The Judge and the Maiden: Justice and Pity at the Pyre

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Abstract: In this article, I focus upon one scene which emerges prominently in both "literary" and "non-literary" texts of the twelfth and thirteenth centuries: a beautiful woman has been condemned for her misdeeds and is about to be burned at the stake before a crowd. As the spectators at this event knew, justice traditionally demanded that one consider the reason for which a person is undergoing punishment, namely, the crimes she has committed. As they also knew, however, pity traditionally demanded that one consider the reason for which she committed these crimes. This scene of the woman at the stake becomes as important as it does in these texts because it illustrates the essential conflict perceived at this time between what seems right in a universal principle and what seems right in an individual case and, by extension, between what seems right in law and what seems right in narrative.

For her misdeeds, a woman has been justly condemned to be burned at the stake. In medieval romance, Iseut and Guinevere are both deemed to be guilty of the crime of adultery, and, judicially speaking, they thus both deserve the deaths to which they have been consigned. Yet the common people who behold these ladies as they are led through the streets of the town to their execution express nothing but pity for them. As Iseut proceeds to the fire, Béroul relates in his late twelfth-century *Roman de Tristran*: "The tears ran down her face. The lady was clad in a fitted tunic of dark grey silk finely stitched with gold thread. Her hair fell to her feet. With a gold thread she had tressed it […] Tightly were her arms bound".1 When the people

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1 "L’eve li file aval le vis./ En un bliaut de paile bis/ estoit la dame estroit vestue/ et d’un fil d’or menu cosue./ Si chevel hurtent a ses piez./ D’un filet d’or les a trechiez./ …/ Mot sont li braz estroit lié!", Béroul, *The Romance of Tristran*, ed. and trans. N. J. Lacy, New York, Garland Publishing Co., 1989, l. 1141-1154. All translations are my own. For other literary treatments of medieval deaths, see Simon Gaunt, *Love and Death in Medieval French and Occitan Courtly Culture: Martyrs to Love*, Oxford, Oxford University Press, 2006; the last two chapters of Françoise Meltzer, *For Fear of the Fire: Joan of Arc and the Limits of
see how Iseut is being treated, they appeal to God to have mercy on her. “She was surrounded by people who were all screaming and crying out [...] Anyone who saw her and did not have pity for her would have to have a cruel heart”. What matters to the people is, not that Iseut may be guilty of the crime of which she is accused – a possibility of which they make no mention – but only that she is beautiful and that she is weeping. As Guinevere walks to her death, the author of the early thirteenth-century *La Mort le Roi Artu* reports, similarly, “She came weeping greatly and was clad in a robe of red taffeta, a tunic, and a mantle. She was [...] a beautiful lady”. When the people see how Guinevere is being treated, we are told, “Those of the city [...] went after the queen weeping and crying, as if they were out of their minds”. Even Arthur cannot remain unaffected by this spectacle, despite his anger at his wife: “When the king saw her, he felt such great pity that he could not look at her”. Again, what matters to the people is, not that Guinevere may be guilty (or, as Arthur sees it, that she is guilty), but only that she is lovely and that she is unhappy. However these ladies may have acted, the people seem to reason, they should not be punished in this manner. Though Tristan, Iseut’s lover, had also been condemned to be burned at this time and though Lancelot, Guinevere’s lover, has been forced into exile, no one feels pity for them as they do for these ladies. Because of their preciousness, these women seem all the more vulnerable to these spectators, and, because of their vulnerability, they seem all the more precious.

Classical philosophers tended to reject the exercise of pity in judicial proceedings, like those which condemn these women, because they feared that it was likely to lead to injustice. Aristotle famously praises “pity” (*oiktos*), but he limits this sensation to circumstances where evil befalls someone “who does not deserve it” and who is therefore not rightfully convicted criminal. While he describes “devoted persons” who undergo times of trial as “most [...] piteous”, he considers these persons to be of noble character only if they are innocent. “No good

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Subjectivity, Chicago, University of Chicago Press, 2001; and the last chapter of my own The Interrogation of Joan of Arc, Minneapolis, University of Minnesota Press, 1999.

2 “Qui trestuit braient et tuit crient. [...] Trop par avroit le cuer felon qui n’en avroit de lié pitié”, *ibid.*, l. 1143-1153.


4 “cil de la cité [...] aloient aprés la reïne plorant et criant aussi com s’il fussent hors del sens”, *ibid*.

5 “Quant li rois la vit, si en ot si grant pitié qu’il ne la pot regarder”, *ibid*.


7 *studiosos, Rethoricorum Aristotelis*, II, 8, 1386b5, p. 241.

