de Touffou' on 8 June 1348.<sup>42</sup> She reserved Charles' right to change the nomination, but had not needed permission to make these replacements herself.<sup>43</sup> If these officials, then, were more often responding to Charles' orders, there were no particular limits on Jeanne's authority over them. Both she and Charles interchangeably addressed letters in the conventional style to 'nos officiers'. Moreover, as early as May 1342, Jeanne felt entitled to rebuke the *receveur* of Rennes in no uncertain terms:

comme aultre fois nous vous eussions mandé par noz lettres que vous payez à nostre bonne amé l'abbesse de Saint Georges de Rennes une somme d'argent...nous emerveillons moult que vous ne lavez payees, sy vous mandons et commandons que vous li ly payee la dicte somme...sans delay, par quoy...elle ne puisse se en doubdire de vous recevoir...<sup>44</sup>

Jeanne's administrative interactions were not as frequent as Charles' (particularly in making requests of royal functionaries), but they were of a like kind.

This is significant for our interpretation of her position. Jeanne's increased presence in the record during Charles' captivity was not dissimilar to other women who took power in their husbands' absence. For instance, '[Queens] Isabella and Philippa's actions as administrators...are recorded in the straight-forward language of administrative record and are treated merely as routine'.<sup>45</sup> Benz St. John emphasizes that this required no official delegation of royal authority, and so argues that the administrative role fell naturally within the queen's purview when the king was absent. The strength of Jeanne's position came, however, from her own status rather than by representing a wider authority.<sup>46</sup> She directed

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41. *RACJ*, 95, 104, 176, 213; for wages, see *ibid.*, 110, 128, 186, and Jones, "Molin," nos. 73, 112. In Limoges, other local officers usually authorized wages, but the loss of corresponding accounts for Brittany limits our knowledge of practices nearer Jeanne and Charles.

42. 'Full power and special mandate'; 'castellan of our castellany of Touffou'.

43. *RACJ*, 110.

44. 'Since on another occasion we had asked you by our letters that you pay our well-loved abbess of Saint-Georges of Rennes a sum of money, we marvel greatly that you have not paid it, and so we demand and command that you pay her the said sum without delay, so that she may not complain about you as a *receveur*', *ibid.*, 57. Reminding officers of their duties was a recurring task across Jeanne and Charles' rule.

45. St. John, *Queens*, 137.

46. Cf. *ibid.*, 161.

these officials independently of Charles. The equivalent authority between duke and duchess gave the administration a flexibility that helped adapt relatively smoothly to Jeanne's solo rule and back again.

### Managing relationships

The counterpart to such considerations, of course, was the extent to which those at the other end of these interactions—not only the administrators, but the noble retainers of Jeanne and Charles—saw their relationship with the duchess and duke as similarly fluid. We will turn now to assessing this interpersonal dimension, first in Jeanne's efforts to recompense the dedication of their adherents, and then in the perspectives brought to the canonization trial in 1371 by those associated with their households, retinues, or government. These two angles confirm the impact of Jeanne and Charles' power-sharing on their administration and shed light on the experience of being in their joint employment.

### Rewarding loyalty

While administrators received wages, exceptional service (such as that displayed by Pierre Poulard) could be met with increased compensation.<sup>47</sup> At the same time, many of Jeanne and Charles' supporters were nobles whose allegiance depended more on personal inclination and advantage than on designated technical functions. Some were, perhaps, predisposed to service through their personal familiarity with Jeanne and her family, but her attention to the process of rewarding faithful service, military and otherwise, strengthened her relationships within this greater political community and constituted an expected part of princely rule.<sup>48</sup> She and Charles spread their gifts widely: the twenty or so surviving rewards to lords, ladies, and other functionaries repeat a beneficiary only seldomly. These donations can be considered separately from financial management more generally, since the motivations here were different.<sup>49</sup> They are also attested in a contrary distribution to most of the facets we have so far observed, being more common in the first period of Jeanne and Charles' rule.

In fact, several early examples of rewards to their followers gave Jeanne's involvement special prominence. On 12 June 1342, Antoine Doria (admiral of France since 1339 and later Jeanne's captain of La Roche-Derrien) received a variety of Breton properties.<sup>50</sup> Though the act was issued in Jeanne and Charles'

47. *RACJ*, 220; Jones, "Chancery," 136.

48. Cf. Balouzat-Loubet, *Mahaut*, 224–30; St. John, *Queens*, 152.

49. Nor were the gifts always monetary—the pope received both venison and lampreys from Jeanne and Charles, and the duke also gave his physician a crate of *hypocras*: *RACJ*, 103, 148, 232. Enhanced jurisdictional rights, too, could make a fine reward: *ibid.*, 57–58, 94–95.

50. *Ibid.*, 58–62.

names jointly, it is one of the few which was authorized as ‘Par monseigneur on son conseil’.<sup>51</sup> However, unusually, the authorization clause specified that Charles’ permission was granted ‘a linstance dixelle’.<sup>52</sup> Simultaneously, the act stressed Jeanne’s status as heiress ‘seule et pour le tout’—not directly of the previous duke but of ‘feu Guy de Bretagne, jadiz conte de Pointevre’.<sup>53</sup> Reminders of her family ties were added only in the more formal contexts during which Jeanne wished to make clear her personal role and authority.<sup>54</sup>

Moreover, a donation to Jean de Derval almost exactly a year later (11 June 1343) described a similar situation. The elaborate authorization clause clearly stressed Jeanne’s role, almost transforming the joint act into Jeanne’s personal gift: ‘cest assavoir nous duchess o lauctorite et assentement expressement a nous sur ce donnez de nostre treschier seigneur et mari, donnons et octroions...’<sup>55</sup> This could be the simple product of the longer-than-normal invocation, which once again named Jeanne as heiress (this time of Jean III) and brought in the authority of the king; but it was reinforced at the end, where ‘nous duc et duchesse dessusdiz, et especiaument nous duchesse’ sealed the act.<sup>56</sup>

This is not to say that Jeanne was always so personally invested. A joint gift in 1361 to Bonabès de Rougé-Derval acknowledged the death of his father Guillaume ‘quant prins fumes de noz ennemis’ (the battle of La Roche-Derrien).<sup>57</sup> Here the ‘nous’ was obviously Charles and the reward drew on this immediate military companionship. However, the type of service itself was not grounds for ruling out Jeanne’s participation: indeed, both of the previously-mentioned grants rewarded the exertions occasioned ‘de jour en jour en noz guerres de Bretagne’.<sup>58</sup> Jeanne was as inclined to look after the knights who fought for her as Charles was for his fellow combatants. In 1351 she wrote a letter for a departing servitor attesting that ‘nostre ame cousin Mons. Thomas de la Marche a este en Bretagne

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51. *RACJ*, 62. This usage was confined almost exclusively to the first two years of their reign, either as a function of Jeanne’s age, or because of the physical separation demanded by the relative intensity of the war at this time.

52. ‘At her insistence’, *ibid.*, 58.

53. The specific claim through Guy might stem from the immediacy of Jeanne’s claims, less than a year past, highlighting the mechanism through which her title to the land in this gift—part of the ducal domains—was exercised.

54. e.g. *RACJ*, nos. 19, 288–89. This contrasts with the more passive use seen, for instance, in the acts of Jeanne de Navarre, Philippe IV’s queen (and is more akin to the stylings of Queen Blanca): Woodacre, *Queens*, 35, 98.

55. ‘Namely we the duchess with the authority and assent expressly given to us for this by our dearest lord and husband, give and grant’, *RACJ*, 68. See page 153, below, for such clauses.

56. ‘We the aforesaid duke and duchess, and especially we the duchess’, *ibid.*, 71.

57. ‘When we were taken by our enemies’, *ibid.*, 211.

58. ‘From day to day in our wars of Brittany’, *ibid.*, 58.

et a servi Mons. de Bretagne et nous en noz guerres bien et loialment'.<sup>59</sup> She also intervened on behalf of a lord 'prisonnier de nos annemis pour cause de nos guerres' to halt his lawsuits in Brittany in 1357.<sup>60</sup> And so it was in the 1361 donation: Guillaume de Rougé-Derval had perished 'pour la defanse de nostre droit', which was Jeanne's right as much as Charles'.<sup>61</sup>

But warfare was not the only form of service to receive rewards. Some of Jeanne's female attendants appear in our records, such as 'nostre tres chere et amee damoyselle Margarite du Perier', who received a grant from Jeanne and Charles on 27 September 1343 for services 'a nous la dicte damoyselle [Jeanne] et a nostre treschere dame et mere [Jeanne d'Avaugour]'.<sup>62</sup> Charles was unlikely to have had much personal interest in this person or her gift: in such cases, he might have played the spouse whose permission was necessary, just as was Jeanne's, for such transactions. As usual, he was on hand to receive Marguerite's homage. But when it came to the grant of the manor of St-Bihy to Alipse de la Lande, 'damoisselle appresent de nostre tres chere et tres amee fille Marie de Bretagne', for the services done to both parents and daughter, Jeanne and Charles acted 'd'un commun assentement'.<sup>63</sup> Managing all their followers was a joint exercise important to the interests of both the duchess and the duke.

### Recollections of service, 1371

Jeanne and Charles' joint leadership was reflected not only in their own actions, but in their followers' views of their duke and duchess. Many of the witnesses who testified on Charles' life and virtues during his canonization trial were former servants, some of whom were still in Jeanne's employ.<sup>64</sup> Their testimony offers a rare expression of these functionaries' experiences of service at the ducal court, particularly with regards to Jeanne and Charles' shared government. The fact that this source was intended only to record the character and deeds of the duke makes references to Jeanne all the more noteworthy. Perhaps the recurring view of Charles as a better holy man than administrator—'Domine, non habemus

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59. 'Our beloved cousin milord Thomas de la Marche was in Brittany and served milord of Brittany and us in our wars well and loyally', *ibid.*, 128.

60. 'Prisoner of our enemies because of our wars', *ibid.*, 182.

61. 'For the defense of our right'.

62. 'Our dearest and beloved attendant Marguerite du Perrier'; 'to us the said young lady and to our dearest lady and mother', *RACJ*, 71.

63. 'Currently lady-in-waiting to our dearest and most beloved daughter Marie de Bretagne', *ibid.*, 201; the grant was made shortly after Marie's betrothal to Louis d'Anjou, and confirmed just after their marriage (*ibid.*, 213).

64. Such as Henri Chèf, keeper of the seal of Guingamp, *MPC*, 170. The time lapse between the performance of service and its recollection certainly blurred details of dates, locations, and participants 'de quibus iste non recordatur', but most accounts are surprisingly well-rounded.

pecuniam pro guerris et statu vestro sustinendis’—increased Jeanne’s clout!<sup>65</sup>

Eight of fifty-six witnesses dated their service from the time ‘quo matrimonium [Carolus] contraxit cum domina Ducissa Britannie’.<sup>66</sup>

Name	Diocese	Position	Entry
Hamo de Langueouez	Léon	<i>domicellus</i> of Hervé de Léon	XI
Jean de Carmellou	Tréguier	squire	XVI
Derien Petit	Tréguier	Franciscan	XVIII
Jean de Fournet	Dol	squire	XXI
Jean Gauvin	St-Malo	valet, servant of Pierre Heriçon	XXXI
Roland Ponce	Tréguier	secretary, official <sup>[1]</sup>	XXXIX
Richard Poulard	St-Brieuc	clerk, official <sup>[1]</sup>	XLII
Henri Prévôt	Tréguier	squire, official <sup>[1]</sup>	XLIX

<sup>[1]</sup> For more details on the multiple offices fulfilled, refer to their statements in *MPC*.

**Figure 16:** Witnesses in 1371 serving since Jeanne and Charles’ marriage

These were all Bretons, not in itself unusual for the court of a Breton prince. It was also typical of the witnesses assembled in 1371, of whom only a fifth came from outside of the duchy, and most of these did not serve Charles ‘ante matrimoniam’. But moreover, five of these eight were from the areas controlled by Jeanne’s family (dioceses of Tréguier and Saint-Brieuc); a sixth was from Léon, whose lords—including Hervé—were long allies and relatives of the Avaugour family.<sup>67</sup> It seems likely that the personnel given to the young couple was drawn from those already loyal to her family, especially since at that time she was still simply countess of Penthievre. These men had not known Charles before he came to them in Brittany, coming ‘de partibus gallicanis’ and newly-wed to the scion of a family with which they were likely familiar.<sup>68</sup> In fact, Hamo de Langueouez seemed especially conscious of this transfer, when he mentioned the ‘tempore, quo domina Ioanna Britannie fuit prefato Domino Carolo desponsata’ instead of vice versa!<sup>69</sup> Hamo described also how Hervé ‘habebat amittam dictam Domine Ducisse in uxorem’, underlining the immediate ties which such early servants

65. ‘Lord, we do not have the money to sustain the wars and your estate’, *MPC*, 170–71, Henri Chêf reporting the words of Pierre Poulard. This impression was of course tailored to some degree to fit the circumstances, but was often repeated.

66. ‘At which he married the lady duchess of Brittany’, *ibid.*, 35, 46, 51, 62, 103, 135, 147, 169.

67. This distribution, centred on the north of the duchy, reflects also the state of tensions in 1371: Jean IV’s hostility to the proceedings meant that it was likely easier for retainers in Jeanne’s own lands (where Charles’ cult was also based) to attend.

68. ‘From the regions of France’, *MPC*, 452.

69. ‘Time at which Lady Jeanne of Brittany was engaged to the aforementioned Lord Charles’, *ibid.*, 35.



could already have had with Jeanne.<sup>70</sup> Consequently, he interpreted the duke's (count's) arrival through the duchess and the status quo.

There were exceptions, such as Paul de Viscogne, a Norman who had known Charles since childhood and accompanied him to Brittany; exceptionally, he recognized that at the time of the wedding Jeanne was 'tunc comitissa Pentevrie et post ducissa Britannie'.<sup>71</sup> A further six witnesses had known Charles before he came to rule (a number no doubt reduced in 1371 by the toll of time), but they had been left behind in Blois and said they knew Charles only 'usque *ad tempus quod matrimonium contraxit*'.<sup>72</sup> The rest of the witnesses had entered ducal service in varying stages across the next twenty-some years. This gives a distinct impression of a Breton-centric government from the outset: Charles adopted more local servants than he brought with him, many of whom were probably already known to the family of his new bride. The population of the court certainly had ties to Jeanne: Érarde de Léon (brother of Hervé VII), although his inheritance of Fremereville (Picardy) sometimes drew him away from the duchy, recalled his time in the company of Guy de Penthièvre and actually dated an event as 'in anno domina Iohanna ducissa Bricannie nata fuit'.<sup>73</sup> Her birth was noteworthy or memorable to him and, so he must have assumed, to others. Other witnesses remembered the familial connections to the duchess of courtiers such as Érarde.<sup>74</sup> In other words, the members of this administration were built around Jeanne, a system into which Charles was a new arrival.<sup>75</sup>

It is in this light that we must consider the ongoing emphasis on Jeanne's succession in the donations discussed above: more than simply a reminder of her claim and Charles' (though it was that), it reinforced the long-standing relationships familiar to their followers. The gift to Bonabès de Rougé-Derval rewarded more than his father's sacrifice; it also recognized the 'penibles, bons et loyaulx services que le dit monsieur Bonnabes de Rouge a faiz a noz predecessours au prouffit et a lonneur de noz predecessours et de nostre duche'.<sup>76</sup> This and other similar expressions sought to create continuities between loyalty to Jeanne's ducal

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70. 'Gave away the said lady duchess in wedlock', *ibid.*, 36.

71. 'Then countess of Penthièvre and afterwards duchess of Brittany', *ibid.*, 180.

72. 'Until the time at which he married', *ibid.*, 14, 16, 18, 20, 22, 25, emphasis mine. Three witnesses from Charles' youth did not refer to his marriage.

73. 'In the year Lady Jeanne, duchess of Brittany, was born', *ibid.*, 393.

74. *Ibid.*, 349, 393 Cf. the descriptions of Jeanne's maternal and paternal ascendance by those recalling her earlier succession in 1341: BnF, MS fr. 22338, e.g. f. 118, 123, 124, 125v, 137v-138, 138v, 139v. Some of these witnesses are known to have been servants of the ducal family both before and immediately after 1341.

75. Indeed, the Montfortists accused the Penthièvre partisans in 1341 of supporting Charles because they were related to Jeanne: Jones, "Succession," 50.

76. 'Difficult, good, and loyal services that the said milord Bonabès de Rougé has done to our predecessors, to the profit and to the honour of our predecessors and of our duchy', *RACJ*, 211.

and comital ancestors, to Jeanne and Charles themselves, and then to their heirs. If historians have emphasized Charles' early efforts to integrate himself into the life of the duchy in order to explain support for him the succession crisis, these accounts overlook the extent to which his work had already been done for him in the support for his wife and her lineage.<sup>77</sup>

We are also fortunate to have more detailed testimony from several officials who saw their service split between the two spouses. Not all followed the same pattern. Some served Charles more directly (at least as recalled here) during the early years of their rule, but remained at Jeanne's command after 1347. The professionally-named Alain Mareschal

cum ipso Domino Carolo moratus fuit iste per spacium quatuor vel quinque annorum antequam captus fuisset apud Rocham Deriani...et fuit prisonarius in Anglia per spacium decem annorum vel circa...et per dictum tempus decem annorum commoratus fuit iste cum domina ducissa Britannie uxore eiusdem Domini Caroli...et dum rediit de Anglia iste moratus fuit cum ipso per decem annos, vel circa, ante mortem suam.<sup>78</sup>

Olivier Thibaud was likewise a longtime retainer, serving as Charles' 'famulus, portans gladium et scutum suos', but during Charles' captivity he likewise 'commoratus fuit iste cum domine ducissa Britannie' until Charles' return, whereupon he took up the role of butler.<sup>79</sup>

Others actually began their careers under Jeanne in the period 1347–1356. Guillaume Belengier was well-stationed by 1371 as 'presbiter, licenciatus in iure canonico, canonicus ecclesie Maclovensis'.<sup>80</sup> This career was founded in service at the 'curia tam dicti Domini Ducis, quam Domine Ducisse', and Jeanne was his first employer before he became Charles' secretary after 1356.<sup>81</sup> Apparently his time with Jeanne drew some interest from the *enquêteurs* since

[i]nterrogatus quando primo venit ac servicium dicta Domine Ducisse, dicit quod anno Domini millesimo trecentesimo quinquagesimo primo vel circa...et postmodum quasi continue stetit in dicto servicio, ut prefertur, usque ad mortem dicti Domini Caroli, excepto tempore graviorum generalium felicis recordacionis Domini Innocentii Pape Sexti, quo tempore ivit

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77. Cassard, *Guerre*, 26ff.; Prigent, *Basse-Bretagne*, 145. Cf. chapter nine, page 200.

78. 'Stayed with Lord Charles for a period of four or five years before [Charles] was captured at La Roche-Derrien; and [Charles] was a prisoner for a period of ten years or so, and for that time of ten years he stayed with the lady duchess of Brittany, wife of the same Lord Charles; and when [Charles] came back from England he stayed with him for the ten years or so before his death', *MPC*, 152.

79. 'Servant, carrying his sword and shield'; 'he stayed with the lady duchess of Brittany', *ibid.*, 130–31; cf. 128.

80. 'Priest, master in canon law, canon of the cathedral of Saint-Malo', *ibid.*, 56.

81. 'The court both of the said lord duke and of the lady duchess', *ibid.*; cf. *RACJ*, 217, 220, 229, 230, for his surviving letters.

Avinionem ad dictas gracias de licencia dicte Domine Ducisse.<sup>82</sup>

The smooth transition in talking of service to the duchess and duke portrays it as a single process, regardless of who specifically embodied the ducal authority most at a given moment. And of course, some servants would attend both the duke and the duchess simultaneously.<sup>83</sup>

By contrast, some considered themselves to be in Jeanne's employ alone. Such was the Franciscan Jean Lay of Guingamp, who 'in curia ipsius domini per viginti et unum annos continue mortem ipsius precedentes, commoratus fuit cum domina ducissa uxore ipsius Domini Caroli, tam in officio elemosinarii, quam eciam in officio sacriste capelle eiusdem'.<sup>84</sup> This position strongly influenced the rest of his narrative about Charles, to whom he was less directly tied. Many of his observations of Charles were contextualized as 'quociens dictus Dominus Carolus, cum domina ducissa existebat' or 'adesse contingebat', his duties to Jeanne impacting and limiting his interactions with Charles.<sup>85</sup> He did fulfill certain functions for the duke as well: hearing his confession in the absence of the usual priests or selecting paupers to receive Charles' personal attention, but even this he did as 'elemosinarius dicte domine ducisse'.<sup>86</sup> This interaction reflected the lack of formal separation in the households, even when the duke and duchess often lived apart. And it blurred many perceived lines: Charles himself 'pluries dixit isti testi...vos estis elemosinarius noster', and one of Jeanne and Charles' clerks referred to Jean Lay as Charles' confessor.<sup>87</sup> But it is clear that the friar himself considered his duties first and foremost to Jeanne, even in a context which had, ostensibly, little to do with Jeanne herself.

## Conclusion

We can draw several inferences from this testimony alongside the evidence from Jeanne's actual rule. Ducal servants were flexible in the fulfillment of their roles

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82. 'Asked when he first came into the service of the said lady duchess, he said in the year 1351 or thereabouts; and afterwards he stayed almost continuously in the said service, as he said before, until the death of the said Lord Charles, save for the time of the general indulgence of Lord Pope Innocent VI of blessed memory, at which time he went to Avignon for the said graces with the permission of the said lady duchess', *MPC*, 56. This may have referred to the Jubilee of 1350 under Clement VI (assuming a transcription error), or allude to a similar event, now unknown, at the beginning of Innocent VI's reign in 1352: Pocquet du Haut-Jussé, *Papes*, 322.

83. Cf. *MPC*, 237.

84. 'In the court of the said lord for twenty-one years straight preceding his death, he stayed with the lady duchess, wife of the lord Charles, both in the office of almsgiver, and also in the office of sacristan in her chapel', *ibid.*, 113. Given the intense focus on Charles' attachment to the order, it is interesting to see Jeanne's own independent connections.

85. 'As often as the said lord Charles was/happened to be present with the lady duchess', *ibid.*, 113–16. Cf. those who went with Charles to England: *ibid.*, 31, 35, 37, 43, 76, et al.

86. 'Almoner of the said lady duchess', *ibid.*, 114, 116.

87. 'Often said to this witness, 'you are our almoner'', *ibid.*, 116, 150.

via-à-vis either of their employers: or, to put it another way, Jeanne was a normal component of the ducal administration. Careers carried on under her without apparent interruption, meaning that she was well able to grasp and use the administrative apparatus in place by 1347; but nor was this a passive shift, as evidenced by the careers which began under her purview and were thereafter integrated into the routine functioning of government. Because the core of their administrative personnel were Bretons, many of whom probably had existing ties to Jeanne and her family, the shape of the government was well-adapted to a 'double' court.

The net effect of these patterns on an individual level were summarized in the terms by which Robin de Lanvalay took command of their castle of Le Gavre in 1361.<sup>88</sup> Unlike some indentures which Jean IV used to establish his own captains, this document was written as a formal charter with the standard formula of universal significance and relevance ('sachent touz').<sup>89</sup> It began with the process by which Robin had come into his captaincy:

je, Robin de Lanvalay, en prenant et acceptant a ma requeste et supplication de mes treschers et tresredoubtez seigneur et dame monseigneur mons. Charles duc de Bretagne et vicomte de Limoges et de madamme Jehanne duchesse et vicomtesse des diz lieux, le fes, la charge, et loffice de capitaine de lour chastel et forterece du Gavre...<sup>90</sup>

Jeanne's influence on the careers of her followers made it necessary, or at least expedient, to seek a placement from both the duke and the duchess. What is further noteworthy here is the parity of language used to describe Jeanne and Charles. Not only was it their 'castle and fortress', but they together were Robin's 'dearest and most dread' princes. This close and undifferentiated association was to continue throughout this act, which simply referred to them as 'mes seigneurs', his lords.

In so doing, the act reveals something new about a familiar procedure:

lour fis sermer et foy sur Dieu sacre en ma presence et moy en la main de mondit seigneur et sur ma loyauté, honneur, et estat, pour luy et madicte dame et mes seigneurs leur enfanz sur et par les moz, poinz, clauses, et articles qui ensevent.<sup>91</sup>

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88. Archives départementales des Pyrénées-Atlantiques, Pau, E 629.

89. Jones, *Actes Jean IV*, e.g. 1:84–87, 90, though cf. 88–89.

90. 'I, Robin of Lanvalay, in taking up and accepting—by my request and supplication to my dearest and most dread lord and lady milord Charles, duke of Brittany and viscount of Limoges, and milady Jeanne, duchess and viscountess of the said places—the burden, the charge, and the office of captain of their castle and fortress of Le Gavre'.

91. 'I gave pledge and faith upon God consecrated in my presence, and I in the hand of my said lord, and upon my loyalty, honour, and estate, to him and my said lady and my lords their children upon and by the words, points, clauses, and articles which follow'.

The donations examined above, to the lord of Derval and to Marguerite du Perrier, referred to the homage given to Charles.<sup>92</sup> This encourages a narrow interpretation of the ritual's significance, in which Jeanne might support, even instigate, the actual transfers of land, but the particular relationship established by homage and its contingent obligations were between Charles and the recipient alone.<sup>93</sup> Robin's homage demonstrates that this should not be assumed. By performing homage 'en la main de mondit seigneur', he made an oath to Jeanne and Charles simultaneously (and to their children, for good measure); the seven articles of his promise constantly reiterated the inclusive nature of this loyalty. Such a homage was not to the lord as an individual, but to the lordship unit, of which Jeanne and Charles were both representatives.

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92. RACJ, 64, 71.

93. Cf. Susan Reynolds, *Fiefs and Vassals: The Medieval Evidence Reinterpreted* (Oxford, 1994), 25.

## 6 | Managing strategy: Justice and conflict

*Item, elle ne puet juger avec le prince...pour quoy femme ne puet succeder en parrie. Item, il est certain que pour la fragillite de son corps elle ne puet servir ne aider a la deffense de la corone ne dou royaume.*<sup>1</sup>

The Montfortist arguments in 1341 doubted a female prince's ability to perform two central duties of lordship: delivering justice and waging war. Their views notwithstanding, of course, Jeanne in practice did both; in fact, her influence on certain disputes large and small are among the best-documented aspects of her career. Repeated periods of negotiation were an integral part of legal and martial proceedings, and Jeanne and Charles' responses to complex diplomatic situations on a local and an international scale demonstrate the effectiveness of their flexible power dynamic in pursuing their goals. Of course, these efforts at bargaining were not the final word in either law or warfare, and the fuller contexts for these debates were still marked by some of the patterns of power-sharing seen in other areas of government. These ranged from Jeanne and Charles' ability to intervene in court cases or answer complaints together and individually as circumstances warranted, to the rise of Jeanne's involvement with the provisioning of soldiers and the defense of towns during Charles' captivity.

However, two particularly important disputes in Jeanne's career stretched out over many years: one with her aunts over their share of the Avaugour inheritance, the other the arrangements for Charles' liberation from 1347 to 1356. During these protracted processes, Jeanne and Charles used their shared authority to take best advantage of the available options. The Avaugour complaints were marked by a series of concessions interspersed with (probably deliberate) delays; Jeanne and Charles exchanged responsibility with each other and invoked their shared authority to control this progression. Conversely, there were moments where the duchess and duke may have had different priorities or sought to protect their interests using different strategies, particularly in the bargaining with Edward III of England and the kings of France in the years leading up to 1353. Jeanne seems to have favoured an English alliance and a definitive solution to the

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1. 'Item, she cannot judge with the prince, for which reason a woman cannot succeed to a peerage. Item, it is certain that for the fragility of her body she cannot serve nor aid in the defense of the crown or of the kingdom', Jones, "Succession," 29.

war while Charles was bound more closely with France, though at key turning points they had to agree on a course of action (if not the reasons for taking it). Previous scholarship, however, has not sufficiently accounted for these multiple viewpoints in assessing the wider implications of these events.<sup>2</sup> Analyzing shared power is therefore significant not only within the study of Jeanne's (or, for that matter, Charles') career, or for the light it sheds on aristocratic power, but as a correction to an incomplete or one-sided interpretation of complex events.

### Administering justice

In 1341, the Montfortists argued that 'offices de duc si est de jugier et de gouverner le peuple, or est il deffendu par droit divin et par l'apostre que femmes naiant aministracion [*or* domination] sur les hommes et avec ce li apostres dit que femme ne doit pas enseigner ne juger'.<sup>3</sup> The answering Penthievre views drew upon an interesting distinction: 'combien qu'on ne lise pas femme pour estre juge toutesvoies quant elles on juridicion de tenir heritaige elles peuvent juger... [L]es femmes qui tiennent fieff de leurs heritaiges sont aussi bien a [j]uger comme sont les habitues'.<sup>4</sup> This differentiated between the authorities responsible for the administration of justice, separating the law-trained appointed judges from the seigneurial powers that inherited the role. This latter was, in this description (and certainly in reality), a space open to female prerogatives.

The responsibility of upholding justice usually involved Jeanne in one of two ways: overseeing verdicts and operations within the Breton court system, and addressing complaints put before her directly.<sup>5</sup> When matters were dealt with in the first instance by the courts, Jeanne and Charles could intervene at various stages of the process. The precise relationship of the duchess to the formal judicial system is not clear. Acts referred to the accoutrements of the courts most often in association with Charles: 'le seel du dit mons. establi es contraz en ladicte ville' (in 1341, prior to the assumption of the ducal title) or 'le seau de noz contractz'.<sup>6</sup> However, acts from both Jeanne and Charles individually referred to 'nos courts',

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2. Especially Pocquet du Haut-Jussé, *Papes*; Déprez, "Querelle."

3. 'The office of duke is to judge and to govern the people; meanwhile, it is forbidden by divine law and by the Apostle that women should have administration/dominion over men, and along with this the Apostle says that a woman must not teach or judge', Jones, "Succession," 27.

4. 'Howsoever one might not choose a woman to be a judge, nevertheless when they have jurisdiction to hold an inheritance, they may judge; the women who hold a fief through their inheritance are as well-able to judge as are those dedicated to the task', BnF, MS fr. 18697, f. 150v.

5. Sjurson, "Jeannes," 34, considers only the former in looking for a 'hint' that Jeanne was involved with delivering justice, and at the same time underestimates Charles' role in this regard.

6. *RACJ*, 53, 86. Cf. Henri Prévôt, keeper of the seal of Guingamp in Charles' name then in Jeanne's: chapter five, page 113.

suggesting that they again shared in this aspect of ducal authority.<sup>7</sup> Accordingly, Jeanne halted ‘toutes les causes, injures, queeles et negoces’ of one of her followers in 1357 since he was currently a prisoner of the English, suspending the legal disputes for the duration of his imprisonment.<sup>8</sup> In another instance, a disagreement was being prosecuted in 1354 between the abbey of Bégard (a frequent recipient of ducal generosity) and the lord of Kergorlay over certain properties; Jeanne intervened in the midst of the case to extend certain jurisdictional rights to the abbey for the duration of the dispute.<sup>9</sup> And together, she and Charles confirmed a sentence given in 1363 by the officials of Nantes, granting Silvestre de Chaffault, their *maître d’hôtel*, the right to take dead wood from the ducal forest of Touffou: earlier, the lord had approached Charles about his prerogatives after being refused by their officials in the area, a problem similar to that with which Brient Maillart had confronted Jeanne some years prior.<sup>10</sup> Her influence in the judicial process, both with and without Charles, was clearly well-established.

At the same time, there are no surviving records of her issuing any pardons for criminal offenses before 1364; the only pardon recorded in her name was as viscountess of Limoges in 1369.<sup>11</sup> Jeanne was likely present when the duke pardoned three Breton counterfeiterers on 7 October 1351 at Calais, but she apparently took no part in exercising this prerogative.<sup>12</sup> Note, however, that all other extant pardons were in fact issued via the king of France and simply confirmed by Charles; these were concentrated in a single ‘batch’ authorized on 31 December 1344, rather than representing a routine feature of ducal justice.<sup>13</sup>

Much more common than intervention in the court system was the process of answering complaints brought before Jeanne and Charles.<sup>14</sup> Petitions could be addressed to Jeanne (with or without Charles) on numerous grounds, by individuals and by religious institutions. Most requests were prompted by the non-payment

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7. *RACJ*, e.g. 176 (Charles), 182 (Jeanne), both in 1357. Note that *ibid.*, 79, and following him, Sjursen, “Jeannes,” 34–35, associate the dispute sent back to ‘l’examen de la duchesse’ in her court in April 1344 (Furgeot, *Parlement*, n. 5688) with Jeanne de Penthièvre; but this duchess of Brittany, ‘dame de Chilly’, was in fact the dowager Jeanne de Savoie, who held that domain in usufruct: cf. *RACJ*, 68; Archives départementales des Pyrénées-Atlantiques, Pau, E 33–12; AD P-A, E 740.

8. ‘All the cases, wrongs, disputes, and debates’, *RACJ*, 182.

9. *Ibid.*, 147–48.

10. *Ibid.*, 107, 115, 220–22, 224–26.

11. *Ibid.*, 242; see below, page 146.

12. *RACJ*, 129; Rymer, 5:721.

13. *RACJ*, 86–87; *RACJ* Supplément, n. 369. Testimony in the canonization trial suggests, however, that it was at least once perceived to have a more important role in Charles’ reputation, *MPC*, 30, 136, et al.

14. Indeed, it was his generous response to petitioners that formed the core of Charles’ reputation for being a just ruler as it was characterized in his canonization inquiry: *ibid.*, 88–89, 117–18, et al.



of money—Jeanne’s earliest response of this sort, on behalf of the abbess of St-Georges of Rennes on 6 May 1342, ordered that a late rent be made good—or the violation of rights (as with the ability to collect dead wood we saw above).<sup>15</sup> Jeanne responded to such petitions more frequently during Charles’ captivity, but complaints to her were by no means restricted to this period. Usually, many stages of the petitioning process have been lost: ducal orders often stressed that previous commands had not been heeded, though we have no trace of the earlier missives. They also expressed the hope that a speedy rectification would ensure that the petitioner ‘net cause de son restourner plentes vers nous’, though we cannot generally gauge how effective such exhortations were.<sup>16</sup> Sometimes the petitions sought redress for grievances against a third party: the abbot of Bocquen complained to Jeanne in 1350 that a donation had been contested by the donor’s children. But they also disputed the actions of ducal officials (‘eux portans pour nous’ by extension); the same abbot had previously approached Jeanne about her castellan’s interference with their forest rights near Jugon.<sup>17</sup> In all cases, these complaints could either be remedied immediately (though apparently to greater or lesser effect!), or Jeanne would order an inquiry into the correct procedure to be followed.

### Case study: The Avaugour inheritance

In cases of complaint against ducal actions, it is not always clear that Jeanne and Charles actually wished to provide redress.<sup>18</sup> The process of answering such petitions can be best examined in the complex negotiations brought about by Jeanne’s maternal aunts, Marguerite and Isabeau d’Avaugour, who sought restoration of what they considered their birthright. This case saw Jeanne and Charles coordinate their efforts to address issues engendered by a division of inheritance dating back two generations (see Figure 17). The younger daughters of Henri IV d’Avaugour contested the descent of all his possessions in Normandy and Mayenne solely to their older sister Jeanne.<sup>19</sup> The dispute began before Jeanne

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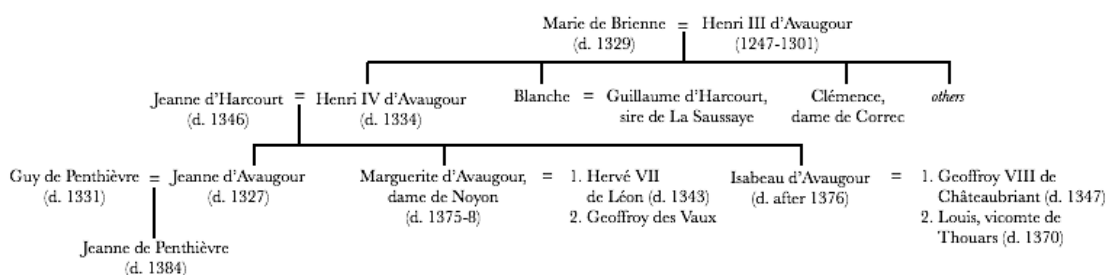
15. *RACJ*, 57; we might suspect that the trouble of the succession had been responsible for the disruption.

16. ‘Does not have reason to come back to us with complaint’, *ibid.*, 107, 128.

17. *Ibid.*, 109, 121.

18. Appeals could still be made to the *parlement* of Paris as ultimate arbiter: this would eventually occur in this case in 1378, and cf. the suit brought by Aliénor de Derval in 1348 to recover lands given by Jeanne and Charles to her brother: *RACJ*, 67–71 (original donation), 108; Furgeot, *Parlement*, nos. 8107 (27 March), 8555 (30 July), 8614 (13 August), 8711 (18 November), 8713 (19 November).

19. In Brittany, the assize of Count Geoffroy, 1185, had specified that ‘in filiabus vere qui majorem habuerit terram habeat’, confirming the tradition among Breton barons of favouring their eldest daughter in default of a male heir: *TAC*, 322; Everard, *Angevins*, 113. The issue seems to have depended on the amount with which Marguerite was supposed to have been dowered, for



**Figure 17:** Family tree of descendants of Henri III d'Avaugour

and Charles came into their ducal titles. By 11 March 1339, Marguerite and her husband Hervé de Léon ‘eussent fait prisagier les terres & heritages qui furent celui Monsieur Henri d’Avaugour en Goello...& ou Kemenet à fin de l’avenant à ladite Dame avoir en iceux’.<sup>20</sup> They met Jeanne and Charles in the comital court at Guingamp to review the findings, where Marguerite and Hervé were granted an annuity of 500 *livres* plus 300 *livres* for the lands in Mayenne. Jeanne (being only, at most, fourteen years old) was represented by her tutor, the lord of Quintin, while the decision was also to be ratified by Duke Jean III.

Perhaps for that reason, when Marguerite (now widowed) reopened the issue on 24 February 1347, the act referred only to an ‘acordance autresfoiz faite’ between Charles and Hervé de Léon. Marguerite here negotiated directly with Charles, asking for the ‘heritages qui furent jadis au sire Davaugour’, and was promised those from the succession of Blanche d’Avaugour as well.<sup>21</sup> The patterns of land management examined earlier make it likely that Jeanne issued a confirmation of this decision, but there is no evidence that this occurred.<sup>22</sup> The actual implementation of this arrangement and related issues was to continue for over thirty years.<sup>23</sup> The negotiations thus entailed not only the decision-making itself, but the effective ability (or, I begin to suspect, willingness) of Jeanne and Charles to satisfy her relatives’ claims and the need to maintain relations with them as new obligations shaped the ducal couple’s interests.

With Charles’ capture later that year, this process is one of the few that offers a

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according to the assize and Breton custom more generally the primary heir was responsible for ensuring younger daughters were appropriately married: *TAC*, 213–13, cf. *RACJ*, 227.

20. ‘Had the lands and heritage in Goëlle and Kemenet-Héboé that belonged to milord Henri d’Avaugour appraised with regards to the portion which the said lady is to have in them’, *Preuves*, 1:1394–95.

21. This agreement set a template for later negotiations, re-establishing the 300 *livres*’ annuity and adding one-sixth of the incomes on their properties in Mayenne. Blanche d’Avaugour and Jeanne d’Harcourt both died in 1346, so it seems that their deaths prompted new action on matters which had already been subject to negotiation: by 4 July, Charles asked on Jeanne’s behalf that Blanche’s will be copied for his consultation (Furgeot, *Parlement*, n. 7346). Blanche’s husband was in fact the uncle of Jeanne d’Harcourt.

22. See chapter four, and cf. *RACJ*, 178.

23. Not to mention a like demand in 1403 from and to the descendants of both parties: *RACJ*, 259; Archives départementales de Loire-Atlantiques, Nantes, E 217–15.

direct before-and-after picture of Jeanne's role within a single project rather than generally regarding a given area of administration; it is one thing to know that her previous experience enabled her to take up the government in his absence, and another to examine how the extent of her established involvement influenced her subsequent actions and claims. Whereas in other cases we have considered, such as the repayment of the Malabayla loan, Jeanne was formally included from the start, here the primary authority was Charles alone. That Jeanne had played only a small role in discussions up to this point, however, did not prevent her from now taking matters in hand.

Firstly, she became responsible for seeing to the fulfillment of Charles' earlier orders, using her position to lend further weight to the commands. Jeanne and Charles' relatively tight finances meant that the money was not always available even if they had agreed to hand it over. Beginning in the spring of 1348, Jeanne had some of the officials involved in the 1347 agreement undertake the late payments from Mayenne to Marguerite ('toutes excusacions cessans').<sup>24</sup> Moreover, she began to innovate, giving her an active place in shaping the direction of the negotiations. There were smaller changes: along with ordering the arrears paid to Marguerite, she also granted permission for her aunt to live in the castle of Mayenne.<sup>25</sup> Most of the developments were more significant. Jeanne issued instructions for further negotiations with one of the aunts on behalf of her and Charles on 7 November 1349, though we have no details on their nature.<sup>26</sup> It is easier to trace her response to complaints over specific property rights. By September 1348, her aunt Isabeau joined Marguerite to claim the *hôtel* of Mâcon in Paris, another part of Henri d'Avaugour's inheritance that Jeanne had been informed she now owned.<sup>27</sup> Here, Jeanne ordered an inquiry into local customs to assess the validity of the claims.<sup>28</sup> She would do this again on 12 June 1349, initiating an inquiry into the rightful ownership of 'sa portion de la terre de Bonneville' in Normandy as well as into the payments owed from the original agreement.<sup>29</sup> This was an effective means of demonstrating receptivity to the claims put to her, without compromising before she had to.

Just to be on the safe side, however, Jeanne reserved the possibility of either

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24. 'Ceasing all excuses', *RACJ*, 108; cf. 179, 205–06, 226–27, where Charles ordered similar payments.

25. *Ibid.*, 108.

26. AD C-A, E 65–1, f. 75. This inventory mentions only Jeanne's executive letter (*lettre d'attache*), so we cannot know who else had a hand in the arrangements.

27. The fact that this property was situated within the viscounty of Paris, where a different inheritance law applied, further complicated the matter.

28. The results are not recorded, though as the *hôtel* was not mentioned again it is likely Jeanne lost it to her aunts: see chapter one, page 44.

29. *RACJ*, 126–28. It took her officers five to six weeks to send the results from 'Bonne Villette la Louet' to 'nostre treschere et redoubtee dame': Nantes, Méd., MS 1699, n. 9 (17 and 22 July 1351).

Charles or herself countermanding the results of the Parisian inquiry.<sup>30</sup> This raises the question of how her and Charles' respective roles were designated in these documents, and to what effect. While the recognition of Charles' ongoing authority (if not, at present, his active involvement) was no more than we might expect given his actual role in the settlement with Marguerite, reference to it was deliberate and optional. While ordering the inquiries in 1349, Jeanne's letter referred to the 'somme qui ordene li avoit este par mons. et par nous come contenu est en noz lettres sur ce faites'.<sup>31</sup> This may have referred to the first accord of 1338, or to the more recent 1347 agreement. If the latter, it may indicate that she *had* issued her own confirmation, now lost, but it could also simply acknowledge the subsequent addition of her authority to the arrangements. In any case, the early developments were clearly kept in mind when this was drafted. She also specified, however, that the payments should be carried out 'non obstant lettres ordenances faictes ou a faire au contraire quar nous le voulons'.<sup>32</sup> This contrasted with her earlier letters that had allowed alterations by her or the duke, here making her decision final regardless of who might attempt to intervene. Of course, she sought here only to have the original payments enforced, not to introduce new terms, but this letter nonetheless demonstrated that responsibility was deliberately assigned rather than simply factual.

Interestingly, this is one of the only times we see any activity from a royal governor during Charles' absence.<sup>33</sup> On 19 September 1349 Philippe des Trois Mons renewed the orders to fulfill the 1347 agreement, when Marguerite complained that she had still not been given the rent and the sixth in Mayenne.<sup>34</sup> He consulted on this with ducal advisors, but Jeanne gave her consent independently: two days later, in the company of her own councillors, she ratified the command and issued her own orders to the receiver of Mayenne, Gautier de Locmaria.<sup>35</sup> Other than this one intervention, Jeanne managed the Avaugour inheritance alone, or in conjunction with Charles during his later visits to the duchy. This transaction, however, reveals two important points. Firstly, Jeanne was more than Charles' proxy: that role was fulfilled by Philippe des Trois Mons, but his presence did not exclude her. Secondly, it suggests the possibility that Marguerite, dissatisfied with the results she had obtained so far, may have sought out Philippe, a royal official, as an alternative to relying on ducal justice.

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30. *RACJ*, 115 (1 September).

31. 'Sum which was ordered to her by milord and by ourself, as contained in our letters composed on this matter', *ibid.*, 128.

32. 'Notwithstanding letters [or] orders made or to be made to the contrary, for we wish it so'.

33. Cf. AD P-A, E 740, appendix B, and Archives départementales d'Ille-et-Vilaine, Rennes, 1 F 621.

34. *RACJ*, 119; Nantes, Méd., MS 1699, n. 8.

35. She was at Châtelaudren, the governor at Dinan: *RACJ*, 120.

There is some evidence that the delays were intentional strategic choices. This issue is bound up with the assignation of responsibility discussed above, which entered a new phase when Charles began to be present again in Brittany. During Charles' brief visit in 1354, a new branch of negotiations was introduced that usefully contrasts with some of the trends observed up to this point. Isabeau d'Avaugour sought to receive a rent of 1,500 *livres* which Jeanne and Charles had promised upon her marriage to Geoffroy de Châteaubriant on 2 February 1339.<sup>36</sup> On 8 April 1354, Jeanne and Charles jointly acknowledged Isabeau's claim and assigned appropriate lands in Brittany and Normandy.<sup>37</sup> Although Charles then issued, in his name alone, two sets of instructions for the Norman payments (which would be handled by the royal accountants at Rouen), the detailed reports made on the Norman properties took the primary letter as their guide and considered the orders as the joint product of the duke and duchess.<sup>38</sup> In dealing with both Marguerite and Isabeau, then, the negotiations featured an agreement made by both Jeanne and Charles early in their career; but in this case the later developments much more consistently recognized Jeanne's authority, unlike Charles' promise to Marguerite in 1347.

This new joint approach may have marked Jeanne's increasing involvement with this case specifically or with the government more generally. Having made this grant, Jeanne and Charles also had to make a comparable restitution on the Norman lands to Marguerite. They handled this quickly, just before Charles set sail for England from St-Malo in late April, and again declared jointly that Marguerite was to receive 1,000 *livres* in Normandy.<sup>39</sup> When comparing the settlement of Isabeau's claim and Marguerite's, however, there remained differences both in Jeanne and Charles' responsiveness and in the way they claimed authority at each point. Unlike the grant to Isabeau, the precise terms were not spelled out at this juncture, and it fell to Jeanne in August to make a temporary assignation on their Breton revenues until the permanent settlement could be detailed.<sup>40</sup> This was done 'par lavisement de nostre conseil que pour l'absence de mons. et que nous desirons que soit present sur son pais quant la dicte assiete sera faicte'.<sup>41</sup> Jeanne did not apparently wish to move the process forward without Charles' personal consent as partner in the affair, which was consistent with their usual approach to

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36. *RACJ*, 149; Archives départementales de Loire-Atlantiques, Nantes, E 176, n. 7. The rent was tied to the land Isabeau received from her own aunt Clémence d'Avaugour.

37. 500 *livres* in Brittany, and 1,000 in Normandy.

38. 10 May and 8 September, by Raoul Bernou and Geoffroy Le Prevôt: AD L-A, E 176, nos. 7, 8.

39. *RACJ*, 151.

40. *Ibid.*, 152–53.

41. 'By the advice of our council because of milord's absence and because we desire that he be present in his land when the said assignation is made'.

the management of landed property.<sup>42</sup> But there was some disingenuousness here as well: she only referred to the money ‘que nostre trescher seigneur mons. de Bretagne li avoit autresfois promis’.<sup>43</sup> Given that this time, she *had* indisputably been involved in the relevant grant, this seems like the deliberate effacement of her role to justify her refusal to act alone, rather than simple imprecision.

There is, moreover, no evidence that on his next visit in 1355 Charles did anything to settle the Norman question.<sup>44</sup> Jeanne’s decision to await his input may have been a delaying tactic to avoid giving satisfaction to her aunt on a contentious point.<sup>45</sup> Again, comparison with their dealings with Isabeau heightens the sense of conscious choice. Marguerite’s claims had caused Isabeau difficulties in receiving her own 1,000 *livres* in Normandy by August 1355. This time Jeanne likewise set up a temporary alternative off the receipts of Nantes; since the situation with Marguerite had been put on hold, she could hardly move to a permanent solution. However, this was done in much better spirit than the other placeholder grant, with much stronger reassurances that Isabeau would be entirely compensated. It also fully acknowledged Jeanne’s joint responsibility for the sum.<sup>46</sup> Jeanne’s apparent presence in an act depended in part (though by no means fully) on how willing she was to undertake its provisions.

Given Marguerite’s experience with Jeanne during this period, it is possible she preferred to negotiate directly with Charles; however, Jeanne’s involvement with the process had now been irreversibly established. Her status in relation to Marguerite’s claims in both Mayenne and Normandy was formalized when Charles and Marguerite ratified a comprehensive agreement in Paris on 22 November 1356.<sup>47</sup> Jeanne was not with Charles in the French capital, and he made the accord ‘pour nous et pour nostre dicte compaignie’.<sup>48</sup> On 3 August 1357 Jeanne ratified the Paris agreement from Nantes, in a document quite different

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42. See chapter four.

43. ‘Which our dearest lord milord of Brittany once promised her’; Jones links this with the start of the process in 1347, though the amount owed and the Norman focus tie more directly to the 1354 developments.

44. He only reopened the issue of Marguerite’s arrears in Maine, which was here once again described as an order of ‘nous et la duchesse’: *RACJ*, 155. During this period both she and Charles were also involved in ongoing negotiations with Marguerite: two representatives, Geoffroy le Prevôt and Jean Toste, acted on behalf of ‘nobles prince et princesse monsieur le duc de Bretagne et de madame la duchesse sa femme’, but no solution seems to have emerged until several months after Charles’ return: Nantes, Méd., MS 1695, n. 11.

45. In this it would be very reminiscent of the power plays of 1379, discussed in chapter three, page 71.

46. *RACJ*, 155–56.

47. *Ibid.*, 165–69. This and the three specific orders also issued that day confirmed the ever-contentious annuity of a sixth of the rents in Mayenne, established another income of one-third the rents of Normandy, and prescribed a method of investigation into the appropriate Breton sum, which was provisionally set at 300 *livres*.

48. ‘For us and for our said wife’.

from her other confirmations.<sup>49</sup> Her act, while issued just in her name, invoked ‘lassentement et...lauctorite de nostre dit seignour’, which was very irregular usage for this corpus.<sup>50</sup> Moreover it was sealed not only by Jeanne but ‘avesque le seel de nostre dit seignour a greignour confirmacion’ and corroborated ‘par mons. le duc et madame la duchesse en lour conseil’. The combined effect of these highly unusual features was to present this act almost as if it were not a separate document but rather the other half of a co-issued order, replicating the features which would normally have structured such a document.<sup>51</sup> This complete reconfirmation may have been prompted by the lapse of nearly a year since the original act, though it is unclear what might have caused such a delay.

Financial necessity seems to have precluded the satisfactory resolution of Marguerite’s claims; if Jeanne ever delayed the process, it was not entirely without cause. Over the next few years the situation worsened when these territories were given to Louis d’Anjou and Marie de Blois-Penthièvre for their marriage in 1360.<sup>52</sup> By Charles’ death, nothing had been definitely settled for Marguerite, but as with the papal loan, the ramifications of the joint agreements continued to shape negotiations during Jeanne’s widowhood. In 1366 Marguerite used a copy of the 1356 agreement to request that her Breton income actually be finalized, ‘en la maniere que mondit seigneur lavoit voulu ordenne et ottoire’.<sup>53</sup> A final view comes from November 1378, when Marguerite’s heirs from her marriage with Hervé de Léon had Jeanne de Penthièvre and Isabeau d’Avaugour summoned to the parlement of Paris for retaining the Avaugour inheritance and refusing to give Marguerite her just share (further evidence that Jeanne’s treatment of her younger aunt had indeed been more favourably inclined).<sup>54</sup> Here, the duke and duchess were cited as joint actors: ‘Jehanne duchesse de Bretagne et feu Charles de Blois jadis son mary’.<sup>55</sup>

This prolonged and convoluted familial dispute demonstrates that both Jeanne and Charles’ actual contributions and the portrayal of those contributions were bound up in the effective management of their interests and others’. Charles tended to spearhead the process, providing initial approval of each phase of the accords where possible, and overseeing their implementation when he was

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49. *RACJ*, 178.

50. ‘The assent and authority of our said lord’; cf. *ibid.*, 138, and see chapter seven, page 153.

51. Cf. *ibid.*, 228–29.

52. *Ibid.*, 206–09.

53. ‘In the manner which my said lord wished it ordered and granted’, *ibid.*, 235–36. Cf. *ibid.*, 253–55.

54. One wonders if the timing of this suit was not influenced by Charles V’s attempt to claim Brittany less than a month later, a move which he had suspected Jeanne would contest for some time.

55. Nantes, Méd., MS 1695, n. 11.

around. During his captivity, however, Jeanne's role expanded from an initially simple attempt to enact terms left by Charles, to handling new aspects of the question on her own. The arrival of a governor in Charles' absence meant that she did not have to deal personally with every detail as he took up Charles' position in this specific regard. Rather, Jeanne supervised both the information-gathering and the negotiations necessary to proceed further. Her less explicit relationship with the foundational agreement with Marguerite allowed some leeway in the amount of responsibility she claimed at any given point. Because she and Charles were not necessarily able (and may not always have been willing) to meet their commitments, passing obligations back and forth or, conversely, combining their authority may have given some control over the pace of the process. Once her practical involvement was established, however, it was expedient to include her at subsequent points where new terms were established with either aunt—and in the end, she was held equally responsible for the perversion of justice.

### **Waging war and peace**

Dealing with disputes within the system of courts and petitions, the archetypical practice of medieval lordship, made an interesting parallel with Jeanne and Charles' efforts to defend their princely titles in a very different way—though it was not without its share of negotiation. For a war that has earned the nickname 'Guerre des deux Jeanne' after the two rival duchesses, little work has been done towards establishing what exactly that meant for Jeanne de Penthièvre.<sup>56</sup> While he was present in the duchy, most of the specific directives of managing troops and armaments and regulating fortifications were left to Charles. But on a small scale, Jeanne oversaw the provisions and arrangements which war required across her rule. Some of the activities discussed in previous chapters had a bearing on the duchy's military preparations, since the 'impositions' of taxes were a tool to be used in case of public emergency, i.e. war; Jeanne's role in ensuring their appropriate application was not insignificant.<sup>57</sup> Likewise, Jeanne appointed officers to positions with military responsibilities: she and Charles made Robin de Lanvalay captain of Le Gavre, and she made Antoine Doria captain of La Roche-Derrien following the recapture of the town after the disastrous battle.<sup>58</sup>

Charles' imprisonment widened the scope of Jeanne's direct military role, though many of the details were taken up by representatives of the French kings.<sup>59</sup> In 1345, Charles had responded to an appeal from the inhabitants of Nantes and

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56. Only the recent article by Sjørnsen, "Jeanne," surveys the issue in brief.

57. *RACJ*, 79, 121, 140; Henneman, *Taxation*, 2 and *passim*.

58. *RACJ*, 104, 213, and see chapter five, page 124.

59. Déprez, "Querelle," 54.



organized the finances and development of the city's fortifications.<sup>60</sup> Not long after La Roche-Derrien, on 31 January 1348, the townsmen once again requested ducal assistance to put in order the defense of the capital.<sup>61</sup> Jeanne's new orders, made through 'deliberation en nostre grant conseil', confirmed Charles' provisions, though specified additionally that the main focus was to be on the artillery near the river Erdre on the northern side, and arranged the war taxes so that they would continue to sustain the project (while 'la surplus tourne et soit a Monsieur et a nous').<sup>62</sup> And, like Charles had done, she warned that 'ne sufrent aucune chose estre faite au contraire, car il nous en deplairoit, et les en punirons en tele maniere que tous aultres y prandront exemple'.<sup>63</sup>

Then Jeanne went beyond Charles' earlier plan to make new defensive provisions: troop arrangements (numbers, type, and deployment) and the terms by which they should serve, including their wages; rights of admission and the responsibilities of residents within the city; and the protection of Nantes' 'bonnes anciennes coustumes' in light of the present needs of their duchess. Jeanne put the captain, the seneschal, and his lieutenant (*alloué*) in charge of enforcing the provisions and, in case of confusion about the orders, designated 'nos amez et feaulx conseillers, les gens qui tiendront noz comptes' as responsible for making clarifications: presumably these were based more usually at Nantes than Jeanne was herself, and were therefore a reliable authority in her absence.<sup>64</sup>

Elsewhere, she continued to issue direct orders on matters related to the defense of the duchy. She granted safeguard to the abbey of Sainte-Croix in Guingamp in 1349, extending ducal possession to all its people, property, and goods.<sup>65</sup> In 1354 she gave letters of non-prejudice for the guard duty provided at Rennes by the men of Beatrice de Laval and her son Guy XII (d. 1412).<sup>66</sup> She issued similar letters to the canons of Nantes 'de gracia quam eorum homines habitantes in territorio capituli juvarent ad reparationem fossatorum et turre nove castri Nannetensis'—and this in 1364, well after Charles' return.<sup>67</sup>

### Case study: Diplomacy, 1347–1356

The process of negotiating truces, alliances, and compromises was as central to the fight as leading armies, especially the protracted bargaining for Charles' release

60. *RACJ*, 91–93.

61. *Ibid.*, 105–07.

62. 'Deliberation in our great council'; 'the surplus should go to and be for milord and ourself'.

63. 'They should not suffer any thing to be done to the contrary, for we would be displeased by this, and would punish them for it in such a way that all others would take example from it'.

64. 'Our beloved and faithful councillors, the people who keep our accounts', *RACJ*, 106.

65. *Ibid.*, 118–19.

66. *Ibid.*, 153.

67. 'For the favour which their men living in the territory of the chapter assisted for the repair

following his capture at La Roche-Derrien on 20 July 1347 until his release after 9 August 1356. The back-and-forth of this period has been the subject of two main scholarly accounts from the Breton point of view.<sup>68</sup> However, those which focused on Jeanne and Charles were both written before the rediscovery of the text of the treaty of 1 March 1353 (whose very existence Déprez in particular almost entirely ignores), and as the culmination of six years' worth of diplomacy its terms are essential to understanding the process.<sup>69</sup> Furthermore, there has been little consideration of how Jeanne and Charles' shared power might have influenced the shape of negotiations. Any attempt to build motivations into a relatively patchy structure of events runs up against the limitations of having mainly circumstantial rather than direct evidence. But asking these questions, even if they must remain unanswered at points, challenges the shape of traditional accounts.

Historians have tended to treat the possibility of a Anglo-Penthièvre alliance as something of a fluke, a curious anomaly where the 'correct' pairs of alliances—that is to say, England and Montfort, France and Penthièvre—were briefly threatened, but without serious consequence.<sup>70</sup> Close consideration of Jeanne's strategy and the points at which it aligned or might have differed from Charles' approach, shows that such a simplified reading of the period relies too heavily on Charles' (likely) attitudes and the assumption that Jeanne must have shared them; this obscures much of the wider strategic significance of Jeanne's actions and the reasons she had for pursuing goals above and beyond the immediate diplomatic crisis. From 1347 to late 1350, Jeanne preferred a marriage alliance with Edward but balanced it with negotiations with Philippe VI. In 1351–1352 Jeanne and Charles arranged a French marriage; Charles may have found this approach more in line with his French sympathies, but Jeanne did not necessarily relinquish her English plans, instead seeking a position of neutrality and an end to the war. Because Jean's military support in Brittany deteriorated after 1352, however, Jeanne and Charles were able to achieve the English marriage only at the expense of this equilibrium. At each key turning point Jeanne and Charles ultimately agreed on their course, and so acted and were treated as partners in the negotiations; but shared power also meant that their reasons for doing so could tell a richer story.

Jeanne quickly took measures to obtain her husband's release by pursuing

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of the ditches and the new tower of the castle at Nantes', *RACJ Supplément*, n. 395.

68. Pocquet du Haut-Jussé, *Papes*, esp. 231ff.; Déprez, "Querelle"; cf. chapter two, page 55. Surprisingly, Sjursen, "Jeannes," 37–38, glosses over this aspect of Jeanne's leadership.

69. The only surviving copy, from the late fourteenth century, was uncovered by Bock, "Documents."

70. e.g. La Borderie, *Histoire*, 3:536; Pocquet du Haut-Jussé, *Papes*, 244; Leguay and Martin, *Fastes*, 106; Cassard, *Guerre*, 15.

a marriage alliance between her son and one of Edward III's daughters. Within just two months of Charles' capture, Jeanne approached Pope Clement VI (1342–1352) with the idea of the English marriage.<sup>71</sup> At the 'instante Joanna ducissa Britanniae', Clement wrote to both Philippe VI and Edward III in favour of Charles' liberation.<sup>72</sup> He did not, however, mention the marriage outright to either king, although since Jeanne sent new instructions to Clement on this topic at the new year, and again in 1350, she had probably made her intentions clear at least to Edward by this time.<sup>73</sup>

Because of these tentative beginnings, we must consider Jeanne's reasons for proceeding as she did. This solution had the potential to bring the war to a close since Edward would gain from the match only if he recognized Jeanne and Charles as duchess and duke. Moreover, there was precedent for English interest in a marriage alliance with Brittany: in 1335, Edward III had approached Duke Jean III to offer his brother as a husband for Jeanne herself; she had surely not forgotten this, even though circumstances were now different.<sup>74</sup> She made direct contact with Edward in addition to enlisting Clement's support, and sent her own delegation to discuss Charles' release at the end of July 1348.<sup>75</sup> This achieved only a truce and suggests that Edward was not immediately receptive to Jeanne's proposal; nonetheless, this exchange demonstrates Jeanne's priorities as she did not, to our knowledge, send any similar delegation to Paris. The delegation also shows that she interacted with Edward in a separate capacity from Charles (whose own negotiations with Edward, many of which must have taken place orally, are unfortunately not recorded): she was represented independently in these discussions even where her husband was more immediately on hand.<sup>76</sup>

Still, while focusing on a course that would have substantially shifted the balance of power in Brittany, Jeanne hedged her bets by remaining in dialogue with

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71. *RACJ*, 104. The pope was interested in bringing Charles to the wider Anglo-French peace talks that occurred sporadically across these years: Déprez, "Querelle," 240ff. On the strategic significance of the papal diplomacy, see Françoise Autrand, "Hôtel de seigneur ne vaut rien sans dame": Le mariage de Jean, comte de Poitiers, et de Jeanne d'Armagnac, 24 juin 1360," in *Guerre, pouvoir et noblesse au Moyen Âge: Mélanges en l'honneur de Philippe Contamine*, ed. Jacques Paviot and Jacques Verger, *Cultures et civilisations médiévales* 22 (Paris, 2000), 260–74.

72. 'At the insistence of Jeanne, duchess of Brittany', *Lettres Clément VI*, n. 3484. He included letters also to Queen Philippa, Henry earl of Lancaster, and William earl of Northampton: Pocquet du Haut-Jussé, *Papes*, 236; *Lettres Clément VI*, nos. 3529, 3530.

73. *RACJ*, 105, 122; *Lettres Clément VI*, nos. 3709, 4667.

74. Cf. Pocquet du Haut-Jussé, *Papes*, 235, and chapter one, page 37. Of course, Edward had hoped his brother would marry the Breton heiress, which would not produce the same results as his daughter marrying the heir.

75. *Preuves*, 1:1463–64. Though this was unsuccessful, it resulted in a prolongation of the truce in Brittany that bound 'Karolum de Bloys & uxorem ejus pro se' until Christmas, and specified that Jeanne, along with the bishops and lords of the duchy, would personally confirm the truce before 20 August.

76. Cf. Sjurson, "Jeannes," 38.

Philippe via the pope. According to Pocquet du Haut-Jussé, King Philippe's 'bonne volonté était acquise d'avance' with regards to liberating his nephew Charles, but '[l]'accueil pontifical fut froid' for the duchess' project of an English marriage; in his view, Clement would never have advanced a scheme so prejudicial to Philippe, and so was simply stalling.<sup>77</sup> Certainly, though Clement instructed his representatives in Paris to pursue the match at the same time as he wrote to Philippe, he ordered them to defer to Philippe's 'will and pleasure'—he would not proceed without the king's consent.<sup>78</sup> Reluctance to act against the king, however, did not translate into a rejection of Jeanne's proposal. Jeanne corresponded further with the pope shortly before Philippe's death in August 1350, and Clement offered her 'apostolici favoris'.<sup>79</sup> While such platitudes were not meaningful indicators of actual sympathies, Jeanne did need Clement's support sooner or later if she was to obtain his dispensation for the marriage in question; her tenacity suggests she had reasonable expectations of receiving it, which would not have been fostered by initial hostility of the sort Pocquet du Haut-Jussé imagined. It is more likely that Jeanne in fact gained papal support for her plan *before* Clement thought that Philippe could be persuaded to it. He therefore proceeded cautiously in soliciting both kings in a general fashion, for Edward's interest in such an arrangement was by no means assured and Jeanne could not risk alienating Philippe needlessly. This would help explain why Jeanne had turned first to Avignon rather than approaching Philippe directly: having Clement as an intermediary not only allowed his authority to strengthen her at the bargaining table, it could also give her room to manoeuvre between the two kings by making it clear that Jeanne was acting in good faith on all sides while she explored her options.

For this was not the only diplomatic marriage which Jeanne and Charles arranged during this period: around March 1352, they also wed their daughter to Charles de la Cerda, constable of France and royal favourite.<sup>80</sup> While this represented a change of strategic priorities for Jeanne it did not necessarily mean she had abandoned her original plan. Charles probably preferred to rely on King Jean to pay his ransom over establishing closer ties with England, but although Jeanne may have seen this as a reasonable expedient in the short-term, it would also have allowed the possibility of moving towards a more neutral position. Both Jeanne and Charles attended the Anglo-French negotiations at Calais in 1351, a prime

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77. Pocquet du Haut-Jussé, *Papes*, 236, cf. 244. Diana Wood, *Clement VI: The Pontificate and Ideas of an Avignon Pope* (Cambridge, 1989), 122–41, does not address this episode specifically, although she outlines Clement's favour towards France in general.

78. 'De conscientia et beneplacito carissimi in Christo filii nostri Philippi, regis Francie illustris, extiterit promotionis studium adhibere', *Lettres Clément VI*, 2:n. 3485.

79. 'Apostolic favour', *Lettres Clément VI*, n. 4667; *RACJ*, 122; the details of the correspondence were unfortunately conveyed only word-of-mouth.

80. See chapter one, page 40, for the uncertainties surrounding this match.

opportunity to discuss both his liberation and possible marriage arrangements.<sup>81</sup> But the main accounts have tended to ignore her presence in this arrangement and so treat the two marriages as entirely separate considerations. This is unjustified: the English match was necessarily the backdrop of the French one. At the same time, this does not mean Jeanne and Charles had to have the same reasons for approving the French marriage.

Charles' interest seems relatively clear. His physician reported that 'dum venit in Franciam maritavit filiam suam cum Domino Carolo de Hyspania tunc constabulario Francie et per tractatum dicti matrimonii, dominus rex Francie debebat solvere redemptionem dicti Domini Caroli, regi Anglie'.<sup>82</sup> Given Jeanne's focused negotiations with Edward, however, we must consider the possibility that Charles could have promoted the marriage of his daughter to a powerful French partisan specifically in order to obviate the need for the English match which Jeanne had devised and favoured since 1347. After all, he was the nephew of one French king and cousin of another—ties which had encouraged the kings to support him since the onset of the war. He travelled to Paris for royal business on several occasions and had fought alongside the present king and Charles de la Cerda's brother Louis (d. 1346) in the early years of the war. Perhaps most tellingly, Charles was one of nine worthies selected to join King Jean's Order of the Star at its inaugural feast on 6 January 1352—that is, during the visit at which his daughter's marriage was arranged.<sup>83</sup> It is therefore quite plausible that he would be reluctant to ally against them.

Jeanne, on the other hand, seems in general to have felt little compunction over doing just that. Her initial response in 1347 was not simply to negotiate a ransom agreement with Edward, but to offer her heir in marriage. Moreover, she proved herself very willing to ally with Jean de Montfort, her former foe,

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81. Edward's safeguard for Jeanne was granted on September 4 and valid to 1 November: Rymer, 5:721. This was attributed by Déprez to some kindly sentiment, but Bock rightly points out that the practical reasons for including the ruling duchess were of far greater import (even if he did not recognize the link with the marriage negotiations): Déprez, "Querelle," 35; Bock, "Documents," 62. Charles spent some of his time at the French court, according to Pocquet du Haut-Jussé, *Papes*, 244, and there is no evidence as to whether Jeanne joined him there—but if not urgently required back in Brittany, there is likewise no reason to think she might not have accompanied him. Alternatively, they could have held their own discussion before separating. See *RACJ*, 129, for the abortive outcome of the payment schemes for his ransom developed around this time. The Calais conference was intended to establish a lasting peace, but succeeded only at prolonging the existing truce: Déprez, "Querelle," 36.

82. 'When [Charles de Blois] came to France he married his daughter to Lord Charles of Spain, then constable of France, and by the treaty of the said marriage, the lord king of France was to pay off the ransom of the said lord Charles to the king of England', *MPC*, 28; *RACJ*, 44; cf. *RACJ*, 44. Pocquet du Haut-Jussé, *Papes*, 244, claims that Charles de la Cerda was present at the treaty of March 1353, but the document itself makes no mention of it.

