

ABSTRACT

The Flawed Ideal:
Justice and Injustice in Malory's *Morte Darthur*

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In his *Morte Darthur*, Sir Thomas Malory portrays Arthur, not as the strong, fully just king of later portrayals, but as a weaker monarch more in keeping with those of fifteenth-century England. Arthur begins well by establishing his Pentecostal Oath, which provides strict behavioral guidelines for the knights on whom he must rely to establish justice in his kingdom. He also has at his disposal legal custom and the patronage system, both of which can provide strong levels of control. However, Malory's Arthur makes inconsistent use of the tools of governing. Though he at times punishes the violators of his laws, he as often condones improper and even criminal behavior. Likewise, the knights of the Round Table too often place their own desires above their responsibility to establish justice in Logres. As a result, the fall of the kingdom can be attributed to the failure of justice in the realm.

Though this study engages in much close reading of Malory's text, such reading alone is not sufficient for informed judgments regarding the relative effectiveness of the justice of Malory's Arthurian realm. Therefore, the study is grounded in considerations

of justice stemming from the medieval English judicial system. Political theories of justice drawn both from works in the *speculum principis* tradition and from chivalric manuals provide additional historical context. Comparison of the episodes Malory represents in his text with historical theory and practice implies that Malory's Arthur is not an ideal king, nor is his Logres an ideal kingdom. Malory instead represents both the strengths and weaknesses of Arthur and his knights, confirming and at the same time criticizing the behavior of his characters. In the end, though, it is the flaws inherent in Arthur's justice that destroy both him and his kingdom.

The Flawed Ideal: Justice and Injustice in Malory's *Morte Darthur*

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DEDICATION

For Tom, who after twenty years will no longer be married to a student. I love you.

CHAPTER ONE

Introduction

Camelot, King Arthur's perfect kingdom, captures the imagination like few other legendary places. Even today, centuries after the composition of the tales of King Arthur, most people *know* that Arthur ruled a kingdom that was governed by justice and chivalry, where the people lived in safety because of their strong king and his mighty Round Table. But how much of this picture comes from the actual legends, and how much is the result of their clever recasting by Victorian poets and T. H. White? More to the point of my study, how does Sir Thomas Malory, the author often credited with creating the shape of the King Arthur legend that we now know, portray justice in King Arthur's Logres?

Other treatments of King Arthur certainly portray him as both noble and just. For example, John Lydgate's *The Fall of Princes* says of Arthur that "Among al kynges renommed & famous, / As a briht sonne set amyd the sterries, / So stood Arthour notable & glorious" (3.901). Arthur's kingdom shines a bright light of chivalry throughout the world and is the "Welle of worship, conduit of al noblesse, / Imperial court al wrongis to redresse" (3.903). To Lydgate, Arthur is not only an illustrious king, but his court is a place where wrongs are put right. A modern author of Arthur's legend, T. H. White, has a similar opinion. White's Arthur is firmly convinced that the point of rule is to create justice and peace for all. Early in his reign, Arthur determines to found a popular society that all knights will want to join, and then to bind the members of his Order with an oath promising to use their power only in the service of Right. The young Arthur says, "The

knights in my order will ride all over the world, still dressed in steel and whacking away with their swords [. . .] but they will be bound to strike only on behalf of the good” (White 248). Throughout *The Once and Future King*, White’s Arthur holds to that ideal, regardless of the difficulties he has in enforcing it. Since White draws much of his inspiration from Malory, often quoting from and referring to the *Morte Darthur*, it might seem reasonable that Malory’s Arthur would be similarly enthusiastic about establishing justice in his kingdom.

Malory’s overt treatment of Arthur is just as positive as the images created by Lydgate and White. The *Morte Darthur*’s narrator portrays Arthur as a strong king who at his coronation swears “unto his lordes and the comyns for to be a true kyng, to stand with true justyce fro thens forth the days of this lyf” (I.16.21 - 23¹). So he does begin much as White’s Arthur does—with a focus on justice. But at the end of the text, in the famous, “Lo ye Englishmen” passage, Malory’s narrator calls Arthur “the moste kynge and nobelyst knyght of the worlde” (III.1229.7 – 8). Though this is a positive statement by any standard, it has little to do with justice. And a close examination of the text demonstrates that Malory’s Arthur, despite his glowing reputation, often has little to do with justice as well.

Long before the fifteenth century, the Emperor Justinian’s *Institutes* defined justice as “constans et perpetua voluntas ius suum cuique tribuendi” (Qtd. in H. G. Richardson 170). Many medieval sources, including the Middle English poem “The III Consideracions Right Necesserye to the Good Governaunce of a Prince,” translate and

¹ Here and throughout, unless otherwise noted, my source text for Malory’s *Morte Darthur* is Eugène Vinaver’s 3-volume *The Works of Sir Thomas Malory*, 3rd edition, revised by P. J. C. Field. Each entry refers to volume, page, and line numbers, as appropriate.

reinforce this definition, claiming that “justise is [the] perpetuell, ferme and constaunt will to give unto eery persoone his owne right and that he ought of dutie for to have” (Genêt 196). If Malory’s Arthur is to be a just king according to medieval standards, he must make it his business to give to all his subjects their due, including security for the peaceful and punishment for the wicked. Indeed, a medieval king’s primary task was the establishment of justice in his kingdom, a fact confirmed in works that capture medieval political theory on kingship, in the coronation oath of the kings of England, and in Arthur’s own coronation oath.

Though Malory at times represents Arthur’s fulfilling this essential duty of kingship, Arthur’s commitment to justice in the *Morte Darthur* proves inconsistent. The fully-just Arthur destroyed by the weaknesses of those around him—the Arthur of Tennyson and White—does not appear in Malory’s text. Instead, Malory’s Arthur proves a flawed king, one who at times acts in the interests of justice, but who as often behaves as though such concerns are unimportant. Arthur punishes some of his kingdom’s evildoers, but he allows others to escape without punishment. He establishes laws and confirms customs that should allow him to promote justice in his realm, but he is lax in enforcing those laws, particularly when he has personal relationships with those who violate them. Though Arthur’s Logres is doubtless better than the interregnum that precedes it, when there was no law at all, it is not an ideal kingdom. Instead, like the reigns of many of the fifteenth-century English monarchs, Arthur’s rule is marred by injustice, and that injustice ultimately destroys both Arthur and his kingdom.

Sir Thomas Malory’s *Morte Darthur* stands at a crucial point in time. Though Malory composed the work at the end of the Middle Ages, just as Europe was about to

step into the modern era, he writes as a man firmly grounded in the fifteenth century, yet looking back to an earlier period. Thus consideration of Malory's writing in light of history should provide valuable insights into his text. Of course, one cannot truly project oneself back in time to read Malory's work as his contemporary audience would have received it. But seeking to understand medieval attitudes can provide the reader with firm ground on which to stand in assessing Arthur's kingship.

The value of historical study is particularly evident in a consideration of the justice of Malory's Arthurian realm. One should not expect to make a fair evaluation of the relative justice of Arthur's rule with only modern approaches to justice in mind. Instead, one should seek historical perspective on key questions such as the definition of justice itself, the laws that medieval people relied on to establish justice, and the duties of England's medieval rulers, including both the king and his knights. Delving into England's political theories, laws, and judicial systems provides a more relevant context for Malory's writing than the lens of contemporary American jurisprudence ever could.

When one looks at Malory's Arthur and his kingdom through the medieval lens, one finds that Malory does not consistently praise or blame Arthur, his knights, or the English legal system. Instead, his work both confirms and resists the system of justice under which he lived. Malory engages in dialogue with Arthurian justice, representing Arthur as a king defined by a mixture of traits that at times line up with medieval expectations of kingship and justice and at times depart from the standard. Similarly, Arthur's knights are sometimes sterling examples of what knighthood should be, while at other times they fail to meet the mark. Malory's dialogism with regard to Arthurian justice adds to the *Morte Darthur*'s richness, for this text presents in Arthur, not a self-

righteous ideal king, but a man with whose strengths and weaknesses the reader can relate. However, in the end the weaknesses of Arthur's rule invalidate his strengths, leaving him a failed king whose most famous institution, the Round Table, dies with him.

I examine portions of Malory's text very closely in the course of this study. My primary text for this examination is Eugène Vinaver's three-volume edition of *The Works of Sir Thomas Malory*, third edition, revised by P. J. C. Field. Because the Vinaver edition provides the fullest critical apparatus among the available editions, I deemed it the best choice for my work. However, in acknowledgment of the at times heavy editing that Vinaver applies to his text, I have when appropriate consulted both *The Winchester Malory: A Facsimile* and *Le Morte d'Arthur: Printed by William Caxton, 1485*, the facsimiles of the fifteenth-century witnesses to Malory's text.

The present study includes six chapters, beginning with this general introduction. Chapter Two, "The Pentecostal Oath," provides a thorough examination of the foundation of Arthur's attempts at justice. At the opening of his great treatise on medieval law, Henry de Bracton writes, "to rule well a king requires two things, arms and laws, that by them both times of war and of peace may rightly be ordered" (19). Though Malory's King Arthur rules a Britain that lacks many of the formal trappings of medieval law, Malory creates in Logres a kingdom that meets similar expectations. Arthur's knights provide the armed force to carry out war, and his Pentecostal Oath provides the legal guidance necessary to mold those same knights into a force for peace. This Oath is original to Malory and delineates the behavior that Arthur expects from his knights, his principal agents of justice in the kingdom.

In addition to discussing the Oath’s various forms and assessing its value to the *Morte Darthur* as a whole, Chapter Two examines the particulars of the Oath itself. The Oath is made up of two types of strictures: positive commands that indicate what a knight should do, and negative commands that denote what he should avoid. Additionally, the Oath includes punishments for infractions of many of these provisions. This chapter compares the Oath’s strictures and punishments with historical practice and uses textual examples from the *Morte Darthur* in order to examine the strengths and weaknesses of each part of the Oath. Through this examination, I demonstrate the relative strength of the foundation that Arthur provides for establishing justice in his kingdom.

The work of several scholars provides context for my study of the Pentecostal Oath. One such work is Dorsey Armstrong’s “Gender in the Chivalric Community: The Pentecostal Oath in Malory’s ‘Tale of King Arthur.’” Though Armstrong’s focus is the way in which the Oath defines issues of gender, she also discusses the Oath more generally. Armstrong claims that the Oath is the “master trope” of the *Morte Darthur*, defining and even creating all the action that occurs in the text (“Gender and the Chivalric Community” 294). However, the Oath in Armstrong’s view does not define the knights’ values, but rather presents the values which their community already holds.

Taking a different tack, Robert L. Kelly’s “Royal Policy and Malory’s Round Table” examines the Pentecostal Oath and its intersection with fifteenth-century politics. He claims that this Oath functions, not as a chivalric oath like those for the various medieval knightly orders, but as a patronage contract by which Arthur retains the men needed to run his kingdom. Kelly also studies the strictures of the Oath itself, noting the

differences between the versions found in the Winchester manuscript, the Caxton printing, and Vinaver's edition of the text. Kelly ultimately claims that Arthur's Pentecostal Oath is much more like the royal commands intended to prevent war crimes than the statutes of any of the medieval orders of knighthood, and that this difference reflects Malory's life in fifteenth-century England, where practical guides to conduct may have been more important than chivalric idealism.

Carol Kaske's article "Malory's Critique of Violence before and Just after the Oath of the Round Table" offers a contrasting discussion of the Pentecostal Oath. Instead of viewing the Oath as Arthur's creation, she claims that the Oath is "obviously devised by a greater mind than his or at least by a nobler part of himself" (261). The Oath's primary importance in Kaske's schema is not Arthur's control of his knights, but his control of himself according to its strictures. She argues that Arthur's attitude toward violence and treatment of women show a marked change after he administers the Oath to his men. Kaske also attributes intentional dialogism to Malory, whom she represents as feeling somewhat ambivalent about the violence in his text. Though Kaske's work does not match my own study because of our fundamental disagreement about Arthur's agency as king, this article contributes to a comprehensive view of scholarly work on the Pentecostal Oath.

Other scholars choose to focus on particular provisions of the Oath rather than discussing it as a whole. Felicia Ackerman in "'Always to do Ladies, Damosels, and Gentlewomen Succour': Women and the Chivalric Code in Malory's *Morte Darthur*" discusses the "currently unrecognized advantages" that the Oath provides to Malorian women (1), particularly the power that women can gain by controlling the knights who

are constrained by the Oath to fight for them. While acknowledging, following Dorsey Armstrong, that requiring men to help women defines the women as helpless, she also notes that untrained women would be relatively helpless before highly skilled armed men like the Round Table knights. However, by being able to gain the aid of even the best of the knights simply by asking, these apparently weak ladies actually gain more power than many of the lesser knights.

Following the ladies' clause, the Pentecostal Oath forbids Arthur's men to fight in wrongful quarrels, which leads to a discussion of a feature of Malorian justice on which many scholars have focused: trial by battle. Foundational among works that explore this topic is Nadine Enyon's thesis, "The Use of Trial by Battle in the Works of Sir Thomas Malory." Enyon first explains that trial by battle is a form of trial by ordeal which in theory turns the determination of guilt or innocence over to God. She then seeks a formal definition for battle trial based both on the Italian author Legnano's fourteenth-century *Tractatus De Bello, De Represaliis et De Duello* and on English historical practice. After formulating her definition, Enyon uses it to examine the potential battle trials in the *Morte Darthur*. Her primary purpose is to determine which battles may be considered formal trials, but she also comments on the justice of their results, which she judges to be inconsistent.

Jacqueline Stuhmiller's work on trial by battle condemns the practice in the *Morte Darthur* more strongly than does Enyon's. She claims that chance is a far more likely controller for such battles than God and notes that more than half of Malory's battle trials yield unjust results. For Stuhmiller, the inclusion of the stricture against wrongful battle in the Pentecostal Oath indicates Malory's skepticism about the practice's ability to

answer questions of right or wrong, particularly because the value Malory places on prowess makes him unwilling to accept it as worthless in determining a battle's result.

Keith Swanson explores similar questions in his “‘God Woll Have a Stroke’: Judicial Combat in the *Morte Darthur*. ” He notes that a firm believer in judicial combat would indeed consider strength or skill worthless in determining the trial’s result, for God would grant victory to the defendant of the worthier cause, regardless of his abilities. However, he claims that Malory, like many in his fifteenth-century audience, questioned this belief. In Swanson’s view, Malory eliminates many of the explanations for the unjust results found in his sources in order to assert that humans must use reason and judgment to decide justice. Therefore, the results of trial by battle are not indeed supernatural, but based on human skill or human manipulation. As the text nears its end, trial by battle loses all semblance of divine judgment and becomes instead “a vehicle for the emotional commitments and intuitive judgments” of the *Morte Darthur*’s primary characters (Swanson 173).

Though the Pentecostal Oath has the potential to be an effective tool for the establishment of justice in Arthur’s kingdom, it is not complete in itself. Chapter Three, “Justice beyond the Oath,” discusses the other means of controlling his kingdom that Arthur has at his disposal. One such tool is legal custom, which both extends the definition and scope of the various crimes touched on by the Oath and provides more stringent punishments for the violation of the worst crimes. This chapter discusses the legal customs that Malory delineates in the *Morte Darthur* in light of English common law and of romance tradition.

Another important addition to the Oath is the fifteenth-century practice of patronage, which both gives Arthur a great deal of power over his men and serves as an important tool in recruiting more men to his service. Malory's text blends the older feudal system based on land tenancy with the fifteenth-century practice of retaining men based on cash payments. Arthur's creation and control of a large affinity of knights who have sworn his Oath and who hold their property from him gives him a much greater capacity for the control of Logres than he has at the beginning of his reign.