8 *maxime [...] miserabile, ibid*.
man can feel sadness over parricides and matricides, when they obtain punishments,” he writes; on the contrary, he will feel happiness when such people are killed, because he will deem their treatment to be just. Seneca, elaborating upon Aristotle’s argument, praises “clemency” (clementia), which he defines as “the inclination of the mind towards leniency in exacting punishment”; but he deplores “pity” (misericordia), which he understands as “the sorrow of the mind brought about by the sight of others’ miseries [miseriarum].” In his clemency, the wise man may spare a man who has committed a crime, but he does so because he has considered, rationally, the facts of the case, including the circumstances that led the man to act as he did and the likelihood that he will not act in this way again in the future. If the wise man spares the guilty man the full force of the law, it is because he has determined that he does not deserve it and that it would therefore be unjust to give it to him. In contrast, other, less wise men may wish to forgive a man who has committed a crime, not because they have considered, rationally, the facts of the case, but because they feel, emotionally, sorrow at the sight of his sufferings during his trial and execution. Seneca criticizes, in particular, “old women and wretched females who are moved by the tears of the worst criminals and who, if they could, would break open their prison.” It is not enough to consider the chains that encumber this man’s wrists or the executioner’s block that awaits his neck; one must also remember what ghastly deeds this man has committed to warrant such punishment. If pity is to avoided, Seneca asserts, it is because “It is the failing of a weak nature that succumbs to the sight of others’ ills”; it considers, “not the cause of the misfortune, but the misfortune itself”. For Seneca, the pity that medieval crowds are said to feel for condemned women being led to the stake would be ill-advised insofar as it disregards the crimes for which these women were justly convicted.

As inheritors of the classical philosophical tradition, patristic and medieval theologians tended to recognize the value of justice in judicial proceedings, yet, as inheritors of the Christian religious tradition, they also tended to recognize the value of pity because they hoped that it might lead to the salvation of the accused party’s soul. Augustine defends pity, which he defines, not as sorrow for another’s misery,
which would prompt us to show him excessive leniency, but as “compassion for another’s misery, which prompts us to help him if we can”. Because he knows that sinners, even as they take pleasure in their sinfulness, find only unhappiness in this world and the next, he writes, “I feel much […] pity for him who delights in his wickedness”, and he hopes that this person will repent of his misdeeds. While someone like Seneca argues that emotion opposes reason, when pity is presented in such a way that justice is abandoned, Augustine argues, “This emotion serves reason, when pity is presented in such a way that justice is preserved, such as when […] the penitent are forgiven”. Gregory the Great similarly defends pity, which he, like Augustine, argues one should feel even for sinners who have brought their suffering upon themselves. Given that Jesus Christ pitied sinners, while the Pharisees disdained him for doing so, Gregory asserts, we can see that “True justice has compassion, but false justice scorn”. He observes that those who are accustomed to feeling humble, because of their “true justice”, look up even to the sinners they correct because they know that those who err and then repent often seek God more ardently than those who have never gone astray. In contrast, he continues, “Those who are accustomed to feeling proud, because of their false justice, look down on everyone else. They show no pity for the weak, and they become worse sinners to the extent that they believe they are not sinners”. If it is right to pity sinners, and not just condemn them, as Gregory argues that it is, it is because we are all sinners, even if only insofar as we take pride in not being sinners. Thomas Aquinas agrees with Augustine and Gregory that one should not only seek justice against malefactors, as criminals, but feel pity for them, as sinners. Though people commit sins out of choice and thus deserve to be punished, he adds, “Because guilt may, in a way, be a punishment, insofar as it has something connected with it that is against the sinner’s will, it may, in this regard, call for pity. It is in this sense that we have pity and compassion for sinners”. For Augustine, Gregory, and Aquinas, the cultivated compassion for Jesus Christ on the Cross and for the Virgin Mary at its foot. What interests me here is the compassion they also felt for condemned criminals.


18 *Servit autem motus iste rationi, quando ita praebetur misericordia, ut iustitia conservetur [...]*, *cum ignoscitur paenitenti*, Augustine, *De civitate dei*, vol. 1, IX, 5, p. 254.


20 *At contra hi qui de falsa justitia superbire solent, ceteros quoque despiciunt, nulla infirmitantibus misericordia condescendunt; et quo se peccatores esse non credunt, eo deterius peccatores fiunt*, *ibid*.

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Pity that medieval crowds are said to feel for condemned women being led to the stake would be well-advised insofar as it considers the sufferings these women endure, by sinning as well as by being justly punished for their sins, and insofar as it allows for hope that they may learn to repent of their misdeeds.