83. Luce, *Valois*, 24; Boulton, *Orders*, 181, 192, though he does not seem to be aware of this trip. More officially, the group was known as Order of 'Notre-Dame de la Noble Maison': Boulton, *Orders*, 167.

against the king of France when this offered better protection of her prerogatives in 1379.<sup>84</sup> In late 1351 and early 1352, however, the advantages of obtaining French support may have appealed to Jeanne as well. There is no evidence that the years of negotiations in England had been fruitful. Meanwhile, French support was necessary not only for the finances of Charles' ransom, but for their military presence in the duchy. Cementing these ties was thus a practical alternative to Jeanne's initial course of action. That she reprioritized her approach to address the immediate situation, however, does not mean that she considered this move incompatible with her original aims. There were obvious benefits to her in maintaining a marriage alliance on both sides of the Channel. Her negotiations had from the outset involved both kings (via the intermediary of Clement VI); but Philippe and, later, Jean, could not allow Brittany to be drawn into English orbit. Jeanne therefore had to mollify the king of France if she were not to rupture their ties while she reached out to England. If the question of the succession were settled through the marriage of the Penthièvre heir to an English princess, and Jeanne and Charles were mother- and father-in-law to the French constable and royal favourite, Brittany could move into a relatively neutral position vis-à-vis the two warring powers while she and Charles focused on consolidating their position internally. This anticipated the political aims of the Montfortist dukes after 1364; in the context of the 1350s, the advantages of this prospect over the simple solution of a ransom were important enough not to be so easily cast aside.<sup>85</sup>

Seeking to explain why this marriage ultimately failed to secure Charles' release, historians have focused on Jean's reluctance to pay the ransom, for although Edward initially made arrangements for collecting the money, by May of 1352 Charles had returned to England, debt still unpaid.<sup>86</sup> This may not have been seen as a major setback, however. Charles' physician later blamed King Jean's failure to pay the ransom on the assassination of Charles de la Cerda in January 1354.<sup>87</sup> This of course was several years down the road, so it is unlikely that obtaining the ransom should have appeared impossible within two months of the marriage. Moreover, there is no record of Jeanne or Charles undertaking further negotiations at this time, which suggests that any delay in the ransom was insufficient cause for them to rethink their attitude towards Jean II.<sup>88</sup> On the

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84. See chapters three (page 71) and nine (page 227).

85. Jones, *Ducal Brittany*; Leguay and Martin, *Fastes*, 194ff. Jean IV, having had two English wives and one Navarrese, married his son to the daughter of Charles VI of France. See also the Anglo-French race for the hand of the duchess Anne: Brian D. Williams, "The Foreign Policy of Edward IV, 1475–1483 and the Anglo-Breton Marriage Alliance of 1481," *The Ricardian: Journal of the Richard III Society* 7 (1986): 270–280.

86. Déprez, "Querelle," 37; cf. Pocquet du Haut-Jussé, *Papes*, 244.

87. *MPC*, 28; *RACJ*, 44.

88. Charles communicated with the pope over the summer, but this was unrelated to his imprisonment: *RACJ*, 137.

other hand, at the battle of Mauron on 14 August the knights of the French Order of the Star were massacred, which marked the last important French intervention in Brittany before the end of the war.<sup>89</sup> Among the dead was Guy de Nesles, the king's captain in Brittany and lieutenant for the duke and duchess.<sup>90</sup> Thereafter, 'la royauté française s'était plutôt préoccupée de protéger la France contre une invasion venant de Bretagne que de faire en Bretagne même un effort suivi et continu pour en déloger les troupes anglaises qui l'occupaient'.<sup>91</sup> This blow to Jeanne's military support seems to have strongly influenced Jeanne and Charles' subsequent steps much more than the issue of the ransom.<sup>92</sup>

On 29 November Jeanne designated ambassadors to reopen discussions with Edward.<sup>93</sup> Whether or not she had ever fully set aside her intention to do so, the shape of the resulting agreement was quite different from anything she might have initially planned and was probably the result of the French defeat. The delegation was authorized to conclude a peace 'tant par mariage d'une des filles dudit tres puissant prince le Roy d'Angleterre, et de Jehan de Bretagne fils aisne dudit Monseigneur de Bretagne et de nous, que autrement' (did Jeanne anticipate Edward's recalcitrance or Charles?).<sup>94</sup> In the end, they did both. At long last, the sixth clause detailed a complex marriage arrangement between Edward III's daughter Margaret and Jeanne's eldest son Jean (or failing that, in various combinations, Jeanne's cadet Guy and Edward's Marie).<sup>95</sup> It required Charles to 'impetrer dispensacion de la court de Rome et a ses propres coustages pour la dit matrimoine accomplir', though in the event both Jeanne and Charles would pursue the matter.<sup>96</sup> In light of these arrangements, Edward would stop supporting

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89. Galliou and Jones, *Bretons*, 225–26; Déprez, "Querelle," 54–55.

90. Déprez, "Querelle," 54.

91. *Ibid.*, 55.

92. Pocquet du Haut-Jussé, *Papes*, 245 (cf. 236), emphasizes the importance of the ascension of Pope Innocent VI (d. 1362) after Clement's death on 6 December 1352, seeing in him a friend far more sympathetic to Charles' cause. Clement, however, was still alive when Jeanne took the next steps towards securing the English match. Moreover, while it is true that the new pontiff was Étienne Aubert, a Limousin native whose own nephew was to be of such assistance to Jeanne and Charles in the repaying of their debt to Avignon (see chapter four, page 93), he in fact took very similar initial steps to his predecessor, writing letters to Edward and his court to encourage Charles' liberation in order to advance the cause of an Anglo-French peace. This further underlines the problems with Pocquet du Haut-Jussé's interpretation discussed above (page 139).

93. Edward issued their safe-conduct on 30 December, valid until 24 March 1353 (Easter); on 10 March, he extended this permission for them and two others until 12 May (Pentecost): Rymer, 5:746–47, 749; cf. Déprez, "Querelle," 13.

94. 'Either through the marriage of one of the daughters of the said most powerful prince the king of England, and of Jean de Bretagne, eldest son of the said lord of Brittany and of us, or by another means', *RACJ*, 139.

95. *Ibid.*, 142–43; Marguerite was only 6 years old at the time (Déprez, "Querelle," 40), while Jean was 9 and Guy younger.

96. 'To seek dispensation from the court of Rome, at his own costs, to complete the said marriage', *RACJ*, 142; Pocquet du Haut-Jussé, *Papes*, 246. The news of the dispensation was delivered

the Montfortist claim and yield Brittany to Charles and Jeanne. In short, Jeanne had achieved her original aims.

However, the treaty also established a broad-reaching military alliance: ‘les ditz Duk<sup>1</sup> et Duchesse, lour heirs, subgitz et pais se armeront pour le Roi et aideront lui, ses heirs et subgitz...ovesque gentz et poair solonc ce que lestat des ditz Duk<sup>1</sup> et Duchesse...demanderont’, and vice versa.<sup>97</sup> But what of the French? Preserving that relationship was precisely the problem Jeanne had faced since 1347; the battle of Mauron, however, had shifted the balance whether she wanted it to or not. Whereas Edward had shown little initial interest in the marriage, Jeanne and Charles’ weakened position meant he could seek more commitments from them at the expense of any compromises with France which might have earlier been maintained. At the same time, the alliance with Jean II was now less useful to Jeanne and Charles.<sup>98</sup>

There were still certain concessions to their earlier position. Unlike Jean de Montfort, they did not offer homage to Edward III: if neutrality could not then be obtained, a degree of independence still appealed. The treaty also specified that Charles did not have to fight in person for Edward *before* he himself had requested aid, but after this point the alliance would hold good ‘against all Frenchmen’.<sup>99</sup> This conditional approach is quite interesting: it bought Jeanne and Charles time. On a personal level, if Charles was reluctant to take up arms against his king and cousin this was a means of preserving his honour. Additionally, though, it has been convincingly argued that Edward III made this bold treaty to increase pressure on Jean II during negotiations.<sup>100</sup> It is entirely possible that Jeanne and perhaps Charles saw things in a similar light and hoped to ensure that Jean did not move against them (thereby effectively activating this clause). The risk of French hostilities had always influenced Jeanne’s plans for an English marriage,

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by the long-serving Rainfroi Le Voyer, their chancellor: Eugène Déprez, ed., *Innocent VI (1352–1362): Lettres closes, patentes et curiales se rapportant à la France* (Paris, 1909), n. 156, 157, although the latter mistakenly calls Jeanne ‘Blanche’!

97. ‘The said duke and duchess, their heirs, subjects, and land will arm themselves for the king and will help him, his heirs, and subjects with men and power according to that which the condition of the said duke and duchess will demand’, *RACJ*, 141. The only clauses which bound Charles alone were those relating to his ransom and to his military obligations.

98. Note that if it was Marie rather than Marguerite who had married Charles de la Cerda in 1352, the fact that she was here included among the hostages for Charles’ ransom would indicate an even more wholesale shift to the English camp and the abandonment of their French ties by effectively putting an end to that marriage—but as discussed in chapter one, this is by no means certain (see page 40).

99. ‘Contre touz Franceis’, *RACJ*, 141. Note that some scholars, particularly Cazelles, have mistakenly read this as permanently exempting Charles’ personal service: Cazelles, *Société*, 164. Others have correctly interpreted the document as ‘practically committing him to ‘making war on the French’’, without addressing the significance of this proposition: Autrand, “Mariage,” 266, after Bock, “Documents,” 63.

100. *Ibid.*, 79–80.



but this treaty radically changed their party's relationship with France in a way that the earlier negotiations had not implied.

The failure of this treaty has perhaps obscured its significance to later Breton historiographers, all the more so since Edward III may well never have been fully committed to these arrangements.<sup>101</sup> Jeanne, however, did not give up so easily, and her determination to see this treaty fulfilled demonstrates that she saw it as a serious solution. When Edward tried to claim that Marguerite was too ill to wed, Jeanne plied Innocent VI with venison and had him send representatives to England to encourage the secondary union suggested between Marie and Guy, for which she obtained the new dispensations in May 1354.<sup>102</sup> The assassination of her son-in-law Charles de la Cerda a few months earlier, ending the attempt to strengthen ties with France, made the preservation of this treaty was even more pressing. But her efforts were to no avail: Edward rescinded the treaty and did not reopen the question of marriage in that of 1356, which was of an altogether different character, a simple ransom agreement negotiated strictly with Charles and (for the first time) without Jeanne's involvement.<sup>103</sup> As a last testament to Jeanne's determination, although Edward claimed in 1356 that he 'ne soit en volente de partir des acordes et alliances avantditz', he demanded the return of all the earlier documents and required a quittance from Jeanne, Charles, and all those who had endorsed her embassy for the fulfillment of the original terms.<sup>104</sup> This was accomplished by 5 July 1357, though not to the exacting standards Edward III had stipulated.<sup>105</sup> In order to put an end to the war of succession, Jeanne and (at least eventually) Charles were willing to set aside their established alliances and switch sides.

This process demonstrates the usefulness of shared power in dealing with a crisis. Jeanne's decision to take matters in hand with regards to Edward III helped strengthen their position against Edward's reluctance to release Charles even temporarily: her proactive manoeuvring gave them greater independence of choice. Conversely, focusing on this process from the perspective of Jeanne as an individual whose personal ties and goals were not automatically identical to everyone else on her side in the war helps give some coherence to the chaotic proceedings which the classic accounts lack. While the extent of the treaty in 1353 had not been signalled in the lead-up, both this English 'turn' and the need to deal with the French response shaped Jeanne's negotiations from the start.

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101. Ormrod, *Edward III*, 335; Given-Wilson and Bériac, "Prisoners," 823–24, and see chapter two, page 59.

102. *RACJ*, 148, 152; Pocquet du Haut-Jussé, *Papes*, 249.

103. *RACJ*, 156–63.

104. 'Is not of a mind to depart from the aforesaid agreements and alliances', *ibid.*, 157–58.

105. *Ibid.*, 177.

## Conclusion

Throughout the complex negotiations with both the Avaugour aunts and Edward III—and indeed, in all other areas of settling disputes, civil and hostile—it is highly significant that there is *no* evidence of one dynamic commonly associated with ruling couples, and particularly queens and kings: the act of intercession, which took two forms.<sup>106</sup> The queen could act as a go-between or mediator between two third parties, negotiating for peace.<sup>107</sup> But in her diplomacy from 1347 to 1356 (which walked a fine line between making peace and declaring further war!), Jeanne acted on her own behalf—though she did use the pope as her own intermediary. Alternatively, a queen could petition the king directly on her own behalf or another’s, often in highly symbolic ways.<sup>108</sup> This was part of a kingdom’s normal administrative operation, as when Edward III’s queen, Philippa, asked for the release of certain detained Flemish ships at the merchants’ request.<sup>109</sup> But it came into its own as a highly ceremonialized, even fictionalized element of reginal responsibility, as with Philippa’s appeal to Edward’s clemency after the capture of Calais in 1347: a tale recounted in Froissart but not independently verifiable and certainly exaggerated.<sup>110</sup> In so doing, she was able to act without infringing upon, and indeed, by reinforcing, the power of her husband.

The rhetoric of intercessory acts tended to reaffirm the hierarchy of royal

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106. Louise Olga Fradenburg, ed., *Women and Sovereignty* (Edinburgh, 1992), 8–9.

107. Adams, *Isabeau*, chapter 3. Christine de Pizan implored Isabeau of Bavaria to fill this role in 1405: Isabeau’s family ties were an immediate reason for her to do so, but equally, it was embedded within her position as queen: Christine de Pizan, *The epistle of the prison of human life with ‘An epistle to the queen of France and Lament on the evils of the civil war’*, ed. and trans. Josette A. Wisman (New York, 1984), 70–83. Similarly, Edward II had sent his wife Isabella to negotiate with her father Philippe IV in 1314: Elizabeth A. R. Brown, “Diplomacy, Adultery and Domestic Politics at the Court of Philip the Fair: Queen Isabelle’s Mission to France in 1314,” in *Documenting the Past: Essays in Medieval History Presented to George Peddy Cuttino*, ed. Jeffrey S. Hamilton and Patricia J. Bradley (Woodbridge, 1989), 53–83; St. John, *Queens*, 59.

108. Paul Strohm, *Hochon’s Arrow: The Social Imagination of Fourteenth-Century Texts* (Princeton, 1992), 95ff.; Lois L. Huneycutt, “Intercession and the High-Medieval Queen: The Esther Topos,” in *Power of the Weak: Studies on Medieval Women*, ed. Jennifer Carpenter and Sally-Beth MacLean (Urbana, 1995), 126–146; John Carmi Parsons, “The Queen’s Intercession in Thirteenth-Century England,” in *Power of the Weak: Studies on Medieval Women*, ed. Jennifer Carpenter and Sally-Beth MacLean (Urbana, 1995), 147–177; Adams, *Isabeau*, 73–112; Maurer, *Margaret*, part two. The detailed analysis of fourteenth-century English intercession in St. John, *Queens*, 33ff., varies between including (34) and excluding (55) acts of queenly intercession performed on her own behalf; Strohm, *Imagination*, 95, terms this a difference between ‘petition’ and ‘intercession’ proper.

109. St. John, *Queens*, 48.

110. Strohm, *Imagination*, 99–105; St. John, *Queens*, 53–54. Likewise, intercession was regularly represented during the celebrations surrounding coronations and royal entries: Gordon Kipling, *Enter the King: Theatre, Liturgy, and Ritual in the Medieval Civic Triumph* (Oxford, 1998), 310, 318–27; Katell Lavéant, “Le Roi et Son Double: A Royal Entry to Late-Medieval Abbéville,” in *Symbolic Communication in Late Medieval Towns*, ed. Jacoba van Leeuwen (Leuven, 2006), 46, 50–51; Maurer, *Margaret*, part two. The queen’s physical closeness to the king, real or imagined, drove the expected efficacy of her intercession even when the king was not personally involved in the process—or when her actual effectiveness was limited: St. John, *Queens*, 43, 46–48.

power, in practice as well as in literature. In the English chancery, this took the form of a vocabulary of supplication, requesting rather than commanding.<sup>111</sup> While the queen was often quite capable of giving orders, the deliberate assumption of such humble posture ensured her action did not threaten the formal power structures. In the Breton context, such language was mirrored in the few requests that Jeanne and Charles made to the French kings to ratify their donations.<sup>112</sup> These requests (which were petitions rather than true intercessions) usually used the verb ‘supplier’ and hoped it would ‘plaire’ the king to act accordingly, placing the transaction in terms of favours rather than orders.<sup>113</sup> This was only sensible when applying to a superior authority, and an identical set of terms was used when the subjects of Brittany approached their duke and duchess.<sup>114</sup> Even these were not intercessions but simple petitions. A language of hierarchical action was thus standardized well beyond the act of intercession, which was very rare in the records of this Breton administration.

In fact, in Jeanne’s *acta* there remains only one instance of a ‘textbook’ intercession, and it took place after Charles’ death.<sup>115</sup> In 1368 or 1369 the inhabitants of Limoges committed ‘pluseurs desobeissances, rebellions et offences’ towards Jeanne.<sup>116</sup> Jeanne did not appear particularly eager to forgive them; she described herself as ‘mal contente de noz chiers et bien amez bourgeois et habitans de nostre ville’ in an act dated to 25 March 1369.<sup>117</sup> This same discontent served, however, to set up an intercession on behalf of the (presumably otherwise doomed) townsmen. The act explained:

monseigneur le Roy nous a fait parler par tresreverent pere en Dieu le Cardinal de Beauvais, en nous monstrant pluseurs gracieux et aimables poinz touchans le bien de nous et de nos dis bourgeois de ladite ville.<sup>118</sup>

A cardinal was perhaps most suited to intercede in this way, embodying a religious rather than a secular power and thus not a threat to Jeanne’s standing as well as a potent voice for mercy. Though King Charles’ wishes were clearly evident, the cardinal’s intercession distanced the king from the proceedings; in

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111. St. John, *Queens*, 45; Parsons, “Intercession,” 155.

112. Charles also interceded with the pope for the advancement of certain (mainly English) clerks, but these requests do not survive directly: *RACJ*, 137, 147, 152, 191, 192.

113. *Ibid.*, e.g. 73, 77, 78.

114. *Ibid.*, e.g. 98, for the confirmation of an act; 109, 116, 179, for requests to redress wrongs.

115. *Ibid.*, 242.

116. ‘Several acts of disobedience, rebellions, and offences’; see chapter three, page 67, for the probable nature of this dispute.

117. ‘Displeased with our dear and well-loved townsmen and inhabitants of our town’.

118. ‘Milord the king had the most reverend father in God, the cardinal of Beauvais, speak to us about it, showing us several favourable and attractive points regarding the well-being of us and of our said bourgeois of the said town’.

this way, the dynamic shifted from that of a sovereign's simple command to his vassal, to that of an appeal to Jeanne's higher qualities and her judgement.

The degree to which this was cast in the mode of an intercession is especially visible in the choice of vocabulary. The cardinal of Beauvais 'nous a chèrement prie de leur faire grace et misericorde'.<sup>119</sup> He was persuading Jeanne, not ordering her, using the standard tools of intercession—encouraging the ruler's charitable qualities, usually against their first instincts. Although pity was considered a more feminine than masculine quality, none of the arguments suggested that forgiveness might in any way come more naturally to Jeanne because of her gender. Instead, she acted as any ruler might, seeking to have 'avecques eulx bonne paiz et concorde'.<sup>120</sup> Finally, acknowledging that she was 'meue de pitie et misericorde' thanks to the cardinal (and also 'pour honneur et reverence de mon dit seigneur le Roy'—a more political reason!), she agreed to pardon them, 'veulanz tous jours garder et nourrir le bien deulz et leur estre favourable en ce cas et tous autres', (re)establishing a good working relationship.<sup>121</sup>

This moment forces a reconsideration of the hierarchies of intercession. Here it was used to intervene downwards: a representative of the king went to Jeanne (as viscountess of Limoges) and in very traditional terms exhorted her to exercise mercy. The actual power dynamics were no doubt complex: it was only a matter of months before Jeanne ostensibly sold Limoges to Charles V.<sup>122</sup> Although the request of a king was perhaps not so easy to ignore as that of a subject, this possibility for command makes it again all the more significant that another tactic was taken, that the discussion was still framed in intercessory terms. Within her domains, Jeanne did not have to take orders. A similar dynamic was hinted at in the run-up to the treaty of Guérande, if not in such strictly intercessory terms. Jeanne decided to send delegates to the bargaining table because 'mons. le Roy ait envie tresreverent pere en Dieu, nostre tres chier cousin l'archevesque de Reims et mons. Jehan le Mangre, dit Bouciquaut' to intervene between the two rivals.<sup>123</sup> In both cases, the deliberateness of Jeanne's actions was stressed, often in order to obscure a rather more precarious power situation. As a prince within her own sphere, she was entitled to agency while ultimately conforming to the will of her superiors. This was exactly the purpose of intercession, preserving appearances correlating to status. But the hierarchy could be stripped of its directionality when

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119. 'Beseeched us intently to give them grace and mercy'.

120. 'Good peace and accord with them'.

121. 'Moved by pity and mercy—for honour and respect of my said lord the king—wishing always to keep and to nourish their well-being, and to be favourably disposed towards them in this case and in all others'.

122. *RACJ*, 243–44.

123. 'Milord the king has sent the most reverend father in God, our dearest cousin the archbishop of Reims, and milord Jean le Meingre, called Boucicaut', *ibid.*, 233.

the status needing support was not the king's, but Jeanne's.<sup>124</sup>

The *absence* of this hierarchy during Jeanne's long co-rule demonstrates that when she and Charles worked together, they largely sought not to privilege either actor, but to mutually reinforce their shared position according to circumstantial pressures. When Jeanne invoked the need to await Charles' input in assigning lands to Marguerite d'Avaugour, she did so ostensibly to respect his particular involvement with the previous decisions and, meanwhile, took action on her own to remedy the immediate situation. They dealt with the Avaugour lands from a position of power (if not of right); this required little variation in strategy because the changing complaints brought before them were responsible for changing the debate, not shifts in their own goals. Conversely, the magnitude of the problem—and the potential rewards—in the English negotiations prompted a dynamic involvement on Jeanne's part not seen in any of the other diplomatic attempts to settle the Breton question.<sup>125</sup> Charles' absence was not, however, the full reason for this involvement: the treaty in 1356 proved that negotiations without Jeanne were entirely possible. Rather, Jeanne seized the initiative in order to put her own plans into action, possibly even despite her husband's preferences though ultimately with his cooperation, a dynamic essential to understanding these developments in the changing relationships of the Hundred Years' War.

Ironically, Jeanne's acts in the Avaugour case emphasized the differences between her responsibilities and Charles', whereas they were treated as equal partners in the negotiations with England. This demonstrates an awareness of their relative roles—and the ability to manipulate these perceptions alongside the shifting reality, which means these positions cannot always be taken at face value. We will turn now to the close study of the descriptions of power in the main sources for Jeanne's life in order to explore in more detail the frameworks used to navigate between ideal and practice, and through these, to critically examine our own discussions of medieval political power.

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124. When, in calmer times, Jeanne and Charles had responded to royal requests, it was at the straightforward 'volente, absentement [sic], et commandement' of the king, who had no compunctions about simply ordering Charles to grant certain pardons either: *ibid.*, 68, 86.

125. Jeanne retained the right to advise and confirm decisions, most notably those of made at the Landes d'Evran and Poitiers in 1363, but was no longer herself a proactive decision-maker: *ibid.*, 222–23, cf. 54–56.

**Part 3** | **Discussing power:  
Documentary studies**

## 7 | **Jeanne de Penthièvre's *acta*: The language of command**

*...tres-noble & tres-puissante Dame Madame Jehanne Duchesse de Bretaingne, Contesse de Pentevre, & Vicontesse de Limoges...laquelle de sa bonne voullenté, de sa certaine science, de son propre mouvement, sans inducion d'autrui & sans aucune force, fraude, contrainte ou erreur...*<sup>1</sup>

In addition to their practical functions, Jeanne's *acta* represented the formal expression of her power, defining the nature of her authority so as to validate her will. These were composed for Jeanne rather than by her, and were characterized by a standardized vocabulary resulting from the conventions and training of the secretaries. As such, the documents were not meant to give an individualized portrayal of Jeanne as a prince (much less convey any self-perceptions of her power).<sup>2</sup> But they represented her public voice, established in the opening lines of nearly every act issued across her career. This idealized view was very effective for situating her within an easily-recognized position of command.

Modern scholarship on elite medieval women has frequently used a conceptual distinction between 'authority' and 'power'.<sup>3</sup> 'Authority' refers to the jus-

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1. 'The very noble and very powerful lady milady Jeanne, duchess of Brittany, countess of Penthièvre, and viscountess of Limoges, who, of her good will, with her certain knowledge, of her own initiative, without the inducements of others, and without any force, fraud, constraint, or error', *Preuves*, 1:1670.

2. See introduction, page 19.

3. e.g. Erler and Kowaleski, *Power*, 2 (and see individual essays); Bolton and Meek, *Aspects*, 2–3; Wiesner-Hanks, *Gender*, 146–47; Erin L. Jordan, "The "Abduction" of Ida of Boulogne: Assessing Women's Agency in Thirteenth-Century France," *French Historical Studies* 30 (2007): 5; St. John, *Queens*, 9, 17, 97, 133; Sjursen, "Jeannes," 11; and it remains a popular theme of recent conference papers and sessions (for instance, the related panels on 'Debatable Queens: (Re)assessing Medieval Stateswomanship, Power, and Authority' and 'Debatable Rule: (Re)assessing Medieval Statecraft, Power, Authority, and Gender' at the 2015 International Congress on Medieval Studies at Kalamazoo, or Heather Tanner's talk on 'Authority, Power and Display—The Inheriting Countesses of Boulogne, 1160-1258' at the 2014 conference on Gender and Medieval Studies at Winchester). In anthropology, the framework developed by Max Weber and others seems to have made itself known to the broader field of women's studies largely through the work of Michelle Zimbalist Rosaldo and Louise Lamphere, introduction to *Woman, Culture, and Society*, ed. Michelle Zimbalist Rosaldo and Louise Lamphere (Stanford, 1974), 8–9; Michelle Zimbalist Rosaldo, "Woman, Culture, and Society: A Theoretical Overview," in *Woman, Culture, and Society*, ed. Michelle Zimbalist Rosaldo and Louise Lamphere (Stanford, 1974), 21; Louise Lamphere, "Strategies, Cooperation, and Conflict Among Women in Domestic Groups," in *Woman, Culture, and Society*, ed.

tification, legitimacy, or right to undertake decisions and actions, while ‘power’ encompasses the practical means or influence to enact one’s wishes and have others respond.<sup>4</sup> In other words, authority depends on the social approbation of an individual’s public decision-making, whereas power is the capacity to effect one’s will, even informally. As we have seen, Jeanne de Penthièvre unquestionably had both ‘authority’ and ‘power’ according to these definitions.<sup>5</sup> My concern here is to explore the extent to which Jeanne’s *acta* (as both practical and symbolic instruments of her rule) characterized, and challenged, such concepts.

Analysis of the terms used to describe Jeanne’s role indicates a technical and rhetorical distinction between people who had authority and those who had power. The dichotomy was often used to differentiate Jeanne and Charles’ participation, but it was also a useful tool for redefining Jeanne’s position in different situations; for instance, an act could describe fluctuations in her power without implying any change to her authority. Closer inspection, however, shows not only that it was not always clear where power ended and authority began or vice versa, but that the *acta* in fact recognized multiple kinds of power and multiple kinds of authority. This was because Jeanne (and those around her) filled several roles simultaneously; the combination of relationships based on political status and familial ties, each entailing its own blend of prerogatives and command, meant that the same set of words often had to serve double duty to describe even one person’s position. The way the *acta* balanced rhetoric, status, and ability suggests that the power/authority model is too abstract and that it overlooks the interpersonal and contextual factors that determined the legitimacy and effectiveness of action. Discussing power (political and otherwise) from this fuller perspective not only engages more accurately with the complexity recognized at the time, but promotes a more flexible and inclusive appreciation of the experiences of power, political and otherwise, in medieval society.

### **Power and authority in the *acta***

Jeanne’s *acta*, at once legal records and emblems of lordly rule, provide a window onto the formalized interpretation of these concepts in a context designed

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Michelle Zimbalist Rosaldo and Louise Lamphere (Stanford, 1974), 99.

4. Bolton and Meek, *Aspects*, 1.

5. As Benz St. John remarks, ‘medieval scholars now refer to what was often described as power as *agency*’, a term which ‘can encompass both power and authority more generally’: St. John, *Queens*, 9, 17, emphasis mine. There is, however, no single consistent definition of agency in historical studies: cf. e.g. Donald M. MacRaild and Avram Taylor, *Social Theory and Social History*, Theory and History (Basingstoke, 2004), 80ff.; Bronach Kane and Fiona Williamson, eds., introduction to *Women, Agency and the Law, 1300–1700*, The Body, Gender and Culture (London, 2013), 2–3; Mary Erler and Maryanne Kowaleski, “Introduction. A New Economy of Power Relations: Female Agency in the Middle Ages,” in *Gendering the Master Narrative: Women and Power in the Middle Ages*, ed. Mary Erler and Maryanne Kowaleski (Ithaca, NY, 2003), 1–3, 16.



for public and semi-public communication.<sup>6</sup> Because they combined formulaic expressions with the specifics of a given situation, they are a good place to look for patterns in how Jeanne's role was represented in relation to those around her. A series of case examples, set against the more general trends of the *acta*'s vocabulary, demonstrate the presence of a regular distinction between 'authority' and 'power' recognizably like that used now by historians.<sup>7</sup>

### Technical phrases

Certain expressions were routinely used to define the formal relationships between actors. Most acts that Jeanne issued along with Charles contained an 'authorization clause' ('autorisation maritale') stating that the deed was done 'o l'auctorite de nous dit duc a nostre tres cher compaigne la duchesse donne quand a toutes et chacunes les choses qui en suivent', or that Jeanne was 'auctoriee de nous a ce que sensuit', or some variation on these themes.<sup>8</sup> This was a standard formula in such documents, reflecting the legal control of Charles over Jeanne as her 'husband and lord' and the restrictions on the legal participation of married women as independent parties.<sup>9</sup>

Jeanne's abilities were further differentiated from Charles' at the end of some

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6. Tock, introduction to *Actes*, 11; Guyotjeannin, Pycke, and Tock, *Diplomatique*, 22; Olivier Guyotjeannin, "Écrire en chancellerie," in *Auctor & Auctoritas: Invention et conformisme dans l'écriture médiévale. Actes du colloque tenu à l'Université de Versailles-Saint-Quentin-en-Yvelines, 14–16 juin 1999*, ed. Michel Zimmermann (Paris, 2001), 18; Claude Gauvard, conclusion to *Écrit et pouvoir dans les chancelleries médiévales: Espace français, espace anglais. Actes du colloque international de Montréal, 7–9 septembre 1995*, ed. Kouky Fianu and DeLloyd J. Guth, *Textes et études du moyen âge 6* (Louvain-la-Neuve, 1997), 341 (cf. 336, 339); Georges Tessier, review of *Arenga: Spätantike und Mittelalter im Spiegel von Urkundenformeln*, by Heinrich Fichtenau, *Bibliothèque de l'école des chartes* 115 (1957): 252.

7. A brief but similarly-minded approach to ducal power was undertaken by David Dominé-Cohn, "Formules et formulations du pouvoir dans le duché de Bretagne: Les lettres de rémission ducales de Charles de Blois et Jean IV de Bretagne, ducs de Bretagne," in *La formule au moyen âge: Actes du colloque "La formule au Moyen Age"*, Nancy, 2010, ed. Elise Louviot (Turnhout, 2013), 219–230, though his corpus did not include acts in which Jeanne participated. The distinction of *auctoritas* and *potestas* in medieval thought has been well-studied, but largely in an intellectual context far removed from Jeanne's career, e.g. Larry Scanlon, *Narrative, Authority and Power: The Medieval Exemplum and the Chaucerian Tradition* (Cambridge, 2007), 37ff.; James Muldoon, "Auctoritas, Potestas and World Order," in *Plentitude of Power: The Doctrines and Exercise of Authority in the Middle Ages*, ed. Robert C. Figueira (Aldershot, 2006), 125–26; Robert C. Figueira, ed., *Plentitude of Power: The Doctrines and Exercise of Authority in the Middle Ages* (Aldershot, 2006); Michel Zimmermann, ed., *Auctor & Auctoritas: Invention et conformisme dans l'écriture médiévale. Actes du colloque tenu à l'Université de Versailles-Saint-Quentin-en-Yvelines, 14–16 juin 1999* (Paris, 2001); Marcel David, *La souveraineté et les limites juridiques du pouvoir monarchique du IXe au XVe siècle* (Paris, 1954).

8. 'With the authority of us, the said duke, given to our dearest companion the duchess with regards to each and every one of the things which follow'; 'authorized by us for that which follows', *RACJ*, 58, 213. Cf. Nicole Dufournaud, "Roles et pouvoirs des femmes au XVIe siècle dans la France de l'ouest" (PhD diss., École des Hautes Études en Sciences Sociales, 2007), 226–31; Bubenicek, *Yolande*, 171.

9. Dufournaud, "Roles," and cf. *TAC*, 143, 205–06, 233.

acts. Formal charters could include a lengthy list of rights, clauses, and other technicalities which the duchess and duke renounced in order to ensure that the terms would not be infringed in the future. To these provisions, four *acta* added a further stipulation: first in 1342 during a land grant from the duke and the duchess to their retainer Ayton Doria as a reward for military service; again the following year, while confirming the marriage contract of Jeanne's relative Amice de Léon; then when Jeanne and Charles announced the terms of their daughter's marriage to Louis d'Anjou in 1360; and finally, once after Charles' death, in a 1371 monetary donation to Louis d'Anjou.<sup>10</sup> These documents all added that 'nous, duchesse, dessus dicte, [renoncons] au benefice de senat consult Velleian a lepitre diviadrian et a touz autres droiz introdus et otroies en faveur des fames'.<sup>11</sup> This referred to the legal concept of the 'senatusconsultum Velleianum' from Roman law of the first century A.D.<sup>12</sup>

The *senatusconsultum* aimed originally to make void 'obligations of women who became liable on behalf of others', by forbidding creditors to pursue them for their involvement in 'alien debts'.<sup>13</sup> While it was not continuously implemented, by the thirteenth century in France its application had expanded beyond its initial context to incorporate women's own donations, rather than simply their intercessions.<sup>14</sup> Only Jeanne's guarantee of the promises made by Hervé de Léon in the marriage contract of his sister Amice met the strict requirements of a pledge on behalf of another; this demonstrates the divergence between medieval and Roman practice.<sup>15</sup> Jeanne's other donations reflected the purely medieval notion that women 'could reclaim their transactions and had to renounce this right in order to transfer the ownership permanently'.<sup>16</sup>

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10. *RACJ*, 62, 67, 209; *Preuves*, 1:1671.

11. 'We, the aforesaid duchess, renounce the benefits of the *senatusconsultum Velleianum*, the decree of blessed Hadrian, and all other rights introduced and granted in favor of women', *RACJ*, 62. Marie also relinquished this right in her wedding contract.

12. J. A. Crook, "Feminine Inadequacy and the *Senatusconsultum Velleianum*," in *The Family in Ancient Rome: New Perspectives*, ed. Beryl Rawson (London, 1992), 86; Jane F. Gardner, *Women in Roman Law and Society* (1986; repr., Bloomington, 1991), 75.

13. Crook, "Velleianum," 86–91; Antti Arjava, *Women and Law in Late Antiquity* (Oxford, 1996), 237–38; Theodore Mommsen, ed., *Digesta*, in *Corpus Iuris Civilis*, vol. 1 (Berlin, 1872), 16.1. Exceptions were later made for women deemed to have acted in full knowledge of the consequences. The *senatusconsultum* has been interpreted variously as a means of protecting women from being forced into damaging pledges (especially by their husbands), or, perhaps less convincingly, as a reflection of female exclusion from public life based on their 'innate' unsuitability. Earlier laws had already been enacted to help regulate the access of male family members to a woman's property, a relevance that carried over into its medieval uses.

14. Arjava, *Antiquity*, 239–40; Dufournaud, "Roles," 61.

15. *RACJ*, 67. The fact that *TAC*, 301, allowed women to pledge *only* on behalf of their relatives likewise shows the loss of the law's original context, although it provided separate protections against their husbands (291–92).

16. Arjava, *Antiquity*, 240.

Perhaps the most interesting characteristic of the *senatusconsultum* as applied in French law was its ability to be set aside: ‘Pour les femmes, signer un acte où le droit Velleien est stipulé signifie qu’elles reconnaissent leur incapacité juridique...Mais l’usage est plutôt de renoncer à ce droit, c’est-à-dire à la protection qu’il offre. Les femmes retrouvent alors leur capacité juridique’.<sup>17</sup> In fact, it is strange from a legal perspective to find it applied in Breton documents.<sup>18</sup> In Breton custom, women had been traditionally capable of diverse legal action (if sometimes under caveat of receiving marital authorization), and they functioned as litigants, guarantors, witnesses, and arbiters both before and after Jeanne’s time.<sup>19</sup> Still, the relatively recent *Très ancienne coutume* introduced many aspects of ‘droit écrit’ now practiced in France.<sup>20</sup> Another redaction of Breton law (under the influence of Angevin customs) stated that ‘Obligacion que femme fait pour aultre personne n’est tenable, si elle ne renuncie aux droits et privileges de Velleyan et Dividrian, queulx sont faictz pour les femmes’.<sup>21</sup> And so the strange situation resulted that the *senatusconsultum*, a ‘véritable anomalie juridique’, did not appear save alongside ‘sa renonciation: on promulgue l’incapacité juridique de la femme et celle-ci, informée de ses droits, y renonce immédiatement’.<sup>22</sup> The fact remains, however, that the stated rules which applied to Jeanne’s exercise of power were not always identical to her husband’s. The difference with the *senatusconsultum* was that it depended on Jeanne’s personal status (as a woman) rather than on her relationship with Charles, as in the authorization clause.

### A grant from Jeanne to Charles

These technical relationships were not the only means of portraying Jeanne’s role. The composition of certain *acta* expressed similar interactions using much broader rhetorical statements and terms. For instance, on 8 October 1343, Jeanne gave Charles a life interest in multiple territories from both her personal lands

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17. Nicole Dufournaud, “Comment rendre les femmes obéissantes? La réponse du juriste Pierre Hévin et des magistrats bretons (1602–1683),” in *Revisiter la querelle des femmes: Les discours sur l’égalité/inégalité des femmes et des hommes, de la Renaissance aux lendemains de la Révolution française*, ed. Danielle Haase-Dubosc and Marie-Élisabeth Henneau (Paris, 2009), 3.

18. Cf. Dufournaud, “Roles,” 258.

19. Dufournaud, “Femmes obéissantes,” 3.

20. Galliou and Jones, *Bretons*, 203. Accordingly, TAC, 123, 126, 186, etc., contained some strong statements against female juridical capacity, though these were not without their loopholes; their relevance to actual practice seems to have been rather limited.

21. ‘The obligation which a woman makes for another person is not tenable if she does not renounce the rights and privileges of the Velleian and blessed Hadrian, which have been made for women’, *ibid.*, 469, 473. The Angevin customs were redacted roughly seventy-five years before those of Brittany.

22. Dufournaud, “Femmes obéissantes,” 4.

and the ducal domains, as we saw above.<sup>23</sup> As a will of sorts, this solemn transaction was attested by numerous witnesses and confirmed by Philippe VI of France (whose copy survives).<sup>24</sup> Because of its important implications for the future of the duchy, it was one of the only acts to have an extensive preamble on the context and reasoning for the transfer, justifying it through a detailed discourse on Jeanne's position and power.<sup>25</sup>

The preamble read narratively, beginning with an evocative explanation of Jeanne's marriage as a child: 'Sachent touz que puis la mort de mon trescher seigneur et pere mons. Guy de Bretagne fusse jeune demoree et orfeline, mes bons et loiaus amis...me eurent et aient mariee et donnee par mariage a mon treschier seigneur mons. Challes, duc de Bretagne'.<sup>26</sup> Although still marked by the repetitive qualities that characterized legal texts, the unusual use of the singular pronoun and the direct reference to Jeanne's life experiences established a personal rapport with Jeanne's point of view unmatched in nearly all of our other texts, privileging Jeanne's voice and narrative while distancing other actors.

Still, she was portrayed as 'young' and 'orphaned', which undercut the idea of power while evoking a personal network of supporters to bolster her in this apparently frail position. This showed that Jeanne relied on those around her (a concession to the present witnesses, as well as to Charles) but also established that she *had* a firm base of support. Such ties were critical given the dispute tearing at the duchy: Jeanne's friends pursued the marriage 'consideranz et attendanz les chouses et les causes qui peussent avenir en temps ensuiant, et comme a present appert notoire'.<sup>27</sup> Among her supporters, Charles was established as a champion, providing Jeanne with his 'force et puissance, secours, aide et conseil'.<sup>28</sup> These terms affirmed Charles' active role in Jeanne's cause because the donation aimed to reward these services; but his position remained separate from hers.

The preamble then addressed the question of Jeanne's claims in Brittany.

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23. RACJ, 71–75, and see chapter four, page 97.

24. Archives départementales des Pyrénées-Atlantiques, Pau, E 848–1.

25. Sébastien Barret, "Ad captandam benevolentiam": Stéréotype et inventivité dans les préambules d'actes médiévaux," in *Auctor & Auctoritas: Invention et conformisme dans l'écriture médiévale*, ed. Michel Zimmermann (Paris, 2001), 322, describes preambles as the potential 'réceptacle d'une expression originale, ce qui permet éventuellement au rédacteur ou *dictator* une certaine liberté dans la composition, sans qu'un problème juridique puisse entraver ou stimuler la rédaction'; they were relatively rare, and thus significant, in *acta* of the thirteenth and fourteenth centuries (Guyotjeannin, Pycke, and Tock, *Diplomatique*, 78; Barret, "Préambules," 324).

26. 'Let all know that, since the death of my dearest lord and father milord Guy de Bretagne, I was left young and orphaned; my good and loyal friends had me married and given in marriage to my dearest lord milord Charles, duke of Brittany'.

27. 'Considering and anticipating the things and causes which could occur in times to come, and which now appear common knowledge'. Recall the story that Duke Jean himself spent long evenings giving thought to the future of his niece's inheritance and the difficulties it might entail: Gérard, *Guillaume de Nangis*, 2:144; Froissart B, 3:87–88.

28. 'Force and power, help, assistance, and counsel'.

Here, the word ‘droit’ was key, and the subject of the conflict: Charles strove to ‘contrester toute la force, violence et puissance de touz mes adversaires et ceus qui mon *droit* me vousissent chalongier, toudre, hoster ny empeschier’.<sup>29</sup> Jeanne’s enemies also had access to such potent terms as ‘force’ and ‘poissance’, although the addition of ‘violence’ gave the phrase a darker tone. If Charles was to ‘garder et deffendre’ against this threat both Jeanne and the duchy (‘pour moy et plus profitablement moy mes biens’), her personal claim to the lands remained paramount.<sup>30</sup> The duchy had been established as Jeanne’s rightful inheritance for a very long time: ‘la succession du quel je attendoie...et du quel duchie la succession par vraie et deue succession mest venue et descendue’.<sup>31</sup> Since Jeanne expected her inheritance even before her marriage, Charles’ place in this succession was secondary and his commitment was one of arms, not of right. Grounding her claims so firmly was appropriate in the context of the grant. After all, if she was to alienate some of her property, she first had to be established as the lawful proprietor. This claim was a recurring theme in similar acts, although such justifications were not usually so elaborately dwelt upon.<sup>32</sup>

But it suited the grant’s rhetoric to emphasize Charles’ critical role—that indeed, her enemies would have triumphed ‘se ne fut la tresgrant puissance de mon dit seigneur’—since he was now to be established over these lands in his own right.<sup>33</sup> Nevertheless, the language still insisted on Jeanne’s independent position as the lawful head of the duchy. Without the troubles of the war, she would not have been in need of additional, external aid to accomplish her intent (while her continual reference to ‘conseil’ drew on the usual mechanics of lawful power). It was personally ‘pensente, attendante et considerante toutes les choses dessusdictes’, that prompted Jeanne to make the donation: she and her ‘bonne et pure volente’ were the sole authority on which the act was based.<sup>34</sup> And so, in an act ostensibly about Charles’ great service to her, Jeanne’s own position took on equal importance: she asserted her rights as justification for Charles’ actions.<sup>35</sup>

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29. ‘Stand against all the force, violence, and power of all my adversaries and those who wish to challenge, eliminate, remove, or impede my right’.

30. ‘For me and, to my advantage, my goods’.

31. ‘The succession of which I awaited, and of which duchy the succession by true and right succession has come and descended to me’.

32. *RACJ*, 58, 67–68, 228. Charles’ position as heir in his own right was occasionally acknowledged, although Jeanne could never be entirely left behind: ‘des heritages a nous descenduz a cause de nostre treschere et amee compaigne la duchesse de Bretagne’ (*ibid.*, 165, and cf. the *arrêt* of Conflans, *Preuves*, 1:1424). Otherwise, the middle course was taken, as when Jeanne spoke of ‘heritages a nous et a nostre dit seigneur, a cause de nous’ (*RACJ*, 178).

33. ‘If not for the very great power of my said lord’.

34. ‘Thinking upon, attending to, and considering all the aforesaid things’; ‘good and pure will’.

35. Conversely, Charles ‘proved’ his own worth with his actions, justifying Jeanne’s decision to transfer authority to him as discussed in chapter four, page 97.

The concepts and terminology of this act thus reflect a contrast between ‘authority’ and ‘power’ according to the anthropological model, based on the two halves of the ducal couple: words which can be traced across the rest of the *acta*.

Power	Authority
pouvoir	auctorité
puissance/puissant(e)	droit
force (deffendre, garder)	deliberacion, conseil
violence	vrai, deu, legitime
secours	consent, assentement (confirmer, ratifier)
aide	gré(er)
volonté [ <i>occasionally</i> ]	volonté (vouloir, louer, eslire)
	commandement (commander, ordonner, commetre)

**Figure 18:** Terms of power and authority in Jeanne’s *acta*

Concepts like ‘force’ and ‘puissance’ fall into the former group, connoting sheer (especially military) might that, placed in opposition to Jeanne’s ‘droit’, did not necessarily convey any legitimacy of action. These terms were, correspondingly, rather rare in the formal terminology of the acts as a whole. By contrast, the ‘authoritative’ terms such as ‘conseil’, ‘assentement’, and ‘auctorite’ itself, encoded legal right apart from physical ability. Jeanne’s emphasis on her ‘droit’ alongside her vulnerability was therefore an assertion of her standing *independent* of her own ability to protect her claim, a distinction reinforced throughout the preamble. The association of ‘forces et poissance’ (alongside their ‘violence’) with Jeanne’s ‘adversaires, anemis et malvuillanz’ likewise contrasted with the ‘grant deliberacion, conseil et assentement’ of her friends. Her rights were founded in the authority of law and birth, set against her foes’ raw aggression; Charles’ military ‘poissance’ was a supplementary tool that reinforced her when authority was not enough.

### Letters to Louis d’Anjou, 1379

The application of such a vocabulary allowed for easy recognition of related ideas across the *acta*, especially when the rhetoric of a situation called for a different manipulation of the concepts of authority and power. In the turbulent years of 1378–1379 and the Breton rebellion against Charles V’s annexation of the duchy, Jeanne’s delicate political position, balanced between two opposing forces and interests, was evidenced by the pair of letters she sent to Louis d’Anjou in July of 1379.<sup>36</sup> She explained that she and her third son, Henri, had come to Dinan with

36. *RACJ*, 260–62. Despite the personal tone of the letters, these were again composed through the hands of professional scribes.

the intent of meeting with him, but had been physically prevented from doing so by ‘plusours de mes cousins, chevaliers et escuiers du pais et de la ville de Dynam, mes feaulx’, who accosted her, barred the gates, and refused to let her honour her engagement for fear that she would make a treaty unfavourable to the Breton cause.<sup>37</sup> She hoped that the duke would pardon her, and reassured him of her good wishes and loyalty.

This letter was a carefully-crafted response to a dangerous political moment. Jeanne emphasized the fact that ‘ces choses me distrent en la presence de voz gienz comme ils vous pourront dire’, ensuring at least the apparent validity of her excuse: some actual staging must even have taken place to support this.<sup>38</sup> Moreover, while adopting an exaggerated vocabulary of superlatives and extremes, the whole was characterized by a lack of personal formality (‘La vostre Jehanne’) or strict format, granting a freedom from legal strictures that allowed these letters to express—and us to explore—a dynamic implementation of the rhetoric of power on Jeanne’s behalf.

As in the donation to Charles, Jeanne emphasized her relative weakness in a variety of ways. She cast herself in the role of a vulnerable mother, speaking of ‘moy en mon filz vostre petite creature’ (an admittedly charming turn of phrase), and addressing Louis submissively: ‘Si vous suppli treshumblement et en lamour de Dieu quil vous plaira de ce mavoir et tenir pour excusee’.<sup>39</sup> Simultaneously, she highlighted the powerful position of her son-in-law: ‘Mon tres puissant et tres redoubte seigneur je me recommans a vous tant humblement comme je puis moy, mes enffanz et mon petit estat’.<sup>40</sup> The contrast between Jeanne with her ‘petit estat’ and the all-powerful duke is striking: she could not be construed as a threat, and scarcely acted outside the will of Louis d’Anjou.<sup>41</sup>

At the same time, Jeanne was also powerless against the other side. She was stopped by those who were supposed to be faithful to her, and physically outmanoeuvred so that she could leave only ‘par dessus les portes’ or by handing over hostages and limiting her ability to make independent diplomatic choices. Their forceful opposition left her explicitly helpless: ‘moy en lestat ou je suy a present ne pourroie obvier contre leur volente et puissance’.<sup>42</sup> Her condition or status (as

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37. ‘Several of my cousins, knights, and squires of the region and of the town of Dinan, my followers’; cf. page 75, above.

38. ‘They said these things to me in the presence of your people, as they will be able to tell you’.

39. ‘Me and my son, your little creature’ (in both senses of the word); ‘And so I beseech you most humbly, and in the love of God, that it please you to have and hold me excused’.

40. ‘My most powerful and most dread lord I recommend myself, my children, and my small estate to you as humbly as I can’.

41. ‘Estat’ was a multivalent term, incorporating socio-political status, personal condition or quality, lifestyle, behaviour, office, and so on, let alone the three major divisions of society solidifying towards the end of the Middle Ages.

42. ‘I, in the condition where I am at present, could not go against their will and power’.

a mother? a woman? a duchess on her own?) fundamentally meant that she was unable to resist these constraints. The Bretons had the ‘volente’ and the ‘puissance’, two key words representing both sides of the power-authority division (see Figure 18), while Jeanne did not. Again, this had the effect of discounting her as an actor, giving the ability to decide to others while ensuring that she could not be blamed for anything, as a coerced instead of willing participant.<sup>43</sup>

But Jeanne did not just want to avoid trouble: she hoped to improve her ‘estat’. In her second letter, she asserted that ‘la quelle chose ne me deust len pas faire et se ma puissance fust si grant comme elle deust on ne meust pas fait si grant estrangete’.<sup>44</sup> At the same time, the letter still used the titles of ‘duchesse de Bretagne, vicontesse de Lymoges’. Through this contrast of titles and ability, she argued that her authority as duchess, a status she had maintained since Guérande, should have entailed a certain amount of power, but she had been denied it, first in 1365 and then recently in 1378. With her ‘estat’ thus reduced, she could scarcely help herself, let alone Louis and the French. But she was willing to bargain.<sup>45</sup> She promised that ‘touz jours pense je o leide Dieu garder ma loy-aute vers mons. le Roy et vers vous et est mon entente de aler pardevers vous...le plus tost que je pourre et que je verre et trouvere mon lieu et mon point...et feray touz jours ce et autres choses quil vous plaira me commander et encharger’.<sup>46</sup> This made her acquiescence dependent on their recognition of her status, a renewal of authority that would bring about a contingent rise in her power.

The exaggerated insistence on Jeanne’s vulnerability is thus different than that which was expressed in 1343. Like the earlier preamble, she had been weakened by the challenge to her rights, but that was an accident, a fluke. Now her powerlessness was more integral, the outcome of her present station in the world (though her claims remained as valid as ever). At least, this was the rhetoric: the staged scenario did not need to correspond with Jeanne’s real circumstances. The distinction between status and ability provided a toolset for manipulating claims, expectations, and demands, all of which could impact her actual role, even if they did not reflect it exactly.

### **Complicating the power dynamics in the *acta***

Contrasting ‘authority’ with ‘power’ was useful in the presentation of Jeanne’s position across a variety of situations. Defining who could do what, and by what right, was an intrinsic function of the *acta* and a tool to be shaped and reshaped for

43. See chapter three, note 69, for coercion as an excuse in this period.

44. ‘Which thing they should not have done to me, and if my power was as great as it should be, they would not have committed so great an outrage’.

45. Cf. chapter three, page 75.

46. ‘I always think to keep, with the help of God, my loyalty to milord the king and to you; and it is my intention to go to you as soon as I can and have seen and recovered my place and my



distinct political or stylistic ends. But because the actual power relations which the acts tried to document were complex, the use and combination of these expressions complicated the distinctions implied by the stiff vocabulary. There were multiple different shades of ‘power’ and ‘authority’, so to speak, with each implying different dynamics and roles, even as the boundary between ‘power’ and ‘authority’ was permeable and often indistinct.

There was tension, for instance, over the degree to which claims and rights truly conferred authority or power. When Charles V confirmed the treaty of Guérande in 1366 he described it as a peace ‘entre nostre tres chere & feal cousin Jehan Duc de Bretagne, comte de Montfort, d’une part, & nostre tres-chere et tres-amée cousine Jehanne Duchesse de Bretagne, Comtesse de Penthievre, & Vicomtesse de Limoges, d’autre part’.<sup>47</sup> But a second letter was issued on the heels of the first. Although, the king said, ‘nous layons touz jours nomee et appellee et appellons ancores souvant duchesse de Bretagne, il ne fu onques ne est nostre entencion que pour ce aucun droit fust ne soit acquis a lui ou a ses hoirs oudit duchie’.<sup>48</sup> Indeed, he now ordered that any use of that title ‘que par aventure ferions ou voudrions faire ancores ou temps avenir ne porte ou face aucun prejudice au dit duc ou a ses hoirs ne a leurs droiz ou dit duchie’.<sup>49</sup> By divorcing ‘droit’, the essential term of authority, from the simple bearing of a title, this letter sought to reassure Jean that neither his power *or* his authority would be impacted by Jeanne’s nomenclature, while she in turn worked against such a distinction in her letters to Louis d’Anjou. In both cases, authority and power ceased to be separate considerations.

At other times, the distinction could remain, but break down further into quite separate types of power or authority. In the donation from Jeanne to Charles, we can already see that there were at least two kinds of ‘power’ present in the preamble—only one of which, however, was given explicit voice. Charles’ preeminent military role was, quite naturally, also true in practice. But its prominence in this particular document was a deliberate choice, while Jeanne’s abilities as duchess were evidenced instead by the very process of promulgating this act. When rewarding her husband (or pursuing any other aspect of administration) Jeanne demonstrated that she was possessed of the practical ability to effect gov-

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position; and I will always do this and other things with which it will please you to command and charge me’.

47. ‘Between our dear and loyal cousin Jean, duke of Brittany, count of Montfort, one one hand, and our dear and well-beloved cousin Jeanne, duchess of Brittany, countess of Penthievre, and viscountess of Limoges, on the other’, *Preuves*, 1:1607.

48. ‘We may have always named and called, and still often name and call her duchess of Brittany, it was never and is not our intention that because of this any right was or would be gained by her or her heirs in the duchy’, Archives départementales de Loire-Atlantiques, Nantes, E 165–8.

49. ‘Which by chance we use or wish to use again in times to come does not carry or make any prejudice to the said duke or to his heirs, nor to their rights in the said duchy’, *ibid*.

ernmental activity. The act was written in her name and voice, and her seal confirmed it. But in the preamble it was rhetorically appropriate to focus on the more dramatic military services which her husband had rendered, and so the vocabulary of power was adapted to best express only this aspect.

The vocabulary that distinguished Jeanne's role from Charles' likewise operated on multiple levels. 'Force', 'puissance', and 'violence' reflected the direct ability to effect change, whereas 'secours' and 'aide' were more supportive, denoting power used specifically on behalf of another, either supplementing their own abilities or substituting for them. A similar distinction separated 'droit', 'volente', and so forth, from 'conseil' and 'deliberacion': all of these were indicative of the formally-recognized power structure, but would be accessed differently by the various participants in the process.<sup>50</sup> 'Consent' straddled the line: it was something given by one with the authority to do so, but necessarily acknowledged that the ability to fulfill the action lay elsewhere, and transferred the authority to them. As if applying these layers of meaning, Charles was styled 'duke' even though the preamble recalled a process antedating his betrothal to Jeanne. The text linked this history to his current role despite explicitly acknowledging his 'power' instead of his 'authority': the balance shifted easily within the real relationships of government.

This act also suggests the difficulty of distinguishing legitimacy from ability, suggesting instead that the latter was a quality of the former (reminiscent of the letters to Louis). The preamble recalled how 'contre la quelle succession et descendue du dit duchie pluseurs mes adversaires, anemis et malvuillanz mont chalongie...[et] mis toute leur forces et poissance a moy empeschier et troubler sur ycelui duchie et succession de li, et sur ce resiste contre mon droit, et en le me chalongent'.<sup>51</sup> Although the war took place on the battlefield, it was also a war directly against Jeanne's rights that limited her practical ability to rule the duchy: since the legitimacy of her claims and the exercise of those claims was fundamentally the same, Jeanne's involvement, predicated upon her authority, was equal (if not functionally identical) to her husband's, predicated upon his warrior's prowess. This was not simply a rhetorical construction, but reflected their apparent participation. It was no accident that in 1344, Clement VI congratulated not only Charles but also Jeanne upon hearing that 'tua et delicti filii nobilis viri Caroli ducis Britannie viri tui negocia in partibus Brittanie prosperari'.<sup>52</sup>

50. Cf. Lewis, *Polity*, 126–32; Jean Dunbabin, "The political world of France, c. 1200–c. 1336," in *France in the Later Middle Ages*, ed. David Potter (Oxford, 2002), 40–41.

51. 'Against which succession and descent of the said duchy, many of my adversaries, enemies, and ill-wishers challenged me [and] placed all their forces and power to impede and trouble me over this duchy and its succession, and over this resist against my right, and challenge me in it', *RACJ*, 72.

52. 'The affairs in the region of Brittany of you and of our dear son the nobleman Charles, the duke of Brittany your husband, are prospering', *Lettres Clément VI*, n. 944; *RACJ*, 81.

Even the ostensibly clear-cut dynamic implied by the legal relationships of the *senatusconsultum Velleianum* or the authorization clause could become murky. The use of the *senatusconsultum*, so obviously redundant, was rare until the fifteenth century. The specific occasions on which it appears in Jeanne's acts depended more on the circumstances of the act's composition than on Jeanne's status. Because all four documents were drawn up by different clerks, we can rule out idiosyncratic practice in favour of other factors influencing the insertion of the clause. For instance, different regional standards seem to have been at work. Marie's wedding agreement was formalized in August 1360 at Saumur in Anjou and was likely the work of a French, rather than a Breton, clerk.<sup>53</sup> Moreover, its accords were to be 'seellees, avec les nostres, du scel de Chastelet de messire le Roy de France a Paris, et aient vertu, auctorite et mises a execution se besoing estoit comme chose jugee et arrest de Parlement en France'.<sup>54</sup> Similarly, the donation to Louis d'Anjou in 1371 was drawn up in the Châtelet and ratified by Charles V. Involving French royal authority was subject to additional requirements.<sup>55</sup>

Regional considerations may have also affected the earlier deeds since the lands under discussion were not all part of the duchy. Amice's brother was to dower her with 'cinq cens livres de rente en France et en Normandie, a estre assises a la coustume de ceuls pays'.<sup>56</sup> And while the grant to Ayton Doria consisted of Breton territories, Jeanne and Charles promised him an alternative in Maine should difficulties arise.<sup>57</sup> It was perhaps concern for the validity of these acts in places where the *senatusconsultum* was better-known that prompted its inclusion. To a certain extent, the *senatusconsultum* therefore placed Jeanne's prerogatives in a broader legal context with rules distinct from those within her own duchy, where Jeanne had no need to renounce any legal inability.<sup>58</sup>

Similarly, the authorization clause enabling her participation in joint acts was not the final word on the authority and power of either Jeanne or Charles. Firstly,

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53. However, many of Jeanne and Charles' secretaries, though Breton themselves, would have trained in France (especially Angers), since there was no university in Brittany until the mid-fifteenth century: Jones, "Chancery," 135–36; B.-A. Pocquet du Haut-Jussé, "Histoire ancienne de notre université," *Annales de Bretagne* 55 (1948): 157–58.

54. *RACJ*, 209.

55. These were not, however, the only documents which sought royal approval, or called for the use of other customs, without invoking this clause.

56. *RACJ*, 66.

57. *Ibid.*, 60.

58. Note that although Jeanne and Charles regularly controlled lands beyond the Breton border, the *senatusconsultum* was generally omitted. The decree was still not rigorously understood by the Breton clerks; the uneven application of this principle in our current documents makes it clear that it was as yet still essentially foreign. Where it was used, there may be some validity to Dufournaud's observation (on its sixteenth-century application at least) that 'les notaires, payés à la longueur de l'acte, rajoutaient la formule très longue et donc très coûteuse': Dufournaud, "Roles," 258.

it did not reflect their relationship as duke and duchess of Brittany. A husband's automatic authority could be shaped and limited by the flexibility of domestic and administrative space: 'a queen regnant could also function simultaneously as a sovereign to whom all were subject and a wife who was supposed to be subject to her husband'.<sup>59</sup> The fact that Jeanne freely issued acts on her own—i.e. on occasions where it was not necessary to demonstrate their marital ties—attests to the power which she independently achieved through her rank. She and Charles shared the same titles; the parameters of their relationship and the capacity in which each functioned according to the authorization clause encompassed only one aspect of their roles.<sup>60</sup>

Another donation in 1343 from Jeanne and Charles to the lord of Derval demonstrated the tension between these different aspects: it invoked a familiar vocabulary of power but, within the standard authorization clause, conveyed significant variability in who actually had power or authority, or who was supposed to.<sup>61</sup> The act granting the *sire* the castellany of Chailly near Paris featured an unusually lengthy opening which signalled a variety of different factors:

Sachent touz presens et avenir que nous Charles, duc de Bretagne, et Jehanne, duchesse de Bretagne, sa fame, heiresse pour le tout de haut et noble prince nostre treschier oncle mons. Jehan, jadis duc de Bretagne, de nostre pure et liberal volente, et sur ce euz traictiez et deliberacion de noz amis charnels et dautres et de tout nostre conseil, et de la volente, absentement et commandement de nostre treschier et haut seigneur le Roy de France, cest assavoir nous duchesse o lauctorite et assentement expressement a nous sur ce donnez de nostre treschier seigneur et mari, donnons et octroions...<sup>62</sup>

While the act was issued in their joint names, Jeanne's claims as heiress took the spotlight and placed her squarely in the foreground. The phrase 'nous duchesse o lauctorite...donnons' seems to further signal her centrality, though the contemporary use of 'nous' for both singular and plural subjects leaves the reading ambiguous. But she was still given Charles' authorization using the normal expression, which modified her position. At the same time, both she and the duke also acted with the authority of Philippe VI, and even at his command, in addition to having taken the advice of a rather large body of people. This act was thus

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59. Woodacre, *Queens*, 10.

60. *RACJ*, 30, 38–39.

61. *ibid.*, 67–71; cf. page 118, above.

62. 'Let everyone, now and in future, know that we, Charles, duke of Brittany, and Jeanne, duchess of Brittany, his wife, heiress in full of the high and noble prince our dearest uncle milord Jean, formerly duke of Brittany, out of our pure and free will, and having discussed and deliberated upon this with our intimate friends and counsel; and also by the will, assent, and command of our dearest and high lord the king of France; namely, we, duchess, with the authority and assent expressly given to us for this by our dearest lord and husband, give and grant'.

placed into a wider set of hierarchical relationships—if not one, so far, that the standard terms had too much difficulty expressing.

Further complications came at the end, where the statement of authorization could be repeated. In this case, the structure became awkward and cumbersome: ‘nous duc et duchesse dessusdiz, et especiaument nous duchesse dessus dicte, o lauctorite et assentement de nostre dit mari a nous donnez a toutes les choses dessusdictes, apposames noz seaus a ces lettres’.<sup>63</sup> It became clear that Jeanne was, in fact, the one who took charge in making this donation and motivated the transaction, for it was she ‘especially’ who sealed the letters.<sup>64</sup> Yet the construction of authority based on the dynamic of husband and wife was not well-equipped to acknowledge her role as duchess. In this vein, the next phrase confirmed Charles’ receipt of homage from the lord of Derval ‘o lassentement et volente de nostre treschiere compaigne, duchesse dessus dicte’.<sup>65</sup> Suddenly, Jeanne was permitting her husband to act, using the same set of terminology employed before (albeit without the specific term *autorite*, which had not been attributed to Philippe VI either), but her place in issuing the act had still been categorized simply by formula. Effectively, diverse combinations of ‘authority’ and ‘power’ were here at play, none of which were absolute, because both players were several things at once.<sup>66</sup> Jeanne had authority over her lands and the power to dispose of them, as did Charles; neither was able or allowed to independently affect the property, even though the reasons for their rights were different. Charles controlled Jeanne’s ability to take legal action alongside him (though not on her own) and accepted the homage due after the donation, but he could only fulfill this role with Jeanne’s consent.<sup>67</sup>

## Modelling power

The complexity of ‘power’ and ‘authority’ actually visible in these documents makes it vital to question the extent to which this approach is actually well-suited to probe the social operations of power in this period. This is not the first attempt to do so. Certain recent scholars have attempted to rein in the ambiguity of the power/authority model by assessing specifically whether ‘a noblewoman

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63. ‘We, the aforesaid duke and duchess, and especially we, the aforesaid duchess, with the authority and assent of our said husband given to us for all the abovesaid matters, place our seals upon these letters’.

64. For other donations which similarly emphasized Jeanne’s role, see chapter five.

65. ‘With the assent and will of our dearest companion, the aforesaid duchess’, *RACJ*, 71. This was only to be expected in light of the importance of the homage seen in the contract of Robin de Lanvalay: see chapter five, page 124.

66. Cf. Froissart B, 6:151–52, and chapter ten.

67. Cf. chapter ten, page 256.

held *political* authority and whether she wielded *political* power'.<sup>68</sup> While this clarification is certainly an improvement, it still (needlessly) maintains the basic distinction which oversimplifies all the different, individual dynamics explored above. By contrast, Benz St. John attempted to incorporate a greater degree of nuance into her model of the dichotomy. Alongside the standard view of 'power', she included 'Bourdieu's notion of symbolic power...an ability that is automatically perceived or assumed, whether these abilities bear testing or not. It is a power that one receives based on a role played or a quality possessed'. She also questioned (as we will do below) the definition of the public recognition that was supposed to mark 'authority', and so 'expand[ed] that concept to include...the repeated, automatic compliance of orders'.<sup>69</sup> Recognizing these further conceptual dimensions marked an important step, but she fails to acknowledge the problems with the paradigm, highlighted by the addition of such important new elements. If power is symbolic, assumed rather than tested, is that not essentially authority? If authority causes obedience, is it not power? The lines are indeed difficult to draw, because human interactions are at least as convoluted as the rhetoric of Jeanne's *acta* would suggest. Yet the model has proven strangely persistent.

This approach concerns us because its influence is strongest among scholars seeking to explain the role of noblewomen as part of the political structure in a society which generally devalued (and often excluded) female participation—in some circumstances. It is often recognized that women had significant responsibility in an administrative sense, governing their households, servants, and children, even though 'most of the laywoman's activities, bound necessarily to the everyday requirements of life, were either taken for granted or subsumed into the husband's achievements'.<sup>70</sup> But the participation of noblewomen in the political sphere is often considered to have been necessarily indirect.<sup>71</sup> The resulting at-

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68. Sjurson, "Jeannes," 11, following the approach of Jordan, "Agency," 5–6; emphasis mine.

69. St. John, *Queens*, 17.

70. Labarge, *Trumpet*, xii; and cf. Maurer, *Margaret*, 9, and Duby, "Women," 80.

71. Rosaldo, "Overview," 37; Lamphere, "Strategies," 97; Maurer, *Margaret*, 9; Adams, *Isabeau*, xx; Labarge, *Trumpet*, xi; Johns, *Noblewomen*, 13; cf. Duby, "Women," 69, 73; and the collection of essays in Bolton and Meek, *Aspects*, 2, is divided into three sections, of which the first, 'Image-making', contains (among other things) studies of kings from Cnut to Charles I d'Anjou; while the second, 'Informal Influence', discusses five Iberian queens and the wife of King Stephen: the whole of the book's articles on elite women. This is despite the fact that, for instance, Patricia Dark, "'A Woman of Subtlety and a Man's Resolution': Matilda of Boulogne in the Power Struggles of the Anarchy," in *Aspects of Power and Authority in the Middle Ages*, ed. Brenda Bolton and Christine Meek (Turnhout, 2007), 148, acknowledges that Matilda's 'authority as a locally dominant feudal landholder combined easily with the influence and authority she could wield as the wife of the anointed king, allowing her almost unprecedented flexibility of action'. More positively, Evergates, *Women*, 5; Theresa Earenfight, "Without the Persona of the Prince: Kings, Queens and the Idea of Monarchy in Late Medieval Europe," *Gender & History* 19.1 (2007): 2; LoPrete, *Adela*, 3; LoPrete, "Gender," and Michelle Armstrong-Partida, "Mothers and Daughters as Lords: The Countesses of Blois and Chartres," *Medieval Prosopography* 25 (2005): 77–107, among others, have approached female power with fewer restrictions—but they were not interested in

tempts to tie ‘power’ and ‘authority’ to social trends has led to conflicting conclusions about female aristocratic political power. For example, Erlar and Kowaleski have spoken of ‘men’s authority and women’s power’, referring to the public acceptance of male leaders, while women exercised only an informal, if efficacious, ‘influence’.<sup>72</sup> But Bolton and Meek have also pointed out that ‘women who were the heirs to kingdoms or fiefs might have authority but be expected to leave the actual exercise of power to male relatives, whether husbands or sons’.<sup>73</sup>

The contradictions in these statements in turn suggest that scholarly adherence to ‘power’ and ‘authority’ as a (gendered) dichotomy is restrictive almost to the point of meaninglessness. That is because these terms are incomplete, treating power as a ‘simple property’—something which one has, or one does not, or somewhere in-between, but which in any case is not contextualized with reference to external factors.<sup>74</sup> This shortcoming has two dimensions:<sup>75</sup>

1. It is not sufficiently grounded in the relations between people in which power actually resides.

It is not enough to say that one commands respect, or can get others to follow a lead: *who* respects or follows? Especially in the strenuously hierarchical polity of late medieval France, breaking down an individual’s power into a set of different relationships is vital.<sup>76</sup> Jeanne’s power over Charles (and vice versa) was not the same as that over their subjects, though both might be aspects of political power; and that over their subjects was different from that over the subjects of another lord. Power could operate across several bonds in turn: if Jeanne had power over her daughter Marie, through her she also had power over Louis d’Anjou (a relationship recognized by Froissart).<sup>77</sup> The licitness of influence, its strength, and the channels through which it operated, varied according to the nature of the social context, political or otherwise.