Many of my sources for Chapter Two deal with history rather than literature. For example, the works of A. L. Brown, Lloyd Bonfield, and W. O. Ault were instrumental in helping me to understand the medieval court system and customary law. The writings of M. A. Hicks and K. B. McFarlane fostered my understanding of bastard as opposed to pure feudalism. And Rosemary Horrox's writing allowed me a better grasp of the bonds of service that held fifteenth-century society together.

One literary source of particular interest to this chapter is Charles Ross' *The Custom of the Castle: From Malory to MacBeth*. This study explains the trope of the castle custom in romance tradition. Ross focuses primarily on the evil or vile local custom, which he claims creates conflict between the good of the community and the desires of individuals. Before the proliferation of extensive written legal codes, people in medieval societies relied heavily on customary law, which was based, at least in theory, on natural law. Members of such societies believed that their law codes stretched far back into time, but such codes are actually quite flexible because they rely on memory; a few repetitions of a particular law are enough to make it seem to reach to time immemorial. Thus communities subject to customary law are particularly vulnerable to

wicked customs, and Ross claims that the knight or king who wishes to reform evil customs must create a new vision for society based on a “new morality” (Ross 36).

While the preceding chapters discuss the Malorian judicial system, Chapter Four, “Arthur’s Justice in Action,” examines both Arthur’s responsibilities to that system and the way in which he carries them out. In order to provide an understanding of the medieval mentality regarding a king’s duties to justice, the chapter opens with a focused examination of that topic in works that participate in the *speculum principis*, or “mirror for princes,” tradition. Works of literature in this tradition cross genre lines and discuss a wide variety of subjects, but most refer at least briefly to the king’s responsibility to establish justice for his subjects. By examining Arthur’s actions in light of this tradition, I demonstrate that his kingship is a blend of both just and unjust characteristics.

Chapter Four then turns to Arthur’s enforcement of his own laws, examining the ways in which he both meets and fails to meet his responsibilities as king of Logres. Arthur establishes good laws and at times sees to their enforcement, particularly when those who violate those laws come from outside his court. However, he often looks the other way when his own knights, and especially his own kin, break their Oaths. The chapter argues that, while Arthur at times lives up to the expectations for a just medieval king, he as frequently behaves unjustly, and in the end that injustice leads to destruction.

In working with the *speculum principis* tradition, I have focused on those works that were either very widely known or were composed in England. Therefore, I have consulted major works including Giles of Rome’s *The Governance of Kings and Princes*, the pseudo-Aristotelian *Secretum secretorum*, and Jacobus de Cessolis’ *The Game and Playe of the Chesse*. In order that my understanding of such works should approximate

that of Malory's day as closely as possible, I have consulted these works in Middle English translations, for such would show the medieval English perspective on these writings more clearly than would a modern translation, whether mine or another scholar's. This study also draws on specifically English works from the *speculum principis* tradition, including the writings of Walter de Milemete, John Fortescue, and Thomas Hoccleve. The theories on the king's responsibilities to justice drawn from such works provide a more reasonable foundation for judging Arthur's kingship than would current models of rule.

Others have preceded me in consideration of Arthur's kingship according to medieval models. Chief among these scholars is Edward Donald Kennedy, whose "King Arthur and King Mark: Aspects of Kingship in Malory's *Morte Darthur*" examines Arthur's rule in the light of many of the same works that I have noted above. However, he draws from these works the conclusion that Arthur serves as Malory's image of the ideal medieval king, while Mark plays the tyrant. Thus Kennedy downplays discussion of the episodes in which Arthur's behavior is out of alignment with the medieval standards of kingship in favor of those instances in which his behavior is exemplary. Nevertheless, Kennedy's comments on the ideal nature of Arthur's rule are well worth considering.

Another scholar to consider Arthur in a political light is Elizabeth Pochoda. Her book, *Arthurian Propaganda : Le Morte d'Arthur as an Historical Ideal of Life*, in contrast to Kennedy's work, represents both the strengths and the weaknesses of Arthur's reign. Pochoda claims that Malory would have to change the direction of the story entirely were his Arthur and Round Table to act according to the ideals inherent in the

Pentecostal Oath, so the story instead dwells on the illusory nature of such an attempt at idealism. Though Arthur himself understands justice, he as the head of the body politic must depend upon his limbs—the knights of the Round Table—to establish the justice that he wishes to promote. However, the inability of the knights to commit their service to the body politic instead of to their own personal desires, as well as Arthur’s failure to force them into the communal mode, causes the fall of the Round Table and the kingdom.

Robert Henry Wilson’s “Characterization in Malory” also posits Arthur as an ideal king, though one with a weakness within himself rather than in the structure of his kingdom. Wilson claims that Arthur’s one weakness is his favoritism of Gawain, a partiality which ultimately destroys Logres. However, according to Wilson, the many changes Malory makes to his sources portray Arthur as just and impartial, particularly in the trial that sentences Guinevere to death. Where the sources represent Arthur as governed by jealousy, Malory’s Arthur weighs the evidence against her carefully and passes judgment based on that evidence. Wilson ultimately determines Arthur to be “a just, unselfish, strong ruler” whose “virtues far [outweigh] his one weakness of undue partiality to his nephew Gawain” (79).

In considering the same episode—Guinevere’s trial—Robert L. Kelly reaches a completely different assessment of Arthur’s impartiality and justice. In his “Malory and the Common Law: Hasty Jougement in the ‘Tale of the Death of King Arthur,’” Kelly examines the laws surrounding the procedure of summary sentencing in medieval England and applies them to Arthur’s sentencing of Guinevere. Kelly claims that the medieval audience would have found this sentence questionable because it is delivered in anger and because Malory terms it hasty. Instead, contemporary readers would have

favored Gawain's defense of the queen. Because Lancelot is the principal offender in the treason at Guinevere's chamber, it is illegal for Arthur to sentence Guinevere before Lancelot has been tried and convicted. Kelly thus claims that Arthur's decision to sentence Guinevere in this fashion is "a miscarriage of justice" rather than the act of an ideal king ("Malory and the Common Law" 129).

E. Kay Harris gives this portion of the text yet another treatment in "Evidence against Lancelot and Guinevere in Malory's *Morte Darthur*: Treason by Imagination." Harris views the episode in light of the 1352 Statute of Treasons, which allowed criminal prosecution for merely imagining the king's death. In the case of Lancelot and Guinevere, though there is no tangible proof of their guilt, the "noise of ill-fame" regarding their affair becomes sufficient proof for Guinevere's summary death sentence (Harris 193). Harris compares this sentencing to Parliamentary attainting of treason based on reputation, a fifteenth-century legal practice which she believes Malory is contesting by deliberately providing only vague evidence against the lovers. Harris' opinion of Arthur's behavior at this point, like Kelly's, is negative, for she presents Arthur as creating his own laws according to whim rather than justice.

Chapter Five, "Knights as Agents of Justice," turns to a discussion of the ways that Arthur's Round Table knights carry out their responsibilities in Logres. Because Arthur as one man cannot personally do every deed necessary to maintain justice in his kingdom, he relies on his knights to see that justice is done. In this chapter, I examine the medieval expectations that governed knights in the administration of justice as those expectations appear in medieval chivalric manuals. Though the practical

recommendations of these manuals regarding the establishment of justice are scanty, they leave no doubt that justice is an important aspect of chivalry.

Building on this foundation, the bulk of Chapter Five discusses the ways in which the members of the Round Table pursue justice, both in their personal behavior and in their treatment of others. Like Arthur, the knights at times fulfill their duties admirably, particularly when bringing other knights who lie outside Arthur's court in line with the standards of the Pentecostal Oath. However, the behavior of Arthur's knights as frequently fails to harmonize with justice, both through personal violations of their Oath and through failure to punish others' transgressions.

Chapter Five draws information regarding the ideals of knighthood from two of the Middle Ages' most popular chivalric manuals, Ramon Llull's *The Book of the Ordre of Chyvalry or Knyghthode* and *The Book of Chivalry of Geoffroi de Charny*. Specifically English writings on knighthood such as those of Thomas of Woodstock and John Tiptoft add a more practical perspective to these idealistic continental works. And as it does for the king's role, Jacobus de Cessolis' *The Game and Playe of the Chesse* provides information on the role of the knights in society.

Any discussion of the Round Table knights must refer to Beverly Kennedy's foundational *Knighthood in the Morte Darthur*. In this book-length study, Kennedy claims that Malory's knights represent three separate streams of knighthood: heroic knighthood, which she claims is best exemplified by Gawain; worshipful knighthood, as represented by Tristram; and true knighthood, best displayed by Lancelot. In Kennedy's schema, Malory deliberately sets these three types of knighthood in motion within his text in order to display their relative merits. In the course of Kennedy's discussion of

these three categories, she touches upon almost every facet of knighthood, making her work an invaluable resource.

Other scholars deal with the attitudes and actions of specific knights. For example, in “Sir Thomas Malory’s Gawain: The Noble Villain,” William K. Bennet claims that Gawain’s dual nature in the *Morte Darthur* arises from the variety of depictions of Gawain in the sources on which Malory drew in creating the character. In contrast, Barbara Gray Bartholomew argues that Malory intentionally represents Gawain as a dual-natured character in order to represent the traits for both good and evil that exist in the Round Table as a whole.

Though Gawain is much studied, Lancelot receives the most attention in the scholarly literature surrounding the *Morte Darthur*. For example, Elizabeth Scala in “Disarming Lancelot” discusses Lancelot’s identity as the perfect knight, an identity that he must often hide in order to continue proving his perfection. Malory also participates in the figurative hiding of Lancelot’s nature, for he masks the activities of Lancelot and Guinevere behind deliberately vague language and by describing even his failures in positive terms. In contrast, Janet Jesmok in “The Double Life of Malory’s Lancelot du Lake” draws attention to the more negative features of Lancelot’s character, including the anger and violence that she sees as inherent in many of his actions. Through her examination of Lancelot’s actions, Jesmok demonstrates that the knight may serve “as menace as well as savior” (88).

Working on a similar theme, D. Thomas Hanks, Jr.’s “Malory’s Anti-Knights: Balin and Brewneys” discusses the great potential for violence and destruction inherent in knighthood. Since the basic foundation of knightly identity is weaponry rather than

chivalry, knights can easily, even with the best of intentions, become forces for chaos.

Hanks draws attention to the dialogue regarding knightly violence that Malory's choice to picture such destruction injects into his text. Some knights may be willfully wicked, but even those who desire the good may commit unjust deeds.

Chapter Six of this study, my "Conclusion," draws together the ideas expressed in the individual chapters to present an overall picture of Malory's version of Arthurian justice. Rather than portraying Arthur as the paragon of English kingship or Logres as an ideal society, the *Morte Darthur* imagines a society that mixes justice with injustice. Because the Oath itself has weaknesses, and because Arthur and his knights often fail to punish those who transgress against its strictures, the citizens of Logres often favor personal goals over the pursuit of the common profit that is key to the medieval definition of justice. Rather than giving every person his or her due, Arthur's knights often seek personal gratification. Because Arthur does not insist that they put the kingdom first, he fails in his duties and also in his kingship.

Examining Arthur and his knight's performance in light of the Pentecostal Oath and the judicial traditions of his kingdom suggests that Arthur's abilities at justice are not the finished elements of majesty that many, including T. H. White, have considered them. Malory's Arthur is not the ideal king of legend whose followers are unable to live up to his high ideals; instead, his own shortcomings at justice lead to the fall of his kingdom. Had Arthur insisted on justice as he promised at his coronation, his knights would have been forced not only to expect just behavior from others, but also to demonstrate such behavior themselves. In the end, the fall of the Round Table comes, not through adultery or incest, but through Arthur's inability to rule with justice.

CHAPTER TWO

The Pentecostal Oath and its Provisions

The fifteenth century was a time of great political instability in England. While the fourteenth century saw only four monarchs on the English throne, with reigns averaging almost thirty-seven years in length, during the fifteenth century the crown changed hands seven times, with the average reign lasting only sixteen years and some many fewer years. At the same time, though, the crown took on more and more responsibility for maintaining order within the kingdom. According to historian Richard Kaeuper, the king of England was traditionally considered “[responsible] for a tolerable level of internal order” (*War* 140). However, by the fifteenth century, “the kings of England had in fact accepted and even generated a volume of judicial business and encouraged a level of expectation of order which were finally beyond their capacity” (Kaeuper, *War* 175). In essence, the crown had taken on so much responsibility for public justice that it no longer had the resources to carry out its own laws.

Malory’s *Morte Darthur*, completed in 1469, reflects the turbulence of his age. Malory’s Arthur, like the fifteenth-century English kings, seeks to establish a strong central government but lacks the resources to enforce his laws. He requires help from overseas to establish his rule, and when he begins governing, he requires the help of his knights, who at this time are a relatively undisciplined lot, to establish justice throughout the kingdom. In order to provide the discipline necessary to mold his knights into a force for justice, Malory’s Arthur establishes the Pentecostal Oath. This Oath is thus the

foundation of Arthurian justice in the *Morte Darthur*, and understanding its provisions is key to any evaluation of that justice.

The concept of justice is central to Arthur's kingdom from its earliest foundation. At his coronation, Arthur swears "unto his lordes and the comyns for to be a true kyng, to stand with true justyce fro thens forth the dayes of this lyf" (I.16.21 – 23). Arthur's coronation oath to an extent reflects historical practice; the English coronation oath, here taken from the fifteenth-century Astley MS, took the form of a series of charges from the Archbishop of Canterbury:

Sir wilt graunt and kepe and bi yowre oth conferme to the pepill of Engelonde the laws and the customes grauntid to hem bi auncient kyngis of engelonde rightfull mē and devote to god and namely the laws customes and fraunchesies grauntid to the clergie and to the peple bi the gloriouse kynge seynt Edwarde to your power . . . Sir ye schal kepe to god and to holy chirche and to the clergie and to the pepill peese and acorde holly aft yowre power. Sir ye schall doo and do to be kepte in all yowre domes and Jugementis trewe and even rightwisnesse in mercy and trouthe. . . Sir will ye graunte to holde fulfile and behote yow to defende rightfull laws and customes the whiche the commons of yor rewme shall chese and ye schall strengthe them & mayntene to the worship of god aft yowre power (Arthur 52)

The full English coronation oath¹ focuses heavily on establishing justice in the realm, particularly in the forms of confirming and defending ancient law and custom and upholding righteous judgment. However, it also includes specific references to

¹ The English coronation oath has a fascinating history. From the rather simple oath administered to William the Conqueror, which merely asked him "to swear that he would govern the people as well as any previous king had done" (H. G. Richardson 161), it had by the late fourteenth or early fifteenth century evolved to the much more complex form the reader may see here, which according to Wickham Legg dates to sometime between 1385 – 1460 (Qtd. in Arthur 45, 47). However, these changes took place before Malory's lifetime; by the 1370s, the entire service for the king's coronation had been standardized in the *Liber Regalis* (H. G. Richardson 112). By this time, the oath had already taken on its four-clause form, under which the king swore to protect the Church, to provide justice, to destroy evil customs, and to maintain the rights of the crown. Though the oath in the liturgical records was recorded in Latin, kings swore it in the vernacular, which could lead to variation in the language used, but not in the substance of the promises made (H. G. Richardson 172).

supporting the clergy. Malory chooses to dispense with all religious elements of the oath, focusing only on the king's need to be true and stand with justice. Such an authorial choice indicates the supreme importance that Malory attaches to the king's responsibility to maintain justice and order in his kingdom.

One of the primary methods that Arthur uses to establish justice in his kingdom is the Pentecostal Oath, which the knights swear at the establishment of the Round Table. This Oath delineates specific responsibilities for both the knights and Arthur, and if all parties follow and enforce the Oath's tenets, many forms of injustice in the kingdom will be eradicated. When Arthur weds Guinevere, her father sends as her dowry the Round Table and one hundred knights (I.98). Since Arthur has only twenty-eight knights to add to the Round Table's complement, he had apparently lacked the men necessary to maintain his coronation oath, so this dowry is more valuable to him than any amount of money would have been. A king cannot be everywhere at once, and in a time without a hired police force, it is on his knights that King Arthur must rely in order to establish justice in his kingdom.