The conflict over the appropriate roles of justice and pity in judicial proceedings plays itself out in the Middle Ages, not only in “literary” narratives of fictional women condemned to the stake, such as Arthurian romances, but in “non-literary” narratives of real women facing this penalty, such as wonder stories, chronicles, and judicial handbooks, as three case studies can show. The authors of these “non-literary” accounts recognize the need for justice in these condemned parties’ cases. A woman has joined a heretical sect, has adopted its beliefs, and now refuses to abjure those beliefs, even when repeatedly urged to do so. Another woman has performed witchcraft upon her neighbors, so that they lost their livestock or their unborn child. If one feels pity for the woman who is being put to death, one could argue, it is only because one neglects to consider the cause for which she is being executed, namely, the crimes she has committed which have warranted this punishment. At the same time, the authors of these accounts also recognize the appropriateness of pity in these situations. The woman may have joined the heretical sect, not so much because she subscribes to its beliefs, but because she is in thrall to its leader, and she may now refuse to abjure those beliefs, not so much because she is genuinely persuaded of them, but because she has mistaken stubbornness for heroism. The other woman may have bewitched her neighbors only because she has been treated badly by them. If one feels pity for the woman who is being put to death, it may be because one considers, not only the crimes for which she has been condemned, but the cause for which she committed those crimes. By juxtaposing the justice with which women are being punished and the pity with which spectators nevertheless respond to those punishments, these authors juxtapose the application of general, universal principles, such as laws against heresy and witchcraft, to particular, individual cases, and the resistance of particular, individual cases themselves, such as the narratives about this woman heretic or that witch, to such principles. When so many different circumstances, in the past, contributed to this woman’s unwise actions and when so many different circumstances, in the future, could possibly contribute to her repentance and redemption, it becomes painful to reduce her person to the misdeeds she has committed and to execute her on the basis of these misdeeds, however necessary it may be to do so. If the figure of the condemned woman being led to the pyre emerges as a type in both literary and historical genres in the twelfth and thirteenth centuries, as it does, it may well be because, in her apparently greater fragility, she dramatizes how a universal principle can be undermined or at least complicated by an individual case.

The Muliercula

It may seem that when, in August of 1163, an unnamed young woman died in the flames at Cologne with her fellow deviants in the faith, justice was done. Forty years after this event transpired, Caesarius, the prior of the Cistercian monastery at Heisterbach, provides the most vivid account of the death of this young woman – "a
virgin, beautiful but a heretic"," as he calls her – in a brief exchange between a monk and a novice in his *Dialogus miraculorum*. After the heretics were condemned, Arnold, the leader of the sect, and his followers were led to the Jewish cemetery outside of the city where a fire had been prepared for them. It seemed at first that the virgin would escape the others’ fate, as she was drawn apart from this group by some well-intentioned bystanders and seemed to consent to their plans for her. Yet the monk relates, “After the heretics were dead, she said to those holding her, ‘Tell me, where lies that seducer?’ And when they pointed Master Arnold out to her, she slipped free from their grasp, covered her face with her robe, and threw herself upon the body of the dead man, descending with him into Hell to burn forever”. When the virgin refers to Arnold as “that seducer”, it is unclear what type of seduction she accuses him of. Since Late Antiquity, Christian authors had observed that women and girls tended to become embroiled in heretical sects, not