2. The simple dichotomy does not appreciate the different domains of life over which power might be held.

This is perhaps ironic, for the main contribution of the power/authority model

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the authority-power duality. I hope, by addressing the distinction explicitly, to add my voice to the slow search for new standards.

72. Erlar and Kowaleski, *Power*, 7; cf. Maurer, *Margaret*, 5; Jennifer C. Ward, *English Noblewomen in the Late Middle Ages* (London, 1992), 11.

73. Bolton and Meek, *Aspects*, 2.

74. Harold D. Lasswell and Abraham Kaplan, *Power and Society: A Framework for Political Inquiry* (New Haven, 1950), 75. I will tend to use power now in its ‘regular’ generic sense.

75. Cf. *ibid.*, 77ff. This detailed schema helped inspire much of the approach discussed below, though since it is geared especially to the study of modern politics, no attempt has been made to follow it in its details.

76. Hannah Arendt, *Between Past and Future: Eight Exercises in Political Thought* (New York, 1968), 93, meanwhile, has argued that a system of authority is *necessarily* hierarchical.

77. Froissart B, 6:173.

was to diversify the types of power under scholarly attention. It did so, however, at the expense of political power and, perhaps more crucially, the interaction between different elements of political (and non-political) power.<sup>78</sup> Jeanne's control over finances allowed her control over her followers; her status as an heiress did likewise. She and Charles controlled the wealth of others through the actions of religious patronage, as well as by raising taxes; the former helped enhance their authority while the latter was possible largely because of it. The respect accorded them because of their rank was quite different than the respect accorded for the specialized training of their administrators, even though both gave access to political roles.<sup>79</sup> The physical (i.e. geographical) domain in which these powers were held could also vary considerably, as Jeanne's career demonstrated. These variations are obscured rather than explained by a simple focus on 'power or authority'.

The anthropological model does ask an important question about the extent to which the exercise of power conformed to the normative expectations of the social order, but its decontextualized approach has precluded a persuasive answer as to how one actually determines whether something was socially 'sanctioned' or not.<sup>80</sup> The historiographical response has highlighted various standards, from legal codes to the standards outlined in theological texts, contemporary medical thought, sermons, various 'mirror'-type literatures, and more.<sup>81</sup> No matter which are chosen, the problem remains that there might—indeed, often—exist two (or more) contradictory impulses, each equally viable, within the same social context. Around Jeanne's time, the kings of France were able to confirm Mahaut d'Artois in her succession to the county even as they moved to exclude royal female heirs: misogynist standards competed with traditions of inheritance and rulership that were not antagonistic to women, both existing side-by-side in the current culture.<sup>82</sup> Likewise, we saw above that Jeanne's position as both duchess and wife

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78. The comments of Sjursen, "Jeannes," 11, are particularly relevant here, though her framework does not wholly reflect her work.

79. This was mirrored on a much wider scale by the competition between the blooded *noblesse* and the rising bureaucratic nobility in the late Middle Ages: Lewis, *Polity*, 140–41; Contamine, *Noblesse*, 72–75.

80. Erler and Kowaleski, *Power*, 2. This was the difficulty signalled also by St. John, *Queens*, 17.

81. e.g. Shahar, *Estate*, 12–14, 128; Erler and Kowaleski, *Power*, 1–2; Labarge, *Trumpet*, 74; Joel T. Rosenthal, *Medieval Women and the Sources of Medieval History* (Athens, 1990), viii; Labarge, *Trumpet*, xii; Alcuin Blamires, *The Case for Women in Medieval Culture* (Oxford, 1997), 8; Jean Leclercq, "Role et pouvoir des épouses au moyen âge," in *La femme au moyen-âge*, ed. Michel Rouche and Jean Heuclin (Maubeuge, 1990), 87–98; Bolton and Meek, *Aspects*, 1, suggests the issuing of charters also constitutes authority, whereupon one wonders why this was seen to exclude women. Lasswell and Kaplan, *Framework*, 126ff., focuses on the adherence to a culturally-specific 'political formula' which is defined as a society's 'basic public law'—which therefore runs into the same difficulties; its focus on political power is also a limitation which we wish here to surpass.

82. Balouzat-Loubet, *Mahaut*, 83–86; BnF, MS fr. 18697, f. 128v, 150, 152; Jones, "Succession," 68.



complicated the expectations for her interactions with Charles. It is noteworthy that Eileen Power in her classic work on medieval women recognized that it was not possible to consider expectations from a single perspective.<sup>83</sup> The search for a systematic understanding of female political power cannot lose sight of the degree to which the acceptability of power was shaped on a circumstantial basis.

Accounting for all these elements yields a much more nuanced expression of the power of a group or an individual without relying on generic assumptions, as well as more accurately explaining the portrayals of such dynamics in contemporary texts.<sup>84</sup> Instead of keeping power as a personal characteristic in the abstract, the possession of power becomes grounded in interactions with other people, and governed specific aspects of life; in doing so, it could have a greater or lesser degree of finality over its subjects, and be vested with more or less legitimacy in its social context. To have power was thus to be able to take advantage of any number of more specific relationships with different prerogatives and significance, not all of which might be incorporated into the fulfillment of the same role, and any of which could be subject to renegotiation as part of the ongoing process of exercising power. The specific parameters (guidelines rather than strict rules) under which an individual's relationships operated was likewise diverse. LoPrete has observed that '[a]ny legitimate authority in the exercise of [lordly] powers...depended more on the personal status and social rank of the rulers—men or women—than on their gender'.<sup>85</sup> We could add wealth, locality, and even personality to this list, though the influence of the last is not now perceptible in many cases. Each quality influenced, not access to just 'power', but to different types of power according to the full spectrum and variations introduced above. No one had unlimited access.

## Conclusion

Jeanne's *acta* displayed a flexible and useful rhetorical manipulation of basic concepts of 'power' and 'authority' similar to those used in modern scholarship. The effectiveness of this rhetoric was largely possible because each act already functioned within a defined power relationship, bounded by the identity of the participants and the topic at hand. This framework allowed Jeanne to bypass, at least

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83. Eileen Power, *Medieval Women*, ed. M. M. Postan (1975; repr., Cambridge, 1995), 1.

84. Robert F. Berkhofer, Alan Cooper, and Adam J. Kosto, eds., *The Experience of Power in Medieval Europe, 950–1350* (Aldershot, 2005), esp. 3–6, seems organized around just such a focus on the nature and actors of power, which can *then* be refined by qualities such as legitimacy or visibility.

85. LoPrete, "Gender," 1925; cf. Earenfight, "Monarchy"; Wiesner-Hanks, *Gender*, 151; Ursula Liebertz-Grün, "Women and Power: On the Socialization of German Noblewomen 1150–1450," *Monatshefte* 82 (1990): 17–18; S. H. Rigby, *English Society in the Later Middle Ages* (Basingstoke, 1995), 269.

on parchment, any abstract restrictions on her power—or sometimes, to generalize these limitations. But the formulaic legal language was also able to express complex interactions between different, co-existing statuses by layering apparently contradictory descriptions within a single act; we should follow their lead in moving away from a distinction between legitimate or effective power towards one concerned with ‘over whom’ and ‘over what’. These factors were intensely present in the *acta* and in Jeanne’s life, and necessitate the close examination of her power such as I undertook in part two.

This approach also challenges not only preconceptions about what power Jeanne might or might not have wielded, but the tendency to cling to the theoretical structure often used to justify such assumptions. Refocusing on the fact that, underneath it all, *power* was power, places Jeanne’s rule and role into a much fuller context by removing the need to treat the range of powers which a single individual will inevitably display as disparate pieces instead of as components of a whole. Insofar as the power/authority model has encouraged a shift away from a monolithic perception of traditional political power as the only form worth studying—introducing elements such as the influence available via kin networks, wealth, patronage, and religiosity—and in turn, granted women a greater role in the discussion, its inspiration has been helpful in broadening of the idea of power in the Middle Ages.<sup>86</sup> But these new categories should not cause us to overemphasize any one area, especially since a move from one type of power, licit or otherwise, to another, or their coexistence, was not so difficult to achieve.<sup>87</sup> This perspective provides a basis for more accurately comparing and contrasting different instances of power in any form, be it that of appointed officials, of religious men and women, of heiresses or dowried daughters, or of princes.

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86. e.g. June Hall McCash, “The Cultural Patronage of Medieval Women: An Overview,” in *The Cultural Patronage of Medieval Women*, ed. June Hall McCash (Athens, 1996), 1; the essays in Kathleen Nolan, ed., *Capetian Women* (New York, 2003), especially those by Aline G. Hornaday, Tracy Chapman Hamilton, William Chester Jordan, and Anne Rudloff Stanton; Hanawalt, “Networks” (and other essays in that collection); Sommé, *Isabelle*, esp. 65–90, 261–88, 408–18, 427–30; Aram, “Maternity”; and more studies benefitting from this legacy appear all the time. Note that the model’s original adoption into women’s studies was framed in terms of challenging the essentialist, even biological nature of male and female roles: a need more pressing in 1970s academia than it is today (Rosaldo and Lamphere, introduction to *Woman*, 4, 6). Moreover, even these authors conceded variation within the cross-cultural trend of female disadvantage depending on each governing social structure, and encouraged recognition of individual complexities, though this did not succeed in overcoming the limitations of a strict focus on an exclusively male-versus-female programme of research (Jane Fishburne Collier, “Women in Politics,” in *Woman, Culture, and Society*, ed. Michelle Zimbalist Rosaldo and Louise Lamphere (Stanford, 1974), 89, 91; Rosaldo, “Overview,” 36).

87. Cf. Ward, “Identity,” 255.

## 8 | The succession arguments of 1341: Debating the social context of princely power

*‘Ne debvons nous pas dire que la duche de Bretagne soict anomale et quelle ce gouverne par autres coustumes que ses subjectz, comme tousjours ont les ducz de Bretagne aussi grand amour et affection a leurs subjectz comme segneurs du monde’.*<sup>1</sup>

The legal debate over Jean III’s inheritance in 1341, though it lasted only a few weeks, was no small undertaking. The cases were presented before the court of Philippe VI with the peers of France in attendance to add authority to the judgment.<sup>2</sup> Over 200 people testified on the validity of the customs to which the lawyers appealed in defense of either side.<sup>3</sup> Both the arguments and the verdict remained points of discussion for the next two and a half centuries.<sup>4</sup> But despite the importance of this case, changing historical circumstances have made the Penthievre side of the debate all but disappear from view. Since attention to the Montfortist stance has not similarly waned, this has left a lopsided and incomplete understanding of the process with which the Breton War of Succession began. This chapter uses the surviving sixteenth-century copy of Jeanne’s arguments alongside the equally-overlooked testimony from the royal inquiry on custom to offer the first modern analysis of the structure of the Penthievre argument.

These materials offer a window onto some of the problems and ambiguities that could arise when trying to characterize the social role and status of a fourteenth-century prince. The Montfortist lawyers presented an early example

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1. ‘We should not say that the duchy of Brittany is anomalous, and that it governs itself by other customs than do its subjects, for the dukes of Brittany have always had as great a love and affection for their subjects as any worldly lord’, BnF, MS fr. 18697, f. 141v (see my edition in Appendix A).

2. *Preuves*, 1:1424; Marguerite Sautel-Boulet, “Le rôle juridictionnel de la cour des pairs aux XIIIe et XIVe siècles,” in *Recueil de travaux offerts à M. Clovis Brunel* (Paris, 1955), 517–18. We have no record of *which* peers were present, though it was unheard-of to have a full complement: Sautel-Boulet, “Cour des pairs,” 509.

3. See below, page 191.

4. e.g. *Somnium*, 1:293–305; *Songe*, 1:258–68; Bouchart, 2:39–42; Archives départementales de Loire-Atlantiques, Nantes, E 6–4; d’Argentré, 387–96.

of the royalizing pretensions which Jean's descendants would more widely embrace.<sup>5</sup> Conversely, the Penthièvre position developed the associations between the duke and the rest of the Breton nobility. Both views were arguments of convenience, designed to prove the applicability of the particular laws which would allow that candidate to claim precedence in this instance; they did not necessarily correspond to the specific convictions of the participants or accurately describe medieval society. The fact that the argument took place along these lines, however, is itself interesting for demonstrating that ducal status could be subject to differing interpretations in such visible circumstances.

The Penthièvre case's efforts to prove the common ground between the duke and the barons of Brittany depended on social arguments as detailed as those the Montfortists made in favour of the duke's quasi-royal status. Indeed, they both used the same strategy to make their opposing points: identifying specific groups within political society (e.g. the nobility as a whole, or alternatively, the peers of France and the king), showing how the duke of Brittany belonged to that group by his acceptance of communal responsibilities, and pointing out the absence of any such relationship with the other group. In so doing, they effectively proposed two competing views of the body politic, which resonate with modern scholarship on the idea of 'community'.<sup>6</sup> However, that same scholarship has downplayed the importance of communal ties within the medieval nobility. The succession arguments cannot directly convey the presence (or absence) of any real collective sentiment among nobles, but the immediate circumstances of the case and its afterlife suggest the *concept* of such relationships could be recognizable and relevant within political society. Thinking about ducal status in relative rather than static terms highlights tensions that influenced Jeanne's actual practice of power and her perceived role at the head of an evolving principality.

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5. On the Breton dukes' status, especially in the fifteenth century, see Michael Jones, "En son habit royal: Le duc de Bretagne et son image vers la fin du Moyen Âge," in *Between France and England: Politics, Power and Society in Late Medieval Brittany* (Aldershot, 2003), XI:253–278; Leguay and Martin, *Fastes*, 162–75; Kerhervé, "Sentiment"; Kerhervé, "Genealogie"; Christian de Mérindol, "L'imaginaire du pouvoir à la fin du moyen âge: Les prétentions royales," in *Représentation, pouvoir et royauté à la fin du Moyen Âge: Actes du colloque organisé par l'Université du Maine, les 25 et 26 mars 1994*, ed. Joël Blanchard (Paris, 1995), 82–84; B.-A. Pocquet du Haut-Jussé, "Couronne fermée et cercle ducal en Bretagne," *Bulletin philologique et historique jusqu'à 1715 du Comité des travaux historiques et scientifiques, années 1951–1952*, 1953, 103–112; Jean-Yves Copy, *Art, société et politique au temps des ducs de Bretagne: Les gisants haut-bretons* (Paris, 1986), 105–20; Copy, "Couronne"; Yeurc'h, *Noblesse*, 159–79; Cassard, "Mythes"; Emile Lefort des Ylouses, "Les ducs de Bretagne et le sceau de majesté," *Revue Française d'Héraldique et de Sigillographie* 65 (1995): 69–80. Nor was this only a Breton trend: e.g. Caron, *Noblesse*, 119–22, 143–52, 188–89, 237–38; Lewis, *Polity*, 233–35; Small, "Burgundian Dukes"; Veenstra, "Prince," esp. 207ff.

6. See especially Reynolds, *Communities*; Anthony P. Cohen, *The Symbolic Construction of Community* (Chichester, 1985). Cf. the discussion in Rigby, *Society*, 181–205.

## The historiography of 1341

As Figure 19 shows, the 1341 succession debates are relatively well-documented.<sup>7</sup>

Context	Details	Copies
August: Legal briefs (French)	Jeanne de Penthièvre and Charles de Blois	BnF, MS fr. 18697, f. 124–62. <sup>[1]</sup>
	Jean de Montfort	AD L-A, E 6–2; BnF, J 241, n.44. <sup>[2]</sup>
August 27– September 5: <sup>[3]</sup> Inquiry on custom (French)	Witness testimony (Penthièvre)	BnF, MS fr. 22338, f. 117–142.
	Witness testimony (Montfort)	BnF, MS fr. 22338, f. 143–154v; BnF, MS fr. 18697, f. 166r-181v.
September 7: Royal verdict (Latin)	<i>Arrêt</i> of Conflans in favor of Jeanne and Charles	AN, X1 <sup>A</sup> 9 f. 201v. <sup>[4]</sup>

<sup>[1]</sup> Sixteenth-century copy for the Breton jurist and historian Bertrand d'Argentré from a royal vidimus: see Appendix A.

<sup>[2]</sup> Contemporary copies, edited in Jones, "Succession," 14–70, along with minor related documents.

<sup>[3]</sup> BnF, MS fr. 22338 was made by André Duchesne (which the BnF catalogue lists as the collection of Hyacinthe Morice); d'Argentré's excerpt adds further Montfortist witnesses who have previously gone unnoticed.

<sup>[4]</sup> Copy made by the royal administration; *Preuves*, 1:1421–24, follows a later copy—see *RACJ*, 54.

**Figure 19:** Sources for the 1341 succession debates

However, because the Montfortist case survives in multiple originals and has been critically edited, it has been more accessible for study than the mediocre, hard-to-read copy of the lost Penthièvre brief. This copy was made for the notes for D'Argentré's *Histoire* which, as a result, is unusual in that it presents both views in some detail.<sup>8</sup> It may be that he was the last historian to have access to the original transcript of the Penthièvre arguments; subsequent accounts relied only on the synopses made by other writers and on the very brief summary given in the *arrêt* of Conflans to understand half the debate! Among more recent historians, La Borderie stands out for his discussion of both proposals but still suffers from precisely this unevenness in sources.<sup>9</sup> Even Cassard, the only recent specialist in the Penthièvre side of the war, neglects to go beyond this inherited and restricted point of view.<sup>10</sup> The results, lacking full context, are predictably unilateral.

This bias is not surprising since the historiographical tradition had been far from disinterested. The late medieval chroniclers-cum-jurists such as Bouchart

7. See also the introduction, page 20.

8. d'Argentré, 387–96.

9. La Borderie, *Histoire*, 3:412–14.

10. Cassard, *Guerre*, 11–13.

and Le Baud used the arguments to defend the principles on which the Montfortist claim was built and justified, particularly in light of the perils of Anne's succession.<sup>11</sup> D'Argentré himself was interested in substantiating Breton ideals of independence (long after the duchy had merged with the kingdom); he approved of both the Breton-centric Penthièvre arguments and the victorious Montfortists' elevation of the region's history.<sup>12</sup> Others became more cautious, such as Lobineau in the eighteenth century, who denied 'que l'on vüeille dire que le droit de Jean de Montfort fust le meilleur'.<sup>13</sup> Yet despite such protestations, historians mindful of the eventual Montfortist triumph sought in legal terms the legitimacy of the actors in their narrative. La Borderie's account is a prime example, but even later historians have taken the time to praise the technical argumentation of the Montfortist case or to question that of Jeanne and Charles.<sup>14</sup> And if Corbes gave the Penthièvre position his lukewarm approval ('nous inclinierions à admettre la thèse de Charles de Blois'), he did not actually read their brief!<sup>15</sup>

Gradually, interest in the legal question has waned: 'qui se soucie encore?', asks Cassard.<sup>16</sup> But these centuries of debate have left a perceived familiarity with the ins and outs of these arguments incommensurate with the actual use of the documents, especially the Penthièvre case. More specifically, scholars have failed to realize that the logic was fundamentally the same on both sides of the argument because the specific customs in question applied only to certain groups of people (defined both geographically and by status), and so the lawyers and witnesses had to associate the duke with the 'correct' group.<sup>17</sup> The Montfortists wanted to prove that the Breton succession should be governed by the rules customary to the Île-de-France and which had prevailed in the successions of Philippe V (r. 1316–1322), Charles IV (r. 1322–1328), and finally Philippe VI of Valois.<sup>18</sup> Proving the

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11. Bouchart, 2:39–43; Le Baud, *Histoire*, 274; cf. Bibliothèque nationale de France, Paris, MS fr. 8266, f. 191–192, and the very cursory reminder in Kerhervé, "Genealogie," 554.

12. d'Argentré, 387ff. King François I (d. 1547), having married the duchy's heiress Claude (d. 1524), announced Brittany's formal union to France in 1532; he was the last holder of the ducal title. On this process, see Leguay and Martin, *Fastes*, 418–35.

13. 'That we wish to say that the right of Jean de Montfort was the better', Lobineau, *Histoire*, 1:316.

14. La Borderie, *Histoire*, 420; Cassard, *Guerre*, 316–9, 321–2; Jones, "Succession," 4; Leguay and Martin, *Fastes*, 99; Cassard, *Guerre*, 11–12, cf. 317.

15. H. Corbes, "Le point de vue juridique dans la guerre de succession de Bretagne," *Annales de la Société d'Histoire et d'Archéologie de l'Arrondissement de Saint-Malo* année 1966 (1967): 146. In this he concurred with d'Argentré.

16. Cassard, *Guerre*, 307. Their interest as an illustration of the competing standards of different customary laws across northern France (let alone those of the various Roman legal traditions and biblical precedents) is not particularly noteworthy.

17. John Gilissen, *La coutume*, Typologie des sources du Moyen Âge occidental 41 (Turnhout, 1982), 32.

18. Viollet, "Femmes"; Taylor, "Valois Succession"; cf. B.-A. Pocquet du Haut-Jussé, "L'édit de

applicability of the king's laws to the duke of Brittany—who was not necessarily either French or obviously royal—relied on two main points.<sup>19</sup> Firstly, because the duke was also a peer of France, his main obligations were centred on the king and concerned the whole kingdom.<sup>20</sup> Secondly, in case this was insufficient, the Montfortists argued that since Brittany had once been itself a kingdom, it retained all of its ancient qualities and rights, and so the duke needed to follow the laws that applied to kings, here exemplified by the king of France.<sup>21</sup> Historians have been particularly interested in this latter augmentation of the status of the duke.<sup>22</sup>

Meanwhile, they have described the Penthievre case much more drily: in Jones' summary, it rested on 'proving that in Brittany successorial representation was accepted and that [Jeanne], as the representative of her dead father...was closer to [Jean III] in respect of his heritage than Montfort'.<sup>23</sup> This analysis, based on that of La Borderie (who himself drew on the work of d'Argentré) focuses on these 'principles of provincial particularism', but does not explain the mechanism through which they could be argued. In fact, representation was a secondary step in the process, invoked after more fundamental points had been established. Jeanne and Charles' argument used the right of primogeniture and the equal applicability of custom to nobles of all ranks: their brief opened with the idea that

'us et coustumes de Bretagne sont telz tous notoyres en suceptions de fiefz genneralement et notoyrement gardez entre les nobles personnes quant plusieurs freres sont, laisne succede comme heritier et proprietayre en tous les fiefz soient baronnys, contez, ou vicontez, combien quilz soient grans et nobles'.<sup>24</sup>

The local custom of the representation of the parent by the child was adduced only to enable the right of primogeniture for Jeanne in the next generation; and

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1532 et l'introduction de la loi salique dans la succession au duché de Bretagne," *Mémoires de la société d'histoire et d'archéologie de Bretagne* 58 (1981): 117–123.

19. The witnesses in 1341 clearly contrasted Brittany with 'France', though the regions included in the latter varied: the viscounty of Paris, the *baillies* of Orléans, Senlis, Chartres, Nantes, Nogent, Sens, part of that of Gisors, and/or the castellany of Hourdan, and so on, adding boundaries based on rivers as necessary: BnF, MS fr. 22338, f. 143ff. Cf. Léonard Dauphant, *Le royaume des quatre rivières: l'Espace politique français (1380–1515)* (Seysssel, 2012), 20, 197–206.

20. Jones, "Succession," 29.

21. e.g. *ibid.*, 23.

22. *Ibid.*, 4, 5.

23. *Ibid.*, 4, and cf. La Borderie, *Histoire*, 3:412; Leguay and Martin, *Fastes*, 99; Cassard, *Guerre*, 11–12; and Moal, *Auray*, 18.

24. 'The uses and customs of Brittany are of a kind so well-known in the inheritance of fiefs in general and are famously kept among noble persons: that when there are several brothers, the eldest succeeds as heir and owner in all fiefs, be they baronies, counties, or viscounties, however great and noble they may be', BnF, MS fr. 18697, f. 124. Note that the *arrêt* of Conflans mentioned this alleged parity between 'omnibus feudis quantumcumque magnus & nobilibus' (*Preuves*, 1:1421), and so even without attention to the Penthievre case proper it is surprising that this important feature should go unremarked. Primogeniture had officially been the rule in Brittany since the 1185 assize of Count Geoffroy: Caron, *Noblesse*, 35 and *TAC*, 321–22.

its applicability *depended* on establishing the duke's social standing, a mirror of the process so remarked upon in the Montfortist case.<sup>25</sup>

Essentially, the Penthievre lawyers—and the witnesses summoned to testify on that side—argued that a law common to the nobles of Brittany should apply also to the higher-ranking duke. Because customary laws bound only specific groups of people, comparisons between different social ranks depended on weighing their similarities and differences to determine whether they were equally affected. This in turn encouraged the assimilation of 'like' ranks into bodies wherein inclusion was expressed through participation in specific relationships characterized by certain duties or responsibilities, especially those entailed in the observance of the law. As a result, while the Montfortist duke became increasingly royal, the prince in the Penthievre case became more linked with members of the 'simple' nobility. Since the association of the nobility into a single group in this way was not necessarily a given, we will look first at the Penthievre arguments for delineating this 'community', before turning to the place of the duke within it and the ways in which this relationship was visibly demonstrated.

The following discussion often uses the term 'duke' rather than 'duchess', above all to reflect the phrasing of the original texts. Since most princes were men, it was no doubt a male figure that was usually in mind when discussing the relationships and power attached to this rank, although Mahaut, ruling countess of Artois (d. 1329), seems to have occurred prominently to contemporaries.<sup>26</sup> But although *duc* was not a 'neutral' term, and there were fewer theoretical wrinkles surrounding a male prince, this does not mean that their observations were irrelevant to Jeanne as duchess either then or in our present study. Since Jeanne acted 'dually' by virtue of her status, the expectations outlined here were the background for any specific authority she might wield (or claim to wield).<sup>27</sup>

### Placing the duke in society: The Penthievre case

The Penthievre position, like the Montfortist, was developed across both the legal briefs and the testimony of witnesses; the former gave the case its structure while the latter provided concrete examples of the relevant customs in practice. At various points, the witnesses also responded to questions that were not explicitly

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25. *TAC*, 209–10.

26. Mahaut was mentioned in both briefs and the inquiry from 1341: BnF, MS fr. 18697, f. 150v (cf. Jones, "Succession," 68; BnF, MS fr. 22338, f. 129, 132, 132v, 133, 134v, 135, 136, 137). She inherited the county-peerage of Artois in 1302, a succession which was unsuccessfully challenged in 1309 and 1318 by her nephew Robert (d. 1342). Balouzat-Loubet, *Mahaut*, a new study of her government, discusses her fulfillment of a princely role. Numerous other female examples were likewise named in these texts, including Jeanne's uncontested accession to her significant parental titles: BnF, MS fr. 18697, f. 126v, 129, 129v, 151v, and notes 32 and 36 below.

27. e.g. *ibid.*, f. 150v, and see chapter nine.



brought up in the briefs; this record thus helps clarify some of the implicit logic driving the main argument.<sup>28</sup> However, because the inquiry reported hundreds of different opinions and experiences, it also revealed rough edges and discrepancies where the briefs did not. In particular, the questioning showed that differences between nobles of different ranks could be either amplified or blurred, an ambiguity which allowed the Penthièvre lawyers to define all the nobles of Brittany as a single group based on their shared customs. They then argued that because the Breton duke was observably committed to those same markers of group identity (and correspondingly separate from ‘French’, i.e. royal, circles), the laws which governed the succession of any Breton noble must also apply to the duke.

### The Breton nobles as a group in 1341

Although Given-Wilson claims that among markers of medieval rank, titles were the ‘most easy to define with a degree of precision’, the Penthièvre case shows a measure of uncertainty surrounding their use.<sup>29</sup> For instance, numerous opinions were expressed within one group of Penthièvre witnesses regarding the usage of the title of ‘count’ within Brittany. A number testified that ‘ils ne scavent pas quil y ayt aucun comptes en Bretagne exepte le seigneur Davaugour qui en ses bancs sappelle comte’.<sup>30</sup> But almost half the group claimed instead that ‘ils ne scavent pas que ledit seigneur Davaugour sappelle comte’, while one added that ‘le seigneur de Quintin se fait appeler en ses bancs comte’.<sup>31</sup> That titles could change over time was a complicating factor. The example of ‘une duchesse en Bretagne qui fut femme Pierre Mauclerc qui succedda a ladite duchie qui lors estoit contee’ recognized the fact that different terms applied, but only to produce the paradoxical succession of a duchess to her county.<sup>32</sup> A title did not appear to

28. Unfortunately, the loss of the list of articles which the inquisitors used means we do not know how these points were phrased during this stage of the process.

29. Chris Given-Wilson, “Rank and Status among the English Nobility, c. 1300–1500,” in *Princely Rank in Late Medieval Europe: Trodden Paths and Promising Avenues*, ed. Thorsten Huthwelker, Jörg Peltzer, and Maximilian Wemhöner (Ostfildern, 2011), 97; there was, however, a difference between the important marker of *having* a title, and the details of which title one had.

30. ‘They do not know that there are any counts in Brittany except for the lord of Avaugour who calls himself count at his bench’, BnF, MS fr. 22338, f. 119v-120. Seven witnesses agreed on this: monsieurs Geoffroy du Pont Blanc and Éon de Pontou, knights; monsieurs Alain le Gros and Gautier de Locmaria; Jean de la Macé; Guillaume Blouin, priest; and Jeanne Rouxel (wife of Geoffroy Le Voyer, who testified alone: *RACJ*, 97–98, 104–05).

31. ‘They do not know that the lord of Avaugour calls himself count’; ‘the seigneur de Quintin has himself called count at his bench’. Six were of the former opinion: maîtres Yves de la Boissière and Nicolas de Rody; monsieur Pierre Maillard; Hervé Resmont; Raoul du Bidie, and Jean de la Macé le jeune. The lone voice was that of Pierre Bocher.

32. ‘A duchess in Brittany who was the wife of Pierre Mauclerc, who succeeded to the said duchy which was then a county’, BnF, MS fr. 22338, f. 142, testimony of maître Pierre Dubé, royal councillor and *maître des requêtes*. Alix de Thouars (r. 1213–1221) inherited from her mother Constance (d. 1201), though her French husband Pierre de Dreux acted as ‘baillistre’ of the region until 1237, awaiting the majority of their son, Jean I. It was in Alix’s rule that Brittany was

be the best means of understanding an individual's function.

Rather, both the briefs and the witnesses grouped together different tiers of nobility to define the applicability of a given custom. A rule might be 'vray en contees, paries, et baronnies, et aussy le croient-ils en duchees', or, further down the scale of nobility, 'entre barons, chevalliers, escuyers'.<sup>33</sup> These were typical combinations in medieval texts, legal and otherwise, and were by and large more a means of expressing the universality of a practice than a strict classification scheme.<sup>34</sup> Such lists often concluded by encompassing all 'autres qui tenoient fiefs nobles', just as customs were supposedly held 'entre les nobles'.<sup>35</sup> On the whole, the Penthièvre witnesses chose more wide-ranging examples: *reines*, *duchesses*, *comtesses*, lesser *dames* and *damoiselles*, and even the occasional *vidamesse* were all expected to be applicable to a case concerning a duchy.<sup>36</sup> The nobility, as a group, was thus unified and set apart by shared practices that did not necessarily have regard for distinctions of fief or title.

Some Montfortist witnesses, on the other hand, differentiated between segments of noble society rather than assuming a unified rule: 'pour tous des pairies et ducheys ils ne scavent rien, mais des baronnies et comtez' they were more able to speak.<sup>37</sup> The possibility that there might be a different standard for certain

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nominally established as a duchy; the ducal title was recognized internally sooner than it was in France, which further demonstrates the ambiguity of the term (Jeulin, "Hommage," 429, and see page 12, above).

33. 'True in counties, peerages, and baronies, and also, they think, in duchies'; 'among barons, knights, and squires'. BnF, MS fr. 22338, f. 134v, 132v; cf. BnF, MS fr. 18697, f. 124, 125, et al. Variations on these themes appear across all collected testimonies.

34. Contamine, *Noblesse*, 78. A very similar approach had been rejected in the royal disputes of 1316. The rights of Jeanne, daughter of Louis X, had been defended by invoking conformity to 'Les coutumes et usages gardés en royaumes, empires, paieries, principautés et baronnies' (Viollet, "Femmes," 141). Yet this case had failed. In this light, the conceptual grounding of the Montfortist case becomes perhaps less radical: if the king broke from the group, why could not the prince? In addition to other factors, the acceptance of the Penthièvre case, despite its departure from French practice, was perhaps in part safer thanks to its more restrained rhetoric and because it further justified the difference between a king and a lesser prince (on which, see Lot and Fawtier, *Institutions*, 2:9–47; Lewis, *Polity*, 84–85; Reynolds, *Communities*, xlvi; Caron, *Noblesse*, 36–38; Krynen, *Empire*, esp. 6, 9, 125ff.; Krynen, *Idéal*, 279ff.; Alan Harding, *Medieval Law and the Foundations of the State* (Oxford, 2002), 272; Michael Jones, "The Late Medieval State and Social Change: A View from the Duchy of Brittany," in *L'état ou le roi: Les fondations de la modernité monarchique en France (XIVe-XVIIe siècles)*. *Table ronde du 25 mai 1991*, ed. Neithard Bulst, Robert Descimon, and Alain Guerreau (Paris, 1996), 121).

35. 'All others who held noble fiefs', BnF, MS fr. 22338, f. 132v; cf. 117v, 136v; 'among the nobles', e.g. *ibid.*, f. 124, 136v.

36. e.g. *ibid.*, f. 129–129v, 131, 131v, 134v, 135v, 137. They referred also to males of varying ranks throughout. Cf. an act of Jeanne's in 1343, which described the commands of 'roys, princes, ducs, contes, barons': *RACJ*, 74.

37. 'For all of the peerages and duchies they do not know anything, but concerning baronies and counties', BnF, MS fr. 22338, f. 145v: seventeen witnesses, of whom six were identified as knights. Whether this stemmed only from the limitations of personal experience as claimed ('ils nont point veu user', *ibid.*, f. 144, cf. 145v) is difficult to say; the lower status on average of the Montfortist witnesses seems to have impacted the breadth of their direct knowledge, but information 'par ouy

members of the nobility fostered a reluctance to speak unless one was sure, suggesting there could be a more conscious separation of noble ranks.

The nobility, then, could be treated as either a single body or as internally divided into sub-groups—but these were not necessarily mutually exclusive. While the Penthièvre witnesses tended to emphasize the former and the Montfortists the latter, on both sides of the case distinctions were repeatedly re-drawn or overridden. The Penthièvre witnesses (even those who otherwise had trouble knowing if or how many counts there were!) regularly recognized certain specific ranks and places—the barony of Kergorlay, the seigneurie of Montafilant, and the viscounty of Léon—as ‘une des plus grandes et des plus nobles baronnie de Bretagne’.<sup>38</sup> A specific title could therefore matter even while as general terms they did not have fixed significance, and in this case a *sire* was as important as a *vicomte*.

The quality that linked the members of this group was the fact of being noble: distinctions of rank, the ‘amount’ of nobility held by an individual (expressed through title or connection to a ‘grans et nobles’ fief), was subordinated to the mere fact of nobility itself. Within this noble group, personal honour might be increased by a variety of means (such as admission to the peerage), but that did not alter individual membership in the community at large.<sup>39</sup> Only the king of France, ‘qui na poinct de souverain’, was truly *different* and so (in theory) participated in the structure of the nobility voluntarily rather than necessarily.<sup>40</sup> It was on these grounds that the Penthièvre case attacked that of their rivals as unreasonable, for ‘nest pas similitude a faire...des parrs au royaulme et a la couronne’.<sup>41</sup> The common qualities of the nobility were considered more significant than their differences, and were likewise enough to distance them from others.

Nobles were further bound by the creation and use of the same customs. At first appearance, customs do not appear to have been particularly tied to nobles alone, because ‘coustume est introduicte par les meurs du peuple’.<sup>42</sup> However,

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dire’ was clearly available despite this.

38. ‘One of the greatest and most noble baronies of Brittany’, e.g. *ibid.*, f. 118, 118v, 119, 120v, 121, 126, 127v. Montafilant was here identified not by name, but as the property of Roland de Dinan.

39. BnF, MS fr. 18697, f. 157v.

40. ‘Who has no sovereign at all’, *ibid.*, f. 149. This legal conceit underwent a long evolution over the medieval period: Jacques Krynen, “Droit romain et état monarchique: A propos du cas français,” in *Représentation, pouvoir et royauté à la fin du Moyen Âge: Actes du colloque organisé par l’Université du Maine, les 25 et 26 mars 1994*, ed. Joël Blanchard (Paris, 1995), 20, 23; Cuttler, *Treason*, 9. The difference between a ruler who had absolute authority and one whose sovereignty was only relative or circumscribed was an important theme in contemporary thought: David, *Souveraineté*.

41. ‘There is no similarity to be made between the peers and the kingdom and crown’, BnF, MS fr. 18697, f. 150–150v.

42. ‘Custom is introduced by the habits of the people’, *ibid.*, f. 137v. That ‘the material ingredient of customary law was (and is) the will and consent of the relevant group of people’ was a stock legal concept, if not always one with a basis in reality: Walter Ullmann, *Law and Politics in*

there were important qualifications. After arguing that customs came to be ‘par le consentement de la plus grand partye du peuple’, the case concluded that ‘est il tout cler que les nobles determinent et usent de ceste coustume’.<sup>43</sup> The ‘greatest portion’ was not a simply numerical assessment, but actually referred to the ‘better’ members of society, who represented the lesser when it came to decision-making.<sup>44</sup> Common people were bound by the customs enacted by the nobility, and so custom was the particular preserve of the noble group.<sup>45</sup> In fact, the views of the *roturier* were explicitly downplayed.<sup>46</sup> The customs of ‘the people’ meant the people who mattered, and expressed the norms which marked its members. Consequently, when issues of succession (for instance) cropped up, the witnesses could say that ‘virent oncques faire differance entre nobles’, nor did they apparently expect there to be one.<sup>47</sup>

Moreover, these customs were specifically tied to the region, though concordance between the practices of neighbouring lands could be used to reinforce their perceived correctness.<sup>48</sup> Within the nobility at large, Brittany’s elite formed a distinct group unto themselves. The unity of the ‘pais de Bretagne’ where one legal practice could encompass all its members was a constant refrain: ‘doibvent unir tous les Bretons par une loy...et puis que le duc qui est prince des Bretons doibt par icelle mesmes loy vivre’.<sup>49</sup>

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*the Middle Ages: An Introduction to the Sources of Medieval Political Ideas* (Cambridge, 1975), 62; Laurent Mayall, “La coutume dans la doctrine romaniste au moyen age,” in “La Coutume: Europe occidentale médiévale et moderne/Custom: Medieval and Modern Western Europe,” *Recueils de la société Jean Bodin pour l’histoire comparative des insitutions* 50.2 (1990): 15–16; Esther Cohen, *The Crossroads of Justice: Law and Culture in Late Medieval France* (Leiden, 1993), 11, 24. In Brittany, the degree to which the *Très ancienne coutume* was derived from Roman law and from the customs of Anjou and Maine certainly makes this claim at least partly suspect: Jean-Philippe Lévy, “La pénétration du droit savant dans les coutumiers angevins et bretons au moyen âge,” *Tijdschrift voor Rechtsgeschiedenis* 25 (1957): 1–53.

43. ‘By the consent of the greatest portion of the people’; ‘it is entirely clear that the nobles determine and use this custom’, BnF, MS fr. 18697, f. 138. Emphasis mine.

44. Quillet, “Community,” 556.

45. ‘La plus grand partye lye la mineur’, BnF, MS fr. 18697, f. 138.

46. ‘Doibt on ensuyvre loppinion des prelatz, des barons et seigneurs de Bretagne qui scavent que raison est comment le pais ce doibt gouverne[r] que loppinion daulcuns popullaires qui sont esmeuz par affection et vollompte’, *ibid.*, f. 135. The inclusion of the bishops in this group, although crossing the traditional division of lay/clerical, reflected the noble origins and social standing of most elite churchmen. This attempt to set aside the non-noble element is an interesting contrast with the presence of townsmen among the witnesses (such as Jean de Sublaines of Blois, and probably Étienne de Provins): BnF, MS fr. 22338, f. 136. Most other untitled witnesses were not so specifically identified, though some were clearly non-noble.

47. ‘They had never seen a difference made between nobles’, *ibid.*, f. 136v, cf. 132v, maîtres Aymal Bail (judge and mayor of Carcassonne) and Macé du Bochet; cf. testimony of Jean d’Anglebinez on the concordance of *chieff* and *membres*, *ibid.*, f. 132v.

48. In the briefs, BnF, MS fr. 18697, f. 137v, 138; in the inquiry, e.g. BnF, MS fr. 22338, f. 125v, 129–129v.

49. ‘All the Bretons must be united by one law, and so the duke, who is prince of the Bretons,

### The participation of the prince

This ‘prince des Bretons’ adhered to custom for two reasons. On the one hand, the duke was legally obliged to do so, for unlike the king his association with the community of nobles inherently entailed accepting the common yoke of custom.<sup>50</sup> As a noble, the duke fell under the same codes as his own barons.<sup>51</sup> In fact, the briefs argued, an explicit exception would be necessary to change the duke’s customary status, because the duke was not separate from the whole.<sup>52</sup> This legal constraint enabled the reciprocal relationship among the unequal members of the group that was so important in medieval thought.<sup>53</sup> Just as ‘les baronnies...doivent estre gardez et gouvernez par autelle droict et par autelle coustume la duche’, so too must ‘la duche doibt estre gouvernee par [au]telles coustumes comme les terres et baronnies subjectz a la duche’.<sup>54</sup> Witnesses claimed this mutual obligation helped avoid corruption in favour of just rule, testifying that ‘toutes les causes que ledit duc de Bretagne a en ces cours av(e)sq ses subjectz l’on juge pour luy ou contre luy selon les coustumes’ common among them.<sup>55</sup> There was to be coordination between different members: not that they were to be identical, but that the principles which structured action were universal.

But more importantly, the briefs suggested, the duke as a member of the nobility should be actively amenable to participating in these laws: adopting customs manifested a voluntary effort to belong and was linked to his public assumption of the ducal role.<sup>56</sup> The briefs elaborated this theme in their descriptions of Jeanne’s

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must live by this same law’, BnF, MS fr. 18697, f. 138v; cf., in the inquiry, BnF, MS fr. 22338, f. 117v, 124. Cf. in the witness testimony, *ibid.*, f. 117v, 119v, 124, 125, 125v, 130v.

50. See BnF, MS fr. 18697, f. 138v; J. P. Canning, ‘Law, Sovereignty and Corporation Theory, 1300–1450,’ in *The Cambridge History of Medieval Political Thought c.350–c.1450*, ed. J. H. Burns (Cambridge, 1988), 455.

51. ‘Est il tout cler que les nobles determinent et usent de ceste coustume et y sont sugetz a la plus grand partye si et comme que le duc et la duchie y soient lyez aussi’, BnF, MS fr. 18697, f. 138.

52. *Ibid.*, f. 138v; cf. 156v et al.

53. Reynolds, *Fiefs*, 37; Georges Duby, *The Three Orders: Feudal Society Imagined*, trans. Arthur Goldhammer (Chicago, 1980), 71. In her earlier work, Reynolds includes reciprocity in the definition of a medieval ‘community’, although she also notes the contrast between theory and practice when some groupings ‘too large and too full of inequalities for everyone within them to enjoy direct, unmediated, and reciprocal relations with each other were nevertheless perceived as communities at the time’, Reynolds, *Communities*, 2.

54. ‘The baronies must be kept and governed by the same law and the same custom as the duchy’; ‘the duchy be governed by such customs as the lands and baronies subject to the duchy’, BnF, MS fr. 18697, f. 140, 136; cf. BnF, MS fr. 22338, f. 138.

55. ‘All the cases had by the duke of Brittany in his court against his subjects, they would judge for him or against him according to the customs’, *ibid.*, testimony of Alain Goyon. It was commonly understood that ‘government according to custom was by definition good government’: Cohen, *Justice*, 32.

56. BnF, MS fr. 18697, f. 154–154v.

marriage and Charles' attendant oaths as a prince-in-future.<sup>57</sup> Firstly, the Breton political community, represented by the nobility and the previous duke, approved the match 'pour ce que tous eulx du pays verent clairement quelle e[stoict] et devoit estre vroye heritiere de Bretagne par la coustume du pais'.<sup>58</sup> Custom, the voice of the majority, was properly employed here to express the combined will of the representatives of the regional unit, the *pais*. Jeanne's status was the product of this and so became inextricably defined in relation to the Breton community: their approval created a legitimate place for her amongst them, and accepting this status demonstrated her approval of these rules.

This relationship was reinforced by the promises her new husband then made, again with the collective consent of the regional elite. These oaths had three main components: firstly, not to alienate portions of the duchy; further, to uphold regional customs; and finally, to bear 'le nom et les armes de Bretagne toutes plaines'.<sup>59</sup> Each of these points was significant. The first two recognized the territorial and practical unity of the duchy, a promise that was associated with the ducal ceremony of inauguration (also alluded to here) and which defined the duke by his function in maintaining this integrity; his principal duties lay in the structure of the whole.<sup>60</sup> Moreover, by accepting this task, he also implicitly validated the customs and the country he was now protecting—this is the kind of promise, traditional though it was, that would appeal to the aristocratic audience attending the wedding.<sup>61</sup> The commitment to using the 'name and arms' reflects a phrase, often with the addition of 'le cri', used by families that had only a female heir, to ensure that her spouse would effectively become one of their line and carry on the familial prestige.<sup>62</sup> But in this case, there was the further connotation of choosing to be part of the Breton community—especially as opposed to remaining part of France, as can be seen from other anecdotes in this text. For instance, Jeanne's betrothal to the son of the king of Navarre had been ended for

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57. In Brittany, a ducal investiture in the cathedral of Rennes—Jeanne's lawyers referred to the swearing of oaths 'a nouvelle [creation]' of the duke—had become routine between the tenth century and the fourteenth: BnF, MS fr. 18697, f. 139v; cf. Jones, "Habit," 263–68; Yeurc'h, *Noblesse*, 160–61; and the similarities with the later oaths of Jean V and his successors: Françoise Féry-Hue, "Le cérémonial du couronnement des ducs de Bretagne au XVe siècle," in *Missel Pontifical de Michel Guibé, XVe siècle: Cérémonial du couronnement des ducs de Bretagne* (Rennes, 2001), 38.

58. 'Because everyone of the *pais* clearly saw that [Jeanne] was and should be the true heiress of Brittany according to the custom of the *pais*', BnF, MS fr. 18697, f. 133v.

59. 'The name and the arms of Brittany completely and simply', *ibid.*, f. 134v.

60. *Ibid.*, f. 139v; the full program of coronation is not recorded before 1402, when it was revised for Jean V (Galliou and Jones, *Bretons*, 246), but it appears to have been inspired by earlier procedures, despite the reservations outlined by Féry-Hue, "Couronnement," 38–39.

61. Interestingly, though French kings had been concerned with the principle of inalienability for some time, they did not yet swear to it: see Jacques Le Goff, "Reims, ville du sacre," in *Les Lieux de mémoire*, vol. 2: *La Nation* (I) (Aldershot, 1986), 134; Wood, *Apanages*, 19; Brown, "Conundrum." Maintaining justice was traditionally part of the coronation oath.

62. Nassiet, *Parenté*, 206; cf. Contamine, *Noblesse*, 218.

various reasons; royal letters confirming the annulment cited especially the age difference between Jeanne and the infant Charles of Navarre.<sup>63</sup> The succession case, however, claimed instead that King Philippe d'Évreux 'ne voullloit pas que son filz lessast les armes de France pour prandre les armes de Bretagne', which Jean III and the rest of 'le pais' had found unacceptable.<sup>64</sup> Choosing the *fleurs-de-llys* over the ermines was to elect not to join the Breton community as Charles de Blois did when he accepted these terms and this role.

By the same token, the characteristic traits of his rule were emphatically *not* in France. Despite being a peer of the kingdom, the duke and other regional princes 'nont justice...ne...ne peuvent juge[r] en France'.<sup>65</sup> This contrasted with his role in maintaining Breton laws. Only secondarily was made mention of that 'que le duc est tenu faire au royaume'.<sup>66</sup> Although the Penthièvre case acknowledged that the duchy was now subject to the king of France, these obligations were external to the duke's primary community, since 'la parrie fust faicte a cause de la duche...et ainsi est plus principal et plus a considerer la nature de la duche que de la parrie'.<sup>67</sup> He might participate in the affairs of the realm, but that status was less important than that within Brittany.

The ducal promises, the description of his role, and his place in custom more generally, were used to portray a prince very much centred as part of the Breton aristocracy: non-French and non-royal. And moreover, because he did not act like a king, and adopted the laws of his subjects, the duke was able to remove his duchy from the influence of the French king. There is the obvious point that royal laws were certainly not to be permitted. But more fundamentally, it validated the separate culture of the duchy:

car France est toutte autre region et demeure, la langue toutte estrange et autre que celle de France, les mines et la maniere de vivre des gens et les coustumes toutes autres sicomme chacun scet, et aussi ne seroict convenant quand raison a ce que le duc et duche se gouvernast par ce coustume dautre [r]egion par les meurs et usaiges de strange nacion et ne departist de la coustume de son propre pais, de sa langue, et de sa nation.<sup>68</sup>

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63. Archives nationales, Paris, K 42, n. 37, bis; see also *RACJ* Supplément, n. 363.

64. 'Did not wish his son to leave the arms of France to take the arms of Brittany', BnF, MS fr. 18697, f. 134; cf. above, page 38.

65. 'Do not have justice nor are able to judge in France', *ibid.*, f. 149.

66. 'Which the duke is bound to do for the kingdom', *ibid.*, f. 151.

67. 'The peerage was made because of the duchy, and thus is more important and the nature of the duchy is more to be considered than that of the peerage', *ibid.*, f. 149, 151v.

68. 'France is a completely different region and homeland; the language [of Brittany] is completely foreign and other than that of France, the ways and manner of living of the people and the customs completely other (as everyone knows), and so it would not be appropriate that the duke and duchy governed itself by this custom of another region, by the mores and practices of a foreign people, and he should not deviate from the custom of his own land, from his language, from his people', *ibid.*, f. 137v. The word 'nation' is difficult to translate, not yet possessing the

The Penthievre case argued that ties to the aristocracy of Brittany distanced the duke from the king, and it was this rejection of royalty that allowed the duchy its ‘provincial particularism’.<sup>69</sup>

### The Montfortist views

In sharp contrast stood the ‘diversites’ which Jean de Montfort ‘sefforce mettre entre le chieff et les membres’, and to which Jeanne and Charles’ case vehemently objected.<sup>70</sup> The Montfortist arguments for their royalizing status are well-known, but it is worth re-examining how this view was consistently put forward using the same social factors that appeared in the Penthievre case.<sup>71</sup> The brief claimed that the different ‘degree’ of nobility possessed by the duke was sufficient to alter real standing in the community. There was, according to this view, ‘un gienrre de barons et dautres giens nobles’, but the prince ‘nest pas repute de ce gienrre, especiaument si noble comme est la duche de Bretagne’.<sup>72</sup> This rejected the common characteristic between nobles and duke, a separation which then encouraged the duke’s non-participation in the shared rules. Customs functioned ‘entre les nobles seulement, subjez entre les quelx li princes, qui est chieff, nest point contenuz’.<sup>73</sup> Since ‘la declaracion du peuple ne lie en rien les souverains’, the prince’s willful rejection of the aristocratic ‘volante’ downplayed the sense of obligation on the part of the prince in the relationship between members of the noble hierarchy, and so disrupted the cohesion of the nobility.<sup>74</sup>

As the duke was then ‘too noble’ to simply be one, the Montfortist case assimilated the duke to the royal circle using both shared qualities and actions. Instead of being like the rest of the nobles, ‘en verite sa noblesce en deust meulz valou destre aprochee a la haute noblesces de la couronne de France’, and this made him part of a restricted, elite group surrounding the king.<sup>75</sup> The ducal and royal

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quality of statehood suggested by the modern English cognate; see Bernard Guenée, *States and Rulers in Later Medieval Europe*, trans. Juliet Vale (Oxford, 1985), 216–19. In this passage, we see an interesting recognition of the Breton language, even though it was not used among most elites at this time; cf. Lewis, *Polity*, 3.

69. Jones, “Succession,” 4.

70. ‘Attempts to put between the leader and the followers’, BnF, MS fr. 18697, f. 136, 155v.

71. Jones, “Succession,” 4–5, reminds us that a similar position had already been advanced in a 1336 case for Jean III.

72. ‘A genre of barons and other noble people...[the prince] is not reputed to be of this genre, especially so noble a one as is the duchy of Brittany’, *ibid.*, 54.

73. ‘Between the nobles alone, subjects among whom the prince, who is the leader, is not at all included’, *ibid.*, 33.

74. ‘The declaration of the people does not bind sovereigns in anything’, *ibid.*, 36; cf. Antony Black, “The Individual and Society,” in *The Cambridge History of Medieval Political Thought c.350–c.1450*, ed. J. H. Burns (Cambridge, 1988), 592.

75. ‘Truly [the duke’s] nobility is more worth of being approached to the high nobility of the crown of France’, Jones, “Succession,” 40.



qualities were more alike than those which characterized the lesser ranks, and they were to function similarly.<sup>76</sup> In assessing ducal responsibilities, the Montfortists argued that ‘li effes de parrie ne se limite mie en Bretaingne mes par tout le royaulme’: ‘le royaulme’ took precedence over ‘la region’.<sup>77</sup> Not only did the duke judge in France and fulfill a powerful ceremonial role, but as adviser and warrior would play an integral part in the royal government.<sup>78</sup> This was embodied in the rather flowery description of the precedent set by Jean III with regards to royal relationships and service: ‘lescharboucle de la duche de Bretaigne, parrie de France et du duc, darenement mort, per de France, a bien reluit en sa couronne, comme porcion dicelle et comme une des plus belles batailles qui fut en lost’.<sup>79</sup> As a result, whereas previously there was talk of a descending sequence of *duches*, *comtes*, *baronnies*, denoting a common aristocratic group (and all of which divisions could be found in a single regional structure), the emphasis here moved to the ascending and widening *duche*, *parrie*, *royaulme*.<sup>80</sup>

### Medieval communities and the Breton prince

According to the Montfortist schema, the duke served as a ‘membre de la corone de France’ and portion of the body of the kingdom as a whole.<sup>81</sup> But this anatomical imagery was used also by the Penthivère lawyers, who argued that

aussi comme en ung corps nature ce seroict monstree et contre nature que le chief fust dautre condition que les membres aussi comme si lon trouvoict ung corps dun beuf la teste dun cheval ou corps dun homme la teste dune beste...et pour ce dict le droict que les membres le doibvent confermez au chief et le chief aux membres cest assavoir les barons, comptes, et vicomptes de la duche soient gouvernez par une mesme loy et par une mesme coustume.<sup>82</sup>

76. Ibid., 32, 36, 60.

77. ‘The capacity of the peerage does not at all limit itself to Brittany, but in all of the kingdom’, *ibid.*, 25, cf. 59.

78. ‘...pour cause de lour parrie [les pers] doivent mettre et mettent en la coronacion dou roy, la main alespee et corone dou roy, juger avec le roy et conseiller le roy aes choses qui touchent le royaulme et li aider en guerres ala deffense de la corone’, *ibid.*, 29. Jackson has identified the role of the peers at the royal coronation as their ‘main function’, and Desportes has expanded upon the significance of this moment. Interestingly, Desportes also remarks, ‘Le monarque n’accorde aux pairs aucune prééminence parmi ses conseillers; il ne prend leur avis, en dehors des cas féodaux de leur compétence, que quand cela lui convient’. Richard A. Jackson, “Peers of France and Princes of the Blood,” *French Historical Studies* 7 (1971): 29; Pierre Desportes, “Les pairs de France et la couronne,” *Revue Historique* 282 (1989): 320, 323.

79. ‘The ruby of the duchy of Brittany, peerage of France, and of the late duke, peer of France, has shone well in his crown, as a portion thereof and as one of the most handsome battalions in the host’, Jones, “Succession,” 57.

80. Ibid., 28, 35.

81. ‘Limb of the crown of France’, *ibid.*, 54 et al.

82. ‘Just as with a natural body it would be monstrous and unnatural that the head should be of

Both sides invoked the ‘organic metaphor’ of the body politic to characterize the role of the duke of Brittany. The analogy between the different members of society and the limbs and organs of a body, each contributing in its own way to ensure a healthy whole, reached back even to biblical imagery.<sup>83</sup> But its popularity in the later Middle Ages stemmed especially from the influence of John of Salisbury, an ecclesiastic whose *Policraticus* (1159) was written at a time of growing legal structuralization of the kingdoms of France and England.<sup>84</sup> Among various metaphors, John outlined an organic view of social duty, with a ‘princeps’ as head of the body, ‘uni subjectus Deo, et his qui vices illius agunt in terris’.<sup>85</sup>

John was especially interested in the role of the ruler, ‘quid autem in humanis rebus majus est principatu, cuius officium quodammodo omnia circumit, implet, et penetrat, et...totius Reipublicæ molem portat?’<sup>86</sup> This centrality was bound up, however, in a reciprocity that underlined the prince’s ties to the rest of the ‘body’, since ‘pro merito principis populus, et ex merito populi, formatur principatus’.<sup>87</sup> Since the nature of princely government and the dynamic between prince and people were two central elements in the 1341 efforts to decide the succession practices of the dukes and duchesses of Brittany, it is unsurprising to see these themes and these bodily images reappearing here. It is more significant that they appear on both sides of the line. Interpretive difficulties arose over the shape of this body and the place of the prince within it because, of course, the duke (unlike

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a different condition than the limbs, as if one found the body of a steer with the head of a horse, or the body of a man with the head of a beast; and so the law says that the limbs must conform to the head, and the head to the limbs—that is to say, the barons, counts, and viscounts of the duchy should be governed by the same law and the same custom’, BnF, MS fr. 18697, f. 139–139v.

83. Anton-Hermann Chroust, “The Corporate Idea and the Body Politic in the Middle Ages,” *The Review of Politics* 9 (1947): 423–452; Duby, *Orders*, 70, 247, 264. For instance, the Christian community is extensively described in 1 Corinthians 12 as a body composed of diverse parts; conversely, Isaiah 1:5–6 portrays Judah’s sinful population as a bruised and wounded body.

84. The *Policraticus* was dedicated to Thomas Becket (d. 1170), chancellor of King Henry II. Charles V commissioned a translation of this work into French, completed by the Franciscan Denis Foulechat in 1372: Denis Foulechat, *Le Policratique de Jean de Salisbury*, ed. Charles Brucker (Geneva, 1994–2013). See also Paul Brand, “Henry II and the Creation of the English Common Law,” in *Henry II: New Interpretations*, ed. Christopher Harper-Bill and Nicholas Vincent (Woodbridge, 2007), 215–241; John W. Baldwin, *The Government of Philip Augustus: Foundations of French Royal Power in the Middle Ages* (Berkeley, 1986), 269–274.

85. ‘Subject only to God and to those who act on earth in his place’; cf. the metaphor of the bees, John of Salisbury, *Policratici, sive De nugis curialium et vestigiis philosophorum libri 8*, ed. Clement C. J. Webb (Oxford, 1909), 1:283, 2:59–62. See the basic overview in Cary J. Nederman, “The Physiological Significance of the Organic Metaphor in John of Salisbury’s *Policraticus*,” *History of political thought* 8 (1987): 211–223; Cary J. Nederman, *Lineages of European Political Thought: Explorations along the Medieval/Modern Divide from John of Salisbury to Hegel* (Washington, D.C., 2009), 65–66, 70–71.

86. ‘For moreover, what in human affairs is greater than the principedom, whose duties in a certain way encompass, complete, and enter into everything, and...[which] carries the troubles of the whole republic?’, Salisbury, *Policratici*, 1:280; cf. Foulechat, *Policratique*, book 5, 266.

87. ‘According to the merit of the prince the people are moulded, and by the merit of the people is shaped the principedom’, Salisbury, *Policratici*, 2:86; cf. Foulechat, *Policratique*, book 6, 271.

a king) was simultaneously both a ‘chieff’ and a ‘membre’.

The Penthièvre case presented the Breton nobility as a body politic unto itself, with the duke as *chieff* supported by the *membres* of the local barons. Although recognizing the ultimate authority of the king, this regional unit functioned independently. The Montfortists, conversely, saw princes as the limbs serving their head the king, creating instead a bodily structure for the whole of the kingdom.<sup>88</sup> Because the duke was not a king, because he was at once the primary authority within his own region and bound to serve an external power, the bodily metaphor could not adequately account for the Breton prince was supposed to play.<sup>89</sup> This disagreement represented a departure from the usual polity-as-body analogy, emphasizing the sameness of all participants in a limited group instead of the compatibility of differences in the whole of a society.

The tensions between these two bodies resonate with the themes of ‘community’ which more recent scholars have traced in medieval French history.<sup>90</sup> Since France was a more fractured entity than England even from the time of John of Salisbury, the plurality of groups has been repeatedly used to explain social and political tension in the Middle Ages.<sup>91</sup> Susan Reynolds has detailed a ‘hierarchy of communities from households and families, through villages or towns, up to kingdoms’.<sup>92</sup> The inevitable fact of membership in multiple layers of this structure was, under ordinary circumstances, a non-issue: loyalties to family, town, locality, and so on up were normally compatible, their obligations harmonious. Prioritizing one relationship over another was only necessary in times of stress.<sup>93</sup>

Reynolds has warned, however, that in today’s scholarship ‘[a]lmost any class or category of people is sometimes called a community, even if...they do not act collectively or form anything that most sociologists or anthropologists would call a group’.<sup>94</sup> She suggests a usage that in many ways reflects the ideas integral to the

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88. Cf. Small, “Crown and provinces,” 140.

89. Both Salisbury, *Policratici*, 1:237–39, and BnF, MS fr. 18697, f. 138v, reflected the distinction between the ‘absolute’ prince and lesser rulers with regards to their obligations towards the law. Cf. David, *Souveraineté*; Bernard Guenée, *L’occident aux XIVe et XVe siècles: Les Etats* (Paris, 1971), 134.

90. Especially by Reynolds, *Communities*, though the term appears elsewhere: e.g. Guenée, *States*, 20; Lewis, *Essays*, 3; J. H. Burns, ed., *The Cambridge History of Medieval Political Thought c.350–c.1450* (Cambridge, 1988), 521; Crouch, *Nobility*, 117; Antony Black, *Political Thought in Europe, 1250–1450* (Cambridge, 1992), 18; Krynen, *Idéal*, 313ff.; cf. Gilissen, *La coutume*, 32.

91. ‘In England centuries of social development had made possible a “community of the shire” and a “community of the realm”, however aristocratic these may have been. There were no “provinces” interposed between a unit too small for independent political feeling and the whole kingdom’, in contrast with the princely territories of France; Lewis, *Essays*, 112.

92. Reynolds, *Communities*, lxxv.

93. This brings to mind Jeanne’s choice to join in the rebellion to recall Jean IV instead of obeying the king in 1379.

94. Reynolds, *Communities*, 1–2.

medieval understanding of the body politic: that ‘community’ signifies groupings created through identification with certain shared characteristics (such as laws or language), and through members’ active participation. But, especially when it is coloured by modern social standards, the word ‘community’ can conjure up ideas of equality among its membership that cannot apply to a general understanding of medieval communal expression.<sup>95</sup>

To correct for this, Reynolds’ definition can also be compared with the traits which anthropologist Anthony Cohen has considered characteristic of the term,

that the members of a group of people (a) have something in common with each other, which (b) distinguishes them in a significant way from the members of other putative groups. ‘Community’ thus seems to imply simultaneously both similarity and difference.<sup>96</sup>

The important corollary of this is that the people of a community, ‘although they recognize important differences among themselves...also suppose themselves to be more like each other than like the members of other communities’.<sup>97</sup> A medieval community could exist, not where all of its members were alike, but where their shared characteristics mattered enough to override the other ties which they necessarily had within society. This common ground, in accordance with Reynolds’ argument, was expressed by the collective engagement of the putative members with the visible trappings and shared actions that defined the community: the similarities within a community were performed rather than passive.

The 1341 attempt by the Penthièvre (and Montfort) lawyers and witnesses to situate the duke within a functional and indivisible community incorporated all of these important elements. That the debate took place on these terms, however, draws attention to a hole in the modern discourse on medieval socio-political relationships of this sort. The study of relationships between fief-holders and their lords has generally focused on the interactions of individuals, and on ‘vertical’ ties within society, while ties from a princely individual to a group linked ‘horizontally’ are downplayed.<sup>98</sup> But studies specifically of community often leave the

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95. For instance, Benedict Anderson, *Imagined Communities*, 2nd ed. (London, 2006), 7, tries to incorporate a perception of equality into the definition of a ‘nation’; but this is less useful than considering the perception of a certain sameness despite *inequality*.

96. Cohen, *Community*, 12.

97. *Ibid.*, 21.

98. In earlier studies these would often be encapsulated as ‘feudal relationships’, although subsequent scholarship has taken pains to show that these interactions were not of a single, immutable type worthy of such a monolithic name: Elizabeth A. R. Brown, “The Tyranny of a Construct: Feudalism and Historians of Medieval Europe,” *The American Historical Review* 79 (1974): 1063–1088, and Reynolds, *Fiefs*. If these were not always bonds of truly personal loyalty, representing a meaningful connection between two individuals (*ibid.*, 25) it is usually agreed that they were more individualized: ties of lordship entailed responsibilities from one person to another, not to a collective. The undervaluing of horizontal social ties inspired Reynolds’ work on communities: Reynolds, *Communities*, 1. See also the distinction between personal and political loyalties: Coralie Zermatten and Jörg Sonntag, “Loyalty in the Middle Ages: Introductory Remarks on

nobility aside.<sup>99</sup> Tellingly, Reynolds' chapter on 'Provinces and lordships' is deliberately the shortest.<sup>100</sup> Even Althoff's study of socio-political relationships, which turned towards group sentiments among the men tied to a single lord, conceded that 'it is debatable whether groups founded on lordship should be considered alongside groups based on friendship and co-operation at all'.<sup>101</sup> These studies have been especially concerned with the practical bonds which such communities fostered, whereas the succession arguments were an abstraction. But Oexle has argued that 'in order to understand the interrelationship between social structures and their "notion of themselves," we must account for three circumstances: (1) the given social reality, (2) *the image people have of it*, and (3) the behavior of people that results from this image, which in turn creates and shapes reality'.<sup>102</sup> Even though the debate in 1341 produced a specific image (or rather, set of images) that cannot be indiscriminately generalized, we must still take them into account as part of the wider significance of communal structures at this time.

### Relationships and roles: The view from 1341

The importance of the succession case was twofold. Even if the nature of these records does not allow us to simply project the ideas found here onto the real relationships experienced within contemporary political society, the shape of the debate remained of interest within that society. To be sure, legal narratives relied in large part on a technical discourse relevant only to other specialists—witness the endless wrangling in the legal briefs over the superior authority of civil or feudal law, or different compilations of Roman codes.<sup>103</sup> The performative aspects

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a Cross-Social Value," in *Loyalty in the Middle Ages: Ideal and Practice of a Cross-Social Value*, ed. Jörg Sonntag and Coralie Zermatten (Turnhout, 2015), xiii. At the same time, these ties could be considered as operating among certain groups, for in one medieval formulation "Duc, comte, vicomte, baron peuvent tenir les uns des autres", but the king was excluded: Keechang Kim, "Être fidèle au roi: XIIIe-XIVe siècles," *Revue Historique* 293 (1995): 232–33.

99. Scholars have, of course, considered other noble groups, such as those formed by chivalric orders, at tournaments, and at the court: e.g. Boulton, *Orders*; Philippe Contamine, *Des pouvoirs en France, 1300–1500* (Paris, 1992), 169–76; Keen, *Chivalry*, 83ff., 179ff.; Joseph Morsel, "Inventing a Social Category: The Sociogenesis of the Nobility at the End of the Middle Ages," in *Ordering Medieval Society: Perspectives on Intellectual and Practical Modes of Shaping Social Relations*, ed. Bernhard Jussen, trans. Pamela Selwyn (Philadelphia, 2001), 200–240; Lewis, *Polity*, 123–26.

100. Reynolds, *Communities*, 219. She argues that 'communities of this kind encompassed less of their members' lives', which may have been true for the general population but makes less sense when considering the elite who were involved in regional affairs.

101. Gerd Althoff, *Family, Friends and Followers: Political and Social Bonds in Medieval Europe*, trans. Christopher Carroll (Cambridge, 2004), 102.

102. Otto Gerhard Oexle, "Perceiving Social Reality in the Early and High Middle Ages," in *Ordering Medieval Society: Perspectives on Intellectual and Practical Modes of Shaping Social Relations*, ed. Bernhard Jussen, trans. Pamela Selwyn (Philadelphia, 2001), 94, emphasis mine.

103. The Roman law developed under Justinian in the 530s reshaped western European practices especially since the twelfth century, and the succession arguments invoked most of the different parts of this corpus: the Digest, Code, Institutes, *Novellae*, and *Authenticum* (see H. F. Jolow-

of medieval law, from the ritualized behaviours expected while presenting cases at the *parlement* at Paris to the proclamation of *arrêts* in the court, gave public significance to the legal process, but this did not necessarily extend to the content of the arguments themselves (though these were summarized, albeit in Latin, in the *arrêt* of Conflans in 1341).<sup>104</sup> On the other hand, French interest in the duchy meant that the succession case was not isolated within its immediate legal context.<sup>105</sup> An early summary of the dispute in the *Grandes Chroniques de France* focused on the Penthièvre views and highlighted above all the social parameters which defined the correct use of custom.<sup>106</sup> This work in turn influenced many subsequent political tracts circulating among the French nobility.<sup>107</sup> Likewise, the *Somnium Viridarii* and its French translation *Le Songe du Vergier* revisited the major

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icz and Barry Nicholas, *Historical Introduction to the Study of Roman Law*, 3rd ed. (Cambridge, 1972), 479–98; Ullmann, *Ideas*, 53–79; Stein, “Roman Law,” for a basic overview, though the topic is far too vast to delve into here). This caused debate not only over contradictions within the corpus itself, but because the different texts were not considered equally reliable: see esp. BnF, MS fr. 18697, f. 132, 133, 145v–146, 157v–158; Jones, “Succession,” 43, 44 (notes 85 and 86), 46, which also invoked the pre-Justinian Twelve Tables (451–450 B.C., on which see Jolowicz and Nicholas, *Introduction*, 13, 108–13).

