

## Reginal Intercession in the Case of Cristina, Convicted Murderer

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IN THE WINTER OF 1328-29, Cristina, widow of Thomas Scot, potter of London, and her father, John of Skonbergh, were convicted, imprisoned in Newgate, and sentenced to hang for the crime of murdering her husband.<sup>1</sup> Cristina's execution was delayed due to her pregnancy. In January or February 1329, Cristina sent a letter to Isabella of France, the Queen Mother, requesting a King's pardon for the charges of homicide for both herself and her father (fig. 1).<sup>2</sup> On March 2, Edward III (r. 1327-77) pardoned Cristina, at his mother's request, through letters patent and overturned her conviction.<sup>3</sup> It appears that Isabella, who had an established reputation as an intercessor for both personal petitions and general political appeals, had successfully interceded on Cristina's behalf. The fate of John of Skonbergh remains unknown. Although medieval queens—both consorts and dowagers—were frequently asked to intercede and often were effective avenues to securing pardons for crimes, this particular crime and its pardon provide insight into the networks that medieval women were able to create, the power available to widows and mothers, and the parameters of the medieval ideal of the reginal intercessor in early fourteenth-century England.

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1. The National Archives, Kew (hereafter TNA), Gaol Delivery Rolls (JUST) 3/43/2 m 7r. This document seems to indicate that Cristina had been tried at the Court of Common Pleas. John de Bousser, the judge who convicted Cristina, served as a Justice of the King's Bench.

2. TNA Special Collections: Ancient Correspondence (SC) 1/42/110.

3. TNA Chancery Patent Rolls (C) 66/171 m 30. The entry in the Patent Rolls reads: "Pardon, at the request of queen Isabella, to Christiana late the wife of Thomas Scot of London, 'pottere' convicted before John de Bousser and other justices appointed to deliver Neugate gaol, of the death of her husband; whose execution was deferred at the time because she was then with child." Calendar of Patent Rolls Edward III, vol. 1, 1327-1330, 372. Hereafter cited as CPR.

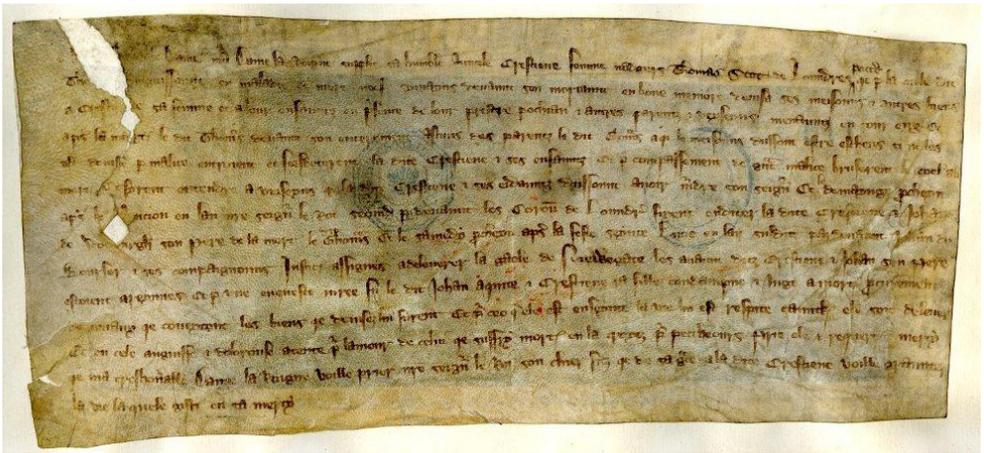


Figure 1. TNA 142/110. Christine, widow of Thomas Scot, potter of London, to Isabella of France, petition for a pardon for the murder of her husband (1329). Courtesy of The National Archives, Kew.

Cristina sought a pardon during a time of great political tumult in England. In January 1327, Queen Isabella had been involved in the deposition of her own husband, King Edward II (r.1307-27), who later died in September.<sup>4</sup> From 1327 until 1330, Isabella's eldest son, Edward III, ruled as a minor with a regency council. Although not officially appointed to the council, Isabella remained actively involved in politics during the years of the minority. Edward III married Philippa of Hainault on January 24, 1328; she was thirteen years old at the time. In 1329, when Cristina sought a pardon, Philippa, the soon-to-be-crowned queen

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4. William Stubbs, ed., *Chronicles of the Reigns of Edward I and Edward II*, Rolls Series 76, vol. 1 (London, 1883; repr., Wiesbaden: Kraus Reprint, 1965), 19. Claire Valente, "The Deposition and Abdication of Edward II," *English Historical Review* 113, no. 453 (1998): 852-81, 858, <http://www.jstor.org/stable/578659>. The traditional date for the deposition is January 13. Edward III was officially named King on January 20 and crowned on February 1, 1327. Roy Martin Haines, in his authoritative biography on Edward II, titled the chapter about Isabella and her role in the deposition "The Iron Lady: Isabella Triumphant, 1326-1330." Roy Martin Haines, *King Edward II: His Life, His Reign, and Its Aftermath, 1284-1330* (Montreal: McGill-Queen's University Press, 2003), 177.

consort of England, was also a viable option for intercessor.<sup>5</sup> Philippa had indeed already successfully acted as intercessor and received a pardon from her husband, the King, the previous year for a Yorkshire girl accused of robbery.<sup>6</sup> Therefore, when it came to her own crime, Cristina had a choice between asking the King's mother or the King's wife to be her mediator.<sup>7</sup> Rather than supplicating the young queen consort, she chose Isabella, a widow, whose own husband had died violently less than two years earlier. It is, of course, possible that Cristina did send a letter to Philippa that is no longer extant. Sending two letters, however, would have been costly for an imprisoned woman who would not have been able to petition orally. Had she written to Philippa first and been rejected, it seems unlikely, too, that Isabella would have been as successful in her intercession with Edward III. This pardon was issued by privy seal, which suggests that Edward III had been involved in the acceptance and issuance of the pardon which now carried his royal consent.<sup>8</sup> It would have been unwise for the young king to show such blatant and possibly public disrespect for his new wife, particularly if Edward III wished to live in a more harmonious relationship than his own parents had. Therefore, it seems unlikely that Cristina would have first petitioned Philippa.

Cristina, who had already been imprisoned, convicted, and sentenced

5. Philippa was crowned on March 4, 1330 at Westminster Abbey. She was pregnant with her first child at the time.

6. TNA C 66/169. The entry in the CPR reads: "April 8, 1328 (Staunton) Pardon in consideration of her tender age and at the request of queen Philippa to Agnes, daughter of Alice de Penrith, who was appealed by William Short before the steward and marshals of the household, for a robbery at Bisshoppesthorp co. York and being convicted was being under eleven years of age, committed to the prison of the Marshalsea until of an age to undergo judgment." CPR 1327-1330, 257.

7. Lisa Benz St. John has argued that Isabella's influence over her son as the dowager queen "indirectly harmed" Philippa's ability to act as an intercessor between 1327 and 1330. She has also, however, shown that Philippa's acts of intercession did not, in fact, increase after Isabella's death in 1358. Lisa Benz St. John, *Three Medieval Queens: Queenship and the Crown in Fourteenth-Century England* (New York, NY: Palgrave Macmillan, 2012), 41, 171-73. For the annual distribution of Philippa's intercession, see also Helen Lacey, *The Royal Pardon: Access to Mercy in Fourteenth Century England* (York: York University Press, 2009), 207.

8. Lacey, *Royal Pardon*, 62.

to die, chose Isabella rather than Philippa for two main reasons. First, both Isabella and Cristina were mothers, which may have led Cristina to conclude that she and Isabella had something in common and also played off of the popular medieval perceptions of the intercessor as a nurturing, maternal figure.<sup>9</sup> Philippa, who was fourteen at the time that the pardon was granted, had no children and would not give birth to her first child until June 1330, thus making her possibly less attractive than Isabella.<sup>10</sup> Second, Cristina may have felt that the Queen Mother would be particularly sympathetic to her given the fact that Isabella was also a widow with a probable connection to the death of Edward II.<sup>11</sup> Widows not only enjoyed greater privileges and autonomy, but they also shared a perspective that the newly-wed Philippa was not in a position to

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9. Audrey-Beth Fitch, "Maternal Mediators: Sainly Ideals and Secular Realities in Late Medieval Scotland," *The Innes Review* 57, no. 1 (2006): 1-35, 1, doi:[10.3366/inr.2006.57.1.1](https://doi.org/10.3366/inr.2006.57.1.1).

10. Philippa had twelve children between the years 1330 and 1355. Edward of Woodstock, the Black Prince, was born on June 15, 1330. Therefore, she probably conceived him around September 1329.

