

Courtship and the Making of Marriage  
in Early Middle English Romance

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Abstract  
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The earliest romances in English were especially concerned with questions of courtship and marriage, and explore a variety of issues and themes relating to the making of marriage. This study focuses on three early Middle English romances composed c. 1250-c.1310: *Havelok the Dane*, *King Horn*, and *Sir Beves of Hamtoun*. I employ close readings with careful attention to language and draw on the canon law and historical studies of marriage practices in medieval England to illuminate references to law, the marriage liturgy, and custom in these early romances. These romances not only reflect law and custom, however, but they also sent messages to their audience of rural gentry and urban merchants. Some of these messages reinforce the status quo, such as the ideas that one should marry someone wealthy and socially suitable, that love and free consent to marriage should lead to an appropriate marriage, and the importance of establishing a dynasty. On the other hand, the romances also include subversive messages, depicting strong heroines exercising agency and showing heroes and heroines resisting arranged marriages. Above all, these romances wholeheartedly embrace the consensual theory of marriage, in which only the free consent of the couple is necessary to create a marriage, and consequently promote love matches over arranged marriages and individual choice over larger social pressures.

## Acknowledgements

In short, he so busied himself in his books that he spent the nights reading from twilight till daybreak and the days from dawn till dark; and so from little sleep and much reading his brain dried up and he lost his wits. – *Don Quixote*, Miguel Saavedra de Cervantes

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## Introduction

The recent controversies over gay marriage in the U.S. helped alert me to the debate over marriage in medieval literature. My research has revealed that controversies over marriage are not a new development and were certainly present in medieval England. Then as now, marriage was politicized and debated, and an institution that was simultaneously public and private. Middle English literature itself participated in the contemporary debate over matrimonial issues, and recent scholarship has also seen its share of debates over how to understand marriage in the Middle Ages.

### **The Conventional Wisdom / The Old Model**

Marriages had nothing to do with love, and no 'nonsense' about marriage was tolerated. All matches were matches of interest... Marriages were frequently dissolved... [A] woman... was often little better than a piece of property to her husband.<sup>1</sup>

This quotation, from C. S. Lewis' *The Allegory of Love* (1936), is a clear expression of what used to be the conventional wisdom on medieval marriage, and continues to be subscribed to by the educated public and even often by medievalists who do not work on marriage. According to this view, a medieval couple entered into marriage as a kind of business deal arranged by their parents. Love was incompatible with or at best

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<sup>1</sup> C. S. Lewis, *The Allegory of Love: A Study in Medieval Tradition* (New York: Oxford University Press, 1936), 13.

irrelevant to marriage, all marriages were arranged, and therefore they were loveless. Although Lewis wasn't the only one who argued for the incompatibility of love and marriage in both medieval literature and life, he was a major proponent of the idea and wrote influentially on the topic. Lewis contrasts the affection of "courtly love" in romance with his view of medieval marriages as alliances of interest arranged by families, in all areas of medieval life, from peasant to noble.

E. Talbot Donaldson is widely accepted as putting an end to the theory of "courtly love" three decades later, by demonstrating that Lewis' description of courtly love doesn't withstand scrutiny of the texts in which it supposedly occurs.<sup>2</sup> In his convincing essay, he makes short work of the theory of "courtly love" in literature, but the idea that love and marriage were incompatible in medieval life had taken root and persisted in scholarship.

Georges Duby posited two models of marriage, stemming from his work in eleventh- and twelfth-century France. One, the older yet persistent model espoused by the nobility, conceived of marriages as alliances of interest arranged by families. The other, newer model, proposed by the Church, promoted a view of marriage based on love and the consent of the principals.<sup>3</sup> Marriage among the nobility, as presented by Duby, concurred generally with Lewis' view of medieval marriage, arranged by families

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<sup>2</sup> E. T. Donaldson, "The Myth of Courtly Love," in *Speaking of Chaucer*, (London: Athlone Press, 1970), 154-63.

<sup>3</sup> Georges Duby, *Medieval Marriage: Two Models from Twelfth-Century France*, trans. Elborg Foster (Baltimore: Johns Hopkins University Press, 1978). David Herlihy suggests the nobles' response constituted not a genuine model but instead simply objections to the ecclesiastical model. See Herlihy, *Medieval Households* (Cambridge, MA and London: Harvard University Press, 1985), 86.

without consideration of individual happiness and therefore loveless. In fact, Duby's view was even bleaker; as he characterized it, "Everything... conspired to prevent there being a passionate relationship between the [aristocratic] married couple comparable to what we regard as conjugal love; instead there was a cold relationship of inequality which consisted at best in condescending love on the part of the husband, and at best timorous respect on the part of his wife."<sup>4</sup> In his life's work on marriage, Duby limited his field of observation to "high society, the world of kings and princes and knights," because of the paucity of sources relevant to ordinary people at this time in France: "as soon as the historian leaves the thin upper-crust of the society of this period, he enters impenetrable darkness."<sup>5</sup> While Duby's aristocratic model may genuinely reflect the historical reality of aristocratic marriage in eleventh- and twelfth-century France, his model has been taken by some as reflective of marriage practices beyond the aristocracy, beyond the twelfth century, and beyond what is now France.

In *The Family, Sex, and Marriage in England, 1500-1800*, Lawrence Stone treats premodern (which he defines as before 1630) marriage practices together and agrees with Lewis' characterization of these marriages as loveless alliances. Furthermore, he argues that premodern marriages were without affection because these "transient and

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<sup>4</sup> Duby, *Love and Marriage in the Middle Ages*, trans. Jane Dunnett (Chicago: University of Chicago Press; Cambridge, UK: Polity Press, 1994), 60.

<sup>5</sup> Duby, *The Knight, the Lady and the Priest: The Making of Modern Marriage in Medieval France*, trans. Barbara Bray (Chicago: University of Chicago Press, 1983), 20. Duby acknowledged that the marriage practices of ordinary people probably differed from those of the aristocracy but believed it was impossible to learn about them because of the lack of sources on ordinary people in the early Middle Ages.

temporary association[s]" lasted "only" seventeen to twenty years on average due to high mortality rates, and couples resisted emotional engagement with each other because of the supposedly fleeting nature of their marriages. Stone's view of premodern marriages as affectionless alliances of interest is consistent with his overall argument for a transformation in England from a kinship- and community-based, brutal, and emotionless premodern society to an individualized, loving modern society concomitant with the evolution to a modern capitalist system.<sup>6</sup> Despite problems with argument and evidence, Stone's widely read book was well received by both the general public and historians, who proclaimed it a landmark study. Some found fault with Stone's analysis of the premodern English family, but even Philippe Ariès, a historian of childhood and the family, praised the book's beginning "with the traditional, premodern family, which Stone has analyzed admirably."<sup>7</sup> Others were just as laudatory, calling the book "an indispensable chart to a landscape which it will take at least another generation of historians to explore with any precision," "dazzling," "an astonishing, absorbing mountain of a book."<sup>8</sup> Despite some criticisms, Stone's wide-ranging study was hailed as

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<sup>6</sup> Lawrence Stone, *The Family, Sex and Marriage in England, 1500-1800* (New York: Harper and Row, 1977), 55.

<sup>7</sup> Philippe Ariès, review of *The Family, Sex and Marriage in England, 1500-1800*, by Lawrence Stone, *American Historical Review* 83, no. 5 (1978), 1222.

<sup>8</sup> Keith Thomas, review of *The Family, Sex and Marriage in England, 1500-1800*, by Lawrence Stone, *Times Literary Supplement*, 21 October 1977, 1227; Paul Slack, review, *English Historical Review* 94, no. 370 (1979), 124.



“a grand monument,” and his characterization of premodern marriage, as well as premodern life in general, was influential.<sup>9</sup>

### **The Emergence of the New Way of Thinking about Medieval Marriage**

In the context of the persistent idea that medieval marriages were arranged unions incompatible with affection, in 1975 Henry Ansgar Kelly suggested that medieval marriage could be “illicit and furtive” and loving.<sup>10</sup> His influential *Love and Marriage in the Age of Chaucer* examines a wide range of late-medieval English literary works in order to show the compatibility of love and marriage. He drew on what was available in canon law scholarship at the time and opened up for other literary scholars the usefulness of that field to the study of medieval literature. His argument that Chaucer’s Troilus and Criseyde enter into a clandestine marriage was rightly discounted by critics immediately, because of the lack of support within the text. In addition, Richard Helmholz’s survey of marital court cases in medieval England, published after Kelly’s book went to press, discussed clandestine marriage at some length and showed the consistory courts would not have accepted Troilus and Criseyde’s relationship as a marriage. Nevertheless, despite the ultimate collapse of one of its major arguments, Kelly’s book demonstrated that love was consistent with marriage in medieval English

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<sup>9</sup> Michael McDonald, review of *The Family, Sex and Marriage in England, 1500-1800*, by Lawrence Stone, *Sixteenth Century Journal* 10, no. 2 (1979), 123.

<sup>10</sup> Henry Ansgar Kelly, *Love and Marriage in the Age of Chaucer* (Ithaca: Cornell University Press, 1975), 31.

literature, and his application of evidence from canon law scholarship to literature was especially influential on future study of marriage in medieval literature.

After Kelly, significant developments occurred in the study of the canon law of marriage and the history of medieval marriage. Advances in the field of marital canon law in the 1970s and '80s expanded understanding of the discipline. At the same time, social history, with its new methods and subjects of study, illuminated the practices of ordinary medieval people, including the making of marriage. These developments in both disciplines combined to debunk the received conventional wisdom regarding medieval marriage.

### **The Legal and Historical Background to Marriage in Middle English Literature**

A brief overview of medieval canon law and the practice of marriage in medieval England provides an important context for understanding issues of courtship and marriage in Middle English literature. During the twelfth century, Europe experienced an evolutionary change in the theory of marriage, from unions oriented by the needs of kinship networks to ones dependent on individual consent. The key to this change was the Church's development of the consensual model of marriage, which held that the consent of the principals was essential in the contracting of marital unions. This idea of consent to marriage was not new, and it had several sources and precedents: it was a tenet in Roman civil law; it was articulated by some early Church fathers, including

Augustine; and it was practiced by some Germanic tribes.<sup>11</sup> The consensual model of marriage, then, developed gradually and was among the many issues of canon law that were debated and decided on in papal decretals and regional Church councils for centuries.

Three authors figured most prominently in crafting the consensual model of marriage in the twelfth century. The first, canon law compiler Gratian, developed in his *Decretum* (c. 1140) the theory that entering into marriage entailed two necessary stages. The first, betrothal, was the verbal consent of the two persons to be married, which initiated the bond of marriage. The second, sexual intercourse, completed the marriage and made it indissoluble.<sup>12</sup>

At the same time, Gratian's contemporaries at the cathedral school of Paris, most notably theologian and later Bishop of Paris Peter Lombard (c. 1100-60), theorized two

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<sup>11</sup> James A. Brundage, *Law, Sex and Christian Society in Medieval Europe* (Chicago; London: University of Chicago Press, 1987), 187. For consent to marriage in Roman civil law, see Brundage, 33-37; John T. Noonan, Jr., "Novel 22," in Basset, William W., ed., *The Bond of Marriage: An Ecumenical and Interdisciplinary Study* (Notre Dame: University of Notre Dame Press, 1968), 44; Percy Ellwood Corbett, *The Roman Law of Marriage* (Oxford: Clarendon Press, 1930), 91; and Suan Treggiari, *Roman Marriage: Iusti Coniuges from the Time of Cicero to the Time of Ulpian* (Oxford: Oxford University Press, 1991). For marital consent in the Church fathers, see Brundage, 92, and Willy Rordorf, "Marriage in the New Testament and in the Early Church," *Journal of Ecclesiastical History* 20 (1969): 195-209. For marriage by consent in early medieval Germany, see Christian Gellinek, "Marriage by Consent in Literary Sources of Medieval Germany," *Studia Gratiana* 12 (1967), 577. On the consent of the couple in Anglo-Saxon England, see Christine Fell, *Women in Anglo-Saxon England and the Impact of 1066* (London: British Museum; Bloomington: Indiana University Press, 1984), 58.

<sup>12</sup> Brundage, "Marriage and Sexuality in the Decretals of Pope Alexander III" in *Sex, Law and Marriage in the Middle Ages* (Aldershot: Variorum, 1993), 59-83: 65. According to Gratian, "Matrimonium sponsali conuentione initiatur, commixtione perficitur," *Decretum* c.27 q. 2 c. 37, printed in Emil Friedberg, ed. *Corpus iuris canonici*, 2 vols. (Leipzig, 1879; reprint, Graz: Akademische Druck-U. Verlagsanstalt, 1955, vol. I, 1073: "The agreement of betrothal begins a marriage, sexual union completes it."

kinds of consent, *verba de futuro* and *verba de presenti*. As Brundage explains it, *verba de futuro* entailed “the kind of consent exchanged in betrothal, that is consent phrased in the future tense, which created a commitment to wed at some future time.”<sup>13</sup> Like Gratian’s two-stage theory, Peter’s *verba de futuro* required sexual intercourse to complete the union and make it indissoluble. In contrast, *verba de presenti* denoted consent in the present tense, and according to Peter, present-tense consent *by itself* created an indissoluble marriage, with no need for it to be followed by sexual relations in order to be complete.<sup>14</sup> The competing definitions of marriage crafted by Gratian and Peter Lombard were the basis for developments in marriage law in that century and the next.

In the century after Gratian’s *Decretum*, much new canon law was produced by popes and Church councils and synods. According to Brundage, all popes during this time generated decretals concerning marriage,<sup>15</sup> but by far the greatest contribution came from Pope Alexander III (r. 1159-81), an important shaper of the canon law of marriage in the twelfth century.<sup>16</sup> Brundage describes Alexander’s theory of marriage as

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<sup>13</sup> Brundage, “Marriage and Sexuality,” 62.

<sup>14</sup> *Ibid.*, 63.

<sup>15</sup> Papal decretals were “letters that decided particular cases and also enunciated legal rules applicable to other cases of the same type,” according to Brundage, *Law, Sex and Christian Society*, 325. For more on decretals, see Gérard Fransen, *Les décrétals et les collections des décrétals*, Typologie des sources du moyen âge occidental, vol. A-III.1, fasc. 2 (Turnhout: Brépols, 1972), 12-15.

<sup>16</sup> Brundage, *Law, Sex and Christian Society*, 325.

a modification of Peter Lombard's.<sup>17</sup> He formulated two ways to enter into a marriage. One, the "future consent" model, required the exchange of words of consent in the future tense (e.g., "I shall take you as my husband") followed by sexual consummation. The second way, the "present consent" model, required only consent in the present tense (e.g., "I take you as my husband"); there was no need for consummation. These two models continued to coexist throughout the Middle Ages, and the exchange of vows in the future tense followed by consummation or, alternatively, the exchange of vows in the present tense without consummation was all that was needed to create a valid marriage, according to the Church.

Although the law of marriage was set forth by the canonists and popes such as Alexander III, it continued to develop in Church councils and synods, particularly in the thirteenth century.<sup>18</sup> It was an era of abundant ecclesiastical marital legislation, when the Church was still working out the requirements needed to contract a marriage. Canon 51 of the Fourth Lateran Council (1215), for example, required that a priest announce an impending marriage and ensure the couple was free to marry. In England, this requirement was met by the reading of the banns three times in the parish church, which publicized the upcoming marriage and allowed for any potential objections to be

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<sup>17</sup> For more on Alexander III's theory of marriage, see Brundage, "Marriage and Sexuality in the Decretals of Pope Alexander III" and Charles Donahue, Jr., "The Policy of Alexander the Third's Consent Theory of Marriage," in *Proceedings of the Fourth International Congress of Medieval Canon Law*, ed. S. Kuttner, Città del Vaticano, 1976 (Monumenta iuris canonici, C, 5): 251-281.

<sup>18</sup> C. R. Cheney explains that in medieval England the terms "council" and "synod" were used interchangeably: "Although by a convenient custom modern writers usually apply 'synod' to diocesan meetings, reserving 'council' for assemblies of wider scope, no formal distinction was made in the middle ages" ("Legislation of the Medieval English Church," *English Historical Review* 50 (1935): 193-224, 385-417), 196).

raised.<sup>19</sup> Later developments in canon law also required the couple to exchange consent at the church door. These developments – the banns and the exchange of consent at the church door – constituted solemnization, that is, official Church recognition. They were what the Church required for a legal marriage following canon law.

Various extralegal customs also grew up around weddings, including a formal betrothal, which entailed the contracting of the marriage, in the future tense, in front of the church in the presence of a priest. In addition, on the wedding day, a number of rituals could take place outside the church, including the father giving the bride to her husband, the exchange of rings, and the priest blessing the marital couple. These rituals were followed by a nuptial mass inside the church. While these rituals were part of an ideal marriage process, canon law required only the reading of the banns and the exchange of consent at the church door for a licit, legal marriage.

However, the consensual theory of marriage also allowed for an alternative way to enter into marriage, which the Church called “clandestine marriage.”<sup>20</sup> Despite the name, “clandestine marriage” did not necessarily mean a secret marriage. Instead, the term simply referred to one entered into outside the presence of the Church, without banns or the presence of a priest, and not taking place in a church. It could, however, be

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<sup>19</sup> For a detailed examination of marriage law in English councils and synods, see Michael M. Sheehan, “Marriage Theory and Practice in the Conciliar Legislation and Diocesan Statutes of Medieval England,” in Sheehan, *Marriage, Family, and Law in Medieval Europe: Collected Studies*, ed. James K. Farge (Toronto: University of Toronto Press, 1996), 118-76, first published in *Mediaeval Studies* 40 (1978) 408-60.

<sup>20</sup> The most comprehensive treatment of clandestine marriage appears in Brundage, *Law, Sex, and Christian Society in Medieval Europe*, 276-77, 361-64, 440-43. See also R. H. Helmholz, *Marriage Litigation in Medieval England* (London: Cambridge University Press, 1974), 27-31.

very public, involving a few or many witnesses; on the other hand, it could be genuinely secret, involving only the couple themselves and no one else. Whatever the circumstances, the essential quality was that it did not involve the Church. These marriages met the requirements set forth by the canonists -- the exchange of consent by the couple, followed by sexual intercourse in the case of future consent -- and so the Church recognized them as valid marriages. On the other hand, such marriages did not conform to all the requirements of Church law, such as the banns or the priestly blessing, and thirteenth-century synodal legislation forbade marriages that did not meet all these requirements. In resolving the dilemma, the Church recognized so-called "clandestine" marriages as just as valid as those performed at a church. The only difference was that the Church often required a couple who entered into such a union to perform penance and to solemnize their union via a Church wedding.

Despite the Church's prohibition, the practice of non-Church weddings seems to have persisted and even thrived in later medieval England. One reason is that the popular practice predated the Church's attempts to exert its authority over marriage. Helmholz observes that in the early Middle Ages, the Church did not exert strict control over marriage, and that in practice, people had "considerable freedom of action" in contracting marriage, "freedom not always compatible with ecclesiastical standards." Arguing against earlier interpretations, Helmholz contends that older practices of entering into marriage continued beyond the formulation of the canon law of marriage in the twelfth and thirteenth centuries. In his survey of English consistory court records from the mid-thirteenth through the fifteenth centuries, Helmholz argues that "court

records show the tenacity of the belief that people could regulate their own matrimonial affairs, without the assistance or the interference of the Church," pointing to "the large number of clandestine [non-Church] marriages" as an example of this persistence.<sup>21</sup> It seems likely that the medieval Church accepted marriages created via non-Church weddings because the practice's pervasiveness defeated attempts to stamp it out.

A number of historians have researched marriage records that shed light on the practice of "clandestine" marriage in the English Middle Ages. Sheehan showed that non-Church weddings were very common in Ely from 1374-82 – in fact, they outnumbered Church weddings in the consistory court records 89 to 33.<sup>22</sup> He also found that some of these marriages were later solemnized, a practice he characterizes as making public and licit marriages that were already valid and complete; however, many appear not ever to have been solemnized, despite the Church's requirement. The consistory court records he examines record the matrimonial disputes only of ordinary people; Sheehan observes that those of higher social strata would have appealed directly to the bishop and bypassed the courts entirely, leaving no record for historians to discover. While later than the composition of the three romances treated in this dissertation, Sheehan's data remains relevant to issues of marriage in those texts, especially given the continued popularity of two of them in the fourteenth century.

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<sup>21</sup> Helmholz, 31.

<sup>22</sup> Michael M. Sheehan, "The Formation and Stability of Marriage in Fourteenth-Century England: Evidence of an Ely Register" *Mediaeval Studies* 33 (1971): 228-63. Rpt. in *Marriage, Family, and Law in Medieval Europe: Collected Studies*. Ed. James K. Farge. Toronto: UP of Toronto, 1997. 38-76.



Helmholz's survey of marriage cases also reports a high number of non-Church marriages. For example, citing records from Canterbury, Helmholz observes that of 41 marriages contracted by present consent from 1411-1420, 38 of them occurred in a private place, often a home, without the presence of clergy.<sup>23</sup> Throughout the period of study, Helmholz finds among the population at large "the persistent idea that people could regulate marriages for themselves."<sup>24</sup> Like Sheehan, Helmholz examines records of matrimonial disputes involving only ordinary people, as the upper crust generally were able to avoid the court system. His study shows the Church's efforts to establish authority over marriage; it had achieved more control, Helmholz believes, by the end of the fifteenth century.

Examining a set of records from the fifteenth century, McSheffrey's 2004 *Speculum* article reveals that non-Church marriages in late medieval London were quite common and did not engender disapproval from Church or community.<sup>25</sup> She contends that fifteenth-century Londoners did not find non-Church weddings unusual, that it was commonplace for marriages to be contracted privately, without involving the Church, and that these marriages could be either secret or public. Like Sheehan and Helmholz, McSheffrey examines court records for the marriage disputes of ordinary people. Despite twentieth-century scholars' embrace of the word "clandestine" to characterize

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<sup>23</sup> Helmholz, 28.

<sup>24</sup> *Ibid.*, 5.

<sup>25</sup> Shannon McSheffrey, "Place, Space, and Situation: Public and Private in the Making of Marriage in Late-Medieval England" *Speculum* 79, no.4 (2004): 960-90.

extra-ecclesiastical exchanges of consent, McSheffrey argues that the term “is both anachronistic and misleading when applied to” these kinds of unions in fifteenth-century London. She observes that, “far from being secret and illicit,” they “were often an integral, and respectable, part of the making of marriage.”<sup>26</sup> Although her data comes from the century after Sheehan and Helmholz’s records and from the urban center of London, it remains relevant, as there is little reason to suspect significant change in marriage practices during this time and her findings are consistent with those of the other two. Taken together, the three studies point to the high incidence and acceptability of non-Church marriage during the thirteenth through fifteenth centuries, suggesting the audience of the three romances examined in this dissertation would have been well aware of this way of contracting a marriage.

The popular understanding of how one entered into marriage may have differed from that of the Church and canon law. Helmholz argues that “whereas the canon law regarded the contract by *verba de presenti* as a complete marriage, many laymen continued to regard it simply as a contract to marry,” a betrothal.<sup>27</sup> Helmholz contends that “in the mind of many people” a marriage was not complete without “the formal solemnization and the consummation of the union,” a finding Brundage concurs with.<sup>28</sup> While not claiming this belief was universal, Helmholz notes that the majority of medieval marriage cases were suits to enforce a marriage and the majority of *those* were

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<sup>26</sup> Ibid., 965.

<sup>27</sup> Helmholz, 31.

<sup>28</sup> Ibid., 32; Brundage, *Law, Sex and Christian Society*, 437.

cases of contract by *verba de presenti* in which one party refused to solemnize a marriage and cohabit with the other. According to many ordinary people, then, marriage required not only an exchange of consent but also consummation and solemnization. In contrast, Sheehan finds many couples living in matrimony resulting from non-Church weddings that had taken place years before yet never been solemnized, suggesting that in popular practice consummation rather than solemnization was crucial. Brundage concurs that for many of the laity, a marriage wasn't "real" until it had been consummated.<sup>29</sup> Thus, it appears that in the minds of many ordinary people consummation was necessary in order to complete a marriage, although this was counter to canon law.<sup>30</sup>

The young couple coerced into marriage was not uncommon in actual practice, especially among the nobility. Noble families simply had too much at stake in terms of wealth and alliances to allow individuals to choose their own spouses. For them, "marriage remained part of the larger social process of the community and was often treated as a family matter to be decided in light of the common interests of the group, not merely of the contracting parties."<sup>31</sup> Beginning in the twelfth century, this practice of arranging marriages came into direct conflict with the Church's new consensual theory of marriage. "Central to the consensual theory," observes Brundage, "was free choice of

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<sup>29</sup> Brundage, *Law, Sex and Christian Society*, 547.