By relying on knights to enforce order in his kingdom, Malory's Arthur again reflects historical practice, for the nobility of England were deeply involved in maintaining order in the kingdom. In fact, the nobility believed themselves to be "the king's natural and proper partner in government" (Nederman 8), a belief which could cause problems if they were to take too much responsibility on themselves for determining how order should be maintained. Malory in large part dispenses with the ranks of the English nobility; in the *Morte Darthur*, the noble class is primarily represented by Arthur's knights, especially the honored knights of the Round Table, some

of whom are kings in their own right. To ensure that the justice enforced in his kingdom is indeed *his* justice, Arthur binds these knights to himself with personal oaths of homage and charges them with their responsibilities through the Pentecostal Oath, so called because the knights repeat it each year at Pentecost. This Oath serves as the cornerstone of Arthurian justice in the *Morte Darthur* by detailing the knights' responsibilities.

As if to be certain that his readers take note of the Oath and its importance, Malory refers to it three times after its full presentation at the end of the section Vinaver terms "The Wedding of King Arthur," with each of those references falling in a different one of Vinaver's ten major divisions. The first reference occurs during the Uwayne's travels in the section Vinaver entitles "The Tale of King Arthur." On learning from the Lady of the Roch that two men, Sir Edward and Sir Hew of the Red Castle, have extorted a barony of lands from her, Uwayne comments "'they ar to blame, for they do ayenste the hyghe Order of Knyghthode and the oth that they made'" (I.177.10 - 12). He then offers to speak and even fight with the two men in order to restore the Lady's rights. One could argue that Sir Edward and Sir Hew might not be Round Table knights and thus might not be bound by the strictures of the Pentecostal Oath, but Uwayne apparently believes that they are bound by those injunctions. Furthermore, at least two scholars represent this "oth" as the Pentecostal Oath; Thomas L. Wright identifies the two with each other (20), and Stephen H. A. Shepherd in his edition of the *Morte Darthur* footnotes this passage with a reference to the Pentecostal Oath² (Malory, *Le Morte Darthur* 110).

² It is possible that the knights who think on their oath before acting may be thinking of a contemporary oath that Malory does not include in his text. However, scholars have generally accepted that Malory's knights refer to the Pentecostal Oath, which he lays out in his text, rather than the oath of some other chivalric group which the reader may or may not know. The Pentecostal Oath's originality—

Malory again refers to the Oath in the section that Vinaver titles “The Noble Tale of Sir Lancelot du Lake.” At one point, Lancelot is riding with a damsel who tells him that there lives nearby a knight who “dystressis all ladyes and jantylwomen, and at the leste he robbith them other lyeth by hem” (I.269.20 - 21). Lancelot takes exception to the fact that this knight, Sir Perys de Foreste Savage, is a thief and a ravisher of women, exclaiming, “He doth shame unto the Order of Knyghthode, and contrary unto his oth. Hit is pyté that he lyvyth!” (I.269.22 – 25). In the references to the Oath made by both Uwayne and Lancelot, the knights use the Pentecostal Oath, their own king’s standard, as the standard by which any knight should be judged. Neither Lancelot nor Uwayne inquires into the affiliation of these offending knights; they assume that, even if the knights do not belong to the Round Table, as knights they will have sworn to protect rather than harm ladies. And the two knights not only make judgments regarding other knights’ keeping of the Oath, but they also carry those judgments out. Uwayne engages in a trial by battle in defense of the Lady of the Roch’s rights and wins, killing Sir Edward (I.178.7 - 28); Lancelot sets a trap for Sir Perys with the damsel as bait, and when Perys seizes her, Lancelot attacks him, cutting off his head (I.269 - 70). Both Uwayne and Lancelot assume that, whatever a knight’s allegiance may be, he will have sworn an oath with provisions like that of Arthur’s Pentecostal Oath, making him eligible for punishment if he fails to meet those provisions.

The third reference to the Oath appears at first sight to be different from the two mentioned above. In this case, a knight of the Round Table uses the Oath to guide his own behavior. In the “Joyous Gard” chapter of *The Book of Sir Tristram de Lyones*, Sir

for it seems to have no source either in previous Arthurian works or in the oaths of the chivalric orders of Malory’s day—further strengthens the probability that it is this oath to which the knights refer.

Bleoberys faces four charging knights, three of whom believe him to be the treacherous Brewnys Saunze Pité (the fourth is Brewnys himself). Bleoberys considers running away, but then says to himself, “I am a knight of the Table Rounde, and rathir than I sholde shame myne othe and my bloode I woll holde my way whatsomever fall theroff” (II.685.25 – 27). Of course, none of the injunctions of the Pentecostal Oath require a knight to fight against unfavorable odds, but one can connect this “othe” to the Pentecostal Oath both by Bleoberys’ mention of the Round Table and by the reason for the pursuit of Brewnys that brought Bleoberys into the story at this point. When Bleoberys arrives at the well where Palomydes, Brewnys, and Tristram stand talking, apparently not knowing the identities of their companions, Bleoberys, after first unhorsing Palomydes, cries out to Brewnys Saunze Pité, “I woll have ado with the to the utraunce for the noble knyghtes and ladyes that thou haste betrayde!” (II.684.28 – 29). Bleoberys desires to avoid shaming his oath, not only through personal bravery, but through enforcing its provisions on another knight who has transgressed against at least two of the Oath’s injunctions: the ladies’ clause and the command to flee treason.

Due to its clear statement of the requirements of knighthood and Malory’s repeated references to it in the text, it is unsurprising that scholars have long focused on the Pentecostal Oath. Contemporary study of the Oath begins with Vinaver’s edition of Malory’s tales and with his comments on the specific text. In his commentary on the section of the *Morte Darthur* that he titles “The Wedding of King Arthur,” Vinaver claims that this oath is the matter that gives this section of the story its primary interest, for it defines the duties of a knight of Arthur’s kingdom. Vinaver goes on to claim that the Pentecostal Oath “is perhaps the most complete and authentic record of M[alory]’s

conception of chivalry,” and he notes that in this one place as in no other in his text Malory details his chivalric structure “compendiously, in didactic form” (Malory, *Works* 1335). The remainder of Vinaver’s note on the passage indicates that he finds here a definition of Malory’s ideas regarding gentility, which includes avoiding crimes such as outrage, murder, and treason; and practicing courtesy, which encompasses the proper treatment of ladies.

Vinaver’s commentary on the Pentecostal Oath is largely an explanation of the text itself. However, the scholars who follow him expand far beyond Vinaver’s apparent intentions his claim that the Oath is Malory’s conception of chivalry. Thomas L. Wright upgrades the Oath from a conception of chivalry to a fully-formed code, noting that this code is “suitable for an ambitious, high-minded order just setting out toward adventure” (39). Because the Oath mentions how knights should behave toward ladies as well as toward each other, Wright claims that Malory’s code “embraces not a select company of knights but the whole of society” (39). Wright’s claims indicate the direction scholars have taken for quite some time in analyzing the Pentecostal Oath, for many view it as essentially chivalric in nature.

This belief in the Oath’s chivalric nature, added to the knowledge that the Oath has no direct literary source, has led scholars to compare it to the oaths of the various orders of chivalry contemporary to Malory. There are certain similarities between Arthur’s Round Table and the monarchical orders that were founded in Europe in the fourteenth and fifteenth centuries. For example, knights of the Spanish Order of the Band, which existed from 1330 until about 1474, were ordered to be courteous, including defending ladies from any in the king’s court who might abuse them, and members of this

order could be punished for infractions in ways that ranged from fines to death, much like Arthur's knights. The statutes of the Burgundian Order of the Golden Fleece specified punishments for members who committed treason, heresy, or other “‘enormous’ offences” in order to maintain among its ranks a group of knights who were beyond reproach (Boulton 377). The Knights Hospitaller, a group of which Malory likely would have had knowledge because his uncle Sir Robert Malory was Prior of the English branch of the order (Field 68), required its knights to love justice and be merciful³ (Bedford and Holbeche 182). Though none of these orders had requirements exactly like those with which Malory's Arthur charges his knights, Malory had a great deal of precedent on which to draw in creating his Round Table Oath.

Worthy of special consideration among the knightly orders of Malory's lifetime is the Order of the Garter, founded in 1349 and still in existence today (Boulton 127). Certain features of the Garter statutes closely resemble the expectations for Arthur's Round Table. For example, no knight could be installed in the Order of the Garter who was not a “gentil homme de sang et chevalier sans reproache” (Jefferson 377); noble blood and worshipful reputation are also characteristics of many of the Round Table knights. In addition, the men installed in the Order of the Garter were knights already; it was a select society rather than a way of knighting, like the Order of the Bath discussed below. However, the Garter society also differs significantly from the Round Table. Robert L. Kelly notes that King Arthur, unlike the King of England in the Order of the Garter, has no “siege,” or seat, among the companions of the Round Table; instead, his

³ Though the Hospitallers may seem the odd knights out in this company because their order was a religious one, I have included them here due to Malory's close family connection with an important figure in their order.

throne is situated above their seats on a dias (“Royal Policy” 48). In addition, the oath of the Knights of the Garter bears no resemblance to the Pentecostal Oath. The earliest version simply requires a member knight only to “well and faithfully observe, to the uttermost of his power, all the Statutes of the Order,” though Edward IV later added the stricture “that they would aid, support, and defend, with all their power, the Royal Colledge of St. George, within the Castle of Windesor, as well in its possessions, as all things whatsoever” (Ashmole 355 - 56). The statutes themselves focus heavily on the proper behavior at Garter ceremonies and make no reference to the peace-keeping activities expected of Arthur’s knights.

Though the Garter statutes appear to have had little effect on Malory’s conception of the Pentecostal Oath, the charge to the Knights of the Bath⁴ provides a more fruitful comparison. Richard Barber claims a near correspondence between these two sets of regulations, writing that, while Malory’s Oath is not a great deal like most fifteenth-century chivalric oaths, “the exhortation to the knights of the Bath is the closest source found so far” (148 – 149). The charge to the knights of the Bath reads as follows:

ye schalle love god above alle thing, and be stedfaste in the feythe, and sustene the chirche, and ye schalle be trewe un to yowre sovereyne lorde, and trewe of yowre worde and promys and sekirtee, in that ought to be kepte: also ye schalle sustene wydowes in ther right, at every tyme they wol require yow, and maydenys in ther virginite, and helpe hem and socoure hem with yowre good, that for lak of good they be not mysgovernyd. Also ye schalle sitte in noo plase where that eny jugement schulde be geuyn wrongefullayens eny body, to yowr knowleche. Also ye schalle not suffir noo murdreris nor extorcioners of the kyngis pepille with in the Contre there ye dwelle, but with yowre power ye schalle lete

⁴ The ceremonial for creating the Knights of the Bath discussed here is not to be confused with the Order of the Bath later established in England and still in existence today. As Maurice Keen notes, during the Middle Ages, the Knights of the Bath referred, not to “an institutionalized, corporate order,” but simply to knights who had been dubbed via a particularly elaborate ceremony (78).

doo take them, and put them in to the handis of Justice, and that they be punysshid as the kyngis lawe wolle. (Way 260)

This fifteenth-century witness to the charge to the knights of the Bath is recorded in the Astley Book, now preserved as Pierpont Morgan Library 775. The early part of this manuscript was apparently the source for the same section in Sir John Paston's "Grete Book." Both of these texts date to the 1460s (Lester 7, 28) and thus probably reflect the current process for creating the knights of the Bath near the time when Malory was writing the *Morte Darthur*. This charge to the prospective knights of the Bath does bear certain similarities to Malory's Pentecostal Oath in that both sets of injunctions give direction to how knights should treat women and warn knights away from wrongful behavior.

In truth, though, the raising of knights to the Round Table and the making of the knights of the Bath are not very similar. One significant difference is that Arthur's knights stand up in the court and are charged with the Oath at the high feast of Pentecost, while knights of the Bath receive their charge while actually sitting in their "bayne," tubs of water in which they bathe before resting and going to a vigil in the church (Way 259 – 60). Moreover, Arthur's knights are already knights, sometimes for a long period, before joining the Round Table fellowship. For example, when Torre first comes to Arthur's court and asks to be knighted, Arthur willingly makes him a knight, but he defers his installation at the Round Table until after he has "sene him proved" (I.100.27 – 32, 131.28). In contrast to this example from Malory, the ceremonial for the knights of the Bath refers to a method of creating new knights, not of advancing men who are already knights to a higher position; the instructions for the ceremonial repeatedly refer to them as "squyers" before their official knighting by the king.

Like the makeup of the two societies, the oaths of the knights of the Bath and the knights of the Round Table are different, both in content and in tone. Where content is concerned, the knights of the Bath, unlike Arthur's Round Table knights, are first encouraged to serve God, the Church, and the faith, as well as to be true to their lord and to their own promises, all injunctions missing from the Pentecostal Oath. They are also charged to bring murderers and extortionists to the king's Justice, to help widows, and to preserve the virginity of maidens, and herein lies the important difference in tone between the two charges. Under the charge to the knights of the Bath, the new knights are to protect people from *other* people—they are to stop *others* from deflowering maidens or murdering the king's people and stealing their money. The possibility that the knights might be the ones committing the violations, murders, or thefts seems not even to enter the picture, unless one considers that they might need to protect the weak from each other. Under Arthur's Pentecostal Oath, however, the knights are enjoined not to commit such actions *themselves*; *they* are not to commit outrage or murder or to enforce damsels.

Malory's reference to crimes committed by knights in his Pentecostal Oath has been previously noted by scholars. Christopher Cannon, though he acknowledges the Pentecostal Oath as a statement of chivalry, goes on to point out that "what is most striking about this passage is its complete *lack* of ideals: it is in essence a statement of *the criminal law*" (179). Malory wrote the *Morte Darthur* while under accusation for various crimes, including rape, robbery, extortion, and attempted murder (Cannon 180). Cannon does not acknowledge that Malory was never tried for or convicted of these crimes, saying that he was "precisely the criminal that the *Morte's* Arthur says a chivalric knight

should not be” (180), but the fact that he was accused of such crimes himself would make him aware that a knight might be believed to have committed them. As Cannon puts it, “the *Morte* suggests that its author was a criminal, if only because it is a text that posits criminality in all minds” (181).

Cannon on the whole is fairly accepting of criminality in the Pentecostal Oath, in the Round Table Fellowship, and in Arthur’s kingdom as a whole. He sees the “‘evyll wyll’” that such criminality displays as necessary to a chivalric society, for good must have evil against which to define itself (Cannon 178). R. L. Kelly, however, takes a dimmer view, claiming that “the Oath, while it includes some standard ethical principles of knighthood, sets too low a standard of behavior to qualify as essentially chivalric” (“Royal Policy” 45). In Kelly’s view, the Round Table is not a chivalric order at all, but “rather an institution through which a royal patron recruits noble retainers to serve the specific, chiefly military, needs of his reign” (“Royal Policy” 46). So if the Pentecostal Oath is not a chivalric oath, then what is it? Kelly and others see it instead as a contract between a king and his vassals rather than a commitment by the knights to a high standard of justice.

The view of Oath as contract rests on two passages from the *Morte Darthur*. When Merlin brings together Arthur’s Round Table knights at the beginning of his wedding feast, he instructs them to “aryse and com to kynge Arthure for to do hym omage; he woll the better be in wylle to maynteyne you” (I.99.1 – 3). At the end of the feast just before Arthur charges the knights with the Oath, he “stablysshed all the knyghtes and gaff them rychesse and londys” (I.120.15 – 16). The Oath itself not only relates the knights’ responsibilities, but also includes penalties that Arthur will enact for

those who do not keep the bargain, penalties that range from loss of lordship to death. According to Kelly, this Oath is not about establishing a fraternal order of the Round Table, but instead about binding the knights more firmly to Arthur himself as part of a patronage system like that used by late medieval kings in governing their kingdoms (“Royal Policy” 52 – 53). Through the combined force of the oath of homage and the Pentecostal Oath, Arthur and the Round Table knights enter into a patronage relationship under which Arthur agrees to maintain the men and they join his affinity.