11. The debate over the details of and Isabella's involvement in Edward's murder remains unresolved. Even if Isabella had not been personally responsible for Edward's death, the chroniclers speculated that she had been involved, and there were rumors that at least tentatively and publicly connected the Queen Mother to her late husband's demise. Geoffrey Baker, writing in the 1350s, implicated Isabella by suggesting that she ordered Adam Orleton to send Edward's guards the famously cryptic letter stating "*Edwardum occidere nolite timere bonum est.*" Edward M. Thompson, ed., *Chronicon Galfridi le Baker de Swynebrook* (Oxford: Clarendon Press, 1889), 31-32. This text can be translated as "Do not fear to kill Edward, it is a good thing" or "Do not kill Edward, it is good to be afraid." Yet, many historians agree that this is fictitious as Orleton was in Avignon and even temporarily out of favor with Isabella at the time. See G. P. Cuttino and Thomas W. Lyman, "Where is Edward II?," *Speculum* 53, no. 3 (1978): 522-44, 523, doi:[10.2307/2855143](https://doi.org/10.2307/2855143). Furthermore, Baker seems to have disliked Isabella and referred to her in earlier passages as "Jezebele" and a "virago ferrea." Baker, *Chronicon*, 21. The Meaux chronicler also speaks unkindly of Isabella's involvement in his death, but this work was not begun until the 1390s and is, again, not a reliable source. Edward A. Bond, ed., *Chronica Monasterii de Melsa Auctore Thoma de Burton, Abbate*, Rolls Series 43, vol. 2 (London: Her Majesty's Stationery Office, 1867; repr., Wiesbaden: Kraus Reprint, 1964), 355. Haines argues that "there can be little doubt that Mortimer was the prime mover here, possibly with the connivance of Isabella." Haines, *Edward II*, 198.

understand or appreciate. Cristina may have calculated that a widowed mother, especially one who had spent nearly twenty years in a publicly unhappy marriage, would read her letter more compassionately than Philippa, which would increase her chances of obtaining a pardon.<sup>12</sup>

Cristina's choice both reaffirms and simultaneously subverts the medieval ideal of intercessor as neither Isabella's maternity nor widowhood conformed to the tropes of the feminine mediator. The interceding medieval queen was often imagined as an obedient, submissive, demure wife whose limited political role was often modeled after the examples of the Virgin Mary and Queen Esther and by expectations of Christian compassion and patience.<sup>13</sup> An intercessor was expected to complement

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12. No direct evidence exists that Christina would have connected Isabella with Edward II's death. However, as a woman living in London at the time of the deposition and the minority, it would be highly likely that Cristina would have heard some news of Isabella's movements and political activity during the coup and the minority. By 1329, Isabella would have been well known in London, which had played a major role during her coup in 1326 and in her accumulation of power for herself and her son during the years of his minority. In the fall of 1326, she had swept into London with her army, stormed the Tower of London, and named her son, John of Eltham, as the city's new custodian and provided him with armed backup from Hainault. TNA Excherquer King's Remembrancer (E) 101/382/3. In response, the people of London forced their mayor to declare his support for Isabella and her cause. See Gabrielle Lambrick, "Abingdon and the Riots of 1327," *Oxoniensia* 29-30 (1964-65), 135. The events of her invasion, the deposition, and the establishment of the minority all occurred not only within London and Westminster but also with the assistance of the Londoners. Obviously, there is no way to know for certain if Cristina and her husband, Thomas Scot, were in London during these events. Nonetheless, it seems highly unlikely that they would have been unaware of the great political changes and of Isabella's impact on London during these years. Cristina and Thomas lived near the Tower of London. They probably conducted business with a number of Londoners who would have been aware of and possibly affected by or even involved in the events of the coup. Regardless of Cristina's direct relationship with the political events of the deposition, it does not seem to be too wild a speculation that she could have arrived at the conclusion that Isabella possessed a certain attachment to London and its people and that Isabella appeared to be a powerful queen capable of actualizing her own agenda.

13. Fitch, "Maternal Mediators," 1, 3, 10. Sonja Drimmer brilliantly referred to the Virgin as "the maternal lodestar that Margaret, like her royal predecessors and counterparts, was expected to pursue," Sonja Drimmer, "Beyond Private Matter:

her husband's masculine and authoritative position with kindness and subservient appeal.<sup>14</sup> Yet, Isabella was neither submissive nor passive. While she may have permitted her public image to be that of a simple intercessor during her husband's lifetime, her actual power and her own perception of that power were far greater.<sup>15</sup> Furthermore, Isabella's willingness to publicly pardon a woman accused of killing her husband less than two years after Edward II's grim murder indicates that the Queen felt secure in her own power and authority. She feared neither public censure nor criticism for appearing to be the champion of a London woman convicted of murder. I do not, of course, suggest that Isabella inspired women to kill their husbands. However, it does seem that Isabella's role as informal regent and intercessor allowed her access to public power which some women recognized as a possible avenue to creating networks and gaining protection in the higher levels of administration. In this way, a reginal intercessor could manipulate political and judicial

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A Prayer Roll for Queen Margaret of Anjou," *Gesta* 53, no. 1 (2014): 95-120, 95, doi:10.1086/675419. Many medieval queens deliberately cultivated a public association with the Virgin Mary, sometimes for political reasons. See Eric J. Goldberg, "*Regina nitens sanctissima Hemma*: Queen Emma (827-876), Bishop Witgar of Augsburg, and the Witgar-Belt," in *Representations of Power in Medieval Germany 800-1500* ed. Björn Weiler and Simon MacLean (Turnhout: Brepols, 2006), 76, 87.

14. Chroniclers especially appear to be often more inclined to celebrate a queen's political contributions when they perceived that queen as unerringly pious, demure, uxorial, and, above all, non-threatening to the male spheres of politics and war. For example, see Ana Rodrigues Oliveira's analysis of the depiction of Philippa of Lancaster, Queen of Portugal, in two Portuguese chronicles. "Philippa of Lancaster: The Memory of a Model Queen," in *Queenship in the Mediterranean: Negotiating the Role of the Queen in the Medieval and Early Modern Eras* ed. Elena Woodacre (New York: Palgrave MacMillan, 2013), 130-31.

15. Lisa Benz St. John has conducted a linguistic analysis of the composition of one of the letters that Isabella sent to John Hotham, bishop of Ely and chancellor on January 28, 1327. TNA SC 1/35/187. Her analysis demonstrates that Isabella's "phraseology" and the fact that she "manipulated the legalese" of such correspondence conveys a sense of superiority and command that demonstrates her great authority. St. John, *Three Medieval Queens*, 28-31. See also Theresa Earenfight, "Highly Visible, Often Obscured: The Difficulty of Seeing Queens and Noble Women," *Medieval Feminist Forum* 44:1 (2008), 88.

systems without appearing to, and other women could benefit from her proximity to the courts.

### Isabella as Intercessor While Queen Consort

Intercession was a well established activity for medieval queens by 1329 and operated according to conventions. Queens were expected to intercede on both matters of personal appeal and on larger, more public state matters. They were not threatening to the men who held positions of power. An interceding queen was deferential, and this very deference “affirmed the supremacy of male power and so supported the social hierarchy.”<sup>16</sup> As intercessor, the queen was not necessarily drawing attention to herself as a political individual, but was rather acting at the urging of another for the benefit of someone other than herself. During her years as Edward’s consort, Isabella often publicly appeared to occupy this role perfectly. She had been schooled in the arts of queenship by her mother, Jeanne of Champagne-Navarre, who had been called a “second Esther” by her contemporaries due to her effective acts of intercession.<sup>17</sup> Throughout the early years of Edward’s reign, Isabella’s main public appearances (aside from her wedding and coronation) and participation in politics are very often enacted (or at least recorded in the chronicles) in the role of intercessor, thus fulfilling a crucial role within the King’s

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16. John Carmi Parsons, “The Intercessionary Patronage of Queens Margaret and Isabella of France,” in *Thirteenth Century England VI: Proceedings of the Durham Conference 1995*, ed. Michael Prestwich, R. H. Britnell, and Robin Frame (Woodbridge: Boydell Press, 1997), 146.

17. Lois L. Honeycutt, “Intercession and the High Medieval Queen: The Esther Topos,” in *Power of the Weak*, ed. Jennifer Carpenter and Sally-Beth MacLean (Urbana: University of Illinois Press, 1995), 130. Jeanne of Champagne-Navarre died in April 1305 when Isabella was between nine and thirteen years old. We do know that Philip and Jeanne were rarely apart and that Philip was equally devoted to his daughter, Isabella. Therefore, it seems likely that Isabella did spend a great deal of time with her mother. See Elizabeth A. R. Brown, “The Prince is the Father of the King: The Character and Childhood of Philip the Fair of France,” *Mediaeval Studies* 49 (1987): 304-6, doi: 10.1484/J.MS.2.306887. Queens and princesses were often instructed in the art of intercession through a vast array of Marian iconography. Drimmer, “Beyond Private Matter,” 112.

administrative and judicial systems. Intercessors could perform a particularly important role in cases involving murder.

Pardons for those accused of homicide required a delicate hand as the King's grant of mercy needed to maintain a balance between public order, appropriate punishment, and satisfaction for the victim's kin.<sup>18</sup> An overly generous king who pardoned too many killers could upset the social and political order and cause resentment or a politicization of his acts of mercy. An overly miserly monarch could also create social complications if the commons believed that he did not excuse justifiable or questionable cases. Preserving this balance often required the assistance of an intercessor who could channel some of the responsibility for decisions of clemency. A reginal intercessor could be the most effective in this capacity as her gender precluded her from appearing to threaten the King's power whose act of reversal or of clemency could then be perceived as an act motivated by emotion rather than reason.<sup>19</sup> Maintaining this balance had been particularly important during the tumultuous reign of Edward II, which was characterized by frequent cycles of political revolt and baronial challenges to royal prerogative and authority. Although the nobility had been pursuing legislation to curtail the King's use of royal pardons since Magna Carta, Edward II also faced attempts to limit his use of pardons in two particular pieces of legislation: the Articles of Stamford (1308) and the Ordinances of 1311, both of which sought to limit the king's power, exclude the influence of royal favorites, and reassert the force of law and custom.<sup>20</sup> Edward II submitted to both proposals, thus necessitating other avenues for the pursuit and receipt of a royal pardon, which could encourage potential petitioners to seek out the help of an intercessor.<sup>21</sup> Isabella began to act

18. Naomi D. Hurnard, *The King's Pardon for Homicide Before A. D. 1307* (Oxford: Clarendon Press, 1969), 29.

19. Cynthia Herrup, "The King's Two Genders," *Journal of British Studies* 45, no. 3 (July 2006): 493-510, 505, doi: 10.1086/503588.