While Roman law did not exclude customary law (itself a slippery force), they were fundamentally different, since the former was conceived of and handed down by the ruler while the latter was ‘made by the subjects and came into being as a result of repeated performances and practices; its ingredient was the will of the people’: Ullmann, *Ideas*, 62–63, emphasis original; cf. Canning, “Theory,” 456–61; Mayall, “Coutume”; André Gouron, “La coutume en France au moyen âge,” in “La Coutume: Europe occidentale médiévale et moderne/Custom: Medieval and Modern Western Europe,” *Recueils de la société Jean Bodin pour l’histoire comparative des institutions* 50.2 (1990): 197; Cohen, *Justice*, 28–33, 39–42. This potential incompatibility did not stop the incorporation of Roman principles into regional customs, such as that of Brittany when it was compiled under Jean III between 1312 and 1325 (and indeed, the formulation of customary law was not independent of the renewed interest in the Roman): TAC, 7; Lévy, “Coutumiers”; Krynen, “Droit,” 18; Cohen, *Justice*, 33–39.

Roman law also strongly influenced the shape of decretals of the papacy, produced since at least 385 until 1317 and organized into collections of various kinds, of which Gratian’s *Concordia discordantium canonum* (c. 1140) was the most important: Ullmann, *Ideas*, 119–59, 284; James A. Brundage, *Medieval Canon Law* (London, 1995), 47–49. Into this mix was thrown the precepts of the Lombard *Libri feudorum*, which helped address the gaps in Roman law occasioned by the social changes since Justinian’s time, though again lawyers could question its validity: Canning, “Theory,” 461–62; BnF, MS fr. 18697, f. 148, 158; Jones, “Succession,” 66–67.

But Roman law had itself necessarily adapted to its new context and this contributed to its impact on ideas of the ruler and their realm in the late Middle Ages: Krynen, “Droit”; Canning, “Theory,” 464–69, 473–76; Brian Tierney, “‘The Prince is Not Bound by the Laws.’ Accursius and the Origins of the Modern State,” *Comparative Studies in Society and History* 5 (1963): 378–400; David, *Souveraineté*; cf. Brundage, *Canon Law*, 98–119, on canon law and society.

104. Frans Camphuijsen, “Theaters of law: Late medieval courts and their audiences in comparative perspective [working title]” (PhD diss., University of Amsterdam, forthcoming).

105. Jones, “Succession,” 4. This reflected the broader concern of the nobility, as the ‘political class’, for the means by which their status was defined and upheld: David Potter, ed., *France in the Later Middle Ages 1200–1500* (Oxford, 2002), 231.

106. Bibliothèque nationale de France, Paris, MS fr. 2813, f. 373v; Hedeman, “Legitimacy,” 98.

107. Anne D. Hedeman, *The Royal Image: Illustrations of the Grandes Chroniques de France, 1274–1422* (Berkeley, 1991), 95, 139.

points of the arguments in the 1370s.<sup>108</sup> The rich manuscript tradition of the *Songe* attests to the place of this work in courtly circles and, with its availability in both Latin and French, it was well-designed to reach a political audience.<sup>109</sup> The cases developed in 1341 were thus of intellectual interest beyond their initial scope.

Secondly, because the arguments touched on concrete aspects of the ducal role (and more generally on the customs of Brittany), they indicate issues of actual relevance to Jeanne's career. The process by which the lawyers demonstrated the communal affiliations of the duke of Brittany in 1341 relied especially on 'translating information from broader society'.<sup>110</sup> The royal officials questioned 229 witnesses in groups of eleven to twenty-five people at a time, in addition to eight Penthièvre and thirteen Montfortist witnesses who deposed singly.<sup>111</sup> The very extent of this procedure would have increased the debate's visibility: these numbers contrast strikingly with the mere 55 who addressed the succession of Artois in 1331.<sup>112</sup> Moreover, the witnesses represented diverse social backgrounds (Figure 20), though these broad categories mask certain distinctions.<sup>113</sup> The Montfortist *noblesse* comprised more than twice as many simple 'ecuyers' as the Penthièvre side, which was much more strongly represented by the higher nobility, the great churchmen, and those close to the royal court.<sup>114</sup> Most Penthièvre witnesses were

108. *Somnium*, chapters CLXXXVII and CLXXXVIII; *Songe*, book one, chapters CXLIII and CXLIII; cf. Jones, "Succession," 6–9.

109. Chaplais, "Songe," 205. At least thirty-six manuscripts of the *Songe* were produced in medieval France; the first print edition appeared in 1491. Even the *Somnium* existed in at least nine exemplars, and was printed in 1516. Cf. Royer, *Royaume*, 219–25, on the accessibility of the text of the *Songe* and the relevance of the Breton arguments. At the same time, texts of this sort were not intended for truly mass circulation: Craig Taylor, "War, Propaganda and Diplomacy in Fifteenth-Century France and England," in *War, Government and Power in Late Medieval France*, ed. Christopher Allmand (Liverpool, 2000), 71–72.

110. Camphuijsen, "Courts."

111. The two sides had roughly equal representation, though the Penthièvre groups tended to be smaller (eight groups total) than the Montfortist (six groups). Individual Penthièvre witnesses were Guy de Montfort (bishop of Saint-Brieuc), Roland de Dinan (knight), Alain Goyon, Yves Le Prévôt (bishop of Saint-Malo), Bertrand de Lamballe, Éon de Rougé (*maître d'école* at Nantes), and Pierre Dubé (royal councillor). The last two, curiously, *also* testified individually for the Montfortists, alongside Guillaume Clain (monk of Prières, Morbihan), Hervé Olivier (rector in Tréguier diocese), *maître* Alain du Pontou, Pierre le Chief-hoir, Pierre l'Evêque, Jamet Gascon, Hervé du Rellec (monk), Louis du Buzay (monk), Laurent de Villeneuve (monk), Hervé de Quemenet, and Guillaume de Dol (priest): BnF, MS fr. 22338, f. 137v-142; BnF, MS fr. 18697, f. 166v-181.

112. Cassard, *Guerre*, 24.

113. Calculated as percentage of total witnesses on each side (114 Penthièvre witnesses, 115 Montfortist). Determining a witness' social status is not a precise science: many were qualified as 'maître' without further details on whether they filled a more bureaucratic or ecclesiastic position, while others (here designated as 'officials') held specific posts; nobles were sometimes but not always named as lords, and included knights and squires; the 'other' category comprises witnesses identified as *bourgeois*, a mayor, and a man-at-arms. Most witnesses were only a name, with no indicator of rank or profession. Conversely, where a witness fell into multiple categories, only their most distinctive qualifier has counted. Cf. the overview by Saliou, "Débat," 18ff., and Cassard, *Guerre*, 21–35, though these ignore the Montfortist *tesmoigns singuliers*.

114. Cf. BnF, MS fr. 18697, f. 135; Jones, "Succession," 50.

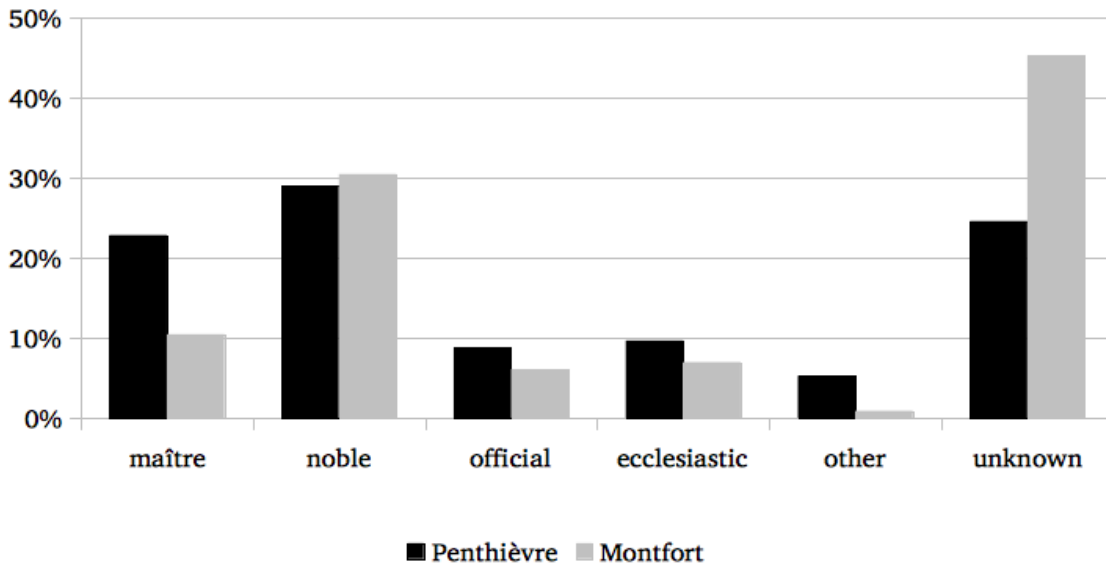


Figure 20: Proportion by status of witnesses in 1341

Breton, but many came from neighbouring Anjou, Maine, and Touraine, or further afield; the Montfortist witnesses were almost all non-Breton. This spread of backgrounds explains many of the variations seen in their testimonies, but the fact that the demographics clustered around a different social and geographic centre on either side of the case meant that it was easier to obtain a more unified picture from their depositions.

Most importantly, while many of the *maîtres* and administrators could have had legal training, they were not a majority even for the Penthièvre side, and the rest—priests, knights, townsmen (and townswoman [sic!]), friars—probably offered an untrained view of legal principles.<sup>115</sup> Their purpose at the trial was of course not to formulate legal arguments, but to attest practices which they had observed in accordance with the approximately 103 individual points raised by the lawyers.<sup>116</sup> Their testimony was then cast into the framework most useful for demonstrating the principles in question. The disagreements among different witnesses on the same side, however, shows that there was at least not a particularly vigorous culling of evidence, and the compiler(s) even noted whether a witness ‘knew’ something or only ‘thought’ it was so.<sup>117</sup> Moreover, the nature of customary law meant that what was seen to happen became what ought to happen; the scope of the experiences reported therefore intrinsically suggested a

115. Cf. Lewis, *Essays*, 19.

116. The list does not survive, but the content of certain articles can be guessed through the responses; see e.g. BnF, MS fr. 22338, f. 139 for the number of articles (not all of which were put to the witnesses).

117. Steven Justice, “Inquisition, speech, and writing: A case from late medieval Norwich,” in *Criticism and Dissent in the Middle Ages*, ed. Rita Copeland (Cambridge, 1996), 289–322; Camphuijsen, “Courts”; cf. Cohen, *Justice*, 61; R. H. Helmholz, *Marriage Litigation in Medieval England* (Cambridge, 1974), 19–20; Daniel Hobbins, *The Trial of Joan of Arc* (Cambridge, MA, 2005), 5.



means of generalization.<sup>118</sup> Witnesses confirmed, for example, that

lont veu notoirement et communement user et garder entre tous ceux a qui le cas est escheu, que lon le tient notoirement au pais de Bretagne, et que lon ne recoit aucun a proposer le contraire, et lont veu garder entre comtes, barons et vicomtes et oultre les nobles qui tiennent fiefs nobles en la duche de Bretagne...<sup>119</sup>

They also described the individual cases of a given custom with which they were familiar. Their understanding of correct legal practice was thus empirical rather than theoretical; but there was also a certain element of speculation involved. Having been read the article, the witnesses were asked why they thought it was true or not, a question they answered with specific examples. The Montfortist witness Jean Agoulant, knight, thought that a certain custom did *not* apply ‘si generalmente’ as the article had described, but detailed one specific case he had seen.<sup>120</sup> It was easy enough to move from experience to decide in other, less specific circumstances, whether a given rule continued to apply.

Again, this does not signify that the witnesses personally linked the specific examples they cited to the broader conclusions of the lawyers, but this process of assessing visible behaviour meant that the participatory aspect of the communal model was in fact one of the most important mechanisms of forming and regulating social expectations in this period. Custom was closely intertwined with the issue of *fama*, or reputation, which likewise privileged ‘observed actions [that] had practical, real-world consequences, for they created in viewers’ minds certain presumptions’ used to determine who did and did not conform to the norms of the community.<sup>121</sup> The reasons which the lawyers cited in 1341 to justify the association of the duke with one group or another were thus much like those that actually shaped medieval social perceptions. This was probably deliberate: Mayall has argued that medieval lawyers were well aware that ‘le phénomène coutumier débordait largement le cadre purement juridique par ses connotations politiques et culturelles où se trouvaient prises en compte...l’identité d’un peuple ou d’un groupe social qui se reconnaissait dans une tradition héritée de ses

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118. Cf. Cohen, *Justice*, 11, 16, 40—leaving aside complaints about custom purportedly misapplied or ignored: *TAC*, 52.

119. ‘They have seen [the custom] be notoriously and commonly used and kept among all those for whom the case has occurred, that it was notoriously held in the land of Brittany, and that no one is allowed to say the contrary, and they have seen it kept among counts, barons, and vicounts, as well as all the nobles who hold noble fiefs in the duchy of Brittany’, BnF, MS fr. 22338, f. 117v.

120. ‘So generally’, *ibid.*, f. 146v.

121. Thelma Fenster and Daniel Lord Small, conclusion to *Fama: The Politics of Talk and Reputation in Medieval Europe*, ed. Thelma Fenster and Daniel Lord Small (Ithaca, NY, 2003), 210; cf. F. R. P. Akehurst, “Good Name, Reputation, and Notoriety in French Customary Law,” in *Fama: The Politics of Talk and Reputation in Medieval Europe*, ed. Thelma Fenster and Daniel Lord Small (Ithaca, NY, 2003), 75–94; John A. Burrow, *Gestures and Looks in Medieval Narrative* (Cambridge, 2002), 13.

pères'.<sup>122</sup> More importantly, both the Penthièvre and Montfortist lawyers were able to point to examples that *visibly* associated the duke with the group using the customs that they wished to have apply in this case: oaths such as those made at Charles' marriage on the one side, services rendered as peer of France on the other. The sticking point, of course, was that these were both valid observations. The idea that the duke *did* belong to a community of Breton nobles (or alternatively, one of the French elites) was thus a courtroom simplification, but the identifiable associations between him and other people and groups—and so the standards for what could or could not be considered appropriate behaviour—were grounded in broader norms. Accordingly, elements in both views would be used to develop the presentation of Jeanne's power.<sup>123</sup>

## Conclusion

The Penthièvre case emphasized a community of nobles placed below the king but separate from him, left mostly to establish and regulate practices among themselves despite gradations of personal honour from specific titles that enhanced standing, but not contribution, within the community. The Montfortists, meanwhile, cut the duke away from 'simple' aristocrats in order to create a much smaller community at the peak of society; the gap between Charles' king and the duke now moved downwards between the duke and his subjects. These formulations reflect frameworks used in scholarly discussions of community, suggesting that the concept, at least, was more relevant to noble groups than has previously been thought. But although these arguments were presented in the names of Charles de Blois and Jean de Montfort, there is no reason to expect that these ideas were directly espoused in full by either individual, by Jeanne, or by their followers—an impression reinforced by the contradictory stances later taken not only by the French monarchy, but by Jeanne herself in 1379. Above all, because both possibilities coexisted, the succession arguments could not directly describe Jeanne's actual rule.<sup>124</sup>

In fact, the real potential for disagreement here was not limited to Brittany or to 1341. Cazelles has highlighted interesting material from the years following the Breton succession trial, when various military circumstances prompted the

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122. Mayall, "Coutume," 13.

123. See chapter nine.

124. Indeed, the Breton dukes differed from their vassals in possessing specific rights, such as that of *régale* (claiming revenues from vacant sees), which had been exercised before 1341, were discussed at the trial, and would be continued by Jeanne: *TAC*, 345, cf. 465–68; *Preuves*, 1:1252, 1269–73; BnF, MS fr. 18697, f. 151v; *RACJ*, 258; cf. Kerhervé, *État*, 1:410. Moreover, the assignation of the duchess' dower was not fixed by law, like that of other wives, though obviously this did not apply in Jeanne's case: *TAC*, 89–90; BnF, MS fr. 18697, f. 155v–156; Julien Trévédy, *Le douaire des duchesses de Bretagne: Contrats de mariage des ducs* (Vannes, 1907).

enumeration of different tiers of the *noblesse*. The contrast between the ‘sang de France’ and the rest of the nobility was central, with most members of the royal family placing their ties to the royal family above the simple fact of their nobility. Yet the boundaries of this group were unclear, in 1355 including

le dauphin, le comte d’Anjou et les autres enfants du roi quand ils seront majeurs...mais aussi le duc de Bretagne, le comte de Flandres, le duc d’Athènes, les comtes de Foix, d’Armagnac et de Savoie...Plusieurs grands feudataires, que nous retrouverons parmi les barons, sont donc ici considérés comme appartenant à la famille royale.<sup>125</sup>

Conversely, the ‘class’ of barons was itself confused with the upper ranks, having included in 1350 two dukes, one of whom should have been considered a member of the royal blood (while the other did not even hold a French fief). The tension in how best to order and identify different noble ranks was replicated in the succession arguments of 1341, re-cast in particular legal terms but not confronting a unique problem. It is thus even more important to consider both sides of the debate—particularly *because* in many ways the Penthièvre case was the more conventional, both in terms of contemporary intellectual discourse and in social practices.<sup>126</sup> Indeed, the multivalence demonstrated in 1341, not only by the disagreements between the two sides but also between witnesses within a group, asks us to embrace the ambiguity of this position: ‘[a]gainst the kingdom, the unity, the macro-society, was set the micro-society, the *pays*; and against both was set the individual’.<sup>127</sup> These different relationships encapsulate exactly the ‘problem’ of the duke of Brittany: as a princely individual, the role was specifically caught between the macro- and micro-societies, in a very visible way.

Accordingly, although we do not know the individual opinions of the witnesses who appeared here beyond the relatively limited statements which they produced for the inquiry on custom, the process by which they identified correct social behaviours had implications for Jeanne’s eventual role as duchess. The spectrum of contemporary standards of ‘acceptable’ power was based on visible conformity to known customs. That the Breton and French witnesses who appeared, respectively, for the Penthièvre and Montfortist cases attested different rules was simply the product of their experience and does not suggest any substantive disagreement on princely status. Within Brittany, however, the duke

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125. Cazelles, *Société*, 64.

126. Cf. Cohen, *Justice*, 16; Jones, “Succession,” 10; Autrand, “Image,” 346; Contamine, *Noblesse*, 3; Prosser, “*Noblesse*,” 184; Caron, *Noblesse*, 13; Frédéric Morvan, “Les règlements des conflits de succession dans la noblesse bretonne au XIIIe siècle,” *Annales de Bretagne et des Pays de l’Ouest* 116 (2009): 7–8.

127. Lewis, *Essays*, 4, discussing the fifteenth century; see also Black, “Individual”; Dunbabin, “Political world,” 41; Kathleen Daly, “‘Centre’, ‘Power’ and ‘Periphery’ in Late Medieval French Historiography: Some Reflections,” in *War, Government and Power in Late Medieval France*, ed. Christopher Allmand (Liverpool, 2000), 124–144.

would have been *seen* performing various obligations both like and unlike the rest of the political community; these in turn helped to generate expectations for the ongoing expression of Jeanne's authority as she negotiated between conflicting demands on her position, a process we will now consider.

**Part 4** | **Power in context:  
Continuity and  
adaptation**

## 9 | Legitimate rule and the balance of power

*MCCCLXXXIV. Obiit illustrissima Domina Johanna...Ducissa Britanniae, uxor bonae memoriae Caroli de Blesis...*<sup>1</sup>

One of the things that makes Jeanne's career of particular interest to the study of princely power is the fact that her authority was repeatedly challenged. Because she had to use a variety of means to defend her status, we have an opportunity to examine relatively directly the complex process of demonstrating legitimacy in theory and in practice. Moreover, the defeat at Auray meant that there were two distinct stages for comparison: before 1364 Jeanne acted as duchess of Brittany alongside Charles, while afterwards (particularly during Jean IV's exile) she sought to restore her influence in the duchy as a sole ruler. Both phases began with a legal debate and culminated in armed conflict; but whereas Jeanne was victorious in 1341, the king ruled against her in 1379, and she lost the first war while supporting the winning side in the second (if not deriving the personal benefits she had originally hoped). This evolution makes the continuities and changes in Jeanne's rhetoric and actions particularly significant.

Jeanne and Charles' basic claim to the duchy was grounded in Jeanne's own family ties, a source of legitimacy that came with implications for her role as duchess: the terms of her marriage as well as the Penthièvre succession arguments viewed female rule as something that occurred in the context of shared power within a married couple. The latter text in particular outlined a place for female participation in government while suggesting her husband might act as her substitute particularly in matters concerning the realm at large. Though this was a theoretical description of joint rulership, it reflected actual patterns in Jeanne and Charles' efforts to rule the duchy effectively during the war.

At the same time, the duke of Brittany contracted certain obligations upon taking up their rule and likewise received certain characteristic prerogatives. The legal briefs and the statements of witnesses from 1341 discussed the rights and responsibilities of the Breton prince primarily in relation to Charles.<sup>2</sup> Yet in prac-

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1. '1384: Passed away the most illustrious lady Jeanne, duchess of Brittany, wife of Charles de Blois (of good memory)', *Preuves*, 1:114.

2. See chapter eight, page 182. While this source should not be considered definitive, it is the

tice, Jeanne was closely involved with the same concerns that identified the ruler of Brittany, such as upholding customs or granting safeguards. Moreover, her ability to rally support at key moments (most notably the assembly of 1352) and to articulate this unity of action was particularly distinctive, even though this fictional solidarity did not fully smooth over the real divisions in the duchy. Nor was her legitimacy always depicted in the same terms as Charles': the formal expression of her power as seen through the iconography of her seals suggests that her role as duchess of Brittany was complicated by a wider view of her inherited power in a way that his never was.

Finally, Jeanne's activity and rhetoric as a solo ruler after 1364, and especially when trying to regain her duchy in the 1370s, shows that she defended her prerogatives as duchess in ways reminiscent of the civil war by exercising specifically ducal rights and emphasizing the continuity with her earlier position. Nonetheless, the comparison underscores the usefulness of the shared approach to power in consolidating authority, for while she was an important leader of the Breton rebellion against Charles V, the uncertainty surrounding the role of her sons suggests that her status was no longer so clearly defined. On the whole, the deliberateness with which Jeanne asserted her legitimacy across her career points to an awareness of the ramifications of her multifaceted position.

### **The implications of inherited legitimacy for Jeanne's role**

The right to inherit based on ties of blood was the most fundamental form of legitimacy. Charles Wood has traced the process by which 'hereditary right came to prevail' over election and coronation as a means of validating French royal succession (unlike that of their English counterparts) by the late Middle Ages.<sup>3</sup> While Cazelles has suggested that the contested succession of Philippe de Valois in 1328 threatened to disrupt this stability, the enduring importance of birthright was demonstrated, even reaffirmed, in the uncertainties surrounding the prerogatives of Charles VII after 1420.<sup>4</sup> The same cannot be so easily said of Brittany in the fourteenth century. There, as in England, the process of selection and investiture could still play a crucial role in legitimating a successor to the duchy. This was demonstrated in the arguments of 1341, where in addition to claims about proximity of lineage, the Penthievre lawyers discussed Jeanne's recognition as lawful heiress by the Breton clergy and Charles' vows to uphold the laws

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best concise summary of both something resembling the ducal coronation oath, and a list of ducal prerogatives; the lack of attention to this text is perhaps the main reason it has not been compared with the later ducal ceremonies: Féry-Hue, "Couronnement."

3. Wood, *Government*, 20–21.

4. Cazelles, *Crise*, 35ff.; Wood, *Government*, 27.

and unity of Brittany and to bear its arms.<sup>5</sup> Indeed, it is striking that Charles' oaths were (allegedly) undertaken during the lifetime of Jean III in a process very reminiscent of the early Capetian practice of associating the eldest son with his father's rule.<sup>6</sup> The Montfortist emphasis on the 'frere naturele au dist duc, naturel et legitime et haer universel' who could not be 'desheritez' simplified the process, much like the royal line had done.<sup>7</sup> In this, the Penthièvre arguments seem again to preserve a more conservative, traditional interpretation in face of the modernizing Montfortist perspective, which was itself closely derived from trends in France.

Nonetheless, the importance of blood ties to legitimate rule of the duchy was clear both in 1341 and afterwards. Charles tried to affiliate himself with 'antecessorum Domine Ducisse uxoris sue' (and so the ducal line) by honouring the tombs of Guy de Penthièvre and Jeanne d'Avaugour, donating a golden cross to the tomb of Jean III and celebrating his anniversary, and commissioning genealogical images of the rulers of Brittany.<sup>8</sup> In addition to the emphasis on Jeanne's status as *heiresse* in her *acta*, she may have likewise influenced the choice to depict the coronation of the Virgin on the canopy of her uncle's tomb.<sup>9</sup> But historians have not explored the impact of these blood ties on the *expectations* shaping Jeanne's later role as duchess.<sup>10</sup> More generally, scholars have long recognized the potential for heiresses to retain a certain independence of action, but have not explored the ways in which such power was framed within contemporary political discourse.<sup>11</sup> Yet the frequency with which family lands could devolve to an heiress meant this group was not necessarily a small minority.<sup>12</sup> Inheritance did not guarantee the dynamic visible between Jeanne and Charles: the duchesses Constance and Alix were much more likely to simply confirm the deeds of their male relatives, which

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5. The arguments did carefully distinguish between inherited dignities (which entailed rank) and elected offices, but this was mainly a technical principle: BnF, MS fr. 18697, f. 145; cf. Jörg Peltzer, "La dignité de l'office de cour au bas Moyen Âge," in *Hiérarchie des pouvoirs, délégation de pouvoir et responsabilité des administrateurs dans l'Antiquité et au Moyen Âge*, ed. Agnès Bérenger and Frédérique Lachaud (Metz, 2012), 271–289.

6. Cf. chapter eight, page 182; Wood, *Government*, 20; Facinger, "Queenship," 17–20; Sherman, "Ordo," 268. This followed the Carolingian model.

7. 'Natural brother of the said duke, natural and legitimate and universal heir', Jones, "Succession," 53.

8. 'The ancestors of the lady duchess his wife': *MPC*, 53, 69, 70, 446; *RACJ*, 209–10.

9. Copy, *Gisants*, 76–77; Prigent, *Basse-Bretagne*, 140; cf. the discussions of Mary below, pages 202 and 219.

10. Cf. the practical aspects explored in part two.

11. e.g. Cheyette, *Ermengard*; Evergates, *Women*; Balouzat-Loubet, *Mahaut*.

12. '[I]n modern-day 'traditional' societies with comparable inheritance customs some twenty per cent of married men leave daughters as heirs': LoPrete, "Gender," 1928. Cf. the frequency of 'extinction' of noble lineages, including those which ran to girls: Contamine, *Noblesse*, 61–65.



Jeanne did only very rarely.<sup>13</sup> Conversely, non-heiresses might regularly participate in the acts of their husbands and/or sons, or contribute in another capacity.<sup>14</sup> The relative status of each partner in such a pair may here have had a stronger effect on influence than the fact of inheritance, and so the contrast between Constance, married to an English prince, and Jeanne, married to a count's cadet son, might be explained in these terms.<sup>15</sup>

There were, however, medieval views of what being an heiress could entitle Jeanne to do (or not). Jeanne's inheritance was always intimately linked with the matter of her marriage. The negotiations in 1337 took into account the eventuality that 'la duche de Bretagne escheist a la dicte damoiselle', since the precise allocation of land tended to occupy the central place in such contracts (along with arrangements for the deaths of various combinations of spouses and heirs).<sup>16</sup> But the exact implications for the shared holding of land were not so clearly defined *ab initio*. The same document spoke of 'lan que nostre dit neveu et sa femme seroient en possession et saisine et joiroient des proffis de la dicte duche', establishing joint interest though not a precise depiction of actual responsibility.<sup>17</sup> The subsequent succession debate referred to this same correlation between Jeanne's status as heiress (both to her northern Breton lands and to the duchy at large) and her incorporation into a wedded partnership: 'des que ladicte damoysele fut mariee a Charles...furent requis tous les barons et les gr[a]ndes seigneurs du pais [de] y assante[r] pour ce que tous eulx du pays verent clairement quelle [estoit] et devoit estre vroye heritiere'.<sup>18</sup>

At the same time, this case pitted the 'protestacions faites par le dit Charlles' against 'chouse proposee par le compte de Montf[ort]', leaving Jeanne nominally out of the main picture.<sup>19</sup> But of course this was itself a fiction over the work of the lawyers who cobbled together these views. Jeanne's inclusion could also be acknowledged more directly; the Montfortist case spoke of 'latencion de Charlles,

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13. Everard and Jones, *Constance*.

14. Sjursen, "Jeannes"; LoPrete, *Adela*, 84–88; Armstrong-Partida, "Countesses"; Johns, *Noblewomen*, part two; Sommé, *Isabelle*, 423–24; Brigitte Bedos-Rezak, "Medieval Women in French Sigillographic Sources," in *Medieval Women and the Sources of Medieval History*, ed. Joel T. Rosenthal (Athens, GA, 1990), 3; LoPrete, "Gender," 1926.

15. Cf. LoPrete, *Adela*, 23–29.

16. 'The duchy of Brittany should fall to the said young lady', AN, K 42, n. 37 bis.

17. 'The year in which our said nephew [Charles de Blois] and his wife will be in possession and holding and enjoyment of the profits of the said duchy', *ibid*.

18. 'When the said young lady was married to Charles, all the barons and great lords of the land were asked to assent, because everyone of the land clearly saw that she was and should be the true heiress', BnF, MS fr. 18697, f. 133v.

19. 'Protests made by the said Charles', Jones, "Succession," 16; 'the thing proposed by the count of Montfort', BnF, MS fr. 18697, f. 136.

*ou de sa fame*’, and of the ‘proffit audit Charlles *et a sa famme*’.<sup>20</sup> Meanwhile the Penthièvre case asked the king to receive ‘them’ in homage, referring to ‘l’intention de ladicte damoysele’ in addition to that of Charles.<sup>21</sup>

Both Jeanne and Charles were thus individually interested in the outcome of the case, and both were treated interchangeably as the heir—though interestingly, for instance, the Montfortist case showed Charles claiming to be the ‘vray haer de Bretagne’ when in the roughly equivalent passage in the actual Penthièvre case it was instead Jeanne who was named the ‘heritiere’, and she was repeatedly shown being recognized as such.<sup>22</sup> This made the succession an intrinsically joint affair, if not a simple one; in the space of a single paragraph it ‘appert clairement’ that

la femme de Charles est heritiere naturelle du duc de Bretagne dernier mort...ladicte femme de Charles et luy a cause d'elle en doibvent estre saesiz...le mary a cause de sa femme doibt estre receu a fere les foyz et hommaiges...<sup>23</sup>

This characterization, reminiscent of the 1337 arrangements, made clear Jeanne’s ongoing, personal investment in the lands she was due, but made it inseparable from Charles’ interests.

This dynamic opened up Jeanne’s theoretical role as duchess to debate. The Montfortists, naturally, attacked the ability of women to actually perform the duties that went with ‘si noble chose comme est duche et parrie comme est celle de Bretaingne’.<sup>24</sup> A woman could neither sit in judgement nor, ‘pour la fragillite de son corps’, undertake military responsibilities.<sup>25</sup> In more general terms, women could not rule over men: the Virgin Mary herself was not entrusted with earthly government by her son.<sup>26</sup> Yet despite these commonplaces, and despite the example set by the relatively recent royal successions, the Montfortist case did not have a simple case for the exclusion of female rulers. It was more straightforward to argue for Jeanne’s prerogatives than against them. The allegation that women could not be judges went against examples from recent French practice, especially Mahaut d’Artois, who had inherited her county-peerage in 1302 over the claims of her nephew.<sup>27</sup> Such precedents helped create a strong link between

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20. ‘The intention of Charles or of his wife’; ‘profit to the said Charles and to his wife’, Jones, “Succession,” 16, emphases mine.

21. ‘The intention of the said young lady’, BnF, MS fr. 18697, f. 130, 133.

22. Jones, “Succession,” 52; BnF, MS fr. 18697, f. 160v, cf. e.g. 131v, 133v, 134v.

23. ‘Appears clearly that the wife of Charles is the natural heiress of the late duke of Brittany...the said wife of Charles and he, because of her, should be possessed of the duchy...the husband, because of his wife, should be received to give faith and homage’, BnF, MS fr. 18697, f. 135v.

24. ‘So noble a thing as is a duchy and peerage like that of Brittany’, Jones, “Succession,” 34.

25. ‘For the fragility of her body’, *ibid.*, 29, and see chapter five above.

26. *Ibid.*, 29–30.

27. Jones, “Succession,” 27; BnF, MS fr. 18697, f. 150v; Balouzat-Loubet, *Mahaut*.

inheritance and the right for even a woman to exercise justice: ‘quant elles ont juridicion de tenir heritaige elles peuvent juger’.<sup>28</sup> This opened into a delineation of the spaces in which female government was seen as appropriate.<sup>29</sup>

This can be seen firstly in the Penthièvre reinterpretation of the Marian analogy: ‘les apostres faisoient tout par son conseil et par son gouvernement’.<sup>30</sup> This double phrasing opened up two interpretations of Mary’s archetypal role. On the one hand, Mary could give counsel, acting to support the leaders of government. This was a function which could, in medieval thought, be gendered either as male or female, but which had in the course of the discussion in 1341 been tending towards the masculine as the duty of the ‘patricians’ to their emperor. Who had heard of a ‘patricienne’?<sup>31</sup> However, the Montfortists conceded that ‘nulle femme ne doit jouir des privileges des conseillers dou prince *se elle nest mere ou femme*’—or, by implication, that queens had a right through marriage or blood to advise the king.<sup>32</sup> In their scenario, Mary’s lack of familial ties to the apostles debarred her from giving them advice. The Penthièvre lawyers, stating simply that the Virgin could and did counsel the apostles who ruled in her son’s stead, may have considered her relationship to Christ, the true prince, sufficient for her to continue her advisory capacity.<sup>33</sup> On the other hand, Mary more actively ‘governed’ the apostles: the case also allowed for women who directed the agents of government, instructing rather than simply suggesting.

Around this juxtaposition of a supportive interaction and a commanding one, Jeanne’s lawyers had to return to the ever-present issue of her marriage: ‘les grandes dames nont pas acoustume a ce marie[r] sans lassantement de leurs amis et de leurs sieurs’.<sup>34</sup> The Montfortists, naturally, attacked the suitability of potential heiresses not only on their personal failings, but on the very inevitability of this union. For instance, a duchess-peeress might marry herself ‘a un vilain ou a un homme de petit estat et seroit grant inconvenience quil fut duc et per par cause

28. ‘When they are authorized to hold an inheritance, they are able to judge’, BnF, MS fr. 18697, f. 150v; cf. LoPrete, “Gender,” 1930; Peltzer, “Dignité,” 271.

29. Cf. Adams, *Isabeau*, 190.

30. ‘The apostles did everything by her counsel and by her direction’, BnF, MS fr. 18697, f. 151v.

31. Jones, “Succession,” 69.

32. ‘No woman must enjoy the privileges of the councillors of a prince, unless she is his mother or wife’, *ibid.*, 29, emphasis mine. Cf. Taylor, “Queenship,” 557.

33. This invokes something of the regency panels in late medieval France, on which queens such as Isabeau of Bavaria were included: Gibbons, “Lieutenant-général,” 105.

34. ‘Great ladies are not accustomed to marrying without the consent of their friends and of their lords’, BnF, MS fr. 18697, f. 151. The focus on ‘grandes dames’ stemmed from the same concerns which helped justify the exclusion of women from the French throne. Considering the realm as a public good meant it could be endangered by falling into the incompetent hands of a woman—and so, by extension, any of the great holdings whose lords acted as peers of the realm were likewise vulnerable, at least insofar as this ‘public’ capacity was concerned: Jones, “Succession,” 30; Taylor, “Queenship,” 553.

de sa femme'.<sup>35</sup> Allowing women positions of high authority would thus have a detrimental effect on the social order. But more perniciously, such a lady could wed herself 'a un homme qui seroit dehors du royaume...et par aventure tel qui seroit anemie dou royaume et lour seroit revelez les secrez dou royaume, qui pourroit estre grant subversion de la corone de France'.<sup>36</sup> Whereas the union of a great lord to a foreign noblewoman did not have the potential for such trouble (in theory: the complaints against foreign-born queens in times of strife revealed the more practical distrust of interlopers regardless of gender), the relationship of a noblewoman with her husband potentially enabled nefarious alien influence.<sup>37</sup> This was why the Penthièvre lawyers stressed the influence of the lady's friends and lord on her marriage—a scenario promoted in Jeanne's 1343 preamble.<sup>38</sup> The man given prominence and influence by marriage would necessarily be approved by the people both above and below the lady.

Reclaimed from the Montfortists as a positive attribute, the inevitability of her marriage was a key component in the Penthièvre construction of the valid space in which she would operate. In response to the contention that the responsibilities of a duke-peer 'au royaume' could not be fulfilled by a duchess-peer—that is, military aid, counsel, and rendering judgement in the royal court—the Penthièvre case turned to a standard solution. The lady burdened with such duties 'promect servir par substitution, cest assavoir par son mary, par ses vassaulx, et ses subjectz'.<sup>39</sup> Those who were responsible to her would handle the obligations which she could not, and thereby ensure the smooth functioning of the political system. Moreover, this was actually an *advantage* of female succession. Because a noblewoman of such standing 'ne peult faillir a estre haultement mariee', and her choice would naturally go to a 'suffizant' sort of husband, she mitigated the vagaries of hereditary rulership, which might see a 'masle...boueteulx de deulx hanches' come into a title without such recourse to make up for his personal deficiencies.<sup>40</sup> In this way, female inheritance even became desirable, since her marriage would ensure her lord was well-served—witness Philippe VI's selection

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35. 'To a peasant or to a man of low condition, and it would be highly inappropriate that he should be a duke and a peer because of his wife', Jones, "Succession," 28—this despite an insistence that wives adopted the status of their husbands, not vice versa.

36. 'To a man who was from outside of the kingdom, and perhaps one who happened to be an enemy of the kingdom, and the secrets of the kingdom would be revealed to them, which could be a great trouble for the kingdom of France', *ibid.*, 30.

37. Cf. Ralph V. Turner, "Eleanor of Aquitaine, Twelfth-Century English Chroniclers and her 'Black Legend'," *Nottingham Medieval Studies* 52 (2008): 28; Shadis, "Argument," 114; Adams, *Isabeau*, 241; St. John, *Queens*, 68.

38. And in the marriage contract of her daughter Marie with Louis d'Anjou: *RACJ*, 208.

39. 'Promises to serve by substitution, namely by her husband, by her vassals, and her subjects', *ibid.*, f. 151. The Montfortists had no recorded reply to this solution.

40. 'Cannot fail to be well-married'; 'male who is lame in both hips', BnF, MS fr. 18697, f. 151.

of Jeanne's husband in the 1330s.

This was not merely an argument for the male performance of the practical components of power in lieu of a nominally-entitled wife.<sup>41</sup> For one thing, it was not here considered a particularly gendered practice. After all, 'le vassal peult servir son seigneur par substitution', as could 'des clers et des presbiteres': essentially, anyone who could not or did not want to perform their obligations in person was permitted to send a deputy.<sup>42</sup> But furthermore, it was cast in a very specific social context. Alongside the Penthièvre arguments for female judgement, and the assertion that the peers of France 'ne peuvent juge[r] en France' but rather 'ou est la juridiction et sa puissance' (i.e. in their own territories), the idea of substitution was designed to control two different spheres of action.<sup>43</sup>

The principle of substitution was specifically aimed at service to one's superiors in the kingdom at large: it was here that the husband assumed greatest importance. It thus necessarily created a normal space, in the intra-regional dynamics between a lord and their subjects, for a female prince to participate in her own right rather than via an intermediary or replacement. The two axes—territorial and hierarchical—upon which the ducal communities were conceived now constituted a framework for understanding and legitimizing the power of a *duchess* specifically. The licitness of noblewomen, *qua* females, was inscribed within contextual considerations of *who* she controlled and *where*. It was easier, from this angle, to consider the power of women over others within a more limited geographical extent than it was to portray their actions as formally influencing those above them who held dominion and sovereignty more largely, though the two were not strictly mutually exclusive.

This description of power-sharing is of a different nature than that analyzed by Woodacre in her study of the queens of Navarre, most of whom 'had either a marital or a coronation agreement with their king consort that spelled out their respective rights and responsibilities'.<sup>44</sup> While their terms were not always consistently respected or applied, they were in theory legally binding. The discussion in 1341 was, conversely, constructed only to prove an immediate point of law, and many other power dynamics existed in actuality. Heiresses could lose almost all control over the lands which came to them (unless they contested their hus-

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41. Though under certain interpretations of authority discussed in chapter seven this is how it might be read: see page 166.

42. 'The vassal may serve his lord by substitution', BnF, MS fr. 18697, 151; Evergates, *Women*, 4–5; LoPrete, "Gender," 1930; Ward, "Identity," 247; cf. Rigby, *Society*, 269. It was also common for noblemen to pay a fine instead of serving in person: Caron, *Noblesse*, 63–64. This of course somewhat undermined their point about the insufficiency of a lame lord, but neither brief was wholly internally consistent.

43. 'Cannot judge in France'; 'there where their jurisdiction and power are', BnF, MS fr. 18697, f. 149.

44. Woodacre, *Queens*, 15.

band's influence).<sup>45</sup> Some husbands took little interest in their wife's territories, and each spouse effectively went their own way.<sup>46</sup> The last duchess of Brittany, Anne, was twice married to a king of France: Charles VIII (d. 1498) took charge of Brittany on her behalf, but Louis XII (d. 1515) gave her more control of her duchy.<sup>47</sup>

Nevertheless, the outlines presented in the succession case were not an unrealistic description of the balance of power subsequently seen in Jeanne and Charles' rule. I have shown that Charles and Jeanne had different patterns of interaction with their officers: although both Jeanne and Charles helped administer their territories outside of Brittany, only Charles sent instructions to royal officials, and he was much more involved with royal business in France. Jeanne, by contrast, rarely engaged with wider Anglo-French affairs save during Charles' captivity.<sup>48</sup> The differences in their itineraries physically manifested the separate obligations of the duchess and duke along the lines of those described in 1341. In all these instances and others, practical considerations were necessarily more important than living up to an abstract ideal of power-sharing, and Jeanne and Charles' existing family ties must have equally played a major part. Nonetheless, pragmatism could also align with the principle of substitution, and the distinction between interior and exterior needs led readily into that between commanding followers and serving superiors. Despite having been absent from the duchy for nearly a decade, Charles went to Paris during the crises of the late 1350s. This move makes an interesting statement of priorities, for while on his solo visits he might pursue personal business, he was often in France in his capacity as a vassal of the king with duties towards his sovereign.<sup>49</sup> As in the succession case, the husband was responsible for the duties of the realm on his wife's behalf, even if she had power in her own lands. Along these lines, while only Charles corresponded routinely with Avignon before 1347, Pope Clement VI wrote to Jeanne with congratulations that 'tua et delecti filii nobilis viri Caroli ducis Britannie viri tui negocia in partibus Brittanie prosperari' after the capture of Quimper in 1344.<sup>50</sup> Her leadership within the duchy was readily apparent.

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45. Woodacre, *Queens*, 21ff.; Justine Firnhaber-Baker, *Violence and the State in Languedoc, 1250–1400* (Cambridge, 2014), 166.

46. Woodacre, *Queens*, 107.

47. Didier Le Fur, *Anne de Bretagne: Miroir d'une reine, historiographie d'un mythe* (Paris, 2000), 16, 18, 27.

48. See chapters four (Figure 7), five (page 113), and six (page 137).

49. *RACJ*, 107; Cazelles, *Société*, 247, 265.

50. 'The affairs in the region of Brittany of you and of our dear son the nobleman Charles, the duke of Brittany your husband, are prospering', Lettres Clément VI, n. 944; *RACJ*, 81.

## Acting ducally: Realities and interpretations

At the same time, because of the conflict ravaging the country, the activities of freebooters who raided and ransomed, and the resources which the duke and duchess themselves required to wage war, it was all too easy to ‘incarne alors la figure du tyran, qui ne poursuit que son intérêt propre et nuit au bien commun’.<sup>51</sup> It was therefore indispensable for Jeanne and Charles to exhibit appropriate princely authority and demonstrably fulfill the responsibilities associated with the ruler of Brittany.<sup>52</sup> The 1341 case had outlined certain duties-cum-prerogatives of specific relevance to the Breton prince. Some of these were specific rights that only the duke of Brittany was permitted; they distinguished him or her from the rest of the duchy’s nobles. Although our evidence happens to be relatively limited regarding the extent to which Jeanne and Charles exercised these particular powers, both of them evidently did so independently. Jeanne in particular made a public display of granting safeguard, which affirmed her and her husband’s authority. Other characteristics discussed in 1341 were defined more broadly: the responsibility for preserving the Breton customs, lands, and arms.<sup>53</sup> These had especially important connotations for ducal legitimacy since they were encapsulated in the investiture-style oath which Charles swore before the assembled baronage when he married the putative heiress of Brittany.<sup>54</sup> While this may *a priori* seem to render them less relevant to Jeanne, her subsequent actions show otherwise, confirming her role in maintaining ducal authority.<sup>55</sup>

The Montfortist case listed privileges reserved to the dukes of Brittany, who ‘a droit de regale aes [sic] eveschees de son duche et fait monnoie et a les pecheries et secheries en la mer et les poissons royaulx...et remission de crimes...et les seaulx de Bordelx, sanz les quelx nuls ne puet entrer en Bretaingne...’<sup>56</sup> Unfortunately, few traces of these activities (many of which are quite specific!) survive in the acts of Jeanne and Charles, assuming they exercised them. Charles pardoned two Nantais counterfeiterers in 1351—which is not an insignificant attesta-

51. Balouzat-Loubet, *Mahaut*, 317.

52. Enacting claims that one wished to have as a means of actually acquiring them was hardly novel: Richard W. Kaeuper, *War, Justice, and Public Order: England and France in the Later Middle Ages* (Oxford, 1988), 163.

53. BnF, MS fr. 18697, f. 134, and see chapter eight.

54. *Ibid.*, f. 134v.

55. We might recall how Robin de Lanvalay’s homage to Charles bound him also to Jeanne (chapter five, page 124); perhaps here Charles’ oath bound Jeanne as well, especially given the nature of the occasion.

56. ‘Has the right of enjoying the fruits of empty bishoprics in his duchy, and mints money, and holds the fishing and and drying rights of the sea and the royal fish, and the remittance of crimes, and the seals of Bordeaux, without which none can enter into Brittany’, Jones, “Succession,” 23. These were recorded in the Montfortist case because, as we saw in chapter eight, it was their goal to emphasize the distinctive, ‘royal’ qualities of the dukes; it has no bearing on the future exercise of the rights by either side.

tion of ducal prerogative, but it is the only instance associated with him.<sup>57</sup> Jeanne put into practice one other significant right which the Montfortist witnesses discussed: the granting of *sauvegarde*.<sup>58</sup>

The safeguard was a public way of exercising a privilege reserved to the duke in Brittany. When Jeanne conceded it to the monks of Sainte-Croix at Guingamp in 1349, she described it as a responsibility she and Charles shared as part of the ‘seigneurie de Bretagne’.<sup>59</sup> Although she acted explicitly in Charles’ absence, this implied a routine equivalency in their positions: both were jointly vested with the real duties that stemmed from their titles. Jeanne ordered that armorial signs of their ‘seigneurie’, called *panonceaux* and a routine symbol of such protection, be put up on ‘lour dites abbaye, priourez, mesons, granges et biens’.<sup>60</sup> This was not simply for the abbey’s benefit. It served as a visible reminder of Jeanne and Charles’ fulfillment of their obligations, and of their power to do so. It was accompanied by the reading of ‘bans’ announcing the arrangement in numerous locations. The importance of this behaviour was confirmed when Jean IV later responded to accusations that Jeanne had violated ‘nostre proteccion et sauvegarde’ over the abbey of Saint-Jacut.<sup>61</sup> He claimed that this specifically constituted a ‘grant offense de nous et de nostre seignourie’.<sup>62</sup> Jeanne’s defiance of his lordship occurred in the most public way—for he too had ‘faite assave et publiee en plusieurs de noz plez et villes, par quoy les justices, officiers et subgez de nostre trescher cousine la dame de Penthievre ne la pevent ignorer’.<sup>63</sup> That Jeanne claimed the prerogative of safeguard for both herself and Charles was important in the long term, since (as events had proven) either might find themselves having to enforce it and turn a claim into reality.

Precise powers such as the safeguard were supplemented by more general obligations supposedly promised at the duke’s investiture, foremost of which was upholding regional customs. As we saw earlier, this broad-ranging responsibility was fulfilled by both Jeanne and Charles, most often by responding to complaints brought before them.<sup>64</sup> While in surviving records Charles initiated a greater num-

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57. *RACJ*, 129. The pardons he issued for Breton rebels in 1344 were at Philippe VI’s behest: *RACJ*, 86–87; *RACJ* Supplément, n. 369, and see page 128, above. Cf. Dominé-Cohn, “Lettres.”

58. BnF, MS fr. 18697, f. 173v et al; cf. Maurice Keen, *The Laws of War in the Late Middle Ages* (London, 1965), 197–98.

59. *RACJ*, 119.

60. ‘Their said abbey, priory, houses, granges, and goods’, *ibid.* This was a standard sign of safeguard: Kaeuper, *Justice*, 241–42.

61. ‘Our protection and safeguard’, Jones, *Actes Jean IV*, 136–37; see below, page 225.

62. ‘Great offense to us and to our lordship’, *ibid.*, 137.

63. ‘Distributed and publicized in several of our courts and towns, because of which the justices, officers, and subjects of our dearest cousin the lady [sic] of Penthievre could not be in ignorance of it’, *ibid.*

64. See chapter six, page 127.



ber of judicial inquiries, this had little bearing on the responsibility for the final judgement, which Jeanne and Charles made both jointly and severally across their rule. There were other means of ensuring that customary rights were protected, however. Jeanne and Charles issued confirmations for specific concessions established by previous dukes and duchesses.<sup>65</sup> Conversely, when Jeanne and Charles made ‘extraordinary’ demands (largely of taxes) they were both careful to record that these did not prejudice established interests, or provided appropriate exemptions.<sup>66</sup> A particularly interesting illustration comes from Jeanne’s ordinance concerning the regulations of the defense of Nantes, which included a clause explicitly protecting ‘leurs bonnes anciennes coutumes’ (where Charles’ had addressed only the ‘franchises et libertez’ of the local churchmen).<sup>67</sup> While they were by no means the only lords in Brittany to uphold justice—indeed, it was a privilege which they routinely granted to others—it was an important signifier of ducal legitimacy.

The oath described in 1341 also required that the prince maintain the duchy’s territorial integrity by preventing the alienation of land.<sup>68</sup> While rewarding their followers was very much in Jeanne and Charles’ interests, wherever possible they did this with the lands of other lords, particularly those who had defected.<sup>69</sup> The only instance of permanent severance from their own property was the gift of the *seigneurie* of Moncontour to Jean de Beaumanoir (d. c.1366); it was upheld by the treaty of Guérande because it was part of the Penthièvre apanage, not the ducal domain.<sup>70</sup> In this vein, little of their religious patronage took the form of giving their own property, in comparison with how many grants they confirmed for other people (its own form of reward); this practice was likewise true of Duchess Constance and Duke Geoffroy.<sup>71</sup> If the documents shed little light on what is essentially a negative proposition (i.e. *not* giving away land), the attempt to partition the duchy as a compromise to the Penthièvre-Montfortist debate affects our understanding of Jeanne’s adherence to this principle. Her refusal of this solution was not a case of pride before a fall, but one of recognizing the limits of power. The idea of the integrity of Brittany remained influential up to the end of

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65. *RACJ*, e.g. 63–64, 65–66, 123–25, 163, 194, 229.

66. See chapter four, Figure 8.

67. *RACJ*, 92, 106. Jean de Montfort, upon reclaiming major towns after Auray, issued charters that re-confirmed their traditional customs and liberties (Jones, *Actes Jean IV*, 97–98, 99–100). It is unsurprising to see Jeanne taking similar actions after 1347, when her party, shaken, needed confirmation not only of strength, but of appropriate leadership.

68. Cf. Brown, “Conundrum”; Brown, *Patrimony*; David, *Souveraineté*.

69. *RACJ*, 58; see below, page 213.

70. *RACJ*, 170–71; *Preuves*, 1:1591.

71. *RACJ*, 97–98, 180, 186–87, 216, 219–20, 221, 222, 226, 229–30; *RACJ Supplément*, n. 379; Everard, *Angevins*, 115, 151.

the independent duchy; a late fifteenth-century genealogist noted that ‘Bretaigne est noble fief et de foy indivisible, et est deu alenffant ainsne...qui...y succede entierement...car en ung mesme temps ny peut avoir que ung seul duc ou une seulle duchesse’.<sup>72</sup> Handing over half their territory to their rivals would have meant perhaps less in practical terms, since their control was far from absolute, than it would have on the ideological plane, undermining their authority and falsifying the terms on which they ruled. Conversely, refusing to yield on this principle could have demonstrated Jeanne’s commitment to correct rule.<sup>73</sup>

### Legitimacy, unity, and division in Brittany

Exercising these rights and upholding these obligations were practical means of asserting Jeanne and Charles’ capacity to rule as duchess and duke of Brittany. These responsibilities were more than pragmatic, however, because they helped affirm the prince’s place in the regional political community.<sup>74</sup> The idea of this unity in turn could be used to bolster Jeanne and Charles’ claims to legitimacy—or at least Jeanne took advantage of this possibility to display her status for an external audience with the assembly of the Breton ‘estates’ in 1352. For although there were financial reasons for getting the approval ‘des prelates, chapitres, barons et autres nobles, et des bourgeois et habitans de nos bonnes villes de nostre duche de Bretagne’ in advance of the negotiations with Edward III, this was not the sum total of its effects.<sup>75</sup> If the *états généraux* of France provide any model, the actual importance of the towns’ participation may have been fairly constrained. The general estates had been part of the French political process for precisely half a century when Jeanne called her meeting, since the first convocation under Philippe le Bel in 1302.<sup>76</sup> They did not, however, involve the urban deputies in any kind of deliberative process, allowing them simply to hear and confirm decisions already taken in the royal council, a redundancy that eventually encouraged their abandonment.<sup>77</sup> Similarly, the Dinan meeting saw no immediate recurrences af-

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72. ‘Bretaigne is a noble fief and in faith indivisible, and it is due to the eldest child, who succeeds there in full, for at the same time one there cannot be more than one single duke or a single duchess’, AD L-A, E 6–4.

73. The French kings faced a similar problem after the treaty of Brétigny in 1360: Le Patourel, “Brétigny”; Pierre Chaplais, “Some documents regarding the fulfilment and interpretation of the treaty of Brétigny, 1361–1369,” *Camden Miscellany* 19 (1952): 57; Françoise Autrand, “France under Charles V and Charles VI,” in *The New Cambridge Medieval History: Volume VI c. 1300–c. 1415*, ed. Michael Jones (Cambridge, 2000), 425.

74. See chapter eight.

75. ‘From the prelates, chapters, barons and other nobles, and from the bourgeois and inhabitants of our *bonnes villes* of our duchy of Brittany’, *RACJ*, 139; see chapter two, page 55.

76. Lewis, *Essays*, 106; Caroline Decoster, “La convocation à l’assemblée de 1302, instrument juridique au service de la propagande royale,” *Parliaments, Estates and Representation* 22 (2002): 17–36.

77. Robert Fawtier, “Parlement d’Angleterre et États généraux de France au Moyen Âge,”

ter 1352, the *états* becoming a true institution only under the Montfortist dukes.<sup>78</sup> Any notion of a representative/consultative principle does not seem to have been pressing upon the Breton elites in this period, when decisions were not usually taken with reference to popular opinion. If the act drawn up in 1352 signalled the assembly's 'avisement conseil et assentement', it is not at all clear that the role of the bourgeois would necessarily have extended beyond the latter capacity.<sup>79</sup>

Rather, the Breton assembly, like the *états généraux*, responded to a moment where 'la situation politique était particulièrement tendue' and additional affirmation of the central authority was deemed desirable.<sup>80</sup> From the first half of the fourteenth century rulers began to include towns explicitly in peace agreements.<sup>81</sup> The treaty concluded on 1 March 1353 as a result of the Dinan assembly promised that 'amour, unitee, pays et alliances perpetueles soient desore entre le dit Roi, ses heirs, subgitz et pais dune part et les ditz Duc', Duchesse, lour heirs, subgitz et pais dautre part'.<sup>82</sup> The implication was not that the individual subjects had themselves approved the agreement, but rather that the prince effectively spoke for and bound the entirety of his followers.<sup>83</sup>

Accordingly, introducing an actual meeting to the process bolstered Jeanne as a player in the politics of kings. There were clear similarities with Edward III's own Parliament.<sup>84</sup> Moreover, in these dealings with Edward she was embarking on a project to which Jean II had given no consent (and whose lukewarm commitment to their cause could not have seemed promising). Certainly, the final treaty ran directly counter to French interests. By grounding the decision not in her own sole authority, or even simply in council, but in an assembly such as Brittany had never before seen, Jeanne preemptively defended her tactics against royal disapproval. A collective decision presented the negotiations to Jean II as

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*Comptes rendus de l'Académie des Inscriptions et Belles Lettres* 30 (1953): 277; Lewis, *Essays*, 111, 116; Peter S. Lewis, "Pourquoi aurait-on voulu réunir des états généraux, en France, à la fin du Moyen Âge?," in *Représentation, pouvoir et royauté à la fin du Moyen Âge: Actes du colloque organisé par l'Université du Maine, les 25 et 26 mars 1994*, ed. Joël Blanchard (Paris, 1995), 130.

78. Lewis, *Essays*, 129; Rebillon, *États*, 18.

79. 'Advice, counsel, and consent', *RACJ*, 139.

80. Decoster, "Convocation," 17. Cf. Cazelles, *Société*, 135.

81. Jean-Marie Moeglin, "Entre 1250 et 1350: Système des états et ordre dynastique," in *Power and Persuasion: Essays on the Art of State Building in Honour of W. P. Blockmans*, ed. P. C. M. Hoppenbrouwers, A. Janse, and R. Stein (Turnhout, 2010), 8.

82. 'There should be love, unity, peace, and perpetual alliance from now between the said king, his heirs, subjects, and land on one hand, and the said duke, duchess, their heirs, subjects, and land on the other', *RACJ*, 141.

83. Cf. the continued recognition of this involvement in the renunciations made to the treaty in 1357, though neither 'touz ceux qi sont nomez es lettres de renunciation, ne...autres du dit pais' participated in this later step (*ibid.*, 177).

84. G. L. Harriss, "The Formation of Parliament, 1272–1377," in *The English Parliament in the Middle Ages*, ed. R. G. Davies and J. H. Denton (Manchester, 1981), 53–54.

the action not of a single disloyal vassal, but of an autonomous group acting in its best interests. And the same unity and consent allowed her to reassure Edward of the regional commitment to such a treaty and of its financial stability, while presenting herself as the ruler of a coherent and unified province according to a model with strong currency both in England and in France.

This effort to turn the assembly of 1352 into a show of solidarity and strength surrounding the duchess is especially evident in the physical layout of the act (Figure 21). A document of this type, if not necessarily this exact copy, would



**Figure 21:** Act of Jeanne de Penthièvre nominating ambassadors to Edward III, 29 November 1352<sup>85</sup>

85. BnF, MS nouv. acq. fr. 9811, n. 4; cf. *RACJ*, 139–40, and *RACJ Supplément*, n. 152, for a description of the document.

have been sent with the ambassadors to serve as credentials.<sup>86</sup> The 1353 treaty described them as ‘messages envoiez...par la noble dame Johane, duchesse de Bretagne, prelatz, barons et la commune du dit pais’, reflecting precisely the authority of this act.<sup>87</sup> Jeanne’s seal, on its own tag at the end of the text, is now missing; below, three tiers of vertically-cut tags supported those of the sixteen churchmen in attendance in the first row and the twenty-three nobles in the second. The double-tongues inserted at the bottom were destined for the representatives of the towns.<sup>88</sup> This arrangement mirrored the order of precedence traditionally accorded to each of the groups in a gathering of estates, and preserved the distinctions between clergy, nobility, and bourgeoisie even at the expense of having a very uneven number of seals hung in each row. This resulted in a hierarchical but unified portrait of political Brittany: the duchess at the forefront of a comprehensive body more complete than it had ever been before. Since the arrangements she hoped to conclude could have given concrete reality to their claims to be duchess and duke of all of Brittany, this tactic was particularly appropriate.

Naturally, none of this changed the fact that there was a very real war going on across Jeanne and Charles’ period of joint rule. There was a complex relationship between violence and loyalty, since while military reprisals included the sack of conquered towns, and individual lords lost their belongings, these losses were necessarily advantageous to the winning side.<sup>89</sup> The lands Jeanne and Charles gave to Antoine Doria in 1342 had been taken for ‘desobeissance et forfaiture’ from the knight Éon de Treséguidi.<sup>90</sup> Even the prospect of such profits was of strategic interest, for as Sjursen points out, since ‘neither Doria nor Charles and Jeanne actually possessed these lands, the act implicitly encouraged Doria to win them’.<sup>91</sup> Some few years later, Philippe VI granted Geoffroy de Pontblanc 200 *livres* per annum ‘à la priere de nostre treschier neveu le duc de Bretagne et de nostre treschiere niece la duchesse’ for the services Geoffroy had rendered in Brittany—a sum taken from the lands of the late Jean de Montfort in the Nivernais which Philippe had swiftly confiscated.<sup>92</sup> Furthermore, places that suffered in the

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86. While the particular history of this document is obscure, having been added to the rather miscellaneous *portefeilles* of the archivist Antoine Lancelot in the eighteenth century, the fact that it remained in France suggests that it was the copy retained in Brittany.

87. ‘Messengers sent by the noble lady Jeanne, duchess of Brittany, prelates, barons, and the commons of the said land’, *RACJ*, 140.

88. *RACJ* Supplément, n. 152.

89. La Borderie, *Histoire*, 3:505; *RACJ*, 58, 104; *Chr. Brioc.*, 42.

90. ‘Disobedience and misdeed’, *RACJ*, 58; see chapter five, page 117.

91. Sjursen, “Jeannes,” 35.

92. ‘At the request of our very dear nephew the duke of Brittany and of our very dear niece the duchess’, Archives départementales d’Ille-et-Vilaine, Rennes, 1 F 623, n. 63, after AN, JJ 77, n. 408, f. 250. Geoffroy had testified for the Penthièvre case in 1341: BnF, MS fr. 22338, f. 119v.

war did not necessarily become disloyal as a result: although sacked by Charles' army in 1344, Quimper (at some distance from the heart of Penthièvre power) held on surprisingly long against the Montfortists after Auray, and the bishop had to persuade the townsmen to surrender.<sup>93</sup>

However, maintaining Jeanne and Charles' authority was difficult when changing loyalties was a realistic option for those dissatisfied with their rule.<sup>94</sup> If our gaze is readily drawn to the shifting allegiances of great lords, subtler movements also played out within the administrative structure: bureaucrats did not necessarily care which side in the conflict held sway. In 1361, Jean de Montfort's council wrote in the young duke's name to their officials at Nantes, dealing with the results of an inquiry carried out by 'nostre feal counseiller Pierre de Lango[n], nostre seneschal de Nantes'.<sup>95</sup> However, in May 1362 Charles wrote instructions to 'noz amez conseillers, Pierres de Langon, nostre seneschal de Nantes'.<sup>96</sup> The 'feal counseiller' of the Montfortists had become the 'amez conseillierz' of the opposition, without apparent interruption, in the same post.

From Pierre's perspective, this no doubt represented a prioritization of keeping his job over any hangups concerning his specific employer.<sup>97</sup> Once again, this was not necessarily a disadvantage so far as Jeanne and Charles were concerned, for it indicated a certain administrative resilience amidst the warfare in the duchy. After all, the changeability of the ducal council echoed contemporary royal practice, which navigated complications with the aid of a flexible set of advisors.<sup>98</sup> Moreover, if it was simple enough to perform the same duties for two rival lords in turn, how much more straightforward it would have been to accommodate the interchangeable command of Jeanne and Charles. But their rhetoric of legitimacy was not immune to the reality of shifting loyalties.

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93. Archives départementales d'Ille-et-Vilaine, Rennes, 1 F 587. Jean IV pardoned the inhabitants from 'nostre seige devant' Quimper on 17 November 1364: Jones, *Actes Jean IV*, 97.

94. A problem mirrored on a larger scale between France and England in the Hundred Years' War: Françoise Bériac and Franck Legrand, "D'une fidélité à l'autre: La noblesse bordelaise de la domination anglaise à celle du roi de France," in *Les ralliements: Ralliés, traîtres et opportunistes du Moyen Âge à l'Époque Moderne et Contemporaine*, ed. Marc Agostino, Françoise Bériac, and Anne-Marie Dom (Bordeaux, 1997), 29–58.

95. 'Our faithful councillor Pierre de Langon, our seneschal of Nantes', Jones, *Actes Jean IV*, 79. It is not at all clear why this letter was written, as the English did not to my knowledge control Nantes during this period: the city had long been in Penthièvre hands, with Jeanne and Charles residing there the summers before and after. Langon is in dép. Ille-et-Vilaine.

96. 'Our beloved councillor Pierre de Langon, our seneschal of Nantes', *RACJ*, 220. By 1363, Pierre no longer held the position but was described as seneschal 'pour le temps': *ibid.*, 224.

97. Though this is our only record of such ministerial duplicity (in the literal sense) during the war, other Penthièvre servants continued their careers under Jean IV after 1365, including Guillaume Jarnoan, Jacques Le Moine, Jean de Kermoisan, Pierre du Bois de la Salle, and Pierre Herigon.

98. Henneman, *Olivier de Clisson*, 74. The wider administrative framework had also been evolving somewhat in parallel with the French administration since before the time of Duchess Constance: Everard, *Angevins*, 23–27, 90–92, and for its later development, Kerhervé, *État*.

On the one hand, making a fictional unity out of the portions of the duchy actually in Jeanne and Charles' obedience helped smooth over such turbulence. The lords, bishops, and towns which agreed to Jeanne's policies at Dinan represented exactly that portion of the duchy where the Penthievre cause was strongest, and where Jeanne was most often resident (Figure 5). Transforming this core of support into authority over all of Brittany made a potent rhetorical claim, for it delegitimized and effaced the challenges to their rule. That this was illusory would have been evident to no one more than Edward III, to whom the document with these claims was sent, but it was a beneficial pretense if he was willing to cooperate with them in making it real.

Under more ordinary circumstances, however, Jeanne and Charles proved willing to acknowledge the fractures within the Breton community, if not to cede their claims to full legitimacy. When he swore to serve as their captain of Le Gavre in 1361, the nature of Robin de Lanvalay's loyalty was spelled out in some detail, from not yielding the castle into enemy hands to returning it to his lords on demand even if his pay was in arrears.<sup>99</sup> The contract was also concerned, however, with situating Robin's duties within a wider picture of the struggle for Brittany, and unlike the act from 1352, it dealt in realistic terms with the struggle dividing the duchy:

je suy tenu vouloir...leur bien et de leur cause et leur honneur et a mes seigneurs, leur enfanz et successeurs et de leur partie...et procureroy de tout mon loyal povoir leur bien et profit commun de leur dit duche envers touz et contre toutes personnes de quelconque estat et condicion que ils soient.<sup>100</sup>

Likewise, 'la ou je pourroy savoir...que len machine...aucune chose qui soit contre eulx, leur honneur, estat, et desheritance de leur partie ou de leur dit duche', Robin swore to 'oster, perturber, et empescher tout ce que leur pourroit estre contraire et le leur faire savoir et nottiffier le plus tost que je pourroy le savoir', emphasizing duty and steadfastness in the face of plots and intrigues.<sup>101</sup> As always, there was some conflation of the Penthievre cause and the duchy as a whole, particularly in relating 'leur bien' with the 'profit commun'. But they were not entirely analogous: the party repeatedly came first in this balance. It was more closely associated with Jeanne and Charles and their children and successors, for

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99. Cf. chapter five, page 124.

100. 'I am bound to desire their good and that of their cause and their honour and to my lords, their children, and successors, and of their party, and I will bring about with all my loyal power their good and the common profit of their said duchy against any and all persons of whatsoever estate and condition they may be'.

101. 'Wherever I might learn that someone is plotting anything which goes against them, their honour, estate, and the disinheritance of their party or of their said duchy'; 'make cease, disturb, and impede all that which could be contrary to them and let them know and be notified about it as soon as I know of it'.

the party was their ‘cause’ and tied up with their honour. This was a concession to fact, not a substantive change in Jeanne and Charles’ claims, but it serves as a reminder that demonstrations of legitimacy had to be tailored to different circumstances in order to remain useful.

### **Different legitimacies for the duchess and duke**

Moreover, it was not always efficient for Jeanne and Charles to claim similar roles. This brings us back to the final element of Charles’ oath made before the barons of Brittany: to bear the name and the full arms of the duchy, without modification. Unlike the elements discussed above, it was never assumed that Jeanne and Charles might ever share this responsibility: arms served to distinguish one individual from another. But they also conveyed continuity within a lineage and all the symbolism that entailed.<sup>102</sup> If they were an integral aspect of the ducal role, the fact that Jeanne was excluded from identifying in this way meant that her status could be defined with more flexibility.<sup>103</sup> While Charles and Jeanne both initially used straightforward seal designs that were not much differentiated from those commonly used by Breton nobles, about halfway through the war Jeanne’s seal changed to a more complex design that used both religious and genealogical imagery to emphasize her personal legitimacy in a way that transcended her ties to Brittany alone.