<sup>30</sup> Although the Church maintained that present consent alone, not consummation, created a marriage, nevertheless a marriage could be annulled because of permanent impotence (as opposed to temporary impotence) on the part of either party. Brundage notes, "Impotence that lasted for three years was presumed to be permanent and justified an annulment with right of remarriage" (Ibid., 457). Helmholz finds that in relevant court cases, the couple had usually cohabited for "the canonically prescribed three year period" before a suit was brought (88).

<sup>31</sup> Brundage, *Law, Sex and Christian Society*, 437-38.

matrimonial partners, which thenceforth took ascendancy over family interest and parental wishes in Catholic marriage law.”<sup>32</sup> Although the primacy of mutual consent was well established in canon law by the thirteenth century, members of the nobility in particular were not free to choose their spouses, and such consent as existed meant being able to refuse a proposed spouse, and even this freedom was often overlooked in practice. While the pressures on individuals to comply with the wishes of their parents would have been great, the pressures placed on wards by their guardians would also have been considerable. The guardian had legal control over the marriage of his ward and could arrange the ward’s marriage as he chose or even sell the control of the ward’s marriage to a third party.<sup>33</sup> Thus, the guardian had tremendous leeway in arranging a ward’s marriage and could gain much profit by it. While some wards, particularly male ones, were able to avoid unwanted marriages by paying a fine, many were forced or highly pressured to enter into marriages they opposed.<sup>34</sup>

Directly addressing some of the excesses of arranged marriage, the canonists and decretists attacked extreme pressures brought to bear on unwilling individuals. Pope Alexander III (1159-81) ruled that “force and fear exerted by parents or others in order to secure consent to a marriage nullified that consent, provided that the force or fear in question was ‘sufficient to move a constant man’ (*qui posset in virum constantem cadere*), a

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<sup>32</sup> Ibid., 414.

<sup>33</sup> Menuge, 84.

<sup>34</sup> Sue Sheridan Walker, “Free Consent and Marriage of Feudal Wards in Medieval England” *Journal of Medieval History* 8 (1982): 123-4.

criterion that came to play a critical role in canonical jurisprudence.”<sup>35</sup> Brundage notes that the objection to “force and fear” was not only made by Alexander and the decretists but also implemented in the Church courts, which “could and did separate those who married in violation of the canons concerning ... freedom of choice, since these unions lacked legal force or effect.”<sup>36</sup> For example, Helmholz cites, among others, a case in which a woman had been “fiercely beaten with staves prior to the marriage to induce her to consent,” and in which the judge ruled the marriage should be dissolved.<sup>37</sup> Because Church “courts were prepared to annul marriages when coercion could be proved,” the Church offered a check on some of the most obvious and egregious efforts to force unwilling couples to marry.<sup>38</sup>

Still, Brundage points out that despite the efforts of decretists, Church officials and courts, and even some municipal statutes, who continued to reiterate the principle of free consent, “families continued ... to concoct stratagems of various kinds to secure compliance with their wedding aims. A Montpellier man in 1172, for example, disinherited any daughter who failed to comply with his plans for her marriage.”<sup>39</sup> The amount of force needed to dissolve a marriage was left up to the discretion of the judges, who required a level of force that might seem quite high to a modern reader. Helmholz

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<sup>35</sup> Brundage, *Law, Sex and Christian Society*, 335.

<sup>36</sup> *Ibid.*, 288.

<sup>37</sup> Helmholz, 94.

<sup>38</sup> Brundage, *Law, Sex and Christian Society*, 439.

<sup>39</sup> *Ibid.*, 276.

reports a case in which “the girl’s family brought staves to the marriage contract only (they said) for use in getting over ditches on the way, [but] no divorce was granted.” He notes, “There had to be proof of the real possibility of the use of force or the imminent loss of one’s expected inheritance ... The force and fear which moved a constant man had to be more than the insubstantial threat, the minor inconvenience, or the parent’s urgent entreaty.”<sup>40</sup> Furthermore, a marriage, even one enjoined by force and fear, was highly unlikely to be dissolved once consummation had taken place.<sup>41</sup>

Thus, throughout the thirteenth through fifteenth centuries, various ways of contracting marriage competed in England. The Church worked to promote Church weddings including the banns and the exchange of consent at the church door, while at the same time treating as valid the non-Church, “clandestine” marriages that remained popular among ordinary people. During the thirteenth century, the primacy of the couple’s consent became essential in creating a marriage, both in ecclesiastical and popular practice, though violations of this principle sometimes persisted. Although in popular tradition consummation was regarded as necessary to make a “real” marriage, according to canon law and English statutes the exchange of vows in the present tense was all that was needed to create a marriage.

### **Marriage in Medieval English Literature**

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<sup>40</sup> Helmholz, 94.

<sup>41</sup> *Ibid.*, 91.

Recent years have seen a surge of interest in marriage in medieval English literature. M. Teresa Tavormina has considered marriage and the family in *Piers Plowman*, and Kathryn Jacobs has traced marriage contracts from Chaucer's writings to early modern drama.<sup>42</sup> Albrecht Classen published in 2004 a collection of papers delivered the previous year at a conference devoted to issues of love and marriage in medieval and early modern literature, and David D'Avray argues for the impact of marriage symbolism as a social force on ordinary people through preaching and law.<sup>43</sup>

Engaging the marriage models of Lewis and Duby, Neil Cartlidge (1997) proposes instead a new, "affective model" of marriage in English, French, and Latin literature written in England in the twelfth and thirteenth centuries.<sup>44</sup> Emma Lipton (2007) explores the related idea of sacramental marriage in medieval drama, *The Franklin's Tale*, and *The Book of Margery Kempe*. She argues that the idea was embraced and used by "the middle strata" of late-fourteenth- and fifteenth-century England to challenge the privileges of clergy and aristocrats and to enunciate a specifically bourgeois identity.<sup>45</sup>

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<sup>42</sup> M. Teresa Tavormina, *Kindly Similitude: Marriage and Family in Piers Plowman* (Cambridge: D. S. Brewer, 1995); Kathryn Jacobs, *Marriage Contracts from Chaucer to the Renaissance Stage* (Gainesville: University Press of Florida, 2001).

<sup>43</sup> *Discourses on Love, Marriage, and Transgression in Medieval and Early Modern Literature*, ed. by Albrecht Classen (Tempe: Arizona Center for Medieval and Renaissance Studies, Arizona State University, 2004); David D'Avray, *Medieval Marriage: Symbolism and Society* (Oxford: Oxford University Press, 2005).

<sup>44</sup> Neil Cartlidge, *Medieval Marriage: Literary Approaches, 1100-1300* (Cambridge: D. S. Brewer, 1997).

<sup>45</sup> Emma Lipton, *"Affections of the Mind": The Politics of Sacramental Marriage in Late Medieval English Literature* (Notre Dame: University of Notre Dame Press, 2007).

Conor McCarthy's *Marriage in Medieval England: Law, Literature and Practice* (2004), as its title suggests, treats the extremely broad territory of marriage issues throughout medieval English legal and literary texts and their relationship to the actual historical practice of marriage in medieval England. His handling of the complex and vast material is impressive, but, given the extraordinary complexity of medieval English marriage, the book's scope inevitably reduces him to a modest claim about complexity and ideological overdetermination, or the coexistence of contradictory notions brought to bear on medieval marriage practices.<sup>46</sup>

Surprisingly, explorations of marriage in medieval English romance have lagged behind scholarship in other areas of medieval English literature. Two dissertations from the first half of the twentieth century address the issue of marriage in Middle English romance. Donnell Van de Voort's 1938 dissertation argues that Middle English romances don't reflect the idealized adulterous love associated with "courtly love" in medieval romance.<sup>47</sup> Margaret Adlum Gist's 1947 dissertation treats the depiction of women and the theory and practice of warfare as they appear in Middle English romance, and concludes that "the romances present the essential outlines and the fundamental concepts of medieval society and reproduce faithfully the ideals which were the

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<sup>46</sup> Conor McCarthy: *Marriage in Medieval England: Law, Literature and Practice* (Woodbridge, UK: Boydell & Brewer, 2004).

<sup>47</sup> Donnell Van de Voort, *Love and Marriage in the English Medieval Romance* (Ph.D. diss., Vanderbilt University, 1938), published privately (Nashville: The Joint University Libraries, 1938). H. A. Kelly praises Van de Voort as an early critic of the theorized incompatibility of love and marriage in medieval life and literature and expresses surprise that Van de Voort's critique sank without a trace. Kelly, 21.



correctives for the many evils of the age.”<sup>48</sup> Sixteen years after Kelly’s 1975 book argued for clandestine marriage in Chaucer’s *Troilus and Criseyde*, a book-length study addressed marriage in medieval English romance. Anna Hubertine Reuters surveys about forty Middle English romances and categorizes them “according to variants of love relationships, and to ideas on friendship;” however, her study is primarily a taxonomy, with limited analysis.<sup>49</sup> Cartlidge explores the Guy of Warwick story (in Anglo-Norman and Middle English romances) in comparison to the St. Alexis story, but only briefly.<sup>50</sup> Clearly further exploration of marriage issues in Middle English romance is warranted.

### **This Dissertation**

This dissertation adds to the scholarly work in the field by examining issues of marriage in early Middle English romance and responding to the sea change in knowledge and understanding of medieval marriage brought about by recent work in canon law and the history of marriage. It provides close readings with careful attention to language and is also interdisciplinary, drawing on legal scholars’ work on the canon law of marriage and historians’ work on actual marriage practices in medieval England.

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<sup>48</sup> Margaret Adlum Gist, *Love and War in the Middle English Romances* (Ph.D. diss., University of Pennsylvania, 1946) (Philadelphia: University of Pennsylvania, 1947), 196.

<sup>49</sup> Anna Hubertine Reuters, *Friendship and Love in the Middle English Metrical Romances* (Lang, 1991), 5.

<sup>50</sup> Cartlidge, 99-106.

Middle English romance was an extremely popular genre, crafted for and consumed by a particular secular audience that was actually entering into marriage and therefore dealing with matrimonial issues on a regular basis. Derek Pearsall (1965) articulated the influential idea of bourgeois aspiration as the key to the audience of Middle English romance, conjecturing a lower- to lower-middle-class audience reading or listening to Middle English romances in imitation of the nobility, who were enjoying the better quality Anglo-Norman romances.<sup>51</sup> Numerous scholars following Pearsall have emphasized the broad nature of the audience of Middle English romance, although still envisioning it as centered around the middle classes.<sup>52</sup> This split along linguistic and class lines is complicated by M. Dominica Legge's examination of language use in England in the twelfth and thirteenth centuries. She concludes that only a couple of generations after the Norman Conquest, nobles were using Anglo-Norman as a literary or cultural language but speaking English as their native tongue, and that the number of literate English speakers continued to rise during the twelfth century. Instead of the dichotomy Pearsall envisions between an aristocratic Anglo-Norman audience and an English-speaking audience made up of bourgeoisie and peasants, Legge's analysis points to considerable bilingualism and even trilingualism (with Latin) among the

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<sup>51</sup> Derek Pearsall, "The Development of Middle English Romance" *Mediaeval Studies* 27 (1965): 91-116.

<sup>52</sup> See for example Dieter Mehl, *Middle English Romances of the Thirteenth and Fourteenth Centuries* (New York: Barnes & Noble, 1969), 6.

literate classes in England.<sup>53</sup> By the thirteenth century, the increased numbers of literate, native English speakers among the gentry created a demand for literature in English, including romances.

Disputing Pearsall's vision of an aspiring audience from the lower to lower-middle class, P. R. Coss (1985) traces the origin of Middle English romance instead to the rural gentry in the mid- to late thirteenth century. Interestingly, he includes merchants as part of the gentry, and he notes that the rural gentry interacted with London merchants when they visited the city.<sup>54</sup> Sylvia Thrupp also finds integration between merchants and the gentry from 1300 onwards, leading to a significant economic and cultural formation.<sup>55</sup> Geraldine Barnes (1993) concurs with Coss that Middle English romances originated among the rural gentry in the second half of the thirteenth century; however, she makes an even stronger argument for the increasingly common interests between the gentry and merchants in the rest of that century, saying that it led to a larger audience and increased demand for, and production of, Middle English romances.<sup>56</sup> The thirteenth-century gentry was a broad, evolving, and socially diverse group that provided opportunity for social mobility and included, according to Coss,

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<sup>53</sup> M. Dominica Legge, *Anglo-Norman Literature and Its Background* (Oxford: Oxford University Press, 1963).

<sup>54</sup> P. R. Coss, "Aspects of Cultural Diffusion in Medieval England: The Early Romances, Local Society, and Robin Hood" *Past and Present* 108 (1985): 40-41, 46-7.

<sup>55</sup> Sylvia Thrupp, *The Merchant Class of Medieval London, 1300-1500* (Chicago: University of Chicago Press, 1984).

<sup>56</sup> Geraldine Barnes, *Counsel and Strategy in Middle English Romance* (Cambridge: D. S. Brewer, 1993), 27.

knights, esquires, members of parliament, merchants, civil servants, those in the law, including county courts; wealthy freeholders; and local administrators, including those in minor clerical orders.<sup>57</sup> These members of the rural gentry and their counterparts among the London merchants, constituted the audience for the early Middle English romances explored in this dissertation.

My dissertation focuses on three Middle English romances composed in the late thirteenth through early fourteenth centuries. I've chosen romances from among the earliest in English because those romances concern courtship and marriage more than later ones.<sup>58</sup> *The Manual of the Writings in Middle English* lists fifteen early Middle English romances as composed no later than the early fourteenth century. Eight of them, that is, over half of the total, address issues of courtship and the making of marriage as an important part of the narrative, a very high percentage. Early Middle English romances are famously free of *fin' amor* themes; only *Sir Tristrem* and part of *Guy of Warwick* include features associated with *fin' amor*, which consequently isn't explored in this dissertation. The three romances I've chosen, *Havelok the Dane*, *King Horn*, and *Sir Beves of Hamtoun*, are representative of these early romances in their exploration of a variety of issues and themes related to the making of marriage, as I shall demonstrate. These three romances are distinct from other early Middle English romances, however, in that their main theme is the exile and return of the hero. In addition, all three have a strong

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<sup>57</sup> Coss, 47.

<sup>58</sup> In fact, English romances of the later fourteenth, fifteenth, and sixteenth centuries generally become increasingly concerned with relationships among men and considerably less concerned with courtship and marriage.

heroine, especially so in *King Horn* and *Sir Beves of Hamtoun*, although a few other early Middle English romances also have strong heroines, such as Freine, the protagonist of *Lai le Freine*.

As we have seen, there could be considerable variation in how marriages were made in medieval England. There were differences concerning the process for entering into marriage and the primacy of the principals' consent versus the interests of the family or lord. Differences even persisted over whether consent or consummation created a marriage. Not only did practices and understandings vary, but the differences were hotly debated as well. Some of this debate took written form, in a variety of genres by authors known and anonymous: sermons, drama, and some of Chaucer's *Canterbury Tales*, as numerous scholars have shown, including most recently, D'Avray, Cartlidge, and Lipton. In addition, the debate also took place in the ecclesiastical legal realm, as indicated by such documents as the often-conflicting statutes from the twenty-six councils and synods that issued marital legislation in thirteenth-century England, explored by Sheehan. Romances are less direct than some other literature addressing medieval marriage, but they nonetheless participated in the debate on the subject.

The early Middle English romances which address the making of marriage are concerned with determining how marriage is created. They usually define marriage as a contract between two individuals, dependent on their free consent. Most of these early romances involve threats to the principals' consent, including marriages arranged over the objections of children, as in *King Horn* and *Beves*; marriages arranged by powerful lords, as in *Havelok*; and love matches broken up by parents or because of social

obligation, as in *Floris and Blancheflur* and *Lai le Freine*, respectively. They explore the question of who is best able to choose a marriage partner, considering the major players of the time: the lord; the family, especially parents, and especially the father; and the principals. Some provide a role for the Church; the latter could be viewed cynically, as in *Havelok*, or positively, as in *Beves*.

The romances reflect the two major approaches to marriage: they include both the arranged marriage and the love match. As a genre, they primarily promote the love match and the idea that love *should* be an affective bond, undoubtedly because of the nature of romance and its emphasis on the individual and the role of private identity in society as a whole. In almost every romance in which courtship and marriage play a significant part, an arranged marriage appears as an obstacle to the hero and heroine's happiness. (The sole exception I know of is *Havelok*, in which the arranged marriage is intended to be a disaster for the couple but turns out well.) On the other hand, some romances present the arranged marriages of minor characters in a positive way, including loyal friends who function as consolation-prize husbands for princesses who had hoped to marry the hero. The hero and heroine are the ones in the foreground, upon whom our attention is focused. The secondary characters have to settle perhaps for a bit less, but, unlike the arranged marriages faced by the heroines, there's no indication that their marriages are not consensual or will not be happy.

The forced marriage of the heroine is an astonishingly frequent motif in Middle English romance. In many it occurs more than once (in *Sir Beves of Hamtoun*, for example,

it appears three times). The examination of this theme is only tangentially considered in this study.<sup>59</sup>

The three romances examined in the following chapters participate in the debate over the making of marriage: how marriage is created and by whom, the importance of free consent, and threats to the free consent of the principals. They also reflect the marriage practices of their time. For example, *Havelok* treats practices of inheritance and disparagement, and reflects the liturgy of marriage. In addition, secret marriage occurs in *King Horn* as well as in the more well-known case of *Sir Eglamour*. Reference to the canon law of marriage, the nuptial liturgy, and the historical practice of medieval marriage helps a modern reader to understand these practices when they occur in the text.

In addition, the romances were also sending messages to their audience, the rural gentry and urban merchants. Chief among the messages are the ideas that marriage should be an affective relationship, and that individual choice and free consent are important in creating a marriage. Personal choice and free consent to marriage were considerably more available to the romance hero and heroine than they were to the gentry-merchant audience in real life. A few cases show the kind of pressure that could be brought to bear on an individual who chose her own spouse. In 1466, Margery Paston, aged seventeen and the daughter of a gentry family, entered into a secret

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<sup>59</sup> For more discussion of this motif, see two recent studies of rape in medieval literature: Corinne Saunders, *Rape and Ravishment in the Literature of Medieval England* (Cambridge: D. S. Brewer, 2001), chapter 5; and Kathryn Gravdal, *Ravishing Maidens: Writing Rape in Medieval French Literature and Law* (Philadelphia: University of Pennsylvania Press, 1991).

marriage with her family's bailiff, to the dismay of her family. To persuade her to repudiate the union, Margery's family isolated her for two years, releasing her only when the bishop of Norwich intervened to rule that the secret marriage was indeed valid and binding. Margery succeeded in choosing her own spouse against the wishes of her parents, but was consequently disowned by them.<sup>60</sup> Her example shows how unusual it was for a young woman from the gentry to enter into a love match and how high the personal cost could be, but it also shows the power of the consensual theory of marriage and the choice a determined young woman could exert over her marriage. In another case, Margery's aunt Elizabeth, as a teenager, refused a union arranged by her parents, who isolated her from all social contact and beat her severely before the marriage negotiations were broken off by the prospective husband. In contrast, the men in the family were relatively free from pressure to enter into particular marriage alliances.<sup>61</sup>

What messages did these romances send their audience about love matches? Did the free choice engaged in by the hero and heroine provide an escape for the gentry and merchants? On the other hand, did romances plant the idea that young people should take matters into their own hands and make their own marriages? Could Margery Paston and others like her have been influenced by the romances they read and heard?

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<sup>60</sup> Ann S. Haskell, "The Paston Women on Marriage in Fifteenth-Century England" *Viator* (1973): 467.

<sup>61</sup> *Ibid.*, 478-9.



These three romances sent different messages to men than to women about courtship and marriage. To men, the romances express the idea that to grow up is to assume a socially responsible role, including getting married, settling down, and establishing a dynasty. To women, romances convey the ideas that women exercise agency, are sources of wealth (as eligible heiresses), and that it's their job to marry and found dynasties.

These three romances send some contradictory messages, in fact. On the one hand, the romances possessive subversive qualities: with their emphasis on the individual and on free choice and consent in making marriage, they promote the consensual theory of marriage and the essential affective nature of the marital union. In addition, they depict arranged marriages as threats to the couple's happiness and requiring resistance. All three of these romances also provide strong heroines with unusual levels of agency, particularly in *King Horn* and *Beves of Hamtoun*, presenting their audience with possible female role models who advise their husbands and offer strategy (Goldeborw), choose their own husbands (Rymenhild and Josian), and resist marriages arranged by their parents or guardians (all of the heroines).

On the other hand, these three romances also reinforce conventional attitudes toward marriage. In these romances, love is socially constructive, as it leads to marriage and the re-establishment of a dynasty. Moreover, in the stories of dispossessed royals who marry princesses, thereby attaining an additional kingdom before returning home and regaining their own kingdoms, the romances send the message that a spouse should be wealthy and socially appropriate. While it's not possible to assess the impact that

these romances had on their audience, they certainly did seek to convey ideological or influential messages about ways of entering into marriage, the importance of consent, and how men and women should act within marriage. The ultimate impact of the mix of subversive and conventional messages may have varied depending on which ones each individual was most receptive to.

### The Making of Marriage in *Havelok the Dane*

According to G. V. Smithers, *Havelok the Dane* was composed between 1295 and 1310.<sup>62</sup> *Havelok* is one of several extant versions of the tale. Two are in Anglo-Norman and are much shorter: Gaimar's *Estoire des Engleis* (1135-40) includes the "Haveloc episode," and the *Lai d'Haveloc* (late twelfth or early thirteenth century) is based on the episode in Gaimar.<sup>63</sup> Whether the author of *Havelok the Dane* knew the Anglo-Norman texts isn't clear, but whatever the case, "he chose to impose a far more formal and complex pattern on a story which in their hands had stayed relatively short and simple."<sup>64</sup> In addition, the Havelok story also appears in the prose *Brut* chronicle, which is extant in Anglo-Norman, Middle English, and later Latin versions but seems not to have influenced the Middle English romance.<sup>65</sup>

The Middle English romance tells the story of the dispossession by usurpation of two royal heirs, Havelok and Goldeborw; their forced marriage; and Havelok's

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<sup>62</sup> G. V. Smithers, ed. and intro., *Havelok* (Oxford: Clarendon, 1987), lxiv-lxxiii.

<sup>63</sup> Geffrei Gaimar, *Estoire des Engleis*, ed. Alexander Bell (Oxford: Basil Blackwell for the Anglo-Norman Texts Society, 1906); Alexander Bell, ed., *Le Lai d'Haveloc* (Manchester: Longmans, Green, 1925).

<sup>64</sup> Judith Weiss, "Structure and Characterisation in *Havelok the Dane*," *Speculum* 44:2 (1969), 247.

<sup>65</sup> For more on Havelok in the prose *Brut*, see Julia Marvin, "Havelok in the Prose *Brut* Tradition," *Studies in Philology* 102 (2005): 280-306, and Caroline D. Eckhardt, "Havelok the Dane in *Castleford's Chronicle*," *Studies in Philology* 98 (2001): 1-17. I am grateful to Dr. Don Kennedy for bringing these articles to my attention.

regaining of both their kingdoms. An examination of canon law and custom sheds new light on some old problems in the text, and a reflection on the marriage liturgy and historical practice suggests an explanation for a reference in the wedding service. No courtship occurs in *Havelok* – the two don't meet before their marriage, and they both strongly (and vainly) resist it; nevertheless, marriage plays a central function in the romance, bringing the two narrative strands together and setting in motion the plot of the rest of the story. The wedding night itself is the turning point of the marriage as well, and the moment in which Goldeborw and Havelok both embrace new, active roles. Interestingly, *Havelok* stands alone among Middle English romances in featuring an arranged marriage forced on the hero and heroine, and as such, it offers an interesting counterpoint to the love matches in other romances, especially given the unusual emphasis on the enduring marital devotion of the couple. Another unusual feature of the poem is the way the marriages between minor characters reinforce the theme of counsel developed in the romance.

The romance begins with the death of King Athelwold of England, who entrusts his child, Goldeborw, and his kingdom to his advisor, Godrich. Godrich immediately establishes control over the kingdom, and over the years he increasingly consolidates his power and isolates Goldeborw. When Goldeborw grows up and begins to pose a threat to his rule simply by virtue of being the heiress, he ponders how to maintain his power. Meanwhile, in Denmark, King Birkabeyn also dies and leaves the care of his children and kingdom to his trusted advisor, Godard. A thoroughly evil character, Godard kills the two little princesses and arranges for his thrall, Grim, to drown the young son,

Havelok. However, once Grim realizes who the boy is, he and his family flee with Havelok to England, where they continue to make a living as fishermen and where Havelok grows up. When he becomes a young man, Havelok makes his way to Lincoln, where he gains employment as Godrich's cook's knave. His outstanding physical feats draw the attention of Godrich, who schemes to marry him to Goldeborw; because Godrich assumes Havelok is a thrall, he believes the marriage will disinherit Goldeborw (as we shall see) and enable him to rule England with impunity. However, once the couple is married, Goldeborw learns Havelok's true identity and they sail for Denmark, where after a few adventures, Havelok regains his throne and takes vengeance on Godard. Afterward, he and Goldeborw return to England, where Havelok defeats Godrich, who is horribly executed. A few minor characters are rewarded for their loyalty, some by advantageous marriages, and the poem concludes by remarking on the affection and offspring of the royal couple.