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23 Other accounts of this incident are provided by the *Chronicon breve Coloniensis, Corpus documentorum inquisitionis haereticae pravitatis neerlandicae*. Verzameling van stukken betreffende de pauselijke en bisschoppelijke inquisitie in de Nederlandsen, ed. P. Frédéricq, 5 vols., Ghent, J. Vuytske, 1889-1906, vol. I, p. 40; Johannes Trithemius, *Annales Hirsaugienses*, *ibid.*, p. 40-42; and the *Annales Coloniensis maximi*, *ibid.*, p. 42-43. According to the *Annales Coloniensis maximi*, these heretics were Cathars who had emigrated from Flanders and were residing secretly in a barn near the city. When they failed to attend Mass on Sunday, their neighbors began to suspect them of unbelief and reported them to the ecclesiastical authorities. See also Eckbert of Schönau, *Sermones contra Catharos, Patrologiae cursus comple\(\ldots\) series latina*, ed. J.-P. Migne, 221 vols., Paris, Garnier Frères, 1844-64, vol. CXCV, col. 11-98, esp. col. 52 and 59, and Hildegard of Bingen, *Hildegardis Bingensis Epistolarium*, ed. L. Van Acker, Turnhout, Brepols, 1991, Epistola XV, p. 34-47, for responses to this sect.  
24 *iam extinctis haereticis, tenentibus se dixit, ‘Dicite mihi, ubi iacet seductor ille?’ Cumque ei demonstrassent magistrum Arnoldum, ex manibus illorum elapsa, facie veste tecta, super extincti corpus ruit, et cum illo in infernum perpetuo arsura descendit*, Caesarius of Heisterbach, *Dialogus miraculorum*, vol. I, p. 299. The *Annales Colonienses maximi* similarly reports of the juvenculum, *dum miseratione populi prope servaretur, si forte interitu aliorum terreretur et saniori consilio acquisceret, subito de manibus se ipsius elapsam ultro ignibus se injecit et periit*, *Annales Colonienses maximi*, p. 43. The *Chronica brevis Coloniensis* does not mention the young girl in particular, but it states that these heretics refused to abjure their errors so adamantly that *quidam ipsorum furentibus flammis seipsum injicerent*, *Chronica brevis Coloniensis*, p. 40. Johannes Trithemius, though not writing until the sixteenth century, provides the longest account of the episode: *Erat inter eos juvencula una satis pulchra et morigerata, super quam judices et qui adstabant incendio misericordia moti sunt; et cupientes eam salvare, si forsam aliorum viso interitu ac terris coniunctione vellet acquisere saniori, commiserunt eam quibusdam prope astantibus tenendum in manibus atque servandum. Ardentibus iam aliis et multis exhortantibus atque rogantibus puellam, ut ab errore malo discendens vitam sibi servaret concessam, illa tacens et nulli quidquam respondens, tandem subito de manibus tenentium elapsa, in medium se flammarum praecitipit dedit et periit*, *Annales Hirsaugienses*, p. 42.
only because they were attracted to their heretical doctrines, but, even more, because they were attracted to their heretical leaders. Saint Paul had warned of “men […] reprobate concerning the faith”,25 “They creep into houses and lead captive wretched women [mulierculas] laden with sins”.26 Irenaeus of Lyon had represented the heresiarch Marcus as seducing women, who gave him their possessions and their bodies;27 and Sulpitius Severus had depicted the heresiarch Priscillian along similar lines.28 Saint Jerome had provided a long list of the “wretched women” who had accompanied heresiarchs, including Helena, who helped Simon Magus; Prisca and Maximilla, whose used their wealth and connections to assist Montanus; and Lucilla, who similarly employed her riches to support Donatus.29 In the twelfth century clerics had recorded that females continued to respond to heretical leaders, including Tanchelm30 and Henry of Lausanne,31 in a similar manner. Just six years before these heretics were uncovered in Cologne, the Council of Reims of 1157 had condemned “the most impure sect of the Manichaeans”,32 whose faith, it alleged, was spread “by the most abject weavers, who flee often from place to place, change their names, and ‘lead captive wretched women, laden with sins’”.33 In terming Arnold “that seducer”, the virgin seems to indicate, in accordance with this tradition, that he led her astray, not only doctrinally, by teaching her his heresy, but sexually, by luring her to her bed. Though she gives the impression to the bystanders who are holding her that she now recognizes that he misled her, it becomes clear that she remains attached to him, given that she asks to see, not her other fellow heretics, but him alone; given that she throws herself, not simply into the flames, but onto his body; and given that, as the monk understands her action, she thus purposefully joins him in both the temporal and the eternal fires. By mistake a carnal attraction to a charismatic heresiarch for a spiritual attraction to his teachings, the virgin thus belongs to a long tradition of “wretched women” who have allowed themselves to be lured to their damnation by deceptive men.

25 homines […] reprob i circa fidem, II Tim 3:8.
33 per abjectissimos textores, qui saepe de loco fugiunt ad locum, nominaque commutarunt, ‘captivas ducunt mulierculas oneratas peccatis’, ibid.
At the same time, however, Caesarius represents bystanders as feeling pity for this virgin. Though this young woman’s attachment to the heretical sect, like that of the “wretched women” of earlier anti-heretical traditions, seems based in her loyalty to its leader, the monk calls her, not a “wretched woman” but, rather, as we have seen, “a virgin, beautiful, but a heretic”. By appreciating in her the positive, feminine trait of beauty, the monk and, it seems, the bystanders he is describing, do not see her as defined by her heresy alone. The monk recounts, “She was led away from the fire, thanks to the compassion of some persons who promised that they would either deliver her over to a husband or, if it pleased her more, place her in a monastery of virgins”.

As these bystanders see it, the virgin may have been, in the past, a heretic’s follower, but she can become, in the future, a Catholic man’s wife or a nun. She may have been, in the past, someone condemned for heresy, but she can become, in the future, someone capable of redemption and reformation. The virgin’s impulsive decision to hurl herself on the dead Arnold’s body seems so regrettable to these bystanders because her identity, which had been subject to change until the very last minutes of her life, becomes fixed for eternity with her death. As the monk reports what the bystanders saw in the virgin, he suggests also what the virgin saw in Arnold. Before the heresiarch was led to the fire with his followers, he attempted to minister to them. He requested a bowl of water and some bread, presumably, the monk states, because “He wanted to make from them a sacrilegious communion”.