Through the Pentecostal Oath, Arthur provides the knights of his affinity with a guide to the behavior which he expects from them, behavior that serves as the cornerstone for justice within the kingdom. One may or may not describe the Oath’s guidelines as chivalric; however, though some of the Oath’s provisions are not as idealistic as those of many of the purely chivalric knightly orders, they may meet the needs of a more practical form of chivalry. According to Elizabeth Pochoda, the wording of the Oath displays Arthur’s concern for the welfare of the kingdom. The concepts of justice and mercy embodied in the Oath’s provisions are not mere spiritual ideals, but instead are given a practical form designed to ensure individual rights and prevent interpersonal tyranny (Pochoda 84). As such, Arthur’s Pentecostal Oath can help to ensure justice in his kingdom, so long as all parties keep their part of the contract. The Oath gives the knights specific responsibilities for personal behavior. Because the knights serve as Arthur’s peace-keepers in the kingdom, helping him to carry out the justice that he promised at his coronation, they must not only abide by the Oath’s provisions themselves, but also require others to follow the rules.

Scholarly opinion exists on both sides of the divide between idealistic and practical chivalry. Those like Barber who see Malory's Oath as drawn from the tenets of historical chivalric orders tend to view the Oath in terms of the ideals of chivalry's idealism. Those like Kelly and Pochoda who view the Oath in terms of contract tend to focus on its practical aspects. I suspect, however, that by narrowing their focus these scholars may be creating a false dichotomy. The Pentecostal Oath can be at one time both practical and idealistic. In fact, many of the Oath's provisions admit multiple interpretations, some contractual, some chivalric.

A clear understanding of each of the Oath's provisions is necessary in any examination of the responsibilities of both Arthur and his knights in enforcing justice in the kingdom. The Oath is made up of two basic categories of information: injunctions and repercussions. The injunctions apply to the knights and take two forms, for some are positive, telling the knights what they should do, while others are negative, telling the knights what they must not do. The repercussions of the oath also take two forms. A knight who performs well will be able to keep the lands Arthur has given him just before the Oath is administered, with perhaps the possibility of gaining more, and will also be considered a knight of worship in the kingdom. A knight who fails to follow the Oath's injunctions will lose his worship and his lands, and if the infraction is serious enough, he may lose his life.

Investigation of both the provisions and the punishments that the Pentecostal Oath defines must begin with study of the text itself, and to be sure of one's ground, it is wise to turn to the earliest forms of the text that scholars possess. There are two extant fifteenth-century versions of Malory's Pentecostal Oath: the Winchester manuscript and

the Caxton printing. The source generally believed to be the closest to Malory's original, the Winchester manuscript, specifies the oath thus:

than the kynge stablysshed all the knyghtis and gaff *them* rychesse and londys and charged them neuer to do outerage nothir morthir and all wayes to fle treason And to gyff mercy vnto hym that askith mercy vpon Payne of forfeiture *other* worship and lordship of kynge Arthure for evir more and all wayes to do ladyes damesels and Iantilwomen and wydowes strengthe hem in hir ryghtes and neuer to enforce them vpon Payne of dethe Also that no man take no batayles in a wrongefull quarell for no love ne for no worldis goodis So vnto thys were all knyghtis sworne of the table rounde both olde *and* yonge and euery yere so were the sworne at the hyghe feste of Pentecoste (Malory, *The Winchester Malory* f.44r – 44v)⁵

In a few places, the Winchester manuscript's version of the oath presents obvious problems. The most glaring of these difficulties deals with what scholars call “the ladies' clause”—the portion of the oath that specifies the knights' treatment of women. This clause seems oddly confusing in the Winchester manuscript; what exactly are the knights to “do” for the women? The word “other” earlier in the text also appears as an apparent scribal error for “of their.” These flaws lead Robert L. Kelly, one of the few who refer to the oath in this early form instead of using Vinaver's edition, to claim that the oath's “syntactic awkwardness and lack of apparent logic suggest the author's lack of care in composing it” (“Royal Policy” 45), but I must question this assertion. The Winchester manuscript is the product of two scribes, not of Malory himself (Malory, *Works* cii), and scribal error seems at least as likely as authorial carelessness in explaining these discrepancies.

⁵ In quoting from the Winchester Manuscript, I have expanded the scribe's contractions; letters supplied in such expansions are indicated by italics.

The Caxton printing of 1485 gives a different version of the Oath, not only through smoothing out the sections where errors appear in the Winchester manuscript, but also through adding and deleting certain portions:

Thenne the kyng stablysshed all his knyghtes and gaf them that were of londes not ryche / he gaf them londes / and charged hem neuer to doo outragousyte nor mordre / and alweyes to flee treason / Also by no meane to be cruel / but to gyue mercy vnto hym that asketh mercy vpon payn of forfeiture of their worship and lordship of kyng Arthur for euermore / and alweyes to doo ladyes / damoysels / and gentylwymmen socour vpon Payne of dethe / Also that no man take noo batails in a wrongful quarel for noo lawe ne for noo worldes goodes / Vnto this were all the knyghtes sworne of the table round both old and yong / And euery yere were they sworne at the hyghe feest of Pentecost (Malory, *Le Morte d'Arthur* f. f iiv, letters normalized)

This Oath is a bit shorter than that in the Winchester version, and it contains some interesting additions, including both an injunction against cruelty before the command to give mercy and the word “socour” to help even out the ladies’ clause. However, Caxton shortens the ladies’ clause itself, eliminating the stricture against rape. Finally, Caxton’s oath commands knights to avoid wrongful quarrels commanded by “law” rather than by Winchester’s “love.”

As Vinaver notes in the introduction to his edition of the text, which has long been the standard edition of Malory’s work, these texts are approximate contemporaries and independent of one another, with the Winchester manuscript perhaps predating Caxton’s printing (Malory, *Works* cii). However, neither of these two surviving fifteenth-century witnesses to Malory’s work is in fact his own manuscript (Malory, *Works* cvi), so one cannot be positive about his intentions for this or any other passage. In his edition of the *Morte Darthur*, *The Works of Sir Thomas Malory*, Vinaver primarily follows the Winchester manuscript as his base text but uses Caxton’s printing to make

sense of difficult passages. For the oath, he retains all of Winchester, but he appeals to Caxton to clarify the ladies' clause. Vinaver also, as he does throughout, adds syntactic punctuation, intended to "clarify the construction" of Malory's English (Malory, *Works* cxxiv). Here, then, is Vinaver's rendition of the Pentecostal Oath, which most scholars now accept as standard⁶:

Than the kynge stablysshed all the knyghtes and gaff them rychesse and londys; and charged them never to do outerage nothir mourthir, and allwayes to fle treason, and to gyff mercy unto hym that askith mercy, upon Payne of forfiture [of their] worship and lordship of kynge Arthure for evirmore; and allwayes to do ladyes, damesels, and jantilwomen and wydowes [socour:] strengthe hem in hir ryghtes, and never to enforce them, upon Payne of dethe. Also, that no man take no batayles in a wrongefull quarell for no love ne for no worldis goodis. So unto thys were all knyghtis sworne of the Table Rounde, both olde and yonge, and every yere so were the[y] sworne at the hyghe feste of Pentecoste. (I.120.15 - 27)

This version of the Oath is the one to which scholars generally refer when discussing the justice system Malory provides for Logres.

Thus instead of one Oath on which the reader can rely implicitly, there are actually three slightly different versions of the Pentecostal Oath. In both the Winchester MS and the Caxton printing, the Oath has six injunctions, some positive and some negative, but the injunctions are not exactly the same. Winchester's positive injunctions require a knight to flee treason, to give mercy to those who request it, and in some way to aid ladies, damsels, gentlewomen, and widows. The negative injunctions warn a knight never to commit outrage or murder, never to rape women, and not to take up battles in a wrongful quarrel. Caxton's printed version adds an injunction against cruelty, while

⁶ One notable exception to the general acceptance of Vinaver's work as standard is Stephen H. A. Shepherd, who published his own edition of Malory's *Morte Darthur* in 2004. However, Shepherd's rendition of the Oath differs from Vinaver's only in minor choices regarding punctuation (Malory, *Le Morte Darthur* 77).

simplifying the ladies' clause to a command simply to aid ladies, removing the command to avoid rape. Vinaver's edition drops Caxton's admonition against cruelty and restores the prohibition of rape, but by blending the two fifteenth-century versions of the ladies' clause creates an Oath with seven injunctions, for a knight must both aid ladies and strengthen them in their rights. However, the differences among the injunctions commanded by various versions of the Oath are relatively minor, and examining each provides an overview of Arthur's expectations for knightly behavior.

The first of the Oath's positive injunctions is the command to flee treason. For a knight to follow this injunction, he must first understand what treason is. Today treason is generally defined as a legal term relating to crimes against the state, but the medieval definition was much broader. As defined by the *Middle English Dictionary*, treason in the Middle Ages primarily meant "disloyalty, faithlessness, culpable indifference to sacred obligations or allegiance," though it could also refer to "the specific charge for offenses against the Crown or the State defined as treasonous" by the 1352 Statute of Treasons. A medieval author might use the word "treason" to refer to plots or crimes against the king or the state, but he might also use the term in a more personal sense, encompassing treachery to allies, relatives, loved ones, or faith. Malory could use "treason" as both a legal term and as personal term with a meaning much like the modern "betrayal."

Malory's Pentecostal Oath merely advises knights to flee treason; Arthur does not specify legal or personal treason when he charges his knights to be on their guard against disloyal action. One must therefore turn to the remainder of the text in order to clarify the Oath's meaning. Doing so reveals that Malory uses the word "treason" in both

senses: plotting against King Arthur or other kings and engaging in disloyal conduct toward another to whom a character has obligations. Because Malory's text refers to both personal and legal treason, this provision of the Oath serves both chivalric and practical functions. By forbidding the knights to betray one another on a personal level, the command to flee treason participates in the tradition of chivalric oaths. By forbidding the knights to betray their king, this command serves a practical purpose within Arthur's legal system.

Treason as a legal issue in Malory involves conduct that would fall under the laws forbidding lese-majesty. Henry de Bracton's great thirteenth-century codification of English common law describes the crime as follows:

The crime of lese-majesty takes many forms, one of which is where one rashly compasses the king's death, or does something or arranges for something to be done to the betrayal of the lord king or of his army, or gives aid and counsel or assent to those making such arrangements, even though what he has in mind is not carried into effect. (Bracton 334)

Thus a person who attempted to kill or betray the king or his army, or anyone who helped or counseled that person in making plans, could be tried for treason, whether or not the plans were carried out. In 1352, Edward III's great statute of treasons added treason against the king to England's official law; under this statute, one could be convicted of treason for a variety of actions against the king, his family, and his officers. A few portions of the statute are of particular relevance to the study of Malory, including compassing or imagining the king's death or that of his queen, violating the queen, and making war against the king within his realm (*Statutes of the Realm* 319).

Malory certainly makes use of the legal meaning of treason within his text, for Arthur's life is threatened several times, most often by his own sister, Morgan le Fay.

Morgan tries to kill Arthur twice, once by tricking him into fighting Accolon with a false Excalibur while his opponent uses the real one (I.140 - 46), and then again by sending him a poisoned mantle that burns the wearer, in this case the young woman who brought Arthur the gift, to coals (I.157 - 58). Later in the *Morte Darthur*, the sorceress Aunowre tries to arrange Arthur's death because he will not have an affair with her, going so far as to pursue him with a sword herself (II.490 - 91). The text refers to Accolon and Aunowre as traitors for being part of such schemes, and Morgan's action with the mantle is termed "betrayal." All three of these plots would fall under the legal definition of treason as "[compassing] the king's death" (Bracton 334). And because violating the king's wife was named treasonous in the 1352 statute, Lancelot's affair with Guenevere is also an instance of legal treason, doubtless the most famous one in Malory's text. Of course, not all of these instances of legal treason involve a knight to whom the Oath can be expected to apply; some instances involve women, who are not charged with the Oath. However, other portions of the text make clear that legal treason is forbidden to all.

Though the above examples stand as instances of legal treason in the *Morte Darthur*, they do not represent Malory's only use of the term. Instead, treason often has a much more personal connotation. Since Arthur enjoins the knights not to commit treason while acting as a liege lord to his sworn men, who have done homage to him immediately before, even instances of "legal" treason in Malory could be much more personal than might appear at first glance. But lese-majesty is not the only form, or even the most common form, of treason illustrated in the *Morte Darthur*. "Treason" and its analogue "traitor" are very common words in Malory's text, and the vast majority of instances do not involve Arthur. Additionally, some uses of treason indicate that kings as

well as their followers have a responsibility to avoid betrayal, for the text frequently excoriates King Mark for dealing treasonously with others who are beneath him on the social scale. *The Middle English Dictionary*'s primary definition indicates that treason could apply to disloyalty to a great number of sacred obligations, including those to sworn allies, kin, spouse, or church, but Malory does not employ all of these senses of the term. Instead Malory's personal uses of the word "treason" cluster around two basic types of misbehavior: murder and adultery. Instances of murderous treason far outnumber those of adulterous treason. Malory frequently uses "treason" synonymously with "murder," even going so far as to write that "alle maner of murthers in tho days were called treson" (II.405.5). Since the two are so closely related, I will hold my discussion of murderous treason to the section of this chapter that discusses the Pentecostal Oath's negative injunction against murder and turn here to adulterous treason.

The two most famous adulterous pairs in the *Morte Darthur* are undoubtedly Lancelot and Guinevere and Tristram and Isode. Tristram and Isode's affair is openly known by all characters in the story; Tristram is even tried for treason by Mark and some of his barons after Sir Andret captures him naked in bed with Isode in Mark's own court (I.431.1 – 11). Lancelot and Guinevere's affair bears the stigma of being one of the causes of the fall of the kingdom. R. M. Lumiansky claims that no legal treason is actually committed between the two early on; Lancelot loves the queen from "The Tale of Lancelot," but their relationship grows throughout the text, finally becoming adulterous, and thus legally treasonous, at some undetermined point (94 – 96). However, in the world of the *Morte Darthur*, a physical relationship is not required for a claim of adulterous treason. Mark once attacks Tristram, calling him a "'false traytowre,'" for

speaking to Isode in a window (I.426.12 – 15). In another instance, Tristram accuses Isode and Kayhidius,⁷ his brother-in-law, of treason merely for exchanging letters (II.493 – 94). Apparently, all that is required for adulterous treason is some type of display of affection, or even pity, between a knight and another knight’s lady.

Why should treason in the personal sense apply to two such seemingly different betrayals as murder and adultery? Both are in essence crimes against the victim’s identity: murder blots him out, and adultery threatens his posterity. In order to preserve peace among his knights, Arthur must make it possible for them to gain worship, either through their own personal deeds or through the family connections that make up such an important part of the *Morte Darthur*. A knight who dies through treasonous action is killed ignobly, without any opportunity to earn renown in his death—and of course all future opportunities for worship are immediately cut off. Where adultery is concerned, a knight who steals his fellow’s lady threatens his possibility for legitimate offspring, which threatens the worship those offspring might have brought to the family name through their deeds. Because interpersonal treason strikes at the very heart of a knight’s identity by damaging his ability to gain worship, Arthur cannot condone it in his kingdom. The Oath’s prohibition of both legal and interpersonal treason is thus a wise decision on Arthur’s part.