In his study of Jeanne and Charles’ seals, Jones argues that ‘il y a peu de choses pour suggérer qu’eux-mêmes ou leurs conseillers avaient réalisé pleinement la valeur emblématique et propagandiste de ces petits mais puissants symboles d’autorité’.<sup>104</sup> This is rather an underestimation of their importance, particularly in Jeanne’s case. Their seals certainly did not fit in to any set progression of the ducal seal towards a ‘sceau de majesté’—but this would be a restrictive, teleological assumption in light of the other available possibilities.<sup>105</sup> In particular, the shift from the equestrian seal seen under Jean III, and which would reappear under Jean IV, to an armorial one under Charles and Jeanne was in fact an innovation for the Breton dukes (though one in keeping with a general trend among the regional nobility).<sup>106</sup> An apparent lack of ideological purpose could simply be

102. Keen, *Chivalry*, 125–27, 132–33.

103. This contrasted with the strong partnerships expressed in the Navarrese chancery: Blanca I established double seals representing queen and king consort as a pair, and it was common to issue acts in their joint names even when only the queen was present (Woodacre, *Queens*, 98). The relatively skeletal Breton chancery at this stage was perhaps partly responsible for the absence of any equivalent Breton practice.

104. *RACJ*, 41.

105. Cf. Emile Lefort des Ylouses, “Le sceau et le pouvoir: l’Évolution du sceau des ducs de Bretagne, du XIIe siècle au XVe siècle,” *Mémoires de la Société d’Histoire et d’Archéologie de Bretagne* 68 (1991): 129–140.

106. Brigitte Bedos-Rezak, *Form and Order in Medieval France: Studies in Social and Quantitative*



a sign that we are seeking the wrong significance. After all, ‘the concepts of both social and personal identity came...to be formulated in relation to such signs’, especially through identification in terms of category over individuality.<sup>107</sup>

Charles’ seal does not seem to have evolved much over his twenty-three years as duke.<sup>108</sup> It featured the arms of Brittany, a field of ermines, on a shield surrounded by a geometric pattern, and bore the legend SIGILLUM KAROLI DUCIS BRITANNIE.<sup>109</sup> Jeanne’s first seal was very similar. The design attested in impressions dating 1348–1351 featured a simple armorial design of Brittany (ermine) impaling Penthievre (ermine with a red border, here represented by a thicker line around the edge), enclosed in a six-lobed frame with animal figures.<sup>110</sup> It may have had the legend SEEL IEHANNE DUCHESSE DE BRETAGNE.<sup>111</sup> Combining the emblems of her father (Penthievre) and husband (Brittany) was typical of noble wives; what is more striking is its resemblance to Charles’ seal.<sup>112</sup> They followed the same template, probably used a like formula (albeit translated) proclaiming their title; even the armorial differences in the seals were—not coincidentally—relatively subtle. They were not identical seals, but these similarities would have been particularly evident when they appeared side-by-side on documents.

The iconography of Jeanne’s second seal was much more complex (Figure 22). Around the central lozenge of Jeanne’s arms four heraldic roundels showed, clockwise from the top, Brittany, Penthievre, a horizontal partition between two ‘colours’ (represented in the wax by different textures), and three left-facing lions rampant. Between the roundels were angels with musical instruments.<sup>113</sup> The

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*Sigillography* (Aldershot, 1993), I:58–59.

107. Bedos-Rezak, “Identity,” 1491; Bedos-Rezak, “Paradigm,” 2.

108. We have no impressions of their seals from before 1341, though the *cour des contrats* at Dinan used a seal with Charles’ paternal arms between the death of Jean III and the *arrêt* of Conflans: *RACJ*, 38.

109. *RACJ*, 39; Pocquet du Haut-Jussé, “États,” 393–95.

110. e.g. those attached to Nantes, Méd., MS 1699, n. 9; Archives départementales de Loire-Atlantiques, Nantes, E 152–4; Bibliothèque nationale de France, Paris, MS Clairambault 21, 1517 (cf. *RACJ*, 107, 120, 127–29). Germain Demay, *Inventaire des sceaux de la collection Clairambault à la Bibliothèque nationale* (Paris, 1885), 1:161, terms these ‘animaux chimériques’.

111. *RACJ*, 40, does not think so, but the seal attached to *ibid.*, n. 138, was apparently less damaged in the previous century: Demay, *Sceaux*, 1:161, was able to read ...CHESSE...BRE... This would accord with the phrasing on her later seal, while it is not unreasonable for the easily-damaged outer edges to have been lost on our few extant impressions.

112. Bedos-Rezak, “Sigillographic,” 6.

113. Clockwise from top, they appear to hold a dulcimer or psaltery, a rebec or lute, a trumpet or shawm (based on the position of the hands more than the instrument’s visibility), and a harp. Jones suggests a crown between the roundels of Brittany and Penthievre, though his earlier assessment, Michael Jones, “The Seals of Charles de Blois and Jeanne de Penthievre, duke and duchess of Brittany, 1341–64: A provisional survey,” *Estudis Castellonencs* 6 (1994–5): 93, says that it ‘can only be seen on a few surviving impressions’. However, I have not identified one on any available example, including that which Jones cites on AN, J 242, n. 5: it may be a misinterpretation of a damaged angel, as there is no space for further imagery.



**Figure 22:** Second seal of Jeanne de Penthièvre, impression from 17 December 1366<sup>114</sup>

whole was encircled by a French legend broken by the quatrefoil around the angels: SEEL IEHANNE DUCHESSE DE BRETAGNE. This sudden redesign has occasioned some misinterpretation of the elements depicted. For example, Bedos-Rezak has signalled the devotion ‘bien connue’ of Jeanne, Charles, and their children to the archangel Michael as an explanation for the inclusion of the angel motif on Jeanne’s seal.<sup>115</sup> But there is no reason to think that the four angels, each playing an instrument, had any particular associations with Saint Michael. Musical angels were a common medieval trope, representing in general the har-

114. Attached to Archives départementales de Loire-Atlantiques, Nantes, E 165–10; cf. *RACJ*, 237–38. Image courtesy of the Archives départementales de Loire-Atlantique.

115. Bedos-Rezak, *Sigillography*, 505–06; she followed the assessment of Michael’s importance to the Blois-Penthièvre family in Colette Beaune, *The Birth of an Ideology: Myths and Symbols of Nation in Late-Medieval France*, trans. Susan Ross Huston (Berkeley, 1991), 156–57, although it is worth noting that Beaune’s suggestion that this devotion was expressed, for example, through Michael’s appearance on Charles’ banners at Auray overlooks the simple fact that this battle was fought on the archangel’s feast day. Meanwhile, the counterseal of Jean IV *did* feature the archangel in the 1360s: Jones, “Chancery,” 161.

mony of heaven.<sup>116</sup> On the seal, they might have subtly invoked or echoed the principles underlying the formula ‘*dei gratia*’ used in the styles of other late medieval princes, rather than expressing personal devotion.<sup>117</sup> Alternatively, musician angels were particularly associated in art with the Virgin Mary, whose cult flourished in the later Middle Ages.<sup>118</sup>

Jones has identified the lower two roundels as the arms of Avaugour and Léon, respectively.<sup>119</sup> The former seems borne out by the shield on the seals of Jeanne’s grandfather, Henri IV d’Avaugour (d. 1334): it was split into two parts, with hatching on the upper half as on Jeanne’s seal, while the floral design on the lower half might have been omitted on Jeanne’s roundel due to the limitations of its small size.<sup>120</sup> In company of the arms of Brittany, Penthièvre, and Avaugour, however, the presence of the arms of Léon seems strangely out-of-place: she was no more closely related to the counts of Léon than to many other Breton families. The close alliance of their families, exemplified by Hervé VII de Léon (d. 1343) who served as their councillor, seems insufficient motivation for honouring them so on Jeanne’s personal seal.<sup>121</sup> Moreover, the arms of Léon (visible, for instance, on the seals of Hervé IV from the 1270s preserved at Nantes) traditionally comprised a single lion rather than the trio which Jeanne, at the cost of some legibility, included among her roundels.<sup>122</sup>

But the viscounts of Limoges bore arms ‘*dor à trois lioncheaux d’azur rampans*’.<sup>123</sup> If one abandons the assumption that everything on Jeanne’s seal was

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116. Clifford Davidson, “Of Saints and Angels,” in *The Iconography of Heaven*, ed. Clifford Davidson (Kalamazoo, 1994), 15.

117. Cf. Vondrus-Reissner, “Formule,” 174.

118. Emanuel Winternitz, “Secular musical practice in sacred art,” *Early Music* 3 (1975): 224; Richard Rastall, “The Musical Repertory,” in *The Iconography of Heaven*, ed. Clifford Davidson (Kalamazoo, 1994), 177. Among Jeanne’s personal effects we find a book of hours portraying on its covers ‘*le Cruxifi et Nostre Damme*’ and a copy of the office of the three Maries, but both of these likely had if anything more paschal significance than Marian: *Inventaire* (1384), 5, 7; *Inventaire* (1393), 201. However, if the group of angelic instrumentalists surrounding Jeanne (represented here by the lozenge of her personal arms) was meant to evoke the blessed virgin so often similarly accompanied at, say, her Assumption or as the crowned queen of Heaven, the seal could imply a resonance with the image of the coronation of Mary—as with the tomb of Jean III above. Certainly, it is striking to see the angels appear on Jeanne’s seal rather than that of Charles, so much more renowned for his piety.

119. *RACJ*, 40.

120. Cf. the seals of Jeanne d’Harcourt, where the partition between her husband’s arms on the right and her father’s on the left might have been responsible for a similar reduction in detail. These seals are preserved in AD L-A.

121. Froissart B, 2:89, portrayed Hervé as one of Jean de Montfort’s only early supporters, but this account has been convincingly challenged by Galliou and Jones, *Bretons*, 220 (cf. Jones, “Chancery,” 212).

122. The explanation of this discrepancy in *RACJ*, 40, as a ‘variation’ of the standard heraldry, does not address the irregularities of its inclusion in this context.

123. Jean-Bernard de Vaivre, “Le décor héraldique de la cassette d’Aix-la-Chapelle,” *Aachener Kunstblätter* 45 (1974): 110. In earlier representations these often shared the shield with six red-

necessarily Breton, the inclusion of the lions makes much more sense. Jeanne's usual title in the *acta*—crystallized by the early 1350s—was 'duchesse de Bretagne, vicomtesse de Limoges, dame de Guise et de Mayenne'.<sup>124</sup> She was the heiress of all these territories save Guise, and it was apparently this fact that she wished to recall here, especially as the seal's legend was able to capture only a reduced form of her address. Though Penthievre featured as a distinct component of her address only after 1365, its status as an apanage apparently warranted its recognition separately from Brittany as a whole, alongside the fact that she had inherited them at separate times and from different people. The shield of Avaugour represented her control of Mayenne (and Goëlle, functionally part of her apanage though passed down from her maternal line). Read from right to left, top to bottom, these roundels visually codified Jeanne's status in its fullest extent: it would be surprising *not* to find Limoges represented.

Jones also argues that, having used the simpler seal design across her entire rule as duchess, Jeanne only adopted this second seal after Auray, when she held the title in name only.<sup>125</sup> However, this design in fact appeared significantly earlier. A well-preserved example at Nantes dates from 18 August 1355.<sup>126</sup> Nearby, the local Médiathèque offers a fragmentary seal from 3 August 1357 showing the Avaugour roundel, and another in Morbihan from 1360 has signs of the lozenge.<sup>127</sup> I would suggest 1352 as a possible, or certainly an appropriate, date for Jeanne's shift to the grander second design: specifically, in the context of her summons of the 'états' of Brittany and diplomatic mission to the king of England. The document produced on this occasion made dramatic use of the presentation of seals; it seems plausible that Jeanne might have wanted to display a more impressive design here.<sup>128</sup> No seals survive from 1351 (the last impression of the first design) to 1355 (the first impression of the second design) so we can locate the change somewhere in those years—of which 1352 marked a major turning-point. This chronology cannot be absolutely verified, but it remains significant that Jeanne adopted this new design during those years when she took up in full an unprecedented position on the stage of external politics.

Likewise, while many of Jeanne's possessions featured her personal arms, this

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and-gold bands (Vaivre, "Cassette," 109, 112; Roblin, *Actes*, 53–54), but later fourteenth-century texts could refer to the lions alone—a change perhaps associated with the 'extinction' of the vicecomital line in the Breton ducal family.

124. *RACJ*, 29–30.

125. *Ibid.*, 40.

126. Attached to Archives départementales de Loire-Atlantiques, Nantes, E 176–11 (cf. *RACJ*, n. 177).

127. The former is attached to Nantes, Méd., MS 1699, n. 9 (cf. *RACJ*, n. 201); the latter is mentioned in *ibid.*, 197.

128. 29 November, BnF, MS nouv. acq. fr. 9811, n. 4; *RACJ*, 139–40.

combination of the roundels was also unusual: it served to place her at the centre of an authority sited in multiple places both within and beyond Brittany, and given its own dignity by religious imagery.<sup>129</sup> The status and authority authenticated by her seal thus visibly depended on the embedded practices of previous generations to which she was heir. But the separate insignia within the roundels expanded this vision to stress not only her inheritance—the genealogies of which had become intertwined more than a generation back—but also her ties to the different regions in which that ancestry lay. With this seal, Jeanne became the nexus of this broader web, and the timing of its appearance suggests that these implications were well-realized by the designer of the new matrix. While the assembly of 1352 had created a new structure and form for the Breton community, Jeanne also augmented her claims by going beyond that structure. After all, in order to negotiate with Edward III, who was not only king of England (and, negotiably, France), but also lord of Ireland and duke of Aquitaine, it made sense to emphasize the extent of her own domain.<sup>130</sup>

The 1341 arguments had explained that by taking the arms of Brittany (and leaving those of France), Charles had also taken on the protection of the duchy and its rights.<sup>131</sup> His seal therefore retained this image alone, indeed displaying none of the innovation visible on the seals of his successors. While Jeanne initially used a similar design with her own arms substituting for his, she was not ultimately so limited and switched to a very distinctive design. She was able to lay claim to the full arms of Brittany in her roundel, but remained free to point to her other associations as well. This is particularly important in light of the historiographical tendency to confine her story (and Charles') within the duchy. But did the parallel between symbol, place, and government mean that this approach undermined or in some way diminished her participation in the joint rulership of Brittany? It seems rather to emblemize the very relationship which had been established at her wedding to Charles and their installation as putative duchess-and duke-to-be. Charles did inherit Brittany, by right of his wife, and so assumed the plenitude of its authority; this was, after all, the job (so to speak) for which he had been called in. But Jeanne retained the all-important blood ties to the ducal, comital, and vicecomital lines that allowed her to govern this wide array of territories in and of herself.<sup>132</sup>

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129. Eight objects in the first post-mortem inventory bore 'les armes de Madame', in addition to some with those of Charles and of her son Henri: *Inventaire* (1384).

130. Note that the treaty of 1353 referred to her and Charles only as duchess and duke of Brittany: *RACJ*, 140.

131. BnF, MS fr. 18697, f. 160v.

132. We might recall the arms she used on her *panonceaux* of safeguard: see above, page 208.

## Jeanne alone: Conflict and legitimacy after 1365

After adopting this renewed design in the 1350s, Jeanne did not change her matrix when her possessions and titles shifted. Her seal went from visually and symbolically conveying her actual status to maintaining her claims to a position no longer fully realized. But this continuity was not without potential impact. Her status after the first treaty of Guérande was not changed so much as it might have been. She kept the title of Brittany, which was apparently considered potent enough that Charles V had to reassure Jean IV that nothing was meant by it.<sup>133</sup> More concretely, because she was exempt from homage to Jean IV, within the duchy she was not simply demoted to the status of a vassal, and her ties to the king of France did not become mediated through a third party as they would normally have been. Maintaining the same seal was not a purely wishful longing for what once had been, but took advantage of the remnants of that situation to stabilize her existing claims and keep her possibilities open.

Jeanne's patterns of residence, however, changed sharply after 1365, when she apparently moved to Paris for a decade or so, showing few signs of returning to Brittany until well into Jean IV's exile. During this time, she left the management of Penthièvre—on which we remain unenlightened—largely to her lieutenants.<sup>134</sup> The move was no doubt occasioned in part through mistrust of her cousin, whose later behaviour in the kidnapping of his one-time friend Olivier de Clisson suggests may have been warranted.<sup>135</sup> But it also placed her advantageously for attending to the most pressing needs of the moment. Near the royal court, she could remind the king of her presence and bolster her standing in relation to Jean, whose French support was not entirely clear. She could also keep an eye on the situation in Limoges, an affair in which Charles V was her tenuous ally, and pressure him to make good on the problems preventing Jean from making his payments to her. The commercial hub of Paris, finally, allowed her to more easily broker agreements with major moneylenders in order to secure the funds she needed to settle her many outstanding debts.<sup>136</sup> Thus, while it had been previously most efficient for Jeanne to remain in Brittany, allowing Charles to discharge his duties to the king and participate in matters external to Brittany, now (with one partner gone) it was more useful for Jeanne to distance herself from her main territory, left in the care of a lieutenant, in order to situate herself at a greater political nexus.

The actions which Jeanne took in aid of her renewed claims to Brittany in

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133. AD L-A, E 165–8.

134. Including Olivier de Clisson: Henneman, *Olivier de Clisson*, 47; *RACJ*, 245, 247; cf. Maurice du Parc, Jeanne's lieutenant in Limoges: *RACJ*, 247.

135. Henneman, *Olivier de Clisson*, 122.

136. *RACJ*, 236–37.

the later 1370s nonetheless provide a remarkably coherent counterpart to her conduct before Guérande, highlighting certain strategies of demonstrating legitimacy: building relationships by dispensing rewards and justice, exercising prerogatives, and maintaining a physical presence among her supporters. Before Jean IV's exile, Jeanne did not entirely neglect her Penthievre properties, even if she acted mainly via proxies. In 1368, she confirmed a donation made by a couple residing in Dinan for the founding of a local hospital, a donation subsequently approved by the duke.<sup>137</sup> Reportedly, Jeanne (whose act does not survive) ceded 'tel droit comme elle avoit et peust avoir en ceste maison par quelque maniere', while Jean then agreed to 'amortir' the property while retaining on part of it 'seigneurie et jurisdiction en tant comme le cas si pouroit offrir'.<sup>138</sup> Whether Jeanne was in Dinan to make this grant or whether it was issued at distance is unclear, but the pious couple approached her long before they did the duke: their confirmations came on 27 March 1368 and 9 February 1369, respectively.

On 13 July 1370, Jeanne again facilitated religious patronage in the area when she allowed the lord of nearby Montafilant, Charles de Dinan, to use certain revenues to establish three chaplainies.<sup>139</sup> Her continuing interest in this particular region may be an accident of the survival of documents, but it also attests to Dinan's contemporary importance, both as an economic centre and as a player in ducal politics.<sup>140</sup> Jean IV was to order the construction of a keep there after his return from exile, displaying his power conspicuously next to—though conspicuously, not *in*—a notably unsympathetic town that figured large as the scene of Jeanne's rebellion against Louis d'Anjou's summons.<sup>141</sup> Did Jeanne's attentions indicate any residence? Not necessarily; the only positive evidence of her travels was an act dated from Angers in 1375, which (as Charles de Blois' canonization trial showed) was a convenient 'staging ground' for Breton affairs when the duchy was unsafe.<sup>142</sup> Jeanne may not have been inclined to return to Brittany before Jean IV was exiled.

The mid-1370s saw Jeanne respond to more complex issues than the donation of lands or goods, beginning with the Angers act. Again at the request of Charles de Dinan, Jeanne ordered an inquiry into the allegation that the lord was being prevented by 'noz officiers' from taking the fee revenues from a watermill

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137. AD C-A, E 1762; cf. Jones, *Actes Jean IV*, 313.

138. 'Such right as she had and might have in this house by any means'; 'lordship and jurisdiction in all that cases might so offer', *ibid.*, 704.

139. *RACJ* Supplément, n. 399.

140. Loïc-René Vilbert, *Dinan au Moyen Âge* (Dinan, 1986).

141. Marc Déceneux, *Donjon de Dinan: Étude historique, archéologique et fonctionnelle* (2005).

142. AD C-A, E 1286; *MPC*, 2.

at Trégomeur, which right Jeanne's court of Goëlle had granted him.<sup>143</sup> Mills—and the collecting of payment, in cash or kind, for their (mandatory) use—were essential to the medieval economic infrastructure and constituted a significant source of seigneurial income.<sup>144</sup> The loss of this income was worth sending all the way to Jeanne herself in Angers, especially since the complaint concerned the miscarriage of justice. While Jeanne's regular court had given its verdict, her other representatives had failed to respond; it was therefore up to Jeanne, in her 'souverainete', to give redress.<sup>145</sup> Despite her personal absence, Jeanne remained the ultimate authority, one whose own authorization was prioritized over the options offered by her representatives.<sup>146</sup> She therefore reprised her role of delivering justice by redressing wrongs, just as before 1365.

With the conclusion of the inquiry nearly two years later, it transpired that the mill owned by Charles de Dinan 'a este longuemant et encores est en ruyne', and the locals had become accustomed to using one belonging to the countess, even after Charles sought to direct them to another of his own mills, presumably less conveniently located.<sup>147</sup> It was this resistance (abetted by the comital officers) of which he complained to Jeanne. This was a perfect opportunity to Jeanne to demonstrate how she wished to do right by him and 'noz autres feaulx et subgiez' by exercising proper justice.<sup>148</sup> While her decision to comply with his request might not have endeared her to the actual users of the mill, it was of prime importance in (re)securing the loyalty of this important lord whose lands had, in the depositions of 1341, been identified as one of the three great baronies of Brittany.<sup>149</sup> Jeanne had returned to Brittany by 1377 and issued this order at Lamballe, the historical *chief* of Penthièvre proper (i.e. the eastern portion of her anpanage), and in the presence of the seneschals and officers to whom she had made the original demand for an inquiry.<sup>150</sup> By taking control of her administrative apparatus and correcting its errors (a major concern of, for instance, the redactors of the *Très ancienne coutume* in their discourse on the role of princes and the law), by personally ensuring justice in her 'souverainete', and by satisfying one of the Breton notables, whose father had died fighting for Jeanne and Charles

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143. We also have evidence of the ongoing actions of her court at Guingamp for this period: *RACJ*, 255; *MPC*, 170.

144. Henneman, *Olivier de Clisson*, 5, 9.

145. Note that 'souverainete' did not necessarily mean absolute authority, but could be treated in a relative sense: David, *Souveraineté*.

146. The officers in fact demanded her 'mandement' before taking action.

147. 'Has long been in ruins, and still is', *RACJ*, 256.

148. 'Our other followers and subjects', *ibid*.

149. BnF, MS fr. 22338, e.g. f. 118, 121 Her contribution to Bertrand du Guesclin's ransom in 1368 may have served a similar goal: *RACJ* Supplément, n. 397.

150. Everard, *Angevins*, 151–52.



at Auray, Jeanne could demonstrate her status, rights, and power in a very visible and strategically significant way.<sup>151</sup>

While in these instances Jeanne had confined her activities to the lands which she personally owned, it is worth recalling the ambiguous status of the duchy from 1373 onwards. Charles V appointed a series of royal lieutenants, including Louis d'Anjou and Jean de Rohan, while Olivier de Clisson effectively governed Brittany's eastern portions, even before it had officially been declared confiscate.<sup>152</sup> It was not necessarily effective for Jeanne to attend to matters outside Penthièvre, any more than it would have been during Jean's rule. Nevertheless, she had other means of demonstrating that her power was of a *ducal* character. This had been true even before 1373. In 1367, the monks of Saint-Jacut (on the coast north-west of Dinan) had complained to Jean IV that Jeanne's officers—she herself was in Paris at the time—were interfering with their rights.<sup>153</sup> They and their subjects 'en Penthevre' (and specifically Lamballe) were to be 'justicia-bles...senz moien du duc et de son duchie et exempz de toute autre juridicion'.<sup>154</sup> But Jeanne's officers had purportedly compelled them to answer to the comital courts. As an affront to the new ducal power, this could not be tolerated. It infringed upon the ducal right of safeguard and 'usurped' Jean's 'souverainete et nobleces'.<sup>155</sup> The force of his lengthy and detailed reaction was proportional to the place which these prerogatives occupied in the identification of lordship. In fact, this particular case had already been the subject of some debate between Jean III and his younger brother, Guy de Penthièvre.<sup>156</sup> Justice over the abbey was clearly a matter specifically of differentiating the count of Penthièvre from the duke of Brittany.

This distinction had rarely been more pressing. This case demonstrates that on the ground, the shift from duchess to duke after 1365 was negotiable. After all, until recently, the same court in which the abbey's subjects appeared would have *been* a ducal court. Presumably, until some contrary judgement or mistreatment had given them cause to feel otherwise, the justice it dispensed could have continued to satisfy the monastery: protesting the right to be judged was as much a tool of resisting unwelcome outcomes as imposing judgement was for demonstrating the legitimacy of one's role.<sup>157</sup> The fact that Jeanne's officers—not Jeanne

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151. TAC, 311. Charles de Dinan does not appear in the Montfortist acts before 1379.

152. Henneman, *Olivier de Clisson*, 86–87, 89.

153. Jones, *Actes Jean IV*, 136–37; RACJ, 239.

154. 'Legally answerable to the duke and his duchy without intermediary, and exempt from all other jurisdiction', Jones, *Actes Jean IV*, 136.

155. *Ibid.*, 137.

156. *Preuves*, 1:397; Morvan, "Jean III," 71.

157. Kaeuper, *Justice*, 160.

herself, though quite possibly with her consent—continued after Guérande to operate in the same routines as before made a powerful statement of her ongoing, even unchanged, authority: a statement all the more threatening to Jean since Jeanne had given him no homage. Within her lands, she intended to play much the same role as she had always done. It was all too easy for the inhabitants of Penthièvre to enjoy ‘business as normal’ if new lines were not drawn to separate that which Jeanne did as countess from that which she had previously done as duchess. Jeanne, by contrast, could capitalize on such hang-overs to maintain the strength of her position and legitimacy as duchess.

Her direct use of exclusively ducal rights became clearer after 1373. Some few weeks before resolving the Montafilant case, Jeanne took advantage of the episcopal ‘sieve vacans’ at Tréguier following the death of Bishop Jean Le Brun on 4 September to exercise a privilege long reserved to the princes of Brittany alone, that of *régale*.<sup>158</sup> This allowed the dukes to claim the income from bishoprics when an incumbent died until a successor was chosen.<sup>159</sup> Accordingly, Jeanne appointed one Derrien Nichol to collect these revenues at the end of September, a process completed by mid-July 1378.<sup>160</sup> She could not have done this simply as countess of Penthièvre, but was instead assuming, apparently successfully, the fullness of her ducal rights in this matter, well before Jean IV was officially divested of his title. Aside from the practical benefits of claiming this money, this move may have anticipated receiving these rights formally from the king or, more realistically, attempted to give some real foundation to her claims in light of apparent royal recalcitrance. She handed the *régairie*, the episcopal domain held directly by the bishop, over to the newly-appointed Thibaud de Malestroit in due course, demonstrating her ability to act officially in this capacity without protest.

In light of her tactics within Brittany, two features are striking about Jeanne’s rhetoric in her case to Charles V in 1378. Her arguments revisited the nature of the relationship between Brittany and France broached in 1341. Now, however, her legal stance opposed that at the beginning of her rule, perhaps an easier step to take since the royal lawyers had now rejected the entirety of the original succession argument! Her petition recalled times past when Brittany ‘n’estoit rien plus que voisin du Royaume sans subjection aucune’ and asserted that no fealty had ever been paid the kings of France, even though her succession brief had proposed that ‘si Bretagne fust royaulme, que de fet non, il est maintenant duche subjecte au roy, si ne debvons pas regarder lestat qui fut jadis’.<sup>161</sup> The souring of the rela-

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158. *RACJ*, 258. The right of *régale* would be contested between François II and Louis XI (d. 1483): Contamine, *Pouvoirs*, 147–67.

159. BnF, MS fr. 18697, f. 166 et al.; cf. Everard, *Angevins*, 67 for the acquisition of this right.

160. *RACJ*, 255, 258.

161. ‘Was nothing but a neighbour of the kingdom, without any subjection’, d’Argentré, 635; ‘if

tionship between duchess and king, which had so strongly influenced the actions taken or avoided before, now made possible, even desirable, a reevaluation of the terms on which Brittany was defined, a trend of which the Montfortists would be able to take full advantage—but which had not been useful to their Penthièvre rivals until now.

Taking all this into account, it is unsurprising that the Breton baronage should have rallied initially to Jeanne after the royal confiscation in December 1378. She had had adequate opportunity to demonstrate her leadership capacities during the twenty-three years of her official tenure as duchess (including during Charles' absence); her actions in the mid- to late-1370s showed that she intended to fulfill these responsibilities again. Her decision to return to the duchy in order to do so—assuming this was new—reflected her established practice of conducting business, as duchess, from within the duchy. Born in the area, groomed as the duchy's heiress, present when and where Charles was not, Jeanne would have experienced the value of personal command.

Since Jean IV was ultimately recalled to assume control, however, her relationship with the Breton nobility in 1379 requires some consideration. Henneman argues that the absence of Jeanne's primary heir, captive in England, was a major reason for the failure of her case in the royal *parlement*.<sup>162</sup> Charles V's aggressive preliminaries, from his administration of the duchy to the commission of *Le Songe du Vergier* (which explicitly denied that Jeanne had ever had any legitimacy as duchess), suggest that while this may have been food for thought in the debate that followed Jeanne's bid, the conclusion was perhaps already foregone. Whether it had any effect on Jeanne's claim among her fellow Bretons, however, is more complex and more significant. Henneman suggests that Jean IV's resurgence might have partially stemmed from the barons' reluctance to violate primogeniture by favouring Jeanne's free son Henri over his captive brothers.<sup>163</sup> This would have suggested more than mere concern for the eventual succession, but an interest in Jeanne immediately transferring her claim to her son. Jeanne herself, if d'Argentré's report is accurate, had raised this possibility in her own argument. There was precedent for this in Brittany: Constance had begun associating her son Arthur with her acts in his mid-teens—presumably awaiting his full majority, which was never to arrive.<sup>164</sup>

Yet this was not a universal practice, either: the Navarrese queens maintained

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Brittany was a kingdom, which in fact it was not, it is now a duchy subject to the king, and so we should not look at the condition which once was', BnF, MS fr. 18697, f. 151v.

162. Henneman, *Olivier de Clisson*, 95–96.

163. *Ibid.*, 97.

164. Everard and Jones, *Constance*, 72ff. Berthe, in 1153, had also handed off her rule: Everard, *Angevins*, 149.

personal rule until their deaths.<sup>165</sup> More immediately, Jeanne's sons featured in various parts of the rebels' plans, but Jeanne was more involved in the decision-making process.<sup>166</sup> To assume that Jeanne's inability to immediately hand off power to a son was the primary cause for the shift in support to Jean IV ignores others strategic perspectives as they might have appeared to contemporary participants. For instance, Jeanne was no longer young, and the availability of an heir for this reason was more pressing than any abstract interest in having her son replace her. Looking to the future was important. But above all, we must remember that Jeanne seems to have supported the decision of the Breton league to recall the duke (despite significant French pressure to abandon the cause) and supposedly welcomed him back at Dinan in the summer, none of which would have been likely if she had simply been pushed aside.<sup>167</sup> We must therefore consider *her* reasons for letting go of her claim. It may have appealed not only because of the hope that Jean might die without heirs while legitimately reinstated in his title, thereby passing the duchy back to the Penthièvre line per the treaty of Guérande (after the attack on her own legitimacy made by the French kings, this may possibly have seemed a safer option even than asserting her own claim). She may also have doubted, more simply, her own ability to fight another war, with all the expenses that entailed in costs and in rewards. Already struggling with debt—some of it owed to Olivier de Clisson, now ranged firmly against the duke—it may have seemed wiser to put herself in a position of strength vis-à-vis the newly-returned Jean than to obligate herself to the league.<sup>168</sup> These factors or others like them were likely of more significance than the dynamics of succession, and Jeanne more than a placeholder in a line of male dukes throughout this rebellion. However, she may have been at a disadvantage without the evident support of a partner-in-rule.

Despite the new treaty in 1381, Jeanne's interactions with Charles de Dinan continued to demonstrate her strategies for defending her active authority over the territories which remained to her—specifically, without letting Jean IV dislodge her. After his return, the duke made new overtures to the lord of Montafilant. In July, 'considerants les bons, loyaux, et agreables services que nous a fait nostre ame et feal cousin', Jean IV granted Charles a variety of property and inheritance rights.<sup>169</sup> Jeanne, however, was not to be outdone. A week later, she

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165. Woodacre, *Queens*; cf. Kimberly A. LoPrete, "Adela of Blois: Familial Alliances and Female Lordship," in *Aristocratic Women in Medieval France*, ed. Theodore Evergates (Philadelphia, 1999), 26, and several of the other women discussed in that volume.

166. See chapter three, page 71.

167. *Chr. Brioc.*, 55.

168. *RACJ*, 262; Henneman, *Olivier de Clisson*, 97.

169. 'Considering the good, loyal, and pleasing services which our beloved and faithful cousin has done us', Jones, *Actes Jean IV*, 313.

likewise took ‘consideration aux bons et agreables services que [Charles] nous a fait le temps passes’ and accorded him the same privileges.<sup>170</sup> Whether this was of her own initiative or at Charles’ request (unrecorded, if so), this gave her an opportunity to demonstrate her ongoing authority. On a formal level, the text of her act put her on an almost identical footing to the duke. Rather than simply confirming the terms of the earlier act, as she had once done with an order issued by Philippe des Trois Mons, her grant spelled them out again in full.<sup>171</sup> They came from her directly, not simply through her after being handed down by a higher power. She echoed the same claims to command as Jean, invoking ‘nostres grace especialles’ and defending her ‘droits’ and ‘noblesses’. Only ‘souverainete’ was switched out for ‘seigneurie’, differentiating this from her usage in the 1370s and reflecting her concessions to the treaty (even while confirming the deliberateness of her former attempts to reestablish herself in the ducal role).

Practically speaking, this act also accomplished several effects. It maintained Jeanne in the position of benefactor towards those who laboured on her behalf. This included past service: although Charles was beholden to the reinstated duke, Jeanne did not forget his earlier position—referring presumably to events of the previous decade when she had or at least wished to have his support—and would not let him forget either. If nothing else, she and her heirs would theoretically continue to retain local power, and these relationships needed fostering and protection on this level as well. Especially in this difficult region where apanage met ducal domain, and which had been her favoured place of residence throughout much of her rule, establishing her continued presence was strategically essential. By making sure that her own rights to dispose of goods and prerogatives were not infringed, she demonstrated the equal viability of her action.

## Conclusion

The contested nature of Jeanne and Charles’ rule shows that sharing power (and rulership more generally) was more than merely effective (or not) in the abstract: it needed to address the multiple goals and challenges of the moment. Accordingly, the characterization and demonstration of Jeanne and Charles’ legitimacy as princes of Brittany was influenced by their co-rule, and vice versa. Even before they had become duchess and duke of Brittany, the effects of Jeanne’s status as heiress and the inseparability of her marriage from her rule meant that the scope of her power was characterized in terms of complementary roles. The technical description in the Penthièvre case of female rule and the substitution of responsibilities was necessarily an oversimplification of any actual co-rulership. It proved,

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170. ‘Consideration of the good and pleasing services which he has done for us in the past’, AD C-A, E 1762.

171. *RACJ*, 120.

however, to be at least a realistic outline of certain dynamics which Jeanne and Charles shared in practice since their attention to different obligations was influenced by the personal ties that actually did stem from their respective positions as heiress and as royal nephew made duke by marriage.

Jeanne and Charles' legitimacy was therefore at once both *shared* and invested *individually* in each of them. Their joint responsibility for the duchy meant that the most characteristic prerogatives and duties of the Breton prince—identified by the witnesses in 1341 and publicly incorporated into Charles' investiture and marriage ceremony—were equally important for either duke or duchess, who both visibly enacted correct standards of rule. At the same time, Jeanne took part in greater innovation when it came to situating their claims within the perspective of a unified Breton principality, although this fiction had to be tempered by the realities of the war in the duchy. But if Jeanne had never been expected to remain apart from the government of Brittany, nor was her role considered the duplicate of Charles'. As a result, there was room for the official representation of her power, here encapsulated by her seals, to draw on a more complex and wide-reaching view of her status as heiress and its authority. Moreover, because her interest in defending her rights did not end with Charles' death, her own ability to exercise ducal prerogatives and her real relationships with the nobles of Brittany allowed her to revive her rule along very similar lines in the 1370s. The fact that she had lost the other, shared component of her original authority, however, meant that her position was less well-supported than it had been, and her leadership in the rebellion against Charles V did not translate back into gaining the rule of Brittany.

## 10 | The duchess and the chroniclers: Narrating female roles

*Et se vostre cousine la fenme a Carle de Blois moroit, ensi que les aventures aviennent, vous demorriés pasieuvlement dus de Bretagne, ne nuls ne nulle ne le vous debouteroit jamais.*<sup>1</sup>

The chronicle tradition regarding the Breton wars made no effort tell a story ‘capable of redeeming a cause that has been lost’—that of Jeanne and her descendants.<sup>2</sup> Cassard claims that ‘le parti vaincu n’a pas cherché à faire porter sa réplique dans le domaine de l’histoire des hommes: il lui préfère les chemins du Ciel...et, après son échec à Avignon en 1376, il s’est tu, laissant la voie libre à l’historiographie d’inspiration montfortiste’.<sup>3</sup> Charles’ sanctity hardly faded quite so quickly, but the main tool of Penthievre commemoration was certainly more hagiographical than historiographical.<sup>4</sup> Moreover, Jeanne most often played a relatively minor part in the chronicles that did get written. Nevertheless, the transformation of her character in these accounts, for better or for worse, shows that Jeanne’s posthumous reputation comprised several distinct facets which could be played up or down to different effect even within a single work. Although these chronicles have remained influential into the modern period, the variations in their portrayal of Jeanne have never been critically examined.

Jean Froissart, the most prolific historiographer of the fourteenth century, offered the most creative treatment of Jeanne as a historical figure. He revisited the duchess in each of his three major redactions of Book I of the *Chroniques*, emphasizing Jeanne’s claims to the Breton inheritance, her leadership, and her contributions to the war in different combinations according to his narrative and

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1. ‘And if your cousin, the wife of Charles de Blois, were to die, as sometimes comes about by chance, you would remain peaceably duke of Brittany, and neither man nor woman would ever reject you’, Froissart Rome, 478.

2. Gabrielle M. Spiegel, *Romancing the Past: The Rise of Vernacular Prose Historiography in Thirteenth-Century France* (Berkeley, 1993), 1.

3. Cassard, “Chroniqueurs,” 58.

4. Plaine, *Histoire du bienheureux Charles de Blois, duc de Bretagne et vicomte de Limoges*, 744–84; cf. Régis de l’Estourbeillon, *Le serment de Jean de Lesnerac, meurtrier de Charles de Blois* (Saint-Brieuc, 1896), 7.

moralizing interests in the heroic nature of the Breton war.<sup>5</sup> Many of his portrayals emphasized the types of roles which Jeanne actually played in her lifetime, although he increasingly opted for dramatization over verisimilitude. Other authors, most notably Jean Cuvelier, were instead influenced by misogynistic tropes which could be used to condemn Jeanne's influence.<sup>6</sup> His portrayal of Jeanne as a domineering, implacable wife was something of a dark mirror of themes which had appeared in Jeanne's *acta*; but other common attacks levelled against women (mostly having to do with marital or sexual misconduct) were apparently never associated with Jeanne. Finally, the Montfortist historiographers Pierre Le Baud and Alain Bouchart also adopted negative stereotypes like those in Cuvelier but for more political ends, and their approach was tempered by the parallels between Jeanne's inheritance and that of their employer, Duchess Anne.<sup>7</sup> Comparing these different portrayals with each other, and with the representation of Jeanne's role in the administrative sources, demonstrates that there was more than one valid interpretation of her actions according to current social ideals.

### Froissart's duchesses

Froissart's narrative of 'le grant matère et hystore de Bretagne' falls mostly within the first of the four books of his *Chroniques*, covering the years 1325 to 1378 (or 1380).<sup>8</sup> This book exists in three main redactions, represented by what are commonly termed the Amiens manuscript, the B version, and the Rome manuscript.<sup>9</sup>

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5. See below for the complex textual history of this work.

6. Faucon, *Cuvelier*, 1380s. The poem, an epic biography of Charles V's constable, survives in seven manuscripts, but by 1387 it was adapted into prose for Jean d'Estouteville, a Norman squire also in royal employ.

7. Both worked for François II (r. 1458–1488), then his daughter and heir Anne (1477–1514), last of the Montforts and twice queen of France by her marriages to kings Charles VIII in 1491 and Louis XII in 1499, which enabled the duchy's integration into France: Leguay and Martin, *Fastes*, 398–99. Bouchart went through five printed editions in the sixteenth century, thanks to ducal support. Editions of Le Baud's many related works can be found in Le Baud, *Cronicques* (only to 1305: cf. BnF, MS fr. 8266); Kerhervé, "Genealogie" (cf. Jean-Christophe Cassard, "L'histoire au renfort de la diplomatie: La 'Genealogie des roys, ducs et princes de Bretagne' de Pierre Le Baud (1486)," in *Questions d'histoire de Bretagne: Actes du 107e Congrès National des Sociétés Savantes, Brest, 1982* (Paris, 1984), 519–560); and Le Baud, *Histoire*.

8. "The great matter and history of Brittany", Froissart B, 2:86. This book has been repeatedly edited in whole or in part; we will use Froissart Amiens; Froissart B; and Froissart Rome. See also Diller's convincing hypothesis (Froissart Amiens, 1:xx-xxiii) that it originally included the first hundred sections of 'Book Two' or, according to Croenen, the entirety of the second book, at least in the B version: Godfried Croenen, "The Battle of Crécy According to Jean Froissart: Dating the 'Amiens', 'Abridged', 'B' and 'C' Redactions of Book I of Froissart's Chronicles," in *The Battle of Crécy: A Casebook*, ed. Michael Livingston and Kelly De Vries (Liverpool: Liverpool University Press, 2015), 408 (note 7).

9. Peter Ainsworth, "Jean Froissart: Chronicler, Poet and Writer," in *The Online Froissart*, v. 1.5, ed. Peter Ainsworth and Godfried Croenen (Sheffield, 2013), <http://www.hrionline.ac.uk/onlinefroissart/apparatus.jsp?type=intros&intro=f.intros.PFA-Froissart>. Luce's scheme identified also an 'A' version which was closely related to the B text (Froissart B, 1.xxxiv-xxxix),



The Rome MS, clearly written in 1400 or shortly after, represents the latest and most innovative text, though it stopped the narrative in 1350.<sup>10</sup> The order and dating of the other two redactions have been much more controversial, which has implications for the timing vis-à-vis Jeanne's life and the evolution of Froissart's portrayal of the duchess.<sup>11</sup> More recently, Diller has used internal evidence to reconstruct the sequence *Amiens* (c. 1380) – *B* (1390s) – *Rome* (though he reserves some doubts); Croenen accepts this order but moves the composition of *Amiens* back to 1384–1391.<sup>12</sup> Clearly, all versions post-date the Breton War of Succession by some two decades or more (Froissart's career as a chronicler, after all, seems only to have begun c. 1360), but the composition began while Jeanne was alive, or shortly after her death.

However, Palmer has convincingly argued that Froissart probably had numerous versions in progress simultaneously; it would be wrong to view each version as an 'improvement' on the last.<sup>13</sup> Rather, all three redactions were composed with a good deal of independence from one another—that is, 'not one of these highly divergent texts can derive *textually* from the other two'.<sup>14</sup> Still, Froissart did owe a great debt to 'les vraies croniques jadis faites et rassemblées par venerable homme et discret seigneur monseigneur Jehan le Bel'.<sup>15</sup> Many of the major errors in Froissart's account of the war's early years, from the muddled description of the succession to Jean de Montfort's implausible *chevauchée*, were not his invention.<sup>16</sup> But his portrayals of Jeanne's role after 1341 were his own, making his chronicle a far more valuable source for Jeanne's posthumous reputation than Le Bel's. Froissart's description of Jeanne's actions after Charles' capture in 1347

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but J. J. N. Palmer, "Book I (1325–78) and Its Sources," in *Froissart: Historian*, ed. J. J. N. Palmer (Woodbridge, 1981), 9, and Croenen, "Dating," 407 (note 5), have more recently argued that, in its extant form, this was not wholly Froissart's own composition. It was largely similar to the B text for the sections relevant here, though much more widely-copied. A later 'C' version introduced some modifications to the text, but not on a scale which interests us.

10. Froissart Rome, 11.

11. This debate has lasted more than a century; for its main outlines see, successively, the arguments of Jean Froissart, *Œuvres de Froissart: Chroniques*, ed. J.-B.-M.-C. Kervyn de Lettenhove (Brussels, 1867–1877), 1, pt. 2: esp. 27–79, 136–40, 156–69; Froissart B, 1:vii-lxxxiii; Palmer, "Book I," 12, 18–20.

12. Froissart *Amiens*, xix, xxii-iii; Jean Froissart, *Chroniques: Livre I (première partie, 1325–1350) et Livre II: Rédaction du manuscrit de New York, Pierpont Morgan Library M.804*, ed. George T. Diller and Peter F. Ainsworth, *Lettres gothiques* (Paris, 2001), 66–67; Croenen, "Dating," 396–97.

13. Palmer, "Book I," 24.

14. George T. Diller, "Froissart: Patrons and Texts," in *Froissart: Historian*, ed. J. J. N. Palmer (Woodbridge, 1981), 148.

15. 'The true chronicles formerly made and compiled by the venerable and discerning lord, milord Jean Le Bel', Jean Le Bel, *Chronique de Jean Le Bel*, ed. Jules Viard and Eugène Déprez (Paris, 1904), 1:xviii (hereafter cited as Le Bel). Le Bel (c. 1290–1370) was a canon of Liège who undertook an account of the deeds of Edward III that expanded somewhat beyond his original premise.

16. Jones, "War," 67.

was unparalleled in his precursor, while her inspiring speech before Auray occurred after the end of Le Bel's narrative (1361).<sup>17</sup> She was therefore a character in Froissart in a way she had not been before (and was rarely again).

Froissart had two good reasons to give Jeanne her modest spotlight. Jones has argued that because Charles' nephew Guy de Blois became Froissart's patron in the early 1370s, 'successive recensions of the *Chroniques*...become increasingly favourable to Charles de Blois or put greater emphasis on the role of his supporters'.<sup>18</sup> While Croenen has revised the chronology of Froissart's patronage in light of the later dating of the redactions, his association with the counts of Blois did prompt Froissart to include a disclaimer asserting his narrative neutrality.<sup>19</sup> Additionally, Froissart liked collecting oral accounts from eyewitnesses, and these included the former Penthievre partisan Even Charruel in 1373–4, and one of Charles de Blois' doctors, Guillaume de Saint-Mesmin, in 1388.<sup>20</sup> He had no doubt met others, unnamed, on his journey to Brittany in 1366.<sup>21</sup> Their experiences would shape the information they shared with Froissart, and so influence the chronicle's narrative.<sup>22</sup>

The *Chroniques* thus offer a cross between the facts of Jeanne's life, the way her power was understood by those who knew her, and the way these were transformed into reputation via a process of abstraction and assimilation to other recognized social norms. The 'verité' of central rhetorical significance in works of this sort lay less in facts than in 'ne pas transmettre un écho trompeur, mensonger, des bruits d'alentour: la fidélité de la reproduction est tout ce que l'on attend de sa bonne foi', even if these reports of contemporary rumor were contradictory or simply wrong.<sup>23</sup> Ainsworth argues that 'historical 'fact'' was 'inextricably inter-

17. Le Bel, 2:149; Froissart B, 4:43, 6:151–52; Froissart Rome, 817–18; Froissart Amiens, 3:333–34.

18. Jones, "Froissart," 3; in Jones, "War," 70, however, he suggested that Froissart 'did not deliberately or unduly falsify his narrative, even in the interests of powerful or rich patrons'.

19. Godfried Croenen, "Froissart et ses mécènes: Quelques problèmes biographiques," in *Froissart dans sa forge: Actes du colloque réuni à Paris du 4 au 6 novembre 2004, par M. Michel Zink*, ed. Odile Bombarde (Paris, 2006), 15–20; Froissart B, 1:liii-iv; Diana B. Tyson, "French vernacular history writers and their patrons in the fourteenth century," *Medievalia et Humanistica*, new series 14 (1986): 103–24; Ainsworth, "Froissart."

20. Froissart B, 4:115; Jones, "War," 73–74; Froissart, *Chroniques*, 1, pt. 1:318; Ernest Wickersheimer, *Dictionnaire biographique des médecins en France au moyen âge* (Geneva, 1979), 264; cf. Guenée, *Culture historique*, 78–85.

21. Jones, "Froissart," 3.

22. Peter Ainsworth, "Contemporary and 'Eyewitness' History," in *Historiography in the Middle Ages*, ed. Deborah Mauskopf Deliyannis (Leiden, 2003), 64ff.

23. Froissart B, 1:cviii-ix; cf. Le Bel, xxiv, 1–2; Nicole Chareyron, *Jean Le Bel: Le maître de Froissart, grand imagier de la guerre de Cent Ans* (Brussels, 1996), 58–60; Zrinka Stahuljak, "Neutrality Affects: Froissart and the Practice of Historiographical Authorship," in *The Medieval Author in Medieval French Literature*, ed. Virginie Greene (New York, 2006), 139; Bernard Guenée, "Y a-t-il une historiographie médiévale?," *Revue historique* 524 (1977): 261–275; Guenée, *Culture historique*, 350–54.

twined with fictions of various kinds, but in a manner that did not preclude the mergence of texts witnessing to a certain reality'.<sup>24</sup> At the same time, this reality of 'mental and social dimensions' was not interested only in the details of an individual's life; Froissart's success 'prouve que ses contemporains se sont reconnus dans le portrait qu'il leur présentait d'eux-mêmes'.<sup>25</sup> His French audience was primarily comital, at least until the mid-fifteenth century, and it was to this noble mindset that his work appealed.<sup>26</sup> Accordingly, hearsay about Jeanne, some of it perhaps derived from those who had known her, was reworked into narratives appealing to a broadly-defined aristocratic audience. Any points of similarity or of divergence with the trends we find in the *acta* or elsewhere are thus of particular significance for assessing the relationship between Jeanne's enacted authority and 'la 'mentalité'...des princes du quatorzième siècle et donc celle qui déterminait une part prépondérante de l'histoire politique'.<sup>27</sup>

At the same time, the multiple redactions do not offer the same story so far as the events in Brittany were concerned. The B version remained most closely attached to the account of Jean Le Bel, while Amiens and Rome showed greater innovation. Any comparison cannot be absolute, however, given that only two of the four chronicles actually covered the entire period of the conflict. Still, all follow a similar chronological framework, focusing after the death of Jean III on the intense struggles leading up to the treaty of Malestroit in 1343, then jumping ahead to Charles' capture at La Roche-Derrien. The longer accounts included the 'Combat des Trente' in 1351 and the siege of Rennes in 1356 before moving on to the final battle at Auray. But even the B version introduced certain small but significant changes to the inherited story, and the shifts in Froissart's portrayals of Jeanne herself are of no little importance within this larger picture.<sup>28</sup> In each redaction Froissart developed different aspects of Jeanne's role to a greater or lesser extent. His variations seem to have centred around interpreting three key points: Jeanne's inheritance, her relationship with the barons of Brittany, and her contributions to the war. By varying his emphasis and using different words and even scenes to characterize these elements, Froissart continually reinvented Jeanne's role as wife, heiress, mother, and duchess, without necessarily achieving a single portrait or consistent understanding of her role.

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24. Ainsworth, *Fabric*, 6, 23.

25. Palmer, introduction to *Froissart*, 5; Jacqueline Picoche, *Le vocabulaire psychologique dans les Chroniques de Froissart* (Paris, 1976), 1:9.

26. Laurence Harf-Lancner, "Image and Propaganda: The Illustration of Book 1 of Froissart's *Chroniques*," in *Froissart Across the Genres*, ed. Donald Maddox and Sara Sturm-Maddox (Gainesville, FL, 1998), 235.

27. George T. Diller, *Attitudes chevaleresques et réalités politiques chez Froissart: Microlectures du premier livre des Chroniques* (Geneva, 1984), 75.

28. In contrast to Jones' survey of the reworking of the war across the three redactions (Jones, "War"), this approach is more after the fashion of the *microlectures* of Diller, *Attitudes*.

*La droite heïresse: A question of legitimacy*

Jeanne's claim to the duchy of Brittany was in a sense her prime qualification for appearing in the chronicle, but Froissart's assessment of her rights and their implications for her role differs in the three versions, none of which exactly mirrored Le Bel's report. This can be seen in a very basic way by the numbers. Both Froissart and Le Bel discussed Jeanne's rights when developing the causes of the war.<sup>29</sup> But beyond that, Le Bel only referred to Jeanne's stake in the duchy or transmission of those interests to Charles twice. The B manuscripts were similar, with three mentions thanks to the fact that this account extended to 1364. Both Amiens and Rome, however, referred much more continuously to Jeanne as 'heritiere' or to Charles as duke 'depar sa femme': the former ten times, and the latter six despite ending in 1350. This established Jeanne as a much stronger presence in the struggle, linking her with the 'grans faits darmes' done in her name and reminding the reader of her legitimacy.

Indeed, Froissart, like Le Bel before him, understood Jeanne's claim to be better than that of Jean de Montfort.<sup>30</sup> To be sure, this decision was based on rather egregious misinformation about Jean's lineage, which made him Jean III's 'frere depar mere' alone and so unconnected to the line of Brittany.<sup>31</sup> But Froissart explored the validity of Jeanne's inheritance from a number of angles familiar to us from the early stages of Jeanne's own career. In the chronicle, her blood right was recognized by her uncle, who saw her as his legitimate successor and feared his half-brother's usurpation, and by the lords of Brittany. These elements, however garbled, of course reflected the thrust of the actual Penthièvre case for succession: that Jeanne's natural position as Jean's heir had been ratified by her uncle and, at his request, by 'tous les barons et les gr[and]es seigneurs du pais' who 'verent clairement quelle e[st]oit et devoit estre vroye heritiere de Bretagne par la coustume du pais'.<sup>32</sup> Froissart's source for these elements was certainly not the legal brief, so it is noteworthy that they had entered the more general flow of information surrounding the war. This complex viewpoint, moreover, allowed the different redactions to emphasize the roles of various parties in new ways.

Consider, for example, the succession crisis itself. Le Bel wrote that 'Cil duc [Jean III] avoit eu ung aultre frere germain...et en estoit demourée une petite fille,

29. Le Bel, 1:247; Froissart Amiens, 2:97; Froissart B, 2:87; Froissart Rome, 462.

30. This is perhaps surprising in light of Jean Le Bel's English sympathies, but attests the efficacy of Valois propaganda: Chareyron, *Le Bel*, 209, and see below, page 254.

31. Le Bel, 1:246; Froissart Amiens, 2:97; Froissart B, 2:87; Froissart Rome, 463; cf. Cassard, *Guerre*, 37–49; Jones, "War," 76–77. As the Penthièvre succession case had stressed, Jean was in fact the duke's brother 'de par pere tant seulement', which still allegedly made his claim inferior: BnF, MS fr. 18697, f. 129v.

32. 'All the barons and the great lords of the region...saw clearly that she was and should be the true heïress of Brittany according to the custom of the region', *ibid.*, f. 133v.

laquelle le duc son oncle avoit mariée à messire Charles de Bloys...et lui avoit promis la duchie de Bretagne aprez son decès'.<sup>33</sup> The B version adhered exactly to this flow of information: the deceased brother, the orphaned daughter married to the French prince, the duchy offered to Charles. Only a slight addition—'lui avoit promis *en mariage* la ducé de Bretagne'—gave any more weight to the proxy nature of Charles' inheritance.<sup>34</sup> The Rome manuscript, on the other hand, elaborated on several aspects of this backstory. It alone added that the 'belle jone fille' was 'nomee Jehane', before dwelling on her personal status as 'contesse de Pentevre de par sa dame de mere'.<sup>35</sup> But the Amiens redaction actually altered the sequence of facts. It began, '[s]i avoit il [Jean III] une sienne niece, fille de son frere germain...laquelle fille il avoit mariee à monseigneur Charle de Blois'.<sup>36</sup> This not only emphasized Jeanne's relationship to Jean over that between Jean and Guy, but also shifted the focus from her role in transmitting her father's claim to her husband, to her holding that claim in her own right.<sup>37</sup>

In this vein, both Rome and Amiens moved the introduction of that claim from the moment '[l]i dus...avoit la fille de son frere germain mariet a messire Carle de Blois' to the discussion of Jean III's fears about his half-brother's coup.<sup>38</sup> The duke 'se doubtoit bien' that Jean de Montfort 'vosist de forche apriés sa mort, entrer en le possession de Bretaingne et deshireter sa nieche qui drois hoirs en estoit' or, in the formulation of Rome, 'estorchier sa cousine la droite hiretiere de Bretagne, et bouter hors de son hiretage'.<sup>39</sup> It was in the context of Jeanne's inheritance that her marriage was planned, 'pour mieux tenir et garder ses droits et deffendre sen hiretaige', especially with the help of the French king, rather than Charles being promoted for the sake of his marriage and receiving his uncle's help directly.<sup>40</sup> This arrangement foregrounded Jeanne's blood relations and her

33. 'This duke had had another full brother, and from him remained a little daughter, whom the duke her uncle had married to milord Charles de Blois, and had promised him the duchy of Brittany after his death', Le Bel, 247.

34. 'Had promised him in marriage the duchy of Brittany', Froissart B, 2:87, emphasis mine.

35. Froissart Rome, 462. It also, unhelpfully, named Jeanne's father...as 'Jehan'. The confused attribution of the county to her maternal lineage was perhaps related to the fact that in all earlier versions Jeanne had not inherited Penthièvre before the treaty of Guérande.

36. 'He so had a niece of his own, the daughter of his full brother, which girl he had married to milord Charles de Blois', Froissart Amiens, 2:97.

37. Similarly, her *acta* varied between presenting her as heir to Guy and to Jean III: RACJ, 58, 67.

38. 'The duke had married the daughter of his full brother to milord Charles de Blois', Froissart Rome, 462. The similarities of these passages, quite distinct from the B version, help counter the possibility that Amiens might result from the modifications of another author: cf. Palmer, "Book I," 19, 20, 23.

39. 'Well suspected' that he 'would wish after his death to enter by force into the possession of Brittany and disinherit his niece who was the rightful heir', Froissart Amiens, 2:97; 'remove his cousin [sic, perhaps due to conflation with the younger Jean de Montfort?] the rightful heiress of Brittany, and evict her from her inheritance', Froissart Rome, 462.

40. 'To better hold and keep her rights and defend her inheritance', Froissart Amiens, 2:97.

uncle's sponsorship over the installation of a new duke through her.

Froissart then explored how this premise influenced the opinions of the Breton nobles, who 'sentoient que mesires Carles de Blois avoit a fenme la droite hiretiere de Bretagne'.<sup>41</sup> This was in fact a necessary part of confirming the rightful duke, for (according to a Penthièvre partisan), the duke must be 'recheus...de tous les barons et fievés[,] ensi conme il apertient a estre recheus'.<sup>42</sup> The Amiens manuscript also specifically mentioned the time that Jean III asked 'mil chevaliers et escuiers en la ducé de Bretaingne' to 'jurer fealment' their recognition of Jeanne's rights.<sup>43</sup> This trope emphasized the grounds for legitimacy that appeared not only in the 1341 arguments, but in later documents issued by Jeanne and Charles.<sup>44</sup> It almost goes without saying that Le Bel included none of this material. Nor did the B version, until the years in the 1360s which Le Bel did not cover; but it was clearly important to Froissart's conception of Jeanne's legitimacy as heiress in the Amiens and Rome versions.

Finally, Froissart considered in some detail the formal ratification of her claim. The outcome, prefaced by Jeanne's marriage arrangements and contextualized by Charles' close relationship with his uncle Philippe VI, comes as no surprise to the reader: but Froissart found it justified, despite Jean de Montfort's misgivings about a fair trial. In fact, even Le Bel and the B text noted the influence of the official judgement on reactions to Jean de Montfort's demands in Brittany. Garnier de Clisson, who held Brest in 1341, 'respondi qu'il n'estoit point conseilé de ce faire, et...ne le tendroit à seigneur, s'il n'avoit mandement et enseignes du seigneur à cui il devoit estre par droit'.<sup>45</sup> This sentiment was more thoroughly detailed in the Rome version, where Garnier awaited the moment 'qant les raisons seront esclarcies et determinees, la ou lieu ou elles le doient estre, c'est a Paris devant le roi de France et les douse pers'.<sup>46</sup> He stressed too that the new duke must not only be received by his lords, as we saw above, but also by the king 'a honne liege de foi et de bouche'.<sup>47</sup> This linked the approval of Jeanne within

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41. 'Felt that milord Charles de Blois had to wife the rightful heiress of Brittany', Froissart Rome, 464.

42. 'Received by all of the barons and enfeoffed persons, just as it pertains to him to be received', *ibid.*, 468.

43. 'A thousand knights and squires in the duchy of Brittany'; 'swear in fealty', Froissart Amiens, 2:110.

44. BnF, MS fr. 18697, f. 133v; *RACJ*, 72.

45. 'Replied that he was not at all advised to do so, and he would not hold him as lord if he did not have orders and instructions about the lord to whom it should be by right', Le Bel, 250; Froissart B, 2:91.

46. 'When the reasoning will be clarified and determined, in that place where they should be, that is to say, Paris, before the king of France and the twelve peers', Froissart Rome, 469.

47. 'As a liege man by faith and by the mouth', *ibid.*, 468, this last referring to the kiss performed as part of the ceremony (Reynolds, *Fiefs*, 19).

Brittany to the official practices of France, but also emphasized the importance of these correct proceedings (which Jean de Montfort flagrantly flaunted).

By the Rome version, Garnier's speech to Jean de Montfort rolled all the different components of legitimacy seamlessly into each other. While insisting that the duke receive baronial and royal approbation, he also recalled that '[j]e ai esté moult de jours et de nuis dalés monseigneur vostre frere...et se li ai oy dire et affremer, que a la ducee de Bretagne vous n'avés nul droit, mais [l'a] mesires Carles de Blois en l'oqison de madame sa femme qui fille fu a mesire Jehan [sic] de Bretagne, conte de Pentevre et frere germain au bon duc darrainement mort'.<sup>48</sup>

These developments showed that the framing of Jeanne's position were not set in stone. Firstly, her status as heiress was developed most strongly in the first and last redactions, though not identically in each; the B texts did not pursue this characterization as far. Being an heiress was neither a guarantee of Jeanne's inclusion as an actor nor the prerequisite thereof. This is consonant with the observations made in previous chapters using the records left more directly by Jeanne's career, and by other historians.<sup>49</sup> The similarity with the official and legal views of Jeanne's legitimacy was due no doubt less to Froissart's close attention to her particular case than to the shared understanding of what constituted a rightful claim in this period. Nevertheless, some details were strikingly on-point. The emphasis on the baronial oaths is reminiscent of the event as reported in the succession arguments, though this information could have been gleaned either from common report or from information from Guy de Blois as Froissart's patron. It also reflected Charles' reliance on Jeanne when the *acta* discussed the inheritance: that Charles was not duke in his own right was probably a permanent part of his identity, though it did not impede his performance of the ducal role.

### ***Leur droite dame: A question of loyalty***

Despite his attention to her personal stake in the Breton inheritance, the fact remains that Froissart referred to Jeanne most often as 'la femme a monseigneur Charlon de Blois'.<sup>50</sup> It was still easiest to define her by her relationship to her husband, which meant Froissart had to account for two potential objects of loyalty around which the Breton barons could rally (let alone the Montfortist split): one subordinate to the other yet also (per his description of her inheritance) the lynchpin of the cause. Accordingly, he did not always stress loyalty to Jeanne

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48. 'I spent many days and nights alongside milord your brother, and so I heard him say and affirm that you have no right in the duchy of Brittany, but milord Charles de Blois has it through his wife's cause, who was the daughter of milord Jean de Bretagne, count of Penthievre and full brother of the good duke lately deceased', Froissart Rome, 462.

49. LoPrete, "Gender," 1928–29; Sjurssen, "Jeannes," 39; see especially chapters four and nine (page 199).

50. 'The wife of milord Charles de Blois'.

herself in the same way. This tension was not solely the product of Froissart's narrative conception but also a reasonable reflection of the real Jeanne's career; however, as a theme it was original to Froissart rather than taken from Le Bel, and was most strongly emphasized in the earliest redaction.

The Amiens version of the exchange between Jean de Montfort and Henri de Pennefort stressed the devotion of the captain of Rennes to Jeanne as the product of her inheritance.<sup>51</sup> Challenged by Jean during the count's (exaggerated) *chevauchée* of 1341, Henri 'disoit bien que ja ne relenquiroit sa droite damme la femme à monseigneur Charlon de Blois et la tenoit et avoit tenu toudis à hiretierre de Bretaingne. Ossi tout chil de la chité de Rennez estoient de son accord'.<sup>52</sup> This turned conviction about her rightful claim into the view that Jeanne, while still appended to Charles, was the one whom Henri (and the townsmen) served: his relationship was with her rather than her husband. He maintained even when captured that his oath to Jean III had been to "tenir sa niece, femme à monseigneur Charlon de Blois, à damme et hiretiere".<sup>53</sup> He was willing to be held "em prison, s'il vous plect" until "la declaration sera faitte de vous [Jean de Montfort] et d'elle".<sup>54</sup> Associating the legal debate with Jeanne ran counter to every description of the proceedings in Paris, even later in the Amiens text and of course the actual succession arguments and *arrêt* of Conflans, where Charles was the central claimant against Jean.<sup>55</sup> Here, Henri's adherence to Jeanne did not admit Charles as a proxy in the question of the succession and established her as the head of their cause.

Jean de Montfort accepted these terms of debate at least long enough to pour scorn upon them, retorting, "Messire Henri, vostre argument ne vallent noient ne de vostre damme, femme à messire Charle de Blois".<sup>56</sup> While he of course could not admit Jeanne's rights, he did not contest that Henri could claim to serve her. This contrasted with the eventual Montfortist historiography, which focused on the struggle between the two erstwhile dukes; the earliest, Guillaume de Saint-André's poem, almost entirely elided Jeanne from the narrative.<sup>57</sup> But when Henri debated with Jean, it was Charles who came in only edgewise. Henri responded

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51. Given the historical problems with Froissart's narrative of the early months of the war, the direct factual basis of this scene must be highly dubious: Jones, "War"; Jones, "Froissart."

52. 'Said indeed that he would never abandon his rightful lady, the wife of milord Charles de Blois, and that he held her and had held her always as the heiress of Brittany. Also all those of the city of Rennes were in agreement with him', Froissart Amiens, 2:107.

53. 'Hold his niece, wife of milord Charles de Blois, as lady and heiress', *ibid.*, 2:111.

54. 'In prison, if it please you'; 'the declaration has been made concerning you and her', *ibid.*

55. Froissart Amiens, 2:142; BnF, MS fr. 18697, f. 124 et al.; *Preuves*, 1:1421–24.

56. 'Milord Henri, your argument is not worth anything, nor your lady, wife of milord Charles de Blois', Froissart Amiens, 2:112.

57. Saint-André, *Chronique*, except l. 604, 1505.



to these exhortations to foreswear his lady by declaring, “Sire, vous poués faire de moy vostre bon plaisir més pour morir, je ne le relenquiray ja mon droit seigneur ne le serment que j’ay fet”; his concern was with “loyaulté maintenir”.<sup>58</sup> Was this ‘seigneur’ now Charles de Blois, or did it comprise Jeanne de Penthièvre, as it had done in the contract of Robin de Lanvalay?<sup>59</sup> Was it instead Jean III, who had appointed Henri to his post and to whom he had made his ‘serment’? It is unclear—or perhaps multivalent. After all, Jean de Montfort remained adamant that while “otant bien amons nous nostre loyauté et honneur que vous faites la vostre...nous ne veonz nul apparrant de monseigneur Charlon de Blois ne de sa femme qu’il se retraient avant à l’hiretaige”, reemphasizing the dual aspects of his enemies’ claim.<sup>60</sup> He acknowledged that either Charles or Jeanne might make moves on Brittany, and that either might command Henri’s strong allegiance.

At this point, though Henri had argued that all the inhabitants of Rennes shared his opinion, events quickly proved otherwise: but the conflicting loyalties lay not between Jeanne and Charles. Rather, ‘la communauté volloit que la cité fust rendue et messires Henris de Pennefort delivrez; et li rice homme et grant bourgeois y estoient tout contraire et disoient que ja n’avenroit que il feissent fraude ne se desloyautassent enviers leur droite damme naturelle pour .I. chevalier’.<sup>61</sup> The problem was attachment to a beloved local commander or the more distant figure of the prince, but again it was Jeanne whom people felt compelled to serve. There was an inevitability here that is worth noting, for Charles could not so automatically receive loyalty as could Jeanne—even if, in the end, Jean de Montfort did capture Rennes and was able to collect the homage of all within, including Henri. Despite the incongruous ending, this exchange very clearly idealized and foregrounded loyalty to Jeanne. This portrayal may have in part reflected Froissart’s attraction to the themes of romantic chivalry, whereby men ‘should serve their ladies as if they had been their lords’.<sup>62</sup> However, Henri’s relationship to Jeanne was not built out of sentiment, but out of law, right, and nature—and, in real life, captains had sworn to obey Jeanne.<sup>63</sup>

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58. ‘Lord, you can do with me your good pleasure, but even in dying, I will never abandon my rightful lord nor the oath which I made’; ‘maintaining loyalty’, Froissart Amiens, 2:112.

59. AD P-A, E 629; cf. chapter five, page 124.

60. ‘We love our own loyalty and honour as much as you do yours, we see no sign that milord Charles de Blois or his wife are putting themselves forward to the inheritance’, Froissart Amiens, 2:114.

61. ‘The common people wished for the city to be surrendered and milord Henri de Pennefort freed; and the rich men and the important townsmen were all opposed to this and said that never would it happen that they should commit fraud or be disloyal towards their rightful and natural lady on behalf of a single knight’, *ibid.*, 2:114–15.