Though Arnold was a mere blacksmith, the monk recalls that heretics of his sort were said to believe that any rustic is capable of making the body of Jesus Christ out of bread on his own table. Even when Arnold and his followers are in the flames, the heresiarch continued to offer comfort to his companions. The monk reports, “Placing his hand on the heads of his half-burned disciples, Arnold said, ‘Be constant in your faith, because today you will be with Lawrence’, though they differed greatly from the faith of Lawrence”.

As deluded as Arnold was in his heresy, he was the sort of man who could spend his final moments, even in the agony of the flames, caring for the souls of others, as the virgin seems to have appreciated. If the virgin is pitiable, it is because, tempted into her damnation by this deceptive man, she seems to be less a heretic than the follower of a heretic and her sin thus seems to be less heresy than unwise love.

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34 quorundam compassionem ab igne subtracta, promittentium, quia vel eam viro traderent, vel si hoc magis placet, in monasterio virginum locarent, Caesarius of Heisterbach, Dialogus miraculorum, p. 299.
35 sacrificem ex eis facere volebat communionem, ibid.
36 Arnoldus semiustis discipulorum capitis manum imponens, ait, ‘Constantes estote in fide vestra, quia hodie eritis cum Laurentio’; cum tamen nimis discordarent a fide Laurentii, ibid., p. 299.
37 Caesarius does represent spectators at the burnings of heretics as feeling pity, not only for beautiful women among them, like the virgin, but for noble men. In Cambrai, the monk relates, a cleric kept back a heretic who was being led to his death with his companions, saying to him, Homo nobilis es, misereor tui, et compatior animae tuae, ibid., p. 132. He succeeds in persuading the man to renounce his error and to save his soul. An officer who pleads with a heretic from near Strassburg is less successful in his efforts (ibid., p. 133).
The Shepherdess

It may seem that, when another unnamed young woman died in the flames at Reims sometime between 1176 and 1180, justice was also done. In his Chronicon Anglicanum, the one account which has survived of this incident, Ralph, the abbot of the Cistercian monastery of Coggeshall, recounts that William of Champagne “of the White Hands”, the archbishop of Reims, and his clerics were one day taking a canter outside of the city. During this excursion, one of these clerics, by the name of Gervase of Tilbury, happened to encounter a “maiden [puella]” walking alone in a vineyard. Ralph relates, “Led by the curiosity of lubricious youth, he turned toward her […] Greeting her, he asked her attentively whose daughter she was and what she was doing there alone. After having attended to her beauty for a long while, he addressed her regarding wanton love”. The maiden rejected Gervase’s amorous overtures with the explanation, “If I ever lost my virginity and my body had once been corrupted, I would, without doubt, be subjected to eternal damnation, without any hope of remedy”. Because the maiden implicitly denies that fornication can be repented of in our world and atoned for in Purgatory, Ralph relates, “Master Gervase, hearing this, understood immediately that she was of that most impious sect of the Publicans, who at that time were being sought out and destroyed everywhere”. While Gervase was attempting to demonstrate to the maiden the error of her beliefs, the archbishop approached and, learning the cause of the disagreement, ordered her to be seized and brought back to the city. There, in the presence of his clerics, he advanced many scriptural authorities and rational arguments to the maiden in order to disprove what she was saying. Yet, just as she had confused a heretical rigorism with a Catholic moralism, she now confused a heretical rigidity with a Catholic fidelity. Though she was unable to refute the archbishop’s objections to her beliefs, Ralph states, “She could be recalled from the obstinate course upon which she had embarked neither by the persuasion of reason nor by the promise of riches”, and, as a result, “She was consumed by the fire”.

bishop of Liège, who is tempted to release a condemned thief for Lent, learns that it can, at times, be better to act according to justice rather than pity (ibid., p. 136).

38 This is the same Gervase of Tilbury who later wrote the Otia imperialia.
40 lubricae juventutis curiositate dactus, divertit ad eam [...] Quam salutans, et unde et cuius esset filia, et quidnam ibidem sola ageret, diligentiter inquirens, cum eius pulchritudinem diutius attendisset, hanc tandem de amore lascivo curialiter affatu, ibid.
41 si virginitatem amisissem et caro mea senel corrupta esset, aeterneae damnationi proculudio absque omni remedio subjacerem, ibid.
42 Ralph writes of these heretics in general, Non credunt ignem purgatorium restare post mortem, sed statim animam a corpore solutam vel ad requiem transire, vel ad damnationem, ibid., p. 124.
43 Quod audiens magister Gervasius intellexit protinus hanc esse de illa impiissima secta Publicanorum, qui illo in tempore ubique esquirebantur et perimebantur, ibid., p. 122.
44 nec rationum persuasione nec divitiarum sponsione, ab incepta obstinatio revocari potuerit, ibid.
45 igne consumpta est, ibid.
considering the maiden’s comportment in the flames, Ralph echoes the words of his fellow Cistercian abbot Bernard of Clairvaux, who had written of some heretics who had shown fortitude in the flames near Cologne in 1143, “The men of this most impious sect choose to die rather than be converted from their error”. As the devil drives suicides to commit acts of violence against themselves, Bernard had maintained, he drives heretics to willingly suffer acts of violence at the hands of others. The martyrs of the Church died rather than renounce their beliefs, as the maiden did, but, Ralph writes, again quoting Bernard, “The constancy of martyrs of Christ and the pertinacity [of heretics] have nothing in common, because, with the former, it is piety that brings about contempt for death, while, with the latter, it is hardness of heart”. These martyrs suffered death, as the maiden did, yet, Ralph remarks, “for how different a cause!” While the virgin of Cologne had gone astray by mistaking her carnal attraction to a charismatic man for a spiritual attraction to his teachings, this maiden goes astray by mistaking the heterodox vices of doctrinal error and obstinacy in this error for the orthodox virtues of chastity and martyrdom for the faith.