Issues of marriage arise a third of the way into the narrative, when Godrich learns of Havelok and decides to marry him to Goldeborw. Havelok is working as the cook's knave when Godrich calls a parliament in Lincoln, which is accompanied by contests of skill among the young men, and news of Havelok's athletic prowess spreads even to Godrich and his knights. Hearing of Havelok's reputation, Godrich recalls his promise to Goldeborw's father, King Apelwold, on his deathbed:

þe king Apelwold me dide swere  
Vpon al þe messe-gere  
þat I shude his douthe[r] yeue  
þe hexte [man] þat mithe liue,  
þe beste, þe fairest, þe strangest ok –

Pat gart he me sweren on þe bok.  
 Hwere mithe I finden ani so hey  
 So Hauelok is, or so sley?  
 Pou Y southe heþen into Ynde,  
 So fayr, so strong, ne mithe Y finde.  
 Hauelok is þat ilke knaue  
 Pat shal Goldeborw haue! (ll. 1078-89).<sup>66</sup>

Thus, Godrich recalls swearing to King Athelwold that he would marry Goldeborw to the highest, fairest, strongest, best man, and he's delighted that Havelok fits the letter if not the spirit of the oath: he's the highest (i.e., tallest) and strongest (physically, though not in property and arms). Readers of this romance have certainly never missed the "literary" implications, the humiliation and the debasement of a royal princess by a wicked guardian, and her subsequent recovery of rightful position and esteem. But it seems very likely that readers have not fully appreciated the legal motivations behind what Godrich sets out to do, and the consequences in contemporary law for Goldeborw. The legal problem for Goldeborw is that marriage to a man of such obviously lower social status would "disparage" her by marrying her to her social inferior.<sup>67</sup> As Menuge has shown, medieval guardians often arranged their wards' marriages for their own profit, regardless of the impact on the ward. The Magna Carta (1215) aimed to prevent

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<sup>66</sup> "King Athelwold made me swear / On all the mass implements / That I should give his daughter / To the highest man alive, / The best, the fairest, and also the strongest -- / He made me swear that on the book. / Where might I find any so tall, / As Havelok is, or so skillful? / Though I searched from here to India, / I would not find any as fair and strong. / Havelok is that very boy / Who shall have Goldeborw!"

<sup>67</sup> *Oxford English Dictionary*, 2<sup>nd</sup> ed., s.v. "disparage." This obsolete meaning of *disparage* ("to match unequally; to degrade or dishonour by marrying to one of inferior rank") is attested in texts from the late thirteenth through eighteenth centuries. *Middle English Dictionary*, s.v. "disparāgen" (v.), meaning 1, "to degrade (sb.) socially (i.e. for marrying below rank or without proper ceremony)." See also meaning 2a, "to sully or defile (a woman); treat (sth.) with indignity."

disparagement by forbidding a guardian to marry off his ward to a spouse of a lower social class;<sup>68</sup> however, the practice undoubtedly continued, despite its illegality.

Disparagement could be deeply humiliating and even physically threatening for an individual married below his or her social class, as in the case of Goldeborw.

In fact, Godrich has an additional motive behind his plan to marry Goldeborw to Havelok. Because he assumes Havelok is a villein, he thinks such a marriage would not only disparage Goldeborw, but more importantly, would disinherit her and allow Godrich to steal the kingdom for himself and his son after him:

...þouthte Godrich “þoru þis knaue  
Shal Ich Engelond al haue,  
And mi sone after me,  
For so I wile þat it be!” (ll. 1074-77).<sup>69</sup>

...he wende þat Haelok wore  
Sum cherles sone and no more,  
Ne schulde he hauen of Engellond  
Onlepi forw in his hond  
With hire þat was þer-of eyr,  
Pat boþe was god and swiþe fair.  
He wende þat Haelok wer a þral –  
Per-þoru he wende hauen al  
In Engelond þat hire rith was (ll. 1092-1100).<sup>70</sup>

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<sup>68</sup> Noël James Menuge, *Medieval English Wardship in Romance and Law* (Woodbridge, Suffolk; Rochester, NY: D. S. Brewer, 2001), 3. Magna Carta in William Stubbs, ed., *Select Charters and Other Illustrations of English Constitutional History from the Earliest Times to the Reign of Edward the First*, 9<sup>th</sup> ed., rev., by H. W. C. Davis (Oxford: Clarendon Press, 1913).

<sup>69</sup> “Thought Godrich, “Through this boy / Shall I have all England, / And my son after me, / For I desire it to be so!”

<sup>70</sup> “... he thought that Havelok was / Some churl’s son and no more / Nor should he have possession / Of a single furrow of England / With her that was the rightful heir, / Who was both good and fair. / He thought that Havelok was a thrall -- / For this reason he expected to have all / England, which was her right.”

Godrich describes Havelok as a *thral* (1098), and the poet also notes that Godrich thought Havelok was *sum cherles sone* (1093). The words *thral* and *cherl* (meaning serf or villein) clearly support Godrich's conclusion that the marriage would dispossess Goldeborw, because marriage to a villein would simultaneously deprive her of her inheritance and render her without legal recourse.

Villeins were a class of peasants that arose in England during the twelfth century and were "held to be unable to bring a case in the royal courts" and were instead "subject to the manorial lord."<sup>71</sup> They were counted free in interactions with most people, but not with their lord; their rights were restricted primarily in their interactions with him. Mixed marriages between a free spouse and a villein spouse, both of whom were peasants, were not entirely uncommon, according to historian Paul R. Hyams, and they presented problems for the canonists and the courts.<sup>72</sup> Canon law scholars Pollock and Maitland conclude that the consensus among canonists was that if an unfree woman married a free man, she became free, but only for the duration of the marriage: upon the death of her husband, she became a villein again.

In contrast, if an unfree man married a free woman, he did not become free, but instead her own status became greatly restricted.<sup>73</sup> As Paul Vinogradoff explains, the freeborn wife of a villein would take on his status "when she enter[ed] the villain

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<sup>71</sup> P. D. A. Harvey, "Serfs and Villeins," 692, in *Medieval England: An Encyclopedia*, ed. Paul E. Szarmach, M. Teresa Tavormina, and Joel T. Rosenthal (NY: Garland, 1998).

<sup>72</sup> Paul R. Hyams, *King, Lords and Peasants in Medieval England: The Common Law of Villeinage in the Twelfth and Thirteenth Centuries* (Oxford: Clarendon, 1980), 175.

<sup>73</sup> Pollock and Maitland, 424.



tenement of her consort [i.e., his home]; her servitude endure[ed] as long as her husband... [was] alive and not enfranchised." Marriage to a villein prevented a free woman from inheriting property, since she was unable to claim an inheritance after the marriage (though if she inherited property before the marriage she could keep it).<sup>74</sup> According to Vinogradoff, a free woman married to a villein found her rights restricted even further: just as her villein husband was unable to sue his lord in court, so his freeborn wife was also unable to do so.<sup>75</sup>

Godrich assumes Havelok is a villein, and he knows that a free wife takes on the status of her villein husband. Thus, Godrich thinks his plot will prevent Goldeborw from inheriting the kingdom and from having any legal recourse. He can rule the kingdom and pass it on to his son with impunity. His scheme also has the benefit of disparaging Goldeborw by marrying her to the cook's knave, which, as we shall see, focuses her attention on her personal situation and safety and away from her claim to the throne.

Once he's devised his plot, Godrich begins immediately to implement it. He sends for Goldeborw to come to Lincoln and tells her of his marriage plans for her. When he tells her he's going to marry her to the fairest man alive, she becomes suspicious and responds with an oath, vowing:

Bi [Iesu] Crist and Seint Iohan,

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<sup>74</sup> P. Vinogradoff, *Villainage in England* (Oxford, 1981), 62. Although Hyams is now the standard authority on villeinage, his discussion of mixed marriages focuses on the status of children and mentions spouses only briefly.

<sup>75</sup> Pollock and Maitland, 424; Vinogradoff, 62.

Pat hire sholde noman wedde  
Ne noman bringen to hire bedde  
But he were king or kinges eyr,  
Were he neuere man so fayr (ll. 1113-17).<sup>76</sup>

By swearing an oath to marry only a king or a king's heir, as Menuge suggests, she may in fact be trying to protect herself from a mismatch.<sup>77</sup> Godrich reacts angrily, telling her emphatically she'll never be queen over him. At this point he tells her for the first time that her husband will be the cook's boy, and that they'll marry tomorrow and consummate the marriage the same day. Goldeborw has been isolated and poorly treated by Godrich since childhood, while he has expanded and consolidated his power, a situation that leaves her no recourse to resist the forced marriage, and in response, she weeps and wishes she were dead.

Godrich's stress on a speedy consummation may reflect the popular understanding that sexual intercourse was necessary to create a marriage. As discussed in the Introduction, there was a tradition that the exchange of vows needed to be followed by consummation in order for the marriage to be valid. This belief was an old one articulated by Gratian (one of the ways he sets forth for entering into marriage entailed the exchange of consent in the future tense, followed by consummation), but it also persisted in the popular imagination and practice long after Gratian's time. Indeed, it may well have preceded Gratian in popular practice. This theory of marriage had been superseded among canonists by the consensual theory of marriage developed by Peter

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<sup>76</sup> "By Jesus Christ and Saint John, / That no man should wed her / Nor any man bring her to bed / Unless he were a king or king's heir, / No matter how fair he was."

<sup>77</sup> Menuge, 90.

Lombard and later by Pope Alexander III, in which present consent alone, without consummation, was essential to creating a marriage. Nevertheless, James Brundage notes that although “canonists and theologians continued to insist that only present consent was needed to create a valid and indissoluble union,” in actual practice “custom often insisted that sexual consummation was essential to complete a marriage.”<sup>78</sup> A speedy consummation in the case of Havelok and Goldeborw would ensure that their marriage was fully valid, legal, and indissoluble, hence Godrich’s insistence.

Godrich’s intimidation of Goldeborw initiates a process by which he forces her and Havelok into marriage. The day after speaking with Goldeborw, Godrich sends for Havelok and asks him if he wants a wife. Havelok reacts strongly:

“Nay!” quoth Havelok, “bi mi lif!  
Hwat sholde Ich with wif do?  
I ne may hire fede ne cloþe ne sho.  
Wider sholde Ich wimman bringe?  
J ne haue none kines þinge –  
J ne haue hws, Y ne haue cote,  
Ne I ne haue stikke, Y ne haue sprote,  
J ne haue neyþer bred ne sowel,  
Ne cloth but of an hold with couel.  
Þis cloþes þat Ich onne-haue  
Aren þe kokes and Ich his knaue!” (ll. 1137-47).<sup>79</sup>

Havelok’s reasons for refusing the marriage differ significantly from those of his counterpart in the Anglo-Norman analogue, the *Lai d’Haveloc*, who at times comes across

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<sup>78</sup> Brundage, *Law, Sex, and Christian Society*, 437.

<sup>79</sup> “‘Nay!’ said Havelok, ‘by my life! / What should I do with a wife? / I can not feed nor clothe nor shoe her. / Whither should I bring a woman? / I have no house nor any appropriate thing -- / I have no stick, I have no kindling, / I have neither bread nor sauce, / Nor cloth except an old white cloak. / The clothes that I have on / Are the cook’s, and I’m his boy!’”

as something of a buffoon. The Anglo-Norman Havelok balks at the idea of a wife out of sexual naiveté, so that when he says he doesn't know what to do with a wife, it has a comic ring that is rather out of place in a romance hero. In contrast, the Middle English Havelok's response shows no naiveté at all, but is instead quite practical: destitute himself, he's simply unable to afford a wife. At his protests, Godrich replies this time with violence and threats: he beats Havelok and threatens to hang him or put out his eyes unless he takes the wife Godrich has chosen for him. (Havelok doesn't yet know who she is.) Thus threatened, Havelok is afraid and goes along with Godrich's demands.

Godrich then confronts Goldeborw and threatens her with banishment or burning at the stake if she continues to resist. She's so afraid that she dares not refuse, but becomes philosophically resigned to her fate:

But þey hire likede swiþe ille,  
Pouthe it was Godes wille –  
God þat makes to growen þe korn,  
Formede hire wimman to be born. (ll. 1166-69).<sup>80</sup>

The poet observes that although she's adamantly opposed to the marriage, she thinks it must be God's will that this happen to her. He offers compassion for the lot of women in a world run by men, suggesting it may be the lot of women particularly to be treated like chattel in the marriage exchange. Although Goldeborw remains horrified at the idea of wedding the kitchen knave, at this point she becomes resigned to the marriage and no longer contests or resists it. They both resist spiritedly, but the "force and fear" with which Godrich threatens them give them no option but to accede to his demands.

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<sup>80</sup> "But although it displeased her greatly, / She thought it was God's will -- / God who makes the wheat grow, / Formed her to be born a woman."

As we have seen, the use of force and fear in the making of marriage was prohibited by the Church, and its use could invalidate a marriage. Nevertheless, invalidation on these grounds seldom occurred in practice, and moreover, it was highly unlikely for a marriage to be annulled on the grounds of force and fear once consummation had taken place, another reason for Godrich's insistence on a speedy consummation. In *Havelok the Dane*, Godrich's use of force and fear doesn't call the validity of the marriage into question, even though it's clear both Havelok and Goldeborw are opposed to it. Instead, it highlights the evil nature of Godrich's act: although he has consolidated his power over the kingdom, and isolated Goldeborw and kept her in rags, this is his first genuinely treacherous act.

After Godrich forces Havelok and Goldeborw's compliance, using physical violence and threats of greater violence and even death, he moves swiftly to the wedding itself, which he tries to have conducted in such a way as to be beyond dispute:

He weren spused fayre and wel:  
þe messe he dede, eueri del  
þat fel to spusing, an god cle[r]k –  
þe erchebishop uth of Yerk,  
þat kam to þe parlement,  
Also God him hauede þider sent.  
Hwan he weren togydere in Godes lawe,  
þat þe folc ful wel it sawe... (ll. 1176-83).<sup>81</sup>

Godrich has arranged for a very public, proper Church marriage so that it cannot be contested later, as "the interests of families and feudal lords in regulating the marriages

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<sup>81</sup> "They were married fair and well: / He did the mass well, / Every part that has to do with marriage, the good cleric -- / The archbishop of York, / Who came to the parliament, / As God had sent him thither. / When they were together in God's law, / As the folk saw that very clearly..."

of those under their control required that couples marry publicly, so that their marital status would not be in doubt.”<sup>82</sup> It was not only families and lords, but also the Church, that required public weddings: for example, the Fourth Lateran Council (1215) required marriages to be performed publicly, and many thirteenth-century synods in England also required public exchange of consent and a nuptial blessing by the parish priest. In his effort to create a valid marriage that would be above legal challenge, Godrich stages a public wedding between Havelok and Goldeborw, which takes place at the church in Lincoln and is witnessed by “þe folc [who] ful wel it saw” (1183). Instead of a mere parish priest, the Archbishop of York, the highest clergyman in the North of England, performs the blessing (and, in this case, an entire nuptial mass), helping Godrich to get Goldeborw married in a quick, public, and official way, so that the marriage can’t be contested later.<sup>83</sup>

Godrich’s haste in getting Goldeborw married to Havelok as quickly as possible results in a non-canonical, though still valid, marriage. As we have seen, for a legal marriage, the Church required both a public betrothal and the trifold reading of the bans, in order to publicize the marriage and allow possible impediments to be discovered. A marriage would still be considered legally valid without a public betrothal and the bans, but it would not be fully in accordance with canon law, and both Lateran IV and the synods established penalties to punish those who contracted

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<sup>82</sup> Brundage, *Law, Sex, and Christian Society*, 439.

<sup>83</sup> Smithers also points out that there was a parliament at Lincoln in 1301 and that “the real Archbishop of York was enjoined by an extant writ of summons to attend” it, and he suggests the reference here may allude to the actual historical event, 126.

marriages without these two steps. A further irregularity in Havelok and Goldeborw's wedding is that priests were forbidden by English synodal legislation to officiate at the marriages of people they didn't know, a rule that was designed to prevent marriages between those with impediments, such as a previous contract or consanguinity.<sup>84</sup> The Archbishop of York clearly doesn't know Havelok, so he's certainly not meeting this requirement. In fact, of course, if Godrich had learned who Havelok really is, he wouldn't have wanted to marry Goldeborw to him!

The omission of these canonical requirements, and the archbishop's officiating at the wedding of at least one party he doesn't know, shows that he's not just Godrich's dupe; he's implicated in the dishonest affair. The collusion of the archbishop in legalizing a clearly inappropriate marriage arranged by Godrich depicts the corrupt secular and ecclesiastical forces conspiring against the weak, and the irregularity of this non-canonical marriage emphasize the treachery and avarice driving Godrich.

The wedding also includes an enigmatic reference to pennies on the mass book, a practice also mentioned in some early marriage services and in Gower. In describing the wedding itself, the poet says, "þer weren penies þicke tolde / Mikel plente, upon þe bok -- / He ys hire yaf and she as tok" (ll. 1173-75).<sup>85</sup> The purpose of the pennies has elicited

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<sup>84</sup> Michael M. Sheehan, "Marriage Theory and Practice in the Conciliar Legislation and Diocesan Statutes of Medieval England," pp. 118-76 in *Marriage, Family, and Law in Medieval Europe: Collected Studies*, ed. James K. Farge (Toronto: U Toronto Press, 1996), 148-49, 151.

<sup>85</sup> "There were pennies thickly counted out, / Very many, upon the book -- / He gave them to her and she took them." Line 1175 is difficult: Smithers edits the line as quoted above but provides no discussion of the language, though he understands the pennies to be taken by Goldeborw, the bride. French and Hale emend *as* to *is*, and they gloss *ys* as *them*, so that both *ys* and *is* are the plural accusative pronoun, referring to the pennies. The notes in the second edition of Skeat's text

some scholarly discussion, with claims that the pennies were for the clerk's fee, payment for the wife's virginity, "a symbol that the wife was endowed with the husband's worldly goods,"<sup>86</sup> and alms for the poor.<sup>87</sup> But the pennies clearly do not go to the clerk or the poor, as the text expressly states that they go to Goldeborw. The second claim, that the pennies "might be payment for the wife's virginity," suggests the old custom of *morgengifu*, or morning-gift, given by the husband to his wife the morning after the wedding. But here the pennies are given to Goldeborw during the wedding ceremony, not the morning after, and so they seem unconnected with that custom. The third claim, that the money was symbolic of the wife's being "endowed with her husband's worldly goods," seems to be a misunderstanding of the practice of dower.

In fact, the reference to pennies on the book in *Havelok* reflects a practice set out in the marriage liturgy of the Sarum Manual, which seems to be a remnant of the earlier practice of dower. Dating from the mid-fourteenth century, the Sarum Manual establishes the marriage liturgy according to the New Use of Sarum, which was used at the cathedral church in Salisbury as well as in some other dioceses. The relevant part of

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of the romance, mostly contributed by Kenneth Sisam, explain *es* (*is*, *ys*, *as*) as "an unexplained pronoun = 'them', ... particularly common in Southern and Eastern texts." See *The Lay of Havelok the Dane*, ed. by Walter W. Skeat, 2<sup>nd</sup> ed. by K. Sisam (Oxford: Clarendon, 1915), 110, 111, 113.

<sup>86</sup> For the first three claims, see French and Hale, 118. However, the sources they cite in support do not in fact provide relevant evidence: Leon Gautier, *Chivalry*, ed. Jacques Levron, trans. D. C. Dunning (New York: J. M. Dent and Sons, 1965), and F. L. Critchlow, "On the Forms of Betrothal and Wedding Ceremonies in the Old-French 'Romans D'Aventure'" *Modern Philology* 2:4 (1905), 497-537.

<sup>87</sup> Christopher N. L. Brooke, 249, and Critchlow, 526, mention the practice of providing alms for the poor at Church weddings, but not in the context of this romance. Herzman, Drake and Salisbury suggest that the pennies on the book in *Havelok* are to distributed among the poor.



marriage liturgy says, “Deinde ponat vir [the bridegroom] aurum, argentum, et annulum super scutum vel librum,” an instance of coins being placed (in this case, with a ring) on the book.<sup>88</sup> The marriage service also includes another reference to the money, an English formula to be spoken by the bridegroom after the ring has been sprinkled with holy water: “With this ryng I the wed, and this gold and siluer I the geue...”<sup>89</sup> While *Havelok* predates the Sarum Manual by several decades, its reference to pennies on the book seems to reflect the same practice that made its way into the Sarum marriage liturgy.

In addition, another reference to pennies on the mass book appears in Gower’s *Confessio Amantis*. Smithers cites relevant passages, noting Gower’s allusion to the marriage ceremony (V. 557-61):

I wot the time is ofte cursed  
That evere was the gold unpursed  
The which was leid upon the bok,  
Whan that alle other she forsook  
For love of him...<sup>90</sup>

Although Gower’s text doesn’t mention whether the bride takes the gold placed on the book, as Goldeborw does, it does seem to refer to the same practice in the marriage

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<sup>88</sup> “Next the man [the bridegroom] should place the gold, silver, and the ring upon the *scutum* or the book.” The word *scutum* is difficult and may refer to a metal plate; see Latham’s *Revised Medieval Latin Word List*, s.v. “scutum.” William Maskell, *Monumenta Ritualia Ecclesiae Anglicana: the occasional Office of the Church of England according to the old use of Salisbury the Prymer in English and other prayers and forms with dissertations and notes*. 2<sup>nd</sup> ed., vol. 1 (Oxford: Clarendon Press, 1882), 57.

<sup>89</sup> Maskell, 58.

<sup>90</sup> “I know the time is often cursed / That the gold was ever removed from the purse, / Which was laid on the book / When she repudiated all others / For love of him...”

liturgy and in *Havelok*, as Smithers claims. The only place where Smithers seems to go wrong is in describing the coins as the bride's dowry.

Discussion of the passage about the pennies has been muddied by scholars' confusion of the terms *dowry* and *dower*, which occurs in Brooke and in the edition by Herzman, Drake, and Salisbury, as well as in Smithers. In fact, dowry and dower were two distinctly different practices, and an examination of the different practices can illuminate what is going on in the passage. The dowry was contributed by the bride; it became part of the couple's joint property, i.e., owned by the husband and part of the estate that was passed down through the male line. In contrast, the dower was given by the groom to the bride; it became her individual property forever. The dower was actually the earlier customary practice and was superseded by the practice of the dowry in the twelfth and thirteenth centuries in Western Europe. This movement from dower to dowry reflected changing demographic conditions and the declining status of women, as marriage prospects for noblewomen became even fewer than they were for their male counterparts (so marriageable men could take their pick and no longer needed to provide their brides with dowers). Instead of women receiving property of their own at marriage (dower), they were required to provide a financial contribution to the marital household at the time of the wedding (dowry). Because of these changes in the marriage market, the dower was seldom used in thirteenth-century England, by the time *Havelok* was composed; it was being superseded by the dowry.<sup>91</sup> Interestingly, the

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<sup>91</sup> David Herlihy, *Medieval Households* (Cambridge; London: 1985), chapter 4, "The Transformations of the Central and Late Middle Ages," 79-111. The classic study of the transition

practice of the bridegroom placing a few pennies on the mass book for the bride seems to reflect a symbolic remnant of the earlier practice of the dower, a remnant preserved in the Sarum Manual, in the *Confessio Amantis*, and also in *Havelok*.

After the wedding, Havelok and Goldeborw seem to be unceremoniously abandoned. Although Godrich threatens Goldeborw before the wedding that he'll make sure she and Havelok sleep together on their wedding night, he doesn't end up ensuring this, since shortly after the wedding the couple, left to their own devices, decide to depart for Grimsby and spend their wedding night there. Still, Godrich's emphasis on consummation underlines its importance to entering into marriage (popularly, if not to the canonists); consummation is a part of his plan to make the marriage as official and therefore indissoluble as he can, while still achieving it in a very short timeframe. The poet doesn't explain why Godrich doesn't follow through on his threat to ensure consummation; perhaps he thinks the very public nature of the wedding itself puts it beyond the threat of annulment. Or perhaps he assumes that Havelok – to all appearances a healthy, vital young rustic – could be trusted to follow through on consummation.