The second positive injunction of Malory’s Pentecostal Oath is the command “to gyff mercy unto hym that askith mercy” (I.120.18 – 19). Like “treason,” “mercy” is a

⁷ The Winchester scribe was apparently unconcerned with consistent spelling for the names of many of Malory’s characters, so choosing the appropriate spelling for these names is a frustrating task. However, a choice must be made, and in order to provide consistency across the chapters of my study and provide easy reference for readers, I will follow Vinaver’s index of proper names (III.1665 – 1701), using the spelling he lists as primary for each name.

word that features prominently in the text of the *Morte Darthur*. And again like “treason,” “mercy” appears in the text in more than one sense. The word has two primary senses in Malory, for the characters use it both to seek forgiveness when they have trespassed and to save their lives when they lose a battle⁸. The Pentecostal Oath merely says that knights should grant mercy when asked, without specifying a particular kind of mercy, so one may assume that both types are included under this injunction. Knights should forgive those who ask for forgiveness, as Arthur does even before his knighting when the barons “cryed Arthur mercy . . . and Arthur foryaf hem” for the delay over his coronation (I.16.16 – 17). Knights should also spare the lives of those they yield to them in battle, as Sir Torre does for Sir Phelot and Sir Petipace at the beginning of his first quest (I.109.24 – 36).

The examples given above both occur *before* Arthur institutes the Pentecostal Oath, which indicates the importance and the universality of the requirement to give mercy. Gaheris emphasizes the vital nature of mercy in the life of a knight after he upbraids Gawain for killing Blamoure of the Maryse’s wife, saying ““ye sholde gyff mercy unto them that aske mercy, for a knight without mercy ys without worship”” (I.106.23 – 25). The requirement to give mercy is codified very shortly afterward within the Pentecostal Oath as one of the specific behavioral requirements of Arthur’s knights. Near the end of the text, Arthur again emphasizes the importance of mercy for a knight at the close of the great tournament that he holds at Candlemass, saying “he that ys of no worship and medelyth with cowardice never shall he shew jantilnes nor no maner of

⁸ Though these senses are similar, they are not exactly the same, for a knight may extend mercy to an opponent in battle by not killing him without actually forgiving him of his deeds. Such is the case when Lancelot grudgingly provides mercy to Mark before fetching him back to Arthur’s court; he does not kill him, but he remains angry with him nonetheless (II.594).

goodnes where he seeth a man in daungere, for than woll a cowarde never shew mercy” (III.1114.24 – 27). Willingness to grant mercy is thus tied to the very essence of knighthood, for it is required both to win worship and to prove bravery.

Felicia Ackerman is one of the few Malorians who deals with the Pentecostal Oath’s mercy clause at length. She demonstrates that this clause shares several parallels with another of the Oath’s positive injunctions: the ladies’ clause. Chief among these parallels is her claim that both parts of the Oath “deal with relations between the strong and the weak,” for a victorious knight is stronger than his opponent, just as a highly trained warrior is stronger than an untrained woman; both the defeated man and the weaponless woman appear as powerless before the powerful knight (Ackerman 8). Such powerlessness can become a form of power, for the victor MUST spare the defeated, regardless of the defeated knight’s character or future intentions. For example, in order to save his life Mark forces Lancelot to spare him through refusal to fight and then insincerely promises Arthur that he will make amends for his evil deeds and be accorded with Tristram (II.594 - 95). Ackerman questions the implications of this part of the Oath: “what does the mercy clause indicate: that the Arthurian community cannot anticipate the possibility of insincere promises [. . .] or that the community values mercy so highly that it is willing to take the risk?” (Ackerman 9).

Caxton’s rendition of the Oath provides a possible answer to this question. In the Caxton edition, the mercy clause is phrased, “by no meane to be cruel / but to gyue mercy vnto hym that asketh mercy” (Malory, *Le Morte d’Arthur* f. f iiv). Such phrasing implies that avoiding the cruel slaying of those who cannot fight is of more import for a knight than judging the weaker person’s intentions in the heat of the moment. Malory lived in a

time when knights were prone to take what they wanted from the weak at the point of a sword. D. Thomas Hanks, Jr. presents two fifteenth-century examples of such knights, Sir Thomas Courtenay and Sir Wiliam Stonor, who used their strength to attack the relatively defenseless, including women and sick old men, and he notes that such attacks were far from uncommon during Malory's lifetime (99 - 102). Perhaps cruel episodes like these inspired Malory to legislate against the harming of the weak in the Oath that defines Arthur's values.

As mentioned above, Arthur's desire to protect the weak extended to ladies as well as to defeated knights. In Vinaver's redaction of the Pentecostal Oath, Arthur gives his knights two positive injunctions regarding their treatment of ladies: "always to do ladyes, damesels, and jantilwomen and wydowes [socour]" and "strengthe hem in hir ryghtes" (I.120.20 - 22). The part of this ladies' clause that has received the most scholarly attention is the first section, which seems to command knights *always* to do succor, or to provide aid to, ladies, damsels, gentlewomen, and widows. This part of the Oath hews closest to the Caxton printing, which read simply "alweyes to doo ladyes / damoysels / and gentylwymmen socour vpon Payne of deth" (Malory, *Le Morte d'Arthur* f. f iiv). Dorsey Armstrong asserts that this phrasing gives power to the women within the masculine sphere of the court to the extent that the position of the knights is defined by their ladies rather than by their own strengths, so that the "masculine project of chivalry is really nothing more than knights acting in accordance with the wishes of ladies" (*Gender* 192). Felicia Ackerman agrees that because knights MUST serve ladies, the ladies whom the Oath apparently defines as powerless and unable to fight their own battles actually regain power through controlling their champions (4).

These two arguments have a great deal of force. However, there is a problem with the arguments as well: they rely completely on Vinaver's redaction of the Pentecostal Oath rather than on Vinaver's sources. Indeed, scholars often use the word "succor" to describe the service knights are required to provide for ladies without ever noting that the term appears only in the Caxton version of the Oath (Armstrong, *Gender* 9; Ackerman 1). Because scholars accept Vinaver's text so fully, they use his redaction of the Oath as if it were undeniably established. But, as I noted above, the Winchester Manuscript and the Caxton printing do not agree in regard to the ladies' clause.

The Winchester version of ladies' clause reads, "and all ways to do ladyes damsels and Iantilwomen and wydowes strengthe hem in hir ryghtes and neuer to enforce them vpon Payne of dethe" (Malory, *The Winchester Malory* f. 44v). This section of the Winchester Manuscript is definitely flawed, and Vinaver, assuming that Winchester Scribe A omitted the word "socour," resupplied it from the Caxton text⁹. Vinaver's addition at this point seems reasonable in light of N. P. Ker's comments about Scribe A in his introduction to the Winchester Facsimile, which claims that he was not always careful about making corrections when he had erred and often appears to be "oblivious of what he had written" (Malory, *The Winchester Malory* xvii). And "Socour" fits quite well in this context; it also appears in the charge to the knights of the Bath (Way 260), and according to the *Middle English Dictionary*, "don (or "do") sucour to" was a common medieval phrase meaning "to give assistance to." However, Vinaver's

⁹ Vinaver discusses this emendation in the introduction to his edition as part of the explanation of his method of editing. Vinaver claims an eye-skip error caused the problem, for "the recurrence of the initial *s* in two neighbouring words—*socour strengthe*—caused the disappearance of the first" (Malory, *Works* cix - cx). In other words, the scribe saw the two "s" words in his exemplar, but brought only "strengthe" over to his copy.

alteration at this point creates a two-part stricture, for it treats the command to strengthen women in their rights, which is absent in Caxton, as a separate clause. Scholars like Ackerman and Armstrong, as noted above, tend to focus on the first of the stricture's parts and portray the *Morte Darthur*'s ladies as having almost unlimited power due to their right to succor.

Though Vinaver's claim that this error results from an eye-skip is a reasonable explanation for the problems with the text at this point, it is not the only possibility, nor is his redaction of the text unassailable. Instead, Scribe A, having written the first part of the clause up to "do" and then listed all of the types of women the knights are to help, could have seen a word beginning with "s"—probably "sucour"—and instead written "strengthe," simply miscopying the word. Conversely, "strengthe" may have been the word appearing in the scribe's exemplar, so that the knights were to "do strengthe" to the ladies. However, having forgotten the "do" before the list of women, Scribe A might have added the following "hem" to make the phrase read "strengthe hem." Such forgetfulness on the scribe's part does not seem impossible when one considers the long list that comes between "do" and the verb it is intended to intensify. If either of these suppositions is correct, this portion of the ladies' clause would include only one stricture. The positive injunction of the clause would be to aid ladies *in their rights*. It seems unlikely that Arthur would require knights to do whatever ladies ask, for some women might ask knights to behave in ways contrary to knighthood or justice. Instead, the Oath phrased as I suggest would require the knights to aid women only in their rights, including defending them against oppressive men and regaining lands for those who are dispossessed.

In fact, helping women to regain their rights is exactly what the knights do for women throughout the *Morte Darthur*. Early in the text, Gareth defeats the Red Knight of the Red Lands in order to free the Lady Lyones, whom he has trapped in a tower (I.321 - 24). During the Grail Quest, Sir Bors fights a battle to prove a lady's right to her lands (II.957 - 60) and almost immediately after rescues a lady from kidnappers, even though his brother is also in danger at the time (II.960 - 61). When virtuous knights in Malory's *Morte Darthur* fight for ladies, they generally do so in a righteous cause. Those knights who fight for ladies unjustly, as Accolon does when he helps Morgan le Fay in her attempt to kill King Arthur (I.145 - 46), often suffer defeat or death.

In balance to its three positive injunctions, the Winchester version of the Pentecostal Oath also includes three negative injunctions that instruct knights about behavior they should avoid. The Round Table knights are never to commit murder or outrage, never to enforce women, and not to take up battles in a wrongful quarrel. While the positive injunctions of the Oath, except in some meanings of "treason," lead the knights toward the chivalric virtues of loyalty, service to women, and mercy, these negative injunctions sternly order the knights away from criminal behavior. Murder and rape are clearly criminal activities and were both felonies in fifteenth-century England (Kelly, "Royal Policy" 56). Furthermore, because combat is so often used to settle legal disputes and even to determine guilt or innocence in the *Morte Darthur*, battling only for rightful causes can also deal with legal issues in addition to, or even rather than, chivalry.

The first of the Winchester Oath's negative injunctions is the command "never to do outerage nothir mourthir" (I.120.17). Though the two might appear to be separate actions—after all, the text gives them two separate names—they are more alike than the

first glance would reveal. Outrage is not mentioned often in the text, but in almost every case it is closely connected to murder. For example, during Torre's quest after the white brachet, a lady requests a boon from him—the execution of the knight Abellyus, about whom she says, ““he ys the moste outerageous knyght that lyvith, and the grettist murtherer”” (I.112.22 - 23). Another evil knight, Sir Malagryne, after battling with Alexander the Orphan at the behest of Morgan le Fay, admits that he has committed this error, saying, ““by outerage [and] orgulyte of myselff I have slayne other ten knyghtes”” (II.641.12 - 13). And finally, in attempting to dissuade Sir Percival from fighting with a dangerous knight, his aunt says, ““I se well ye have grete wyll to be slayne, as youre fadir was thorow outerageousnes slayne”” (II.905.23 - 24). The *Middle English Dictionary* defines outrage, in part, as “wicked, egregious” and outrageous as “flagrantly evil, wicked, culpable; violent, murderous.” Malory plainly has such meanings in mind for his use of the term outrage and its variants, which in his text always relate to shameful killing, or murder.

Murder itself would seem to be an obvious crime. However, though some people today term even the killing of animals for food “murder,” the medieval view was different. In a world where war is common and jousting is the most popular sport, murder is more than simply killing—a knight who dies in a tournament or in a regular battle between two knights has not been murdered, merely killed. Launcelot, Arthur's best knight, kills any number of people, including unarmed commoners who stand in his way (III.1126.23 - 25, III.1127.28 - 29), yet Launcelot is never called a murderer, even after his disastrous accidental slaying of Gaherys and Gareth. The name of murderer, and its close relative “destroyer of good knights,” is reserved for a certain few within

Malory's text, including Mark, Gawain and his brothers (with the exception of Gareth), and Sir Breunis Sans Pité.

Unfortunately, contemporary sources are not of much help in defining the Malorian concept of murder. Henry de Bracton defines murder as killing committed in secret by someone of unknown identity (379), a situation that does not apply to murderous killings in Malory's text. Bracton would term most of the killings in Malory's text homicides, or killings performed openly in the presence of witnesses (378), but Malory makes no such distinction of terms. Instead, Malory's murderers are widely reputed to be murderers; in fact, the descriptive "murderer" outnumbers the instances of "murder" in the *Morte Darthur*.¹⁰ And *The Statutes of the Realm*, while specifying the method of trial for murder and the fines involved, does not define murder itself. Another difficulty in establishing Malory's definition of "murder" comes from his varying uses of the term. For example, when King Mark stabs his brother Bodwyne while he is unarmed and unsuspecting (II.634.10 - 11), Malory does not use the word "murder" to describe the killing, even though the slaying of Bodwine differs little, if any, from other acts that Malory does term murders. Malory also uses the word in a few instances where it seems completely unwarranted. For example, the Lady of the Lake says that Ettarde is murdering Pelleas by refusing him her love (I.172.2). Even stranger is the accusation of Tristram's mother, who claims that Tristram has murdered her when she is dying as the result of a hard labor in the forest (I.372.20 - 21). Establishing exactly what Malory means by "murder" in the Pentecostal Oath is indeed complex.

¹⁰ According to Kato's *A Concordance to the Works of Sir Thomas Malory*, the various spellings of "murder" and "murdered" occur nine times, while the variants of the word "murderer" occur eleven times (828).

One can draw closer to Malory’s intention for the injunction against murder in the Oath by examining other portions of the text. The killings Malory terms murder appear to be those in which a victim of equal class is unable to defend himself adequately or is unaware of his danger. Murder thus involves some level of betrayal, which allows Malory to conflate murder with treason, his preferred term for shameful killing. Malory states plainly that “alle maner of murthers in tho dayse were called treason” (I.405.5); later, he again writes that “the custom was such at that tyme that all maner of [s]hamefull deth was called treason” (II.1050.2 - 3). He applies the term “treason” to various murders and attempted murders throughout the text, including the hawk trick played on Sir Launcelot by Phelot and his wife (I.283.15) and Mark’s schemes against any number of people, including Tristram, Alexander, and his brother Bodwine. And when Mador de la Porte accuses Guinevere in his brother Sir Patryse’s death, the charge is treason rather than murder (II.1050.2). The act of treasonous killing on which Malory focuses the most attention is the slaying of Sir Lamorak by Sir Gawain and his brothers. Malory refers to Lamorak’s death as treason more than once in the text (II.699.28, II.716.15), and after hearing Palomydes’ description of the killing, Gareth proclaims his brothers “murtherars of good knightes” (II.699.6). Though under fifteenth-century law, treason and murder, both felonies, were separate crimes, Malory links them together in the *Morte Darthur*, possibly because in his use, both crimes involve betrayal.

The next negative injunction in the Pentecostal Oath is the command “never to enforce” women (I.120.22).¹¹ While the medieval definition of murder, both under law

¹¹ The Caxton version of Malory’s text completely omits the rape clause, perhaps because “he objected to the implication that Round Table knights could be capable of such ungentle behavior” (B.

and in Malory's text, is narrower than today's definition, the medieval definition of rape was broader than today's. Edward I's 1275 Statute of Westminster forbade as rape both forced sexual contact and abduction of women, saying, "the King prohibiteth that none do ravish, nor take away by force, any Maiden within Age, neither by her own consent, nor without; nor any Wife or Maiden of full Age, nor any other Woman, against her Will" (*Statutes of the Realm* 29). Malory includes examples of both types of rape in the *Morte Darthur*, and sometimes the rapes are committed by the noblest of men. For example, King Pellinor, the knight of the highest status in Arthur's court before the coming of Lancelot, fathered Sir Torre through the rape of a milkmaid, though Malory softens Pellinor's action by having the woman claim that only "half be force he had [her] maydynhode" (101.14). Though Pellinor's action may not be strictly against the Oath because of the status of the woman he assaulted (Saunders 119), for she is not a gentlewoman, it still is outside the realm of moral behavior. However, rapists in general take two forms in Malory. Some are monsters like the giant of St. Michael's Mount, whom Arthur first castrates and then kills for "forcing" a duchess (I.201 – 203). Rapists may also be wicked knights like Sir Perys, whom Lancelot kills after learning that he "dystressis all ladyes and jantylwomen, and at the leste he robbith them other lyeth by hem" (I.269.20 – 21). And Sir Melyagaunt commits rape in the sense of kidnapping when he takes Guinevere captive by force as she rides out maying with a dozen knights (II.1121 ff).