62. Constance Brittain Bouchard, *Strong of Body, Brave and Noble: Chivalry and Society in Medieval France* (Ithaca, 1998), 133; cf. Craig Taylor, *Chivalry and the Ideals of Knighthood in France During the Hundred Years War* (Cambridge, 2013), 92, 158–59.

63. AD P-A, E 629.

Froissart stressed this obedience again at the end of the first phase of the war, when the fighting had calmed sufficiently for Jean, duke of Normandy, to take his leave. Froissart described how he ‘laissa son cousin Monseigneur Carle de Blois en Nantez avoecq sa femme. Et pria et enjoindi as barons de Bretaingne qui de son lez se tenoient, que il fuissent bon et loyal enviers monseigneur Carlon son cousin et sa femme leur damme, autrement il courouchoient trop fort le roy son pere’.<sup>64</sup> Jeanne and Charles were both presented as the rightful objects of the barons’ loyalty. Their relationship was not, however, identical: Charles was characterized as the cousin of the duke of Normandy, while his wife was the barons’ lady. In fact, Charles was repeatedly associated with the French forces that King Philippe provided: these were, after all, the reason he had been betrothed to Jeanne in the first place.<sup>65</sup> In the portrayal of his actions and many of his relationships with the Breton barons, he did unsurprisingly feature alone as duke and received homage (a status not without parallel in real life, as we have seen).<sup>66</sup> But Charles’ actions were very often defined in relation to his wife, as when Hervé de Léon ‘fist feaulté et hoummaige si comme a son signeur et le recognut a ducq et a droit hiretier de Bretaingne depar madamme se femme’.<sup>67</sup> In the Amiens text, Jeanne had the most direct connection to the barons of Brittany while Charles represented the might of the French crown—a dynamic strongly reminiscent of the preamble to Jeanne’s donation in 1343 where Jeanne’s ‘bons et loiaus amis...prelaz, barons et autres nobles de Bretaigne’ sought for her the help of ‘mons. Challes et de ses tresgranz et hauz seigneurs et amis’.<sup>68</sup> These relationships were not without parallel in the second and third redactions, but in these, Froissart moved away from how others responded to Jeanne and focused more on how Jeanne herself reacted to the war for Brittany.

### ***La dame qui s’en appellée duçoise: A question of action***

Let us pause over a nineteenth-century depiction of Jeanne de Penthièvre alongside four French warrior women, Blanche de Castille (1188–1252), Jeanne d’Arc (d. 1431), Julienne du Guesclin (d. 1405), and her rival in the Breton wars Jeanne de Flandre (Figure 23). This image is particularly interesting for the contrast be-

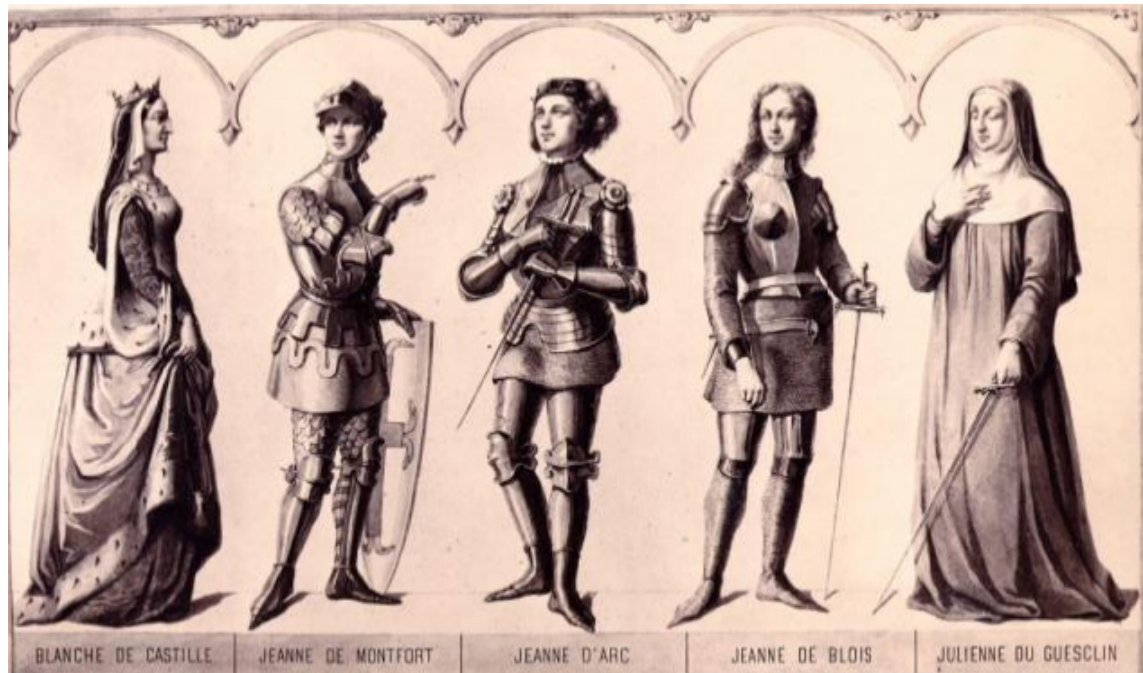
64. ‘Left his cousin milord Charles de Blois in Nantes with his wife. And he asked and enjoined the barons of Brittany who held themselves of his party to be good and loyal towards milord Charles his cousin, and to his wife their lady, otherwise they would greatly anger the king his father’, Froissart Amiens, 301; cf. 300, for the parallel passage with Jeanne de Flandre and the English.

65. Ibid., 2:97.

66. Ibid., e.g. 142, 144–45.

67. ‘Gave fealty and homage as to his lord and recognized him as duke and as the rightful heir of Brittany through milady his wife’, *ibid.*, 153.

68. ‘Good and loyal friends, the prelates, barons, and other nobles of Brittany’; ‘milord Charles and of his very great and high lords and friends’, *RACJ*, 72.



**Figure 23:** French female fighters, frontispiece to Alfred Tranchant and Jules Ladimir, *Les femmes militaires de la France* (Paris, 1866), with Jeanne de Penthièvre named as ‘Jeanne de Blois’

tween Jeanne de Penthièvre in her (somewhat imaginative) full plate, and the mother of Saint Louis in her flowing (if strangely bustled) surcoat. On one level, it represents two different understandings of what being a ‘military woman’ meant. Casting Jeanne as an actual combatant was not the only way to understand female military participation: the command and government of Blanche, who acted as regent for her crusading son, was an equally important contribution to war.<sup>69</sup> On another level, it reflects the evolution of Froissart’s treatment of Jeanne in relation to the war of succession.

The first main opportunity for Froissart to introduce Jeanne to the fight in this narrative was in 1347 after Charles’ capture. Le Bel had not made much of the aftermath of this event, laconically summarizing the next nine years: ‘fut envoyé ledit messire Charles en Angleterre...et demoura long temps en prison, puis se raenchonna de quatre fois cent escus vielx’.<sup>70</sup> The Amiens manuscript followed this model, despite emphasizing Jeanne’s role in other places. It did earlier recount an anecdote unique to this version in which, anticipating a siege at Rennes, Charles ‘eut conseil qu’il s’empartiroit et madamme sa femme ossi car mieux entendoient à leurs besoingnes, se il avoient lez clés de camps que ce que il fuissent là dedens enclos. Si fist sa femme amener à Nantes et il s’en vint

69. Shadis, “Argument”; Gérard Sivéry, *Blanche de Castille* (Paris, 1990), 131, 173–79, 181–97, 229–34; cf. Sjurssen, “Leaders,” 7.

70. ‘The said lord Charles was sent to England, and remained a long time in prison, then ransomed himself for four times one hundred old *écus*’, Le Bel, 2:149.

au Susenio'.<sup>71</sup> This passage did not portray Jeanne participating in any military decision-making: her husband took counsel and had her sent away. But it treated their 'besoignes' and their tactical advantages as shared concerns, and Charles moved Jeanne not simply to a well-defended place but to one of the Penthievre power bases, a city which Froissart termed elsewhere 'li chiefs et li souverainne chité de Bretaingne'.<sup>72</sup>

The B redaction further associated Jeanne with planning the war, again with a scene at Nantes. When Bertrand du Guesclin arrived there in 1364, 'là trouva le dit monsigneur Charle et madame sa fame qui le rechurent liement et doucement, et li sceurent très grant gré de ce qu'il estoit ensi venus. Et eurent là parlemant ensamble, comment il se maintenoient; car ossi y estoit li grigneur partie des barons de Bretagne'.<sup>73</sup> Jeanne now participated in the council on strategy while their army awaited their orders, collaborating with the leading figures of the Breton war. This was perhaps possible because, in this version, Froissart *did* introduce the reader to Jeanne as a military figure after the disaster of La Roche-Derrien. Despite Charles' capture, all his towns and strongholds held firm 'car madame sa femme, qui s'appelloit duçoise de Bretagne, prist la guerre de grant volenté'.<sup>74</sup> Having stepped into Charles' shoes specifically as a war leader, it was reasonable for her to take part in subsequent decisions.

The shifting relationship of Jeanne to the war between the Amiens and B versions is also illustrated in the reactions to the defeat at Auray. In both, Charles V sent Louis d'Anjou 'pour reconforter et consillier le paÿs, qui moult estoit desolet et esbahis et, par especial [or, in B, 'ossi'], celle qui s'appelloit duçoise et hiretierre de Bretaingne'.<sup>75</sup> Not unexpectedly, he found her in a state of grief: in the Amiens text, this was because 'elle veoit son marit monsigneur Carle de Blois mort et ses II fils emprisonnés en Engleterre, Jehan et Ghui'. In the B version (which designates Jeanne as Charles' wife rather than a duchess-heiress), the scene became more dramatic: Jeanne 'estoit si desolée et desconfortée de la mort de son mari que riens n'i falloit'.<sup>76</sup> This contrasted a (rather understandable) assessment

71. 'Took counsel that he would depart and milady his wife also, for they would better attend to their designs, if they held the key to the open spaces than if they should be enclosed therein. So he had his wife brought to Nantes, and he went to Suscenio', Froissart Amiens, 2:279.

72. 'The head and sovereign city of Brittany', *ibid.*, 98.

73. 'There he found the said lord Charles and milady his wife, who received him joyfully and kindly, and they were very grateful to him for having come. And they held a meeting there together, [about] how they would defend [their cause]; for there also were the greater part of the barons of Brittany', Froissart B, 6:148–49.

74. 'For milady his wife, who called herself duchess of Brittany, took up the war with great will', *ibid.*, 4:43.

75. 'To comfort and advise the country, which was much grieved and astonished and, in particular/also, she who called herself duchess and heiress of Brittany', Froissart Amiens, 3:356; cf. Froissart B, 6:173.

76. 'Was so grieved and discouraged over the death of her husband that there was nothing that

of Jeanne's present hardships with a much more raw, emotional, and seemingly final state of sorrow.

However, the reactions Louis provoked effectively reversed these initial perceptions. He promised Jeanne, in the Amiens manuscript, 'qu'il se feroit cause et chiés de le guerre contre le comte de Montfort...Més quant la damme examinait bien toutes ses besoingnes, elle se veoit bien en dur parti. Si ploroit et regretoit ses amis et bien avoit cause'.<sup>77</sup> Despite having her third son to hand and the enthusiastic offer of military assistance—indeed, an effective replacement for Charles in bringing French force to bear in Brittany—Jeanne was unwilling to take up the fight again. By contrast, the Louis of the B text 'prommetoit de grant volenté as bonnes villes, chités et chastiaus de Bretagne et au demorant dou pays, conseil, confort et aide, en tous cas. En quoi la dame...et li pays eurent un espasse de temps grant fiance jusques adonc que li rois de France et ses consaulz, pour tous perilz oster et eschiewer, y misent attemprance'.<sup>78</sup> While Louis again took the initiative, and the decision involved all the Penthièvre partisans, Jeanne had the will to carry on just as she had in 1347. It was only when the king decided instead in favour of reconciliation that the structure on which Jeanne relied fell apart and undermined her ability to wage war.

Moreover, there was much greater emphasis in the B manuscript on Jeanne as a force to be reckoned with after Auray. In the Amiens manuscript, the younger Jean de Montfort sought the approval of his king, Edward III, before conceding to peace talks; Edward 's'i acorda assés legierement et le loa bien au comte de Montfort qu'il le fesist'.<sup>79</sup> With his authorization, peace could simply happen: after all, Jeanne had already decided to do nothing in response to her loss. In the B tradition, however, the 'pais entre lui et le pays et la ditte dame qui s'en appellée [sic] duçoise' became more complicated in Edward's view.<sup>80</sup> The English king 'consilloit bien le conte de Montfort à faire pais, mais que la ducé de Bretagne li demorast, et ossi que il recompensast la ditte dame, qui duçoise s'en estoit appellée, d'aucune cose, pour tenir son estat bien et honnestement, et li assignast sa

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could be added', *ibid.*

77. 'That he would act in her interests and as head of the war against the count of Montfort. But when the lady examined closely all her needs, she saw herself in a hard place indeed. Thus she wept and lamented her friends, and with good reason', Froissart Amiens, 3:356.

78. 'With great willingness promised counsel, comfort, and aid in all cases to the *bonnes villes*, cities, and castles of Brittany and to the inhabitants of the region. In which the lady and the region had for a while great confidence all the way until the king of France and his councillors, in order to remove and avoid all dangers, tempered things there', Froissart B, 6:173.

79. 'So he quickly granted it and recommended indeed to the count of Montfort that he do so', Froissart Amiens, 3:361.

80. 'Peace between him and the region and the said lady who called herself its duchess', Froissart B, 6:178.

rente et revenue en certain lieu où elle le peuist avoir sans dangier'.<sup>81</sup> This suggests the possibility that the young Jean could lose his duchy to Jeanne again, at least in part. Moreover, Jeanne was entitled to something in return; one wonders if the lack of 'dangier' was meant for her peace of mind or for Jean's. The repetition of the phrase 'qui s'en appellée duçoise' in this passage was not accidental. It was used as a reminder of Jeanne's active pursuit of her title, and would appear much earlier in the narrative in the Rome manuscript.<sup>82</sup>

Indeed, despite the evolution of Jeanne's actions between the Amiens and B versions, both of these Jeanne de Penthièvre (as well as the real Jeanne) would have been better portrayed in the nineteenth-century image in Blanche's guise: she appeared as an administrator and organizer, not as a combatant. But the illustrator was apparently drawing on the same narrative as the Rome manuscript, which marked a radical departure from the previous interpretation. In 1347, Charles did not simply vanish to England for a 'long temps'. Jeanne did not even take over, 'de grant volenté', the management of the war in a general sense. Instead (and the passage is worth quoting at length),

la fenme a messire Carle de Blois, qui se tenoit en Nantes et qui se nonmoit duçoise de Bretagne...prist et requelli le frain aux dens et monstra corage d'onme et de lion, et retint tous ses compaignons, chevaliers et escuiers qui de sa partie estoient, et fist le visconte de Rohem et messire Robert de Biaumanoir, capitaines et regars de sa chevalerie. Et quant chevaliers et esquiers venoient deviers li en son service, elle lor monstroist deus biaux fils que elle avoit de messire Carle de Blois son mari, Jehan et Gui, et disoit: "Vechi mes enfans et hiretiers. Se lors peres vous a bien fait, je et li enfant vous ferons encores mieuls." Et cevauça li [sic] ditte dame de ville en ville et de forterece en forterece qui pour li se tenoient, en rafresqissant et en rencoragant ceuls que mesires Carles de Blois son mari i avoit mis et establis. Et fist la dame aussi bonne gerre et ausi forte a l'encontre de la contesse de Montfort et de ses gens, comme en devant mesires Carles son mari et ses gens avoient fait.<sup>83</sup>

Thereupon, Charles was shipped off to England as before.

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81. 'Indeed counselled the count of Montfort to make peace, if the duchy of Brittany would remain his, and also if he would recompense the said lady, who called herself its duchess, with something to uphold her status well and honestly, and assigned her rent and revenue in a certain place where she could have it without danger', Froissart B, 6:179.

82. Froissart Rome, e.g. 482, 817.

83. 'The wife of milord Charles de Blois, who was holding herself at Nantes and who called herself duchess of Brittany, took and assumed the bit in her teeth and showed the courage of a man and of a lion, and she kept together all her companions, the knights and squires who were of her partie, and she made the viscount of Rohan and milord Robert de Beaumanoir captains and overseers of her troops. And when the knights and squires came to her in her service, she showed them two fair sons which she had by milord Charles de Blois her husband, Jean and Guy, and said: 'Here are my children and heirs. If their father has done you well, I and the children will do you even better'. And the said lady rode from town to town and from fortress to fortress, those which held for her, revitalizing and encouraging those whom milord Charles de Blois her husband had put and established there. And the lady waged as good and as strong a war against the countess of

This passage used tropes introduced above, such as Jeanne's base at Nantes and her self-claimed title. In some ways, it merely filled in the details which the B version could have implied: appointing captains, rallying support, or promising rewards were all part of military leadership.<sup>84</sup> Yet the very decision to add these concrete elements and turn a single line into a lengthy scene suggests the extent to which Froissart had rethought Jeanne's role. She became active, getting on her horse and touring the country, and interacted with her followers in a new way by personally bolstering their loyalty and their morale. Whereas before she complemented Charles, she now imitated and even surpassed him. This is perhaps the most significant change. Whereas the B text claimed that 'les villes, les cités et les forterèces *de monsigneur Charle*' remained loyal as the result of Jeanne's leadership, now they held firm as her 'partie' alone.<sup>85</sup> She became equivalent to the lord they had lost and assumed the 'courage of a man and of a lion'—and perhaps the armour of the nineteenth-century sketch. Never in any of the previous versions had Jeanne had to move beyond her gender to perform her role, which fell within the normal bounds of a noblewoman waging war.

Accordingly, this transformation did *not* reflect the portrayal of Jeanne's actions in any of the official documents surviving from her rule, which never presented her as the physical leader of her troops. Was this the result of Froissart's passion for recording great deeds of arms as the so-called 'chronicler of chivalry'?<sup>86</sup> If so, this evolution is striking in light of the relatively marginal place traditionally given to women as the doers of chivalric deeds, rather than as their object.<sup>87</sup> Sjursen has argued that women were not excluded 'from certain spheres of action that modern scholars have falsely deemed "masculine"', including military affairs, but the transformation of Jeanne de Penthièvre from a woman taking up the war with 'grant volenté' to one with the heart of a man helps clarify the line separating those types of military activity could be undertaken within the

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Montfort and her people, as before milord Charles de Blois and his people had done', *ibid.*, 817–18.

84. As we have seen in the *acta* Jeanne had always been particularly solicitous in rewarding service alongside, and sometimes more vigorously than, Charles: it was an essential tool not only for maintaining loyalty on a practical level, as Froissart acknowledged, but the only appropriate behaviour for a lord.

85. 'The towns, the cities, and the fortresses of milord Charles', Froissart B, 4:43, emphasis mine.

86. Ainsworth, *Fabric*, 80.

87. Keen, *Chivalry*, 186 et al.; Ludivine Fest, "La chevalière au Moyen Âge: Entre fantasme et réalité," in *Le cheval dans les sociétés antiques et médiévale*, ed. Stavros Lazaris (Turnhout, 2012), 106–07; Roberta L. Krueger, "Questions of gender in Old French courtly romance," in *The Cambridge Companion to Medieval Romance*, ed. Roberta L. Krueger (Cambridge, 2000), 140, 145; Sjursen, "Leaders," 10, although she has also demonstrated Froissart's interest in such roles. Some medieval literature made a sort of parody of the knightly lady, but this was evidently not part of such a tradition of inversion: Helen Solterer, "Figures of Female Militancy in Medieval France," *Signs* 16 (1991): 524.

normal bounds of female activity from those which exceeded it.<sup>88</sup> Writing for ‘his warlike, aristocratic contemporaries’, Froissart would have understood that while women did sometimes act like knights—Jeanne de Belleville (d. 1359), who reacted with violence to the execution of her husband Olivier III de Clisson, was a notable recent example from Brittany—such actions were considered a sign of a desperate situation.<sup>89</sup> That Jeanne was willing to continue the fight was itself unremarkable, but that she did so from a horse was something she was pushed to rather than a choice she made, however heroically she filled the role.

Froissart’s innovative portrayal was inspired most immediately by his own text, where the display of ‘corage d’homme et de lion’ was more usually the province of Jeanne de Flandre. Jean Le Bel had originally and repeatedly attributed it to her, for he established her as central to the Montfortist side of the conflict: before her husband’s capture she was repeatedly on hand to advise him and celebrate their victories, while after his capture she led a heroic resistance against the Franco-Breton forces of Charles de Blois, including the famous incident in which she personally led a sortie from Hennebont to set fire to the enemy encampment.<sup>90</sup> Froissart transposed this narrative to all three redactions of his first book: it was clearly a powerful model for him, and it was along these lines that he began to reevaluate the character of Jeanne de Penthièvre.

More specifically, the Rome version patterned Jeanne de Penthièvre’s leadership in 1347 on that of Jeanne de Flandre after the capture (and subsequent death) of Jean de Montfort. Froissart himself contrasted the Jeannes at the start of this passage: ‘Se la contesse de Montfort fu resjoie, la femme a messire Carle de Blois...fu durement courouchie et a bonne cause, car elle se veoit eslongie de conseil et de confort’.<sup>91</sup> When Jean was lost, Jeanne de Flandre also ‘prist le frain a dens’ and gathered her servitors, ‘chevaliers et esquiers et ceuls dont elle pensoit a estre amee, aidie et servie’.<sup>92</sup> To them, she displayed her fair son and entreated the knights to serve their cause, before heading off on a tour of

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88. Sjurson, “Jeannes,” 40. Bousmar, “Noblesse,” 149, for example, contributes usefully to a feminist perspective of the nobility while underestimating female involvement in war.

89. Ainsworth, *Fabric*, 84–85; Henneman, *Olivier de Clisson*, 26–27.

90. Le Bel, 308–09. Plaine has plausibly argued that her military exploits, which are not corroborated by even the most favourable Montfortist chronicles except insofar as they derive the account from Froissart (e.g. Bouchart, 2:52), were fictional: Plaine, “Jeanne,” 8–9. Chareyron, *Le Bel*, 266, suggests that there may have been some conflation with the deeds of Jeanne de Belleville (d. 1359). Whatever the case, her legend inspired subsequent traditions, such as the Breton song ‘Jeanne La Flamme’, attested in the nineteenth century: Hersart de la Villemarqué, *Barzaz Breiz: Chants populaires de la Bretagne*, 4th ed. (Paris, 1846), 190–94.

91. ‘If the countess of Montfort was made joyful, the wife of milord Charles de Blois was greatly angered and with good reason, for she saw herself distanced from counsel and from comfort’, Froissart Rome, 818.

92. ‘Took the bit in her teeth’; ‘knights, squires, and those by whom she thought to be loved, aided, and served’, *ibid.*, 502.



her strongholds to encourage her other partisans. This format and even the specific phrasing in Jeanne de Penthièvre's 1347 passage make it clear that the relationship was direct. Rather than becoming any Amazon whatsoever, Jeanne de Penthièvre became, in this moment, her rival.

This link between the two Jeannes was at the heart of the reason for Froissart's progressive militarization of Jeanne de Penthièvre, for it reflected the way in which he understood or wished to narrate this aspect of the conflict. Of course, it was Le Bel who initially spoke of the war between the two duchesses. As a preface to the famous episode of the 'Combat des Trente' in 1351, he wrote that 'affin que vous le puissiez mielx entendre, vous devez sçavoir que toudis estoient guerres en Bretagne entre les parties de II dames; combien que messire Charles de Bloys fust emprisonné en Angleterre, et combien que treves fussent entre les II roys, si guerroient les parties des II dames'.<sup>93</sup> This comes, however, as a bit of a non sequitur after his silence on Jeanne's role in 1347, and it does not seem to have greatly shaped his treatment of any other episode.

For his part, Froissart found this passage worth retaining in both the Amiens and B redactions, with nearly identical wordings in both, but made two changes. He detailed the fact that the war was upheld 'par garnisons qui se tenoient ens es castiaux et es fortez villes de l'une partie et de l'autre'.<sup>94</sup> And he dropped the reference to the royal conflict, bringing the focus more sharply to the Breton situation. More specifically, referencing only Charles' imprisonment underlined the fact that his wife was now left in the duchy—just the same situation that Jeanne de Flandre had found herself in a few years before. This parallel, which enabled the existence of a 'guerre des deux dames', increasingly shaped Froissart's interest in the female aspects of the war narrative. While Le Bel and even the Amiens manuscript passed over Charles' capture with little fanfare, by the B version Frois-

93. 'So that you might better understand it, you should know that there were still wars in Brittany between the parties of the two ladies; even though milord Charles de Blois was imprisoned in England, and even though there were truces between the two kings, so the parties of the two ladies fought', Le Bel, 2:194. It is not clear whether this passage was meant to actually explain the Combat des Trente or just provide the background for why an Anglo-Breton set piece fight was occurring at all. In Le Bel's chronicle, Jean de Beaumanoir called out the English captain Robert Bemborough to fight 'pour l'amour de leurs *dames*' (emphasis mine), which after the preface might suggest that it was done in the service of the two Jeannes. However, Bemborough retorted that '*leurs amyes* ne voudroient pas qu'ilz se feissent tuer se meschanment' (emphasis mine), which implies that the '*dames*' in question were instead the knights' lovers rather than their leaders (and fits the combat fully into the courtly/chivalric mode). In Froissart's chronicles, the reading of the two words varies: respectively, '*dammes/dammez*' (Amiens) and '*amies/amies*' (B). It is therefore not possible to decisively view the combat as conducted in the names of the two Jeannes, even if it was cited as a noteworthy episode of these ladies' war. Note that the medieval accounts dedicated to the combat omitted the framework of a fight for any '*dames*', duchesses or otherwise: G. A. Crapelet, *Le combat de trente Bretons contre trente Anglois* (Paris, 1827), 15–16 (which Henry Raymond Brush, "La Bataille de Trente Anglois et de Trente Bretons," *Modern Philology* 9 (1912): 542, argues was composed c. 1353–1364, or even before 1355); Saint Paul, *Chronique*, 4 (1470).

94. 'By garrisons which held within the castles and the strong towns of one side and the other', Froissart Amiens, 3:54.

sart noted that '[e]nsi fu la guerre de ces deux dames': he was explaining the genesis of this memorable fight and putting substance behind the development of the narrative. Moreover, he actively involved Jeanne de Penthièvre alongside Jeanne de Flandre, instead of simply having the 'parties' of the two ladies fight one another. By the Rome text, Froissart expanded Jeanne's role into contexts where it had not previously appeared. In the two-year truce accorded after Edward captured Calais in 1347 'furent reservet et exeptet en celle trieuve les deus dames de Bretagne, la fenme a mesire Carle de Blois et la contesse de Montfort; et tinrent toutdis ces deus dames en Bretagne la guerre, li une contre l'autre'.<sup>95</sup> Not only did Jeanne de Penthièvre appear in the 'international' dialogue and even precede her rival (who was of course an old hand at talking with kings), but moreover, one against another, they single-handedly kept the war alive.

Froissart's introduction of the war as a whole eventually evolved to accommodate this storyline. He had introduced the war through a more masculine lens in both the Amiens and B texts: 'Si en dirés...quel cause et droit messires Charles de Blois eut au grant hiretage de Bretagne, et d'autre part li contes de Montfort qui en fist fait et partie contre lui, dont tant de rencontres, de batailles et d'autres grans fais d'armes sont avenu en la ditte ducé'.<sup>96</sup> The Rome manuscript, however, spoke much more briefly (if with great emphasis) of 'la matere des gerres de Bretagne, qui furent moult grandes et moult fortes, et qui durerent moult longement et par lesquelles moult de mauls et de violenses sourdirent'.<sup>97</sup> If this sudden shift away from great deeds to grim ones reflected the general 'disillusionment' generally seen in Froissart's last redaction, it also set the stage for the desperate situations which would require two unlikely champions—i.e. women—to take to horse. More obviously, by removing the initial parallel between Charles and Jean, Froissart kept open the question of leadership.

It was then a matter of making 'la fenme a Charles de Blois' live up to the towering reputation of her rival and so become an appropriate opponent—especially since the two were never directly seen affronting one another in detail. For this process, the Rome version of Jeanne de Penthièvre's actions in 1347 was the logical conclusion, characterizing Jeanne in terms already familiar to the reader and so helping them to understand the war through these two Amazonian counter-

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95. 'The two ladies of Brittany, the wife of Charles de Blois and the countess of Montfort, were reserved and exempted from this treaty; and these two ladies upheld the war in Brittany, the one against the other', Froissart Rome, 856.

96. 'So I will tell you what reason and right milord Charles de Blois had in the great inheritance of Brittany, and on the other hand the count of Montfort, who acted and sided against him, from which so many confrontations, battles, and other great deeds of arms came about in the said duchy', Froissart B, 2:86 (Froissart Amiens, 2:96, is identical until 'dont tant de rencontres...', which it omitted).

97. 'The matter of the wars of Brittany, which were very great and very intense, and which lasted a very long time, and by which very many ills and acts of violence arose', Froissart Rome, 461.

parts. However, Froissart's Jeanne de Penthièvre in 1347 was not the carbon copy of Le Bel's Jeanne de Flandre in 1343. Froissart adapted the later passage to reflect Jeanne de Penthièvre's unique personal status. For instance, it was Jeanne de Flandre who broke down in tears before her assembled knights; she highlighted her place as a "dame veve et orfene de mari" and asked them to have "pité de moi" as they lent her their aid.<sup>98</sup> Jeanne de Penthièvre simply promised that she would reward the lords *even more* than Charles had done, and proceeded to accomplish exactly that. Her independent authority allowed her to replace Charles rather than emphasizing her loss (nonetheless real enough), while Jeanne de Flandre's prospects were less assured.

This disparity is also visible in how Froissart portrayed the two Jeannes' respective use of their children.<sup>99</sup> Jeanne de Flandre showed off the son of her husband, "son hiretier et vostre signeur", to whom she was something of an ancillary force even if she would still be a "bonne dame et courtoise".<sup>100</sup> On the other hand, Jeanne de Penthièvre had her own heirs, and "je et li" would ensure the future prospects of the party together—that she took precedence over her children instead of effacing herself behind them was reinforced by the word-order. This dynastic power was one that only she, and not her rival, could personally invoke. This was a change from the earlier versions. In both the Amiens and B redactions, Jeanne de Flandre had basically set Jean aside: "Ne vous desconfortés mies ne esbahissiés pour monsigneur que nous avons perdu: ce n'estoit que uns seulz homs. Veés ci mon petit enfant..."<sup>101</sup> But when Froissart chose to assign a like role to Jeanne de Penthièvre, Jeanne de Flandre was suddenly stripped of her position and made to conform to a stricter sense of lineage.

Interestingly, the importance of Jeanne de Penthièvre's role as a mother had been recognized on 5 October 1349, when Clement VI wrote offering solace and help in the matter of her husband's captivity. He advised her, "[i]nterim autem viri absentiam natorum solatio recompensans, continua erga eos nutrituram laudabilem quam commendabiliter diceris inchoasse".<sup>102</sup> While his concern was primarily with the moral future of the children's characters rather than their useful-

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98. 'A widowed lady and orphaned of a husband'; 'pity for me', *ibid.*, 501.

99. See Adams, *Isabeau*, chapter 6, for the importance of control of the *dauphin* during Charles VI's reign.

100. 'His heir and your lord'; 'a good lady and courteous', Froissart Rome, 501.

101. 'Do not be at all dismayed our astounded over milord, whom we have lost: he was only a single man. See here my little child...', Froissart B, 2:115; cf. Froissart Amiens, 2:157.

102. 'Meanwhile, however, with the comfort of your children making up for the absence of your husband, continue towards them the laudable upbringing as commendably as you are said to have begun it, not allowing anyone to associate with them by whose morals these children could be corrupted or injured', *Lettres Clément VI*, 3:n. 4271. Déprez, "Querelle," 7, suggested quaintly that the pope 'songeait sans doute à l'enfant Montfort', le futur Jean IV, élevé par un tuteur indifférent et privé des soins attentifs d'une mère'.

ness to Jeanne as political tools, her ability to control her heirs was still critical for the future. Similarly, Jeanne had emphasized her maternal connections with her son Henri when evading Louis d'Anjou's summons in 1379, perhaps as a means of reminding Louis himself of her authority as his mother-in-law. Indeed, Froissart referred to this relationship in the interview between Louis and Jeanne after Aurray, for Louis was bound to comfort her 'quoique volentiers le fesist, car il avoit à espouse la fille dou dit monsieur Charle et de la ditte dame...que il clamoit mère'.<sup>103</sup> Equally, her vulnerability at this point stemmed not from the lack of resources or support, but from the loss of her heirs—the presence of 'I. petit fil qui estoit appelés Henris' was simply insufficient, though 'c'estoit tout ses recomfors'.<sup>104</sup> Thus, while the two Jeannes accomplished the same ends, the roles they assumed before their partisans took into account the difference in their positions.

That Froissart never developed Jeanne de Penthièvre into so prominent a character as her Montfortist counterpart was no doubt in part for structural reasons: since only the first two years of the war were detailed in any version of the chronicles, the fact that he brought Jeanne to prominence later on meant that there was simply not the same narrative context in which to develop her role, and he was apparently uninterested in revising this layout. Moreover, he had already embellished her role in the Rome manuscript, and to add heroic encounters on the scale of Jeanne de Flandre's might have bent the truth too far: after all, while the exploits of the countess of Montfort (though equally fictitious) were authorized by Le Bel's account, Froissart would have had to rely on hearsay to justify further reinventing her rival's story. But his method of oral composition may have encouraged him to liken the two characters even in the absence of such rumours; the recollection of a familiar narrative type could have inspired the elaboration of a new, parallel passage at a key moment in the story. While only partial, Froissart's tendency towards assimilating the one Jeanne to the other without erasing the distinctions between them was an effective tool for giving weight to the 'guerre des deux dames' and, exceptionally, demonstrates a reasonably direct evolution from one version to the other as they are now thought to have been written.

### **Jeanne's reputation: Between facts and fictions**

On the whole, though, Froissart reinvented Jeanne from one version to the next (or even within each given text) rather than having a single trajectory. Comparison between Jeanne's story in the three versions demonstrates precisely the issues of composition and interpretation that previous scholarship has highlighted. Diller has convincingly demonstrated that Froissart aimed neither at internal con-

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103. 'Although he did it willingly, for he had to wife the daughter of the said lord Charles and of the said lady, whom he called mother', Froissart B, 6:173.

104. 'One little son who was called Henry; he was all her comfort', Froissart Amiens, 3:356.

sistency nor at ‘improving’ the previous account when he revisited it. The Amiens version explored, from 1341–1343, Jeanne’s importance as an heiress and as the initial focus of her supporters’ loyalty; thereafter, however, the theme was more or less abandoned as Jeanne vanished from the stage, reappearing only to deliver an inspiring speech before Auray (see below)—the first time she had yet appeared as an actor in this narrative. The B version ‘reverted’ to Le Bel for the record of the war’s early years.<sup>105</sup> However, he gave greater thought to the parallel suggested by the ‘guerre des deux dames’ and, ever so slightly, made this theme more evident after 1347, even if he stripped down the explicit recognition of Jeanne’s authority. Finally, the Rome manuscript reinstated (so to speak) some of the initial emphasis on Jeanne’s inheritance, but did not detail her participation as in the first version; this was more than compensated by Jeanne’s active role after 1347, but this comes as more of a surprise for being so explosive. This text also introduced details such as Jeanne’s name, but its accuracy for all this did not improve. It was the B version that circulated most widely in the medieval period; but should the slightly earlier and more freely-composed Amiens manuscript be taken to reflect more closely how Jeanne’s place in the war was seen in the years surrounding her death?<sup>106</sup> Were the changes in the Rome text simply literary invention, enabled by the increasing chronological distance from the events described?

That there were multiple coexisting angles taken on her role, and that these had a complex relationship with reality, are central to understanding this text as an arbiter of Jeanne’s reputation. To reinterpret was not necessarily to make more or less accurate, nor did consistency across the different texts suggest a more convincing or correct report. To illustrate this, consider Froissart’s treatment of technical details such as the legal arguments that shaped Jeanne’s life. In his discussion of the *arrêt* of Conflans at the start of the war he claimed that the king’s judgement rested on two key points: one, that Jeanne was the closer heir, and two, that Jean de Montfort had defied Philippe’s orders to remain in Paris and had sworn homage to Edward.<sup>107</sup> Froissart was not drawing on the one piece of definitive evidence available in this case, namely the *arrêt* itself (it was not his habit to rely on this type of official text).<sup>108</sup> In fact, the royal sentence did not

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105. This is somewhat counterintuitive given that it was in the Amiens text that his introduction to the ‘guerres de Bretagne’ praised the work of Le Bel, a reference dropped in both the B and Rome redactions: Froissart Amiens, 2:96; Froissart B, 2:86; Froissart Rome, 461.

106. Little is known of the early ownership of either the Amiens or Rome manuscripts: Froissart Amiens, v-vi; Froissart Rome, 18–19.

107. Froissart Amiens, 2:142; Froissart B, 2:106; Froissart Rome, 489–90.

108. Pierre Tucoo-Chala, “Froissart dans le Midi Pyrenéen,” in *Froissart: Historian*, ed. J. J. N. Palmer (Woodbridge, 1981), 124, though cf. Diller, “Patrons,” 152.

detail the logic of the decision.<sup>109</sup> It *did* summarize the two cases, though, and the first of Froissart's motives was of course embedded in the entirely spurious family tree which he had constructed for the descendants of Arthur II. This raises the issue of Froissart's relationship, and therefore that of his audience, with the facts of the matter. Either the specifics of the Breton lineage did not circulate in Froissart's circles—an unusual assumption given his close connections with Charles' nephew Guy—or this clarification did not, for him, override the authority of Le Bel.<sup>110</sup> So how might this passage have been interpreted by readers? If the case had been well-known at the time (as suggested in chapter eight), this did not mean the details were so common forty or more years after.<sup>111</sup> But the ongoing difficulties of Jean IV to maintain control in Brittany, the return of Jean de Blois-Penthièvre from England in 1387, and of course the inheritance clause in the treaty of Guérande which threatened the duke's legacy until the birth of the future Jean V in 1389, would have all helped keep the original debate relevant. Moreover, the testimony of the witnesses in 1341 had certainly attested a well-engrained talent for the recollection of genealogy, and royal texts such as the *Songe du Vergier* had much more recently revisited the issue.<sup>112</sup> Many of Froissart's readers must therefore have been fully aware of the invented nature of this account (beginning with the Montfortist partisans!), though of course Froissart's own popularity would have ensured the spurious genealogy a long afterlife.<sup>113</sup>

His presentation of the treaty of Guérande suggests a very different transmission. Both redactions that extended to 1365 outlined this agreement, if in a somewhat piecemeal fashion. According to the Amiens text,

Et s'emparti la femme monsieur Carle de Blois et vint à Paris et eut, par l'ordounanche de le pais environ .XX.<sup>M</sup> florins bien assignés par an en Bretaingne, une comté et terre c'on dist de Pentevre. Et dubt...li comtez de Montfort mettre grant painne à le delivrance de ses cousins, les enfans monsieur Carle de Blois, qui estoient prisonnier en Engleterre. Et, se li comtes de Montfort nonnés dus de Bretaingne moroit sans avoir hoir de loyal mariaige, la duché devoit retourner as hoirs monsieur Carlon de Blois'.<sup>114</sup>

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109. *Preuves*, 1:1424.

110. Tucoo-Chala has shown that Froissart was generally uninterested in verifying the veracity of reports he received: Tucoo-Chala, "Midi," 126. A third possibility, of course, was that he was interested in maintaining the notion of Montfortist illegitimacy, but as the contrary was widely known, this view would have had little force. Valois propaganda had been Le Bel's source, though their stance had of course changed as of the 1370s: Jones, "War," 74; cf. Cassard, *Guerre*, 38.

111. See page 189.

112. BnF, MS fr. 22338, f. 166–181v; *Somnium*, 1:293–305; *Songe*, 1:258–68.

113. Cassard, *Guerre*, 39.

114. 'And the wife of milord Charles de Blois left and came to Paris and had, by the peace arrangements, around twenty thousand florins per year well-allocated in Brittany, a county and land which is called 'of Penthièvre'. And the count of Montfort was required to make great efforts

The B version altered this core of information very little, aside from transmuting florins to francs.<sup>115</sup> Both redactions therefore summarized Guérande's main points with a good deal more precision than they had the *arrêt* of 1341, even if there remained some erroneous details.<sup>116</sup> Jeanne was to be financially compensated for relinquishing her claims and receive Jean IV's help in liberating her children, who were to be his heirs if he should fail to produce his own: these were indeed the means by which Jean became duke of Brittany, and Froissart did not have to consult the treaty to know them. By contrast, there was one perhaps surprising omission, for he failed to mention the clause excluding women from the succession if a male heir was available. Did he consider this arrangement unimportant, or did it escape his notice?

These two examples suggest Froissart did sometimes report the 'common knowledge' version of events, but that he could also contradict or embellish information known to important portions of French political society, and that he may have done so deliberately. Despite its immense influence on later traditions, therefore, this chronicle did not represent the be-all and end-all of Jeanne's early posthumous reputation. There was much that Froissart did not discuss, and his process of picking and choosing was not passive, dictated solely by the availability of (mis)information or a single understanding of his material. This diversity is all the more significant given that most other early chronicles in Brittany and in France did not bother to develop Jeanne at all; for Froissart she represented someone worth including, in various ways, in his work.

Indeed, while the archetypes outlined above help isolate and compare Jeanne's different narrative roles across the three redactions, Froissart could also combine models to achieve a complex and strikingly realistic, if certainly no less fictionalized, portrayal of her power. A scene from the end of the war appeared in both the Amiens and B redactions of his chronicle. In the latter, Froissart wrote that

Au departement et au congiet prendre, madame la femme à monsieur Charle de Blois dist à son mari, present monsieur Bertran de Claiekin et aucuns barons de Bretagne, 'Monsieur, vous en alés deffendre et garder mon hiretage et le vostre, car ce qui est mien est vostre, lequel messires Jehans de Montfort nous empeece et a empeechiet un grant temps à tort et sans cause: ce set Dieus et li baron de Bretagne qui chi son comment j'en sui droite hiretière. Si vous pri chierement que, sus nulle ordenance ne composition ne trettié d'acort ne voeilliés descendre que li corps de la ducé ne nous demeure.' Et ses maris li eut en couvent. Adonc se parti, et se

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for the deliverance of his cousins, the children of milord Charles de Blois, who were prisoners in England. And, if the count of Montfort, named duke of Brittany, should die without having an heir of faithful marriage, the duchy should return to the heirs of milord Charles de Blois', Froissart Amiens, 361–62.

115. Froissart B, 6:180–81.

116. Cf. *Preuves*, 1:1590–94.

partirent tout li baron et li signeur qui là estoient, et prisent congiet à leur dame qu'il tenoient pour duçoise.<sup>117</sup>

In the Amiens version, Froissart set the scene with how 'les hos et les gens monsigneur Carlon de Blois...prisent congiet à madamme la femme monsigneur Carlon de Blois, qui leur donna liement et dist à son marit, present les barons de Bretagne...' <sup>118</sup> After Jeanne's speech, which remained more or less identical, Charles 'le baisa' and 'prist congiet et le damme moult bellement li donna congiet et à tous les barons de Bretagne ossi, l'un apriés l'autre'.<sup>119</sup>

This account rather nicely illustrated the complicated dynamics of Jeanne's position. *She* was very definitely the heiress, but Charles also claimed the lands through her. The rightfulness of this claim was widely acknowledged and even divinely affirmed. It led to the personal loyalty that Jeanne inspired in her followers: the barons considered her their lady and would not part for battle without seeking her leave. Consistent with its earlier trends, the Amiens passage played up this aspect, emphasizing the one-on-one interactions between Jeanne and the Breton lords; the B version focused the action more between Jeanne and Charles, but also included the reminder that she was 'held as duchess', a phrase we have seen was used to signal her active authority. This reflected the Amiens text's greater interest in the loyalty which Jeanne inspired, while the B manuscript seemed to compensate for the earlier silence on the baronial ratification of her title. Finally, her leadership was demonstrated in complex terms. The marriage partnership gave both Jeanne and Charles control over her lands, such that he had the right to dispose of them, but not necessarily contrary to Jeanne's will; conversely, she could dictate what might and might not be done with the duchy, but was not the one who would negotiate the actual terms. She thus controlled the shape of the war and was involved with the deployment of their forces, without going so far as to put herself on the scene of the war—indeed, she was specifically left behind. In short, Jeanne here epitomized her role as developed in the first two stages of the chronicle's development, and it would not have been out of place as a finale to the story in Rome.

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117. 'At his departure, milady the wife of lord Charles de Blois said to her husband, with milord Bertrand du Guesclin and several barons of Brittany present, 'Milord, you are going to defend and preserve my inheritance and yours, for what is mine is yours. In this lord Jean de Montfort impedes us, and has long impeded us, wrongly and without cause: God knows, and these barons of Brittany, that I am the rightful heiress. So I pray you dearly that you commit to no arrangement, accord, or treaty by which the whole of the duchy does not remain ours.' And her husband promised her this. And so he left, with all the barons and lords who were there, and took their leave of the lady whom they held as duchess', Froissart B, 6:151–52.

118. 'The army and the men of milord Charles de Blois took their leave of milady the wife of milord Charles de Blois, who gave it to them warmly and said to her husband, with the barons of Brittany present', Froissart Amiens, 3:333.

119. 'Kissed her, and took his leave, and the lady gave it to him most graciously and to all of the barons of Brittany too, one after the other', *ibid.*, 3:334.



But it was more than an issue of capturing interactions explored by the narrative: there were also echoes here of roles expressed, albeit with less fluidity, by some of the *acta* discussed (for example) in chapter seven.<sup>120</sup> The donation to the sire de Derval in 1343 allowed land to be given away by Jeanne and Charles ‘at her insistence’ but with Charles’ authorization, and Charles received the lord’s homage with Jeanne’s permission: in this stiff legal language this feels like a contradiction.<sup>121</sup> Froissart’s passage much more clearly portrayed the interlocking relationships which underlay such a scenario, making the two-way exchange of authority harmonious rather than contradictory. Furthermore, the idea that Jeanne commanded her husband and the barons of Brittany while he led the fight itself, had been developed at length in the preamble to Jeanne’s land donation to Charles. In both, Jeanne’s non-combatant role did not make her any less important in the eyes of their followers or diminish her authority. Such points of convergence matter to us not least because Jeanne’s documents had likewise tried to establish an authoritative record of her actions and role, and Froissart’s limited reliance on such texts in favour of oral testimony can help us roughly confirm the viability of these portrayals among a more diverse and wide-spread audience (if unfortunately not a strictly contemporary one).

Despite this, the chronicler’s passage has been the subject of some misapprehensions among later commentators, who have felt that Froissart was somehow blaming Jeanne’s ‘intransigence’ for the tragic defeat at Auray.<sup>122</sup> Not only does this ignore the fact that Charles’ promise to Jeanne did not play any role in the actual preliminaries of the battle—instead, conflict was ensured through the machinations of Sir John Chandos on the Anglo-Breton side—but it assumes something very different about what Jeanne should have been expected to do.<sup>123</sup> Froissart’s Jeanne was not, after all, in any way portrayed as ‘subversive’. Although the medieval reader likely knew the outcome of Auray and so the tragic irony of Jeanne’s farewell to Charles, the scene itself was not presented as misguided; neither Charles nor Jeanne took unreasonable actions. This is not exceptional for Froissart’s chronicle, for while he did attribute some misdeeds to his various noble characters (the pursuit of the countess of Salisbury by Edward III being perhaps the most notorious example) and, in later books, use them for political commentary, his outlook in Book I was fundamentally a positive one.<sup>124</sup> As he

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120. See page 160.

121. *RACJ*, 67–68, 71.

122. Moal, *Auray*, 47, though also see below; Jones, “War,” 70; Cassard, *Guerre*, 16.

123. Froissart B, 6:160–61; cf. the discussion of territorial integrity in chapter nine, page 209.

124. Diller, *Attitudes*, 51–54; Katariina Närä, “‘Tout ce que il appartenoit a une noble et haulte dame’: Representations of Aristocratic Female Characters in Jean Froissart’s *Chroniques* Book IV,” in *The Medieval Chronicle* VI, ed. Erik Kooper (Amsterdam, 2009), 229–245.

stated in his prologue, he was interested in ‘li biens fais des bons’.<sup>125</sup> For ‘at the level of conscious intent, Froissart’s *Chroniques* are the work of a moralist’, and it was very much in the medieval tradition of *exempla* to teach by offering role models for ‘ceuls et celles qui che livre liront, oront et veront’ in order to ‘yaus encouragier en bien faisant’.<sup>126</sup>

This is not to say Jeanne served as some sort of personification of virtue, but rather that themes and roles which Jeanne’s *acta* had emphasized continued to appeal to the wider noble ethos for which Froissart was writing.<sup>127</sup> There were many positive types which could guide behaviour in an (equally idealized) political situation. Accepting all of these Jeannes as among the ‘men and women who, in his eyes, provide examples of probity, integrity and fitting courtly or moral behaviour’ goes far to explain Froissart’s departures from the historical Jeanne as well as the modifications he introduced in each redaction.<sup>128</sup> That she was ultimately cast down by Fortune’s wheel, a fate awaiting so many great figures, did not retrospectively condemn her past actions: she was entitled to fight for her claims. If Froissart was interested in her position as heiress or in the loyalty she garnered, it was in part because ‘good society for the chronicler is one in which the realm is governed wisely and justly by a prince intent upon maintaining peace at home, and who can therefore enjoy the full support of his barons, senior churchmen and townsmen’.<sup>129</sup> Her roles thus helped exemplify this worldview. The very existence of the Breton war of course disturbed this ideal structure.<sup>130</sup> But Jean de Montfort was (in resolutely counterfactual fashion) unrelated to the ducal line, initiated the war (encouraged by his wife), repeatedly took over the ‘natural’ loyalties of towns and lords by bribery or force, and could not command ‘les barons de Bretagne’ like Jeanne and Charles could—compare the non-attendance of the great lords when invited to Jean’s celebrations at Nantes in 1341 and Jeanne’s powerful invocation to the assembly before 1364.<sup>131</sup> Since this background did

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125. ‘The praiseworthy acts of the good’, Froissart B, 1, pt. 2:2; cf. Froissart Amiens, 1:1, and ‘li bien fait ramenteu de ceuls qui l’ont deservi’, Froissart Rome, 35.

126. Ainsworth, *Fabric*, 78; Claude Bremond, Jacques Le Goff, and Jean-Claude Schmitt, *L’«exemplum»*, Typologie des sources du Moyen Âge occidental 40 (Turnhout, 1982), 27–28, 34, 39. ‘Those men and women who will read, hear, and see this book’, Froissart Rome, 36; ‘encourage them in acting well’, Froissart B, 1, pt. 2:3.

127. Ainsworth, *Fabric*, 84–85.

128. Peter Ainsworth, “Froissardian Perspectives on Late-Fourteenth-Century Society,” in *Orders and Hierarchies in Late Medieval and Renaissance Europe*, ed. Jeffrey Denton (Basingstoke, 1999), 62.

129. *Ibid.*, 66.

130. The tension between the warlike mentalities of the nobility and the ideal of peace was not unique to Froissart: Françoise Autrand, “The Peacemakers and the State: Pontifical Diplomacy and the Anglo-French Conflict in the Fourteenth Century,” in *War and Competition between States*, ed. Philippe Contamine (Oxford, 2000), 250–51.

131. Froissart B, 2:89.

not negate the heroics of Jeanne de Flandre, it was a rather natural extension of Jeanne de Penthièvres's actual role to allow her to participate in her own fight.

### Negative re-evaluations and feminine ideals

Four early-fifteenth-century manuscripts of Froissart's chronicle survive, however, which featured certain non-authorial additions, including an extension of the scene before Auray.<sup>132</sup> This saw the duke reflect upon the burden now facing him: Charles, 'qui estoit moult doulz et moult courtois...se feust volentier descendu à paix et eust esté content d'une partie de Bretagne à peu de plait'.<sup>133</sup> Unfortunately, he was 'si boutez de sa femme et des chevaliers de son cousté, qu'il ne s'en pouvoit retraire ne dissimuler'.<sup>134</sup> The juxtaposition with Jeanne's speech highlighted her direct involvement in a way not present in either the Amiens or standard B version. More specifically, her active responsibility for the battle was now established by explaining her influence on Charles' real behaviour.

The idea that Jeanne effectively condemned Charles to his death drew the attention of multiple chroniclers of the fourteenth century and afterwards, and the lead-up to Auray became the particular moment at which they could exploit common tropes used to condemn the political activities of women, and especially queens.<sup>135</sup> Medieval queens were often targeted by posthumous 'black legends'.<sup>136</sup> Medieval ideals held that a queen should above all practice subordination to her husband and seek out peace and compromise, while kings who fell too much under the control of their wives (or mothers) were liable to be led astray.<sup>137</sup> Accord-

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132. Ibid., 1:xxxiv, xxxvii.

133. 'Who was very gentle and most courteous, would have willingly agreed to peace and been content with only a portion of Brittany with little dispute', *ibid.*, 6:327.

134. 'So swayed by his wife and the knights on his side, that he could not disagree or ignore it'.

135. Cf. the table in Moal, *Auray*, 47, on the responsibility for the battle assigned by different authors, though it erroneously includes Saint-André among Jeanne's accusers (Saint-André, *Chronique*, l. 1174–75).

136. They ranged from the weird—fifteenth-century stories about Jeanne de Navarre (1273–1305) sleeping with university students then dumping their corpses in the Seine, until she was supposedly outwitted by the great philosopher Buridan (1292–1363)—; to the political—the regencies of Jeanne de Bourgogne during Philippe VI's uncertain reign (in 1338 and 1346) which made her a target for criticisms of the government more generally—; to the truly vitriolic—the accusations of physical and moral depravity mixed with gross administrative misconduct and nigh-treasonous disloyalty levelled against Isabeau of Bavaria: Heullant-Donat and Collard, "Jeanne," 320ff.; Barry, *Reine*, 203; Anne-Hélène Alliot, "La *male royne boiteuse*: Jeanne de Bourgogne," in *Royautés imaginaires*, ed. Colette Beaune and Henri Bresc (Turnhout, 2005), 119–133; Aline Vallée-Karcher, "Jeanne de Bourgogne, épouse de Philippe VI de Valois: Une reine maudite?," *Bibliothèque de l'école des chartes* 138 (1980): 94–96; Gibbons, "Villainess"; Adams, *Isabeau*, 38–72. This was not a uniquely French phenomenon, as the lives and reevaluations of numerous English queens show: Turner, "Eleanor"; Julia Marvin, "Albine and Isabelle: Regicidal Queens and the Historical Imagination of the Anglo-Norman Prose *Brut* Chronicles," *Arthurian Literature* 18 (2001): 143–191; Laynesmith, *Queens*; Maurer, *Margaret*.

137. Alliot, "Jeanne de Bourgogne," 128–30; Turner, "Eleanor," 24, 26, 28; Marvin, "Regicidal

ingly, chroniclers condemned Jeanne's decision to wage war and the dynamics of her relationship with Charles.

It is particularly striking how the modified scene from Froissart functioned much like an intercession gone awry.<sup>138</sup> Charles' unhappiness about the situation was not unlike that which Edward III reportedly showed after Philippa's classic performance, but Jeanne's plea instead drove Charles to the wrong course of action.<sup>139</sup> Intercession was not an exclusively queenly prerogative or duty, but the symbolic connotations publicly attached to the queen made her value as intercessor something special. Mediation took on the heavenly connotations of the Virgin Mary, who tempered the wrath of her Son.<sup>140</sup> She provided a merciful female voice allowing the king to relent without losing authority, and a feminine softening of the harsh masculine realm of war.<sup>141</sup> This, of course, complicated things for Jeanne: just as the war complicated Charles' reputation for sanctity in 1371, so too did it make the ideal of peacemaking a difficult area of imagery for Jeanne to engage with.<sup>142</sup> When Jeanne was represented at the bargaining table, there was little of the intercessory about it. She participated as a party bound by the terms of negotiation rather than as a witness to them, and it was her own political advantage, more than simply peace, at issue. This suggests that any Marian associations which might have interested Jeanne were still more likely those of Maria Regina, the 'victorious queen', than of Maria Mediatrix!<sup>143</sup>

But that Jeanne argued against any peaceful settlement before Auray was an area of weakness for chroniclers who wished to make the attack. Around 1384, well before the emendation to Froissart's *Chroniques*, one Cuvelier, associated with the court around the time Charles V fell out with Jeanne in the previous decade, penned a lengthy poem on the famous Breton constable of France, Bertrand du Guesclin.<sup>144</sup> While this account of Auray featured a similar scene between husband and wife, the tone was entirely new. Jeanne derided Charles,

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Queens," 167; Huneycutt, "Adelaide," 34.

138. Cf. chapter six, page 146.

139. Froissart B, 6:327.

140. Mary had been used as a queenly model in France even in the Carolingian period, a trend followed across Europe and developed over the course of the Middle Ages: Dominique Iogna-Prat, "La Vierge et les *ordines* de couronnement des reines au IXe siècle," in *Marie: Le culte de la vierge dans la société médiévale*, ed. Dominique Iogna-Prat, Éric Palazzo, and Daniel Russo (Paris, 1996), 101; Parsons, "Intercession," 153–57, 159; Adams, *Isabeau*, 77; Mary Stroll, "Maria Regina: Papal Symbol," in *Queens and Queenship in Medieval Europe: Proceedings of a Conference Held at King's College London, April 1995*, ed. Anne J. Duggan (Woodbridge, 1997), 187–88. Esther was also a biblical model for the role: Huneycutt, "Esther"; Strohm, *Imagination*, 96–98.

141. Parsons, "Intercession," 14; Strohm, *Imagination*, 103–04.

142. Erika Graham, "Manifesting reputation in the canonization trial of Charles de Blois, Duke of Brittany (d.1364)" (master's thesis, University of York, 2011), chapter 3.

143. Strohm, *Imagination*, 97–98; Stroll, "Maria," 173; and cf. chapter nine, pages 200 and 219.

144. Faucon, *Cuvelier*, 36–37.

insulting his valour and mocking his possible failure to properly defend the lands of his ‘moulier’.<sup>145</sup> If not for her scorn (and for the encouragement of his knights), Charles ‘l’eust accordé maintenant...pour guerre cesser’.<sup>146</sup> By dominating her husband, Jeanne again directly prevented a beneficial peace, though here her harsh tone removed the intercessory element in favour of shrewishness. There is no evidence whether this version was the basis for the elaboration in Froissart. Cuvelier seems to have adapted Froissart’s idea for a speech by Jeanne (‘se trouvons nous lisant’), but whether this then inspired Froissart’s copyists to adopt his ruminations on Charles’ dilemma would require further information on the lives of the manuscripts. Moreover, while the later Froissart and Cuvelier both blamed the Breton knights for their assertiveness too, Cuvelier’s version ultimately condemned Jeanne far more harshly. With his dying breath, Charles allegedly cried out ‘tres bien et clerement’ for God’s mercy, explaining that ‘[j]’ay guerriet longtemps oultre mon essient. / Qui trop sa femme croit, en la fin s’en repent’.<sup>147</sup> This casually traditional misogynistic sentiment in Charles’ final moments highlights the degree to which Cuvelier’s poem engaged in the outright vilification of the duchess.

These most negative elements remained the peculiar domain of du Guesclin’s legend.<sup>148</sup> At his death in the prose redaction, Charles restated his final accusations: ‘[j]’ay guerrié long temps oultre ma voullenté, & par l’envortement [sic] de ma fenme, qui tousjours m’a donné à entendre que j’avoie tres bon droit’.<sup>149</sup> Jeanne’s duplicity about her claims, deliberate or otherwise, was present also in the poem, where Charles explained to his men that ‘je cuide avoir droit en ceste segnorie, / Et que pour ma moillier que j’ain sans villenie, / En doy le nom porter sans nulle tricherie’.<sup>150</sup> ‘Cuider’ could also mean to *wrongly* believe, a double sense reinforcing the instability of the footing onto which Jeanne had led him.

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145. Ibid., l. 6469–77; 845.

146. ‘Would have granted [concessions] immediately in order to end the war’, *ibid.*, l. 6466.

147. ‘Well and clearly’; ‘I have long fought unwillingly. He who believes his wife too much will regret it in the end’, *ibid.*, l. 7160–64.

148. Claude Ménard, *Histoire de messire Bertrand du Guesclin, connestable de France* (Paris, 1618), based on the earliest prose rendering of Cuvelier, from 1387—see Faucon, *Cuvelier*, 3:7; Yvonne Vermijn, “Chacun son Guesclin: La réception des quatre versions de l’oeuvre de Cuvelier entre 1380 et 1480” (master’s thesis, University of Utrecht, 2010), 12.

149. ‘I have long fought against my will, and through the bewitchment of my wife, who always led me to believe that I was completely in the right’, Ménard, *Guesclin*, 14, pt. 8. The word ‘envortement’, which effectively upgraded Jeanne’s influence to that of a sorceress, was later corrected by Lobineau, *Histoire*, 373, to ‘enhortement’, which seems more plausible. If the use of magic did feature among the misdeeds of avaricious women, particularly queens (Allirot, “Jeanne de Bourgogne,” 124; William R. Jones, “Political Uses of Sorcery in Medieval Europe,” *The Historian* 34 (1972): 682, 687), it would here represent an isolated and rather arbitrary addition to Jeanne’s reputation.

150. ‘I believe that I have the right to this lordship and that, for my woman whom I love blamelessly, I must bear its name without falseness’, Faucon, *Cuvelier*, l. 6326–28.

The persuasiveness of this trope was rooted in established notions of the perversity of women, but ultimately Charles' problem—and Jeanne's—was one of a corruption of order. If Jeanne had been in practice fully entitled to her authority, and could have others intercede *with* her, the chroniclers could transform it into an abuse of influence in keeping with the stereotype of a woman acting out of turn.<sup>151</sup> This may have contributed to the longevity of this episode in her reputation. In the end, the more moderate passage from the modified Froissart became the dominant model even for Montfortist writers (surely thanks to Froissart's fame). Le Baud, citing Froissart explicitly, essentially duplicated his account in all respects, as did Bouchart.<sup>152</sup> However, Le Baud elaborated further, for although Charles (apparently reneging on his promise) submitted an eleventh-hour compromise for his wife's consideration, 'elle estoit de si grand couraige, qu'elle les refusa'.<sup>153</sup> In his version of the pre-Auray scene, Bouchart dropped the influence of the knights from the picture: 'in nom de Dieu, il estoit si bouté de sa femme qu'il ne s'en povoit ne sçavoit retraire, dont tresmal luy en print depuys'.<sup>154</sup> It was also Bouchart who introduced the detail that Jeanne 'fut boeteuse'.<sup>155</sup>

Cuvelier's tradition thus represented a nadir in Jeanne's reputation, just at the moment of her death; the standard verdict on Jeanne's role at Auray was established without his explicit disdain, but continued to rehearse the tropes of Jeanne's obstinacy. D'Argentré toed the standard line, though his Charles appeared happier with the situation: 'luy dist qu'il employeroit sa vie à defendre son estat, & qu'elle ne fust en doute, qu'il en composast sans elle'.<sup>156</sup> However, presumably inspired by Le Baud, he also showed Jeanne rejecting the treaty of the Landes d'Evran in an almost comic fashion:

ledict de Blois advertit sa femme de ce qui avoit passé, & luy envoya les articles signez à voir. Ceste dame n'avoit pas le cœur bas, & à ces nouvelles commença incontinent à prendre le vent, & se mettre en cholere: & dist pleinement, que ledict de Blois son mary, faisoit trop bon marché de ce

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151. Cf. especially chapter six, page 146.

152. Le Baud, *Histoire*, 324; Bouchart, 2:84.

153. 'She was so strong-headed that she refused them', Le Baud, *Histoire*, 324.

154. 'By God's name, he was so swayed by his wife that he could not, nor think to, retreat, from which great misfortune then took him'.

155. 'Was lame', Bouchart, 2:33; cf. 2:26, 'Jehanne la Boiteuse'. This notion was responsible for Vignier's later confusion that led him to call this duchess 'Claude': Vignier, *Sommaire*, 318. Even more strangely, some three decades earlier, Du Tillet had managed to conflate this 'Claude' with Jean de Montfort's warrior wife: Du Tillet, *Chronique*, f. 69v. Such time-lag between Jeanne's death and the allegation of lameness occurred also in the case of Jeanne de Bourgogne: Alliot, "Jeanne de Bourgogne," 131. The epithet's later staying power is evidenced by Plaine, "Jeanne," 13–14 (note 1), who despite remarking the contemporary silence on this point, deemed it 'impossible à résoudre' and 'incertaine' rather than dismissing it out of hand.

156. 'He told her that he would spend his life in defending her estate [in both senses of the word], and that she should not worry that he would bargain without her', d'Argentré, 486.

qui n'estoit pas à luy.<sup>157</sup>

Lobineau ultimately rejected the idea that Charles so vocally condemned his wife—albeit mainly because of skepticism that ‘un homme blessé si dangereusement dans la bouche, ait pû prononcer tant de paroles’.<sup>158</sup> La Borderie, writing after Plaine’s intervention, was content to refer only briefly to Cuvelier’s version of Jeanne’s pre-battle speech and focused instead on Jeanne’s great patriotism in her decision to stop fighting after Auray: ‘il n’y a qu’à admirer et à se taire’.<sup>159</sup> In all likelihood, the narrowly-focused stock images (especially those authenticated by Froissart’s name) contributed simultaneously, thanks to their familiarity, to both the mildness and the endurance of Jeanne’s infamy in 1364. Jeanne’s actual role was simply too normal—and Charles’ too exaggerated—for later writers, even those still under the Montfortist duchy, to give much thought to developing further attacks on her character.

### Conflicts of interest

In fact, the restriction of this commentary to a single event and its build-up suggests that it was largely not Jeanne’s character that interested these chroniclers.<sup>160</sup> Only Bouchart’s innovative lameness, and the implication from Cuvelier that Charles had been unwilling ‘longtemps’, addressed a broader perspective (and that, mildly).<sup>161</sup> The routine elements which they targeted—inappropriate control of wife over husband, deception, physical deformity, and the pursuit of war over peace—could certainly have been supplemented by other transgressions against the standards of idealized female comportment and place within society. But there were also several significant points on which Jeanne’s reputation in the chronicles differed, elements which never came up.

Jeanne’s actual relationship with Charles may have protected her from posthumous comment on her qualities as a mother or faithful spouse.<sup>162</sup> She fulfilled her

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157. ‘The said de Blois let his wife know what had happened, and sent her the signed terms to see. This lady was no coward, and she saw immediately where this was going and got angry; and she said it straight, that the said de Blois her husband, was selling too cheaply that which did not belong to him’, *ibid.*, 473; cf. Le Baud, *Histoire*, 321; Lobineau, *Histoire*, 370; Bouchart, 580.

158. Lobineau, *Histoire*, 373.

159. La Borderie, *Histoire*, 583, 597.

160. Note, in contrast, the formulaic invocation of Jeanne de Navarre’s ninety-nine student paramours/victims: colourful incidents could represent the nature of the individual (Huneycutt, “Adelaide,” 29), but this does not seem to have been the purpose here.

161. The lapsed morals of women could have physical manifestations, such as excessive appetite or taste for luxury, and the ill-health or physical deformity that accompanied it: Alliot, “Jeanne de Bourgogne,” 121; Gibbons, “Villainess,” 55–56, 64–65. Most often, the harshest of these rumors were far from contemporary to the queens they decried.

162. Traditionally, domineering queens were often seen as making poor mothers, abandoning their children or even causing their deaths; or conversely, if they failed as wives, nurturing children not of the royal blood as if the king’s own: Vallée-Karcher, “Jeanne de Bourgogne,” 96; Al-

familial duties quite successfully with her six children, most of whom reached adulthood. Although her actual contact with them was cut off quite early through marriages, deaths, or the negotiations with England, these routine elements of diplomacy could not reflect a lack of maternal devotion.<sup>163</sup> More surprisingly, her decision not to cede power to her offspring, condemned in certain queen mothers, went likewise unremarked.<sup>164</sup> Meanwhile, it would have been difficult to attack her marital fidelity because (despite the potential advantage to the Montfortists) there was apparently never ground on which to doubt her children's paternity, and because Charles' enduring reputation for sanctity would have sat ill alongside the invention of an unfaithful wife.<sup>165</sup> Although Froissart claimed that Charles had a bastard son, Jean, who died alongside him at Auray, Jeanne was never said to have transgressed likewise—despite Charles' nine-year absence!<sup>166</sup>

Even in relation to Auray, Jeanne's sexuality went notably unmentioned. The female sexual appetite was ready fodder for criticism of queens and women more generally, particularly when it could influence male behaviour and destabilize the social order, but it was not seen as an element of Jeanne's dominance over the reluctant Charles.<sup>167</sup> The extended passage from Froissart and later versions stated that Charles was 'bouté de sa femme', a term which could indicate sexual interaction: but since it was used equally of the rest of their knightly followers, we cannot assign this sense to it.<sup>168</sup> Meanwhile, Cuvelier had Charles describe his love 'sans villenie', ruling out a coarse physical relationship as the source of Jeanne's influence. Perhaps Charles' own reputation—for such severe chastity that, according to a witness at his canonization trial, 'nisi essent iuramentum et fides, que habebat, quibus astrictus erat uxori sue, nunquam ipsam carnaliter cognoscere'—was responsible for the non-development of this theme in later narratives.<sup>169</sup> It would have been just as hard for Jeanne to exert sexual control over a strictly pious man, as incongruous for her to have sexually betrayed him.

Authorial creativity could, however, have doubtless overcome these circum-

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lirot, "Jeanne de Bourgogne," 122–24; Gibbons, "Villainess," 57–59, 67ff.; Adams, *Isabeau*, 40ff.; Turner, "Eleanor," 26, 29.

163. Recall the papal praise: *Lettres Clément VI*, n. 4271.

164. Huneycutt, "Adelaide," 35; Afrodesia E. McCannon, "Two Capetian Queens as the Foreground for an Aristocrat's Anxiety in the *Vie de Saint Louis*," in *Capetian Women*, ed. Kathleen Nolan (New York, 2003), 163–64; cf. Turner, "Eleanor," 37.