At any rate, Godrich spares the expense of a wedding feast by leaving Havelok and Goldeborw on their own after the wedding, when they are at a loss as to what to do or where to go. They both know they need to leave Lincoln to get away from Godrich,

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from dower to dowry in medieval Europe is Diane Owen Hughes, "From Brideprice to Dowry in Mediterranean Europe" *Journal of Family History* 3 (1978): 262-96.

who clearly means them ill and who is capable of violence toward them. But the danger is not only from Godrich:

And yf he dwelleden þer outh –  
Pat fel Haelok ful wel on þouth –  
Men sholde don his leman shame,  
Or elles bringen in wicke blame,  
Pat were him leuere to ben ded (ll. 1190-94).<sup>92</sup>

Havelok worries that his wife would be the target of *shame* if they were to stay in Lincoln, where everyone knows who she is and is fully aware of her disparagement by their marriage. Menuge discusses the concept of disparagement, and explains, as we have seen, that the Magna Carta forbade guardians to disparage their wards by marrying them to spouses of lower social status. She argues that Godrich intends to disparage Goldeborw when he forces her to marry Havelok, whom he believes to be a villein; however, Menuge doesn't explain what the practical consequences or implications of disparagement could be. Nor do Smithers, Skeat, or the TEAMS edition provide a note on these lines. French and Hale's note on this passage asserts that "[i]n some regions, the lord had a right for a time to the bride of his retainer," the now-discredited idea of "lord's first night" or *droit de cuissage*, which they understand to be the root of Havelok's concern.<sup>93</sup> It's a surprising claim, as there's never any suggestion at

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<sup>92</sup> "And if they lived there at all [for any length of time] -- / Havelok realized that very clearly -- / Men might intend *to do shame* to his wife, / Or else bring her into harmful disgrace; / He would rather be dead." Here, as throughout the poem, *he* is the plural pronoun. A discussion of the implications of *don shāme* follows.

<sup>93</sup> 119. For an examination of the history of the idea of the lord's first night, see Alain Boureau, *The Lord's First Night: The Myth of the Droit de Cuissage*, trans. Lydia Cochrane (Chicago; London: University of Chicago Press, 1998).

all that Godrich wants to sleep with Goldeborw and in this passage Havelok explicitly worries about “men” in general, not Godrich, posing a threat on this count. Something else clearly is going on in the text, and the key lies in the verb phrase *don shāme*. In fact, according to the *Middle English Dictionary*, *don shāme* encompasses not only disgrace and harassment, but also physical harm and even rape, because, as we have seen, disparagement to the state of villeinage removes Goldeborw from the protection of the law.<sup>94</sup> Thus, Goldeborw’s marriage to Havelok causes her shame, but it also leaves her vulnerable to harassment, injury, and rape. Because of this serious situation, Havelok is concerned about her, and they immediately depart for Grimsby.

The other threat that concerns Havelok in this passage is that people may *bringen* [Goldeborw] *in wicke blame*; the *MED* defines *wik(ke)* as “causing harm or pain, harmful, destructive; distressing.”<sup>95</sup> More to the point, the verb phrase *bringen in blāme* is defined as “[to] bring [someone] into disrepute or disgrace,”<sup>96</sup> and in fact, the *MED* illustrates this usage by a quotation from the early part of *Havelok*, from the reign of King

Athelwold:

And wo-so dide maydne shame  
Of hire bodi or brouth in blame  
(Bute it were bi hire wille)

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<sup>94</sup> *Middle English Dictionary*, s.v. “shāme,” (n.) meaning 4b) in verb phrases, “don (muchel) shāme,” “disgrace (sb., a land, etc.); do harm (to sb.), injure (sb.), annoy (sb.), harass; violate (a woman); also, betray (a lord).”

<sup>95</sup> *Middle English Dictionary*, s.v. “wik(ke)” (adj.), meaning 2.

<sup>96</sup> *Middle English Dictionary*, s.v. “blāme” (n.), meaning 3.

He made him some of limes spille (ll. 83-86).<sup>97</sup>

The contrast between the personal safety of young women during her father's reign and Goldeborw's vulnerability after her marriage is striking. King Athelwold is described as a good king in part because any man who raped or otherwise brought disrepute on a maiden would be punished right away by dismemberment, a penalty that reflected the seriousness with which the crime was taken. In contrast, in Godrich's usurping reign, his disparagement of Goldeborw, a maiden and the king's own daughter, exposes her to harassment and even rape, the very dangers Athelwold was known for protecting maidens against. Goldeborw's dire personal situation is emblematic of the lawlessness that has arisen throughout the kingdom, for all young women and for the country as a whole.

Later in the poem, when Goldeborw accompanies Havelok and Grim's sons to Denmark, her disparagement is abundantly clear to the Danes, which accounts for Ubbe's statements concerning Goldeborw's safety. The Danes immediately recognize Goldeborw's noble background, despite her poor attire: Godrich is described as keeping Goldeborw in "feble wede" (wretched rags, l. 323), and there's no reason to think she is more expensively or glamorously clad after marriage, especially when in disguise in Denmark. Nevertheless, despite her disguise and poor clothing, her physical presence communicates her nobility – she's clearly an aristocrat disparaged and made a target by her marriage to a poor man, hence the concern with her personal safety. (In contrast,

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<sup>97</sup> "And whoever raped a virgin [unmarried woman] / Or brought her into disgrace / (Unless it were according to her desire) / He [Athelwold] without delay caused him to lose limbs [i.e., had his limbs cut off as punishment]."

Havelok's royal nature isn't detected -- until several days later, when the telltale light shines from his mouth while he's asleep -- although his strong, beautiful physical appearance distinguishes him from other men.)

When Ubbe invites Havelok and Goldeborw to eat with him, her safety is his top concern, obviously because of the vulnerabilities raised by her disparagement. He assures Havelok that he should "haue ... of hire no drede - / Shal hire no man shame bede" and guarantees her safety on his honor (ll. 1665-66). Despite his assurances, Havelok remains reluctant to accept the invitation because of his fear that going to this stranger's hall might cause Goldeborw to suffer shame or injury. When they do venture into Ubbe's hall, Grim's son Robert accompanies them, ready to suffer death if need be to protect her. The visit concludes without incident, but Ubbe worries about the couple's safety at night, thinking to himself:

"... Yf I late hem go  
þus one foure, withuten mo,  
.....  
For þis wimman bes mike wo!  
For hire shal men hire louerd slo" (ll. 1741-42, 1744-45).<sup>98</sup>

Although Herzman, Drake, and Salisbury gloss the last line to mean "because of her men shall kill their lords," this rendering doesn't make sense, and it must instead mean that because of Goldeborw's disparagement, men may intend to kill *her* lord, that is,

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<sup>98</sup> "If I let them go / Thus four alone, without more, / ... / For this woman there will be great woe! / Because of her men may intend to kill her lord." (Taking *shal* to mean "intend," not as the modal auxiliary.)

Havelok.<sup>99</sup> Because Goldeborw's disparagement makes her vulnerable to physical attack, it makes her husband vulnerable as well.

Concerned for their safety, Ubbe lodges them with Bernard Brun, the nightwatchman and "beste man of al the toun" (l. 1751), and indeed, the house is attacked by a band of sixty-one armed robbers in the night, whom Havelok and the others heroically dispatch in a mock-chivalric episode given the homely implements used (e.g., the door bar).<sup>100</sup> The next day, upon learning of the incident, Ubbe is even more solicitous of Havelok and Goldeborw's safety and offers to house them in his own home:

A rof shal hile us boþe o nith,  
Pat none of mine, clerk ne knith,  
Ne sholen þi wif no shame bede  
No more þan min, so God me rede! (ll. 2083-86).<sup>101</sup>

As before, his assurances center on possible threats to Goldeborw's safety and honor, clearly a vulnerability for both her and Havelok as a result of her disparagement.

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<sup>99</sup> 126. Gibbs' introduction gets the passage right grammatically but misses the larger implications of Goldeborw's disparagement: Goldeborw "is a desirable possession of Havelok's, and Ubbe fears that the villains may kill her 'louerd' in order to possess her." *Middle English Romances*, ed. A.C. Gibbs (Evanston: Northwestern UP, 1966), 32. Gibbs says later (69, note on ll. 405 ff.): "In spite of Ubbe's fears ... the motive for the raid on Bernard's house appears to be robbery. In the French poems, the outlaws want to carry off Goldeboru [sic], and this is clearly a better motivation."

<sup>100</sup> French and Hale observe that in the *Lai d'Haveloc*, the attack comes from one of Ubbe's retainers, who is incited by Goldeborw's beauty.

<sup>101</sup> "One roof shall cover us both at night, / and none of my household, neither clerk nor knight, / shall attempt to harm your wife / any more than mine, by God [lit., "to the extent that God may counsel me"]."



Earlier in the narrative, the night after their wedding is crucial to Havelok and Goldeborw's relationship, as it's the turning point both in their marriage and in the romance. On her wedding night, Goldeborw lies awake, "sory and sorwful," desperately unhappy "for she wende she were biswike, / þat she [we]re yeven unkyndelike" (1249-51): she thought that she had been treated in a way contrary to her true nature.

*Unkyndelike* means both "in a way unbecfitting one's nature or status, incongruously, unsuitably," but also "improperly, wrongfully, unjustly."<sup>102</sup> The MED treats these as a single meaning and cites this very line from *Havelok* as an illustration. This double meaning highlights the contemporary idea that disparagement was not only unsuitable but also wrong and unjust. Goldeborw's mismarriage is devastating for her in both personal and practical terms, and she's despondent at having been disparaged by her marriage to Havelok, whom she and Godrich both assume is a thrall. Mehl seems to imply that she's something of a snob,<sup>103</sup> but in the context of medieval hierarchical society, there is nothing exceptional or surprising about Goldeborw's dismay.

Her understanding of her situation changes utterly on her wedding night, once she realizes who her husband really is. In the middle of the night, Goldeborw sees a bright light issuing from her husband's mouth, where he lies sleeping next to her. Fearful at first, she then realizes it indicates his hidden noble birth, a realization

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<sup>102</sup> *Middle English Dictionary*, s.v. "unkindelī" (adv.), meaning 2b.

<sup>103</sup> "The girl's reason [for resisting the marriage] is much more aristocratic and shows that she is well aware of what is due to her," Dieter Mehl, *The Middle English Romances of the Thirteenth and Fourteenth Centuries* (London: Barnes & Noble, 1968), 171.

confirmed by the birthmark in the shape of a cross she sees on his shoulder. At that moment, an angel appears, telling her:

Goldeborw, lat þi sorwe be!  
For Haelok, þat haueþ spuset þe,  
He [is] kinges sone and kinges eyr,  
That bikenneth þat croiz so fayr.  
Jt bikenneth more – þat he shal  
Denemark hauen and Englonð al.  
He shal ben king strong and stark,  
Of Englonð and Denemark –  
þat shal þu wit þin eyne sen,  
And þo[u] shalt quen and leuedi ben (ll. 1266-75).<sup>104</sup>

The angel describes Havelok as a king's son and king's heir, a phrase similar to that Goldeborw uses when she swears to Godrich she'll marry only a king or king's heir; she learns her husband is just what she had insisted on and is her social equal, and like her clearly has been dispossessed. Still, the angel also explains, prophetically, that Havelok will be king of both Denmark and England, that she'll be queen. When Goldeborw realizes her husband is equal to herself in birth and that she has not been disparaged by the marriage, everything changes for her. Godrich had intended for the marriage to ruin her, but quite the opposite has happened, she finds. She becomes filled with such joy that she can't contain herself and kisses her husband, awakening him.

The wedding night is a turning point for Havelok also, but unlike Goldeborw, he is changed radically by his marriage, from someone just getting by – surviving – to a leader of men who regains both his heritage and that of his wife. On his wedding night,

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<sup>104</sup> "Goldeborw, set aside your sorrow! / Because Havelok, who has married you, / He is a king's son and king's heir, / Which that cross so fair betokens. / It betokens more – that he shall / Have Denmark and all England. / He shall be a strong and stern king, / Of England and Denmark -- / Which you shall see with your eyes, / And you shall be queen and lady."

Havelok has two dreams he has never had before, which he tells to Goldeborw. In the first, he sits on a very high hill and literally embraces all of Denmark, and all the castles fall to their knees and their keys fall at his feet. In his second dream:

... Ich fley ouer þe salte se  
Til Engeland, and al with me  
þat euere was in Denemark lyues  
But bondemen and here wiues;  
And ... Ich kom til Engelond –  
Al closede it intil min hond,  
And, Goldeborw, Y gaf [it] þe.  
Deus, lemman! Hwat may þis be?<sup>105</sup> (ll. 1306-13).

For the first time, Havelok has a confidant, someone like himself, and he asks her to explain the strange new dreams, and Goldeborw responds in what is a new role for her, the advisor. She interprets the dreams and gives Havelok counsel,<sup>106</sup> and although she doesn't mention the appearance of the angel, she conveys the prophecy that it's his destiny to be king of both Denmark and England. She also advises him to enlist the sons of Grim, who will follow him, in his quest to regain the Danish throne, and she urges speed and no delay. She also includes a personal note, tying his return to Denmark to her own happiness, saying, "shal Ich neuere bliþe be / Til I with eyen Denemark se" (1340-41). Goldeborw acts as forcefully as she can in the earlier scene when she attempts to resist the forced marriage, but in this scene she is both active and effectual. Urging

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<sup>105</sup> "I flew over the salt sea / To England, and with me all / Who ever were alive in Denmark / Except bondmen and their wives; / and ... I came to England -- / I closed it all in my hand, / And, Goldeborw, I gave it to you. / By God, dear! What may this be?"

<sup>106</sup> Goldeborw's activities here (interpreting the dream and giving counsel) are commonly performed by women in Norse literature, which may reflect the high Scandinavian population in the area of the romance's provenance. (Argentille, Goldeborw's counterpart in the Anglo Norman *Lai*, is the one who has the dream.)

Havelok to action, which he's never contemplated before, she also gives him good, practical advice. Her interpretation and counsel start Havelok on his path to becoming a leader of men and regaining both their patrimonies, and they initiate the action of the second half of the romance.

The next morning, Havelok has taken Goldeborw's words to heart. He goes to church,<sup>107</sup> where he enumerates Godard's misdeeds toward him and his family, including his murder of Havelok's two young sisters, his attempt to have Havelok himself killed, and his usurpation of the throne of Denmark. This is the first time as an adult he has reflected on Godard's actions or on his own situation, and it focuses him for the action that must follow, his attempt to regain his patrimony. He next prays for a safe voyage to Denmark, which he finally claims as his right: "þat is mi rith, eueri del -- / Jesu Crist, þou wost it wel" (ll. 1384-85). This is the first time Havelok has thought of vengeance or of reclaiming Denmark, and the cause of the change is Goldeborw's words and perhaps his new adult identity as a husband.

In sum, when Goldeborw learns on her wedding night that she has not been ruined by her marriage but indeed saved by it, she embraces her new role as advisor and dispense of wisdom to her husband. Once Havelok begins to act, after his marriage, he turns out to have gifts as a leader of men and an issuer of justice, gifts that had never surfaced before and which are necessary to his regaining his throne and hers.

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<sup>107</sup> French and Hale note that "going to church before a critical enterprise was usual in the French romances," 124.

The issue of marriage-making appears again at the end of the romance, when Havelok proposes ennobling marriages for Grim's daughters, to reward them for their loyal service.<sup>108</sup> Havelok couches the marriage proposals in the language of counsel and advice, an emphasis that resonates with the episodes in which Havelok turns the judgment and punishment of Godard and Godrich over to his nobles. The importance of counsel in the romance has been noted by a number of scholars, and its appearance here in these concluding marriages has been mentioned in passing by Geraldine Barnes,<sup>109</sup> but these marriages deserve a little more attention.

Havelok first advises a marriage for Grim's daughter Gunnild with the earl of Chester, a "yung knith wituten wif" (2861): saying that if the earl wishes to have his "conseyll tro," Havelok proposes the marriage between him and Gunnild, and then reiterates that he advises (*rede*) the marriage. Not only does Havelok rely on the decision of the Danish nobles and the counsel of the English nobles in the judgment of the two usurpers earlier in the romance, but here he even places himself in an advisory role vis a vis his vassal, a young knight. The romance says that the young earl did not want to go against the king or to say no to the marriage, but willingly agrees to the marriage, and the couple marries that same day. Unlike the haste with which Havelok and Goldeborw's wedding was conducted, the speed of Gunnild's marriage conveys the enthusiastic consent of the young couple.

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<sup>108</sup> These marriages are an invention of the Middle English poet, as they don't occur in the Anglo-Norman versions of the tale.

<sup>109</sup> Geraldine Barnes, *Counsel and Strategy in Middle English Romance* (Cambridge: D. S. Brewer, 1993), 44.

In proposing the marriage, Havelok also affirms how much Grim did for him, and connects Havelok's indebtedness to Grim with this marriage for his daughter. In the high and late Middle Ages, kings frequently bestowed land as a reward for service. Havelok has already bestowed Danish land on Grim's sons, and here he rewards Gunnild, not with land, but with a noble husband with his own land, which ennobles her. The marriage also creates a special bond between the king and the earl of Chester, as Havelok promises him that "eueremore, hwil Ich liue, / For hire shaltu be with me dere"<sup>110</sup> (2882-83).

Just as Havelok rewards Grim's children for their service and loyalty, so also does he reward Bertram, Godrich's cook, with Godrich's earldom in payment for services rendered when Havelok was Bertram's knave ("For wissing and þi gode dede / þat tu me dides in ful gret nede," 2903-04). Havelok next proposes to Bertram that he marry Grim's second daughter, Leuive, saying:

And þer-to wile Ich þat þu spuse  
 (And fayre bring hire until huse)  
 Grimes douthter, Leuiue þe hende,  
 For þider shal she with þe wende (2913-16).<sup>111</sup>

Havelok doesn't use words for advice and counsel as he did in the first instance. Instead, he simply expresses his desire that the two marry, so there's less emphasis on the role of counsel, although the king is clearly not issuing a command. He praises Leuive's positive qualities (she is *curteys*, and *fayr so flour on tre*, with a rosy complexion, 2917-22),

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<sup>110</sup> "Evermore, while I live, / Because of her you shall be dear to me."

<sup>111</sup> "And to that end, I desire that you marry / (And happily bring her to your house) / Grim's daughter, Leuive the virtuous [gentle, kindly], / For she shall go with you thither."

then makes Bertram a knight and right away “dide him þere sone wedde / Hire þat was ful swete in bedde” (2927-28). The marriage to Bertram ennobles Leive, once he is made a knight and given the earldom of Cornwall, and her marriage to him can be seen as Havelok’s rewarding her, as Grim’s daughter, for the love and support shown to the king by Grim and his family.

Gibbs describes “the rewards which Havelok doles out at the end of the poem” as “of a highly material kind – land and women,”<sup>112</sup> which distorts the way Havelok treats the women. Grim’s first daughter, Gunnild, is married to the earl of Chester, a young, unmarried knight who has never been mentioned before. The marriage rewards the earl, by earning for him Havelok’s affection, itself not “a highly material” prize, as well as Gunnild, who is described in glowing terms. The marriage between Bertram and Leive is similar, as it rewards both of them: for Bertram, the reward of a lovely and gracious wife, and for Leive, a husband whose newly bestowed riches and nobility of character belie his humble origins. Contrary to Gibbs’ claim, the rewards here are not only for the men, but also for the women, as the marriages ennoble Grim’s daughters and reward them and their family’s enduring support for Havelok. Despite Gibbs’ claim, Havelok treats women as people, not as objects to be “doled out” to retainers.

Given Goldeborw and Havelok’s resistance to their own arranged marriage, which caused Goldeborw in particular shame and desperate unhappiness (temporarily), and given the emphasis on counsel throughout the second half of the romance, it is in keeping with its theme or spirit that Havelok’s approach is also advisory.

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<sup>112</sup> Gibbs, 32.

In its conclusion, *Havelok the Dane* places an unusual, even striking, emphasis on the enduring marital devotion between the hero and heroine. Noting first that Havelok rules for sixty years, the narrator points to the couple's having an exceptionally loving marriage:

So mikel loue was hem bitwene  
Pat al þe werd spak of hem two.  
He louede hire and she him so  
þat neyþer oþe[r] mithe be  
Fro oþer ne no ioie se  
But yf he were togidere boþe.  
Neuere yete ne weren he wroþe,  
For here loue was ay newe –  
Neuere yete wordes ne grewe  
Bitwene hem hwar-of ne lathe  
Mithe rise ne no wraþe (ll. 2968-78).<sup>113</sup>

He and Goldeboru love each other so much that they never want to be away from each other, and they are happy only when they are together. They are never angry at each other and their love is always new.

Other Middle English romances addressing the making of marriage promote love matches between the hero and heroine and present arranged marriages as forced marriages and as impediments to the couple's happiness. *Havelok* also presents a forced marriage ostensibly as an impediment to the happiness of the hero and heroine, but when the marriage turns out to be an appropriate one, it becomes a source of love and happiness for them. Alone among the Middle English romances, *Havelok the Dane* raises

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<sup>113</sup> "There was such great love between the two of them / That everyone spoke of the two of them. / He loved her and she him so / That neither of them might be / Apart from the other or experience joy / Unless they were together. / Never yet were they angry, / For their love was always new -- / Never yet grew words / Between them from which hatred / Or wrath might arise."



the possibility of love developing *after* marriage between the hero and heroine, within an arranged marriage. While the forced marriage in *Havelok* appears at first to be an obstacle to the heroine's happiness, as in other romances, it turns out to be quite the opposite: the two grow to love each other and the marriage is the key to their regaining their kingdoms.

## Secret Marriage in *King Horn*

Instances of secret marriage in Middle English literature are rare and not always correctly identified. Kelly's argument for a clandestine marriage in *Troilus and Criseyde* has already been discussed. Over a decade later, in an unsuccessful attempt to harmonize Kelly's argument and later work in canon law and history, Zacharias Thundy argued erroneously that the thirteenth-century French *chante fable* *Aucassin et Nicolette* features a clandestine marriage between the lovers.<sup>114</sup> In fact, secret marriage occurs very seldom in Middle English literature, though one case is clear: As far back as 1965, Frances Richardson identified a secret marriage between the hero and heroine in *Sir Eglamour of Artois*, who exchange consent and then sleep together, consummating their marriage.<sup>115</sup> Her claim received renewed publicity in Harriet Hudson's introduction to her 1996 TEAMS edition of the romance.<sup>116</sup> But *Sir Eglamour* is not alone in Middle

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<sup>114</sup> Zacharias Thundy, "Medieval Clandestine Marriages and *Aucassin et Nicolette*" *Medieval Perspectives* (1988): 148-59. Interestingly, the French tale clearly falls short of the legal requirements for a clandestine marriage set out in the article's introduction. Thundy accepts Kelly's argument for a clandestine marriage between Troilus and Criseyde; other examples he provides of clandestine marriages in medieval literature include, surprisingly, Lancelot and Guinevere and Tristan and Isolde, despite the women's actually already being married to other men.

<sup>115</sup> *Sir Eglamour of Artois*, ed. by Frances Richardson. EETS 256. (London: Oxford University Press, 1965), 114.

<sup>116</sup> *Four Middle English Romances: Sir Isumbras, Octavian, Sir Eglamour of Artois, Sir Tryamour*, ed. by Harriet Hudson. Kalamazoo, Michigan: Published for TEAMS in association with the University of Rochester by Medieval Institute Publications, 1996, 116.

English literature in having a secret marriage. In fact, an earlier Middle English romance, *King Horn*, also contains a secret marriage between the hero and heroine.

The composition of *King Horn* was traditionally dated c. 1225,<sup>117</sup> but more recent scholarship places it later in the thirteenth century. Rosamund Allen, who edited the standard edition of the text, notes that “this is far in advance of the period from c. 1280-1300 when other romances were translated into English,” and that there’s no evidence of chivalric romance in English before c. 1250, except for the possible dating of *King Horn* to c. 1225.<sup>118</sup> She argues for *King Horn*’s composition in the mid-thirteenth century, perhaps the 1270s, on the grounds of linguistics and historical circumstances, such as the aftermath of the de Montfort rebellion and the flourishing of London merchants, whom she speculates were the original audience. If the poem itself was probably composed in the last few decades of the thirteenth century, the extant manuscripts containing it date to the first few decades of the fourteenth.

The romance is preserved in three manuscripts: Cambridge University Library MS Gg. 4.27 (2) (referred to as C), Bodleian MS Laud Misc. 108 (referred to as O), and British Library MS Harley 2253 (referred to as L). Manuscripts C and O have been dated variously, but Rosamund Allen, the editor of the standard edition, argues that the best

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<sup>117</sup> See for example Charles W. Dunn, “Romances Derived from English Legends,” in Helaine Newstead, ed., *The Manual of the Writings of Middle English*, vol. I (Romances) (New Haven: Connecticut Academy of Arts and Sciences, 1967), 17-37, 206-223, 17; and Lee Ramsey, *Chivalric Romances: Popular Literature in Medieval England* (Bloomington: Indiana University Press, 1983), 27.