At the same time, Ralph represents bystanders, again, as feeling, if not pity, at least amazement at the maiden. There is no indication that the maiden is a shepherdess, yet the text echoes a pastourelle in its representation of a man on horseback finding a solitary maiden in a pastoral setting, engaging her in conversation, and attempting to initiate an amorous dalliance with her. Like the man in a pastourelle, Gervase asks the maiden who she is, he praises her beauty, and he speaks to her “in a courtly manner” before making clear his intentions. Like the

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48 disparili causa, Ralph of Coggeshall, Chronicon anglicanum, p. 124.
50 In the Carmina Burana, the narrator exclaims, Deus, Deus meus,/ estne illa Helena, vel est dea Venus? in Si linguis angelicus, ibid., p. 140, l. 55-56; pulchrior quam Flora! in Estivali sub fervore, ibid., p. 144, l. 30; and virgo tu pulcherrima in Florent ombes arbores, ibid., p. 146, l. 9. Jocelin informs the maiden, “k’onkes si amerouset;/ se m’est vis, ne vit nuls hommes” in «Quant j’o chanteir l’aluete”, ibid., p. 100, l. 16-17.
51 curialiter, Ralph of Coggeshall, Chronicon anglicanum, p. 122. In Hue de Saint Quentin’s “A l’entrant del tans salvage”, the narrator affirms, “Molt fu courtois”, The Medieval Pastourelle, ed. and trans. Paden, p. 100, l. 34, while, in an anonymous “Pastourelle”, the
shepherdess in a pastourelle, the maiden resists the man modestly and decorously. Ralph states, “She answered him with simple gesture and a certain gravity of speech, scarcely wanting to look at the youth”. Though, as we have seen, the maiden refuses to forsake her virginity because she fears that, if she does so, she will be damned forever, she prefaced this theological argument with courtly language. “O good youth”, she tells him, “God wants me never to be your friend nor that of any man”. In her use of apostrophe, her reference to Gervase as a “good youth” even as she is rejecting him, and her assertion that she will not be his or any man’s “friend [amica]”, she speaks as graciously as a literary character. It might seem that the maiden employs a heterodox rhetoric that departs from the shepherdess’s orthodox, if rustic, language when she claims that she would be subjected to eternal damnation if she lost her virginity, but the two sets of utterances are not as far apart as one might think. The shepherdess who spurns her suitor by stating, in Raoul de Beauvais’ “Quant la seson renouvele”, “Fair sir, […] / I have no wish for your love,/ for as long as I live/ I shall keep my chastity” also shows herself to be desirous of preserving her body’s purity. The shepherdess who announces, in the anonymous “Quant eu escavalcai l’autrer”, “May it never please God that I commit such a wrong,/ and if I do, may he not give me pardon” does not deny that God will give her pardon should she lose her virginity, as the maiden does, but, with a similar moral severity, she expresses hope that he will not do so. Like the plot of the pastourelle, the plot of this anti-heretical violence turns from courtship to violence, yet here, the violence takes the form, not of the rape or attempted rape of the young woman, but, even more seriously, of her execution for heresy. Though Ralph never addresses the disconcerting contrast between the maiden’s chastity and her subsequent prosecution for heresy, he does address that between her fortitude on the stake and her condemnation to this fate. When she was burned to death, he writes, it was “not without the astonishment of many, for she emitted no sigh, no tears, and no laments, but bore the torment of the conflagration with constancy and eagerness, like the martyrs of Christ, […] who, in the past, were slaughtered by pagans for the Christian religion”. Just as the “cause” for which the shepherdess defends her virginity may differ from that for which the maiden defends herself, the “cause” for which the martyrs showed fortitude in the flames may differ from that for which the

Cui illi simplici gestu et cum quadam verborum gravitate respondit, vix juvenem respicere volens, Ralph of Coggeshall, Chronicon anglicanum, p. 122.