20. Clause 28 of the Ordinances specifically addressed problems with potential abuse of royal pardons by stipulating that only excusable homicides may seek pardon. See Lacey, *Royal Pardon*, 76-77, and Hurnard, *King's Pardon*, 323.

21. Lisa Benz St. John has recently argued that the Ordinances, in fact, curtailed Isabella's ability to intercede. Lisa Benz St. John, "In the Best Interest of the Queen: Isabella of France, Edward II and the Image of a Functional Marriage," in *Fourteenth*

as an intercessor soon after her marriage—certainly more frequently than Philippa did.

Isabella arrived at the English court in January 1308 as a young bride anywhere between twelve and sixteen years old.<sup>22</sup> Her early years at the court were not inactive. She seems to have embraced her intercessional duties immediately, asking her husband to grant pardons to those petitioners who had sought out her services within weeks of her coronation on February 25, 1308.<sup>23</sup> In the patent rolls, there are records of twenty-three pardons for which Isabella interceded between 1308 and 1320 on behalf of persons living in England. Her ability to intercede with Edward II abruptly ended in 1320, most likely because of the rise of the King's new favorites, Hugh Despenser the Elder and the Younger, whose influence created a rift between the Queen and King.<sup>24</sup> This is actually a fairly

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*Century England VIII*, ed. J.S. Hamilton (Woodbridge: Boydell Press, 2014), 28.

22. Isabella was born sometime between 1292 and 1296 to King Philip the Fair and Jeanne of Champagne-Navarre, King and Queen of France. P. Doherty, "The Date of the Birth of Isabella, Queen of England 1308-1358," *Bulletin of the Institute of Historical Research* 48, no. 118 (1975): 246-48. In this brief article, Doherty analyzes one of the many documents generated during her marriage negotiations to conclude that she was born in 1296 (Archives nationale Series J 601 no. 27). Other scholars have asserted that she was born in 1295. St. John, *Three Medieval Queens*, 2.

23. Thomas, son of Simon de Hevere, received a pardon for trespass at the instance of Queen Isabella on March 18, 1308. TNA C 66, rot 130 m 20. A pardon, at the instance of Queen Isabella, was granted to Arnould de Sancto Martino for the death of John Dunsey de Navarre on March 27. TNA C 66 rot 130 m 19. On March 27, a pardon at the instance of Queen Isabella was granted to Roger le Forster of Little Wenlac for the death of Hugh Milksope. TNA C 66, rot 130 m 15.

24. Even after the rise of the Despensers, women continued to petition the Queen for her intercessory help. There is one fascinating petition from 1322 that suggests that there were some women who still perceived Isabella as possessing the power to intercede and secure a pardon from the King. When Joan de Knowille petitioned the crown to release her husband, Bogo de Knowille, from York Castle, she sent the petition to "*tres haute tres noble et tres pusissante dame ma dame Isabell.*" TNA SC 8/55/2731. No record exists of any resolution of this request. Nonetheless, in spite of the rise of the Despensers, Joan de Knowille still believed that Isabella could successfully protect her husband Bogo and effect his release. Furthermore, it is possible that Bogo de Knowille was among those pardoned after the Despenser War and thus a potential sympathizer of Isabella's. CPR 1321-1324, 16. Also, Pope John XXII referred to Isabella as "an angel of peace" during her diplomatic mission to France in 1325. In

small number for a span of twelve years, though not unusually so.<sup>25</sup> Of the 116 people who requested pardons from Edward II on the behalf of another, no other intercessor was as successful as Isabella, although Aymer de Valence, Earl of Pembroke, came closest with twenty-two requests for pardons.<sup>26</sup> Also, her requests for criminal pardon did not define her as a particular champion of murderers. A majority addressed cases of trespass (nine) and outlawry (four). Between 1308 and 1313, she may have interceded for six people accused of murders/wrongful deaths, and half of them were women.<sup>27</sup>

Unfortunately, there do not seem to be any surviving references to these three women's cases other than their entries in the patent rolls. In fact, the first case, in which Alice, late the wife of Adam de Mukelsdon-in-the-Hales was accused of being responsible for the death of Reginald, son of John of the Halle, and which is listed in the calendars, does not appear in the actual manuscript itself.<sup>28</sup> This problematic omission raises all sorts of difficult questions as to its veracity or the possibility of scribal error.<sup>29</sup> Perhaps there really was no such case, and this is not an example

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April 1325, he also begged her to intercede with the king regarding business with the bishops of Hereford and Lincoln. "Regesta 113: 1324-1326," *Calendar of Papal Registers Relating to Great Britain and Ireland*, vol. 2: 1305-1342 (1895), 463-80, <http://www.british-history.ac.uk/report.aspx?compid=96122>, accessed 19 June 2013.

25. Of Isabella's predecessors, Eleanor of Castile (1266-92) interceded in thirty-six cases; for Margaret of France (1292-1307), there are sixty-eight examples of people petitioning for pardons. The numbers of reginal intercession for cases involving homicide are Eleanor of Provence (1258-92), ten; Eleanor of Castile, six; Margaret of France, nine. Parsons, "Intercessionary Patronage," 150 and 147n4. Margaret of France interceded for two women accused of homicide. CPR 1301-1307, 60, 378. Philippa of Hainault also interceded for two women accused of murder. CPR 1338-1340, 90, 318.

26. Lacey, *Royal Pardon*, 191. Hugh Despenser the Elder proposed twelve pardons, and Hugh Despenser the Younger presented nine. *Ibid.*, 193, 190. Edward II's other favorite, Roger Damory, totaled six. Piers Gaveston requested none.

27. In 1308 she secured pardons for three men: Arnauld de Sancto Martino, Roger le Forster of Little Wenlac, John Ausel (Ansel) of Hoxne in addition to the three women.

28. TNA C 66 rot 134 m 16.

29. From the patent rolls: September 21, 1310 (Lessudden), "Pardon at the instance of queen Isabella to Alice late the wife of Adam son of Hugh de Mukelsdon-in-the-Hales for the death of Reginald son of John of the Halle." CPR 1307-1313, 280.

of Isabella's protection of a woman accused of murder. The second case, involving Cicely, wife of Peter le Taverner of Aulton, appears to have concerned a tavern operator who was tried for the death of four foreign merchants killed in her place of business.<sup>30</sup> The third case, Cicely de Rypon's responsibility for the death of Robert de Brome de Lapworth, is also poorly detailed and mysterious.<sup>31</sup> Furthermore, there are no extant letters or petitions from any of these women that suggest that they had asked Isabella to intercede for them. This is not highly unusual as many requests were delivered orally in the fourteenth century. Although each pardon was drafted "at the instance of Queen Isabella," it is difficult to know exactly what prompted her to request these pardons—if she, in fact, did. Therefore, the examples of Isabella's early intercessions on the behalf of women who killed men are inconclusive. It seems that as a young queen, she had not established herself as a particular protector of women or of women associated with crimes involving murder. Her early acts of intercession were sporadic and varied, and during the first five years of her queenship, she certainly did not emerge as a woman who demonstrated a particular affinity for protecting other women or murderers.<sup>32</sup> After 1313, there are no other records of Isabella's having interceded on behalf of someone accused of murder or wrongful death until the case of Cristina, wife of Thomas Scot, sixteen years later.

In addition to the pardons she secured, Isabella also interceded at times of great political tension between her husband and his rebellious

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30. From the patent rolls: May 14, 1311 (Berwick-on-Tweed), "Pardon at the instance of queen Isabella to Cicely wife of Peter le Taverner of Aulton for the death of four foreign merchants killed in her house for which she was tried before John de Foxle and William de Hardene justices of the gaol delivery for Winchester and sentenced but respited being pregnant as appears by the record of the justices." CPR 1307-1313, 349.

31. From the patent rolls: May 3, 1313 (Westminster), "Pardon at the instance of Queen Isabella to Cicely de Rypon for the *death* of Robert de Brome de Lapworth." CPR 1307-1313, 570.