<sup>118</sup> Rosamund Allen, “The Date and Provenance of *King Horn*: Some Interim Reassessments,” in Edward Donald Kennedy, Ronald Waldron, and Joseph S. Wittig, eds., *Medieval English Studies Presented to George Kane* (Wolfeboro, New Hampshire; Woodbridge, Suffolk: D. S. Brewer, 1988), 102.

date for them both is the first quarter of the fourteenth century. The third manuscript, L, is now dated 1300-1340, which makes it about the same as the other two manuscripts, though possibly up to fifteen years later, if the latest date is accepted.<sup>119</sup> Like most of the other editors, Allen takes manuscript C as the base text, because she argues that its version of the romance presents an earlier state of the text than the other two, even though the manuscript itself may not be the oldest of the three.<sup>120</sup>

Very little has been written about the marital situation of Horn and Rymenhild, the hero and heroine of the romance. Most of the scholarship on this question has been penned by the editors of the romance,<sup>121</sup> all of whom believe that Horn and Rymenhild become betrothed when they are alone in her chamber, after he returns from proving himself in battle against the Saracen host. More recently, John Perry has recognized the couple as entering into a secret marriage; however, his cursory treatment fails to do justice to the complexity of the text, and it moreover depends entirely on his inaccurate

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<sup>119</sup> Allen, 3, 8, 13.

<sup>120</sup> Allen, 3.

<sup>121</sup> There are twelve editions, the most important of which are: Rosamund Allen, ed. *King Horn: An Edition Based on Cambridge University Library MS Gg.4.27(2)* (New York: Garland, 1984) (the standard edition); George McKnight, ed. *King Horn, Floriz and Blauncheflur, The Assumption of Our Lady*. Re-ed. (London: E.E.T.S./Kegan Paul, Trench, Trübner, 1901); Joseph Hall, ed. *King Horn; A Middle English Romance* (Oxford: Clarendon, 1901); Walter Hoyt French and Charles Brockway Hale, eds. *Middle English Metrical Romances* (New York: Prentice-Hall, 1930, rpt. New York: Russell and Russell, 1964); and Ronald B. Herzman, Graham Drake, and Eve Salisbury, eds. *Four Romances of England: King Horn, Havelok the Dane, Bevis of Hampton, Athelston* (Kalamazoo, Michigan: TEAMS/Medieval Institute Publications, 1999). Selections from the text appear in a number of anthologies, including: Donald B. Sands, ed. *Middle English Verse Romances*. 2<sup>nd</sup> ed. (Exeter: UP of Exeter, 1986); A. C. Gibbs, *Middle English Romances*. York Medieval Texts. (Evanston: Northwestern UP, 1966).

analysis of verb tenses, which doesn't stand up to scrutiny.<sup>122</sup> What Perry describes as the future tense in key scenes is in fact the modal imperative or modal auxiliary denoting desire or intent, and what he describes as the present tense is in fact the imperative mood. A more thorough examination of the text, coupled with an understanding of canon law and of medieval English marriage practices, reveals that Horn and Rymenhild enter into a secret marriage in one key scene, an interpretation that is also supported by additional evidence within the text.

As discussed in the introduction, medieval canon law recognized that the principals' exchange of consent in the present tense created a marriage. This was the case regardless of whether or not the exchange of consent was followed by consummation. Moreover, as Helmholz, Sheehan, and McSheffrey have shown, clandestine marriages (that is, non-Church weddings) were commonplace in medieval England, and they would have been recognized by a medieval audience.

The romance of *King Horn* begins with a Saracen invasion that kills Horn's father, the king of Suddene. The Saracens set the teenage Horn and his companions to sea in a small boat, thinking they will die at sea, but instead the young men arrive safely in Westernesse, where Horn is raised by the king, whose daughter falls in love with Horn. The central story of the romance concerns Horn's avenging his father's death and regaining his patrimony; however, courtship and marriage play an important part in the

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<sup>122</sup> John H. Perry, "Opening the Secret: Marriage, Narration, and Nascent Subjectivity in Middle English Romance" *Philological Quarterly* 76.2 (Spring 1997): 133-58.

story, including enabling Horn to be made a knight, putting him on the road to regaining his throne, and his establishing a dynasty.

The romance features several courtship scenes between Horn and the princess Rymenhild, which culminate in the couple's entering into a secret marriage. In order to understand this event, it is necessary to examine the previous three courtship scenes, which provide a context for understanding the secret marriage. In the three initial wooing scenes, Rymenhild pursues Horn, desiring both sex and marriage.

In the first wooing scene, Rymenhild asks the steward to bring Horn to her chamber; afraid she'll seduce Horn and thereby get him into trouble, the steward brings Horn's best friend, Apulf, instead. She mistakes him for Horn, which suggests she's never seen Horn up close but has fallen in love with him by reputation. This situation mirrors that in *King Horn's* Anglo-Norman analogue, *Horn*, where the heroine Rigmel lives a fairly isolated existence.<sup>123</sup> As Judith Weiss explains, Rigmel is restricted to her chamber, so that "only through gossip and rumour can she learn about Horn, and she falls in love with hearsay."<sup>124</sup> Unlike Rigmel, Rymenhild isn't entirely restricted to her chamber, as she's described as reluctant to speak to Horn "at borde" or "in þe halle / Among þe kni3tes alle," implying her presence at table and at least occasionally in the hall (ll. 58, 60-61). However, Rymenhild seems to have seen Horn only from a distance,

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<sup>123</sup> Thomas' earlier Anglo-Norman *Horn* does not seem to be a source of the Middle English *King Horn*, nor does *King Horn* appear to be its source; "both probably draw on a common original," according to Derek Pearsall, *Old English and Middle English Poetry* (London: Routledge & Kegan Paul, 1977), 114.

<sup>124</sup> Judith Weiss, "The Wooing Woman in Anglo-Norman Romance," 149-61. In *Romance in Medieval England*, ed. Maldwyn Mills, Jennifer Fellows, and Carole Meale (Brewer, 1991), 155.

which is why she doesn't realize that it's Apulf instead who's come to her chamber and whom she's attempting to seduce. Lying down in bed with him in her arms, Rymenhild insists that he pledge to marry her right then:

“Horn,” quaþ heo, “wel longe  
Ihc habbe þe luued stronge!  
þu schalt þi trewþe pli3te  
On myn hond her ri3te,  
Me to spuse holde,  
And ihc þe [to] Lo[ue]rd wolde” (ll. 307-12).<sup>125</sup>

In this speech, Rymenhild expresses her desire to marry Horn. Instead of making a formal promise to marry Horn, she demands that he pledge to marry her, using the modal imperative to make her demand: “þu schalt þi trewþe pli3te / ... / Me to spuse holde.” Rymenhild has been criticized for her passionate nature,<sup>126</sup> and her lovesickness for Horn is described in terms of great emotionality and even madness: “Heo louede [Horn] so [on mode] / þat heo gan wexe [wode]” (ll. 255-56), and also: “Hire sore3e [and] hire pine / [nolde] neure fine” (ll. 265-66).<sup>127</sup> Some critics have cast her in a negative light, implying that a medieval audience would have been put off by her emotionality, a dubious assumption, instead of their finding it moving. Still, her desire takes a socially constructive form, as her speeches here and in the other courtship scenes establish early in the narrative her desire to marry Horn, which because of his royal birth would

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<sup>125</sup> “‘Horn,’ said she, ‘for a long time / I have loved you very much! / You must plight your troth / On my hand right here / To have me as your wife, / And I would like to have you as lord.’” Line 309 has been repunctuated by me.

<sup>126</sup> See for example W. R. J. Barron, *English Medieval Romance* (London; New York: Longman, 1987).

<sup>127</sup> “She loved Horn so in her feelings / That she went mad” and “Her sorrow and love-longing / Would never end.”

constitute a marriage between equals. When she learns of the steward and Apulf's deception, she flies into a rage, and the chastened steward promises to bring the real Horn to her.

When Horn arrives in Rymenhild's chamber in the second wooing scene, she sits him down, plies him with wine, embraces him, and kisses him often. Once Horn is supposedly disarmed by her seductive approach, she makes her demand:

"Horn," heo sede, "wiþute stri[ue]  
Pu schal ha[bben] me to wi[ue].  
Horn, haue of me rewþe  
And plist me þi trewþe!" (ll. 413-16).<sup>128</sup>

As in the first wooing scene, Rymenhild insists on Horn's marrying her, continuing to make clear her desire to wed. In response, Horn, virtuously resisting her seduction, protests that his status is too low and that it would not be "of cunde" (natural) for them to marry. In fact, Horn describes himself as of drastically lower birth than Rymenhild, "ibore to lowe / Such wimman [i.e., Rymenhild] to knowe" (ll. 423-24). He goes on to claim the lowest social status, saying,

"Ihc am icome of þralle  
And fundling [am] bifalle  
.....  
Hit nere no fair wedding  
Bitwexe þral and king" (ll. 425-30).<sup>129</sup>

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<sup>128</sup> "'Horn,' she said, 'Without hesitation / You must take me as your wife. / Horn, have pity on me / And pledge your troth!'"

<sup>129</sup> "I come from servitude / And have become a foundling; / ... / It would be no fair wedding / Between a serf and a king."



Horn's concern with their differing status may recall the issue of disparagement in *Havelok*, though of course Horn is not thought to be a thrall and indeed is known to be of royal birth. His claim to be a þral should not be understood literally, but as an expression of humility toward Rymenhild. Despite his exiled status, the royal birth of hero and heroine makes them compatible, as in the case of *Havelok* as well. Horn's resistance to Rymenhild's seduction and demand of marriage mark him as a noble figure; despite all he has to gain, he is resolutely not a gold-digger or an opportunist, but is holding himself to a higher standard, wishing to become worthy of the princess instead of taking advantage of her. At Horn's polite refusal, the disappointed Rymenhild faints, but he catches her in his arms and speaks gently to her, calling her "lemman" and admonishing her to control her heart. He asks her to intercede with her father to have him made a knight, promising:

"Þan is mi þralhod  
Iwent in-to kni3thod,  
And ischal wexe more  
And do, lemman, þi lore" (ll. 445-48).<sup>130</sup>

If Horn were to become a knight, he explains, his status would be high enough to marry her, and he vows to do as she asks then. Although a knight and a princess differ in status, they are not mismatched. The knight who marries a princess is a commonplace in romance, reflecting his real-life counterpart, the dispossessed younger noble son obliged to pursue wealth and an advantageous marriage through royal patronage and prowess

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<sup>130</sup> "Then will my serfdom / Be changed to knighthood, / And I shall become more / And follow all your instruction, beloved."

in battle.<sup>131</sup> Moreover, knighthood would be the first step toward Horn's regaining his patrimony, a step he needs Rymenhild's assistance in taking.

A careful reading of the next few scenes illuminates some of the powerful constraints on Rymenhild, who, despite being a king's daughter, is significantly restricted in her mobility and agency. Without a mother or sisters, she seems confined for the most part to her chamber and limited in her interactions with others. Apparently unable to ask her father directly, she again seeks out the steward, this time to entreat him to intercede on her behalf and ask her father to make Horn a knight. Interestingly, when the steward does so, he doesn't mention that it's Rymenhild's idea, but praises Horn and suggests Aylmer dub him a knight. Delighted by the idea, Aylmer acts on it the next day, knighting Horn in the hall, whereupon the newly made Sir Horn in turn makes all of his companions knights as well. Rymenhild is clearly not at the ceremony, though she surely would be if she were free to do so.

After the dubbing and the feast that follows, the third wooing scene begins when Horn returns to Rymenhild's chamber, where she greets him, addressing him as "sire Horn" in honor of his recent knighting (l. 534). Apulf accompanies Horn, so there's a witness when Rymenhild asks Horn to make good on his promise, now that his requirement been met, and to

"Do nu þat we of-spake:  
To wi[ue] þu me take!  
Ef þu [beo] trewe of ded[e]  
Do [þat þu ar] sed[e]" (ll. 541-44).<sup>132</sup>

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<sup>131</sup> David Herlihy, *Medieval Households* (Cambridge; London: 1985), 97.

Rymenhild again demands that Horn marry her, this time using the imperative mood, rather than the modal imperative, as she had in the previous two scenes. The effect may be to intensify her urgency and desire, an effect strengthened by the repetition of the word “nu.” As in the previous wooing scenes, her consent remains implicit, but her intent is absolutely clear.

Horn replies, saying:

“Ihc wulle don al þi wille,  
[Ac] so hit mot betide,  
Mid spere ischal [a]rst ride  
And mi kni3thod proue  
Ar [þen] ihc þe wo[w]e” (ll. 548-52).<sup>133</sup>

Horn’s requirement has been met, but his new status as a knight entails a condition that must be fulfilled before he can be worthy of Rymenhild. Horn acknowledges that he intends to “don al þi wille,” and marry her, but must “prove” his knighthood, or engage in armed combat, before he can woo her. Surprisingly in a medieval romance, here it’s the hero who tells the lady that he must first prove himself in battle in order to be worthy of her, but this twist reflects the higher standard that Horn takes upon himself to be worthy of Rymenhild. Horn makes a conditional vow to marry Rymenhild, saying, “If ihc come to lyue, / Ihc schal þe take to wyue!” (ll. 565-66).<sup>134</sup> This vow is more specific

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<sup>132</sup> “Do now what we spoke of: / Take me to wife! / If you are true with respect to deeds [a man of your word] / Do now what you said before.”

<sup>133</sup> “I will do all your will, / But so that it might come to pass, / I must first ride with spear / And prove my knighthood / Before I woo you.” The lines have been repunctuated by me.

<sup>134</sup> “If I return alive, / I shall take you to wife!” *Shulen* here expresses Horn’s intention. *Middle English Dictionary*, s.v. “shulen (v. (1)),” meaning 5a, “modal auxiliary expressing certainty, belief, assertion, intention, determination, assurance, etc.”

than the previous one, in which Horn promised to follow all of Rymenhild's instruction (a reference to her demand that he marry her); here, in the last of the three initial wooing scenes, he promises explicitly to marry her, if he returns alive. The significance of these three initial wooing scenes to the question of secret marriage in *King Horn* lies in their communicating Rymenhild's intent to marry Horn.

Horn then sets forth and encounters a shipload of Saracens, whom he defeats single-handedly, thus protecting the court from their planned attack. This victory in battle helps Horn become more worthy of marrying Rymenhild, in his eyes. After the three initial wooing scenes and Horn's achievement in defeating the Saracens, both his conditions have been met (knighthood and proving the knighthood), and what follows is the key scene in which the couple enter into a secret marriage.

The very next morning, when the king again goes out hunting, Horn goes to Rymenhild's chamber. When Horn arrives, Rymenhild has had a bad dream and is weeping. Horn immediately pledges to marry her, which is the purpose of his visit, and only then consoles her and interprets her dream. Horn vows:

“Ne schal I þe biswike  
Ne do þat þe mislike.  
[Ihc nime þe min] owe  
To holden and to knowe,  
For euerech oþere wi3te;  
þarto mi treuþe I pli3te” (ll. 677-82).<sup>135</sup>

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<sup>135</sup> “I must not deceive you / Nor do anything to displease you. / I take you as my own / To protect and to cohabit with / To the exclusion of every other person; / To that I pledge my oath.” *Middle English Dictionary*, s.v. “knouen,” meaning 12a, which provides this passage from *King Horn* as an illustrative quotation.

As has already been mentioned, most of the scholarship on the question of marriage in this scene has been written by the editors of the romance, in their notes. Although most of them do not examine the scene, all of them agree that Horn and Rymenhild enter into a betrothal, alone together in her chamber, in this scene. Rosamund Allen, the editor of the standard, 1984 edition, erroneously cites Gist's 1947 published dissertation to support her argument that the scene includes a valid betrothal, because the use of the present tense 'form[s] a valid troth-plighting.'<sup>136</sup> What Gist actually claims, however, is that the Church "declared ... that secret vows ... must be recognized as constituting marriage if they were expressed in terms of the present,"<sup>137</sup> that is, using *verba de presenti*. And in fact, as we have seen, Gist's statement about secret marriage is correct, the exchange of vows in the present tense does not create a betrothal in canon law: it creates a *marriage*.<sup>138</sup>

Horn's formal vow also includes a phrase like that set forth in a thirteenth-century Church statute regarding marriage vows. At that time, also the time of *King Horn's* composition, the English Church was still debating and working out a verbal formula by which marriage was to be contracted. The Church council 1 Salisbury (1219) gives the formula "Ego N. accipio te in meum,"<sup>139</sup> which is similar to Horn's "[I]hc nime

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<sup>136</sup> Margaret Adlum Gist, *Love and War in the Middle English Romances* (Philadelphia: University of Pennsylvania Press, 1947), 19ff., qtd. in Allen, 296.

<sup>137</sup> Gist, 19.

<sup>138</sup> Perry, 18.

<sup>139</sup> *Councils and Synods with Other Documents Relating to the English Church, AD 1205-1313*, ed. F. M. Powicke and C. R. Cheney (London: Oxford University Press, 1964); v. I, 87-88 and 376.

þe min] owe.” Jean Dauvillier has suggested that this verbal formula “is not offered as an example of the words to be spoken by those contracting, but rather as an example of present consent that could not be confused with future consent.”<sup>140</sup> Nevertheless, Horn’s vow contains an echo of the thirteenth-century wedding vow from 1 Salisbury, when the verbal formula for contracting a marriage was still evolving.

Not only does Horn’s vow use a phrase similar to that of the thirteenth-century wedding vow from 1 Salisbury, but it also includes structure, ideas, and phrasing not unlike those in the vows in the New Use of Sarum marriage liturgy, which dates to the mid-fourteenth century, the time of the extant *King Horn* manuscripts. The English Church had established a verbal formula, with some variations, for marriage vows for Church weddings. The Sarum Manual provides the words to be spoken by the principals, in the vernacular, at their wedding. In its initial phrasing, the Sarum Manual’s vow has similarity to some of the phrasing in Horn’s vow: where the Sarum Manual says, “I N. take the N. to my wedded wyf to haue and to holde,” Horn says, “[Ihc nime þe min] owe / To holden and to knowe.” Although the romance doesn’t contain the names of the principals nor the mention of the word “wife,” as Sarum does, it does include the same general structure. Finally, after enumerating what he promises to do, Horn ends his vow with the clause, “þarto mi treuþe I pli3te,” almost word-for-word the same as the clause ending the Sarum vow.

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<sup>140</sup> Conor McCarthy, *Marriage in Medieval England: Law, Literature and Practice* (Woodbridge, Suffolk, U.K; Rochester, NY: The Boydell Press, 2004), 19, fn 1.

After Horn's vow to "[... nime þe min] owe / To holden and to knowe," he continues with the phrase, "For euerech opere wi3te." Although a similar phrase doesn't occur in the New Use of Sarum, interestingly, Maskell cites a variation of the vow located in a manuscript Salisbury manual. In the part of the service that establishes the intent of the couple to marry, the priest asks the man, among other things, if he intends "alle oyer women to forsaken for hire."<sup>141</sup> This variation provides yet another instance of the parallels between Horn's vow and contemporary marriage vows, in its explicit promise of an exclusive relationship with the bride over all others. Although the author of the romance does not seem to be drawing on a particular verbal formula set forth by the Church, the hero's promise contains many parallels with wedding vows of the time.

Moreover, the numerous variations in marriage vows in thirteenth- and fourteenth-century England make the specific phrasing of Horn's vow less of an issue. The verbal formula needed to contract a marriage had not been set by the Church in the thirteenth century, when *King Horn* was composed. In addition, while the fourteenth century saw the revision of the New Use of Sarum at the cathedral church in Salisbury, and while this rite was used in other dioceses as well, it was by no means used in all of them. Also, even those who used it sometimes introduced variations in the vow.<sup>142</sup> The persistence of local variation in the fourteenth century could account for the differences between Horn's words and the New Use of Sarum, and the lack of an established verbal

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<sup>141</sup> Maskell, Vol. I, 53-54, fn 7.

<sup>142</sup> Ibid., Vol. I, 53-54, fn 7.

formula at the time of the poem's composition makes closer parallels with the New Use of Sarum unlikely.

Furthermore, the New Use of Sarum vows were liturgical, to be used in church weddings, but of course as historians such as Sheehan, Helmholz, and McSheffrey have shown, ordinary people frequently married in non-Church weddings, and the Church lacked a verbal formula for those situations. Despite the lack of a formula, when the consistory court heard a suit to enforce a marriage, it required that the vows exchanged include a direct reference to marriage, in order for the marriage to stand.<sup>143</sup> On the other hand, ordinary medieval people commonly contracted marriage without following any particular verbal formula or even making an explicit reference to marriage. It seems this requirement wasn't popularly known or understood, and many people learned of the Church's requirement only if they were involved in a lawsuit to enforce a marriage. Because the court's requirement clearly wasn't popularly understood, a thirteenth-century audience would not have been bothered by the absence of a specific reference to marriage. Indeed, as we have seen, Horn's vow includes elements similar to those in wedding vows from thirteenth- and fourteenth-century England and sounds very much like a contemporary marriage vow.

Although Rymenhild doesn't respond to Horn with a vow of her own at this time, so that there is an exchange of vows in a single time and place, nonetheless she's made her intent very clear in the previous three wooing scenes. The accumulation of evidence of her intent in these scenes has established her consent, so that she doesn't

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<sup>143</sup> Helmholz, 45-6.



need to reiterate it again; it's been made abundantly clear to the audience. Furthermore, the absence of Rymenhild's vow doesn't present a problem for any scholar who's written about this scene: Perry believes the scene to be a marriage, and all the others understand it to be a betrothal; however, if her lack of a vow doesn't present an obstacle to understanding this scene as a betrothal, it certainly doesn't present an impediment to accepting it as a marriage.

In the text, after Horn makes his vow (and then interprets Rymenhild's dream), the scene switches abruptly to King Aylmer and Horn's false friend Fikenhild out hunting. Fikenhild betrays Horn, claiming that Horn often sleeps with Rymenhild and is doing so at that very moment, and that he has sworn to marry her and kill Aylmer. It's not clear why Fikenhild might suspect that Horn and Rymenhild are sleeping together, but he tells Aylmer to go home and he'll find them together.

When Aylmer returns to the castle, he finds Horn and Rymenhild in bed together, although evidence from a later scene (to be examined below) makes clear they haven't engaged in sexual intercourse, and the vocabulary used in the scene doesn't suggest otherwise. The text says of Aylmer that "He fond Horn [binnen] arme / On Rymenhilde barme" (ll. 715-16).<sup>144</sup> *Binne* appears as a headword in the *Middle English Dictionary*, though none of the examples cited show the collocation *binnen arme*; there's no indication that *binnen arme* might mean, or imply, sexual intercourse.<sup>145</sup>

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<sup>144</sup> He found Horn embraced / In Rymenhild's bosom.

<sup>145</sup> *Middle English Dictionary*, s.v. "binne."

The *MED* does, however, give four definitions of the word *barm*, the second of which is “breast, bosom.” For this second definition, it also provides the exact phrase found in this line of *King Horn*, *in (on) barme*, meaning “at (one’s) bosom, in (someone’s) arms,” and so the phrase simply means “in someone’s arms” or “on someone’s bosom” and doesn’t necessarily entail sex. In fact, the only other example from among the quotations that uses this phrase in a situation relevant to that in *King Horn* does **not** imply sex. Chaucer’s *The Monk’s Tale* (CT B. 3256) includes the lines: “Sampsoun ... slepyng in hir barm vp on a day, She made to clippe or shere his heer away.”<sup>146</sup> In this quotation, Samson is simply sleeping in Delilah’s arms, and, although he could be engaged in post-coital sleeping, they clearly cannot be having sex while she cuts his hair off.

Therefore, the vocabulary in this scene supports the reading of Horn and Rymenhild being discovered in each other’s arms, but not in a situation involving sexual intercourse. Scholars have differed in their interpretations of the situation: Pope and Martin understand the couple as being discovered having intercourse or in bed just afterward.<sup>147</sup> Most of the editors of the text, however, don’t remark on the situation at all,<sup>148</sup> and Gibbs even omits this section from the selections of the romance he offers.

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<sup>146</sup> *Middle English Dictionary*, s.v. “barm,” meaning 1b.

<sup>147</sup> Pope, *Medium Aevum* 25 (1956), 165; and J. E. Martin, *Studies in Some Early Middle English Romances*, Unpublished dissertation, Univ. of Cambridge, 1967, 60, qtd. in Allen, 298-99.

<sup>148</sup> Including Hall, McKnight, French and Hale; Sands; and Herzman, Drake, and Salisbury, the editors of the TEAMS edition.

Allen alone, prompted by evidence from the later scene in the romance, correctly argues that they're simply in each other's arms, not engaged in sexual intercourse.<sup>149</sup>

In fact, because Horn has used present tense in his vow, according to canon law, their present-tense consent to marry constitutes a marriage, even if they don't consummate it here. So the text is supporting the canon law understanding of what constitutes marriage, emphasizing the primacy of consent not consummation, and not the popular one.