Numquam velit Deus, O bone adolescens, ut tua amica, sive alicuius unquam hominis existam, ibid.

Biau sire, […] / De vostre amor n’ai talent,/ car tant conme je vivrai/ ma chasté garderai”, Raoul de Beauvais, “Quant la seson renouvele”, p. 186, l. 39-42.

“Ja Deu non plassa qu’eu faz tal faillida/ e s’eu la faz, non me-l pardon”, Anonymous, “Quant eu escavalcai l’autrer”, p. 96, l. 35-36.

non sine admiratione multorum, cum nulla suspicia, nullus fletus, nullum planctum emitteret, sed omne conflagrants incendi tormentum constanter et alacriter perferret, instar martyrum Christi […] qui olim pro Christiana religione a paganis trucidabantur, Ralph of Coggeshall, Chronicon anglicanum, p. 124.
maiden shows strength, but the resemblance between the two sets of deeds remains. If the maiden is disturbing to these bystanders and to Ralph, it is because her actions – in refusing to give up her virginity and in dying bravely for her beliefs – seem indistinguishable from the actions of good and even holy young women.

The Scorned Mistress

Between 1484 and 1486, the Dominican inquisitor Henricus Institoris (alias Heinrich Kramer) wrote the *Malleus maleficarum*, the most influential handbook against witches of the early modern period, possibly with the assistance of his colleague Jacobus Sprenger, it seems, with the intention that justice be done. Witches, as Institoris understands them, cause harm to people by gazing at them. Like a basilisk, the witch can kill human beings by directing her “evil eye” against them. A child upon whom the witch has cast this eye will not be able to digest food, to gain strength, or to grow taller. Witches cause harm to people, in addition, by touching them. The inquisitor advises that an accused witch be “questioned as to why she was seen in the fields or in the barn with the domestic animals, touching them in the way that [witches] are accustomed to do”.

The pregnant wife of a powerful man in Reichshofen attended a banquet at which a notorious witch appeared. “When [the witch] [...] touched the lady on the belly with both hands as if in greeting”, Institoris relates, “she suddenly felt the child moving with pain”.

Fleeing in terror, the woman ended up miscarrying and giving birth to a dismembered head, feet, and hands. Witches cause harm to people, finally, by speaking to them. After a quarrel, Institoris relates, “They sometimes commit [crimes] with insulting words alone, saying, ‘You will soon feel what will come upon you’”.

A parish priest in the diocese of Basel, when crossing a narrow bridge, brushed against an old woman so roughly that she fell into the mud. The woman warned him, “Father, you will not cross over unharmed!”

That night, the priest found himself paralyzed beneath his belt, and he remained unable to walk for the next three years. Given her capacity to carry out “works of witchcraft [...] through vision, touch, or speech”, Institoris insists, the witch must be arrested, interrogated, and tortured, and, if found to be guilty, must be released to the secular arm.

While Institoris gives no indication that he ever felt pity for the accused witches he prosecuted in the Tyrol, Salzburg, Bohemia, and Moravia, he does represent himself as having suffered enchantments which produced within him an equivalent sensation. As witches harm people, in general, by gazing at them, they

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58 *interro. cur visa fuerit in campis vel in stabulo cum iumentis, tangendo prout interdum solent facere*, ibid., III, 201D.

59 *cum [...] ipsum dominam quasi salutationis gratia super ventrem ambabus manibus tetigit, et subito puerum se dolorose moventem persensit*, ibid., II, 114D.

60 *perpetrant [...] aliquando per verba solum contumeliosa, dicendo, ‘Tu senties in brevi que tibi evenient’*, ibid., III, 222D.

61 *Pfaff, impune non transibis*, ibid., II, 100B.

62 “maleficorum opera, [...] aut per tactum aut per visum aut per locutionem”, ibid., I, 10D.
harm judges, in particular, by gazing at them and, especially, by gazing at them before the judges have seen them. Institoris writes, “There are such witches who know how to enchant judges merely through the look of their faces and the glance of their eyes”. In order to prevent the witch from gaining power over those who are trying her, he advises, “She should be brought in backwards, with her back turned toward the judges and assessors”. As witches harm people, in general, by touching them, they harm judges, in particular, by touching them and, especially, by touching their wrists. In order to prevent the witch from gaining power over those who are trying her, Institoris recommends, “All the judge and all the assessors […] should not permit themselves to be touched by her corporally, especially on the naked juncture of the hand and the arm”. Finally, as witches harm people, in general, by speaking to them, they harm judges, in particular, by uttering special words. “With God’s permission”, he writes, “they can, especially at the time when they are being exposed to questioning under torture, enchant people by having them hear words spoken by them”. In order to prevent the witch from gaining power over those who are trying her, Institoris suggests, the judge should fortify himself with holy salt, a blessed palm, and blessed wax, wrapped up and worn on his neck. Unless officials take such precautions against these women, he warns, they will be unable to carry through with their prosecution of witches. In the past, he has seen it happen, he observes, that “This judge or the others (his assessors) were so alienated in their hearts that they lost all indignation they might have had in their hearts, nor would they presume to molest [witches] in any way; instead, they permitted them to go free”. Though Institoris does not discuss his personal experience of such spells, he repeatedly notes that he has had such experience. “Would that experience had not taught us this at all!”. Though he provides no details about the cases where the sight, the touch, or the words of an accused witch affected his mind, so that he no longer wanted to harm her, he asserts elsewhere that a woman typically turns to witchcraft out of “sadness and poverty”, because she has been seduced by a young man who promised her marriage but then forsook her in order to wed another, more respectable young woman. He writes, “There is no counting the