32. The TNA's SC 8 collection of Ancient Petitions also lacks any documents written by women during the reign of Edward II until 1322. SC 8/55/2731. There are three other petitions preserved in SC 8 written by women during the reign of Edward II, (including one filed jointly with her husband), but all were submitted late in his reign. SC 8/90/4463 (1323); SC 8/129/6432 (1324); and SC 8/56/2783 (1326-1327).

barons, just as she was expected to. The chroniclers note three main occasions of her intercession on occasions when Edward's authority was most threatened by the nobility. These three events occurred in 1313, 1318, and 1321, when she participated in negotiations between the King and his magnates. In the chronicles, she is recorded as behaving as an ideal intercessor, as a kindly and compassionate bringer of peace.<sup>33</sup> She publicly begged her husband to avoid war and to compromise by pardoning his enemies—all for the good of the realm. Each example of Isabella's intercession also reinforced her loyalty to her husband and helped him recover his own power. While Isabella was often working with the magnates to realize the agreements, treaties, and oaths, she was, nevertheless, negotiating terms which were favorable to the King. Thus, she constantly established herself as a good and supportive wife while concurrently demonstrating her concern for the health and stability of the realm as well. Furthermore, her public acts of intercession very often coincided with the births of each of Isabella's four children.<sup>34</sup>

The first case, in 1313, involved Isabella's intervention to attenuate Edward's rage over Piers Gaveston's murder in June 1312. The King was furious with his nobility for their illegal action against his favorite, and he was determined to wage war upon them. This was a crucial moment during his reign that shows how contentious and hateful the various factions had become and how the great men of the realm were in almost constant disagreement and circling around the threat of civil war. There was also a great deal of uncertainty about the legal status of this crime given how unclear it was whether the Ordinances of 1311 were still in effect or not.<sup>35</sup> This type of instability, which could have been devas-

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33. In fact, the way that the chroniclers relate these events makes Isabella seem more like a symbol or a didactic stereotype of perfect queenliness than an actual person. The chroniclers most likely focused on these three events because she acted within a capacity that they could understand and write about comfortably.

34. Prince Edward was born November 13, 1312, John of Eltham July 15, 1316, Eleanor of Woodstock, June 18, 1318, and Joan (Jeanne) of the Tower, July 5, 1321.

35. Edward had agreed to the creation of the Ordainers in March, 1310. The group then published all forty-one articles of the Ordinances on October 11, 1311. The King and peers struggled over the application and legality of the document until the Ordinances were finally repealed in 1322. Had the Ordinances still been in effect, then Gaveston was technically an outlaw who could, in fact, be executed without regard for legal process. Lacey, *Royal Parson*, 97. Haines, *King Edward*, 86.

tating for Edward's authority, created an opportunity for the Queen to intercede, increase her political presence, and shape high politics. Isabella, who had given birth to their first son and heir in November 1312, was able to convince the barons to yield to the king by appealing to their sense of obligation to prioritize the stability and health of the realm rather than their own petty problems. According to Thomas Walsingham, the rebellious barons begged for pardon and made public apology at Westminster in October 1313.<sup>36</sup> Edward agreed and pardoned the great earls and nearly five hundred of their retainers. For the moment, Edward II had regained his position of authority while simultaneously establishing a truce; Isabella was partially to credit for this.

This particular moment of intercession contributed to more than simply the political stability of the realm. The fact that the first royal child, a son no less, had been born just five months after Gaveston's death also had the potential to assuage the nobility's anxiety about succession. The birth of the King's son demonstrated that the King and Queen had engaged in conjugal relations and that they had successfully produced an heir. Isabella's act of intercession not only secured reconciliation between the monarchy and the nobility, but also between the royal couple.<sup>37</sup> Edward and Isabella could also enjoy a public truce and celebrate the birth of their son. Isabella's child reified her loyalty to her husband while simultaneously reassuring Edward's critics that he was capable of fulfilling the biological obligations of a husband and reigning monarch. Isabella's intercession carried far-reaching and important consequences that, at the moment, demonstrated her importance and investment in her role as consort and gained her greater political authority.<sup>38</sup>

The Queen was once again employed as a mediator during the complex events surrounding negotiations for the Treaty of Leake. In August

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36. Thomas Walsingham, *Historia Anglicana 1272-1422*, ed. H. T. Riley, Rolls Series 28, vol. 1 (London, 1863), 136.

37. Christopher Fletcher, "Manhood and Politics in the Reign of Richard II," *Past & Present* no. 189 (Nov. 2005): 3-39, 27, <http://www.jstor.org/stable/3600748>.

38. "If queens were able to please the king sexually, they would have much greater opportunity to interfere in his political affairs." Isabel de Pina Baleiras, "The Political Role of a Portuguese Queen in the Late Fourteenth century," in Woodacre, *Queenship in the Mediterranean*, 113.

1318, the tense situation between monarch and magnates had again been pushed to the brink of civil war. The strain between the Earl of Lancaster and Edward had grown to such an irreconcilable and debilitating point that parliaments and military summons were almost always delayed due to the stubborn refusal of one of them, usually Lancaster, to attend.<sup>39</sup> This meeting at Leake, however, and the ensuing agreement between the King and the Earl of Lancaster were terribly important for restoring stability to the realm. Neither the Middle Party nor the Lancastrians, however, compromised willingly. Again, it was the Queen, acting as intercessor, who appealed to her husband's sense of Christian charity by interceding for more than six hundred of the Earl's retainers and associates who then received letters of pardon.<sup>40</sup> This moment of intercession occurred after the birth of her third child, Eleanor of Woodstock. Eleanor had been born in July during the negotiations, which continued until the Treaty was signed on August 9.

In August 1321, Isabella procured peace for a third time between the King and the magnates, assisting the Earl of Pembroke by publicly "begging on her knees for the people's sake."<sup>41</sup> Edward did issue pardons in parliament to those nobles and magnates who had encroached upon the Despensers' lands and power during the first phase of the Despenser War.<sup>42</sup> Again, a familiar pattern emerges. She had just given birth to her last child, Joan of the Tower, in June. At this moment of uncertainty and confrontation between the King and the Lancastrians, Isabella succeeded in delaying war and prolonging negotiations for over half a year. Although, in the end, the uneasy truce did unravel at the bloodbath at Boroughbridge the following year, the chroniclers praised her attempt

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39. Haines, *King Edward*, 111-12.

40. CPR 1317-1321, 199.

41. From the *Annales Paulini*: "domina etiam Isabella regina Angliae pro populo genu flectendo orante." William Stubbs, ed., *Chronicles of the Reigns of Edward I and Edward II*, Rolls Series 76, vol. 1 (London: Her Majesty's Stationery Office, 1883; repr., Wiesbaden: Kraus Reprint, 1965), 297.

42. Westminster Abbey Muniments 22776. CPR 1321-1324, 15-20. These pardons were revoked the following Easter. See James Conway Davies, "The Despenser War in Glamorgan," *Transactions of the Royal Historical Society*, 3<sup>rd</sup> ser. 9 (1915): 21-64, doi: 10.2307/3678293.

as successful and commended her for her willingness to mediate between the two great and angry parties in the hopes of gaining peace.

More importantly, each of these successful acts of intercession took place soon after she had given birth, thus reinforcing her connection to the Marian ideal of the heavenly mother and intercessor. Her maternity reminded the great men of the realm that she was simply a woman and therefore not a political threat while simultaneously embodying the feminine ideal of all that is motherly and nurturing, characteristics which balanced the king's and nobility's hardened masculinity.<sup>43</sup> This is an important point to make about the power of intercession, in general. It is a difficult trick to both sway the king to perform an act that he does not necessarily want to and to do so without making him appear to have compromised his authority in any way.<sup>44</sup> While it is beneficial for the king to be perceived as merciful and kind, it is also important that he not be viewed as malleable or weak. He must not be seen as a man who is easily persuaded to do whatever his wife tells him, particularly if his wife is making the request in public. This was especially pertinent during the troubled reign of Edward II when "evil counselors" and favorites (such as Piers Gaveston and Hugh Despenser) were perceived as being the real power behind the throne. Intercession reminded the public that the King alone retained the power to grant her request or not; ultimately, he chose to listen to her or to ignore her.<sup>45</sup> Few husbands would refuse a favor to his pregnant wife, however. Her pregnancy not only reminded him of her subordination and loyalty to him, but also very publicly focused attention on her body rather than her eloquence or rationality. The acquiescent king does not appear to have been swayed by a woman's intellectual abilities, but by the pity and satisfaction her swollen body

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43. The birth of a child also provided evidence that the Queen's sexuality operated within acceptable spheres that prioritized the King's needs rather than her own. Fitch, "Medieval Mediators," 1.

44. A good queen "knew how to use her influence on her husband for a good cause, without intruding too much on his decisions." Oliveira, "Philippa of Lancaster," 132. Philippa of Lancaster, for example, expressed her own understanding of a proper wife by stating that "the better they are, the less they should meddle in their husband's decisions." Gomes Eanes de Zurara, *Crónica da Tomada de Ceuta*, 34 (Lisbon, nd) cited in Oliveira, *Ibid.*, 137.