When King Aylmer finds Horn and Rymenhild in bed together, just as Fikenhild predicted, he assumes Fikenhild is also right about their having slept together often and about Horn swearing to kill Aylmer. When the king, "Wel Modi and wel Murne" (714), finds the two in each other's arms, it would hardly have occurred to him to wonder if they have contracted marriage by present consent, even though the audience would draw that conclusion. Aylmer angrily banishes Horn from the kingdom, whereupon Horn assembles his horse and gear before returning to bid Rymenhild farewell.

In the farewell scene, the text of manuscript C says, "He 3ede forþ bliue / To Rymenhild his wyue" (ll. 735-36),<sup>150</sup> a couplet that scholars have either ignored or been confused by. In fact, of course, the word *wyue* has multiple meanings in Middle English and as such presents a potential crux here. According to the *Middle English Dictionary* (s.v. *wīf*), it can refer either to a woman or a wife, and both meanings are attested during the period of 1250-1340, to which the composition of *King Horn* and the copying of its

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<sup>149</sup> Allen, 298-9.

<sup>150</sup> "He went forth immediately / To Rymenhild his wife."

extant manuscripts have been dated. Three of the editors who interpret Horn and Rymenhild as merely betrothed find the word *wyue* so unremarkable that they don't even provide a note.<sup>151</sup> For two others, however, it merits attention and a note to the reader. Herzman, Drake, and Salisbury argue that *wyue* should be translated as "woman," not "wife,"<sup>152</sup> a reading that reflects the first meaning in the *MED*. The appeal of this reasoning is that it explains why the word would be used if one believes Horn and Rymenhild to be merely betrothed. On the other hand, the use of the masculine singular possessive pronoun qualifying *wyue* (*his wyue*) complicates the situation, because the *MED* provides no examples of this collocation under the meaning "woman." Unlike the other editors, Allen interprets *wyue* as "wife," and the quotations under this sense in the *MED* clearly corroborate this reading. But then she feels it necessary to wonder about this word in the text: Horn and Rymenhild are betrothed, she argues, which makes the word *wyue* "just defensible"; or perhaps the scribe, "aware that R[ymenhild] was referred to at some point as Horn's consort ... anticipated the place, changing the wording, when stuck for a rhyme at 736."<sup>153</sup> Instead, the more obvious meaning of this word ("wife") supports the understanding that they're married and furthermore is supported by additional textual evidence within the romance for that reading.

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<sup>151</sup> McKnight, French and Hale, and Sands.

<sup>152</sup> 65.

<sup>153</sup> Allen 300.

Like manuscript C, O also includes a reference to Rymenhild as Horn's wife, in a different location but still within the farewell scene. After Horn and Rymenhild have parted, Horn addresses his best friend and companion, Apulf, saying in both manuscripts C and L: "Kni3te, so trewe, / Kep wel mi luue newe" (ll. 761-62).<sup>154</sup> In contrast, manuscript O reads: "Kni3te, so trewe, / Kep wel mi *wiue* newe" (italics mine: "my new wife"). Allen attributes the appearance of *wiue* here in O to "transposition of letters and minim confusion," though she notes that J.E. Martin, in an unpublished Ph.D. dissertation from 1967, finds it a better reading than *luue*,<sup>155</sup> which is certainly arguable, especially given the previous reading in C. While the narrator refers to Rymenhild as Horn's wife in ll. 725-26 in C, in manuscript O twenty-five lines later, Horn himself describes her as his wife. The third manuscript, L, doesn't refer to Rymenhild as Horn's wife, but all three manuscripts provide support for their marriage later in the text, as we shall see, and it may simply omit this explicit detail. In fact, the two references to Rymenhild as Horn's wife in two different locations in the same key scene support the understanding of their entering into a secret marriage and suggest Horn and Rymenhild's secret marriage was an integral part of the original.

This point in the narrative, the farewell scene, is the first opportunity the poet has to remark on Horn and Rymenhild's new status. According to canon law, they have been married ever since they exchanged vows, even without consummation. When we first see them in bed together, it is from the perspective of her angry father, who is

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<sup>154</sup> "Knight so true, / Protect my new love."

<sup>155</sup> Allen, 301; Martin, 280, qtd. in Allen, 301.

concerned about treachery and has no reason to think of matrimony. Horn's brief return to Rymenhild is our first exposure to their perspective since their marriage was completed, and the text pointedly uses the word *wyue* to underline their new marital status.

Horn's description of Rymenhild as his wife in manuscript O also takes place shortly after they've exchanged vows (50 lines later, on the same day; presumably at most a few hours afterward); it's the first chance Horn has had to talk about Rymenhild to anyone, so it's quite pointed that he refers to her as his "new wife." Aþulf, the person he addresses, has known more about the lovers' situation than anyone else, having been present in two of the three initial courtship scenes: the first one, when Rymenhild mistakes him for Horn and insists that he marry her; and the third, in which Horn promises to marry Rymenhild once he's proven himself in arms. Aþulf's presence in these scenes, in which the couple negotiate their courtship and marriage, make him well aware that they intend to marry once the newly knighted Horn has tested himself in battle. Therefore, it would not have come as a surprise to him when, in the same event-filled day as his triumphant return from fighting the Saracens, Horn refers to Rymenhild as his "new wife." It's clear that the text refers to Rymenhild as Horn's wife in this scene because she is his spouse, as they have just entered into a secret marriage. And in this manuscript, as in manuscript C, it's the first time since their marriage that the audience sees their perspective, and another example of the text emphasizing their new marital status.

The next passage of interest occurs seven years and almost three hundred lines later, when Horn, living in exile, learns that Rymenhild is being forced into an arranged marriage and returns to try to save her from it. He encounters a palmer coming from the wedding feast who reports that Rymenhild has been insisting she cannot marry, because “Heo hadde on husbonde / Thegh he were ut of londe” (ll. 1049-50).<sup>156</sup> While one might try to argue that the earlier word *wyue* is ambiguous, the word *husbonde* is not. According to the *MED*, it means “a male spouse, married man, husband.”<sup>157</sup> Still, none of the editors of the text note Rymenhild’s remarkable claim, which appears in all three manuscripts and is an unambiguous description of the couple’s marital status. Rymenhild clearly uses the word “husband” of Horn because she genuinely believes herself to be married to him.

When Horn arrives in Westernesse, Rymenhild’s marriage to Modi has already taken place, and the post-ceremony wedding feast is underway. Rymenhild and Modi seem to have entered into a public wedding; it’s certainly followed by a very public wedding feast attended by lots of people. Although there’s no mention of the Church as institution or building and no reference to a priest or even wedding bells, the public nature of this wedding stands in stark contrast to the secrecy surrounding Horn and Rymenhild’s marriage. Nevertheless, despite the secrecy, Horn and Rymenhild’s union is treated with sympathy, and the forced marriage, which violates notions of the primacy of consent, is treated as an obstacle to the young couple’s happiness, especially

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<sup>156</sup> “She had a husband, / Though he is out of the country.”

<sup>157</sup> *Middle English Dictionary*, s.v. “housbōnd(e(n)),” meaning 1a.

that of Rymenhild. Rymenhild has resisted the marriage consistently, but her father and husband-to-be Modi force her into it nevertheless. The episode in the romance shows Rymenhild to be highly constrained by her circumstances but still able to take some action. For example, she sends the messenger to find and alert Horn to her plight, without which Horn would never have arrived to deliver her. In addition, she has hidden a knife with which she intends to kill first Modi and then herself on her wedding night, an act of extreme desperation and the only way in which she can take any action behalf of herself, her honor and her dignity. The situation in part reflects a practice that persisted in the Middle Ages, as families sometimes forced their offspring into marriage, and lords their vassals and their vassals' widows, despite the Church's emphasis on the consent of the principals. By presenting a forced marriage as an obstacle to the hero and heroine's union, and indeed as a bigamous marriage, the romance condemns the practice of forced marriage.

While legally the question of which of Rymenhild's unions is legitimate should go before the consistory court or a bishop (or even the pope, considering the noble blood of the participants), of course the legal proceedings would tie up the narrative when what's needed is a quick resolution. Horn puts an end to his rival by simply killing Modi and all his men, which is more satisfying from a narrative perspective and also portrays Horn as the man of action he is. Unlike *Havelok the Dane's* emphasis on legality, *King Horn* is much more concerned with action, as in the case here. There's no question in the minds of the audience which is the legitimate marriage.



At this point, the romance says: “Hi Runge þe belle / Þe wedlak to [ful]felle” (ll. 1281-82),<sup>158</sup> as Horn’s men ring the church bell. The claim that this action in some way fulfills or completes the marriage of Horn and Rymenhild is puzzling. From a technical standpoint, neither in medieval marriage practice nor in canon law did ringing a church bell “fulfill” a marriage: it had no role to play. Furthermore, Horn and Rymenhild’s secret marriage did not need any other action in order to be considered valid by the Church, although the consistory court sometimes required those who entered into secret marriages to solemnize their union in a church. Horn and Rymenhild clearly do nothing at this time to solemnize their marriage; the ringing of the church bell is all that occurs.

Although the ringing bell fulfills no legal or ceremonial function, it does contribute meaning in this context, as the ringing of the church bell in *King Horn* represents publicity for the union of Horn and Rymenhild. The couple never participates in a public wedding or a Church wedding in the text, so ringing the bell, which is done by a third party (Horn’s men) is the one act to publicize their marriage, even though it’s not one required by law or custom. The real purpose of the bell ringing in fact has to do with narrative function: the bell ringing obliterates the “wrong” marriage of Rymenhild and Modi and at the same time publicizes the “right” marriage of Rymenhild and Horn.

And yet Horn insists immediately afterward that the marriage is unconsummated and will remain so until he’s regained his kingdom. Addressing King Aylmer, Horn recalls Fikenhild’s treachery and denies his charges:

“To þe, king, men seide

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<sup>158</sup> “They [Horn’s men] rang the bell / To complete the marriage.”

Pat i þe bitraude;  
 Þu makedest me fleme  
 And þi lond to reme;  
 Þu wendest þat i wro3te  
 Pat y neure ne þo3te:  
 Bi Rymenhild [to] ligge.  
 [Bi Dri3te] i [þat] wiþsegge!" (ll. 1299-1306).<sup>159</sup>

Not only does Horn deny Fikenhild's charges of treachery, which had led to Horn's banishment, but he also claims never to have slept with Rymenhild. It is this assertion more than any other evidence that makes it clear that despite being found in bed together, the couple have not consummated their marriage. In fact, Horn promises not to sleep with Rymenhild until he's king:

"Ne schal ihc [neure a]ginne  
 Til i Suddene winne. ...  
 Þat lond ischal ofreche  
 And do mi fader wreche;  
 Ischal beo king of tune  
 And [l]ere kinges [r]une.  
 Panne schal Rymenhilde [þe 3inge]  
 Ligge bi [Horn] þe kinge!" (ll. 1307-18).<sup>160</sup>

This statement constitutes a dilemma, in that it seems to present their marriage as somehow incomplete, despite the fact that canon law considered them married from the moment they exchange vows in the present tense, and consummation is unnecessary.

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<sup>159</sup> "To you, king, people said / That I betrayed you; / You drove me into exile / And [made me] leave your land; / You thought that I did / What I never even thought: / To sleep with Rymenhild. -- / By God I refute it!" Allen amends line 1305 to read "Bi Rymenhild [to for]ligge," but the line as edited does not scan and introduces a collocation not found in the *MED* (*to forlien bi*).

<sup>160</sup> "I shall never start [having sex with Rymenhild] / Until I gain Suddene. / ... / I shall reach that land [England] / And avenge my father; / I shall be king of town / And learn kingly speech. / Then shall Rymenhild the young / Lie by Horn the king!"

On the other hand, according to some popular custom, a marriage was not complete until after consummation. If the couple has indeed not had sexual intercourse, as Horn claims, then this view would consider them betrothed but not married. In the romance, however, Horn and Rymenhild both clearly understand themselves to be married, as reflected in the references to Rymenhild as Horn's wife and to Horn as Rymenhild's husband. Therefore, the lack of consummation points to a narrative function and serves to enhance the hero. Rather than raising questions about their marital status, Horn's refusal to consummate it enhances him: he's unselfish and unsensual, guided by his own sense of honor and his regard for his wife. He'll wait until he's king, to be worthy of her, before they sleep together. As in his refusal to marry without first proving his knighthood, Horn here continues to hold himself to a higher standard in his relationship with his wife.

In the last relevant scene, at the end of the tale, after Horn has regained his kingdom and crowned himself, he makes Rymenhild his queen. The romance concludes with her coronation but no wedding. None of the editors of the romance remark on the lack of a wedding; however, if Horn and Rymenhild are understood to be married already, the happy ending may lack a wedding because there's no need for one.

The romance contains a few other marriages as well. In one, Rymenhild is forced to marry Horn's treacherous friend Fikenhild. The situation is even more extreme than her previous marriage to Modi, because even her father is opposed to it but is powerless to prevent it, and only Horn's appearance at the last minute saves Rymenhild. In an echo of the Modi storyline, Horn appears in disguise after the wedding but before

consummation, and kills his rival, neatly putting an end to the bigamous, illegitimate marriage and, in this case, an even more iniquitous villain.

The romance also presents the possibility of an arranged marriage for Horn, which functions as a potential threat to his marriage to Rymenhild. When he's exiled by King Aylmer, Horn serves as a knight to the king of Ireland, where he proves himself a great champion. Without other heirs, the king proposes to give Horn his daughter Reynild and the kingdom after his death – a tempting offer that Horn declines, proposing instead that she marry his friend Apulf, which the king agrees to. Indeed, near the end of the story Horn returns to Ireland and “Þer he dude Apulf child / Wedden maide Reynild” (ll. 1551-52).<sup>161</sup> This marriage, arranged by the young woman's father and the young man's best friend, may be consensual, though the question of the principals' consent isn't significant enough to be raised; it ties together loose narrative strands.

Throughout the romance of *King Horn*, Rymenhild is constrained by her circumstances: confined primarily to her chamber, she is restricted in her interactions with others and extremely limited in any kind of agency over her life. Her father, for example, summarily marries her off to Modi over her strongly expressed objections, culminating in her willingness to kill her new husband and herself on her wedding night, and she resists her marriage to Fikenhild as well. Her selection and active pursuit of Horn is her one assertion of will in her much-constrained life. Surprisingly, her sexuality and agency are not punished in the romance but are instead rewarded:

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<sup>161</sup> “There he had young Apulf / Married to maiden Reynild.”

although her father punishes her (and Horn), the narrative doesn't – she ends up wife and queen.

In its treatment of themes of courtship and marriage, the romance is participating in the contemporary debate over marriage, including how it's contracted, who arranges it, who regulates it, and whether love or the family or lord's interests should form the basis for marriage. The romance clearly promotes love matches, in the marriage between Horn and Rymenhild, as opposed to the other marriages involving the principals: Rymenhild's marriages to Modi and Fikenhild and the proposed marriage between Horn and the Irish princess Reynild. In drawing a contrast between Horn and Rymenhild's love match and the other, failed attempts at marriages, the romance depicts the young principals, not their parents, as best suited to making their marriages. Interestingly, *King Horn* seems to promote a position that is somewhat complex, even contradictory, in its rather paradoxical presentation of "clandestine," non-ecclesiastical marriage. On the one hand, it promotes the popular contemporary practice of non-Church weddings, reflected in Horn and Rymenhild's secret marriage. On the other hand, it also promotes the Church's emphasis on the primacy of consent in creating a marriage, as opposed to the popular custom that a marriage was not complete and indissoluble without sexual consummation.

## Courtship and Marriage in *Sir Beves of Hamtoun*

Although much of *Sir Beves of Hamtoun* is devoted to the exploits and achievements of Beves, including his search for vengeance and regaining his patrimony, courtship and marriage nonetheless constitute an important theme woven throughout the romance. At its center is the relationship between Beves, the exiled earl's son, and Josian, the Saracen princess, whose father takes in Beves, in a situation like that of the youthful, exiled Horn at the court of Westernesse. This central relationship is a study in contrasts: on the one hand, the Christian Beves, suspicious of women after his lustful, domineering mother engineers his father's death; and on the other hand, the strong, resourceful, sensual Saracen heroine, who falls in love with him. Her assertive nature creates problems for her relationship with Beves, and he withholds consent until he wins some concessions from her. The Saracen princess is a theme in medieval tales, and Josian follows the motif in most ways but differs in a significant respect. Like *King Horn*, *Sir Beves of Hamtoun* promotes love matches and contrasts marriage based on love and mutual consent with arranged marriage, which it primarily depicts as unconsensual. Unlike *Havelok the Dane* and *King Horn*, *Beves* is little concerned about the law or customs regarding marriage.

The Middle English romance of *Sir Beves of Hamtoun* is believed to be descended from a lost Middle English version, which had its source in the Anglo-Norman *Boeve de*

*Haumtone*.<sup>162</sup> Versions of *Sir Beves of Hamtoun* are preserved in six extant manuscripts, several fragments, and several early printed texts. The manuscripts are the Auchinleck Manuscript (c. 1330); Caius College, Cambridge, Gonville and Caius 175 (the second half of the fourteenth century), Egerton 2862 (the end of the fourteenth century); Royal Library, Naples, XIII, B 29 (fifteenth century); University Library, Cambridge Ff. 2.38; Chetham Library, no. 8009, Manchester (fifteenth century); Douce fragments, no. 19 (two leaves of the oldest printed edition).<sup>163</sup> The manuscripts have a complex relationship; indeed, Kölbing asserts that “it is undoubtedly the most complicated one of all the Middle-English romances.”<sup>164</sup> In addition, there is extremely wide variation among them, so that A. C. Baugh concludes that “instead of speaking of a single Middle English romance of *Bevis of Hampton* it would be more in accordance with the facts to say that we have at least five versions, each of which is entitled to be considered a separate romance.”<sup>165</sup> Herzman, Drake, and Salisbury characterize the situation as “a *Bevis*

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<sup>162</sup> *Der anglonormannische Boeve de Haumtone*, ed. Albert Stimming (Halle: Niemeyer, 1899, rpt. Geneva: Slatkine, 1974). For a discussion of the relationship between the Anglo-Norman *Boeve* and the Middle English versions, see Judith Weiss, “The Major Interpolations in *Sir Beves of Hamtoun*,” *Medium Ævum* 48, no. 1 (1979), 71-76.

<sup>163</sup> Eugen Kölbing, ed., *The Romance of Sir Beves of Hamtoun* E.E.T.S. e.s. 46, 48, 65 (London: N. Trübner, 1885, 1886, 1894; rpt. Millwood, New York: Kraus Reprint Co., 1978), v; Ronald B. Herzman, Graham Drake, and Eve Salisbury, eds. *Four Romances of England: King Horn, Havelok the Dane, Bevis of Hampton, Athelston* (Kalamazoo, Michigan: Medieval Institute Publications, Western Michigan University, 1999), 198; and Charles W. Dunn, “Romances Derived from English Legends,” in *The Manual of the Writings of Middle English*, vol. I (Romances), ed. Helaine Newstead (New Haven: Connecticut Academy of Arts and Sciences, 1967), 25.

<sup>164</sup> Kölbing, vi.

<sup>165</sup> A. C. Baugh, “The Making of *Beves of Hampton*,” *Library Chronicle* (1974), 34.

tradition rather than a singular *Bevis* text."<sup>166</sup> Given the complexity of the manuscript tradition, it is surprisingly easy to choose one for this dissertation, the Auchinleck Manuscript, which is the oldest and most complete. Moreover, the major differences between the Auchinleck MS and the other manuscript versions are in five major episodes, none of which have to do with the making of marriage. Furthermore, the Auchinleck Manuscript forms the principal base-text for the standard edition, by Kölbing, as well as the only other edition, the TEAMS edition by Ronald B. Herzman, Graham Drake, and Eve Salisbury.

Long before Beves meets the heroine, Josian, his view of women is shaped by his mother's acts of violence within the family. Unhappily married in an arranged marriage against her will, she schemes with her lover to kill her husband, Beves' father. Learning of his father's death and the circumstances surrounding it, the precocious seven-year-old Beves confronts his mother, calling her a whore and saying she should be drawn and quartered for the crime of his father's death. Drawing on medieval associations of whiteness and fairness with purity and virtue, he also contrasts her fair complexion with her evil ways, saying:

Allas, moder, þe faire ble  
Euel be-comeþ þe! Houre to be,  
To holde bordel,  
And alle wif houren for þe sake;  
The deuel of helle ich hii be-take,

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<sup>166</sup> Herzman, Drake, and Salisbury, 188. For an examination and analysis of the *Beves* versions in Middle English manuscripts and early modern English printed texts, see Jennifer Fellows, "The Middle English and Renaissance *Bevis*: A Textual Survey," in *Sir Bevis of Hampton in Literary Tradition*, ed. Jennifer Fellows and Ivana Djordjević (Rochester, New York; Woodbridge, Suffolk: D. S. Brewer, 2008), 80-113.



Flesch and fel! (ll. 307-12).<sup>167</sup>

Generalizing from his mother's behavior, he accuses all women of being whores in her brothel and says he would consign them all to the devil. In response to his speech, his mother hits him hard enough to knock him down and orders an old servant to kill him. Having escaped death through the loyalty of the servant, Beves confronts his mother and her lover again, but she sells him to Saracen merchants, "in to heþenesse" (l. 500).

The merchants take Beves to the Saracen King Ermin, and when Ermin asks for his story, Beves again extrapolates from his mother's behavior to women generally:

Me fader was erl þar a while,  
Me moder him let sle with gile,  
And me 3he solde in to heþenlonde:  
Wikked beþ fele wimmen to fonde! (ll. 545-48).<sup>168</sup>

Through his mother's heinous crimes of killing her husband and selling her child into heathen lands, Beves has learned that women generally are not to be trusted, that they often turn out to be wicked, and King Ermin doesn't correct his view. Although Beves doesn't continue to assert this view of women's innate wickedness, it may underlie some of his resistance to Josian's overtures.

As a Middle English manifestation of the "wooing woman" type identified by Judith Weiss in Anglo-Norman romance, Josian transgresses the gender expectations of

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<sup>167</sup> "Alas, mother, your fair complexion / Ill becomes you, [given your behavior]! [Rather, it becomes you] to be a whore, / [And] to run a brothel, / And because of you, [it is appropriate for] all women to be whores; / I would give them all over to the devil of hell / Flesh and skin!" I have repunctuated ll. 308 and 310.

<sup>168</sup> "My father was earl there [Hamtown] for a time, / My mother had him killed through treachery, / And she sold me into heathen lands: / Many women prove to be wicked!"

romance heroines in her personal characteristics and her agency. In the courtship phase in *Sir Beves of Hamtoun*, the traditional knight and lady's roles are reversed; additionally, Josian trades on gender expectations and then subverts them. In two scenes, Josian is "tamed" by Beves but nevertheless retains her agency throughout the romance.

For example, in her first appearance in the romance, she's distinguished by her authority and sense of justice when speaking before the court. One Christmas day years later (we are not told how long Beves has been in Ermin's kingdom), Beves is out riding with a party of fifteen Saracens (ll. 585-644). One of the latter provokes Beves, accusing him of not knowing what feast is being celebrated in Christendom. When Beves replies that he was forced out of Christendom at the age of seven and cannot recall, the Saracen tells him that it is Christmas and accuses him of not properly honoring his God. Beves responds by recalling Christmas tournaments and says, were he as securely established in his proper situation as his father Gii was, he would fight with each of the Saracens. Having thus provoked him, the Saracens attack; Beves fights them off and, despite suffering serious wounds, kills them all. When Ermin learns that Beves has killed his men, he's outraged and sentences Beves to be drawn and quartered, but then Josian intercedes on Beves' behalf, arguing to her father:

Sire, ich wot wel in me þou3t,  
Þat þine men ne slou3 he nou3t,  
Be Mahoun ne be Tervagaunt,  
Boute hit were him self defendaunt! (ll. 657-60).<sup>169</sup>

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<sup>169</sup> "Sire, I know well in my mind, / That he did not kill your men, / By Mahoun and Tervagant, / Unless it were in self-defense!"

In stark contrast to Rymenhild in *King Horn*, who is restricted to her chamber and must ask the steward to intercede with her father on her behalf to have Horn dubbed a knight, Josian speaks freely and with authority to her father in the court setting. These first words she utters in the romance are spoken with dignity and assurance as she makes a case for Beves. It's striking that, even though she's a Saracen, she's defending a Christian who's killed Saracens. In addition, she's defending the Christian hero to her Saracen father, taking the part of the young man over and against her father, and foreshadowing her choice to leave her father for Beves.