Kennedy 39), or perhaps because his command to help ladies or die is already so sweeping that no further explanation is necessary.

Feminist scholarship has recently focused a great deal of light on this portion of the Oath and on rape in the text of the *Morte Darthur* in general. According to Dorsey Armstrong, placing the ladies' clause, including the stricture against rape, in the Pentecostal Oath serves to define women in the text as "helpless, needy, rape-able" and thus in need of the chivalric protection of knights ("Gender and the Chivalric Community" 298). What Armstrong does not acknowledge is that in Malory's world, where the men are well trained, heavily armed soldiers and the women are not, women are indeed "rape-able." Arthur's Oath acknowledges this fact, as does his command to his men at the capture of Urbyne during his Roman campaign not to "lye be no maydens ne ladyes nother no burgessis wyff that to the cite longis" (I.243.13 – 14).

Catherine Batt promotes a modern view of this crime by demonstrating that not only women are raped in the *Morte Darthur*. A great deal of her article "Malory and Rape" focuses on the rapes and attempted rapes of Lancelot. He is magically raped by Elaine, and various women including Hallewes the Sorcerer and Morgan le Fay's company of queens attempt to force him into sexual relations with them (Batt 91). Batt's allegations are certainly true, for Elaine does magically lure Lancelot into her bed, and Morgan kidnaps him for the purposes of sex. However, in Malory these activities are never termed rape. As Armstrong demonstrates, Malory's work lacks "a parallel code designed to regulate feminine behavior" in the way that the Oath regulates male behavior ("Gender" 303). Though the behavior of the women in question may be morally wrong, there is no legal or contractual prohibition of that behavior in Malory's text. Armstrong's analysis of the Oath also posits that rape implies vulnerability, something Malory certainly would not attribute to his great hero. In his handling of the scenes in which

Lancelot's virtue is threatened, Malory tends to leave the freedom of choice with Lancelot. The four queens can imprison him and tell him they will never let him go unless he consents to accept one of them as paramour (I.257 – 258), but he may still choose to remain a prisoner rather than give in; one doubts that Torre's mother or the duchess of Brittany had any such option. And though Elaine does succeed in conceiving a son by Lancelot through her disguise, that son is the perfect Galahad, a result in which the end seems to justify the means. In Malory, as in medieval law, rape is a crime of men against women, one Arthur sternly orders his knights to avoid.

The final negative injunction of the Pentecostal Oath is the order to “take no batayles in a wrongefull quarrel for no love ne for no worldis goodis” (I.120.23 – 24). Vinaver’s edition of the Oath follows the Winchester Manuscript exactly at this point, but Caxton’s amendment of this section to read that knights should not take of wrongful battles for “lawe” instead of for love is quite instructive. Battle in the middle ages could be a way for a man to prove his prowess or for an army to win a war, but it was also used as a tool of the legal system. Though trial by combat had fallen into disuse when Malory was writing the *Morte Darthur*, it had been used in England since the Norman invasion, and “the ideas on which it was founded seem to have had a more vigorous life in imaginative literature than in historical actuality” (Mann 334). Though trial by combat had fallen into disuse by the fifteenth century, the memory of this method of determining justice was still available for Malory to use in Logres.

According to Jacqueline Stuhmiller, there were two basic types of trials by combat in the Middle Ages, “the ‘duel of law’ and the ‘duel of chivalry’” (428). The duel of law was used in trying civil disputes between commoners, including disputes over

land; the duel of chivalry was used to settle treason cases involving members of the aristocracy (Stuhmiller 428 - 29). These historical categories do not apply well in Malory, for all of his judicial battles involve knights, whether they are fighting to prove land rights or the guilt or innocence of a possible criminal. Malorian trials by battle are also less elaborate and formal than those that were held in the medieval period, involving action rather than religious vigils or elaborate oaths. Despite its differences from historical trial by battle, Malorian legal combat is a prominent feature of the *Morte Darthur*. Malory's choice to include the prohibition of wrongful battle in the Pentecostal Oath indicates the importance he attaches to this method of determining justice. Beverly Kennedy asserts that "trial by battle is the only judicial process in King Arthur's realm" (39), and while this assertion does ignore the occasional trial by the barons or summary judgment, it is on the whole correct. Arthur and his knights make extensive use of trial by combat. For example, it is through a judicial combat with Prydam le Noyre, another lady's champion, that Bors proves a lady's right to her land (II.956 - 960). Later in the *Morte Darthur*, Lancelot enters a judicial combat to clear Guinevere's name when she is wrongfully accused of the murder of Sir Patryse (II.1056 - 58).

Arthur relies heavily on trial by battle, and Malory's text demonstrates one reason why: tradition proclaimed that it allowed God to determine guilt and innocence. As Mellyagaunce says when Lancelot offers him battle to prove that Guinevere is innocent of adultery with a wounded knight, "yet shulde ye be avysed to do batayle in a wronge quarrel, for God woll have a stroke in every batayle" (III.1133.27 - 28). However, though Malory's characters may invoke God before such battles, the text presents a more complex attitude toward them than this one quotation would represent. In the battle that

follows, Lancelot defeats Mellyagaunce and thus proves Guinevere's innocence, but it is only a technical innocence, for the defense applies only to treasonous adultery with one of the ten knights who were lying wounded in her chamber. In fact, Guinevere is guilty of adultery with her champion himself. The *Morte Darthur* does not present a world in which right always prevails in judicial trials. Despite the claim that God will intervene, the stronger knight generally prevails, even if he fights on the wrong side. Though many scholars have proclaimed trial by combat an effective means of providing justice in Arthur's kingdom, Stuhmiller asserts that it actually "[results] in a demonstrably just verdict less than half the time, even worse than what pure chance would predict" (434). Doubtless this is why Arthur charges his men to avoid battle in a wrongful quarrel, for to deliberately espouse the wrong is to pervert justice.

The Pentecostal Oath is the primary behavioral guide for the Round Table knights presented in the *Morte Darthur*. Its mix of chivalric and legal provisions has created some debate, for some scholars have seen it as a code of chivalry, while others view it as a contract between Arthur and his knights. However, these two viewpoints are not mutually exclusive. The chivalry Malory would have known in the fifteenth century under so-called bastard feudalism was different from the chivalry in French romance, and the Pentecostal Oath reflects fifteenth-century chivalry's more practical nature. As part of this practicality, Arthur's Pentecostal Oath as created by Malory includes not only the charges to the knights, telling them what they should and should not do, but also includes the repercussions, both positive and negative, that will result from their manner of keeping the Oath. It is to those repercussions that I now turn.

Studying the penalties included in Arthur's Pentecostal Oath can prove difficult. Three penalties are listed: loss of worship, loss of Arthur's lordship, and death. The difficulty arises in knowing which penalty would apply to which infraction. For example, as Robert L. Kelly notes, forfeiture of worship and lordship may apply only to the command to give mercy, or it may apply to all of the Oath's first four provisions ("Royal Policy" 52). Kelly calls this difficulty one of the "potential hazards of paratactic style" ("Royal Policy" 52), and the same problem applies to the ladies' clause, where death may be the stated punishment for rape alone or for both rape and failure to aid women. A very strict interpretation of the oath's repercussions would leave outrage, murder, treason, and wrongful battle without any specified punishment. Therefore, a more liberal application of the Oath's stated penalties is necessary for the Oath to have real force in controlling behavior. Though the stricture against wrongful battle still dangles at the end of the Oath, unsupported by penalties, breaking any of the Oath's first four injunctions may result in loss of worship and lordship, while any infraction against women may result in death.

Consider first the possibilities of loss of worship or loss of lordship, which apply to outrage, murder, treason, and mercilessness. The two penalties differ in that one is automatic, while the other requires action on Arthur's part. A knight loses worship in the same way he gains it, through his actions; he gains worship through demonstrating prowess in battle, and he loses it by being defeated in battle or by breaking his Oath. However, for a knight to lose Arthur's lordship, he must be expelled from court or stripped of his lands. Because knights in general value worship above all things, and because Arthur as the men's personal lord has the power to withdraw lordship from the

undeserving, these two punishments have the potential to enforce just behavior by his knights.

Of the two punishments named above, the possibility that one will lose his worship through unknightly action may be the more powerful. A portion of the Tristram story illustrates the power that the desire for worship has in curbing unjust behavior. When Tristram discovers Palomydes lying unarmed by a well, singing about Isode, this is his reaction:

whan he had herde all sir Palomydes complaynte, he was wrothe out
of mesure, and thought for to sle hym thereas he lay.

Than sir Trystram remembryred hymselff that sir Palomydes was
unarmed, and of so noble a name that sir Palomydes had, and also the
noble name that hymselff had. Than he made a restraynte of his angir, and
so he wente unto sir Palomydes a soffte pace and seyde,

‘Sir Palomydes, I have harde youre complay[n]te and of youre treson
that ye have owed me longe, and wyte you well, therefore ye shall dye!’
(II.780.19 - 29)

In this passage, Tristram's excessive anger over a perceived treason almost drives him to break his Oath by murdering Palomydes while he is unarmed and helpless, but his desire to preserve his honor holds him in check. Note that Tristram's intention here does not change; he still plans to kill Palomydes for the treason of loving Isode. But Tristram's desire to retain his noble name prevents him from breaking his oath. If the knight is concerned about his worship, the threat of losing his honor definitely restrains him from unjust actions.

Unfortunately, not all knights are as concerned about their worshipful reputation as is Tristram. Thus the punishment that for some has the greatest potential for enforcing good behavior for others demonstrates the greatest weakness. Knights who have no worship to lose can scarcely feel threatened by the possibility of such shame. A case in

point is that of Sir Aggravayne. Only once in the entire *Morte* does Aggravayne unhorse someone, and there he is not fighting a single combat. Instead, “therewith cam in sir Gawayne and sir Gaherys, sir Aggravayne and sir Mordred, and there everych of them smote downe a knyght and sir Gawayne smote downe four knights” (3.1108 – 109). Even in this, his one victory, Aggravayne is fighting in company with his brothers and is overshadowed by Gawayne, who is consistently of greater prowess. In every other battle Malory gives him, Aggravayne is stricken from his horse, given great buffets, and defeated.¹² He cannot win worship with prowess, so he has no worship to lose when he commits evil deeds.

Sir Lionel serves as another example of a knight of little worship. In addition to winning no worship through victory in tournaments or single battles, twice in the *Le Morte Darthur* Lionel is captured, stripped naked, and beaten with thorns (1.254, 2.960). After he escapes from his second encounter with the thorns, he attacks his brother Bors, who chose to rescue a woman rather than to come to Lionel’s aid. Despite the fact that Bors’ action was exemplary according to Arthurian standards, for it placed service to ladies, as specified by the Oath, before concern for kin, Lionel is furious. He tells Bors, ““kepe the fro me [. . .] sterte upon thy horse, and so shalt thou be moste at thyne avauntayge. And but if thou wylt, I woll renne upon the thereas thou arte on foote, and so the shame shall be myne and the harme youres, *but of that shame recke I nought*”” (2.968 – 69, emphasis mine). Contrasting the attitudes of worshipful knights like Tristram with those of Aggravayne and Lionel clearly demonstrates the weakness of loss of worship as a form of discipline. While it is an effective punishment against those who

¹² Aggravayne’s defeats occur at I.346.18, I.386.17 – 18, II.590.1 – 2, II.614.5 – 9, II.663.3 – 6, II.692.14 – 17, II.1071.1, III.1111.29 – 31, III.1123.1 – 2, and III.1168.19.

care about personal honor, it has no restraining force against those who either have no honor or do not care about shame.

Loss of lordship is a different type of punishment from loss of worship. Unlike loss of worship, which comes automatically when others hear about a knight's bad behavior, loss of lordship must be enforced by the lord who granted it and thus has the potential to destroy the knight's very livelihood. Because the knights have sworn fealty to Arthur as their lord, they hold their lands from him, and what Arthur gives, he can take away. Arthur does not hesitate to threaten this punishment when the situation demands it. For example, when Bloberis and Blamour accuse Angwysh, King of Ireland, of the murder of their cousin, Arthur summons Angwysh to court with the threat of loss of lordship. First, Angwysh's summons says that he must "com to kynge Arthurs courte upon Payne of forfeiture of kyng Arthurs good grace" (I.404.18 – 19). Possibly assuming that refusal to appear for trial is the same as admission of guilt, Arthur further decrees that "yf the kynge of Irelonde come nat in to that day assigned and sette, the kynge sholde lose his londys" (I.404.1 – 21). If even a client king could lose his property along with Arthur's good grace due to a crime, surely this punishment would be useful in controlling Arthur's knights.

Despite its possibilities for enforcing good behavior, the threat of loss of lordship demonstrates certain weaknesses as well. A knight who is under Arthur's lordship is at least somewhat under the king's control; in order to gain advancement, he has to do what Arthur orders. However, once a knight is removed from Arthur's lordship, that control is reduced. The knight becomes a masterless man, and masterless men can be dangerous. Consider, for example, Sir Breunys Sanze Pité. This apparently masterless knight

inhabits the forests, never approaching the court, and he is one of the least honorable men in the text. Helen Cooper notes that “Breunis is always an outsider, encountered only in fleeting moments in the forest, where his unknightliness is matched only by his skill in speedy escapes” (196). Breunys commits crime after crime in the course of the *Morte Darthur*, kidnapping, stealing from, and even murdering women and trampling felled knights under the feet of his horse. This behavior on Breunys’ part may well stem from his apparent lack of connection to any lord in the text; there is no one to tell him that is behavior is unacceptable, and he has nothing to lose when he attacks others. Men who have lost everything can become desperate and more rather than less likely to commit outrageous acts.

One special subset of loss of lordship, temporary exile, similarly displays strengths and weaknesses. Arthur occasionally expels knights from his court for bad behavior, including Balin, Uwayne, and Gaheris. Each of these knights is sent away from court for offenses related to treason, Balin for killing the Lady of the Lake, Uwayne for possible complicity in Morgan le Fay’s plots against Arthur, and Gaheris for the slaying of his mother, Arthur’s sister Morgause.¹³ As I discuss in Chapter Four,¹⁴ this punishment works quite well in Balin’s case, for his desire to regain Arthur’s favor causes him to capture King Royns, thus ending a threat to Arthur’s rule. And Uwayne’s banishment, though it accomplishes nothing because Uwayne is actually innocent of plotting against Arthur, at least does not harm anyone and is reversible, unlike a death

¹³ Arthur dismisses Balin from court at I.66, Uwayne at I.158, and Gaheris at I.613.

¹⁴ Please see p. 125 – 126.

sentence. Temporary exile from the court can serve as an effective punishment because for a knight, the place where Arthur distributes honors is the place to be.