45. Fitch, "Maternal Mediators," 13.

evoked.<sup>46</sup> Furthermore, the visual sight of her pregnant body also reassured the realm that her authority was temporary by reminding all that even though her mediation allowed her entrance into the public sphere, her obvious service to her husband's sexual and procreative needs fixed her neatly within the private sphere to which she would be expected to return upon giving birth.<sup>47</sup>

There are a number of reasons why a pregnant intercessor would have been perceived as possessing more authority than a woman who was not currently expecting a child, although it was understood that that authority was temporary. In the case of the queen, her concurrent

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46. In fact, chroniclers preferred the trope of the interceding pregnant queen so much that they often embellished their texts to accommodate the image. The most famous example is Froissart's exaggeration of Philippa's pregnancy in August 1347. A heavily pregnant Philippa is recorded as interceding on the behalf of six men who were captured at Calais by appealing to her husband, Edward III, for the sake of "the Son of Holy Mary and for love of me." Geoffrey Brereton, trans., *Froissart: Chronicles* (London: Penguin Books, 1978), 109. As many historians have pointed out, this event must have been fictitious as Philippa's next child was not born until May 1348 thus making it physically impossible for her to have been heavy with child nine months prior. See John Carmi Parsons, "The Pregnant Queen as Counsellor and the Medieval Construction of Motherhood," in *Medieval Mothering*, ed. John Carmi Parsons and Bonnie Wheeler (New York: Garland Publishing, 1996), 41. Yet, it is important that Froissart thought that he would make the story of her intercession more dramatic if he made the Queen, already a mother of ten, physically encumbered as she fell to her knees and struggled against the weight of her own body and the king's fertility. Furthermore, Philippa performed her act of supplication within a very public and ritualized arena, again conforming to the chroniclers' ideal of the queen's role. With this anecdote, Froissart protects Edward III as well. Surely any reader would understand his being moved to pity at the pathetic sight of the queen humbling herself and making reference to the Virgin and to herself. Edward could not possibly refuse such a display and is therefore safe from being perceived as weak or overly merciful if he spares these men's lives for the sake of such a noble lady. Kristin Geaman, "Queens' Gold and Intercession: the Case of Eleanor of Aquitaine," *Medieval Feminist Forum* 46.2 (2010): 10-33. A similarly exaggerated passage can be found in a Portuguese chronicle describing the miraculous powers of Edward III's granddaughter, Philippa of Lancaster, Queen of Portugal, whose "fervent religiosity" and compassionate prayer to the Virgin healed her husband, the king, of a serious illness. Oliveira, "Philippa of Lancaster," 129.

47. Fitch, "Maternal Mediators, 14.

pregnancy and intercession, which are the two main duties of her office, are symbolic of her fidelity and trustworthiness to the king and to the realm.<sup>48</sup> A queen was never simply another mother-to-be. She was the bearer of the heir to the throne and of the daughters who would make politically advantageous marriages. She perpetuated and secured the royal line, and thus her pregnancy was that much more important than other women's.<sup>49</sup> Therefore, a pregnant intercessor was not merely a nagging wife; she had more authority due to the political importance of her womb. Because a queen's pregnancy and reproductive body were perceived as political, an adept or ambitious queen could also make claims to a temporary political position herself. While pregnant, she could remind the realm that she had great political importance as the bearer and caregiver of the next sovereign. At such a time, her other political activities—like intercession—would thus be more acceptable and contextualized within her maternity. Therefore, before her coup in 1327, Isabella had become publicly established as a model mediator. Her public intercession reinforced the notion that she accepted her role as consort and, most importantly, that she was the fertile, gentle, and good mother of four children. Motherhood justified her sexuality, which the presence of a new child proved was properly governed by her husband and applied procreatively. Even Isabella's more private acts of intercession seem to have been affected by her fertility. Of the twenty-three pardons with which she was involved during her years as consort, the bulk of them occurred in 1313, just after she had had her first child, the future Edward III. Between 1308 and 1311, she requested a total of seven pardons. In 1313, she secured nine in that year alone.<sup>50</sup> Thus, once she had

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48. Parsons, "The Pregnant Queen as Counsellor," 42.

49. *Ibid.*, 44. See also Drimmer, 111.

50. The specific dates are: March 13, 1308; March 27, 1308 (2); June 15, 1308; February 9, 1309; September 21, 1310; and May 14, 1311. TNA C 66/130/20; C 66/130/18; C 66/130/15; C 66/130/8; C 66/131/14; C 66/131/16; and C 66/135/9. Five of these pardons involved deaths; one addressed outlawry; the last pardoned a man for trespassing. Between January and November, she interceded in cases involving trespass, general felonies, and outlawry. Only one of these cases, that of Cecily de Rypon, involved death. TNA C 66/139/11.

made the passage from wife to mother, her influence over her husband seems to have increased as had her appeal to petitioners.

Isabella does seem to have demonstrated some interest in pardoning pregnant women. Pregnant women almost always had their sentences of execution delayed until the birth of the baby. In some cases, it was also possible for the new mothers to be pardoned upon the birth of their child. Helen Lacey has identified sixteen such cases from 1307 to 1399, including two during the reign of Edward II, in which Isabella interceded, and two more under Edward III that also involved Isabella's intercession (including the case of Cristina, widow of Thomas Scot).<sup>51</sup> Isabella was therefore responsible for 25% of all pardons of pregnant women during this period. On May 1311, she convinced her husband to pardon Cecily, wife of Peter the Taverner. Then on October 6, 1313, she interceded on behalf of Matilda, widow of Roger atte Brewer, who had been imprisoned and sentenced to hang for the crime of receiving convicted thieves and for other felonies.<sup>52</sup> Then she interceded for two pregnant women in 1329. In January, she secured a pardon for Isabella Hore, who had been sentenced to hang for "breaking open a chest," and in March, she saved Cristina.<sup>53</sup> Whether guilty or not, the fact remains that Isabella demonstrated compassion for these mothers-to-be and for

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51. Lacey, *Royal Pardon*, 69. Of the remaining cases, four others had been secured by reginal intercession: two by Philippa and two by Anne of Bohemia, consort of Richard II. Philippa's pardons were for Alice Marchant and for Margaret, wife of Henry Melbury, both of whom were accused of theft. Both were pardoned on June 22, 1369. CPR 1367-1370, 274, 285. Anne of Bohemia's pardons also exonerated two women accused of theft: Agnes Martin (pardoned March 30, 1383) and Juliana, wife of Jon Gylle (pardoned November 30, 1391 and again on February 22, 1392 for the same crime). CPR 1381-1385, 243. CPR 1392-1396, 8, 28.

52. CPR 1307-1313, 349. October 6, 1313 (Westminster), "Pardon, at the request of queen Isabella, to Matilda, late the wife of Roger atte Brewer, who was convicted, before the justices of gaol delivery of the late king for Guldeford, of receiving convicted thieves and of other felonies, and who on that occasion was sentenced to be hanged, the execution of which sentence was postponed on account of her being then pregnant." CPR 1313-1317, 20.

53. CPR January 28, 1329 (Windsor). "Pardon, at the request of queen Isabella, to Isabella Hore, convicted in the late king's reign of breaking open a chest of John de Lyngethorn at Redeburn, co. Hertford, and taking therefrom 28 s., whose execution was deferred at the time because she was then with child." CPR 1327-1330, 357.

their unborn and/or existing children.<sup>54</sup> The Queen persuaded both her husband and her son to recognize the value of maternity and the bonds between mother and child by sparing the lives of these mothers for the sake of their children. Isabella was thus able not only to remind the monarchs of the importance of the mother's role in maintaining a family and its line, but also to publically present herself as a loving mother whose concern for these children evoked ideas of Marian devotion and love.<sup>55</sup>

### Cristina's Case

Because few municipal documents related to Cristina's case have survived, there is much about this particular case that remains unknown. In 1312, Thomas Scot enrolled a will with the Hustings Court of London. There does not appear to have been another will enrolled with the Hustings Court at any other date. In his will, he bequeathed his goods to four named children and also to the fifth who had not yet been born ("*ac etiam vtermo meo in ventre dicte Cristina*"). Their living children were named Robert, Thomas, Thomas, and Liecia, and their ages are unknown. Each son was designated to receive five marks sterling apiece. Liecia also received five marks sterling as well as a number of household goods.<sup>56</sup> Thomas bequeathed the tenement on Mangonelane to Cristina to hold for life. Upon her death, the house would be divided among the five children evenly.<sup>57</sup> Thomas also named Cristina as his family's

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54. Maud, the wife of Roger le Brazour of Southwerk, wrote to the Queen to ask her to beg the King for a pardon on her husband's behalf. TNA SC 1/36/193. Roger le Brazour had apparently been imprisoned for trespassing and other felonies. Maud composed a very moving letter in which she also mentioned her pregnancy. There is no record of his having received that pardon—although that does not mean that Isabella did not appeal to her husband or that she necessarily failed to obtain a pardon.

55. Fitch, "Maternal Mediators," 6. Parsons, "The Pregnant Queen as Counsellor," 44.

56. "Also to the said Liecia twenty quarters of barley, one of his best pots, his weaker cup of silver, three silver spoons, his girdle, and five marks sterling." London Municipal Archives (LMA) CLA.023.DW.01.040. A summary of Thomas Scot's will can also be found at <http://www.british-history.ac.uk/report.aspx?compid=66847>. Roll 40(94).