After contending that Beves must have acted in self-defense, she entreats her father "for loue o me" to consider a better, more just way to handle the situation:

"Ac fader," se saide, "be me red,  
 Er þow do Beues to ded,  
 ... Do bringe þat childe be-fore þe!  
 Whan þe child, þat is so bold,  
 His owene tale haþ itolde,  
 And þow wite þe soþ, apli3t,  
 Who haþ þe wrong, who haþ ri3t,  
 3ef him his dom, þat he schel haue,  
 Whaþer þow wilt him slen or saue!" (ll. 661-62, 664-70).<sup>170</sup>

Instead of contending that Beves is certainly innocent and her father surely wrong, Josian diplomatically argues that her father should listen to Beves' side of the story and then make his decision. She allows the possibility that Ermin may still find Beves guilty and sentence him to death, but emphasizes the need for fairness in reaching the

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<sup>170</sup> "'And, father,' she said, 'by my advice [I advise] / Before you put Beves to death, /... / Have that young man brought before you! / When the young man, who is so bold, / Has told his own tale [side of the story], / And you know the truth, indeed, / Who is in the wrong, who in the right, / Give him his judgment, which he ought to have, / Whether you wish to slay or save him!'"

judgment by allowing Beves to tell his side of the story. She assures Ermin of her faith in his reaching a just, informed decision. Her speech before the court is another instance of Josian's being defined by characteristics often not associated with women in romance: her dignity and authority, her sense of justice and fairness, and her tact. Her brains, reason, resourcefulness, and integrity will be among her defining characteristics throughout the romance.

As the romance unfolds, she continues to transgress gender expectations by taking the initiative in wooing Beves. Beves resists, withholding consent; it's a passive position, but also one of superiority, of being the one desired and pursued. In a reversal of the traditional gender roles, the knight is the object of the lady's desire, not the other way around.

In a scene directly after Josian's speech to her father, she takes the initiative in interacting with Beves and establishes a warm, affectionate relationship between them. Beves lies badly wounded from his fight with the Saracen knights, but he abuses the other Saracen knights she sends as messengers to him, threatening them and calling them and her "heathen hounds."<sup>171</sup> In another example of her freedom of movement, Josian returns with them and approaches Beves, calling him "lemman" and speaking soothingly to him:

"Lemman," 3he seide, "gent and fre,  
For godes loue, spek wiþ me!"  
3he keste him boþe moþe & chin  
And 3af him confort gode afin;

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<sup>171</sup> In using this epithet, Beves may be responding to the provoking Saracen having called him a "3onge cristene hounde" (621).

So him solaste þat mai,  
Pat al his care wente awai (ll. 707-12).<sup>172</sup>

Her use of the word “lemman” to address Beves is a striking term of endearment; her kisses and her use of this word establish an affectionate relationship between her and Beves. Indeed, her “confort gode” disarms Beves, and he responds to her in kind and acknowledges his grave wounds, saying: “Lemman, þin ore! / Icham i-wonded swiþe sore!” (ll. 713-14).<sup>173</sup> Her kindness and affection touch a chord in Beves, despite his antipathy toward Saracens, and he reveals his state of vulnerability and asks for her help. It is possible that she is simply endeavoring to appear nurturing, because he’s badly wounded, isolated, and agitated, and the use of the word “lemman” could be appropriate in that context, simply as a term of endearment. The word “lemman” is usually “a term of intimate address” and endearment, but its use need not suggest an intimate relationship between Beves and Josian, but instead a warmth and affection. Still, the kissing on “boþe moþe & chin” seems to go beyond mere nurturing, especially given what we learn of her later feelings for Beves. Though they are certainly not yet lovers or betrothed, they are a step closer to a possible future relationship, and Josian remains in a position of greater power throughout the scene, taking the advantage of Beves’ vulnerability to make the first move in establishing an affectionate relationship between them.

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<sup>172</sup> “Sweetheart,” she said, ‘Gentle and noble, / For God’s love, speak with me!’ / She kissed him on both mouth and chin / And gave him good comfort completely; / That maiden gave him solace, / So that all his care went away.” I have repunctuated line 710.

<sup>173</sup> “Sweetheart, your mercy! / I am very sorely wounded!”

After Josian has healed him, the restored, newly healthy Beves departs to fight a wild boar. Josian's feelings for him become clear, as, watching him go, she articulates her love for him for the first time. Speaking to herself, she says:

Ne kepte y neuer more gode  
Ne namore of al þis worldes blisse,  
Panne Beues wiþ loue o time te kisse;  
In gode time were boren,  
Pat Beues hadde to lemman koren! (ll. 766-70).<sup>174</sup>

Although the previous scene showed Josian and Beves taking the first steps in an affectionate relationship, it's an informal, undeveloped one, and these lines of Josian's indicate her desire that they become lovers. Interestingly, her focus is entirely on Beves' person, and especially his body, with no attention to rank or religion.

In the next passage, Beves kills the boar; immediately afterward King Ermin's evil steward, who wants to claim the boar's demise himself, attacks Beves with the assistance of his multitude of knights and foresters. Beves kills them all, and Josian alone sees the entire fight from her tower view and falls even more in love with Beves. Her love takes on an air of desperation, as she addresses Mahoun, her only confidant:

"O Mahoun," 3he seide, "oure dri3te,  
What Beues is man of meche mi3te!  
Al þis world 3if ich it hedde,  
Ich him 3eue me to wedde;  
Boute he me loue, icham ded:  
Swete Mahoun, what is þe red?  
Loue-longing me haþ be-cou3t,  
Par of wot Beues ri3t nou3t" (ll. 891-98).<sup>175</sup>

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<sup>174</sup> "Never have I wished for more good fortune / Nor any more of all this world's happiness, / Than to kiss Beves one time with love; / In a good time was born / She whom Beves had chosen as sweetheart!"

Beves' prowess in battle certainly impresses her, and the import of the third and fourth lines is that she would give up anything, indeed even everything in the world, if she could only marry Beves; it's the first time marriage has been mentioned. The desperate love-longing she feels – "Boute he me loue, icham ded" – and her statement that Beves has no idea how she feels – "Par of wot Beues ri3t nou3t" – is reminiscent of *fin' amor* tropes experienced by knights in love with ladies, so it's striking that here it's the other way around. The strength of Josian's feeling is also reminiscent of Rymenhild, who often acts as though she were *wode*. Because we hear what Josian is saying to herself, the audience has a more intimate knowledge of her feelings than it does of Rymenhild's in *King Horn* because the audience hears not Rymenhild's voice but only the narrator's. Josian's prayers to the Saracen god Mahoun are particularly unavailing, emphasizing her solitude and apparent helplessness.

Several years later, after Beves defeats Brademond, a Saracen king threatening the kingdom and Josian's honor, Josian serves Beves a meal in her chamber. The romance provides details about the setting and the serving:

Po nolde þat maide neuer blinne,

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<sup>175</sup> "'O Mahoun,' she said, 'our lord, / Beves is a man of such great might! / If I had all this world, / I would give it to him [so that he might] wed me; / Unless he love me, I am dead: / Sweet Mahoun, what is your advice? / Love-longing has caught me, / Beves knows nothing of it.'" In an attempt to reflect the disparity between historical Muslims and their beliefs on the one hand and Western representations of them on the other, I follow the practice of recent scholars of medieval Saracens in using the word "Muslim" to refer to historical Muslims and "Saracen" to refer to representations of Muslims in medieval European literature. Similarly, I use "Mahoun," "Apolyn," and "Termagant," not "Muhammad," to render the names of the gods invoked by the Saracens of medieval literature. For further discussion of this issue, see Siobhain Bly Calkin, *Saracens and the Making of English Identity*, 1-3, and Jeffrey Jerome Cohen, "On Saracen Enjoyment: Some Fantasies of Race in Late Medieval France and England," *Journal of Medieval and Early Modern Studies* 31, no. 1 (2001): 136, n. 3.

Til 3he com to hire inne,  
 Par 3he lai hire selue ani3t:  
 Par 3he sette þat gentil kni3t,  
 Hire self 3af him water to hond  
 And sette be-fore him al is sonde.  
 Po Beues hadde wel i-ete  
 & on þe maidenes bed isete ... (ll. 1083-90).<sup>176</sup>

Beves' sitting on Josian's bed may seem rather intimate, especially given the text's point that it's "þar 3he lai hire selue ani3t." Kölbing doesn't find Josian's bed an intimate location for Beves to sit; instead, he sees it merely as an example of "sitting in a couch in the day-time, viz., the introduction of the day-bed." He cites as evidence several passages from different times and places; some must be dismissed as too remote from this romance (Shakespeare, nineteenth-century England, and a few from Germany). But four instances from Middle English romances in which a lady seats a knight upon her bed must be examined more closely. Kölbing thought these passages demonstrated that they involved no intimacy.<sup>177</sup> In one of these, *Ywain and Gawain*, the scene in question features a lady hiding a knight in her bed seemingly by magic, so that men trying to kill him are unable to locate him. While this scene doesn't suggest physical intimacy, neither does it present the everyday occurrence of sitting on a bed in the daytime. And the other three romances all present scenes in which, after a knight sits upon a lady's bed, they either pledge to marry and then sleep together (*Sir Eglamour*), she offers him all her land

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<sup>176</sup> "Then that maiden did not wish ever to cease, / Til she came to her lodging, / Where she lay at night: / There she had that noble knight sit down, / She herself gave him water / And set before him all his servings [of various dishes]. / When Beves had eaten well / And sat on the maiden's bed..."

<sup>177</sup> Kölbing, 270.



and tries to persuade him to cohabit with her (*Sir Degare*), or they sleep together all night (*Sir Torrent of Portyngale*). Furthermore, the scene in *Beves* recalls the initial wooing scenes in *King Horn*, not mentioned by Kölbing, when Rymenhild seats Horn on her bed. In all these scenes the intimacy of the setting is unmistakable and enhances the lady's considerable seductive force. Thus the examples cited by Kölbing clearly fail to demonstrate that, in Middle English romance, sitting on a bed in the daytime was an everyday occurrence. On the contrary, in these scenes, sitting on the bed is either associated with magic (*Ywain*) or, more commonly, is taking place in an atmosphere of heightened intimacy which the bed itself reinforces. The latter seems to be the case in *Sir Beves of Hamtoun*, especially given Josian's already-expressed desire for Beves.

Like Rymenhild, Josian waits until the hero has eaten well and is at his ease, with his defenses down, before declaring her love to Beves:

Ichauē loued þe ful 3ore,  
 Sikerli can i no rede,  
 Boute þow me loue, icham dede,  
 And boute þow wiþ me do þe wille (ll. 1091-97).<sup>178</sup>

Josian is direct in expressing her love for Beves and also her sexual desire; unlike Rymenhild, she doesn't mention marriage at this time (although she has earlier when speaking to herself). In response, Beves refuses her, though he doesn't explain why, saying only "For gode... þat ich do nelle!" (l. 1098). He refers her instead to King Brademond, whom he has just defeated, describing him as "min vnliche" – unlike me. In

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<sup>178</sup> "I have loved you for a long time, / Truly I am at a loss, / Unless you love me, I am dead, / And unless you have sex with me." For "don wille," c.f. the *Middle English Dictionary*, s.v. *dōn*, meaning 1i(c) *dōn wille*, "to have (one's) way (with a woman), have intercourse."

one way Brademond is unlike Beves because he is a Saracen – this is a key difference throughout the text, between the Christian Beves and all the Saracens who surround him, and the subsequent scene between Beves and Josian in the inn supports the idea of her religious faith as an important obstacle to Beves' consent. In addition, the rest of what Beves says ("King Brademond, þat is so riche") indicates another distinction Beves is making here between himself, an exiled and dispossessed earl, and Brademond, a rich and powerful king. This reading is confirmed by the next line, when Beves goes on to say Josian should marry royalty, someone of her own station (but not mentioning someone of her own faith):

In al þis world nis þer man,  
Prinse ne king ne soudan,  
þat þe to wiue haue nolde,  
And he þe hadde ones be-holde! (ll. 1101-04).<sup>179</sup>

After Beves initially rejects her, Josian dismisses his concern about their difference in rank and continues to entreat him to become her lover:

"Merci," 3he seide, "3et wiþ þan  
Ichauede þe leuer to me lemman,  
þe bodi in þe scherte naked,  
Pan al þe golde þat Crist haþ maked,  
And þow wost wiþ me do þe wille!" (ll. 1105-09).<sup>180</sup>

Josian addresses the issue of rank Beves has raised, saying that she would prefer him "to me lemman, / þe bodi in þe scherte naked, / þan al þe golde þat Crist haþ maked" (ll.

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<sup>179</sup> "In all this world there is no man, / Prince nor king nor sultan, / Who would not desire to have you as wife, / If he had once beheld you!"

<sup>180</sup> "'Mercy,' she said, 'yet despite that / I would rather have you as my lover, / Your body wearing nothing but your (under)shirt, / Than all the gold that Christ has made, / If you wanted to do your will with me!'" I have repunctuated.

1106-08). The import of Josian's speech is that she'd prefer Beves, a poorer man, even had he nothing but the clothes on his back, rather than anyone else, even a king or other rich man. Kölbing says the English phrase in l. 1108 (*þan al þe gold þat Crist haþ maked*) "is a typical one," but he finds that "the writer... made a gross mistake when he allowed a pagan woman to mention Christ."<sup>181</sup> But one could argue instead that Josian's mention of Christ serves to reflect an awareness of her Christian audience and an attempt to persuade Beves of the strength of her feeling.

Since, in the first scene between them described earlier, they've called each other *lemman* and she's kissed him, it may seem strange that he'd give a speech like this. But this is the first time the question of a love relationship has arisen between them, so much more is at stake. Josian's speech emphasizes that she wants Beves for who he is, not for his riches, and it also emphasizes her sexual nature: she's not talking about marriage, but about going to bed with Beves.

For his part, Beves seems to reject Josian for a variety of reasons. On the one hand, the two are separated by the gulf of religious difference. Moreover, they are also separated by a significant difference in social status, despite Josian's claim that it makes no difference to her. As Beves explains later, his "*fader was boþe erl & kni3t*" (l. 1126), which makes him nobly born, but of course, his status is not as high as hers, as it's her country and her father is king, while Beves is only an exiled, dispossessed earl, dependent on her and her father to be made a knight at all. The third reason motivating Beves' rejection of Josian is her aggressively forward, sensual behavior toward him,

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<sup>181</sup> Kölbing, 271.

which may remind him unfavorably of his mother, raising the specter of the kind of sexually voracious, homicidal mate his father married.

When Beves refuses yet again, Josian begins insulting him:

þow seidest soþ her be-fore:  
In al þis world nis þer man,  
Prinse ne king ne soudan,  
Pat me to wiue haue nolde,  
And he me hadde ones be-holde,  
And þow, cherl, me hauest for-sake:  
Mahoun þe 3eue tene and wrake!  
Beter be-come þe iliche,  
For to fowen an olde diche,  
Panne for to be dubbed kni3t  
Te gon among maidenens bri3t:  
To oþer contre þow mi3t fare:  
Mahoun þe 3eue tene & care! (ll. 1112-24).<sup>182</sup>

Josian repeats Beves' words to him (that any man who saw her would want to marry her, including princes, kings, and sultans) and calls him a churl for refusing her. She says it's more fitting for him to clear an old ditch<sup>183</sup> than to be a knight, recalling that, like Rymenhild, she's interceded with her father to have Beves dubbed a knight. She also suggests that he move to another country (or perhaps remove himself from one in which "maidens bri3t" are to be found). It's certainly the first time we've seen her temper; she's been restrained and dignified up to now.

Beves' response is restrained:

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<sup>182</sup> "You spoke the truth here before: / In all this world there is no man, / Prince nor king nor sultan, / Who would not wish to have me as wife, / Once he had beheld me, / And you, churl, have rejected me: / May Mahoun give you suffering and injury! / It would better become the likes of you / To clear an old ditch / Than to be dubbed knight / To go among bright maidens: / You might as well go to another country: / May Mahoun give you suffering and pain!"

<sup>183</sup> *Middle English Dictionary*, s.v. "fouen" (v. (1)), "fouen a diche," "to clear a ditch."

Damesele... þow seist vnri3t;  
Me fader was boþe erl & kni3t:  
How mi3te ich þanne ben a cherl,  
Whan me fader was kni3t & erl? (ll. 1125-28).<sup>184</sup>

The word *cherl* must have stung, as Beves first points out his noble blood, asserting that he's of high social status and nobly born. He goes on to express his intent to leave the country, saying also, "Scheltow me namore ise!" (l. 1130). Josian's insulting words have genuinely upset Beves; not only does Beves threaten to leave, but he also expresses anger at the way she's talked to him:

"I nel namore of þe daunger!"  
Forþ him wente sire Beuoun  
And tok is in in þat toun,  
Sore anei3ed and aschamed  
For 3he hadde him so gramed (ll. 1132-36).<sup>185</sup>

Up to this point, Josian has been in the more powerful position, consoling Beves, tending his wounds, and feeding him. She's also taken the initiative in the relationship, going to him after his fight with the Saracens, kissing him and calling him "lemman." The setting of the scene after Beves defeats Brademond enhances the superiority of her position, as it's her territory, her chamber, and Josian is especially forceful, telling Beves of her love (and desire) for him and propositioning him sexually. Once Josian has wrongly insulted Beves, however, their positions change: she's still the pursuer, and

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<sup>184</sup> "Lady... you speak unjustly; / My father was both an earl and a knight: / How might I then be a churl, / When my father was a knight and an earl?"

<sup>185</sup> "I wish to have no more of your insolence! / Sir Beves went forth / And took his lodgings in that town / Very offended and ashamed / For she had so offended him." According to the *MED*, the word *daunger* can mean "arrogance, insolence" (meaning 1d, as I have rendered it here) or "domination" (1b, perhaps also appropriate here). The text may also be playing ironically on the more common meaning (4a), the "resistance offered to a lover by his ladylove."

they still have reversed roles, where the knight is the object of the lady's desire, but as the one withholding forgiveness as well as consent, Beves becomes more powerful. In addition, the scene in which Josian comes to the inn in which Beves is staying to apologize is the first one between them to take place on Beves' turf, in his room at the inn, and as such marks yet another change in the position of power from her to him.

After Beves has taken offense and removed himself to the inn, vowing to leave the country, Josian sends a messenger after him, to no avail, and then goes herself. In the inn, Josian tries to apologize to Beves, but he resists her overtures, first passively and then actively. When he overhears her approaching, in a comic strategy that anticipates *Sir Gawain and the Green Knight*, he pretends to be asleep and even begins to snore. She addresses him as "lemman" again and entreats him to wake up, saying, "Icham icome, me pes to make" (l. 1182), then appeals to his sense of courtesy, again urging him to speak with her. In response, Beves rebuffs Josian yet again and in doing so brings up a new issue, his fighting on her behalf against Brademond: "Let me ligge & go þe wei henne! / Icham weri of-fou3t sore; / Ich fau3t for þe; i nel namore" (ll. 1185-88).<sup>186</sup> In bringing up this issue, he seems to contrast the impropriety of her behavior toward him, with his service to her. By using the same word, *fighten*, to refer to both his battle with Brademond and her quarreling with him, Beves emphasizes the inappropriateness of her actions.

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<sup>186</sup> "Let me lie and go away from here! / I am grievously exhausted by fighting; / I fought for you; I will not anymore." I have repunctuated. While the MED glosses *weri offoughten* only in the sense of exhausted by battle (providing this passage as one of four examples), in context the sense of the quarreling between Beves and Josian seems a possible overtone: see MED s.v. "fighten," (v.), meaning 2a, "To quarrel, wrangle."

After Beves' steadfast refusal to give in, Josian's supplication becomes more desperate, and finally she exhibits behavior quite the opposite of her forwardness in her chamber: "'Merçi,' 3he seide, 'lemman, þin ore!' / 3he fel adoun & wep wel sore" (ll. 1189-90).<sup>187</sup> After pleading one more time, she prostrates herself and weeps copiously, striking an attitude of abject submission. Next, she offers an apology for her insult to Beves, which she frames by characterizing her entire sex as impulsive and thoughtless: "'Men saiþ,' 3he seide, 'in olde riote, / Þat wimmannes bolt is sone schote. / For-3em me, þat ischaue misede'" (ll. 1191-93).<sup>188</sup> Her abject submission surely meets one of his objections – his worry that she's like his mother (domineering, uncontrollable, even homicidal). But it doesn't seem to be enough, and she goes on to make another, climatic concession, saying, "And ich wile ri3t now to mede / Min false godes al for-sake / And cristendom for þe loue take!" (ll. 1193-96).<sup>189</sup> Josian's seemingly spontaneous promise of conversion assuages Beves' last qualm, that she's not a Christian. Added to her apology, her prostrate form, and her weeping, her vow to repudiate the Saracen gods and accept baptism is sufficient to win over Beves, who no longer resists but is finally responsive:

"In þat maner," queþ þe kni3t,  
 "I graunte þe, me swete wi3t!"  
 And kiste hire at þat cordement.

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<sup>187</sup> "'Mercy,' she said, 'sweetheart, if you please!' / She fell down and wept very bitterly."

<sup>188</sup> "'People say,' she said, 'In old sayings, / That a woman's arrow is soon shot. / Forgive me what I have mis-spoken.'" I have repunctuated l. 1192.

<sup>189</sup> "Forgive me what I have mis-said, / And I intend right now as compensation / To completely repudiate all my false gods / And accept Christianity for your love!"

Par fore he was ne3 after schent (ll. 1197-1200).<sup>190</sup>

“In þat maner,” is a little enigmatic, but it makes sense if it’s understood to refer to Josian’s behavior: that is, on the condition that she continue to act in a submissive way and is willing to accept baptism, Beves is willing to reconsider his behavior towards her. But in this scene (1179-1200) the explicit topic is Beves’ forgiving her for having insulted him (1189, 1193). One might plausibly infer that his consent to her original proposition (to become her lover or to marry her) is implicit. But although Beves kisses Josian, there is no explicit mention of marriage or even of love, and so no clear indication that this scene constitutes a betrothal. Evidence that it does appears only later in the romance when they act as though they entered into a betrothal here (see lines 2179-2208, esp. 2181-86). Unlike *Havelok the Dane* or *King Horn*, both of which exhibit a notable interest in customs and laws regarding marriage, *Sir Beves of Hamtoun* shows no interest in the legal details of the making of marriage, as is clearly indicated by the way the betrothal is so indirectly, almost tangentially, presented here.

Similarly, the romance also shows little interest in the details of the wedding ceremony itself. After Josian has been baptized and Beves has avenged his father and regained his patrimony, the couple are finally married. The wedding is conducted by Beves’ cousin, the bishop of Cologne, which may have the effect of making the marriage

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<sup>190</sup> ““On that condition,” said the knight, / ‘I grant you [consent], my sweet creature!’ / And [he] kissed her upon that compact. / Because of that he was nearly killed” [i.e., because of his agreement to marry Josian, he was nearly killed later in the narrative – this abrupt transition is typical of the romance]. *Middle English Dictionary*, s.v. “manere” (n.), meaning 9b, “stipulation, proviso, condition.” Also l. 1198, s.v. “graunten” (v.), meaning 2a, “to consent, assent, give one’s consent;” see also 1a, “to permit (sth.), allow or grant (sb.) what he wishes or commands).”



of Beves and the former Saracen princess clearly legitimate as well as appropriate to their social position. Actually drawing attention to the lack of discussion and information about the ceremony, the festivities, and the onlookers, the poet says only:

Of no ioie nas þer wane;  
Pou3 ich discriue nou3t þe bredale,  
3e mai wel wite, hit was riale,  
Pat þer was in alle wise  
Metē and drinke & riche seruise (ll. 3478-82).<sup>191</sup>

While the romance is interested in the details of Beves and Josian's relationship, it doesn't focus on the details of legal process and customs regarding the making of marriage.

In Beves and Josian's long engagement, they exhibit sexual restraint and maintain their virginity, reflecting on the one hand Beves' successful controlling of Josian's sexual desire and on the other, the contrast with Beves' mother. For example, the poet makes a point of saying that Beves and Josian only kiss once in the inn, no more (l. 1213). Shortly thereafter, the lovers are separated for seven years: Beves is imprisoned through the treachery of Josian's father, who has been misinformed about the nature of their relationship, while Josian is forced into marriage to the Saracen king Yvor of Mombraunt. After Beves escapes from prison and is journeying to find Josian, he encounters the patriarch of Jerusalem, who forbids him from marrying any woman but a virgin (ll. 1959-70), and Beves agrees. When Beves meets Josian, he doubts that she could

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<sup>191</sup> "There was no lack of joy, / Although I don't describe the wedding, / You may well know it was royal, / There was in every way / Food and drink and rich service."

still be a virgin after seven years of marriage, but unbeknownst to him Josian has preserved her virginity by means of a magic ring:

“Ichaue,” 3he seide, “a ring on,  
Pat of swiche vertu is þe ston:  
While ichaue on þat ilche ring,  
To me schel noman haue welling...” (ll. 1469-72).<sup>192</sup>

As Corinne Saunders argues, the ring is “a secular equivalent of divine intervention” in which Josian herself “is the agent of her own protection,”<sup>193</sup> and another instance of Josian exerting her own desire and choice in marital concerns. When Beves challenges her, she swears it’s true and offers to be put to the test:

“Merci,” 3he seide, “lemman fre,  
Led me hom to þe contre,  
And boute þe finde me maide wimman,  
Be þat ani man saie can,  
Send me a3en to me fon  
Al naked in me smok alon!” (ll. 2201-06).<sup>194</sup>

Beves doesn’t actually take her at her word but agrees, as though this were a proposal (“In þat for-ward i graunte wel!” l. 2208). Josian’s declaration is confirmed when the couple, fleeing from King Yvor, encounter a pair of lions, and by virtue of being a royal virgin, Josian is able to restrain them; Beves doesn’t question her virginity again.