165. Charles' canonization was stated as fact in Froissart B, 6:171, and so found more-or-less explicit echoes in Bouchart, 91, and Le Baud, *Histoire*, 321.

166. Froissart B, 6:168.

167. See note 136, above.

168. Froissart B, 6:327; Bouchart, 2:84.

169. 'If there were not the oaths and vows which he had made, by which he was bound to his wife, he would never have known her carnally', *MPC*, 33. This makes the bastard son in Froissart's chronicle rather surprising.



stantial obstacles. Instead, their focus on the events of 1364 left these chroniclers plenty of room for *positive* character assessments elsewhere.<sup>170</sup> Cuvelier described Jeanne as ‘une femme pleine de grandes bontés’.<sup>171</sup> Jeanne’s actions after 1347, when she sought peace and worked to free her husband, were usually praised as ‘de grant couraige’ or ‘hardi’ even by the Montfortists (under Froissart’s influence).<sup>172</sup> In this light, it is actually the disapproval surrounding Auray which requires explanation. It is possible that Charles’ posthumous reputation, while protecting Jeanne from certain pieces of slander, meant someone had to take the blame in his place. After all, Cuvelier not only called Charles a saint, but claimed that peace would come ‘de la moillier Charles, que Diex face pardon, / Qui chalengoit Bretagne et la grant region, / Ou elle avoit perdu Charle le sien baron, / Pour qui Dieux fist miracles en ycelle saison’: she alone was the divisive force, while Charles’ character (if perhaps weak) could not be besmirched.<sup>173</sup> Le Baud likewise reported that the treaty of the Landes d’Evran was rejected ‘à l’instigation de la Comtesse de Painthievre, femme de mondit Sieur Charles, & d’aucuns de ses Conseillers...car il avoit tesmoignage d’estre bon Prince, veritable & loyal; mais le droict qu’il chalengoit estoit à cause d’elle; pourquoy il luy vouloit obtemperer’.<sup>174</sup>

This is a very different view of Charles than Saint-André, writing from the court of Jean IV, had taken within a decade of the culmination of Charles’ canonization process: ‘le cueur eut si aduré / Charles, qui tout vouloit avoir’.<sup>175</sup> Le Baud and Bouchart could in some ways afford to view Charles more favourably than they could Jeanne. They wrote in the employ of Anne de Bretagne, who in 1488 inherited the duchy of Brittany from her father, Duke François II. This inheritance was complicated by the very clause in the first treaty of Guérande that foresaw the extinction of the male Montfortist line to the profit of the Penthièvre family. Meanwhile, Nicole de Bretagne (d. 1481), Jeanne’s great-granddaughter, had in fact sold her rights in Brittany to Louis XI for 50,000 *livres* in 1480, rights which were hers (according to an anonymous commentator) because of ‘larrest dont ycy est faicte mencion, par lequel ledit duche fut adiuge ala fille de Guy

170. Some ‘bad’ queens could also receive circumstantial praise, e.g. Turner, “Eleanor,” 37–40.

171. ‘A woman filled with great goodness’, Faucon, *Cuvelier*, l. 1884.

172. Froissart B, 4:43; Le Baud, *Histoire*, 306; Bouchart, 2:70.

173. ‘From the wife of Charles (whom may God pardon), who claimed [or disputed] Brittany and the region at large, where she had lost Charles her lord, for whom God performed miracles in that time’, Faucon, *Cuvelier*, l. 7354–57, 7375.

174. ‘At the instigation of the countess of Penthièvre, wife of my said Lord Charles, and of some of his/her councillors, for he was officially reported to be a good prince, true and loyal; but the right for which he fought was on her behalf, because of which he wished to obey her’, Le Baud, *Histoire*, 321.

175. ‘Charles, who wished to have everything, had such a hardened heart’, Saint-André, *Chronique*, l. 1174–75.

de Bretagne comme representant la persone dudit Guy son pere second filz de Artus'.<sup>176</sup> Even if Anne had clearly won the right to succeed by the time these authors wrote their major works, Jeanne's enduring legacy as heiress of Brittany, let alone the legal backing of her cause, were still of immediate importance a century after her death—a legacy which Charles shared only in part.

Bouchart and Le Baud were jurists by training, and understood the technical points of the conflict much better than the earlier chroniclers. They reported the details of Conflans, Guérande, and the various smaller treaties along the way with greater (if not perfect) accuracy than had Froissart, and while they still borrowed heavily from him, his account was not immune to their critique.<sup>177</sup> It is particularly worth noting that Le Baud recommended that 'qui voudra bien veoir la deduction de celle matiere, avecques les raisons, apparences, & allegances comme ledit Comte de Montfort estoit vray Duc de Bretagne, & que la Comtesse de Painthievre n'y avoit nul droict, lise le Dialogue intitulé le Songe du Vergier', the technical account produced at the height of the Valois monarchy's reversal of position.<sup>178</sup> They were very much aware of how best to undermine Jeanne's legitimacy and the terms in which to do so.

It is no coincidence that Le Baud in particular often referred to Jeanne as 'la comtesse de Penthievre' instead of simply 'la femme de Charles de Blois' (though they did this too): she was not only emphatically not the duchess of Brittany, but an independent actor who had to take responsibility for the tragedies of the war.<sup>179</sup> Interestingly, while the fifteenth-century version of Froissart's B redaction obviously served (alongside the texts of other chroniclers) as their main source, some themes associated more with the Amiens version were prominent here.<sup>180</sup> Once again, Garnier de Clisson 'tenoit la place pour Charles de Bloys et sa femme', while at Rennes 'estoit cappitaine de par Charles de Bloys et sa femme'.<sup>181</sup> Jeanne was often mentioned at Charles' side where she was not in Froissart's work, and she was shown at the head of her party more often.<sup>182</sup> That she ultimately led her

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176. 'The sentence of which is here made mention, by which the said duchy was adjudicated to the daughter of Guy de Bretagne, as representing the person the said Guy her father, second son of Arthur', AD L-A, E 6–4.

177. e.g. Le Baud, *Histoire*, 308.

178. 'Anyone who wants to see well the logic of this matter, with the reasons, proofs, and allegations as to why the said count of Montfort was the true duke of Brittany, and that the countess of Penthievre had no right there, should read the dialogue entitled *Le Songe du Vergier*', *ibid.*, 274.

179. *Ibid.*, esp. 306, 333.

180. Cassard, "Le Baud," 67. Naturally, Jeanne as the heroic figure of the Rome version had disappeared.

181. 'Held the place for Charles de Blois and for his wife'; '[there] was a captain on behalf of Charles de Blois and his wife', Bouchart, 37.

182. Bouchart, e.g. 43, 44, 49, 70; Le Baud, *Histoire*, e.g. 319.

cause to disaster was not a freak twist at the end of the story: rather, it exemplified the perils of ‘si le Duché de Bretagne escheoit en main de femme’.<sup>183</sup>

Of course, the irony of the Montfortist paradox lay here.<sup>184</sup> The Montfortists had to defend the legitimacy of their own duchess, descendant of ‘le premier qui maintint que ladite principauté ne devoit point cheoir en main de fille’, by undermining the claim of her ancestor’s rival, who actually had quite a solid case if female inheritance was allowed.<sup>185</sup> In his earlier *Genealogie*, Le Baud had tackled the problem primarily by ignoring the contradiction: it was a fairly simple matter in this dry account to present Jeanne as an example of ‘la loy de son pays de Bretagne’ which allowed women to succeed to the duchy, then simply turn to the lineage of the Montfortist dynasty.<sup>186</sup> In the lengthier histories, this elision was less feasible, and the authors had to pay greater attention to disqualifying Jeanne as heiress. Yet, perhaps as the result of the ideal of the female heir, so necessary under Duchess Anne, Jeanne also here came closer to being an independent duchess-regnant than she did anywhere else: Bouchart reported that at the treaty of Guérande, ‘fut oultre accordé que icelle dame porteroit durant sa vie les plaines armes de Bretagne’—which of course, she never actually did.<sup>187</sup>

## Conclusion

That Jeanne’s posthumous reputation was blemished mainly by obstinacy, of all things, is thanks in large part to the dominance of Froissart on the historiographical field. Despite the increasing technical knowledge of later writers, who were servants of the ducal government and, since Hervé Le Grant, had access to archival records of the fourteenth century, the standards by which they responded to these texts and adapted the chronicles which had come before were not necessarily more authentic.<sup>188</sup> Jeanne’s documents suggest that her actions were perfectly acceptable in a political context and Froissart had largely taken her on those terms. At the same time, however, the misogynistic strands of medieval society embraced by Cuvelier condemned this same relationship. The standards that faced Jeanne as a woman (especially as a wife) were therefore not contiguous

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183. ‘If the duchy of Brittany should fall into the hand of a woman’, Le Baud, *Histoire*, 266.

184. Jones, “Chancery,” 142; Michael Jones, “Education in Brittany in the later Middle Ages: A survey,” in *The Creation of Brittany: A Late Medieval State* (London, 1988), 327; Leguay and Martin, *Fastes*, 389ff.; Pocquet du Haut-Jussé, *Papes*, 639ff.; Galliou and Jones, *Bretons*, 247–52; cf. Guenée, *Culture historique*, 33–35, 65–69, 91–100.

185. ‘The first who maintained that the said principality should not at all fall into the hand of a girl’, Kerhervé, “Genealogie,” 554, cf. 521.

186. ‘The law of [Jean III]’s land of Brittany’, *ibid.*, 554.

187. ‘It was also granted that this lady would bear in her life the full arms of Brittany’, Bouchart, 95.

188. Jones, *Le Grant*.

with those that faced her as a prince, but her princely actions could be criticized through the former, as the last Montfortist chroniclers particularly sought to do in order to address the political concerns of the moment.

While chronicle sources are thus valuable for assessing the strengths and weaknesses of Jeanne's position outside of the discourse she controlled, they cannot be conflated with contemporary responses to her rule—or better, they can only represent some of them. All too often, the values emphasized by these texts have been used in modern scholarship to describe the dynamics of Jeanne's career without recognizing that these portrayals were assimilated to abstracted standards just as much as were the formulae of her charters or legal cases.<sup>189</sup> A separate and comparative reading of these accounts is therefore critical. This does not mean that the chroniclers who constructed Jeanne in a more favourable light were closer to the truth, though many of the negative assessments can be closely associated with the specific socio-political slant of the writer. Rather, both positive and negative responses were enabled by equally present strands of thought within contemporary society, the same multivalence which may have encouraged the variations in treatment within a single work. Because Jeanne was not a major player in the grand scheme of these accounts, it was easy to both attach a specific significance to her character and to retain other narratives that had already established themselves, however contradictorily, as parts of Jeanne's reputation.

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189. Sjursen, "Jeannes," 37.

## Conclusion

Using the career of Jeanne de Penthièvre as a case study in elite political power in the fourteenth century is to perform a dissection, taking what was at the time the organic whole of one person's experience and using tools to pull apart the different components that made it work. Being able to place these side-by-side so as to compare and contrast them is artificial, but it highlights the individual contributions of such factors as rank, relationships, gender, precedent, and even the highly contested nature of Jeanne's rule, within a relatively brief historical moment and the focused body of sources that recorded it. Moreover, power was also in part made through contemporary artifice: on top of the facts of Jeanne's life were overlaid expectations and rhetoric of varying accuracy, and purer fictions of legal and narrative invention. Each added something new to the shape of Jeanne's authority while building on their common themes.

Jeanne and Charles' interactions in dealing with finances, managing their administrative personnel and followers, providing justice, and pursuing the war and its attendant negotiations, demonstrate that a single ruling partnership could share power quite differently depending on the context. Not all administrative needs received equal attention from Jeanne and Charles—Jeanne's regular interest in making sure their followers were rewarded, for instance, contrasted with her more sporadic attention to issues of taxation—but they tended to make important decisions together. It was also unusual for any matter to be exclusively associated with only one of them: discrete responsibilities such as Charles' ransom or the supervision of the lands he himself inherited were notable as exceptions to the rule. The flexible balance between coordination and independence helped them navigate the challenges of their contested rule (most spectacularly, the diplomatic crisis provoked by Charles' captivity from 1347 to 1356), and left room for them to disagree at times while still being able to reinforce their joint position. The close analysis of these variations, the factors that influenced them, and the effectiveness of the results adds nuance to the scholarly discussion of shared rule by a married couple (a 'lordship unit'), which has increasingly been recognized as an essential form of political power in the later Middle Ages.

Moreover, the practice of shared power was grounded in more than passive acceptance of the relationship: the arrangements for Jeanne's marriage and in-

heritance had, by linking the two, anticipated a partnership that granted both her and Charles clear ducal authority, but which did not efface their individual statuses. Jeanne's personal position as the heir of her father and her uncle, as Charles' wife, as a high-born woman, as a native Breton—all these and more remained distinct from her title of duchess even as she had her full share in the rule of Brittany. Their visibility at once shaped the portrayals of her power produced on her behalf within her administration and the reactions to her rule of those around her. Jeanne's secretaries characterized her status within the formal terms demanded by their charters by layering descriptions of the individual power dynamics expected from, for example, her relationship to Charles as both co-ruler (where her position as heiress was paramount) and spouse (where she was subject to her husband). These terms seem contradictory only insofar as historians, particularly those interested in female power, have insisted on a general distinction between licit command and effective power; in fact both of these could not be separated from the immediate context of who and what was being ordered, the concrete basis upon which Jeanne's contemporaries defined the scope of acceptable action. Similarly, there was a great deal of interchangeability in the way Jeanne and Charles' followers, from priests to captains, rendered service to the duchess and duke; but the equal recognition of Jeanne and Charles as their lords did not preclude their ability to prioritize their relationship with either one or the other, and vice versa. As a final illustration, Jeanne's attempt to reclaim her duchy in the 1370s relied on similar demonstrations of her legitimacy as during her joint rule with Charles, but she was no longer able to take advantage of the shared authority which had previously bolstered her position. Jeanne's princely power was shaped by expectations, but these were not monolithic.

Such representations of Jeanne's role by her inner circles, subject in large part to her approval, were part of a wider discourse constructed with less immediate regard for the precise details of her position. The defense of her claims in 1341 left an elaborate set of records that combined legal commentaries on ducal status with the testimony of witnesses on the customary practices of Brittany. Because, unlike the Montfortist arguments, the Penthievre case has not been analyzed since the sixteenth century, historians have overlooked its interpretation of the social status of the Breton duke, which situated him at the centre of a group comprising the regional nobility using terms very much like those which characterize modern discussions of community. Most notably, there were certain obligations and prerogatives associated specifically with the duke, who promised at his inauguration to uphold regional customs and preserve the duchy's territorial integrity. In fact, both Jeanne and Charles took on these responsibilities, while at the same time possessing different relationships to the social groups around them: Jeanne's personal ties cemented her connections within Brittany just as Charles' did to the royal court at Paris. Furthermore, Jeanne's efforts to rally support during her bar-

gaining with Edward III led in 1352 to the first meeting of the Breton ‘estates’, which created a picture of Breton unity to counteract the real effects of the War of Succession. At the same time, Jeanne’s power was not restricted to her position in Brittany, and the iconography on her seal was augmented over time to take into account the wider status granted by her inheritance. These perspectives suggest avenues for further exploration of the development of the medieval state.

At one more remove still from Jeanne’s career, various chroniclers, nearly all of whom wrote only towards the end of her life or later, reworked the image of the duchess into something new but still recognizable. Froissart, in particular, emphasized different aspects of Jeanne’s role, such as heiress, wife, duchess, and mother, in each of the three main redactions of his chronicle. These were all related to real facets of Jeanne’s life, but they were also easily identifiable as more idealized female types. The accessibility of such models made it easier to exaggerate their specific traits as different chroniclers (most influenced to different degrees by Froissart) reinvented Jeanne’s place in the Breton war—or inverted them to condemn her authority. In doing so, the chronicle tradition had little regard for consistency instead of narrative or ideological concerns, but it is noteworthy that few of the tropes in their portrayals of Jeanne were completely unrelated to her actual career or its contemporary depiction: even the negative portrayals of the Montfortist chronicles attacked her mainly for having too *much* power rather than for the sexual misconduct so often used to slander elite women, however advantageous these might have been to the political posturing of their own patrons. This detailed comparison between historiographical and administrative portrayals of Jeanne highlights the persuasiveness of different aspects of her reputation and complements the more established use of the chronicle sources as more general records of the events of the period.

If Jeanne’s actual career existed above all in the details of her particular circumstances, her experiences were not unique. Studying her power inevitably involves a comparative approach, for her rule was set alongside her husband’s—indeed, it would be highly instructive to explore Charles’ rule from the same perspective! On the other hand, the two previous sketches of her career were undertaken in juxtaposition to her more famous counterpart, Jeanne de Flandre, so the internal variations of her position, even with regards to such basic contrasts as her career during and after the civil war or inside and outside of Brittany, have largely been obscured. Reaching more broadly, certain aspects of Jeanne’s rule highlight similarities and differences with those of the duchesses of Brittany Constance and Alix in the twelfth and thirteenth centuries, with more contemporary noblemen and women such as Mahaut d’Artois, Yolande de Flandre, and of course Jeanne’s rival, Duke Jean IV of Brittany, and with fifteenth-century princes such as Isabelle de Portugal, duchess of Burgundy during the heyday of the great French principalities. Moreover, questions about the expectations of rulership have been first

and foremost the province of royal studies, while Jeanne's power—in its depiction, its relationships, and its limitations—was distinct from both the queens of France and of England. More work remains to be done to deepen our appreciation of the diversity and distinctiveness of the elite nobility, male and female, of the late medieval period, although the relatively limited attention to the princes of the fourteenth century (unlike the next hundred years or the Capetian era) makes this project more challenging. In the meanwhile, a biographical analysis such as this allows the sources to take the lead in guiding the investigation, bypassing one single scholarly angle in favour of a broad perspective more indicative of the actual experience of political power in its complexity.



# | Appendices

## A | The succession arguments of Jeanne de Penthièvre and Charles de Blois, 1341

*From Bibliothèque nationale de France, Paris, MS fr. 18697, f. 124-162, notes of historian Bertrand d'Argentré (1519-1590).*

I have normalized capitalization to reflect modern expectations (ignoring miscellaneous capital letters in the text, and capitalizing personal names, place names, initial words, etc.) and smoothed out the irregular word spacing of the manuscript, balancing modern standards with recovering the medieval French conventions. The copyist has added occasional meaningless punctuation, which I have silently removed, while adding new punctuation to clarify phrase breaks. Where gaps have been left in the original text, these have been signalled with ellipses; it is not clear that all of these represent omitted words, although many do. Because of the inconsistencies of the hand, I have ignored the not-infrequent extra (or deficient) minims where the intended word is clear, although sometimes these produce viable alternative spellings which I have noted. The difference between certain letters is not always clear, especially since medieval spelling was itself flexible; fortunately, these variations tend not to interfere with the meaning. I have also distinguished between 'i' and 'j', and 'u' and 'v', unlike the original hand. The copyist, meanwhile, apparently had some difficulty distinguishing fourteenth-century 'r' and 'z'; this has resulted especially in corrections to the form of the verb. Abbreviations have been expanded; it is worth noting that these were used inconsistently, and sometimes in error. Since the goal is ultimately to recover (as far as possible) the medieval original based on what is clearly a flawed copy, I have made such additions and emendations as are self-evident, while noting the original below; unfortunately, some passages still remain obscure even where all words are legible.

The lack of familiarity with legal phrases implied by the errors evident in the document, and the omission of words obvious to anyone acquainted with Breton history, strongly suggest to me that this was copied *for*, rather than by, Bertrand d'Argentré.

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[f. 124] PREMIEREMENT DICT LEDICT CHARLES de Bloys que us et coustumes de Bretagne sont telz tous notoyres en suceptions de fiefz gennerallement et no-toyrement gardez entre les nobles personnes quant plusieurs freres sont, laisne succedde comme heritayre et proprietayre en tous les fiefz soient baronnyes, con-tez, ou vicontez, combien quilz soient grans et nobles, et vient entierement a la foy et hommaige seul et pour le tout de son droict et est tenu leur fere provision de vivre a ses soeurs et a ses puisnez sellon leur estat et la quallite de la terre en telle maniere que lestat de laisne et lanceso[ire]<sup>a</sup> sont tousjours en entier.

Item que les us et coustumes sont et ont este gardez en jugement et dehors par tant de temps quil suffist pour bonne coustume et usaige.

Item us ont este gardez toutesfois que les cas y sont escheuz.

Item que les cas y sont escheuz par plussieurs foyz et en la succession de la duche et es baronnyes subjectes.

Item que lesdicts us ou coustumes sont raisonnables et ne sont contraires de droict avis, sont confirmables et acordables a droict divin, a droict canon, et a civil, et a raison naturelle, et a la coustume genneralle du royaume de France, et ce peult estre prouve clerement par ce qui sensuit.

Premierement, par droict divin, car le droict et advantaige daisnete sont figurez ou Vieulx Testament en Genese au vingt cinqiesme a vingt septiesme chapitre, la ou nous lisons des filz de Ysac, cest asscavoir de Ezeau lesne et de Jacob puisne, que Ezau lesne, qui venoict des champs de son labouraige, tout mort [f. 124v] de fain vandict a Jacob son puisne frere par la malice du puisnez frere les droictz de son aisnesse pour une escullees de lentilles, car il luy sembloict quil deust mourir de la fain quil avoict si les pris trop peu et aveques ce supplanta ledict Jacob a Ezeau son frere la vendicion de Ysac son pere quant il voullioict mourir [comme]<sup>b</sup> il est recitte plus a plain en listoyre, laquelle vendition seulement leur loy le pere donnoit a laisne frere et emportoict tel mistere pour par la benediction faisoict lais[ne]<sup>c</sup> seigneur de ses freres et luy devoient les puisnez obeyr et se agenouailler devant luy et devoict avoir lheritaige et labondance des biens par dessus tous les autres et delles vint le commun dict que lon dict comunement sil ma suplante ma benediction et [par]<sup>d</sup> ce apert que lesdictes coustumes sont assez prouvees et figurees par droict divin.

Item il appiert par droict canon que nous lysons des trois fiz au roy de Hongrye ausquelz le royaume devoict venir selon leridie daisnesse mais<sup>e</sup> par ce que le second estoict charge dacomplir pour son pere le voyaige doultre mer il perdict et fut prive dainesse, cest assavoir de succeder au reaulme apres son frere aisne auquel il eust succede ce ne fust son prise et aussi appert que les coustumes puis

a. lancesouir b. que ce c. laisoict d. chuix e. MS repeats mais

assez estre prouuees par droict cannon.

Item peult estre assez raisonnablement prouue par droict civil car selon droict escript, qui est premier en temps doibt auoir premier la prerogative en droict ne selon les droictz des fiefz qui sont esprouuez en ses causes par laquelle coustume du royaulme de France, car autrement ne sont a alleguer fors seullement en tant comme ilz se conferment aux coustumes en France, car se sont loix et coustumes [f. 125] locaulx dignitez temporelles comme duche, contez, baronnies sont induisibles et ne se peuvent diuiser et par consequens doibvent demeurer a laisne, car combien que laisne se il na autre chose de quoy le faire il doibt bailler provision ou espanage au puisne du proffilt ou de lesmolument le nom, dignite, et lancey[sse]rie demeure entierement a laisne comme a vroy propriétaire sans nulle...et ainsi appert que lesdictes coustumes peuvent estre coulourees par droict civil.

Item il appert par raison naturelle et par droict commun dont chacun est enseigne que se les duche, contez, et baronnies se diuisoient et li aisnez n'auoient prerogative, les ancessoiries, les seigneuries, et les noblesses, les lignaiges qui sont chefs en chacun pais se diminuseroient et seroient pou prisez, car quant moigns sont riches moigns sont prisiez, et moigns en seroi[e]nt fors les lignaiges et les pais et les roys le royaulme jouxt le dict du philozophe que la vertu qui est unie ensemble est plus forte comme quant elle est dispersee et diuisee<sup>1</sup> et ainsi appert que lesdictes coustumes sont fondees par raison naturelle.

Item dict ledict Charles que lus ou la coustume du pais de Bretagne gennerallement et notoyrement garde en succession de fiefz entre nobles personnes soient contez, vicontez, baronnies, chastellenyes, vavassoiries, ou autres fieffz combien que ilz sont nobles sont telz touz notoyres que li enffans de laisne, soit<sup>a</sup> filz ou fille, en successions de fiefz et de laineesse representent la personne de leur pere et semblablement les enffans du second nez, soient masles ou [femelles],<sup>b</sup> si laisne meurt sans enffans de sa chair, represente[nt] [f. 125v] la personne de son pere en la succession des fiefz et es drois de laineesse et emporte les droictz de laineesse et la succession des fiefz...pour le tout et forclust ses oncles, freres puisnez de son pere tout ainsi comme fist le pere se il eust vescu et aussi gennerallement les enffans succedent en toute Bretagne par la representation de leur pere et emportent autel droict et autel advantaige de ainesse et de succession comme fist le pere sil vesquist soit en escherites aduenues au pere avant quil mourist ou en successions aduenues et condecendues depuis sa mort.

Item que lesdicts us et coustumes par lesquelz le filz ou la fille representent la personne de leur pere et venir a autieulx droictz d'ainesse et de succession

a. MS repeats soit b. en semble

1. Reference to Aristotle, 'Of the Eyes'.

[comme eut]<sup>a</sup> son pere il se vesquist en forcluant ses oncles sont et ont este gardees notoyrement ou pais de Bretagne en succession de droicte ligne comme en ligne et escherite de couste, toutesfois que les cas y soient escheuz par plusieurs fois et par tant de temps que tant de fois ont este eusez et gardez que il suffist quant a bonne saesine ou usaige en tans<sup>b</sup> entrodure et que entre les saiges et coustumers du pais ilz sont tenuz pour coustume ou usaige et verite que le statut de succeder entre les nobles de la duche fut fet pour garder les noblesses entre elles pour escheuez et determynez les debatz perilleux qui y pouroient advenir et pour telle cause se fet statut et constitution comme nottent les saiges docteurs laquelle cause a lieu plus ou chieff ou autant comme en membres.

[f. 126] Item que ladicte coustume ou usaige est si notoyre et si clere en Bretagne sans la rappeler en doubte comme le jour est cler et tant est notoyre que on ne seroict pas receu en Bretagne a la nyer combien que par adventure elle semble estrange a aucuns par ce que aucuns lieulx en France les enfans ne succedent pas par representation de leurs peres comme aucuns veulent mentenir, mais ce ne doibt estre considere, car lus ou coustume de Bretagne dessus alleguez sont raisonnablement confirmez et accordables a droict divin, canon, et civil, raison naturelle, a la coustume des lieulx voysins de Bretagne, et en pays a la genneralle coustume du royaume de France.

Et premierement il appert par droict divin que le filz ou la fille represante la personne du pere car ainsi comme lapostre a Galathas ou quaranteiesme chappitre que *filius et heres* etc.<sup>2</sup> Cest a dire que il sensuult de necessite filz ergo heri[tier] et doncques si cest hoir il represante universement son pere en tous les droictz que il avoict et pouvoict avoir en tous les droictz de ainneece et de succession, car le nom et la signification de hoir<sup>c</sup> emporte de succeder et represanter le mort en tous ses droictz et ceste represantation na pas seulement lieu ou masle par droict divin mais a lieu en la fille, car nous lysons au dernier chappitre du Nunbre des filz Manasse<sup>d</sup> qui vindrent en la court Moyse devant les princes du peuple Disrael en luy disant que monseigneur avoict commende que il baillast aus filles de Salphaat leur [pere]<sup>e</sup>, leur heritaige qui estoict deu a Salphaat leur pere [f. 126v] et Moyse ainsi loctroya<sup>3</sup> et ordonna affere sans differance de sexe masculin ou feminin et aussi dict lautre escripture de la Bible ou premier chappitre que Dieu ne fet differance ne acception de personnes en ses<sup>f</sup> jugemens, car il juge le grant comme le petit, la femelle ainsi comme le masle.

Item il appert par droict canon que le filz ou la fille doibt represanter le pere et

a. comment b. MS adds in c. hoir d. written above Masse e. frere f. MS adds jugl

2. Galatians 4:7.

3. Numbers 36:1-2.

pour ce dict ung decret que a compter degre de lignaige le filz et le pere ne font que ung degre car le filz represante en tout le pere, que ce est repute une chair et une personne a successions combien quelles soient de fiez et de contez le droict canon ne fait difference entre masles ne entre femelles combien que ce soict en succession de contez ou de duche et pour ce lisons nous en ces propres termes de la contesse de Nantes<sup>4</sup> sellon aucuns livres et les autres livres ont la contesse de Naumur ce qui succeda de son frere et sa conte,<sup>5</sup> et la contesse de Bloys<sup>6</sup> et principalement dict le texte de la decretalle que en France ont acoustume les femmes a succeder es duche, comtez, et es baronnyes, et aussi le notent les saiges docteurs Innocent et Hostience<sup>7</sup> et les [s]peculateurs et aussi appert par droict canon que en succession representation peult avoir lieu sans difference de sexe masle ou femelle.

Item il appert par droict civil car il est escript en plussieurs lieulx que la personne du pere est repute [*f. 127*] la personne du filz, la parole du pere est repute la parole du filz, et pour ce dict lautre droict que [souvent]<sup>a</sup> avient que luy pere ce doubtent plus la personne de leurs enffans que de la luy propre, et par especial et en succession, car le filz represante la personne du pere et par ce dict le droict que les enffans sont reputez seigneurs a la vie de leur pere et ce est escript non pas seulement en succession de droicte ligne<sup>b</sup> ains en succession de couste et ce plussieurs freres sont et les ungs meurt et lassent enffans procrez de sa chair et depuis ung des autres freres meurt sans hoirs de sa chair ses enfans du frere premierement mort represantera la personne de leur pere et viendront en autelle maniere et en telle portion en la succession de leur oncle comme feist leur pere si vesquist, ensemble viennent les filles comme les filz a succession deffuncte decedde et ainsi est escript tout rondement en teste ou il ne fault point de glotz car combien...aucuns faisoient difference entre masles et femelles toutes veoyes ceste cy est reprouve en droict car est une maniere de atrister nature pour quoy elle aprecia masles et non femelles.

Item il appert que ceste coustume est fondee sur raison naturelle que le filz ou la fille represantent le pere car naturellement le pere ce perpetue en la<sup>c</sup> personne du filz et pour ce dict le philosoffe que cest...au pere que de engendrer son semblable affin que creature humaine qui ne peult [*f. 127v*] estre perpetuelle par soy...represantee et perpetuelle par son semblable et ceste reputation naturelle ce

a. souvent b. *MS adds en* c. *MS repeats la*

4. Probably Judith (r. 1051-63), who inherited from Judicaël.

5. Marguerite (1194-1270), who inherited from Henri II (d. 1229).

6. There are numerous possibilities here, but the most recent in 1341 was Charles' great-grandmother Jeanne, who inherited from Count Jean I to rule from 1280 to 1292.

7. Popes Innocent III (d. 1216) and IV (d. 1254) were both notable canonists; Hostience was the common name for Henry of Segusio (d. 1271).

fait semblablement par la femelle comme par le masle ainsi se perpetue par lune comme par lautre, et aussi est necessaire de nature et de le faire de lumain lignaige et de la perp[etu]acion<sup>a</sup> en la femelle comme le masle et les masles vullent bien succeder aus femelles et doncques par raison doibvent les femmes succeder aus malles autrement les malles auroient ung droict pour eulx et lautre pour leur voysin et seroient les femmes priyvees sans coulpe et sans cause, car nature na riens pechie a angendrer femelle ains a fet son devoir et ne elles nont peche pourtant si elles sont femmes et aussy sont elles creatures de Dieu et de nature comme sont les<sup>b</sup> hommes<sup>c</sup> quare etc.

Item que lesdicts us ou coustumes sont conformes audictes coustumes des regions voysines, car en Enjou et ou Maine et en Touraine, enffant soict filz ou fille succedde par la representation de son pere es droictz de la ainesse soict en succession de droicte ligne ou en eschoiste de coste or vient a au[t]elle<sup>d</sup> succession et parantelle m[e]me<sup>e</sup> comme son pere sil vesquist et aussi est en<sup>f</sup> Berry et en Poictou la plus grand partye et en plussieurs autres parties du royaulme de France et se peult estre clerement monstre par exemple que le roy scet, a veu, et congnoist les personnes: [f. 128] premiere, viconte de Beaumont dernièrement mort qui e[st] deulx filz cest assavoir monsieur Robert de Baulmont et monsieur Geoffray de Beaumont, le puisne. Monsieur Robert laisne moureut avant son pere et laissa son filz lequel a succedde par representation de son pere en la viconte de Beaumont et en toutes les terres que le viconte tenoict en Enjou<sup>g</sup> ou Maine et en Bretaigne et a forclus son oncle monsieur Geffroy quil feust en proche degre.

Lautre exemple de monsieur de Harrecourt que succede a missire Guillaume de Harrecourt quil estoict son oncle, frere de son pere, en toutes les terres quelle eut en Enjou et ou Maine combien que monsieur Guillaume eust ung frere, cest assavoir levesque de Coustances qui luy estoict proche dans degrez et ce fut ladicte coustume car le pere monsieur de Harrecourt qui est a presant fut filz du frere aisne monsieur Guillaume et aussi represente sa personne et droict de ainesse et de succession et apres monsieur de Harrcourt le [re]presante forcloux loncle de son pere, ledict evesque.

Lautre exemple soict<sup>h</sup> de monsieur de Laval qui avoict son frere levesque du Mans et av[oit]<sup>i</sup> nepveu, filz de son cousin, frere monsieur Andre de Laval, et estoient tous freres germains, et toutes veoyes le nepveu, filz laisne, fist par representation de son pere et de droict ainesse en empare tout et forclouse son oncle, ledict evesque, et est la terre dudict monsieur Loys assise en Bretaigne et est

a. perpoutacion b. MS adds son c. MS adds quare d. aubelle e. mame  
f. MS adds Berry g. MS adds que le h. MS adds le roy i. avon

de la terre de Vitre qui prent par freraige de la duche de Bretagne et aussi peult lon mettre exemple de la terre de C[raon]<sup>a</sup> car le filz aisne [f. 128v] monsieur de Cron<sup>8</sup> moureut avant son pere et toutesvoies le filz du filz aisne a succedde en la terre de C[raon]<sup>b</sup> et a forclos ses oncles, monsieur Pierre et monsieur Guillaume, combien quilz fussent ung degre plus proche et aussi appert ceste coustume estre veriffiee a la femme de Charles, car par la representation qui fut f[i]lle aisnee de monsieur Davaugour laquelle moureut monsieur Davaugour son pere elle a succedde en la baronnye Davaugour qui est me[mb]re<sup>c</sup> de la duche et pa[r]s<sup>d</sup> par freraige et aussi a succedde en la baronnye de Ma[yenne]<sup>e</sup> et forclos monsieur Guillaume Davaugour qui estoict frere germain de monsieur Davaugour.

Item lesdicts us et coustumes sont confermes en toutz a la generale coustume de France, cest asscavoir quil peult succedder outieulx [fiefs]<sup>f</sup> comme duche, comtez, et baronnye et autres coustumes du royaume de France est telle<sup>g</sup> que femme en tieulx [fiefs]<sup>h</sup> combien quilz soient et nobles, soient peyres<sup>i</sup> ou autres et aussi lavons nous veu en noz temps de la compte Dartoys,<sup>9</sup> de la compte de Champagne,<sup>10</sup> et aussi advinst il de la compte de Thoule<sup>11</sup> et daultres comtez comme est la compte de Monfort,<sup>12</sup> la compte de Boulongne,<sup>13</sup> la compte de Jongny,<sup>14</sup> et de plusieurs autres qui seroient longues a racompte[r]<sup>j</sup> et par especial est escheu la duche de Bretagne, car il est memoyre et aussi sera il trouve es cronicques et es antiennes escriptures que la duche de Bretagne est decendue a femme et de la femme du compte Con[an] et le compte de Bretagne de par sa femme et par la femme du compte Eon [f. 129] et desandict sa fille qui fut appelee Emengare<sup>15</sup> et de Emengar desandict madame<sup>k</sup> Alix...<sup>l</sup> qui fut maryee a Pierre Mauclere et de Pierre Maucler desendict le compte Roux<sup>16</sup> dont toute la generation de Bretagne est depuis desandue si ne peuvent par raison dire deaulx qui ny pouroient rien avoir si nest pas que femme ny doibve succeder.

Item ceste coustume a este et est proprement veriffiee en la personne de made-

a. Cace b. Curron c. mendre d. pais e. Madun f. freres g. *MS repeats* telle h. freres i. *over parties* j. racompez k. *MS adds* alce l. *written over gap*

8. Amaury IV, son of Maurice de Craon (d. 1330), succeeded his grandfather Amaury III in 1333.

9. Mahaut d'Artois.

10. Jeanne, r. 1273-1305.

11. Jeanne de Toulouse, 1249-71.

12. Probably Yolande (d. 1322), mother of the competition.

13. Again, there are many possibilities for the reference here, but the most recent was Jeanne d'Auvergne in 1332.

14. Jeanne (d. 1336) became countess of Joigny after the death of her father Jean II in 1324; she had married Philippe VI's brother Charles de Valois (d. 1346) in 1314.

15. This is clearly in error, since there was no ruling duchess of Brittany by this name; contextually, the text should be referring to Constance.

16. Jean I le Roux, r. 1237-86.



moyselle, femme de Charles, car elle a succedde a la compte de [Penthievre]<sup>a</sup> qui estoict partye de la duche et membre de freraige et avecq ce a [succede]<sup>b</sup> en baronnye Davaugour a monsieur Davaugour son ayeul combien quil eust frere comme dessus est dict; briesment parler ceste coustume a este veriffiee tant de cas a la duche de Bretagne et est sy notoyre et sy genneral que nul ne debvr[o]ict croire que le compte de Montfort qui luy en demendroict luy voullist nyer en sa conscience et si le roy en veult informer sa conscience Char[les] luy en offre a faire prompte foy.

Item us [et] coustumes supousees que sont raisonnables et concernans [*sic*] a droict, le fet est tel: monsieur Artur jadis duc de Bretagne eut deux femmes, la premiere fut contesse de Limoges de son heritaige, et dicellui premier mariaige yssirent deulx filz, monsieur Jan de Bretagne dernier duc, et monsieur Guy de Bretagne son frere segond ne, et ainsy ledict monsieur Jan dernier du[c]<sup>c</sup> et ledict monsieur Guy furent freres germains de pere et de mere.

[f. 129v] Item apres la mort de la dicte vicontesse de Limoges ledict Artur espousa seconde femme qui fut contesse de Monfort de son heritaige et dudict segond mariaige yssit le conte de Monfort qui est a presant et plussieurs filles sest assavoir madame de Gassel, madame de Laval, et madame de Vandosme, et ainsy apert que le compte de Monfort fut frere de monsieur de Bretagne dernier duc et de monsieur Guy son frere de par pere tant seulement combien que Charles centend rien a confesser ne ligna[i]ge<sup>d</sup> ne autre chose que proffit puisse porter au compte de Monfort.

Item que de par la mere<sup>e</sup> dudict monsieur Artur ledict monsieur Jan son filz aisne luy succedda a tous les [fiez]<sup>f</sup> et<sup>g</sup> vint a la foy et hommaige de tout selon la coustume de Bretagne<sup>h</sup> dessus alleguee.

Item luy venu a la foy et a lommaige de tout tans de la duche comme de la viconte de Limoges il esprouve...et ses freres seulement ce quil veut bon a fere pour la soubstinance de leur estat et bailla audict monsieur Guy son frere germain<sup>i</sup> segond ne la compte de [Penthievre]<sup>j</sup> et au compte de Montfort son dernier nez dudict pere bailla deux mille de terre assis en Guerande par certaine forme et par certaine cause.

Item que ces choses ainsy fetes ledict monsieur Guy de Bretagne fut marye a la fille aisnee de monsieur Davaugour, dont Dieu ait lame, auquel mariaige yssit madamoyselle Jan[ne] de Bretagne, femme a presant de Charles de Bloys laquelle represante la personne dudict monsieur Guy son pere.

[f. 130] Item que apres ledict monsieur Jan duc de Bretagne est alle de vie a

a. MS unclear b. succeder c. dur d. lignage e. over mere f. filz  
g. MS adds ~~un~~g h. MS repeats de Bretagne i. MS adds ~~sell~~nd j. MS ...

mort sans hoirs de sa chair et demeura puis an et jour et luy a survesque ladicte damoysselle Janne sa [niece]<sup>a</sup> laquelle represante la personne de monsieur Guy son pere lequel ce il vesquist venist sans nul contredict a la foy [et] hommaige de ladicte duche et viconte comme son frere aisne et semblablement ladicte damoysselle sa fille y doibt comme represantant sa personne comme la plus proche heritiere naturelle par la coustume du pais et par raison escripte et pouvoict a requis au roy nostre sire ledict Charles a cause de sa femme et encores requiert que les recepve aus foyz et hommaiges de ladicte duchie et de ladicte viconte et luy a offert et encores offres la bouche et les mains et tieulx droictz comme les freres doibvent.

Item que veues les coustumes et les foyz cy dessus escriptz il appert clairement et peult aparoir a chacun que la requeste est raisonnable et que par necessitte de raison la luy doibt faire le roy nostre sire tant par coustume que par droict escript et par toutes raisons.

Premierement par coustume, car par la coustume dessus alleguee [quand]<sup>b</sup> les aisnez freres meurt sans hoirs de sa chair le segond ne ou celui qui le [re]present vient a la succession, foy, et hommaiges de tant et ainsi si monsieur Guy estoict son frere segond ne sy vesquist il nest pas doubte que il ne vint a la succession desdictes duchie et viconte a la foy et hommaige et forcloist ledict compte de Montfort. Or appert il par ladicte coustume que ladicte damoysselle, [f. 130v] fille dudict monsieur Guy, represante sa personne et doibt succeder en autelle maniere et forme comme son pere sil vesquist et par consequens elle doibt succeder du tout a ladicte duchie et viconte, doibt forcloure ledict compte de Montfort.

Item suppose sans prejudice quil ny eust p[oint]<sup>c</sup> de coustume et que lon determinast ceste question par raison comme et par droict escript il est aussi cler comme le jour que par droict escript elle doibt succeder a ladicte duchie et ce par droict divin et par droict positif.

Premierement par droict divin car ainsin comme dict est dessus il est escript en la Bible ou dernier chappitre des Nombres en listoyre des filles de Saphaat que monsieur commenda a Moyses que il donnast et baillast aus filles de Saphaat lheritaige questoict deu a leur pere se il vesquist et est bien a noter les parolles *pocessionem debitam patri* etc.<sup>17</sup> Car il ne comprant pas semblablement lheritaige dont Saphaat estoict mort vestu et saezi mais comprennent celluy qui luy estoict deu et quil peust demander sil vesquist et dont apert il que filles doibt succeder par represantation lheritaige de son pere ou il succedast sil vesquist et nul ne doubte si monsieur vesquist quil ne succedast a ladicte duchie et doncques par droict divin sa fille y doibt succeder et le conte de Montfort qui est son oncle deust fere aussi

a. mere b. contre c. pour

17. Numbers 36:2.

comme les filz Manasse qui prochassoient aux filles Salphaat qui estoict leur frere lheritaige de leur pere en la court Moyses [f. 131] mais il faict le contraire car il ce efforce de le hoster a sa niepce pour laplicquer a soy contre ladicte escripture quare etc.

Item il apert par autre escripture et figure du Vieulx Testament car il est escript en la Bible du livre Deut[er]onome ou vingtiesme chappitre<sup>18</sup> que si plusieurs freres sont et les aisnes meurent sans hoirs de chair le second ne apres doibt prendre sa femme et fermetiter ou augmenter s[e]pmance a son frere davant mort et aussi est il escript plus clairement en Geneze ou trante huictiesme chappitre et combien que ceste figure soict arguee quant a ce que ce peult prandre la femme de son frere par mariaige et quant a la cerimonye toutes[v]oyes<sup>a</sup> et quant a la principale...et a leffaict moral elle nest pas ostee, cest asscavoir quant a la succession car la sepmanche du frere second ne est repute la sepmanche du frere et ligne du frere aisne qui davant est mort sans hoirs de sa chair luy doibt succeder aussi comme sil fust de sa propre sepmanche et de sa propre ligne et dont par ceste escripture peult on dire puis que monsieur de Bretaigne est mort sans ligne mademoyselle qui est sepmanche de son frere second ne luy doibt succeder ainsi comme si elle fust de sa propre sepmanche et sa propre ligne tout ainsy comme sy ce fust ung filz masle com[me]<sup>b</sup> les histoyres des filles Salphaat quare etc.

Item il appert clairement que lintention Charles est fondee de droict humain et positiff car dict que celui qui succede en lieu daultuy doibt user de tel droict comme celui en quel lieu il succede [f. 131v] et lhers doibt succeder universairement en tous les droictz du mort et nest pas doubte que ladicte damoyselle [est] en lieu dudict feu monsieur Guy son pere et est son heritiere seulle universelle lequel sil vesquist forclouist par an droict ainesse le conte de Monfort a doncques il est de necessitte que sa fille doibt user dautel droict et succeder au droict de ainesse et forclure le conte de Monfort.

Item texte expres dautenticque dict que les enffans du frere davant mort vient a succession de luy, oncle, frere de leur pere par representation de leur pere tout ainsi et en telle portion comme faisoict leur pere sil vesquist combien que son oncle aict autres freres au<sup>c</sup> temps de sa mort qui luy soict plus proches dun degre que les enffans de son frere mort et ainsi appert clairement par teste de dire que luy, enffant du frere mort, representent la personne de leur frere et doibvent venir a entelle succession comme le pere si vesquist. Or nest pas deubt si ledict monsieur Guy vesquist quil venist a la succession de ladicte duchie et forclouist le compte de Montfort ergo il sensuult que ladicte damoyselle sa fille, par droict

a. toutesloyes b. compte c. autre

18. Deuteronomy 25.

de representation, y viendra et le compte de Monfort forclouera.

Item il nest mestier de g[erer]<sup>a</sup> argument, suffraiges, ne coustumes car outre toute coustume cest texte tout ront<sup>b</sup> qui na mestier de glose en cas expres dont lautenticque pour la entencion de ladite [f. 132] damoyelle qui dict ainsy si aucuns meurt sans hoyre de sa chair et laisse son frere ung ou plussieurs qui sont ses freres de partaige ou de par mere ensemble lenffant de son frere courent a deux coustez soit filz ou filles sans differance...vient de la succession seulle et pour le tout et forclouoit ses oncles qui sont convenuz a mort de qui succession lon traicte de par pere ou de par mere tant seullement oyes est nostre cas ne plus ne moigns car ladite damoyelle est fille dudict monsieur Guy qui estoict frere germain de pere et de mere au duc dernier mort et le compte de Montfort estoict son frere de par pere tant seullement et doncques cest en termes quelle doibt succeder audict duc et forclure le compte de Montfort.

Item et suppose et sans prejudice que ledict c[a]<sup>c</sup> dautenticque ne puisse estre allegue en force de auctorite pour ce que cest ung loy imperial car la royne le royaulme nest en riens subject a loy de lampire toutes veoyes ladite autenticque cest a tenir en jugement en force de raison. Or apert il que celle est fondee sur raison naturelle: en succession est due pour cause daffection et conjunction de sanc et de nature et doncques ou il a plus grand conjunction de nature plus nature est laffection et plus est due la<sup>d</sup> succession, *illud si simpliciter ad simpliciter* etc. Or est il ainsi quil y a plus grande conjunction entre ceulx qui sont conjointz de pere et de mere quand ilz sont engendrez dune mesme sepmanche de pere et de mere sans nieption<sup>e</sup> dautre sanc ne destrange femes, et ceulx qui sont de par pere tant seullement sont engendrez de divers sangs et de diverses semence, quant a la maniere [f. 132v] qui est ?est[r]ange aus enffans du premier mariaige laquelle que mecte sepmanche a la generation ainsi comme le pere, et aveques ce la mere opiere plus que le pere quant a la unificacion de la creation du gendre...nest pas tantost infusee a la generation mais quarante jours apres ou ventre de la mere et ainssi les freres germains sont engendrez dune mesme sepmanche, le frere de par pere et engendree dune autre sepmanche et si sont creez et [unifies]<sup>f</sup> tous en ung vesel, tous en une chair et ung sang, et avecques ce la conjunction devers la mere [est] trop<sup>g</sup> plus certaine que nest celle de devers le pere ne peult estre y muee a leel et au doy mais ce preuve propre suspicion du droict et icellui de la mere ce preuve certainement a leel et au doy et aussy appert la conjunction plus grand et plus certaine, et ceste co[n]jonction est perpetuee et representee en la femme Chailles comme dict est et doncques raison naturelle contrainct chacun a dire ce que la loy dict que le frere qui est<sup>h</sup> conjoint de par pere et de par mere ou la ligne qui est descendue de luy doibt mieulx venir a succession que le frere conjoint de

a. ?guere b. MS adds sans si sans que c. ces d. MS adds ~~coustume~~ e. Sic for nexion  
f. unuses g. abbreviation unclear h. MS adds ~~en~~

par le pere tant seullement.

Item raison naturelle enseigne a chacun que deulx lians sont plus fortz que ung seul et deulx aydes sont plus fortes que chacune par soy et ainsy par semblable deulx doigtz sont plus fors cun seul et vaincrent les d[eu]x<sup>a</sup> ung, et doncques ladicte damoyselle qui a deulx lians pour soy sest asscavoir conjunction de sang de pere et de mere et avecq ce autre cest asscavoir [f. 133] le droict de ainesse doibt avoir par raison naturelle plus son droict que le compte de Monfort qui na conjunction pour que de par pere tant seullement et sur ceste raison naturelle qui ne peult estre,<sup>b</sup> est fondee lautenticque dessus alleguee quare etc. Et ce fait grande contre evidance de dire que lautenticque ne feust pas raisonnables car elle fut fet par le bon...justement par delliberacions de plussieurs saiges quon pouvoit trouver et est leue a ce quil est tennue pour contant que par toutes les escolles du royaulme et les docteurs saiges en droict en jugement et dehors le te[nu]<sup>c</sup> pour raisonnables et ainsi celui qui voudroit dire quelle ne fust raisonnable ne seront a oyr ni a sefforceroient contre lescripture du saige Salomon en ses parolles *ne innitaris prudencie tue* etc.<sup>19</sup> quare etc.

Item pour ayder a lintention de ladicte damoyselle peult lon alleguer les droictz cannons qui dissent que les premieres nopces doibvent estre ben[e]stes mais quant on ce marye seconde foys, au second mariaige legleze ne fait point de benediction et aussy apert que le premier mariaige est plus digne que<sup>d</sup> nest le second et aussi les enffans du premier mariaige et [leur]<sup>e</sup> ligne doibvent [avoir]<sup>f</sup> prerogative avant les enffans du second mariaige, mesmement entre ceulx ou il y a double conjunction qui en doibvent emporter lheritaige par la figure de la benediction du mariaige premier dont sont yssuz, ainsin comme lantien pere [?]<sup>g</sup> et a ceulx les enffans [f. 133v] laisserent [leurs]<sup>h</sup> heritaiges a que ilz donnoient leur benediction quare etc.

Item en droict cannon si comme dict est dessus preuve son entencion qui dict que femmes ont sucède esdicts duche et comtez en royaulmes qui sont quare etc.

Item que par ce que dict est appert clairement que tant de coustume qu[e]<sup>i</sup> de droict escript, divin, humain, canon, et civil, et raison naturelle lentention de Charles est clairement fondee et aussi p[a]r[c]eque le compte de Montfort croix ou [?]<sup>j</sup> pere ou non p[a]r<sup>k</sup> droict escript ou de coustume ou lun ou lautre droict especial<sup>l</sup> ensemble il ny a droict de venir a la succession de ladicte duche mais y doibt venir Charles cause de sa femme qui est [heritiere seule]<sup>m</sup> et pour le tout tant par coustume que par droict escript.

a. doit b. word missing c. MS unclear d. MS adds le e. tenu f. estre  
g. MS illegible h. tens i. qui j. MS illegible k. per  
l. MS repeats ou de coustume ou lun ou lautre m. ?ch...levee

19. Proverbs 3:5.

Item il peult assez clairement apparoir a chacun que lesdictes coustumes sont vroyes et doibvent estre gardees au chief de ladicte duche: des que ladicte damoy-selle fut mariee a Charles, le pays fist [sans]<sup>a</sup> difficulte en son mariaige et ce soit bien le roy et tout son conseil et furent requis tous les barons et les gr[a]ndes seigneurs du pais deulx y assante[r]<sup>b</sup> pour ce que tous eulx du pays verent clairement quelle e[stoit]<sup>c</sup> et debvoit estre vroye heritiere de Bretaigne par la coustume du pais et vraiment si elle ne deust succeder sans l[a]<sup>d</sup> compte de Painthievre, de la baronne Davaugour [f. 134] il nest pas doubte que tous seigneurs du pais ne eussent ja fait difficulte de son mariaige et aussi est tres vraysemblable dudict droict de ladicte damoy-selle et mout doibt esmouvoir le roy et tout son conseil.

Item lon avoict paravent traicte le mariaige de ladicte damoy-selle et du filz au roy de Navare mais le duc escripvit plussieurs foys au roy quil ne consentoict au mariaige pour ce que le roy de Navare ne voulltoict pas que son filz lessast les armes de France pour prandre les armes de Bretaigne mais se voulltoict consentir et le pais aussi au mariaige de Charles affin quil portast le nom et les armes de Bretaigne et encores en escript il au roy et fist scavoir par plussieurs foys que ilz aymeroict mieulx et tout le pays que Amaury de Craon<sup>e</sup> ou le filz au seigneur de Harrecourt la eust a femme pour porter le nom et les armes que le filz au roy de Navar sil ne portoict le nom et les armes et envoya des barons et des chevalliers par devers le roy pour ceste cause par plussieurs foys et aussi appert bien que le duc declara bien sa vollente et scavoict bien que la damoy-selle estoict et debvoit estre son heritiere et pour ceste cause fut empeschement mis du mariaige dudict filz de Navare.

[f. 134v] Item en traict du mariaige de Charles et de sa femme il jura le jour quil la espousa presant les barons du pais et du consentement du duc il tiendroict la duche sans la allier et garderoict les coustumes du pais et porteroict le nom et les armes de Bretaigne toutes plaines.

Item que apres la mort dudict duc de Bretaigne dernier mort et les evesques de Bretaigne qui sont neuff en nombre se sont assemblez et p[r]ann[ent] delliberacion et quant eurent considere et regarde par raison, par la coustume de Bretaigne, auquel debvoit venir la succession dudict duc, ou a Charles a cause de sa femme, [ou] au compte de Monfort, et apres plussieurs disputations et delliberacions fetes sur ce pour le bien du pais et tranquillite le sept des neuf evesques furent tous dune oppinion que par raison et par la coustume la succession de ladicte duche debvoit venir a ladicte damoy-selle et non au compte de Montfort lesquelz sept sont sieurs de lays et ?m[ai]s[t]rez [?],<sup>g</sup> savans les coustumes du pais et les deulx autres evesques tous soulz ne consentirent icellui ceste opinion

a. signe b. assantez c. efort d. le e. Cr written over ey  
f. MS repeats la succession de g. MS unclear

expressement ne ne la contredirent en disant que ilz voullotent avoir plus grand delliberation sur et aveques ce tenuz les barrons<sup>a</sup> et les grans sieurs de Bretaigne excepte pour le moigns, le plus partye [f. 135] tiennent que a la dicte damoyselle appartient la succession et sont pres a faire foy et hommaige audict Charles et sil ny avoict autres choses cy debvoir esmouvoir le roy et son conseil a recepvoir Charles a foy et hommaige de ladicte duche sauff son droict et lautrui et trop plus raison doibt on ensuyvre loppinion des prelatz, des barons et seigneurs de Bretaigne qui scavent que raison est comment le pais ce doibt gouverne[r]<sup>b</sup> que loppinion daulcuns popullaires qui sont esmeuz par affection et vollompte desordenne et soubzstenent la partie du compte de Monfort quilz ne scavent que cest raison et coustume est pour est il escript *vene voces populi non sunt audiende*<sup>20</sup> etc.

Item suppose sans prejudice que ledict compte de Montfort eust aulcun tiltre sur la duche de Bretaigne, ce que non, toutevoyes quant a la viconte de Limouges il na aulcune ocasion de y riens y demander mais doibt estre receu ledict Charles sans difficulte a ladicte foy et hommaige de ladicte viconte tant par ce que dict est comme par ce quil sensuult car ou il usera de droict escript ou de coustume ou de tous deulx ensemble sil veult user de droict escript par lequel le pais ce gouverne nous lavons gaigne par lautenticque dessus allegue, sil veult user de coustume, preng[n]e la coustume de Bretaigne ou de France ou de Limouges ou dailleurs nous lavons gaigne par la genneralle coustume de Bretaigne [f. 135v] et de France que est telle que les heritaiges viennent et desandent du coste de la ligne dont les heritaiges viennent et si ny en a nulz de celui couste il vient au...comme au vivres ou espan[ag]ez ne ne peult desandre aus parties dautre couste combien que ilz sont proches et apert il par le fait dessus escript que la viconte de Limouges muet par la mere de monsieur Guy pere de ladicte damoyselle laquelle ne ataignoit en riens le lignaige au compte de Monfort et ainsi il ne y peult riens par droict escript car il en est conjoint dun coste ne par coustume car il nest pas conjoint du coste dont ladicte viconte muet quare etc.

Item ce appert clairement considere que la femme de Charles est heritiere naturelle du duc de Bretaigne dernier mort et quelle est fondee de droict comun, escript, de la genneralle coustume du pais ou la duche est assise, et de toute raison divine et humaine, considere que le duc mourust saesy desdictes duche et viconte en foy et hommaige du<sup>c</sup> roy et que apres sa mort ladicte femme de Charles et luy a cause delle en doibvent estre saesez par la coustume la mort saesist le viff, considere que le mary a cause<sup>d</sup> de sa femme doibt estre receu a fere les foyz et hommaiges par la coustume du pais et du royaume et si mestier est de monstrier procuracion ou enseigne delle il offre a monstrier, considere que

a. MS adds et les garder b. gouvernel c. MS adds ~~raehapt~~ d. MS adds q

20. Cod. Just. IX.47.12.

dedans le temps deu et par plussieurs fois et avant que le compte de Montfort il a offert au roy [f. 136] les foyz et hommaiges, la bouche et les mains et de tout ce que affaire appartient le roy nostre sire par veoye de raison et de justice doibt recevoir Charles et non le compte de Montfort mesment car par la coustume ou usaige de Bretaigne on ne doibt recevoir que lun cest assavoir cellui qui est fonde par genneralle coustume du pais de Bretaigne.

Pour quoy conclud comme dessus et ne vous do[i]bt mouvoir chouse proposee par le compte de Montf[o]rt au contraire car il respond par ordre...<sup>a</sup>

Mais pour ce que toute la coulleur que le compte de Montfort peult avoir en ceste besongne cest sur ung poinct et si gist toute la doubte que aucuns peuvent fere en ceste question cest assavoir en ce quil maintient que la succession du duche doibt estre gouvernee et jugee aus coustumes de France et que la coustume des subjects ne lye pas ne ne comprend le chieff de la duche. Charles, avant quil responde, fonde son entencion sur ce poinct et monstre que la duche doibt estre gouvernee par [autelles]<sup>b</sup> coustumes comme les terres et baronnies subjectz a la duche par<sup>c</sup> vingt raisons que sensuit.

La premiere car droict dict et le nottent les saiges docteurs coustume genneralle gardee en ung teritoyre, en ung duche, ou en une province doibt estre gennerallement entendue et comprendre tous cas et toutes personnes [f. 136v] combien que en aucun cas, en aucuns lieux, ou en aucunes personnes elles nont este usees ainsi comme droict met exemple de larchediacre que par coust[umes]<sup>d</sup> a juridicion es abayees et es mousters<sup>e</sup> de son archediacone car combien que en aucune abbaye il nen ayent pas cinq soulz toutes voyes en prenent la genneralle coustume il prouve son atante en les[p]ecial si ne<sup>f</sup> monstrent lespecialle coustume contraire et aussi dict une loy si il est acoustume en ung teritoyre que lon puisse traire<sup>g</sup> de pierre dautant en payent certain deu et jaye une pierrerye icellui teritoyre combien que lon ne[n]<sup>h</sup> usast unques de la coustume en ma perriere toutesveoyes je suys lye de la genneralle coustume et plusieurs autres exemples peuvent estre trouvees en droict par lesquelx il appert clairement que la genneralle coustume du teritoyre doibt estre entendue gennerallement en tous cas et toutes personnes dun teritoyre combien que par special en ceulx lieux elle ne soit usee et sil napert despecial fet ou coustume au contraire qui deroge a la genneralle, or est il ainssi en noz termes car la coustume dessus alleguee par laquelle la fille represante la personne de son pere au droict dainesse de la succession est et a este gennerallement nottee et gardee en Bretaigne comme dict est et par consequent doibt estre entendue quelle compereigne la succession de la

a. MS does not begin new paragraph b. autres telles c. MS repeats par d. coust[?]  
e. MS adds des f. MS adds [?] g. MS adds ?perre h. nez



duche et [comte]<sup>a</sup> por prouver quelle aict este use en la duche mais est [f. 137] lentencion de Charles prouver suffizement par la genneralle coustume du pais quil ne procederoict que par lespecial en ces termes il aict este use le contraire en ces propres termes en la succession de la duche ce que ne pouroict estre prouuee quare etc.

Item les saiges docteurs qui parlent de coustume comme elle doit estre entendue dun cas a autre font differance entre coustume qui est contre droict comun et contre raison et coustume qui est sellon droict ou au moigns nest pas contre droict mais [?]<sup>b</sup> car la premiere, qui est contre droict, doibt estre retraincte et gardee en ses termes estroictement sans eslargir a autres cas ne termes, mais la seconde, qui nest pas contre droict, doibt estre eslargie aussi comme droict comun<sup>c</sup> a autres cas et termes et autres personnes ne elle ne fut uncques usee, or est il aussi en<sup>d</sup> noz termes car la coustume de quoy nous entendons nest pas contre droict comun mais sellon droict comun, escripte, divin, et humain et sellon toute raison comme dessus est dict et cy apres sera encores plus a plain esclardy quare etc.

Lautre raison si est car<sup>e</sup> chacun pais si est gouverne selon sa coustume jouxte le dire de l[epistre]<sup>f</sup> de saint Hierosme *una queque [?] [?]*,<sup>g</sup> ne la coustume dun pais ne dune region ne doibt estre mue et subverttee par la coustume dun autre pais si comme dict ung decrect et plusieurs autres decrectz et ce...[voions] nous [f. 137v] tresbien garder ou reaulme de France especiallement es coustumes des fiefs, aultre cest la coustume de la viconte de Paris, aultre de la compte de Chartres, autre est de la compte du Perche, autre est de la Champaigne, autre de Normandye, autre de Picardye, voyres a[u]l[c]unesfo[is]<sup>h</sup> en ung mesmes bailli se divisent les coustumes de fiefs sellon la divercittie des chastellanyes et chacun pais garde sa coustume et doncques en la succession de la duche de Bretaigne qui est assise ou pais de Bretaigne [?]<sup>i</sup> garder la coustume de Bretaigne ny elle doibt estre mue par la coustume de France si elle este contraire en ce que ?loy de pais par representation car France est toute autre region et demeure, la langue toute estrange et autre que celle de France, les mures et la maniere de vivre des gens et les coustumes toutes autres sicomme chacun scet, et aussi ne seroict convenant quand raison a ce que le duc et duche se gouvernast par ce coustume dautre [r]egion<sup>j</sup> par les meurs et usaiges destrange nacion et ne departist de la coustume de son propre pais, de sa langue, et de sa nation, et a entant de raison quant coustume est introduicte par les meurs du peuple et doncques puis les meurs sont entre ses il [?]<sup>k</sup> mettre de raison que les coustumes doibvent estre.

Lautre raison car usaige ou coustume du pais si a force de lay et de droict au

a. commite b. MS illegible c. MS adds et d. MS adds t e. above line f. lapoustre  
g. MS illegible h. MS unclear i. comis j. gegion k. MS illegible

pais ou elle est usee mesmement quant est raisonnable or nest il pas de doubte que le duc de Bretaigne aller [f. 138] a droict et a raison et doncques puis que la coustume dessus alleguee a force et droict de loy et de raison il sensuyvit que le d[uc]<sup>a</sup> et la duche sont subjects a ceste duche.

Lautre raison car droict ou loy ou coustume font foy par le consentement de la plus grand partye du peuple qui est tel et la plus grand partye lye la mineur. Or est il tout cler que les nobles<sup>b</sup> determinent et usent de ceste coustume et y sont sugetz a la plus grand partye si et comme que le duc et la duchie y soient lyez aussi comme les au[tr]es si ne ya exemption coustume ou usaige au contraire sic mue quare etc.

Lautre raison car droict dict sil est doubte de linterpretation de la coustume lon doibt recourir a la coustume des reg[ions]...voysines. Or appert il clerement que les lieulx voysines cest assavoir en Anjou et ou Maine et en Touraine qui sont les plus voysins<sup>c</sup> et les plus confermes en meurs et vivres et en gouvernement, ladicte coustume cest assavoir qui ly [enffans]<sup>d</sup> succedde par representation de leur peres es droictz de lainesse et en touz droictz soict masle ou femelle et sy notoyrement gardee que nul ne la rapelle ne ne rappelleroict jamais en doubte au droict et aussy est il escheut en la comte du Maine, en la baronnye du Maine, et en la baronnye de Crao[n],<sup>e</sup> en la<sup>f</sup> viconte et baronnye de Beaumont, en la terre et seigneurye monsieur Guillaume de Hercourt et en toutes terres que cest infinite quare etc.

[f. 138v] Autre raison si est car droict dict ung mesme pais ne une mesme chose ne doibt pas estre gouvernee par divers droictz mais doibvent unire tous les Bretons par une loy et par une mesme [coustume]<sup>g</sup> et puis que le duc qui est prince des Bretons doibt par icelle mesmes loy vivre car selon raison ou nom des Bretons est contenu le prince de la [?],<sup>h</sup> et ou nom du peuple est contenu le cenateur qui les gouverne, et ou nom de leglise est contenu levesque qui est chieff de leglise, ou nom du chappitre est contenu le doyen, ou nom des moynes est contenu labbe, ou nom des chevalliers est contenu lampereur et doncques puis que ceste coustume lye les Bretons de Bretaigne il nest pas doubte quelle ne lye prince des Bretons quare etc.

Lautre raison car combien que de puissance absollue le prince souverain soict soluz et delyz des loys et des coustumes toutesvoyes il veult vivre sellon les loix quil bailla a ses subjects et dict le droict regullierement et gennerallement et par especial en matiere de succession autel droict comme len garde aus causes du prince sy nest en certaine cas appartenant<sup>i</sup> a droict esqueulx il est previllegiye par

a. dire b. MS adds ~~determ~~ c. MS adds ~~eest-asseavoir~~ d. eussent e. Craom  
f. partly barred g. MS illegible h. MS illegible i. MS adds expartinent

especial et doncques si le prince qui na poinct de souverain est reigle et gouverne par autre [l]oy<sup>a</sup> autel droict et dans telle coustume comme ses subjects puis quon ne monstre<sup>b</sup> [f. 139] par especial entre droict use en la succession de la duche quare etc.

Item le droict divin, nature, et droict positif enseigne chacun que dans telle mesure comme lon mesure les autres dans telle [l]oy<sup>c</sup> comme lo[n]<sup>d</sup> juge les autres lon doibt estre jugez et que ce que lon represante raison en personne daultroy lon doibt represante[r]<sup>e</sup> raison en soy mesmes et ce dict levangille saint Marhc en ung chappitre qua meusura etc. et le droict positif que lun senneschal et juge doibt souffrir en tel droict a sa propre personne comme il faict aux autres et dict aus juges que de compte en telle loy comme ilz jugent ilz seront jugez et dont par toutte escripture il convient dire par necessitte que le duc de Bretaigne et sa duche sont subjectz et lyez par autelle loy et par autelle coustume comme les sugectz.

Item pour autre raison car aussi comme en ung corps nature ce seroict monstree et contre nature que le chief fust dautre condition que les membres aussi comme si lon trouvoict ung corps dun beuf la teste dun cheval ou corps dun homme la teste dune beste unie ce seroict inconveniant...et contre raison que le chieff feust dautre condition que les membres et pour ce dict le droict que les membres [f. 139v]<sup>f</sup> le doibvent confermez au chief et le chief aux membres cest assavoir les barons, comptes, et vicomptes de la duche soient gouvernez par une mesme loy et par une mesme coustume.

Item sellon raison ce que lon aprouve [l]on<sup>g</sup> ne peult reprouver mesmement ce que lon jure a tenir et garder comme lescripture divine et lescripture humaine commende par especial les sieurs a garder. Or est il [avecques]<sup>h</sup> tous les ducz de Bretaigne a nouvelle [creation]<sup>i</sup> ont acoustume [d]<sup>e</sup> jurer en leglise saint Jan<sup>21</sup> de Rennes quilz en garderont les coustumes de Bretaigne gennerallement sans nulle excepter et aussi lesdictes coustumes sont composees au serment contre qui tout dict il ne excepte riens et doncques puis que les ducz de Bretaigne approuvent lesdictes coustumes et jurent...quilz en sont liez ne ne peuvent venir encontre ne aussi leurs heritiers qui ce portent pour heritiers ne pourroient reprouver lesdictes coustumes ne venir contre le fait de leurs predecesseurs quare etc.

Item il peult apparoir par la doctrine et exemple darrestz donnez en parlement que lesdictes coustumes doibvent i comprendre le chieff de la duche [f. 140] [comme]<sup>k</sup> jaspiesa ung arrest fut donne sur debat commen[ce]<sup>l</sup> par monsieur de Valloys et contre mad[a]me<sup>m</sup> du Mayne, mere de monsieur Davaugour, sans ce

a. roy b. MS adds ~~par except~~ c. roy d. loy e. represantez

f. MS repeats et pour ce dict le droict que les membres g. non h. aux que i. cretation

j. le k. contre l. comment m. madame

21. The cathedral: actually St-Pierre.

que en la baronnye du Mayne la coustume est telle contre les subjectz que lon pay[e]<sup>a</sup> rachapt leur baron quant la terre vient du pere a filz qui est sans eaige et chet en bail de sa mere combien que ladicte coustume ne fust uncques use ou chief de la baronnye du Maine et est la coustume genneralle que mere en qui chet bail de son enffant ne poye point de rachapt et par ce discoit ladicte dame que a cause de son filz elle ne debvoict poinct de rachapt de ladicte baronnye, monsieur de Valloys qui lors estoict compte du Mainne disoict au contraire que la coustume qui estoict gardee es subjectz de la baronnye deust estre estandue au chief combien que le cas ne fust oncques escheuz et sur ce fut juge par la court monsieur de Valloys quil avoict rachapt et que le chief de ladicte baronnye deust estre commence par autelle coustume comme les subjectz, duquel jugement il fut appelle en parlement et fut conferme par arrest et plussieurs arrestz pouroient estre trouvez semblable en ceste matiere qui bien les queroict.