57. There is no description of the house in the will. Barbara Hanawalt's work

custodian and as an executor of the will.<sup>58</sup> Although it was not unusual for husbands to name their wives as their executors, according to Barbara Hanawalt, a husband's choice to do so indicated his "high level of trust in her knowledge of his business and her honesty."<sup>59</sup> Successful executors required some level of skill in arithmetic and bookkeeping as well as some knowledge of the trade or business. At this point in their marriage, Thomas appeared to believe that Cristina cared about his business and

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has shown that there were three primary housing configurations in fourteenth century London that varied depending on wealth. The Scot house may not have had a courtyard, but could have possibly included a shop or storefront in addition to several rooms. Barbara A. Hanawalt, *Growing Up in Medieval London* (Oxford: Oxford University Press, 1993), 24. See also Kate Kelsey Staples, *Daughters of London: Inheriting Opportunities in the Late Middle Ages* (Leiden: Brill, 2011), 73. Husbands and fathers did not bequeath property to their daughters as frequently as they did to their sons. Barbara Hanawalt's study of the wills of London men who possessed real estate in the fourteenth century shows that they tended to leave real estate to 60% of their sons and only 44% of their daughters. Barbara Hanawalt, *The Wealth of Wives* (Oxford: Oxford University Press, 2007), 28. It is very possible that the house had been brought to the marriage as part of Cristina's dowry, which could account for the daughter's claim to the house, although there is nothing in the will to indicate its origin. It was customary for the mother's property to pass to her daughter. *Ibid.*, 56. It is just as possible, however, that the tenement did belong to Thomas Scot and had been designated to become his future widow's property as part of her dower, a marital custom that seems to have emerged in London as landowners frequently preferred bequeathing tenements rather than moveable goods. *Ibid.*, 62-63.

58. Joel T. Rosenthal has called this decision to place the children under the mother's care a "commonplace" arguing that mothers were best positioned to command their children's obedience. Joel T. Rosenthal. *Patriarchy and Families of Privilege in Fifteenth-Century England* (Philadelphia: University of Pennsylvania Press, 1991), 75.

59. Hanawalt, *Wealth of Wives*, 120. Husbands did not always imbue their wives with these legal and economic powers; some chose male relatives or friends to act as wardens for their underage children or as the caretakers of their property. In the fourteenth century, legal restrictions on husbands loosened somewhat thus allowing husbands more options in the division of their property among their heirs. Conor McCarthy, *Marriage in Medieval England: Law, Literature and Practice* (Woodbridge: Boydell Press, 2004), 63. Sarah Rees Jones, "Women's Influence on the Design of Urban Homes," in *Gendering the Master Narrative: Women and Power in the Middle Ages*, ed. Mary C. Erler and Maryanne Kowaleski (Ithaca, NY: Cornell University Press, 2003), 198.

was capable of managing his property responsibly, and to be interested in providing for Cristina's and their children's welfare should they survive him. These details imply that in 1312, Cristina and Thomas seem to have been living in a compatible and functioning marriage and that they were financially secure.<sup>60</sup>

Beyond Thomas's will, there are few other extant documents. There is no surviving marriage contract, and it is unlikely that one would have ever been filed officially. No record of Cristina's dowry or any business arrangements between the two families exist.<sup>61</sup> Had there been a disagreement over the dowry or a breach of contract or any use of force in this marriage, a record would have probably appeared in the civic courts. Neither the rolls of the Hustings Court nor of the Court of Common Pleas contain any record that either Thomas or Cristina had ever brought each other to court.<sup>62</sup> There also does not appear to be any

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60. In fourteenth-century London, it was certainly possible for the widows of established artisans, especially tanners, to take over their businesses upon the husband's death. See Caroline Barron and Anne F. Sutton, *Medieval London Widows* (London: Hambledon Press, 1994), xxvi. Some husbands willed their shops to their wives. For example, Salomon de Lauvare bequeathed shops in the Cutlery, London to his wife Isabella. LMA CLA.023.DW.01.040, <http://www.british-history.ac.uk/report.aspx?compid=66847>. Roll 40(77). Londoners who enrolled their wills in the Hustings court were almost always individuals who owned real estate and "tend to represent a more comfortable level in the social scale." Hanawalt, *Wealth of Wives*, 149.

61. Very few London marriage contracts from this period exist. *Ibid.*, 70. It was certainly not uncommon to have had the contracts read or spoken aloud. Artisans and craftsmen frequently expected their wives to work in their businesses or to maintain beneficial ties with their families who might be involved in another compatible trade. *Ibid.*, 70.

62. Hanawalt has argued that because of the great number of cases brought by wives before the Hustings Court during the fourteenth century, one can conclude that London women, especially widows, were "comfortable in public life and well informed about London laws." *Ibid.*, 78-79, 98. I surveyed the court records from 35 Edward I until 3 Edward III. LMA CLA/023/CP/32-53. Any act of adultery on Cristina's part, for example, would have increased the possibility that she could have been brought before the courts and included in the records. See Sara Butler, "Runaway Wives: Husband Desertion in Medieval England," *Journal of Social History* 40, no. 2 (Winter, 2006): 337-59, 347, <http://www.jstor.org/stable/4491898>. See also Ruth Mazo Karras, *Common Women: Prostitution and Sexuality in Medieval England* (Oxford: Oxford University Press, 1996), 30.

evidence that Cristina's father, John of Skonbergh, who was incarcerated with Cristina, ever had a case against his son-in-law brought before the courts. No complaints lodged by a neighbor or royal official have been calendared in the rolls series. The coroner's report has not survived, which sadly means that the date and the details of Thomas's death have been lost, if they were even recorded at all.<sup>63</sup> A survey of the surviving evidence does not provide any motive or insight into the rhythm of this relationship. Assuming that Cristina and her father were actually guilty of the crime for which they were imprisoned, there must have been a motive, a reason that Cristina would have taken such a great risk as killing her husband with the potential consequences of imprisonment and execution.<sup>64</sup> Both the accusation of the crime and the incarceration would have created stains on her reputation that would have adversely affected her ability to make a living, claim her husband's inheritance, and maintain custody of her children should she survive Newgate and a trial. The gaol delivery records show that Cristina and her father, John of Skonbergh, were delivered to Newgate Prison on December 17, 1328.<sup>65</sup>

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63. There is a fairly large gap in the coroner's rolls of the City of London archived at the London Metropolitan Library. Microfilm roll E ends at September 14, 1326. Roll F begins at June 20, 1336. It appears that the coroner's roll that could have included the details of Thomas Scot's death is no longer extant, assuming of course, that a report of his death ever existed. Without the coroner's report, it is also very difficult to know the length of time between his death and Cristina's trial and incarceration. In the fourteenth century, convicted prisoners were not always delivered "very promptly." See Ralph B. Pugh, *Imprisonment in Medieval England* (Cambridge: Cambridge University Press, 1968), 286 and *Crime, Law and Society in the Later Middle Ages: Selected Sources*, ed. and trans. Anthony Musson with Edward Powell, *Manchester Medieval Sources* (Manchester: Manchester University Press, 2009), 125.

64. In her examination of cases of wrongful imprisonment before the Common Pleas and King's Bench, Gwen Seabourne has noted that very few fourteenth-century English women sued for wrongful imprisonment. Gwen Seabourne, *Imprisoning Medieval Women: The Non-Judicial Confinement and Abduction of Women in England, c. 1170-1509* (Farnham, Surrey: Ashgate, 2011), 108.

65. TNA JUST 3/43/2 m 7r. Presumably, Cristina and her father would have been separated once they had arrived in Newgate. The records show that two other women had also been delivered on the same day, Christiana de Appleby and Alina, wife of Kia Misshop. Newgate, which functioned as a municipal gaol and also as a prison for felons convicted in courts throughout the kingdom, had several "chambers" for its inmates. Pugh, *Imprisonment in Medieval England*, 103-5, 281.

Because she claimed that she was pregnant at the time, Cristina was not executed (although her father, whose name does not appear on the pardon, presumably was).<sup>66</sup>

Cristina's status as a mother seems to be the reason that she survived, as was sometimes the case for medieval women. There are no trial records nor any evidence that Cristina sought other methods of overturning her sentence.<sup>67</sup> In 1329, Cristina had been a mother for at least twenty-two years, if not longer, and was apparently still having babies. If Cristina was truly pregnant upon her incarceration, then one could conclude that she had at least six children, although it is likely that she had had more pregnancies and births than that.<sup>68</sup> By 1312, she had four living children who were recognized as legitimate heirs by Thomas and are not described as having been born of another mother. One can estimate, then, that by 1312 she had been married for approximately eight years, which would allow time to birth and wean four children and conceive a fifth. The likelihood that there had been other pregnancies and perhaps other births makes an estimate of an eight-year-long marriage rather conservative. If John of Skonbergh had arranged for her marriage to occur around the age of fifteen, as was very common in the fourteenth century, that would mean that Cristina was approximately twenty-three when Thomas enrolled his will and would have been around forty years

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66. Cristina had been sentenced to death by hanging. By law, women convicted of mariticide could also be executed by being burned at the stake. This method appears to have been applied so rarely that it seems that only one fourteenth-century woman convicted of murder was executed by burning. Margaret H. Kerr, "Husband and Wife in Criminal Proceedings," in *Women, Marriage and Family in Medieval Christendom*, ed. Constance M. Rousseau and Joel T. Rosenthal (Kalamazoo, MI: Medieval Institute Publications, 1998), 240.

67. There were other opportunities for "mitigating the severity of the law" including prosecution decisions, jury verdicts and judicial sentences. By the fourteenth century, the royal pardon was a "familiar method of claiming immunity from common law procedures" with a fairly established process to be followed. Lacey, *Royal Pardon*, 11, 19, 21.