However, temporary exile also displays weakness, for if Arthur dismisses someone from the court, he can no longer observe and restrain his behavior. This punishment works well for Arthur in Balin's case, for he wants nothing more than to earn his way back into Arthur's good graces. However, in the case of Gaheris, temporary exile becomes something like an adult version of time out, which seems a bit weak as a response to his decapitation of his mother. Gaheris' banishment is extremely short, and he does nothing to win his way back into Arthur's good graces. After Arthur banishes Gaheris, he simply vanishes from the text until the next tournament, that at Surluse, where he first behaves badly by striking at King Bagdemagus' face (II.659.15) and then is unhorsed twice, first by Bagdemagus, and then in company with his brothers by Palomydes (II.663.4 – 6). Though Gaheris has apparently learned nothing from and performed no deeds in his exile, Arthur does not extend it. He not only accepts Gaheris' return to court at the tournament, but he seeks retribution against Palomydes, proclaiming it ““a grete dispyte that suche a Saryson shall smyte downe my blood!”” (II.663.7 – 8). Rather than truly punishing Gaheris for killing Morgause, Arthur merely gets him out of the way for a while and then allows him to return with no questions asked, despite the fact that on the very next page he again laments Morgause's death in company with Lamorak (II.664.2 – 9). As is common with most punishments, exile is only truly effective if it is enforced. Since Arthur does not enforce Gaheris' exile, it becomes an ineffective discipline.

The other possible punishment listed in the Pentecostal Oath is the death penalty. As will be discussed in the next chapter, this penalty frequently applies to murderous treason in the *Morte Darthur*, but in the Oath, it is reserved for offenses against ladies. Though it can appear that the death penalty applies only to rape, reading the Oath broadly, without Vinaver's syntactic punctuation, brings the Winchester Manuscript's more elaborate ladies' clause in line with the Caxton version, which reads simply that a knight must succor ladies on pain of death.

The death penalty as a punishment for rape has historical backing. Under the 1275 Statute of Westminster, rape, either as kidnapping or forced sexual contact, was punishable by two years' imprisonment and a fine, but under Westminster II, in 1285, the penalty was intensified to "Judgement of Life and of Member" (*The Statutes of the Realm* 87). Since this statute was never updated, the possibility of death as a punishment for rape was very real in medieval England. Henry de Bracton specifies that men who rape virgins should be castrated and have their eyes put out, though rapists of married women or widows would receive lesser punishments (413, 415). Though rape was often considered a property violation against the victim's father or husband rather than a crime against the woman herself (Saunders 109), this crime was taken very seriously in the Middle Ages.

An examination of the *Morte Darthur*'s text shows that Arthur and his knights frequently apply the death penalty as a punishment for rape. Arthur himself kills the Giant of St. Michael's Mount, who killed the Duchess of Brittany by raping her (I.201.3 – 5). Lancelot summarily executes Sir Perys de Forest Savage for robbing and raping women (I.270.3 – 8). When Sir Galahad learns of the evil customs of the knights of the

Castle of Maidens, who raped a duke's daughter and terrorized the countryside for seven years, he waits for them to return in order to punish them, leaving only when he learns that Gawayne, Gareth, and Uwayne have already killed them (II.889 – 90). Even in cases of kidnapping, the knights often apply the maximum penalty, though their motives may seem to be mixed. Pellinor essentially executes Sir Outelake, the knight who removed a lady from King Arthur's court against her will before the Oath's administration, though Pellinor's mighty blow is at least in part due to Outelake's killing his horse (I.116.9 – 11). And though Lancelot fights on behalf of Guinevere to prove her innocent of Mellyagaunce's charge of treason against her, Mellyagaunce's death in this judicial battle is the appropriate punishment for his kidnapping of Guinevere when he took her and her knights to his castle by force¹⁵ (III.1121, 1137 – 1140).

It is more difficult to find examples in Malory's text of knights refusing to serve ladies and being punished for it. The only clear example in the text of a knight refusing to serve a lady without legitimate grounds is that of Pellinor, who refuses to stop and help his daughter Alyne while pursuing another lady's kidnapper (I.114.12 – 18). Pellinor is not executed for his refusal to serve, but Merlin does curse him with the promise that he will be similarly abandoned by his best friend (I.120.3 – 8). While the text does not abound in knights who refuse to help ladies, it includes many instances of knights who oppress ladies only to be severely chastened or killed by the Round Table knights who take up the ladies' service. One example is the Red Knight of the Red Lands, who besieges the Lady Lyones in a tower and kills anyone who tries to help her until he is

¹⁵ Of course, Guinevere's status as queen makes her a special case under the law. Kidnapping her goes beyond the mere crime of kidnapping to treason as a form of violation of the king's consort. However, under Malory's Oath, merely kidnapping her could earn Mellyagaunce a death sentence.

defeated by Gareth. However, Gareth does not kill him once he learns that the Red Knight behaved in such a way only to serve another lady, who was using him to be revenged on Arthur's knights, particularly Lancelot and Gawain (I.325.1 – 9). Instead, Gareth orders the Red Knight to yield himself to Lyones and to apologize to Lancelot and Gawain (I.325.27 – 33). Serving ladies is apparently a high priority of knights in general, whether they be Round Table knights or not, and though the Pentecostal Oath allows the death penalty for refusing one's service to a lady, such refusal is rare, leaving little opportunity for the penalty to be carried out.

The discussion above illustrates the general strengths and weaknesses of the Pentecostal Oath's provisions and punishments. Like its parts, the whole of the Oath has weaknesses as well as strengths. Arthur's kingdom as established by Malory has some potential to be just and well ordered if only the Pentecostal Oath is considered, but various scholars have also noted problems with the Oath. Malory's paratactic style of writing creates one such difficulty, for it fosters confusion within the Oath. Robert L. Kelley notes that this style makes it unclear which punishments apply to which violations ("Royal Policy" 52). Rosamund Allen points out that there is no way to tell which commands of the Oath are more important; though events demonstrate that avoiding wrongful quarrels is probably the most important stricture of the Oath, the Oath itself does not make that clear (75). In Bonnie Wheeler's terms, there is "a gap between the oath's preceptive language and life's messy flux." Because paratactic structure gives all parts of the Oath equal weight, the knights are left without guidance in situations where the provisions of the Oath come into conflict (Wheeler 118). Though the commands of

the Oath are clear in and of themselves, the Oath's overall construction limits its effectiveness in guiding behavior.

Another difficulty with the Oath is that it is class specific, providing protection only for members of the nobility. Corinne Saunders notes that, because the oath specifies protection for ladies, damsels, and gentlewomen, "crimes against lower-class women thus fall outside its jurisdiction" (119), so that King Pellinor feels no shame when it is revealed in court that he fathered a son on a dairymaid, whom he took "half be force" (I.101.14). Similarly, having yearly taken a vow to avoid murder does not prevent Lancelot from killing unarmed churls simply because they get in his way as he seeks to rescue Guinevere in the "Knight of the Cart" episode; he does so without hesitation or regret, for knightly courtesy apparently does not apply to them (III.1126.23 – 25, III.1127.28 – 30). Though the *Morte Darthur* includes very few references to common people, when they are mentioned, they are often under attack in some way by members of the nobility, and there is apparently no redress for them under the law of the kingdom. This lack on the part of the Oath seems all the more egregious when one considers that it is to the commons that Arthur owes his crown (I.16.10 – 15), a detail which differs from Malory's French source, in which Arthur was crowned at the instigation of the barons (Noguchi 17 - 18). Though Logres may often be a just kingdom for the knights and ladies who live there, the commons have far less access to justice.

The Pentecostal Oath is also weak in that it makes assumptions about the abilities of the knights that cannot always be carried out. Robert L. Kelly claims that in using his supposedly chivalric oath to forbid his knight from committing felonies like murder and rape, Arthur is setting a "shockingly low standard of behavior" ("Royal Policy" 56).

However, even this low standard of behavior is violated time and time again by Arthur's knights. Additionally, the Oath asks the knights to set aside personal or kin loyalties in favor of loyalty to the crown and the state, and this task is frequently beyond their capabilities. The knights refer to kin loyalty as the motivation for their actions far more often than they refer to their Oath (Lynch, *Malory's Book* 62), and even Arthur himself is unable to completely set aside loyalty to family in order to promote abstract justice in his kingdom.

Malory's Pentecostal Oath has a dual nature. Though Dorsey Armstrong claims that the Oath functions as the "master trope" for Malory's writing, she also notes that it serves "as a site of contestation, struggle, and resistance" (*Gender* 29, 32). Thomas Wright claims that the Oath is "suitable for an ambitious, high-minded order just setting out toward adventure" (39). However, in the end Wright finds the Oath to be too rigid to meet the needs of various situations: "though it may at first inspire order and impose justice, it becomes finally the weakest aspect of Camelot" because "it fails to articulate the need of accommodating large disparities, of compromise, of expanding tolerance" (62). It would be unwise for Arthur—and Malory—to rely on the Oath alone for the ordering of Arthur's kingdom. But he does not. As the next chapter will show, Arthur's kingdom is also subject to customary law, and Arthur makes use of the tools provided by fifteenth-century feudalism in his efforts to create a just kingdom.

CHAPTER THREE

Justice beyond the Oath

With the Pentecostal Oath, Malory creates a necessary set of rules to help govern his Arthurian kingdom, albeit one with some weaknesses. But while the Oath may be the beginning of the justice system he presents within the *Morte Darthur*, it is not the end of that system. Instead, Malory at least tacitly acknowledges that the Oath alone is not enough to govern a kingdom or even to control the Round Table knights. He does this by including other means of controlling behavior that augment the Oath's provisions. The two most prominent of these means are custom, which may be widespread or local, and the patronage system, which allows Arthur a direct form of control over his knights. These extra-Oath provisions often harmonize with the Oath, reinforcing its demands. At times, they also extend beyond the Oath's powers to govern situations in which its provisions are insufficient. The customs of the kingdom at times provide harsher punishments than those provided by the Oath, and both customs and patronage bonds can give more specific direction to behavior, not only to knights, but to all who live in Logres.

Custom is a powerful force for social control within the *Morte Darthur*, as was the case in medieval England as well. Much of medieval English law originally depended on custom rather than written statute. Henry de Bracton codifies many of these customs in his *De Legibus et Consuetudinibus Angliae*, which he intended "to instruct the lesser judges" and to preserve the best of English law and custom for posterity (19).

Bracton claims that England is unique in Europe in that she relies on “what usage has approved” rather than on written law for the establishment of justice. He asserts, however, that these customary laws are still laws, for whatever guides to behavior are agreed upon by the king, the magnates, and the people are laws indeed (Bracton 19).

The existence of customary law did not reduce a medieval king’s responsibilities. It was not enough for a king to follow custom blindly; instead he must judge which customary laws would contribute most to justice in his kingdom. Giles of Rome writes that “a kyng schal alwey confourme his reulyng to þe reule þat is apassed vnder þe whiche rulyng þe regne was most siker and best iruled” (53). A good king will look to the past for guidance and will rule his own kingdom according only to what has worked best for the security of the reign, not blindly follow old ways simply because they are customary. A 1481 transcription of the English coronation oath requires the king to perform this duty, stating “les malveis leyes et customez de tout ostera” [he will completely remove the evil laws and customs] (*Statutes of the Realm* I.168, translation mine). As king, it is Arthur’s responsibility to assess the realm’s previous customs, to put away any that are evil, and to reaffirm the good. Good customs can then become a tool that Arthur can use as he promotes justice within his realm.

Of course, not every mention of custom in the *Morte Darthur* deals with enforcing justice. Often, particularly when used in reference to a specific knight, custom simply means habit or personal preference. Thus we read that Dinadan customarily loves good knights (II.614.27 - 29), while Gawain customarily loves fruit, especially apples and pears (II.1048.29 - 32). Personal custom may also affect people other than the custom’s practitioner, as for example does Arthur’s custom of not eating on the day of Pentecost

before he sees a marvel (I.293.7 - 10, II.855.28 - 31). If the king will not eat on Pentecost before a marvel appears, no one else can either, so Arthur's personal custom becomes the custom of his court. Another similar custom is Guinevere's habit of riding out with a group of knights, the Queen's Knights, who carry white shields in tournaments and who serve as a sort of recruiting body for replacements for slain Round Table knights (I.1121.14 – 29). However, while personal custom may govern an individual's, and even a court's, behavior in some areas, it has little utility in the establishment of justice.

The majority of customs represented in the *Morte Darthur* are not mere personal habits, but are external forces that serve to govern behavior for many people. These customs fall into two broad categories: widespread customs that are used throughout the kingdom and local customs that apply only in certain areas. Widespread customs generally deal with the enforcement of justice in Logres or with the behavior of Arthur's knights. Local customs, though established by individuals or localities, determine the behavior of those who come within their purview with much the same force as law. Additionally, local customs may be just or unjust, allowing the knights who come in contact with them to demonstrate their own commitment to justice and to their Oath by confirming good or destroying evil.

In the *Morte Darthur*, the Pentecostal Oath works in harmony with the legal customs apparently already in practice within Logres. Arthur's early establishment of the Oath sets the tone for his court and for his desire for justice, providing a baseline for knightly behavior, but it does not stand alone. Instead, the Oath assumes that the people of the kingdom observe at least some legal and behavioral customs. Portions of the Oath can only be properly interpreted with reference to legal custom; the information that “alle

maner of murthers in tho days were called treson” (I.405.5) helps in understanding the Oath’s pairing of treason with murder. In similar fashion, the definition of murderous treason becomes clearer because “the custom was such at that tyme that all maner of [shamefull] deth was called treson” (XVIII.1050.2 - 3). Malory frames his Arthurian kingdom in such a way that the legal customs which he presents as already in existence work hand in hand with the Pentecostal Oath that Arthur created in an effort to ensure justice.

The legal customs of Logres, in addition to supporting the Oath, often extend beyond it. Consider the following custom, which Malory lays out in the story of King Angwysh of Ireland, whom Bleoberys and Blamour accuse before Arthur’s court of treasonously killing their cousin. Angwysh is disturbed by the accusation, “for the custom was suche tho dayes that and ony man were appealed of ony treson othir of murthure he sholde fyght body for body, other ellys to fynde another knyght for hym” (I.405.2 - 4). Thus custom requires Angwysh to engage in trial by battle with his accuser, Sir Blamoure de Ganys, who is such a powerful knight that only the knights of Arthur’s court would be willing to battle with him (I.406.16 - 17). Tristram, who is not yet a Round Table knight, agrees to be Angwysh’s champion if he will swear he is innocent and will promise Tristram a reward (I.407.20 - 28).

The story of Angwysh’s trial itself is vintage Malory, including plenty of battle and blood, but the episode’s importance for this study lies, not in the action, but in the way that this custom extends the powers of the Oath. Under the Oath, a man found guilty of treason or murder will lose his worship and Arthur’s lordship, a punishment that is indeed threatened for Angwysh if he does not appear in Arthur’s court to answer the

charges (I.404.20 - 21). However, trial by combat under English customary law “dictated that one party must either kill the other or force him to declare himself ‘creaunt’” or defeated, though the king could at any point declare the battle over and require the combatants to accord with one another (Stuhmiller 453). Combining the Arthurian custom of trial by battle with the English law that specified a fight to the death in such cases reveals both a specific means of trial to determine guilt—trial by battle—and the possibility of the harshest of punishments—death—neither of which are specified in the Oath as applicable to murder. Tristram confirms the justice of death as punishment for treason in a later conversation with Sir Darras, who has imprisoned him for killing three of his sons: “if I had slayne hem by treason other trechory, I had bene worthy to have dyed” (II.552.22 – 23). In the case of murderous treason, then, custom extends beyond the limits of the Oath to provide a stricter standard for justice within the kingdom.

Custom also extends beyond the Oath in determining who may be affected by just punishment. The Oath could be said to apply only to the knights who swear it, though Arthur’s knights certainly behave as though it applies to all knights. But even an oath that applied to all knights would be inadequate as the sole means of establishing justice within the kingdom, for it would require only knights to behave justly. Noble women and commoners of both sexes could escape punishment for crime under such a legal system. However, the legal customs of Logres require more than does the Oath alone. In “The Poisoned Apple,” when Mador de la Porte accuses Guinevere of murder, preparations are made for her to be burned at the stake if her champion loses the battle, “for such custom was used in tho dayes: for favoure, love, nother affinité there sholde be none other but ryghtuous jugement, as well uppon a kynge as uppon a knyght, and as well

uppon a quene as uppon another poore lady" (II.1055.11 - 15). In this episode, Malory makes use of the contemporary English legal punishment, which specified burning as the punishment for women convicted of treason; men were hanged or drawn and quartered (Hanawalt 197). However, he also privileges Arthur's kingdom over fifteenth-century England, for noting that justice applied to all *in those days* implies that it does not apply to all in Malory's own time. In Arthur's Logres, though the Oath may apply only to the few, legal custom requires that justice is delivered to all.