The lion episode offers a second instance of Beves “taming” Josian, as he did in the inn, limiting her agency and commanding her obedience. To avenge the death of

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<sup>192</sup> “‘I have,’ she said, ‘one ring, / The stone of which has this particular quality: / While I have on this same ring, / No man shall have sexual desire for me...’”

<sup>193</sup> Corinne Saunders, “Love and Loyalty in Middle English Romance,” in *Writings on Love in the English Middle Ages*, ed. Helen Cooney (New York: Palgrave Macmillan, 2006), 58.

<sup>194</sup> “‘Mercy,’ she said, ‘my dear, / Take me home to your country, / And unless you find me a virgin, / By anything anyone can allege, / Send me back to my foes / Wearing only my smock!’”

their servant, whom the lions killed, Beves wants to kill the fierce animals, and he becomes angry when she restrains them. She offers to hold one lion while he fights the other, but this injures Beves' pride, and he threatens to abandon her if she persists, exclaiming:

... Dame, forsoth, y-wys,  
I my3t 3elp of lytel prys,  
There y had a lyon quelde,  
þe while a woman a nother helde!  
.....  
But þou let hem goo both twoo,  
... fro þe y goo! (ll. 2413-16, 2419-20).<sup>195</sup>

Persuaded, she releases them, and Beves heroically fights both lions at once, killing one. As Beves is assailed by the remaining lioness, Josian worries that he'll be killed, and she seizes the lioness again, but he threatens to kill her (ll. 2470-78) unless she releases it, which she does, and he fights mightily and kills the lioness as well. Josian has learned her lesson of how to be an appropriate wife, though, and henceforth she exerts her agency only with others, not with Beves, as she never confronts him or acts assertive toward him again: his domestication of her is successful.

In two particular later episodes Josian continues to be very active, in defense of her virginity or, later, chastity. In the first, while Beves is in England launching his campaign to regain his earldom, Josian on the continent is forced into marriage by the lustful Earl Miles. On the wedding night, Josian strangles Miles with the bed curtain and thereby successfully saves herself from the forced marriage, proclaiming defiantly,

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<sup>195</sup> "Lady, indeed, truly / I might boast of little worth, / I had killed a lion there, / While a woman held another! / ... / Unless you let both of them go, / I shall go away from you!"

“Schel he neuer eft wimman spille!” (l. 3256, “He shall never again ruin a woman!”). In the second, later episode, immediately after Josian gives birth to twins she is kidnapped to be returned to her first husband, King Yvor of Mombraunt. On the way to his kingdom, she excuses herself from her male captors, pleading modesty and heading a short way into the woods, but using her medical knowledge to find and eat an herb that gives her the appearance of leprosy. Myra Seaman argues that this subterfuge is one example of Josian’s performing femininity, acting the way certain men expect her to as a woman. Spouting proverbs affirming these expectations gives her cover to act in the opposite way – Seaman describes it as acting like a romance hero, in a way that’s active and forceful, in this case, allowing her to find the herb and ingest it, thereby protecting herself.<sup>196</sup> Yvor doesn’t even recognize his former queen, and once he learns her identity, he remains so disgusted with her appearance that he sends her away from the court (though, unwilling to give her up completely, he locks her in a tower under guard, from which she’s later rescued). In both these episodes, Josian exhibits considerable agency, drawing on her courage, resourcefulness, and ingenuity in order to preserve her virginity or chastity and, to the extent that she can, her own choice and control over her marriage partner.

Not only is Josian a forceful, active female character, notwithstanding the limits she accepts from Beves, but she also is a notable example of the literary figure of the Saracen princess. The Saracen princess who converts to Christianity and marries a

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<sup>196</sup> Myra Seaman, “Engendering Genre in Middle English Romance: Performing the Feminine in *Sir Beeves of Hamtown*” *Studies in Philology* 98:1 (2001), 67.

Christian knight is a popular motif in later medieval romance, as shown by Jennifer Goodman in her 1997 article.<sup>197</sup> Siobhain Bly Calkin locates instances of this theme not only in medieval romance but also “in French *chansons de geste* and their translations, [and] in chronicles such as Orderic Vitalis’s *Ecclesiastical History* and Matthew Paris’ *Chronica majora*.”<sup>198</sup> As Calkin goes on to elaborate, the Saracen princess “embodies a Christian ideal of female Saracen behavior” by first falling in love with a Christian, European knight, subsequently betraying her family and people for his sake, and finally by being baptized, thus becoming acceptable as a wife for the hero.<sup>199</sup> In her discussion of the wooing woman, Weiss identifies the *bele Sarrasine* as possessing “greater freedom of action, a frequent talent for magic and healing and an even greater inclination to violence” than the Christian, European wooing women in romance (such as Rymenhild). A forceful, sexually forward figure, the Saracen princess is characterized by a great deal of agency, including a capacity for violence, which she often uses to assist her Christian knight against her own family and people.<sup>200</sup> Josian, the Saracen princess in *Sir Beves of*

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<sup>197</sup> Jennifer Goodman, “Marriage and Conversion in Late Medieval Romance,” in *Varieties of Religious Conversion in the Middle Ages*, ed. James Muldoon (Gainesville: University Press of Florida, 1997), 115-28. Goodman explores the pagan princess (mostly Saracens), who convert to Christianity, as well as a second motif, the Christian princess who persuades her pagan husband/king to convert to her faith, in both literature and history. For further discussions of the Saracen princess theme, see: F.M. Warren, “The Enamoured Moslem Princess in Orderic Vital and the French Epic,” *PMLA* 29 (1914): 341-58, and Charles A. Knudsen, “La thème de la princesse sarrasine dans *La Prise d’Orange*,” *Romance Philology* 22, no. 4 (1969): 449-62.

<sup>198</sup> Siobhain Bly Calkin, *Saracens and the Making of English Identity: The Auchinleck Manuscript* (New York; London: Routledge, 2005), 62.

<sup>199</sup> *Ibid.*, 62.

<sup>200</sup> In her freedom and forcefulness, the Saracen princess in medieval literature, as Calkin observes, “bears no resemblance to actual Muslim women of the fourteenth century.” Weiss

*Hamtoun*, embodies many aspects of the Saracen princess motif, but she also differs in a few significant ones: In contrast to many versions of the theme, Josian's conversion is personal and individual. She is never pitted against her father or people, and there's no struggle for the dominion over Ermonyne, which nevertheless passes peacefully from Josian's father to her son with Beves, who is a Christian like his parents.

In *Sheba's Daughters*, Jacqueline DeWeever argues that "while unconvertible Saracen women are primarily depicted as dark-skinned or as giantesses, and hence as physically different from western Europeans, those Saracen women who fall in love with Christians and convert epitomize medieval European ideals of beauty."<sup>201</sup> Like De Weever's convertible Saracen women, Josian's physical appearance also differs from that of contemporary Arab, Muslim women, as she embodies an ideal of Christian, Northern European beauty. The poet primarily distinguishes Josian because of her intelligence, but in a single place in the text, he refers to her appearance: "So faire 3he was & bri3t of mod, / Ase snow vpon þe rede blod" (ll. 521-22).<sup>202</sup> Not only is her skin white as snow, a

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points out that "the sexual boldness and freedom of the *bele Sarrasine* would have been inconceivable among Arab women of good family," and that "moreover, this was known at the time" in Europe, as it was reported by writers such as Jacques de Vitry in the thirteenth century. Judith Weiss, "The Wooing Woman in Anglo-Norman Romance," in *Romance in Medieval England*, ed. Maldwyn Mills, Jennifer Fellows, and Carol M. Meale (Cambridge: D. S. Brewer, 1991), 152.

<sup>201</sup> Jacqueline DeWeever, *Sheba's Daughters: Whitening and Demonizing the Saracen Woman in Medieval French Epic* (New York: Garland, 1998), xii, 3-29, 39-54, qtd. in Calkin, 63.

<sup>202</sup> "She was as fair and rosy in appearance, / As snow upon the red blood." *Middle English Dictionary*, s.v. "mōd" (n.), meaning 4a, "manners, mien, appearance," which includes this couplet in *Beves* as an illustration. *Middle English Dictionary*, s.v. "bright" (adj.), meaning 2c, "of persons: having a fresh or rosy complexion, fair." See also meaning 5, "various *fig.* uses: (a) morally pure, free of sin; ~ in soule; (b) enlightened (faith); of an utterance: clear, unambiguous; (c) of virtue, a good deed: splendid, glorious." It is possible that the description of Josian as "so faire... and bri3t of mod / Ase snow vpon þe rede blod" should be read figuratively, as a

frequent comparison enlisted in the description of European beauties, but her complexion also embodies a commonplace of medieval European beauty, a combination of red and white. The dichotomy between convertible, European-looking Saracens and the unconvertible Saracens who are dark-skinned or monstrous can be seen in the Saracens closest to Beves. While Josian's European appearance identifies her as open to conversion and makes her eligible for marriage to Beves, the giant Ascopard refuses baptism and ultimately betrays him.

In the tales of the Saracen princess, the Christian knight typically resists her advances, at least until she agrees to baptism, and sometimes even afterward. One example occurs in Bagnyon's *Histoire de Charlemagne* (c. 1470): despite the princess Floripas' freeing of Guy of Burgundy and the other French peers from her father's jail and her consent to baptism, Guy of Burgundy is reluctant to marry her. In addition, Floripas "does not dare to kiss Guy on the lips, because she is still unbaptized."<sup>203</sup> While Guillaume d'Orange, in the twelfth-century *La Prise d'Orange*, doesn't resist the Saracen queen Orable, she does initiate "the amorous exchange when the bold Frankish count suddenly turns shy and awkward in [her] presence."<sup>204</sup>

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statement that she is as morally pure as snow found on carnally contaminated blood. On the other hand, the word *faire* indicates a physical description, and the complexions of medieval (European) beauties are frequently described in terms of snow and blood, so my inclination is to understand the lines literally, especially given the *MED*'s use of them to illustrate the meaning of "mōd" as "manners, mien, appearance."

<sup>203</sup> Goodman, 125.

<sup>204</sup> Sharon Kinoshita, "The Politics of Courtly Love: *La Prise d'Orange* and the Conversion of the Saracen Queen," *Romanic Review* 86 (1995), 275.

Like these other Christian knights, Beves resists Josian's advances; in fact, his reluctance is evident from the time he arrives as a seven-year-old at the court of Ermony. King Ermin is so impressed by him that, in an attempt to win him for Mahoun, he offers Josian, his only daughter, in marriage, together with the kingdom after his death:

And þow wile þe god forsake  
And to Apolyn, me lord, take,  
Hire [Josian] i schel þe 3eue to wiue  
And al me lond after me liue! (ll. 557-60).<sup>205</sup>

The only condition is Beves' conversion to the Saracen faith, which the hero rejects, despite the appeal of both the beautiful young woman and the kingdom. His refusal highlights not only his sexual restraint, but his unwavering Christian faith as well. The king respects Beves' steadfast faith, notwithstanding Beves' assertion that "Al mote þai be doum and deue [dumb and deaf] / þat on þe false godes be-leue!" (ll. 567-8). Beves' initial refusal of Josian is the precursor to the series of interactions between them.

As we have seen, Beves continues to resist Josian's advances. For example, in the scene after the teenage Beves' battle with the Saracen knights, he lies wounded and alone, having threatened and insulted the (Saracen) knights Josian sends as messengers. Like the other Saracen princesses and wooing women, Josian pursues Beves, in this case, first sending messengers and then going to his chamber herself. Unlike Floripas, however, who doesn't dare to kiss Guy of Burgundy while she remains unbaptized, Josian kisses Beves, which helps to melt his resistance. In addition, several years later,

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<sup>205</sup> "And if you will/intend to repudiate your god / And accept Apolyn, my lord, / I shall give her to you as a wife / And all my land after my life!"



Josian confesses her love and demands reciprocation from Beves, but he rebuffs her and withholds consent until she agrees to accept baptism in the climactic moment at the inn, whereupon they apparently enter into a betrothal, as we have seen.

Josian's willingness to convert is treated as much more significant than the betrothal, which depends upon her willingness to convert, or than Josian's actual baptism, which occurs seven years later, after the separated lovers have reunited and fled to Europe.

Baptism is generally a momentous occasion in the Saracen princess motif. In most stories involving the Saracen princess, baptism occurs in a well-developed episode that comes at the end and entails some suspense; in many stories it follows the killing of other Saracens who don't convert.<sup>206</sup> For example, *L'Histoire de Charlemagne* concludes with the execution of Floripas' father, the sultan of Babylon, after he refuses baptism, followed by Floripas' baptism, marriage, and coronation.<sup>207</sup> In the *Chanson de Roland*, after the Franks' victory over the Saracens, all of the surviving Saracens are forced to choose between immediate baptism or death, except for Bramimonde, queen of Saragossa, who accompanies the Franks back to Aix-la-Chapelle and converts there.<sup>208</sup>

In contrast to the usual suspense and drama of the Saracen princess' baptism, Josian's baptism is low-key and occupies just two lines: "þe nexste dai after þan / þe

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<sup>206</sup> Goodman, 123.

<sup>207</sup> *Ibid.*, 124.

<sup>208</sup> Kinoshita, 275. Occasionally the princess and her father both accept baptism, as in the seemingly apocryphal story of Melaz and her father in Orderic Vital's *Ecclesiastical History*; see Kinoshita, 274.

beschop cristnede Iosian" (ll. 2589-90).<sup>209</sup> The key moment of conversion in *Beves*, it turns out, is not the public act of baptism, but the private moment at which Josian states her intention to repudiate her gods and turn to Christianity. Moreover, King Ermin never faces the choice of immediate baptism or death; indeed, the issue of his conversion never arises. Josian's decision to be baptized for love of Beves is constructed as a personal choice, made out of love, and not in the context of forced mass conversion. The personal, private nature of conversion in *Beves* points to another aspect distinguishing this romance from other medieval tales involving the Saracen princess.

That most striking difference arises from the fact that Josian's conversion does not entail her betrayal of her family and people for love of the Christian invader. In the motif generally, the Saracen princess falls in love with the Christian knight and helps him to escape from her father's prison (as in the cases of Melaz and Floripas) or to evade capture while behind enemy lines, in her home (as in the case of Orable in *La Prise d'Orange*). Not only does she rescue the Christian knight, but her love causes her to throw her lot in with him and actively support him in his project to conquer her father and people. Beves and King Ermin never fight, so she doesn't have to choose between them, except when she departs Mombraunt for Europe with Beves instead of remaining in the marriage her father had arranged for her with King Yvor; Beves doesn't contest the dominion of Ermonyne with Ermin. The main reason for this difference between *Beves* and other tales involving the Saracen princess motif is that Beves isn't a Christian invader on a mission to convert Saracens and conquer territory. His main goal is not to

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<sup>209</sup> "The next day after that / The bishop christened Josian."

possess Josian or the Saracen kingdom of Ermonye, but to regain his patrimony in England. Because of this different goal, Josian isn't forced to choose between family and people on the one hand and lover on the other. In addition, there's no struggle between Beves and Ermin over the kingdom of Ermonye, which instead passes peacefully upon Ermin's death to his grandson and designated heir, Beves and Josian's son Gii.

On the other hand, Josian's personal conversion is a precursor to the conversion of the land of Ermonye after Ermin's death, and to the establishment of a Christian dynasty there and in Mombraunt. After King Ermin dies, leaving Ermonye to Gii, he and Beves convert the population by the sword:

þanne sire Beues and sire Gii,  
Al þe londe of Ermony  
Hii made christen with dent of swerd,  
3ong and elde, lewed and lered (ll. 4017-20).<sup>210</sup>

So, even though Josian doesn't betray her own father and people, her own conversion leads indirectly to the forced conversion of the people of Ermonye and the establishment of a Christian dynasty there and in Mombraunt.

By the end of the romance, the marriage of the Saracen princess, Josian, to the Christian knight, Beves, establishes a Christian dynasty in three countries. Beves regains his patrimony, the earldom of Hamtoun, and he establishes a dynasty there, passing the land on to his son Miles. When Miles marries the daughter of King Edgar, he becomes King of England, establishing a royal dynasty. Beves also establishes a Christian dynasty in Saracen Ermonye, when his son Gii inherits the throne and they convert the

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<sup>210</sup> "Then Sir Beves and Sir Gii, / All the land of Ermonye / They made Christian by dint of sword, / Young and old, unlearned and learned."

population. It's almost incidental that Beves himself ends up king of an entirely different land, one he didn't set out to acquire. Interestingly, there's no mention of Beves converting his own kingdom, the Saracen Mombraunt, by force or otherwise.

In sum, although *Beves* includes a clear example of the Saracen princess motif, a major difference from the motif generally is that there's no invasion project, because Beves' goal is regaining his patrimony in England, not expanding Christendom or empire. In addition, in contrast to the baptisms of most Saracen princesses, which involve mass conversion of their people, the baptism in *Beves* is a low-key, personal event, attended only by Josian, Beves, Ascopard, and the bishop, and mentioned almost in passing. This romance is more interested in the nuances of the relationship between Beves and Josian – their interactions and negotiations in her chamber and in the inn – than in important events, such as the betrothal, baptism, or wedding.

Throughout much of the romance, Josian's forceful nature is threatening to Beves, especially because of his mother. He responds by acting to limit Josian's assertiveness, first requiring her abject submission in the scene at the inn, and second, her release of the lions, in order not to infringe on his heroic glory. She continues, however, to exert agency with others, preserving her virginity and her freedom of choice in marriage.

Like many other romances, *Sir Beves of Hamtoun* promotes love matches over arranged marriages, which it presents primarily as unconsensual, as in the case of Josian's arranged marriage to Yvor. The romance certainly doesn't present Beves' mother positively, but it's worth noting that it's not her lust alone that triggers her

parricidal tendencies. Beves' mother is a woman forced into an unhappy marriage arranged by men – her father and her husband – without her consent. The situation is not intended to elicit sympathy for her – however unhappy the marriage was for her, it certainly turned out worse for her husband! – but it's consistent with the depiction, in this romance as well as in romances generally, of arranged marriages as unconsensual and as obstacles to the happiness of the principals.

## Conclusion

Medieval romances as a genre were intended to provide entertainment but also meaning – what Chaucer calls “sentence” and “solaas.”<sup>211</sup> Helen Cooper has argued that romances functioned as a part of medieval debate culture, and “could provide a secular forum analogous to academic debate. Their audiences expected to respond actively to them, and the writers encouraged such as response.”<sup>212</sup> Middle English romances provided “solaas” for their medieval audiences but they also included messages sent to their audiences and thereby participated in the kind of pervasive, lively debate culture Cooper envisions. As we have seen, a lively debate swirled around the making of marriage in the twelfth century and later, and was reflected in the Middle English romances under discussion here, from the late thirteenth and early fourteenth centuries. While many romances include marriage as part of their plots, these three romances, among the first of their genre in Middle English, are particularly concerned with issues of courtship and marriage.

Medieval romance in general embraced the consensual theory of marriage developed by the Church, and these three romances are no exception: they all promote

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<sup>211</sup> Chaucer, Geoffrey, *The Riverside Chaucer*, general ed. Larry Benson (Boston: Houghton Mifflin, 1987), I 798.

<sup>212</sup> Helen Cooper, *The English Romance in Time: Transforming Motifs from Geoffrey of Monmouth to the Death of Shakespeare* (Oxford: Oxford University Press, 2004), 13.

the love match in the making of marriage and the idea that marriage should be an affective bond. In all three romances, the marriage between the hero and heroine is a love match, even in the case of the forced marriage of Havelok and Goldeborw, a situation emphasized by the description of their lifelong devotion at the end of the romance. Similarly, *Beves of Hamtoun* ends with a moving portrait of the couple in old age dying in each other's arms. This emphasis on the loving unions between the heroes and heroines is contrasted with the way arranged marriages are depicted.

These romances define marriage as a contract between two individuals, dependent on their free consent, and they explore alternatives to this view primarily as obstacles to the hero and heroine's marriage. All three of these romances present threats to the free consent of the principals. *King Horn* and *Sir Beves of Hamtoun* both include arranged marriages for their heroines, but they are forced unions arranged by the father over the objections of the young women. This equation of arranged marriage with the violation of consent persists in the case of the heroine; however, as we have seen, arranged marriages among minor characters are often consensual. *Havelok the Dane* is a little unusual among Middle English romances in depicting a forced marriage not only for the heroine, but also for the hero; it portrays corrupt and powerful lords, both secular and ecclesiastical, running roughshod over the weak. All three of the romances present the young couple as best able to choose their own marriage partners, ideally free from the pressures of family and guardian, reminiscent of Sheehan's finding of "an

astonishingly individualistic attitude to marriage" among ordinary people in late-fourteenth-century Ely.<sup>213</sup>

Like several other early Middle English romances, *Havelok* and *King Horn* show a concern with legal and customary issues regarding marriage, but *Beves* is representative of other romances in being mostly free of these concerns. *Havelok* treats issues of inheritance and disparagement, *King Horn* reflects the popular practice of secret marriage, and both show the influence of the marriage liturgy. In contrast, although it depicts a church wedding, *Beves* is more focused on the interactions between the hero and heroine and the development of their relationship than on the details of betrothal, wedding, or canon law.

All three romances feature strong, active heroines, all of whom resist the marriages arranged for them. Goldeborw resists the marriage Godrich forces upon her, then becomes resigned to it when threatened with death; upon her recognition of Havelok's regal birth and her embrace of the marriage, she urges him to action and advises him on strategy. Like Goldeborw, Rymenhild also resists the marriage arranged for her, hiding a knife with which she plans to kill her new husband and then herself. Constrained and confined to her chamber, apart from the male domain of the hall, Rymenhild's pursuit of Horn is her strongest act of agency. Another "wooing woman" like Rymenhild, Josian is even more active, forcefully pursuing Beves. She resists two forced marriages, via a magic ring and even by strangling Miles, but is "tamed" by Beves and thereafter exercises her agency only vis à vis others, not her husband.

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<sup>213</sup> Sheehan, "The Formation and Stability of Marriage," 76.



The three romances are characterized by a high standard for male sexual restraint, which surprisingly is set by the hero himself. Havelok as a young man is characterized by his sexual purity; the poet praises him, saying:

Of bodi was he mayden clene:  
Neuere yete in game ne in grene  
Bit hire ne wolde leyke ne lye  
Nomore þan it were a strie (ll. 996-99).<sup>214</sup>

For their part, Horn and Beves both resist the advances of attractive heiresses. Both men describe themselves as unworthy of the attentions of the princesses, and Horn says he must become a knight first, then must prove himself in battle. Beves resists because of Josian's forcefulness and sensuality, which probably remind him of his mother, and also because she's a Saracen – when she repudiates her faith and prostrates herself full of apologies, he relents. For the knight to be the object of desire, and to withhold consent, reverses the usual roles in the knight-lady relationship, and it enhances the hero's attractiveness and virtue.

As we have seen, these early Middle English romances not only reflect law and custom, but they also sent messages to their audience of rural gentry and urban merchants. The messages sent to the male audience suggest the importance of marrying well, settling down, and founding or maintaining a dynasty. The messages for women are different, emphasizing the role of a wife in providing wealth and helping to found a dynasty, but also depicting possible role models full of agency. Some of these messages sent by the romances are conventional, such as the ideas that one should marry someone

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<sup>214</sup> "He was pure in body as a maiden; / Never in sport or in sexual desire, / He did not wish to sport or lie with her [any woman], / Any more than if she were a witch."

wealthy and socially appropriate, that love and free consent to marriage should lead to a suitable marriage, and the importance of establishing a dynasty. On the other hand, the romances also include subversive messages, portraying strong heroines exercising agency and showing heroes and heroines resisting arranged marriages. Above all, these romances wholeheartedly embrace the consensual theory of marriage, and send the message that marriage should be consensual and loving, and they consequently promote love matches over arranged marriages and individual choice over larger social pressures. Some of these messages reinforced the status quo, but the more subversive ones may have provided their audience with an escape from their own situation and possibly even influenced their actions in marriage in their own lives.

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