68. In the intervening years between 1312 and 1329, Cristina may have had as many as eight more children, although there are no birth or baptism records or any reference to Scot children in other primary sources.

old at the time of the murder.<sup>69</sup> Without the coroner's report, there is almost no way of calculating Thomas's age upon his death, although it is not unreasonable to conclude that he would have been considerably older, especially if he had completed an apprenticeship in his trade during his youth.<sup>70</sup> It seems unlikely, although not impossible, that she would have been older than forty-five or fifty if it is true that she was pregnant in 1329.

Cristina's 1329 pregnancy could be an indication of a happy, sexually satisfying marriage or just as easily of a sexually abusive marriage that had created an unwelcome pregnancy and driven her to seek alternatives to remaining with Thomas. Certainly, domestic violence was not unusual in fourteenth-century England, nor were wives expected to dictate the parameters of their marital sexual lives or to make such personal information public.<sup>71</sup> Had this been an abusive marriage, Cristina could have appealed for a divorce based on cruelty, but this was often a very difficult recourse for a *femme couverte* to take due to both religious and legal restrictions as well as lack of support systems for divorced women.<sup>72</sup> Furthermore, the concept of an excusable or justifiable homicide did not exist within the medieval legal lexicon, although Bracton was familiar with the concept of killing *ex necessitate*, assuming of course that the

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69. Hanawalt, *Wealth of Wives*, 51.

70. Barbara Hanawalt, "Remarriage as an Option for Urban and Rural Widows in Late Medieval England," in *Wife and Widow in Medieval England*, ed. Sue Sheridan Walker (Ann Arbor: University of Michigan Press, 1993), 147.

71. A study of married women's use of the courts shows that they were unlikely to publicly appeal for redress of any wrong they suffered except for cases concerning the deaths of their husbands. Of 297 appeals made by married English women between 1194 and 1306, 245 were brought for the death of a husband, and only twenty were brought for redress for assault or wounds inflicted by their husbands. Kerr, "Husband and Wife," 226-27.

72. See McCarthy, *Marriage in Medieval England*, 141; Sara Butler, *The Language of Abuse: Marital Violence in Later Medieval England* (Leiden: Brill, 2007), 30, 131; and James A. Brundage, "Domestic Violence in Classical Canon Law," in *Violence in Medieval Society*, ed. Richard W. Kaeuper (Woodbridge: Boydell, 2000), 186-87, 189. "The common law view generally seems to have been that what took place at home was to be kept at home—like the wife, enclosed, protected, covert." Seabourne, *Imprisoning Medieval Women*, 113.

killer truly had no other means of escape.<sup>73</sup> Self-defense could be levied as a viable argument; however, the accused would have to prove that the attack against which she was defending herself would have been fatal. Clearly, such a defense would be extremely difficult for anyone, especially a woman, to prove.<sup>74</sup>

Cristina makes no mention of the state of her marriage in the letter to Queen Isabella, which had been very politely and expertly written, nor does she provide any clues as to her motive or her innocence.<sup>75</sup> These personal reasons are lost to historians. Nonetheless, Isabella was sympathetic to Cristina's petition and apparently believed that there was sufficient reason to stay the execution. Again, outside of the letter written directly to the Queen, there does not appear to be any document attesting to the method of obtaining the pardon, nor is there any record in the Patent Rolls of Isabella's ordering a commission of oyer and terminer to investigate Cristina's request.<sup>76</sup> Nor does much time seem to have passed between the receipt of the petition for pardon and its grant; Isabella appears to have ushered the request through and to have fulfilled it rather quickly.

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73. Hurnard, *King's Pardon*, 68, 85.

74. *Ibid.*, 93. Helen Lacey has noted that in the fourteenth century, only eight petitioners accused of murder (seven men and one woman) cited self-defense in their petitions for pardon. Lacey, *Royal Pardon*, 22, 37. In 1302, Benedicta Choffyn of Guernsey successfully petitioned Edward I for a pardon for murdering her husband, Owar, whom she stabbed to death in self defense while he was beating her. TNA SC 8/278/13872. Edward I agreed to pardon her for both the murder and for abjuring the realm for Normandy. CPR 1301-1307, 69.

Naomi Hurnard suggests that the criteria for successfully arguing self-defense were strict. Furthermore, "the great majority of verdicts of self-defense related to killing in brawls, especially drunken brawls." Hurnard, *King's Pardon*, 92. If that was truly the court's expectation, then women would be even further disadvantaged from pursuing this line of defense.

75. It was not uncommon for supplicants to have others write their petitions for pardon. Trial judges themselves were known to recommend this course of action. Lacey, *Royal Pardon*, 27.

76. In the case of formal written petitions, Chancery clerks often recorded only the salient details of a pardon request rather than the request verbatim. *Ibid.*, 26.

## The Significance of This Case

In the early months of 1329, Isabella would have been in her mid-thirties, the mother of four, and an established intercessor with many years' experience in securing pardons and persuading kings to alter policies and decisions. She had successfully borne four children, one of whom now reigned. Isabella's maternity had secured the succession of the English throne, which brought with it the promise of potential political stability. Her other son, John of Eltham, was now Earl of Cornwall and heir to throne (until the birth of Edward III and Philippa's first son). Her daughter Joan of the Tower had been married to David II of Scotland, who would assume the throne in June 1329. Her other daughter, Eleanor of Woodstock, was still quite young, but her mother and brother were actively negotiating a politically advantageous marriage for her. Like Cristina, Isabella was now the sole parent of these children, whose ages in 1329 ranged from seven to sixteen. In 1329, Isabella was no longer expected to have any new children, but she had demonstrated her ability to successfully provide for those that she had and often did so to England's advantage. By the time she addressed Cristina's case, she had made another important transition in a woman's life cycle. She was now a widow. As a widow, she wielded her influence not over her husband, but over her son, primarily in her capacity as his mother. She also had gained a larger degree of autonomy and could thus involve herself in cases and affairs of state during the years of Edward III's minority, both directly and through her acts of intercession.<sup>77</sup>

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77. For Isabella, widowhood also allowed her a degree of sexual independence which she seems to have taken full advantage of as neither she nor Roger Mortimer seem to have made much attempt to hide their relationship. Isabella appears to have remained sexually active in an unsanctioned, possibly adulterous liaison with a man of her own choosing. Haines, *Edward II*, 169. Geoffrey Baker records a rumor that Isabella and Mortimer, "*amasius reginae*," planned to usurp the throne. Thompson, *Chronicon Galfridi*, 110. Historians have postulated that this plot may have been calculated through a possible pregnancy and the naming of a new heir. See Caroline Shenton, "Edward III and the Coup of 1330," in *The Age of Edward III*, ed. J. S. Bothwell (Woodbridge, UK: York Medieval Press, 2001), 15. Certainly, her relationship with Mortimer defied all that was chaste and pure about a reginal intercessor modeled after Marian virtue. In 1329, her sexuality could have very easily undermined

Paul Strohm has argued that the role of the intercessor is not a role of power at all. He writes that “intercessory queenship, exercised from the margins and conditioned upon exclusion from worldly office would seem more likely to dupe women than to empower them.”<sup>78</sup> Intercession, which served a very important purpose in medieval politics and provided access to the monarch and regnal justice, did operate as a strongly gendered act, but was not exclusively limited to women. In fact, men acted as intercessors with both Edward II and Edward III in great numbers. Of the 116 people who interceded on behalf of another with Edward II, only six were women, including the queen and two kinswomen.<sup>79</sup> During the fifty years of Edward III’s reign, of the approximately 380 people who acted as intercessors, thirty were women. Male intercession was not uncommon during this period. It did, however, frequently receive less attention and did not become the subject of sensationalized tales in the chronicles, nor did men find that their power and authority tended to be defined through intercessionary acts. Noblemen and clergy had much greater access to the king than noblewomen did and therefore had more opportunities to present personal or private petitions or requests. As the queen consort, Isabella’s acts of political mediation with her husband occurred publicly and added to her reputation as a proper consort while simultaneously providing her with opportunities to become visibly politically engaged.<sup>80</sup>

While I do not disagree with Strohm’s assessment of women’s public

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her claim to serve as an intercessor and provided her son with an acceptable reason to deny her requests. Nonetheless, in spite of her apparent rejection of the chaste Marian ideal of the demure intercessor, Isabella retained her influence over Edward III and over the judicial process, perhaps because of the reputation she had established as a consort or because of her maternal ties to Edward III or because of her own political skills, which indicates that Isabella enjoyed an impressive amount of power, ability, and confidence as a widow. Fitch, “Maternal Mediators,” 25.

78. Paul Strohm, *Hochon’s Arrow: The Social Imagination of Fourteenth Century Texts* (Princeton, NJ: Princeton University Press, 1992), 96.

79. These other five intercessors were Alice of Hainault, widow of Roger Bigod; Isabella Hastings; Alice, Countess of Norfolk (Edward II’s niece); Eleanor Percy; and Eleanor Raundes. Lacey, *Royal Pardon*, 188–93.