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63 Sunt et tales malefice que iudices solo aspectu et oculorum intuitu maleficiare scint, ibid., III, 136C.
64 Ipsa a tergo dorsum vertendo ad iudicem et assessores introducatur, ibid., III, 214B.
65 Omni […] iudici et omnibus assessoribus […] non permittant se ab ea tangi corporaliter, presertim super nudam iuncturam manuum et brachiorum, ibid., III, 214A.
66 Divina permissione interdum per auditum verborum […] ab eis prolatorum maleficiare operatione demonum possumt, ibid., III, 214A.
67 Talis iudex aut aliis sui assessores ita alienati in eorum cordibus fuerunt quod omnem si quam habuerant indignationem ammiserunt, nec ipsas molestare quoquo modo presumebant, sed libere abire permiserunt, ibid., III, 214B. Institoris writes of witches, eorum animos immutare taliter scint quod eis nullum nocumentum sive per se sive ab aliis fieri permittant, ibid., I, 46A.
68 Et utinam experientia nos minime edocuisset!, ibid., I, 46A.
69 Qui scit et expertus est verum dat testimonium, ibid., III, 214B.
70 Mesticie et paupertatis, ibid., II, 94C.
number of such young women, as – alas! – experience teaches, and there is likewise no counting the number of witches arising from them”.

Left bereft by her lover and, perhaps, scorned by her neighbors as “a loose and dissolute woman”, the woman may appear weak and pitiful, even as she turns to witchcraft to make herself strong. Yet, if the witch is not to be pitied, Institoris makes clear, it is because any compassion the judge might feel when he is arresting, interrogating, or torturing her is the result, not of the natural misgivings that he might feel for someone he is causing to suffer, but of the diabolical spell that she has cast upon him.

If there is any theme that holds together these narratives of condemned women, it is love. The virgin of Cologne dies in the flames because Arnold had succeeded, in some sense, in seducing her. The maiden of Reims expires in this fire, indirectly, because Gervase had failed to seduce her. The witch turns to witchcraft because the man she loved married another. Whether because they accepted a lover, because they rejected a lover, or because they seek vengeance upon a lover who, having once been accepted, rejected them, these women find their fates to be determined by amorous attachments. The manner in which this love is depicted in these wonder stories, chronicles, or judicial handbooks differs greatly from the manner in which it is portrayed in Arthurian romances. In contrast to Iseut and Guinevere, the virgin, the maiden, and the witch are all of humble social rank. With the exception, to some degree, of the virgin, their appearances are not so beautiful, their clothes are not so elegant, and the popular outcry their expected fates inspire is not so acute. In contrast to Tristan and Lancelot, the men with whom they are associated do not rescue them from the flames, but, on the contrary, deceive, condemn, or betray them. Despite these differences, however, all of these texts suggest that bystanders who attended these women’s deaths and even the judges and assessors who participated in the proceedings that led to these deaths could feel that there was something wrong in burning a woman at the stake and perhaps something especially wrong in burning a woman who was the object of amorous desire. Fiction and non-fiction intersect, as the pity felt for romance heroines evokes the pity felt for historical figures.

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71 Et sicut talium iuventularum non est numerus, ut – heu! – experientia docet, ita nec numerus maleficarum ex eis insurgentium, ibid., II, 94C.

72 vagam et dissolutam mulierem, ibid., II, 94D.

73 As Institoris reminds his readers, a witch can bewitch a man, not only by making him feel pity, but by making him feel love for her. Though he recognizes that “irregular love [inordinatum amorem]”, I, 45B can be the result of original sin and the consequent corruption of human nature, which prevents men from restraining their appetites, he argues that it can also be the result of such such a love spell. If a man finds that nothing can keep him from the woman he loves – not his own rational resolve, not the remonstrances of others, and not the great distance that separate them – he can know himself to have been bewitched by her. (See ibid., I, 46A; I, 49-50; II, 115A; II, 164-165, III 222D).