Item il appert par autre raison car les baronnies qui partent du corps de la duche par fre[r]aige doibvent estre gardez et gouvernez par autelle droict et par autelle coustume la duche. Or<sup>b</sup> [f. 140v] est il ainsi que la terre Davaugour partist la duche de Bretagne par fre[r]aige et toutesveoyes ladicte coutume y a este gardee et veriffiee a la personne de ladicte damoysele car elle [a]<sup>c</sup> succede a monsieur Davaugour son ayeul combien quil y eust monsieur Guillaume Davaugour son frere quil luy estoict plus proche du degre et aussy appiert en la succession de monsieur Loys de Laval, aussi appert par ladicte coustume que femme succede des fiefz de Bretagne, combien quilz soient grandz et nobles, succedent par representation de la<sup>d</sup> personne combien quelle soit plus loingtaine en degre et a prouee et veriffiee es membres de la<sup>e</sup> duchie qui en sont partis par partaige par fre[r]aige et par consequant elle doibt estre gardee ou chief de la duche comme ilz doibvent estre dune mesme condition quare etc.

Item par autre raison que si la coustume na este usee ou chieff de la duchie es propres termes ou nous sommes, ce que Charles ne confesse pas, ce seroict pour ce que le cas nest pas advenu autresfoys en ses propres termes<sup>f</sup> et si raison tel moien us sil estoict vroy ne peust derouguer et fere prejudice au droict et a la coustume genneralle du pays aussi comme nous visons en semblable si ung sieur ne euse de sa justice a certain lieu par ce que le cas ne y est pas escheut et il en euse en autres lieulx quant le cas y eschet [f. 141] tel [non]<sup>g</sup> us naporte prejudice a son droict et aussi est il en noz termes car tel no[n]<sup>h</sup> us si il estoict en la duche ne peult deroger a la genneralle coustume de quoy lon a use es autres baronnies, comtez, vicontez, fiefz, et seigneuries quant le cas y est escheut et suppoze sans prejudice que ce soit cas nouvel en la duche lon le doibt gouverne[r]<sup>i</sup> selon le

a. pays b. MS adds il c. le d. MS adds diete e. MS adds {?}  
f. MS adds ou nous sommes g. nostre h. nom i. gouvernez

cas qui sont<sup>a</sup> escuz es autres seigneuries et noblesses de Bretagne quare etc.

Item il appert que ladicte coustume ce estend a la succession de ladicte duche car monsieur Piere de Bretagne, frere du duc Artur...davoir partaige de la duche par heritaige et sur ce fut question en jugement et le duc Artur proposant au contraire que il ne luy<sup>b</sup> debvoict bailler que vivre par la coustume de Bretagne qui est telle entre les subjectz et apres le debat et la contradiction sur ce le duc Artur, pere de monsieur le duc, usa de ladicte coustume et luy bailla bien faict a sa vie tant seullement et ausi tel exploict de coustume qui demeure et est faict autre contradiction et doibt estre repute de valloir et prouve appartenir la coustume des subjectz devoient estre gardee ou chef de la duche quare etc.

Item il appert que le duc de Bretagne dernier mort confessa en jugement suffisamment et en parlement que la succession de la duchie de Bretagne doibt estre gouvernee par la coustume de Bretagne car il proposa et fist escrire en ses articles contre la contesse de Saint Paul, so[n]<sup>c</sup> ante, que par la coustume de Bretagne quant ung gentilhomme marye sa fille et il la empareise suffizant pou[r] se que il ne luy donnast que ung gan elle ne y peult retourner a [f. 141v] succession et par ce moien et encoures cepandant [ne peult]<sup>d</sup> rien demander en la succession de la duche pour heriti[tage]<sup>e</sup> et contandent la duche ne peult venir contre son fet ne contre sa confession si sollempnellement fete quare etc.

Item si ledict duc de Bretagne faisoict ung statut en son pais pour le gouvernement du pais les droictz et les saiges docteurs dient que le doibvent garder et en seroient bien et doncques par plus forte raison il doibt estre lie de la coustume qui a auctorite et probarite de luy et du consentement du peuple.

Item selon verite des personnes qui contendent nul nest vroy duc ne [a]<sup>f</sup> la dignite de la duche ne de par[r]ie<sup>g</sup> jusques a tant quil soient aprouvez de par le roy et receu en foy et en lhommaige et doncques par dignite ne de parrie en la question qui peut ne ce peult nulle des parties soy exempter de la coustume de Bretagne mais doibt estre ceste question qui est pure reelle du lieu ou ladicte duche est asses quare etc.

Item nous voyons gennerallement en tout le royaulme de France que les duchez, les comptez, les baronnies, les perries, avecques<sup>h</sup> ce gouvernement par [au]telle[s]<sup>i</sup> coustumes en succession comme les autres nobles et subjectz chacun sellon la coustume de son pais et doncques ne debvons nous pas dire que la duche de Bretagne soict anomale et quelle ce gouverne par autres coustumes que ses subjectz, comme tousjours ont les ducz de Bretagne aussi grand amour et affection a leurs subjectz comme segneurs du monde quare etc.

[f. 142] Item que parmy ce appert clairement, suppose sans prejudice que lus ou coustume dessus alleguee neussent este eussez par especial en la succes-

a. MS repeats qui sont b. above line c. som d. MS ... e. heritiere f. va g. partie h. MS adds ac i. imtelle

sion de la duche, toutesveoyes considere que la coustume comprend les grandes baronnyes, comptes, et aultres seigneuries de ladicte duche elle doibt par raison comprendre le cheff de la duche qui lui prouvera a avoir coustume par especial avoir este garde ou chieff de la duche laquelle chose le conte de Monfort ne pouvoit monstrier ne prouver.<sup>a</sup>

Combien que par les raisons dessus escriptes puisse assez apparoir la responce a toutes les raisons que le conte de Monfort<sup>b</sup> propose affin de soustenir sa requeste et de empescher la requeste Charles, toutesvoyes il y respond par ordre en la maniere que sensuit. Premièrement a son tesme quil prent pour fere sa requeste concluant assez que lon luy baille le gouvernement du peuple<sup>c</sup> Israel respond Charles que il le veult que le conte de Montfort aict le gouvernement du peuple Israel mais non pas le gouvernement du peuple de Bretaigne car il nest pas du peuple Disrael car du peuple Disrael il nen y a mais quune genneration qui est enclose et ainsi le tienne au propos et impertinant contraire etc. Et si est icellui peuple Disrael condemne es rites de son gouvernement ce que nest pas le bon peuple de Bretaigne ne bons rites, care etc.

Item a ce quil dict en sa requeste que le duc de Bretaigne dernier mort moureut saesy et vestu de ladicte duche en foy et en hommaige et que il est son frere et le plus proche heritier naturel que le puisse succeder etc. Rend Charles, supos[e]<sup>d</sup> sans prejudice quil soict plus proche en degre il ne sensuit pas quil soict le plus proche quand au droict de succeder car [f. 142v] le droict de succeder fault ceste consequence quil dict que la niepce, fille du frere germain, forclost le frere de pere tant seullement combien quil soict le plus proche en degre et aussi peult il apparoir par plussieurs exemples de droict et pour ce dient les docteurs en leurs gloses tel est proche qui na pas les droictz de prochainete et vrayment aussi est il en noz termes car le compte de Montfort ne peult avoir les droictz de prochainete en ceste succession pour deulz raisons. Lune est par laisne, la niepce du frere germain est plus conjointe et plus proche du sang et de nature comme dessus est dict et prouve; lautre, pour ce que le compte de Montfort na pas la quallite et la noblesse de lainesse et de la premiere geniture car il ne suffist pas estre proche a venir a la succession de saisinez qui na avecques le droict dainesse. Or ne le peult avoir le compte de Montfort car monsieur Guy, pere de la femme Charles, estoict son frere aine et le droict dainesse il en suiest et transporta a sa fille son heritiere seulle et universelle et ainsi puis que le compte de Montfort ne peult avoir le droict ne la quallite de ainesse, sa prochainete ne fait riens a veoir a la succession, et ne vault ce quil replicque que il est laisne de la femme Charles car

a. MS does not begin new paragraph b. la responce...Monfort *underlined* c. MS adds et-[?]  
d. supost and adds sans

le droict de ainesse elle ne la pas de sa personne mais elle la de la personne de son pere lequel elle represante et aussi peult on veoir en plussieurs exemples de droict que ung homme a souventesfois droict par autres personnes quil ne pouroict avoir de soy mesmes et nest a merveiller que tel droict dainesse soict transporte a son heritier car cest ung droict cree et acquis des avent que la succession vienne et ce apert chacun jour...[f. 143] Car lesne mesme vendent leur droict de ainesse aussi comme fist Ezeu a Jacop et le droict de succession advenue peult bien estre interpretee et transmis a son filz ou a sa fille si comme il appert par lautenticque dessus alleguee et en plussieurs autres droictz quare etc.

Item a ce quil dict en sa requeste que le duc de Bretaigne dernier mort declara plussieurs foys a sa vye quil debvoict estre son heritier en la duche et quil declara en son testament et ainsy en ordonna ce respond<sup>a</sup> Charles que ledict compte ne fait a recepvoir<sup>b</sup> par deux veoyes ensemble cest assavoir du testament et intestat car ses deulx veoyes sont contraires et si elles nestoient contraires ce ne peult estre a ce que ce propriete seigneurie par plussieurs tiltres si ne fait a recepvoir ledict compte par la maniere quil requiert neaultmoigns doibt eslire une des deulx veoyes et sur ce requiert ledict Charles droict.

Item suppose sans prejudice quil fust a recepvoir ou quil eust la veoye du testament ce luy vouldroict mye car parelle declaratives ou en[onciatives]<sup>c</sup> ne donnent point le droict ne peuvent ne ne peult operer lay ne intencion or est il aussi si oncques le duc parla de ceste matiere aulcunes parolles ce quil ne confesse pas scauroient estre ses parolles legieries enunciatives ou declaratives en disant par advenir que il cuydoict que son frere luy fust plus servite pour venir a la succession que sa niepce lesquelles parolles nont point force de dispence et avecques ce il ne monstre point de testament [f. 143v] si ne fet a recepvoir a son dire quant il ne le monstre et outre en verite sil avoict dict aulcunes parolles enunciatives comme dict est, ce auroict este par inductions et a la requeste du compte de Montfort, qui chargiee ou fort de sa malladie et son repentir du presant, et dist au compte de Montfort il requeroict quilz vousist declarez sa volompte pour luy telle parole<sup>d</sup> ou semblables, beau freres vous faictes mal de moy chargez car vous ne debvrier pas voulloir que je chargeasse lame de moy pour vous, et aussi lesdictes parolles sont pour Charles et contre le compte car ce furent les parolles dernieres de ceste matiere qui repelloient les autres car les volomptez des testateurs sont muables jusques a la fin quare etc.

Item suppose sans prejudice au pis fere quil leust institue son heritier et que il monstrast testament et quil neust mue sa vollonte (de laquelle chose il nest riens) toutesveoyes testament touche propriete et puis quil vient par fet et par testament il ne peult impescher que la femme Charles qui est heritiere naturelle ne

a. MS adds id respond b. MS adds a veoir c. enconciatives d. MS repeats parole

viengent a la foy et hommaige a la premiere succession et apres soict de faite sur le testament et sur la propriete et encores en cas de propriete ne voudroict ce neaultmoigns car par la coustume de Bretagne et par la genneralle coustume du royaulme en pais coustumier et speciallement en tieulx fieffz si grand et sy nobles dancesoyre lon ne peult desheriter son hoir naturel et instituer autre heritier que cellui a qui la succession est deue par la coustume du pais mesmement sans cause raisonnable et ceste coustume qui est vroye et si accorde a droict quare etc.

[f. 144] Item il nest pas vroysemblable que le duc instituast ne vousist instituer son hertier car il demenda et fist demender au duc que il fist ou a son filz donnaison de vingt mil livres de terre et sil leust institue son heritier la donnaison fust pour neant et pour ce apert il quil nest pas vraysemblable que le compte de Montfort pensast avoir droict en la duche car il ne luy eust pas demender donnation et aussi nest il pas vroysemblable quil le vousist instituer son heritier car il sest oict consenty au mariaige de sa niepce et avoict voulleu et fait<sup>a</sup> jurer Charles que il porteroict le nom et les armes de Bretagne par ce quelle estoict et devoict estre son heritier, par plusieurs foys escript au roy et signiffiee par aulcuns de sies chevalliers que luy envoya quil ne voullioict pas que le mariaige se fist du filz au roy de Navare et delle par ce quil ne portoict pas le nom et les armes de Bretagne ne le requeroict que le vousist fere le mariaige de Charles et delle et que ne le assenteroict ja que les convenances du mariaige du filz au roy de Navare et delle ce parfeissent mais auroict encores mieulx et tout les pais que Amaury de Craon ou le filz au seigneur de Harcourt la eust a femme pour garder le nom et les armes que le filz du roy de Navare pour ce que son pere ne avoict cure quil portast les armes de Bretagne pour laisser les fleurs de lis.

Item aus raisons quil propose apres pour fonde[r]<sup>b</sup> sa requeste et premiere-ment a lescription quil a allegue ou vingt septiesme chapittre du livre des Nombres ou il dict homme meurt sans filz lheritaige [f. 144v] apartient a sa fille et sil na ne filz ne fille ses freres sont ses successeurs etc. Respond Charles que ladicte escription fait contre le compte de Montfort sellon son vroy entendement alla expousant de monsieur Guy qui moureut sans filz et ainsi son heritaige apartient a sa fille et ne doibt pas estre entandue ceste escription sentend de lheritaige que monsieur Guy pocessoict mais lheritaige qui luy estoict detenu et deu, cest assavoir de la duche de Bretagne et ceste exposition ce prouve sur le dernier chapittre dicellui livre qui parle de la mesme matiere des filles Solphaat qui demendoient et avoient droict de demender lheritaige de leur pere lequel il navoict uncques pocesse toutesvoyes aultant comme elle pouroict estre expousee du duc de Bretagne dernier<sup>c</sup> mort qui moureut sans filz et sans filles respond Charles estre combien quil dict que ses freres sont ses successeurs et nest pas a entendre chacun frere mais sellon lordre dainesse comme il peult apparoir par lautre es-

a. MS adds *juger* b. fondez and adds la c. MS adds *non*



cripture des filz Jude en Geneze ou vingt et huictiesme chapittre et combien que ladicte parolle des freres et doibt lon entendre ouquel de leur ou de le leur lignee qui represente leur personne et aussi la interprete coustume et la loy humaine qui est tiree de la loy divine<sup>a</sup> comme dict est et aussi en Geneze ou douzeiesme chapittre. Or est il ainsi que monsieur Guy, frere du duc de Bretagne et ainez apres et la femme Charles est sa sepmance qui le represante et aussy ladicte escripture est assez veriffiee a la personne delle. Autre reponce car celle loy fut donnee au peuple Disrael et nous suymes pas dicelluy peuple cy comme dessus et [f. 145] dict lautre responce car nous ne gouvernons pas ou royaulme de France les successions par loy Moyses qui fut donnee avant le temps de grace, mais les gouvernons par les coustumes des pais [?individuels]<sup>b</sup> car sellon la mutation des temps il convient muer les loix et les statuz nostre sire Dex mesmes fist aulcunes choses ou Vieulx Testament que il mua ou Nouvel et ainsi ladicte escripture ne fait rien au proces.

Item a ce quil allegue le philosoffe disant que lon doibt eslire au gouvernement de la chose publicque les masles et non les famelles etc. Respond Charles ce ne fait rien au propos car le philosophe parle des offices temporelz et publicques et de administration et qui sont creez par election ou par leur province, si nest merveille si lon doibt eslire les masles car ilz sont plus habilles a aler en lieu publicq que ne sont les f[e]mmes et ainsi le garde lon car le roy ne fait pas ses provostz, ses baillifz, ne ses officiers quil eslist, femmes, mais les fait des hommes. Mais nous sommes en autres termes cest asscavoir en dignite et noblesse et en heritaige de patrimoine qui nest pas deffere ne baille par veve dellection mais deffere par conjunction de sang, de lignaige, et de nature et aussi comme conjunction<sup>c</sup> de sang et de nature es femelles comme es masles et par consequant par autelle raison comme les masles<sup>d</sup> qui y soient receuz aussi les femelles y doibvent estre receues et par aussi semblable voye peult on randre a tous les droictz repellant femmes doffices publicques et aussy le prince droict et ainsi linterprete coustume.

[f. 145v] Item a ce quil sefforce prouver sa requeste par raison naturelle disant que succession est deue par raison de affection naturelle et que par nature on a plus grand affection a son frere que a sa niepce etc. Respond Charles que en succession qui vient par nature lon ne doibt pas regarder tousjours a affection car aulcunesfois a linclination de nature et affection de plus donner cellui qui loingtain que cellui qui est proche, mais toutesveoyes largument est trop aise a souldre car il parle du filz et du nepveu et il nest si grand affection de nature comme de pere a filz si est plus proche non pas seulement de degre mais daffecton de sang

a. MS adds ~~de~~ b. ?emerveiller c. MS adds ad

d. MS repeats et par consequant par autelle raison comme les masles

et de nature le filz que le nepveu mais en noz termes nous parlons en ligne du coste du frere de par pere tant seullement et de la niepce fille du frere de par pere et de par mere autrement laquelle est plus conjointe de sang et de nature par la representation de son pere que nest le frere de par pere comme dessus est prouue et ainsy est de [presumpcion]<sup>a</sup> quil eust plus daffection naturelle a sa niepce que au frere mesmement car il savoict ou deust scavoir quelle seroict son heritiere et represanteroict sa personne par la coustume du pais quare etc.

Item a ce quil sefforce prouuer par les loix des douze, des...digestes, des payans, et des crestiens par les loix du codde et des empereurs que le frere comme plus prochain en degre vient en succession et forclost les nepveuz et les niepces etc. Respond Charles a tous tieulx droictz que se sont loix corrigees et corrogees et faulces lesquelles ne sont a alleguer ne en escolles ne en jugement, non plus que faulces loix ou faulx droictz mais debvons alleguer les droictz des autenticques [f. 146] qui sont les derniers et corrigent tous les autres et sont fondees sur raison de nature sy comme dessus est prouue, lesqueulx droictz des autenticques sont car en termes par ledict Charles contre le conte de Montfort quare etc.

Item aux argumens que fait des tutelles des patronaiges et que le frere est tenu nourir son frere non pas la niepce etc. Respond que ce sont argumens descolle qui sont dautres termes et droictz antiens ce nest mestier de les alleguer en noz cas ou nous avons ces autenticques tous rons et tous pezez et peult lon dire raison que aussi comme en aultres successions les droictz antiens sont corigez ainsiy sont il en succession de patronnaige et en tutelle dont lheritaige est deffere par cause de lesmolument de la succession aucunesfoys et est parautelle raison comme le frere seroict tenu mariez son frere laquelle nest de droict escript seroict par aventure tenu le nepveu ou la niepce conjointz dans telle conjonction comme est la femme Charles ne droict ne dict pas le contraire quare etc.

Item a ce quil cefforce monstrer par argumens que lon doibt regarder la prochaine du degre car le pappe ne dispenserioict au segond degre mais dispenserioict bien sil y avoict ou segond degre et lautre ou tiers. Responct que la computation des degrez et des lignaiges fetes par les droictz canons en matiere du mariage nest pas a traire a consequence ne nest pertinent en matiere [f. 146v] de succession car autrement compte le droict civil degre de lignaige en matiere de succession autrement le compte droict canon es mariaiges si comme il appert par la suspicion de loys et decretz sur ce fet et appert que succession est deue par lignaige jusques a dixiesme degre et rien ne considere lignaige en mariaige que jusques au quart, ne le droict canon ne considere pas tousjours la plus grand conjonction de sang ne de lignaige mais considere la plus honneste et ce appert car aulcunesfois la ou il y a affinite ne consenguynite le droict canon deffaict le

a. pere sumpecion

mariaige pour lhonestete comme il appert a lexemple du publicq ?[h]onnestea  
 justicie quare etc. et avecques ce que proximate de degre est de garder en mariaige  
 seulement mais non pas en successions mais proximate de sang en descend par  
 le quelle le frere du second degre bien vient avecques le pere du premyer degre  
 et ly enfant du frere dautre degre forcloust loncle de leur pere dicellui mesmes  
 degre car degre ne porte pas eschette de sa nature si comme il est dict dessusb en  
 seconde responce quare etc.

Item a ce quil sefforce prouver par les droictz des fieffz que le prochain en  
 degre de par le pere forcloust le nepveu et que femme ny doibt ny ny peult suc-  
 ceder tant comme il y aict masle combien quelle soict plus proche de<sup>c</sup> degre et  
 par maindre raison y doibt succeder quare etc. Respond Charles a tous les argu-  
 mens des droictz des fieffz quilz ne font en riens du monde a aulch[ac]un propos  
 par quatre sollutions. La premyere, se sont coustumes locaux de Ytallye et non  
 [f. 147] droictz comuns ne genneraulx et ainsi ou royaume de France ait leurs  
 hoirs leurs lieulx ilz nont point de auctorite. Autre sollution, car ilz<sup>d</sup> parlent de  
 filz, quilz sont donnez par certaine forme et ne font pas heritiers de propriete  
 de lignaige ance[s]oires<sup>e</sup> mais en retient le seigneur [la]<sup>f</sup> propriete et nen sont  
 les vassaulx que usuffructiers et ne les peuvent vendre ne alienner mais en noz  
 termes le fieff dont nous parlons et les autres fieffz du royaume de France sont  
 droictz heritaiges et viennent a succession par lignaige et par conjunction et de  
 sang et de nature et ainsi y succedent les femmes comme les masles car aussi bien  
 sont elles conjointes de sang et de nature comme sont les masles et les coustumes  
 des fieffz Dytallye que il allegue a ce mesme ce accordent car si je en prendz ung  
 fieff pour moy et pour mon hoir et je nay filz ma fille y succedde. Autre sol-  
 lution, car ilz parlent regullierement en fieffz qui ne descendent pas de femme,  
 autre chose est de eulx qui sont feminins si comme est cellui de la duche qui est  
 descendu a femme pour tant de foyz comme dict est par dessus. La quarte [sollu-  
 tion]<sup>g</sup> est car suppose que fusses droict genneral, ce que non, silz sont ilz corrigez  
 ou royaume de France par la coustume genneralle qui est telle que femme peult  
 succeder en [f. 147v] fieffz et scet le roy que chacun jour les receipt a foy et  
 hommaige et ce avons nous veu advenir par plussieurs foy et que plus nobles  
 fieffz du royaume comme dict est dessus et [s]peciallement en ceste duche et ne  
 vault ce quil replicque que les droictz des fieffz sont leuz es escolles et approuvez  
 car vrayment ilz ne sont pas approuvez et esleuz comme droictz genneraulx et  
 chacun scaict quilz ne sont en riens tenuz ne gardez ou royaume de France et a  
 bons droictz car ce sont droictz positiffz, locaux et pour ce dict le glosant diceulx

a. ionneste b. MS repeats dessus c. MS repeats plus proche d. MS adds [?]  
 e. ancefoires f. lea g. resollution

droictz *sit pro ratione solumptas*. Pour ce notent Hostiencie et les speculateurs et les saiges docteurs que en succession de fieffz [on]<sup>a</sup> ne peult donner certanne regle quand ilz sont gouvernez par coustume diverses de pais ou ilz sont assis si ne sont pertinans ne ne doibvent estre alleguez les droictz des fieffz en nostre question car il na pas moult longtemps que la duche de Bretaigne nestoict pas tenue en fieff mais estoict heritaige sans foy ne hommaige et si la quallite du fieff est survenue ce nest pas pour ce que le roy de France luy donnast fieff mais il donna et recongneut lobbeissance [f. 148] et lhouange du roy sauff ses previllaiges et ses noblesses si doibt estre considere sa nature premiere et sa condition et non par la quallite seurvenant ne il ne doibt estre juge dautel droict comme les fieffz de Lombardye qui sont donnez des seigneurs aus vasaulx quare etc.

Item a ce quil sefforce fonder sa requeste par droict cannon par la decrectalle qui parle du roy de Portugal qui disoict que son frere luy devoict succeder sil meuroict sans filz etc. Respond Charles que celle decrectalle ne y faict riens car les parolles de ladicte decrectalle ne sont pas mises en maniere de droict ne coustume mais sont recitatives et ne font pour le droict et suppose quelles fussent droict si a il bonne sollution car par appellation du filz est contenue la fille car en construction de droict par appellation du masle est contenue la femelle et aussy par appellation du frere est contenue sa sepmanche et sa ligne qui le represante comme dessus est prouve et aussi sentand ladicte decrectalle par les autres causes qui dient que en duche, en comptes, en royaulmes qui y ont souverainte femme peult succeder et par les droictz cuilz<sup>b</sup> dient que la niepce ou le nepveu [f. 148v] represante la personne de son pere car nous debvons estre prestz de garde[r]<sup>c</sup> les ungs droictz aux autres etc.

Item a ce quil sefforce fonde[r]<sup>d</sup> sa requeste par la genneralle coustume du royaulme de France par laquelle il dict que le plus prochain en degre succede et na pas lieu en representation etc. Respond Charles que en successions de fief de non fieff il na point de genneralle coustume au royaulme de France mais sont toutes locaulx selon la diversite des pais et ce veons nous clairement car en ung mesme bailliage sellon la differances des chastellanyes ce divercyfye aulcunes foys la coustume des fieffz quare etc.

Item a ce quil sefforce fonde[r]<sup>e</sup> sa requeste par la coustume de France disent que par ladicte coustume la succession de la duche doibt estre jugee par ce que cest parrie et membre de couronne laquelle parrie et sa noblesse est en France<sup>f</sup> combien que la duchie soict en Bretaigne et que la parrie qui est la plus noble doibt estre plus considere etc. Respond Charles combien que la parrie soict tenue du roy sans moyen et resortisse en son parlement [f. 149] toutesveoyes les pers ne sont pas pers au roy mais sont pers lun au regard de lautre ne raison ne peult

a. non b. MS repeats quilz c. gardez d. fondez e. fondez f. above ~~fruiet~~

souffrir quilz fussent pareilz au roy qui na point de souverain et combien quilz eussent en forme de [chief]<sup>a</sup> de perrie en la presance du roy pour cause de la parrie ilz nont justice ne seroict en France ne pour cause de leur perrie ilz ne peuvent juge[r]<sup>b</sup> en France encor entre leurs subjectz si nest a considere[r]<sup>c</sup> la coustume du chieff car ilz ne font point pareille ne nest considere la coustume de France si aulcune y avoict car la parie na point de sie en France mais ou est la juridicion et sa puissance et suppose que la parie peult avoir fieff considere il seust assiste si nesse pas a considere[r]<sup>d</sup> que la parrie fust faicte a cause de la duche et fut le duc de Bretagne pour en nobter le duc et la duche et ainsi est plus principal et plus a considerer la nature de la duche que de la parrie car aussi comme dict le droict, la chose pour cause de laquelle la distenction est fet est tousjours repute la plus principale. Or est il certain que la duche de Bretagne est assise en Bretagne et ainsy lon doit plus considere[r]<sup>e</sup> les coustumes de Bretagne pour cause de la duche estre principale que lon ne doibt les coustumes de France pour cause de la parrie qui est assessoyre et avecques ce chacun [f. 149v] pere soict parrie ou aultre seigneurie ce gouverne et doibt gouverne[r]<sup>f</sup> sellon les coustumes comme dict est.

Item a ce quil sefforce fonder sa requeste par ung arrest donne pour le filz puisne du duc de Bourgongne qui forcloust ses niepces, filles de son frere aisne, en la succession de la duche de Bourgongne qui est parrie et qui aussi doibt il estre juge de Bretagne etc. Respond Charles par plusieurs voy[es]:<sup>g</sup> lune cy est quil ne fait a recepvoir a soy accordez darrest quant il nen monstre point; et lautre, suppose que le monstrast il fut donne entre autres personnes dautres choses toutes diverses si ne peuvent il nuyre ne profficter en noz termes; la tierce, suppose que le monstrast si avoict il este donne en cas deffansable car autres sont les coustumes en la duche de Bourgongne si doibt lon sellon les diversitez des coustumes faire divers droictz; lautre disimilitude si est car le filz segond nez estoinct frere de laisne de par pere de par mere et le conte de Montfort nest frere que de pere tant seullement, lautre disimilitude, car le cas est tel en succession de pere qui est plus naturellement deue au filz que a nul autre, nostre question parle en la succession de loncle; lautre disimillitude car [f. 150] la duchie de Bourgongne est par[rie]<sup>h</sup> antienne et oncques navoict este acoustume que femme y succedast<sup>i</sup> mais peult estre que dautres foys les masles en avoient forclos les femelles et sur ce ceste raison ce peult fonder larrest si uncques arrest y eut ce que il ne confesse pas mais en noz termes le cas est autre car la duche de Bretaig[n]e est nouvelle parrie toujours y ont acoustume femmes a succeder si nest pourtant sil elle est devenue [parrie]<sup>j</sup> e[ust]<sup>k</sup> muee sa nature car accidant ne peult muer nature et combien que lhonneur du duc soict acroire par la parrie toutesvoies la condition nest pas

a. chacun b. jugez c. considerez d. considerez e. considerez f. gouvernez  
g. aiges h. par ce i. MS adds flourish j. parrrie k. estre

muee ainsy comme dict la loy quare etc.

Item a ce quil sefforce raisonner que aussi comme femme [ne succedde]<sup>a</sup> pas ou royaulme de France car elle ne doibt succeder en parrie qui sen par du corps du royaulx car il nest trouve que ce fust uncques parrye etc. Respond Charles et a tous tyeulx argumens que ilz sont pour neans car ceste question est depiecza de-termyner que femme<sup>b</sup> peust succeder en parie si comme il appiert de la per[rie]<sup>c</sup> Dartoys et de la parrye de Champagne, mais toutesvoyes il respond que ce nest [f. 150v] pas similitude a faire ne bonne consequence des parris au royaulme et a la couronne car il ny a point de pareil ne de souverain et apres ceste cause y pouront estre le pareil ne preallable si la couronne dece[n]doict a femme et fait mal darguer de tieulx argumentz<sup>d</sup> par lesquels il ne peult equiparer les parris a la couronne que prinse ainesse est dot prerogative par dessus tous autres ne largument de [pa]trice ny fait riens car cest une office d[administracion]<sup>e</sup> cree par ellection et ceste parie tient par heritaige et par succession et nest considerez quelles cheoient toutes en main de femmes car cest une adverse fortune qui nest a considere[r]<sup>f</sup> a ung cas qui nest vroysemblable que aviegne car nous ne considerons pas en droict les cas qui tard adviennent, et des bonnes femelles yssent les bons masles et combien quon nelise pas femme pour estre juge toutesvoyes quant elles ont juridicion de tenir heritaige elles peuvent juger et aussy le dissent les droictz canons et ainsi lavons veu de la contesse Dartoys qui siet comme pair en la court de France et aussy le garde lon en toutes courtz quant les femmes qui tiennent fieff de leurs heritaiges sont aussy bien a [j]uger<sup>g</sup> comme sont les habitues et est a considerer quelles ce marient du royaulme mais a considere[r]<sup>h</sup> et poursuivre plus le bien que le mal et si a souverain qui remedde [f. 151] y puisse meptre ne les grandes dames nont pas acoustume a ce marie[r]<sup>i</sup> sans lasantement de leurs amis et de leurs sieurs quare etc.

Item a ce quil dict que femme nest convenable a fere [c]<sup>e</sup><sup>j</sup> que le duc est tenu faire au royaulme, respond Charles que droict et raison mect bon remedde car elle promet servir par substituer cest assavoir par son mary, par ses vassaulx, et ses subjectz, et aussy le droict dict que le vassal peult servir son seigneur par substitution et ainsi le nottent les saiges docteurs Hostien[ce] et les autres des clers et des presbiteres qui peuvent servir leur seigneur par substituer et vraiment ceste raison prouve que femme ne doibt pas estre deboutee de telle succession car une femme si haultement heritee ne peult faillir a estre haultement mariee et avoir mary sy suffezant quelle peult prendre par ellection ung chevallier ou ung escuyer de hault lignaige et bien ?adiciez, sy est mieulx raison que femme a succeder a ceulx heritaiges qui ce peuvent eschanger par leur mary que ce ne seroict aucunesfoys dun masle car sy le masle estoict boueteulx de deulx hanches contrainct

a. me ce celle b. above line, where an illegible word has been crossed out c. MS unclear  
d. MS repeats et fait mal de arguer de tieulx argumens e. eminiacion f. considerez  
g. aduger h. considerez i. mariez j. le

ou toutesveoyes il succederoict et adoncques par meilleur raison la femme qui pour son bien esleu peult semployer du sexe et servir le seigneur doibt estre receu en telles successions [quare]<sup>a</sup> etc.

[f. 151v] Item et a ce quil dict que Bretagne fut royaulme et encores use le duc de Bretagne regalement en plusieurs cas et ainsi doibt estre gouvernee comme royaulme et que en royaumes femmes ne succedent pas et que nostre sieur ne baille pas le gouvernement a nostre dame mais le baille a ses apostres et a ses gens, respond Charles que si Bretagne fust royaulme, que de fet non,<sup>b</sup> il est maintenant duche subjecte au roy si ne debvons pas regarder lestat qui fut jadis si antien et est du hoste mais lestat qui est a presant car il not roy en Bretagne passe a deux cens ans et depuis y ont succedde plusieurs femmes, la contesse Aales et plusieurs autres et si il y a aucuns droictz de regalle ce nest que par usaige et par permission du roy de France car quant il soubmist au roy de France ce fut saufve ses noblesses a consequenter a autre cas ne a la matiere de succession car avant quil fust soubzmis au roy de France succedoient les femmes a la duche et si peuvent elles faire aux royaumes qui reconnoissent ou doibvent reconnoistre souverain et voyant ce quil a<sup>c</sup> allegue de nostre dame faict contre luy car apres la mort nostre seigneur les apostres faisoient tout par son conseil et par son gouvernement.

[f. 152] Item a ce quil sefforce respondre que quand femme y a succedde il ny avoict point de masle et par ce respond a la duchie Dartoyes quil ny avoict point de malle proche. Respond Charles que au moigns il est tant congneu que femme ne peult est[re] rappellee pour cause du sexe et sil<sup>d</sup> dict que il ne y avoict point de malle cest a congnoistre et est une divinance de quoy lon est terriers et nest vroysemblable que si grand lignaige feist sans aucun masle et puis que il ne monstre ne maintient que le masle aict autresfoys forclos la femelle es termes ou nous sommes nous debvons estre a la reigle genneralle et de la coustume du pays laquelle faict tout clairement pour ledict Charles.

Item lexemple quil met a la compte de Poitiers et des filles au roy Phelippes le Long, respond Charles que la compte de Poytiers par de la couronne et avant quil mourut il fut roy aux retors a le compte a sa premiere nature et sera consollide a la couronne et pour celles filles ny succedent parsque ne sont [f. 152v] heritiers au royaulme ne par la dignitte du perie en verite leur condition ne fut pas fete pour ce mais fut faicte meilleure aultant dautre couste...

Item a ce quil d[i]ct<sup>e</sup> si femmes ayant succedde ce ne fut avant que le duche fut parree etc. Respond Charles que la quallitte de la parie ne mue point la nature ne la maniere de succeder quant actandent ne nont point la premiere nature comme dessus est dict quare etc.

Item a ce quil dict si femme y a succedde ce ne fut pas au cas semblable mais

a. yder b. MS adds est este car c. MS adds la d. MS repeats il e. dect

paraventure les parans etc. Respond ce que dessus est dict que il nest pas mestier que Charles prouve ou ses propres termes le cas y f[e]soict autresfoys advenu mais luy suffist prouver la genneralle coustume de par le droict cannon qui fut pour luy monstrier si le compte de Montfort ne prouve que par lespecial il aict este use en la duche de Thouraine quare etc.

[f. 153] Item audictes responces quil fait aux droictz de laisnete que ilz ne font riens aux propos, respond Charles quil appiert clairement le contraire car monsieur Guy fut aisne et aussy sa fille par representation a le dire de la ainesse comme dict est quare etc.

Item aus responces quil fait a la coustume de Bretagne alleguee de par Charles pour laquelle si une fille represante la personne de son pere en droict de ainesse et dessusdict que ladicte coustume nest pas escripte et que les coustumes de Bretagne sont escriptes et que Charles ne maintient pas quelle fust uncques ne les exemples quil allegue ne sont pas de Bretagne ne sont pas escriptes toutes non pas la centiesme partie et si ne fault pas de necessitte usaige introduict et quil aict este use [e]n<sup>a</sup> contradictoyre jugement mais suffist que le peuple en use communement et avecques ce ladicte coustume est obtenue et debattue en contradictoyre jugement et mestier estoict de tant en pourveoir et avecques ce Charles a bien mis des exemples de Bretagne si comme il appert de la succession de monsieur Loys [f. 153v] de Laval et de monsieur Davaugour que partinant par fre[r]aige de la duche de Bretagne comme dessus est dict.

Item a ce quil respond que la coustume des subjez fut fait sur lestatut du compte de Bretagne<sup>22</sup> et aussi son statut ne le pouroit lier et met ung exemple de Bible de la royne Ester etc. Replicque Charles quelle en eust este lyee si elle neust este exempte et quil eust este declare par especial, car lestatut dun seigneur ou dun juge quil fait pour la genneralle loy de pais et de ses subjectz le juge comme dessus est dict et limitez, voyez lestatut du compte Geffroy ne furent faitz de son auctorite tant seulement mais au consantement des prelatz, des barrons, et du peuple, si est raison que luy et ses successeurs en soyent lyez et avecques ce si la coustume est plus genneralle que nest lestatut qui non obstat.

Item a ce quil dict que lo[n]<sup>b</sup> ne doit pas regarder la coustume de Bretagne mais la coustume du lieu ou tous juge, cest assavoir de la coustume de la court de France, replicque Charles, sauve sa grace, [f. 154] maldict, car puis que ladicte coustume touche de descision de cause on ne doit pas regarder la coustume du lieu ou lon juge mais doit lan regarder la coustume du lieu dont la chose contentieuse est assise.

a. in b. loy

22. The assize of Count Geoffroy, 1185: *TAC*, 319-25.



Item et a ce quil dict et respond que la coustume des subjectz ne lye pas le chieff quant il sensuyvroict quil ne pouroict faire statut au contraire a ce allegue et compte de docteurs qui dient que la coustume des subjectz ne lie pas le chieff et a ce raisonne par plusieurs moyens quant les subjectz ne peuvent faire statutz ne coustumes sur le seigneur, replicque Charles a toutes ses raisons que a notz termes a bien considerez les subjectz ne lient pas le chieff mais il mesmes et lauctorite du droict de coustume le lient car les coustumes ont auctorite pour approbation et par coustume du peuple et les tient et les garde et les jure comme dict est et aussi ont leur force de luy et du peuple et par consequent ont force de loy et de droict et aussi liez par lauctorite de droict et non pas de ses subjectz et ce nest pas inconvenient a dire quilz ne puissent faire [estatuz]<sup>a</sup> au contraire car il nest presante souverain mais est subject et par ceste representation peult lon respondre a tous les argumentz [f. 154v] que lon peult faire que la coustume des subjectz ne lye pas le chieff et mesmement que ceste coustume est reelle et la notte en la glose ou il allegue par coustume personnelle que ne fait oncques aprouver du chieff quare etc.

Item a lexemple qui[l] mept dun jugement qui fut donne contre le compte de Blays que lon devoict regarder a l[a]aige<sup>b</sup> de vassal, la coustume de Bloys la ou le frere ressort combien qui soict assis a Berry et non pas la coustume de Berry etc. Replicque quil ne fait a recepvoir a son aide dicellui sentence car il nen monstre point et est le cas contre et en autres personnes suppose sans prejudice que si sen peult ayder si eut il prouve responce car il estoict question du droict dudict seigneur qui luy estoict deu pour cause de lhommage lequel hommaige mouvoict du chastel de Bloys et y devoict estre fait si nest...si le droict du seigneur reigle sellon la coustume du lieu dont lhommage muet mais quant il nest pas question du droict du seigneur mais est question entre deulx subjectz qui contandent du droict de la chose lun contre lautre auquel elle doibt appartenir il convient en ce ensuyvre [f. 155] la coustume de lieu ou la chouse est assise ainsi le veult droict et raison et aussi le doibt lon garde[r]<sup>c</sup> etc.

Item a lexemple que il met a la compte de Montfort ou luy ainez pour tous les puisnez fait hommaige du tout et toutesvoies fut dict [d]un<sup>d</sup> juge que la coustume ne ce [estandroit]<sup>e</sup> pas ou chief de la comte mais regardoict lon la coustume du royaulme de France et parmy ce le compte de Roucy fit foy et hommaige au roy de son partaige quil eut de la compte de Monfort etc. Replicque Charles que par autelle loix comme il aplicque en lautre exemple mais en article procedent en outre il ne scaict pas que autre soict gardee la coustume es subjectz de Montfort que ou chieff et si elle est a autre ou chieff cest par especial usaige qui euste garde ou chieff lequel desroge a la coustume genneralle de subjectz qui est en chieff.

[f. 155v] Item aux diversites quil sefforce mettre entre le chieff et les membres

a. et ce touz b. loaige c. gardez d. cun e. estrandroit

cest assavoir que les puisnez succedent par heritaige et es baronnyes sugettes il ne prennent que pourvoiance de vivres et avecques ce es baronnyes il y a rachapt et ny a poinct en chieff de la duche ne les femmes ne prannent pas tieulx douaires en la duche comme elles font es baronnyes ne nen sont pas...etc. Replicque Charles a la premiere, car elle nest pas voyre car les puisnez de Bretaigne ne prennent en la succession du duche fors que a vie tant seulement et anssi fut il de monsieur Pierre Davaugour comme dessus est dict et ce monsieur Guy et le conte de Montfort orrent pour lheritaige ce quilz eurent ce ne fut pas pour mectre de coustume mais fut par vollompte et grace du d[uc]<sup>a</sup> dernier mort et par composition fet avecques eulx pour ceste cause comme dessus plus emplement dict est, grace *non obstat*; ne lautre divercite ne y fait riens car si la duche ne poict rachapt cest par la reservation qui fut fete quand<sup>b</sup> le duc [f. 156] soubmist au roy de France et par usage escript qui d[e]rouge en genneral et ne fut oncques use que ladicte duche poyast ne deust payer pour rachapt; et lautre diviercite ne fut uncques ne il nest memoyre que duchesse de Bretaigne demandast uncques douayre par jugement fors que la mere du compte de Monfort laquelle le [demendeur]<sup>c</sup> emplement sellon la coustume de Bretaigne en allegue quelle debvoit avoir en la duche comme les femmes des barrons auroient es baronnyes de Bretaigne et aussi contre la confession de sa mere de qui il est heritier fete en jugement il ne peult ne ne doit il venir en lallegant coustume contraire, et suppose sans prejudice quil y eust en ce cas dadvercitez, ce que non, par usage espicial que derougent en genneral toutesvoyes en tous autres cas et en tous autres termes lon debvroit neault[moins] garder la coustume genneralle et ne doit emouver ce que est allegue de la divercite de la coustume entre les chieffz [et] les membres cair [sic] autresfoys la contesse de Saint Paoul, fille au duc Jan de Bretaigne, et monsieur Pierre de Bretaigne, filz au duc Artur, cesforsissent [f. 156v] cest assavoir ladicte contesse a avoir partie et portion en la duche de Bretaigne et es autres terres [selon]<sup>d</sup> la nombre des enffans et le grand de la richesse et len fut oppose par le duc dernier mort et ses procureurs en parlent la coustume de Bretaigne et ledict monsieur Pierre de Bretaigne cefforsa [davoir]<sup>e</sup> a heritaige sa partie et portion contre le duc Artur et aussi luy fut appouse la coustume de Bretaigne que les puisnez ne prennent que pour vivre a viaige et avecq ce et fut<sup>f</sup> content jouxte ladicte coustume seulement ce quil peult apparoir par les fayz et proces de parlement parmy lesquelz apert que les coustumes ont este gardees ou chieff aussi bien comme es membres quare non obstat.

Item a ce quil dict que coustume ne ce peult introduyre fors que par usage et puis que la coustume de represantation ne fust uncques uses ou duche de Bretaigne car le cas ne y advinct oncques on ce peult dire quil y aict coustume introduicte etc. Replicques Charles suppose sans prejudice que le cas le fust unc-

a. dict b. above ~~entre~~ c. demendeur d. seulement e. davavoir f. MS adds ~~entre~~

ques advenu en la duche en ces propres termes, ce que Charles ne confesse pas, toutesvoyes le cas est advenuz a la foy et hommaige de tous les fieffz et de toute la duche sellon la coustume du pais ne unques [f. 157] les puisnez freres enffans ne emportent de ladicte duche sellon la coustume de France mais ont eu a vye sellon la coustume du pais ou filz ont eu aulcuns ou aulcune chouse par heritaige cestoict par la grace de leur aïsne pour ne eulx trouvez ou les mariez et non pas par maniere de quantite ou de portion de ters ou de moytye aussi comme ilz ont eu en France et doncques puisque en la succession de la duche es termes qui sont escheuz o y a use de la coustume de Bretagne et non pas par la coustume de France car une mesme succession ne doibt pas estre gouvernee par entre ses coustumes ne par divers droictz et parmy ce est faulx la maniere de larguement de parrie aussi car il est verite que la coustume de Bretagne a este usee en la succession de la duche de Bretagne et suppose sans prejudice que [e]lle neust euse en la duche toutesvoyes lusaige genneral du pays suffist a comprendre toutes les particulairitez du pais sy comme il appert par plussieurs raisons cy dussur escriptes quare etc.

Item a ce quil dict que sy la duche fut unques gouvernee par la coustume de Bretagne ce fut avant [f. 157v] quelle fut parye<sup>a</sup> mais maintenant elle est fait parrie et pour ce du propre corps du roy et est fait membre plus noble et aussi doibt estre gouvernee doresnavent a coustume de France etc. Replicque Charles que jaczoict que la dignite personnelle du duc soict ennoble pour cause de la parrie qui luy est adjoustee et quil en aïct aulcuns honneurs toutesvoyes quallitez, coustumes reelles qui regardent les choses, le fons, et lheritaige et la succession de la duche ne sont point muez aïns demeurent en leur propre nature car aussi comme dict droictz les qualitez reelles des choses a quelconques personnes quelles soient transportees, combien quelle soict noble, demourent toutesvoies ennexces aux chouses et ne considere lon pas la noblesse, la dignite, ou previllaige etc.

Item aux responces quilz sefforce faire a lautenticque allegation par Charle et autres raisons par quoy elle est fondee, et premierement a ce quil dict que telle autenticque ne parle pas en succession de fieff et par ce quelle ne pouroict en succession de fieff furent faitz les droictz des fieffz lesqueulx dient que en fieff paternel, le frere comme le plus proche forcloust sa niepce et ne y succedde femme tant [f. 158] comme il y aïct masle, et aussi de non tenir les droictz des fieffz quant a ce derougueur ou [?]<sup>b</sup> esclarissent, replicque Charles que par ce que dict est que les droictz des fieffz ne corigent ne esclarsissent ledict autenticque ne ne font riens au propos par plussieurs raisons cy dessus escriptes mais doibt estre tenue ladicte autenticque genneralement en toutes successions naturelles so[i]t<sup>c</sup> tenues ou

a. MS adds ee b. MS illegible c. sont

fieff ou no[n]<sup>a</sup> car elle parle gennerallement et y a une mesme raison car les fieffz du royaulme sont heritaiges et sont deuz et differez par raison de conjunction de sang et de nature laquelle cause seule doibt estre consideree en succession si comme dict le teste de lautenticque [?]<sup>b</sup> naturelle et doncques puisque il y a une mesme raison nous les debvons juge[r]<sup>c</sup> par ung mesme<sup>d</sup> droict etc. et mesmement au pays du royaulme de France qui ce gouverne par droict escript les femmes succedent es fieffz et es heritaiges sellon la raison de lautenticque et par representation et nont point de lieu lesdictes constitutions de fieffz que ne sont fors coustumes locaulx en Lombardye.

[f. 158v] Item a une aultre reponce quil fet a ladicte autentique, quelle parle en biens acquis et non pas biens paternaulx qui doibvent aller au plus proche de la ligne etc. Replicque Charles qui ma[l]dict que ceste distinction nest pas vraye aumoins est verite de dire que celluy qui est conjoint de deulx costez ou son filz ou sa fille qui le represante forcloust le frere ou loncle dun coste tant seulement sans considere[r]<sup>e</sup> dont les biens viennent soient acquis soient paternaulx ou maternaulx et ainsy les notte la glose Daceurse mais quant il en y a qui est de par le pere tant seulement et lautre de par mere lors a bien lieu la distinction que lon regarde bien de quelle part les biens viennes etc.

Item a lautre responce quil fait que ladicte autentique ne peult avoir lieu sellon la coustume genneralle du royaulme de France car en succession on ne regarde pas la conjunction de sang de la personne de quoy succession lon traicte mais regardez lon qui est proche du couste et de la ligne dont lheritaige muet et decend et parmy ce ne doibt regarder quelle conjunction la femme Charles avoict au duc de Bretaigne de par mere car la duche ne muet [f. 159] pas dicellui couste mais de par le pere etc. Replicque Charles car ladicte autentique nest point derougee par ladicte coustume car ladicte coustume tient son lieu quant a ce que nul ne peult succeder sil nest de la ligne et du coste dont lheritaige muet et sil nen y avoict daultre couste<sup>f</sup> aucuns le roy prandroict lheritaige ?conbaine car il ne peult venir a succession naturelle ne mais a ceulx qui seront de la ligne mais pour tant ce nest pas coustume sil y a ung de la ligne qui a avecques pour soy ung autre lignaige de nature que il doibt mieulx succeder que celluy qui na q[u]un lien et nie en noz termes car uncques ce la coustume donne lainesse a la femme Charles et sans la quallite de lainesse nul ne peult venir a la succession de la duche quare etc.

Item a lautre responce quil fait que ladicte autentique ne lye pas le roy en force dauctorite mais tant seulement en tant quelle seroict raisonnable et que les

a. nom b. MS illegible c. jugez d. MS repeats mesme e. considerez  
f. MS adds pour lheritaige

droictz antiens sont plus raisonnables que ladicte autenticque ainsi le[n]<sup>a</sup> doibt eslire le roy en sa court et en user et non pas lautenticque, rep[lique]<sup>b</sup> Charles, saulve la grace du proppousant, [f. 159v] car considere que ladicte autenticque est tenue pour plus raisonnable<sup>c</sup> en jugement et en escolles et par les saiges docteurs, le roy ne son conseil ne doibvent pas prendre pour plus raisonnables les loix corrigees et en veritte lautenticque est plus raisonnable car il y a plus grand conjunction de sang et de nature si comme il appert par les raisons cy dessus escripte quare etc.

Item a autre responce quil faict que lautenticque fut fait dun moyne et les droictz anciens sur ce fetz par les senateurs et les saiges philosophes et aussy sont de plus grand auctorite et nestoict que voysin du roy des Franczoys ou temps quelle fuct fete etc. Replicques Charles que ce ne vault car suppose sans prejudice que ung moyne leditast et la fist pas pourtant ne par auctorite de moyne mais la fist le bon empereur Justinee qui fut si bon crestien par le conseil de tout les saiges en droict et autres qui le peult [recourir]<sup>d</sup> et aussi fut fet par delliberation et commun conseil des saiges l[on] doibt mieulx garder car les<sup>e</sup> loix antiennes qui furent fetes des poyens et de non creans et mesmement car celluy est plus raisonnable et sil y avoict doubte si debvrier juger le droict dernier fait et plus pres de nostre temps estre plus raisonnable que cellon les mutations de temps il convient muer les statuz humains quare etc.

[f. 160] Item a la reponce quil faict a lautre [r]aison<sup>f</sup> quil dict a la raison de lautenticque pourroict avoir lieu ou ilz seroict a parel degre mais la niepce est dun degre plus loign et avecques ce que la representacion a bien lieu en droicte ligne et non pas a ligne collateralle, respond Charles que mal dict en ung point et en lautre,<sup>g</sup> contre le teste de lautenticque et contre raison naturelle si comme il appert par les raisons [?]<sup>h</sup> cy dessus escriptes.

Item a ce quil respond aux raisons sur quoy est fondee lautenticque que autres-foyx ung lien est plus fort que deulx tendroie[n]<sup>i</sup> a diverses fins et avecques ce que le de doubles lians a lieu ou faire quant lon traicte de la succession du pere et il est en egal degre avecques son frere de pere tant seullement et na pas lieu cest raison a la mere qui est plus loingtaine dun degre etc. Replicque Charles que, saulve la grace du propositant, il prant tous ceulx deux lians a une fin et les conjoint et semble a la fin a quoy il tend et encores a il [?]<sup>j</sup> cest asscavoir le droict daissance qui vainc et surmont tout le droict des puisnez et ainsi a troyz tuyaulz tandans a une fin<sup>k</sup> si fors quil convient quilz vainquent les liens du compte de Montfort tant par raison naturelle que [f. 160v] par raison escripte comme par coustume et ausi naturellement represante le filz du frere son pere comme faict le filz du filz et genneration semblable de nature quare etc.

a. ledict b. reprouche c. *MS repeats* que ladicte autenticque e[s]t tenue pour plus raisonnable d. recouvrir e. *MS adds* ~~loin~~ f. liaison g. *MS adds* et h. *MS illegible* i. tendroiect j. *MS illegible* k. *MS adds* quand

Item a ce quil respond du mariage de Charles et le consentement des barons ny fait riens mesment contre le duc ne si consentit pas etc. Respond Charles que, sauve sa grace, le duc ce y consentit et plussieurs foys y requist le roy par lettres et ses chevalliers et par son consentement bien appiert quil la tenoict comme son heritier car il convient que Charles jurast quil porteroict le no[m]<sup>a</sup> et les armes de Bretagne comme dict est et bien y fut le consentement des barons car deslors bien apparut il que<sup>b</sup> il ne rappelloient pas en doubte quelle ne fust heritiere de Bretagne et luy faisoict lon jure quil tiendroict ladicte duche sans la allier et leur garderoict leur franchisses et leurs libertez et combien que ce fet ne face pas par aventure peremptoyre exception de la cause principale de la propriete toutesvoies considere que la conscience du roy en est<sup>c</sup> ou doibt estre informe ce fait monstre de premiere face le droict de Charles estre plus aparant que du duc [*sic*] de Montfort et par semblables voyres replicque ledict Charles aux responces quil fet a loppinion [*f. 161*] des prelatz et des barons qui ceste oppinion ont ensuye depuis la mort du duc car il nest vraysemblable que les prelatz qui sont...ce vousissent pour Charles ?dues<sup>d</sup> pour affection et pour craincte car ilz ne sont en riens subjectz au duc ne Charles ne les y a fait conduyre par nul homme si fait leur oppinion ledict Charles moult apiert de premiere face et doibt moult es[mouvoir]<sup>e</sup> le roy et son conseil quant a la foy et hommaige.

Item a ce quil dict que tout le peuple ?cre pour le compte de Monfort et le demendent duc et que cest par inspiration du saint esprit et par miracle et que le peuple par qui consentent ce fait la coustume le declare pour luy etc. Replicque Charles que sauve la grace du proposant il y a la plus partye du peuple de Bretagne qui obbeist a Charles et touz les<sup>f</sup> prelatz exempte deux et tous les barons et barronerrez excepte troys ou quatre et [sil] y a aulcune partie du peuple qui ensuult loppinion du compte de Montfort se sont giens simples et b[es]tiaulx qui ensuyvent lun lautre comme ouailles sans user de raison et a ce ont este a ce jourdhuy par predicateurs tellequeulx et autres seculliers que le compte de Montfort et ses [*f. 161v*] adherans ont anvoye preschir par les pais si nest a merueilleulx silz sont cheuz en [cet erreur]<sup>g</sup> [c]ar<sup>h</sup> telles simples giens sans mallice croyent tout a ce quilz ont presche ainsi comme ilz font la foy crestienne quare etc.

Item a ce quil respond quil bien alleguee en sa request tiltre de testament et intestat et semble combien que seigneurie ne peult estre acquise de plussieurs causes replicques Charles que cest mal dict, car elles sont v[er]yes<sup>i</sup> contraires comme dict est de quare etc.

Item a ce quil respond que non toutesfoys la coustume allegue[e] de par

a. non b. *MS repeats que* c. *MS adds oiet* d. duues e. *MS unclear*  
f. *MS adds presente* g. ce termes terrouer h. par i. vrayes

Charles le compte de Montfort est mieulx fonde car sa coustume est a congnoistre et la genneralle coustume de France est toute notoyre pour le compte de Montfort et avecques ce il ai[ct]<sup>a</sup> pour soy et Charles nen nulz et est masle et le plus proche ainsy doibt venir a la foy et hommaige premier. Replicque Charles, sauve la grace du proposant, Charles est mieulx fonde et son droict plus apparant de premier face quest le compte de Montfort considere que il a cas dautenticque et droict escript pour soy et raison naturelle considere la genneralle coustume de Bretagne de toute la province de Tours de laquelle [f. 162] lon use notoyrement et la succession de la duche et de ceste coustume informera Charles la coustume du roy si mestier est combien quil en saiche<sup>b</sup> asez de exemples considere que le compte de Monfort ne maintient que autresfoys en la succession de la duche, de la coustume de France, et a este garde, considere que Charles a pour soy les oppinions des prelatz et des barons du pais et congnoissez mieulz que est raison et justice que les popullaires et puis quil est mieulx fonde et plus apparamment de premiere face par la coustume du pais raison [veult]<sup>c</sup> que le roy nostre sire le recepve de lhommaige seul et non autre sauff son droict, et lautre car la coustume ne sousfre pas quon en recepve deux mais cellui qui est fonde de premiere face de la coustume du pais.

Si conclud comme dessus et de ce que chet en fet offre a prouver ou informer ce que mestier luy en sera et si mestier est il nye les faitz du compte de Monfort recepvables de droict en tant comme ilz seront contraires et prejudicieulx aux siens sans ce fere partye ne demends.

a. aire b. *MS repeats* quil en saich c. vieulx





## B | Three additional *acta* of Jeanne de Penthièvre, 1349-1351

**23 October 1349, Châtelaudren. Order to reimburse Aymar Lastrade for loans he had made to her officers but for which the letters had been lost.**<sup>1</sup>

Jehanne, duchesse de Bretagne, vicomtesse de Limoges, dame de Guisse et de Maenne<sup>a</sup> a<sup>b</sup> nostre treschier et ame cossin monsieur Guillaume de la Marche, nostre seneschal de Limozin et a nostre receveur de Limoges, salut. Emars Lastrade, nostre ame bourgeois et feal, nous a supplie et requis que comme pour cause des guerres dou pais il eust preste a monsieur Jehan de La Porte, gouverneur du viconte dessusdict pour le temps, certaine somme de argent et a monsieur de ?Vennes, monsieur Olivier [du Guesclin]...et monsieur Guillaume de Rouge, esquier, pour le te[m]ps<sup>c</sup> envoyes en Limozin, certaines aultres sommes dargent pour le profit du pais<sup>d</sup> et a nous vous presta et paia de nostre mandement certaines et grosses sommes tant pour la bastida qui fut davant Aux, pour la rendue du chastel Daus et dou chastel de Nontron que autrement, dont il avoit plusieurs lettres et assignemens de celles sommez dargent les quelles lectres ont este prises et perdues, plusieurs autres lettres et [?]<sup>e</sup> Ayssidueil par nos<sup>f</sup> anemis comme il nous<sup>g</sup> a signiffie, et sur ce nous a supplie de li pourvoir de remede de raison et de lui fere paiement pour sa vie et estat<sup>h</sup> mentenir et de sa femme et enfanz. Sour quoy nous vous mandons, commandons et comnectons si mestier est et a chacun de vous que desdits chosses dont vous feres certains ou souvenanz li estre dues et des aultres que il pourra monstrier par tesmoingz, confessions, de public instrumenz et par sa bonne loyaute dont il fera foy vous li faciez avoir execution et paiement prest et deu par telle maniere quil naye cause den retourner plus plaintif a nous et que il en puisse avoir et retraire aucune chevance pour sa vie et estat soustenir et en oultre comptez en li de ses gages dou temps<sup>i</sup> quil a este retenu et dont il fist monstre en nostre garnison Dissiduel et lui assignez par vous

a. MS Manenne b. MS d c. MS temps d. MS unclear e. MS illegible f. MS nous  
g. MS vous h. MS adds e i. MS adds passe

1. Archives départementales des Pyrénées-Atlantiques, Pau, E 740, a sixteenth-century transcription of documents mainly related to the Lastrade business: f. 3v. I am very grateful to Cai Henderson for their detailed input on this transcription.

lectres de...en est affin den avoir paiement ou plus toust que nous pourons bonnement. Donne a Chastel Audren le vingtz et troisesme jour de Octobre lan mil ccc quarante et neuf.

Par madame la duchesse et a la relacion et par le commandement de monsieur Philippes de Trois Mons gouvernour de Bretagne. Fait en conseil a Dinan. J. de la Chapelle.

*In margin:* Scellee du grant seel de Bretangne.

**1349, Châtelaudren. Order to compensate Aymar Lastrade for his goods and lands lost after the English capture of Excideuil.<sup>2</sup>**

Jeh[a]nne, duchesse de Bretagne, vicomtesse de Limoges, dame de Guyse et de Maenne, a nostre treschier et ame cossin monsieur Guillaume de la Marche, nostre seneschal de Limozin, a [nostre]<sup>a</sup> juge et recevour de nostre ville de Limoges et a lours lieutenants, salut. Nostre feal bourgeois Dissidueil<sup>3</sup> Emar Lastrade nous a humblement supplie que comme par la prinse que les annemys les Angloys ont fait du chasteau Dyssidueil il ait perdu tous sez biens et guerpi tous ses heritages et sur ce nous a requis de li susvenir pour son estat et de ses enfens soustenir jucques a tant que ilz puissent joir de leurs terres et heritages...et par le bon tesmoingnage de la bonne loyaute et bon pourtement dudict bourgeois et les grans dommages...a cause desdiz guerrez pour aide a sa soustenance et de ses enfens et estat, li avons afferme et affermons...escriptures de nostre ville de Limoges en la maniere qui acoustume est les affermer pour la somme de...exenter par li ou par aultres souffisans a ce depputez de par li et a se...de ladicte somme [li, barred or smudged] et ses enfens...au delivre, paiant ladicte somme checun an. Si vous mandons [et, barred] commandons et commetons...lettres veues vous baillez au dit Emar et delivrez lesditz papiers et seaux et len metez en...et lui fetes respondir et restablier les emolumans et profiz des diz papiers et seaux et escriptures...en contreignant Marcialis Chevrieres, cleric, qui les tenoit a en rendre lesdicts emolumens...recevour li en rendez ce que leur en aves dudict Marcialis e dautres despens...assignee de ladicte somme sanz autre assignacion en...voulons et vous mandons et a chacun que tout empeschement...vous actendre en la maniere dessus escripte. Donne a Chastel [Audren]...[lan] de grace mil ccc quarante et neuf.

Par madame la duchesse a la relacion et par le commendement de monsieur Phelipe de Trois Mons gouvernour de Bretagne fait ou conseil a Dynan ledict jour et an. Pierre de la Chappelle.

a. MS nous

2. AD P-A, E 740, f. 2v-3.

3. i.e. Excideuil.

**12 March 1351, Léhon. Order to pay Guy and Jean, sons of Aymar Lastrade, 80 livres yearly until the amount owed their father for a loan made to recover castles in the Limousin is fully reimbursed.**<sup>4</sup>

Jehanne, duchesse de Bretagne, vicomtesse de Limoges, dame de Guyse et de Maenne, a nostre recevoir de Lymosin, salut. Guy et Jehan, filz feu Eymar Lastrade sont<sup>a</sup> venuz par devers nous suppliant que nous les feissions joir de certaine ?grace<sup>b</sup> que feymes autrefoys a lour dit pere sur les emolumens des papiers de nostre ville de Limoges et que nouz lour feissions avoir solucion et paiement de certainez sommes dor, dargent, et de blez a eulx duees, lesquelles lour dit pere ou te[m]ps<sup>c</sup> quil vivoit presta a monsieur Guillaume de la Marche nostre cousin et seneschal de Limozin pour le recouvrement de noz chasteaulx de Nontron, Daus, et aultres afferes a cause des guerrez de par de la. Nous adecertes eu avis et consideracion a lour requeste avons ordene et ordenons que ilz prendront et auront par vostre main sur lez emolumens de noz ditz papiers quatre vingz livres tournois par chacun an aux termes de la Saint Jehan et Noel comme acoustume est et que leur pere faisoit, par telle maniere que quatre vingz livres pour ceste premiere annee ne lour seront en riens comptez ne rebatuz sur ce que nous lour devons [?]<sup>d</sup> les lour [?]<sup>e</sup> et donnons pour lour estat maintenir et pour leurs despens de cest voyage vener a noz, toutesfoiz voulouns que les aultres annees<sup>f</sup> que il leveront ladicte somme nous pour ce acquit et lour soit rebatuz sur ce que nous lour devons que il pourront monstrier par les lettres de nous et dou dit monsieur Guillaume et que ilz ayent ladicte somme de quatre vingz livres par checun an comme dit est jucques atant quil soient paies de ce que nous lour devons comme dist est si autrement nen estoit ordene par nous ou que nous les assignerons aillours, pour quoy nous vous mandons et commendons estroitement que ladicte somme de quatre vingtz livres par checun an esditz termes et en la maniere qui dist est vous lour paies paiziblement sans contredit et sans autre mandement de nous actendre et retonent coppie de ces lettres et quictance deux. Ladicte somme par les termes et annees<sup>g</sup> vous vaudra en mise et pourtera acquit sur vostre recepte quant vous compteres. Donne a Lehon le xii<sup>e</sup> jour de marz lan mil troys cens cinquante.

Par madame la duchesse en son conseil presens levesque de S. Mallou, monsieur Geoffroy Le Voyer, et monsieur Pierre Polart. P de la Chappelle.

*In margin:* Scellee du grant seel de Bretagne du quel lon usent en ledict chasteau de Limoges.

a. MS font b. MS unclear c. MS tenps d. MS illegible e. MS illegible f. MS annees g. MS annees

4. AD P-A, E 740, f. 2-2v; cf. RACJ, 126, where the *inventaire des titres de Montignac* (BnF, MS français 18757, f. 114v) records the existence of this act.

## Abbreviations

AD C-A	Archives départementales des Côtes d'Armor, Saint-Brieuc.
AD I-V	Archives départementales d'Ille-et-Vilaine, Rennes.
AD L-A	Archives départementales de Loire-Atlantiques, Nantes.
AD P-A	Archives départementales des Pyrénées-Atlantiques, Pau.
AN	Archives nationales, Paris.
BnF	Bibliothèque nationale de France, Paris.
Bouchart	Bouchart, Alain, <i>Les grandes croniques de Bretagne</i> .
<i>Chr. Brioc.</i>	[Le Grant, Hervé?], <i>Chronicon Briocense</i> .
<i>Chr. St-Brieuc</i>	———. <i>Chronicon Briocense: Chronique de Saint-Brieuc (fin 14e siècle), éditée et traduite d'après les manuscrits BN 6003–BN 8899</i> .
d'Argentré	d'Argentré, Bertrand, <i>L'histoire de Bretagne</i> .
Du Chesne	Du Chesne, André, <i>Histoire de la Maison de Chastillon sur Marne</i> .
Froissart Amiens	Froissart, Jean, <i>Chroniques: Livre I, le manuscrit d'Amiens</i> .
Froissart B	———. <i>Chroniques de J. Froissart</i> .
Froissart Rome	———. <i>Chroniques: Dernière rédaction du premier livre, édition du manuscrit de Rome Reg. lat. 869</i> .
Inventaire (1384)	La Borderie, Arthur le Moyne de, ed., <i>Inventaire du mobilier de Jeanne la Boîteuse, duchesse de Bretagne (1384)</i> .
Inventaire (1393)	Denis, L.-J., ed., "Inventaire de Jeanne de Penthièvre, duchesse de Bretagne, femme de Charles de Blois (1393)."
Le Bel	Le Bel, Jean, <i>Chronique de Jean Le Bel</i> .
Lettres Clément VI	Déprez, Eugène, J. Glénisson, and Guillaume Mollat, eds., <i>Clément VI (1342–1352): Lettres closes, patentes et curiales se rapportant à la France</i> .
MPC	Sérent, Antoine de, ed., <i>Monuments du procès de canonisation du bienheureux Charles de Blois, duc de Bretagne, 1320–1364</i> .
Nantes, Méd.	Médiathèque Jacques Demy, Nantes.

## ABBREVIATIONS

<i>Preuves</i>	Morice, Hyacinthe, ed., <i>Mémoires pour servir de preuves à l'Histoire ecclésiastique et civile de Bretagne.</i>
<i>RACJ</i>	Jones, Michael, ed., <i>Recueil des actes de Charles de Blois et Jeanne de Penthièvre, duc et duchesse de Bretagne (1341–1364), suivi des actes de Jeanne de Penthièvre (1364–1384).</i>
<i>RACJ Supplément</i>	———, ed., “Supplément au Recueil des actes de Charles de Blois et Jeanne de Penthièvre.”
<i>Rymer</i>	Rymer, Thomas, ed., <i>Foedera, Conventiones, Literae, et Cujuscunq̄ue Generis Acta Publica.</i>
<i>Somnium</i>	[Trémaugon, Évrart de?], <i>Somnium Viridarii.</i>
<i>Songe</i>	[Fèvre, Jean Le?], <i>Le Songe du Vergier.</i>
<i>TAC</i>	Planiol, Marcel, ed., <i>La très ancienne coutume de Bretagne.</i>

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