80. Kristen L. Geaman, “A Personal Letter Written by Anne of Bohemia,” *English Historical Review* 128 (534) (2013): 1086–94, 1090, doi: 10.1093/ehr/cet126.

power and intercession in general, Cristina's case is an example of how women could turn that constricting role around. While intercession very often did reinforce a woman's subordination to her husband, the facts of this case are that both women had freed themselves from their husbands, were perceived by some as responsible for both men's deaths, and had not suffered the penalties for it. Clearly, their actions do not suggest an acceptance of a subordinate position nor of limitations on the roles of wife and mother. Cristina's case, for example, completely destabilizes the idea of nurturing and heavenly motherhood. She claims to have been pregnant during the time that she was charged with murder. I have yet to find records which provide evidence of the birth of a new child at this time, although the pardon issued on March 2 does refer to her pregnancy in the past tense, suggesting that the child had either already been born or perhaps been lost.<sup>81</sup> However, she frequently references her living children, repeating several times that her primary concern is for her children. In her letter to Isabella, Cristina bases her argument for a pardon on the fact that she is a mother, begging the Queen to secure clemency for her and her children, a phrase she uses three times in a fourteen line letter (fig. 1).<sup>82</sup> Near the end of the letter, she asks Isabella to appeal to "*notre seigneur le Roi son cher fitz*" [our lord King, your dear son]. She is appealing to the queen mother by demonstrating that they have something in common and that she expects Isabella to have influence over Edward III because she is his mother. She is also generating a sense of sympathy for her fatherless children, appealing as one widowed mother to another. Cristina describes herself as a simple mother whose priority is protecting the unborn child in her womb and her other children who will suffer if orphaned. She evokes these two tropes—motherhood and widowhood—as examples of her feminine powerlessness, while in reality they are the basis of her appeal for a pardon for her crime and her most effective leverage. Furthermore, the fact that she refers to Edward III as a cherished child indicates that she views Isabella's identity as the queen mother as a position of power.

In her letter to Isabella, Cristina redefines her own identity throughout

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81. The closing line of the pardon as recorded in the calendar reads "whose execution was deferred at the time because she was then with child." CPR 1327-1330, 372.

82. TNA SC 1/42/110 lines 3,5 and 6 .

the text. In the first line, she introduces herself as “*Crestiene femme nad-gares Thomas Scot de Loundres pottere*” [Cristina, formerly (or lately) the wife of Thomas Scot of London, potter]. In the third line, she uses the phrase “*Crestienne sa femme et a leur enfanniz*” [Cristina his wife and their children]. Then the narrative abruptly shifts. Cristina no longer draws attention to her marriage by referring to herself as a wife. The next three references she makes to herself begin with a statement of her name and then include her children. The phrase “*Crestienne sa femme et a leur enfanniz*” transforms into “*Cretiene et ses enfanntz*” repeated in lines five and six. This possessive adjective marks a significant change in her self-presentation. These children are *her* children not theirs, and she wants to be read as Cristina rather than Cristina, the wife. Her word choice reflects both her desire to be seen as a *femme sole* and as a mother. She repeatedly mentions her children and draws attention to her status as a mother. By dropping her use of the word “*femme*,” she further reminds her reader that she is no longer defined by her marriage and that she alone is responsible for the wellbeing of these children. Cristina redefines herself as a widowed mother while making it clear that she intends to continue to be responsible for these children, some of whom presumably must have been adults by 1329. In the final three references she makes to herself, she links her name to her father’s twice, reminding the reader that John of Skonbergh is “*son pere*” and once refers to herself as “*sa fille*.” Cristina still possesses natal familial ties and obligations separate from her marital connections.

The text of this letter catalogues the phases of Cristina’s life as wife, then mother, and as concerned daughter as well. She consciously presents herself as a devoted mother and daughter who focuses her energy on caring for these children and her father in his own time of need. By shifting her self-definition from Thomas Scot to her children and to her older, incarcerated parent, Cristina not only draws attention to her obligations and accomplishments, but also deflects interest from the details of her own incarceration. She legitimates her petition through her own continuing responsibilities of providing love and care for others, a task similar to Isabella’s own as the queen mother who now cares for her son, the King, and for the realm during his minority.

Yet, at the same time, Cristina had been publicly convicted of killing

her husband. Murder, the deliberate taking of a life, is a serious crime, antithetical to motherhood, which involves the creation and nurturing of new life.<sup>83</sup> Cristina, Thomas, and their family lived right in London, on Mangonelane within the parish of the church of St. Dunstan in the East and near the Tower of London. Thomas was an established potter, which meant that both Thomas and Cristina were probably well known in their London neighborhood and possibly even beyond.<sup>84</sup> Therefore, her husband's murder could not have been unknown. It thus seems likely that in 1329 Cristina could have been perceived by a section of Londoners as a killer. Cristina would have sought to re-establish her reputation by shedding the label of murderer and reminding her community of her more positive identity markers, such as being a mother and a loyal daughter. She pursued this goal by gaining the protection of Isabella, who was the most famous mother in England at that time. Isabella's protection then produced a pardon from her son, the King. The King's pardon negated Cristina's identity as murderer—at least in the official record—and allowed her the freedom to return to her home and to her children.<sup>85</sup>

Pardoning Cristina meant that any perceived crime had been forgiven and that she no longer bore the blame or punishment for Thomas

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83. Most remarkably, near the end of Isabella's life, the crime of killing one's husband became elevated to an act of treason. The Statute of Treason of 1352 equated the rising up of any inferior against his or her lord as a treasonous act, including a wife rising against her husband ("*une femme qi tue son baron*"). Eleanor Lodge and Gladys Thornton, eds., *English Constitutional Documents 1307-1485* (New York: Octagon Books, 1972), 22. Barbara A. Hanawalt, "Violence in the Domestic Milieu of Late Medieval England," in *Violence in Medieval Society*, 87.

84. LMA CLA.023.DW.01.040 (microfilm x 109/402 roll 40 entry 94). This was probably a rather comfortable neighborhood in the fourteenth century. Hanawalt, *Growing Up in Medieval London*, 34. Today, Mangonelane is called Mincing Lane. St Dunstan's in the East church was destroyed in the Great London Fire of 1666 and now lies in partial ruin. The site has been turned into a park at the end of Mincing Lane. Hanawalt has noted that London was very crowded in the early fourteenth century and that many of the city neighborhoods within the city walls had spilled out into several wards that surrounded them and housed approximately 80,000 people. Hanawalt, *Wealth of Wives*, 4.

85. English subjects who presented a charter of pardon could seek acquittal or a remission of their conviction. Lacey, *Royal Pardon*, 19.

Scot's death. Isabella was perceived as possessing the power to convince the King to issue a pardon. As an experienced intercessor, as the Queen Mother, as a former queen consort who had been noted for her political involvement and accomplishments, Isabella was able to reinforce the perception that she was a powerful political presence.<sup>86</sup> Cristina's acknowledgement that it was indeed Isabella who possessed the power to persuade the King to exonerate her and wash away the stain of her sentence further reinforced the notion that the Queen Dowager wielded a great deal of power and authority.<sup>87</sup> At the same time, however, that forgiveness ultimately emanated from the King whose final word determined Cristina's fate. A queen's intercession does reinforce the patriarchal monarchical system which concentrated power in the king's hands. Nonetheless, an adept intercessor could obtain her goals without the appearance of disrupting the balance of power.

By 1329, however, Isabella's political power no longer simply depended on intercession. She had staged a political coup by overthrowing her husband and installing her son while he was still a minor. Then she acted as regent, albeit not one who had been officially appointed. Isabella had not only disrupted the natural order of succession, she had disrupted gender norms. Isabella had accomplished all of this from a position not typically endowed with great power, as Strohm has demonstrated. Her claim to political authority in England did not rest on heredity or through a dynastic claim as her husband's and son's did, but through her own actions. Her authority derived from the fact that she had deposed the prior king and ensured the succession of the next. Her ability to continue contributing to English politics stemmed not only from her own energies and continued participation, but also from the fact that she was the mother of the current king. Isabella legitimated her own authority simply through the act of wielding it, for she could not necessarily claim legitimacy via other channels.<sup>88</sup> Her continued intercession and

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86. In the text of the pardon, Edward III writes that he was "moved to piety" to pardon this woman by his mother's request: "*et accepimus nos pietatis moti et ad requisicoem Isabelle Regine anglia nostra mere carissime perdonammus et remissus eidem Cristine*" (my transcription). TNA C 66/171 m 30.

87. St. John, *Three Medieval Queens*, 47.

88. Alexandra F. Vukovich, "Motherhood as Authority in the Life of Queen Helen

subsequent influence over the king imbued her with political influence and allowed her to shape the administration, diplomatic relationships, and the lives of English citizens.

Cristina's case and the power that Isabella wielded in securing her pardon demonstrate that medieval women could manipulate the roles to which they had been assigned. Ambitious queens could use their intercessory role to validate their own political power and activity. Although the role of intercessor is one which often suggests women's subordination to men, a strong woman—particularly one who had already fulfilled her most important duty by having children and providing an heir—could redefine that role and pursue her own agenda while still appearing publicly to accept her husband's (or son's) supremacy. Edward III did issue the pardon signed with his privy seal, but, according to the wording of the Chancery instrument, he did so solely because his mother requested that he do so. In this way, both Isabella and Cristina were able to renegotiate a patriarchal system which excluded them from public power and to possibly get away with murder.

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by Archbishop Daniel II," in *Authorities in the Middle Ages: Influence, Legitimacy, and Power in Medieval Society*, ed. Sini Kangas, Mia Korpiola, and Tuija Ainonen, *Fundamentals of Medieval and Early Modern Culture* 12 (Berlin: de Gruyter, 2013), 252. Many historians have noted that a queen's access to political power often rested on circumstances and personality. Baleiras, "Political Role of a Portuguese Queen," 112.