Legal custom was quite important in determining justice in fifteenth-century England, where much of the legal system rested upon customary law. That customary law was frequently enforced by the manorial court system, which held the lords of various areas responsible for enforcing legal custom on their home ground. The manor court was primarily responsible for settling the frequent disputes, primarily over land, that occurred between the inhabitants of the counties (Bonfield 518). The court of the king's bench, which by the fourteenth century was fixed in Westminster was responsible for trying felonies, and the local lords would refer such cases there for trial (Harriss, *Shaping the Nation* 48). However, during the fifteenth century, the power to try felonies shifted from this central location to the local courts due to persistent demands by the gentry that they be allowed to try such cases themselves, working as the king's officers, because their knowledge of local affairs was better than could be expected at the king's bench (Harriss, *Shaping the Nation* 50 - 51). The primary move of English legal power in the early Middle Ages was toward an ever stronger central government, but in the fourteenth and fifteenth centuries a great deal of power moved out from the center and back to the localities as landowners in the various counties were appointed to the office

of Justice of the Peace, charged with the responsibilities of keeping the peace and trying criminals (Brown 101).

Despite this move, Malory gives very little space to the intricate medieval court system in the *Morte Darthur*. Trial by jury, the general procedure of the most medieval courts, is almost absent from Malory's text. Malory presents only one clear example of a jury trial: the trial of Sir Palomydes. Soon after the tournament at Lonezep, Palomydes and his brother Saphir are imprisoned in a castle by knights who accuse him of killing their lord at the tournament. Twelve knights of the castle try the two, finding Palomydes guilty of the death of their lord, while Saphir is acquitted and released. The next day, twelve knights set out to take Palomydes to the lord's father for the enforcement of the death penalty that they have awarded him. On the way, the party passes Lancelot, who on learning the situation attacks the twelve knights and frees Palomydes (II.774 - 77). In this situation, Malory presents a trial by a jury of twelve knights, yielding a guilty verdict, but an interruption in the proposed execution. It appears that Lancelot has acted unjustly in this case, for by freeing Palomydes he directly contradicts a jury verdict and denies the just penalty of the death that the knights seek to apply, even though such a sentence was mandatory under English law for those convicted of felonies (T. Dean 12).

It seems out of character for Lancelot, Arthur's (and Malory's) chief knight, to pervert justice in such a fashion. As a knight of the Round Table, he should enforce justice, not obstruct it. However, the situation is not quite so simple. First, the trial itself is apparently invalid, for though we have a jury, we have no justice of the peace present—the man who could serve in that office is dead. That the knights know they are acting without the proper authority is made apparent by their taking of Palomydes to

Castle Pelownes for his execution so that the dead knight's father can carry out the sentence; they apparently do not have the authority to execute him themselves. In any case, because the major crimes were generally tried by the court of the King's Bench (Brown 130), these knights have no right to put Palomydes on trial at all.

In addition to problems with the legality of the trial, the jury's sentence itself is unjust, for Palomydes does not commit murder at Lonezep, though his behavior there is far from exemplary. In his efforts to win fame and honor, Palomydes kills Lancelot's horse (II.739.5 - 16), fails to honor his earlier agreement to fight alongside Tristram (II.746.25 - 35), and even attacks Tristram while in disguise (II.750 - 51). In her anger over his trickery, Isode calls Palomydes "a felonne and traytoure" (II.756.1), but the text makes no mention of his committing murder. He may have killed the unnamed lord at the Lonezep tournament, but if so the man's death was a by-product of a dangerous sport, not an act of murderous treason. Therefore, by freeing Palomydes from the knights who are leading him to execution, Lancelot is upholding, not perverting, justice according to the system established in the *Morte Darthur*.

The only other episode in the *Morte Darthur* that approaches the operation of manorial justice is Tristram's imprisonment by Sir Darras. Tristram killed three and grievously injured two of Darras' five sons at the tournament at the Castle of Maidens. Tristram takes lodging at Darras' castle, and when Darras learns that Tristram is responsible for what happened to his sons, he immediately imprisons him (II.540.3 - 16). Darras may be acting as a lord enforcing justice here, but it seems quite unlikely, for he locks Tristram away summarily and without any mention of a trial. When Tristram falls ill and almost dies in his prison, Darras frees him, saying "hit shall never be seyde that I,

sir Darras, shall destroy such a noble knyght as ye ar in preson, howbeit that ye have slayne three of my sunnes, wherefore I was gretely agreed" (II.552.9 - 12). Here Darras admits that he was acting not as a legal official, but as a distressed father seeking revenge. Though local lords in fifteenth-century England were able to try criminals in their own manor courts, such courts dealt only with trespass offenses; felonies such as murder would be referred to the king's justices (Brown 113). And once again, knights who killed men accidentally in tournaments were not felons, for such killing was accidental. Other than these two episodes, Malory pays little attention to the workings of the local courts, preferring for his knights to settle disputes and matters of law with action rather than with legal wrangling.

Some of Logres's customs resemble English customary law, so violators of those customs could be legally punished. Other customs apply instead to personal action, but though these customs do not concern legal issues, they still provide strong controls on behavior. At the opening of the Tristram section, Malory interjects a description of the gifts Tristram brought to gentlemen, claiming that he invented the hawking and hunting terms that gentlemen still use in Malory's own time. Therefore, "all jantyllmen that beryth olde armys ought of right to hounoure sir Trystrams for the goodly tearmys that jantylmen have and use" (I.375.23 - 25), terms which are not only useful for hunting, but also for separating the gentleman and the knight from the commoner. Using the proper hunting terminology is one facet of the behavior that creates this vital cultural divide. Because "he that jantyll is woll drawe him to jantyll tacchis and to follow the noble customys of jantylmen" (I.375.28 - 29), the customs that a knight observes are part of what makes him recognizable as a knight. Since knightly custom is closely bound to

knightly identity, we may expect such custom to exert a great deal of control over knightly behavior.

Some customs of knights may be divined from the text by simply noting what knights usually do. We can assume that knightly custom involves riding to adventure, helping ladies, and enforcing the knightly Oath. However, Malory also specifically names other customs that govern the behavior of knights wherever they go. Balin proclaims the first of these customs when he is harbored at the castle of King Pellam. When the inhabitants receive Balin and help him dress for dinner, they try to make him leave his sword behind in his chamber along with his armor. Balin refuses, claiming “hit ys the custom of my contrey a knyght allweyes to kepe hys wepyn with hym” (I.83.16 - 18). Pellam’s servants say nothing more in the matter, and Balin is allowed to retain his weapon at dinner.

Balin’s claim that knights of his country must always go armed may not be entirely truthful, for he has come to Pellam’s castle to seek Garlon, the invisible knight who has twice killed people for whom Balin was responsible. At dinner he kills Garlon with the sword that he would not leave behind. The reader may give more credence to this claim, however, because Balin is from Northumberland (I.63.2), not Logres. In the *Morte Darthur*, Northumberland was not an English county but a minor kingdom; King Clarivaunce of Northumberland was one of the kings who joined Lot in rebelling against Arthur when he was crowned king of all England (I.31.1 - 2). Though Northumberland is a client kingdom under Arthur’s overlordship, it is its own place and might easily have different customs from those practiced in Lystenoysse, Pellam’s kingdom. Pellam’s servants recognize that the customs of a knight’s own homeland are binding on him

regardless of where he is and accept Balin's word that he must remain armed at all times, though this is apparently not the custom in Lystenoysse. Thus at least some of a knight's home customs take precedence over those of his location and govern his behavior regardless of where his adventures take him.

We learn of another of these knightly customs in the Tristram section. When Dinadan meets with Sir Epynogrys (who, coincidentally, is the son of the king of Northumberland), while riding to adventure, Dinadan challenges Epynogrys to joust, citing custom as the rationale for the combat. In Vinaver's edition, Dinadan cries out, “Sir knyght, make the redy to juste wythe me, for juste ye muste nedis, for hit is the custom of knyghtes arraunte one to juste with other,” to which Epynogrys rejoins, “ys that the rule and custom of you knyghtes arraunte, for to make a knyght to juste, woll he othir noll he?” (II.690.1 - 6). However, there is an interesting contradiction within the source texts at this point. Below, I place the two texts side-by-side for comparison:

Winchester Manuscript:

“Dynadan spake on hyght and sayde sir
knyght make the redy to juste wythe me
for juste ye muste nedis for hit is the
custom of knights arraunte for to make a
knyght to juste woll he othir nell he Syr
sayde sir Epynogrys ys that the rule and
custom of you” (f.283v - 284r, letters
normalized).

Caxton printing:

“There with alle sire Dynadan spake on
hyghe and said sir knyghe make the
redy to juste with me / for it is the
custome of erraunt knyghtes one to juste
with other / Sir said Epynegrys is that
the rule of yow arraunt knyghtes for to
make a knyght to juste will he or nyll”
(X.55.f. iiiii r. - iiiii v.).

In the Winchester manuscript, Dinadan openly states that forced jousting is the custom of knights and that Epynogrys must comply with that custom, while Epynogrys's question implies that knights of Northumberland treat jousting with strangers differently from Round Table knights. In the Caxton printing it is Epynogrys who raises the question of forced jousting. Vinaver's edition thus follows the Caxton text and not the Winchester Manuscript in reference to this battle. However, Vinaver's commentary on this passage indicates that, while the wording of the Caxton text is supported by the French source, the wording of the Winchester manuscript reflects "Dinadan's attitude to knightly customs as described throughout the French romance" and is probably truer to Malory's original intent regarding this issue (Malory III.1511.n.690). Though the difference between the two texts is small, it is significant in the analysis of knightly custom.

In all three editions of Malory's text, the result of Dinadan and Epynogrys's battle is the same: the two joust, and Epynogrys unhorses Dinadan. And in all of these texts, the sense of custom enforcing behavior is the same: Round Table knights joust with other knights regardless of those knights' feelings in the matter. But the change of speaker creates a significant difference. When Dinadan proclaims the custom it sounds like a point of pride: if one knight forces another to joust, he is doing what an adventurous knight should. When Epynogrys states the custom, it takes on the flavor of an accusation, making Dinadan and his companions sound like thugs rather than noble knights. Since Malory plainly favors the Round Table knights over all others, such a representation of their customs seems unlikely. In this episode, Malory shows us two

knights following the Round Table custom of enforced jousting, a custom to be preferred over the customs of other knights.

The custom of jousting regardless of desire is not bound by space: the Round Table knights take it with them wherever they go and require other knights to comply. In contrast, another knightly custom, the defending of a passage of arms, can be considered local. Larry D. Benson notes that the *pas d'armes* was a “fact of experience in Malory’s time” that involved a knight choosing a place, often a roadway of some type, to defend against all who might pass by for a set period of time that could range from a few days to a year (179). Though the passage at arms was a popular romantic convention, life came to imitate romance when knights of the fourteenth and fifteenth centuries chose to defend such passages, frequently while disguised as Arthurian characters such as Lancelot (Benson 179 - 80). Like these historical knights, some of Malory’s knights choose to defend certain areas, challenging those who pass by in order to increase their worship. The practice of defending the passage is accepted in Malory’s text with as much equanimity as jousting against those whom one meets at random in the forest. Any knight apparently has the right to set up such a passage and defend it for no other reason than that he has chosen to do so.

Malory records two passages of arms specifically as customary in the *Morte Darthur*. The first involves King Pellinor, who in his first appearance in the text claims the custom of jousting with any knight who comes by his pavilion. Arthur, riding incognito, first asks Pellinor to leave his custom, then tells him that he will *make* him leave it. The two fight, and Arthur is nearly killed (I.49 - 51). However, Arthur does not call on justice as his rationale for fighting with Pellinor at the passage. Pellinor

apparently has the right to assume the custom of defending the way past his pavilion, even though there is no sign that he owns the land where the pavilion is placed. Arthur seeks to make him leave this custom, but he does so as a knight participating in the custom, not as a king trying to destroy it. He does not judge Pellinor's custom to be wrong, nor does he seek vengeance against Pellinor for nearly killing him during the battle. Far from punishing Pellinor for his custom of defending the passage, Arthur allows Merlin to seat him at the Round Table (I.102.5 - 9).

Malory includes another passage of arms in the Tristram section of the *Morte Darthur*; in this instance, the combatants are Torre and Dinadan. After the two joust and Dinadan is unhorsed, he demands foot combat so that he may prove himself after losing on horseback. Torre refuses to fight with swords, saying, “as at this tyme I may nat have ado with you no more, for the custom of this passage is such” (X.10.378). Torre’s speech here implies that the custom itself, rather than the will of the knight upholding the custom, determines the progress of the battle, but it is quite likely that Torre himself determined the custom’s regulations. In the end, though, who created the custom is immaterial to the action of the text, which treats Torre’s practice of defending the passage as just and reasonable. Dinadan goes away angry, not because the custom is in some way wrong, but because it prevents him from taking the battle as far as he would like. Torre also suffers no repercussions for using the custom of the passage; Malory portrays his actions as normal behavior for a knight.

Place-bound local custom serving as a means to control behavior in Malory extends beyond the temporary passage of arms to the more permanent castle custom, a trope that figures prominently in the text. Such custom has historical backing in the

Middle Ages, for villages and manors during this period in English history often established local customs that had much of the force of law. Many of these customs dealt with property, but local regulations, enforced by fines for non-compliance, could require or forbid many types of behavior. For example, in 1416 the village of Brampton, Northamptonshire, required men who had carts to haul sand and gravel for the repair of the King's Highway; shortly after, the village of Broughton, Northamptonshire, imposed fines for calling one's neighbor "whoreson" or "cuckold" (Ault 58 - 59). Over time, some restrictions became even broader; in 1516, the village of Colerne, Wiltshire, included on its customary rolls a fine for any man who "[behaved] badly to his neighbors, in word or in deed, covertly or openly" (Ault 59). These local regulations do not involve the types of crimes and misdemeanors legislated against in the Pentecostal Oath, but such regulation would be unnecessary. The king's statutes and the huge body of English customary law would take care of forbidding real crime. Instead, these regulations deal with local behavior on a small scale, but their very existence supports historically the various types of local customs, particularly the castle customs, that Malory includes in the *Morte Darthur*. Such customs were apparently allowed to continue in England without interference from the central government as long as they did not contravene the king's law. They also demonstrate that individual English locales had the right to set their own behavioral patterns, just as one sees reflected in Malory's text.

By this point, one might be wondering about the relevance of such customs to this study. As place-bound customs that primarily affect only those who live under them, customs that the local inhabitants have every right to create for themselves, they might seem irrelevant to a study of Arthurian justice as a whole. However, local custom is

relevant to Arthur's kingship because of the situation under which Arthur takes the throne. In Malory's text, Uther Pendragon, Arthur's father and the former king of Logres, dies while Arthur is still a small child (I.11 - 12). Though Uther acknowledges Arthur as his heir before his death (I.12.1 - 8), Arthur is reared distant from the court, and the text does not record any regent who cares for the kingdom in his absence. Instead, after Uther's death "thenne stood the reame in grete jeopardy long whyle, for every lord that was myghty of men maade hym stronge" (I.12.11 - 12). During this interregnum, the lords decided their own customs, without reference to a central governing body. This lack of royal oversight left the growth of unjust customs unchecked, for there was no standard of justice against which to compare them. Since local customs must be in line with the central authority in order to remain in force, once Arthur's reign is established, he must send his knights throughout the kingdom so that they might assess the customs that have grown up and put down those that are contrary to his justice.

Of course, the castle custom is not an idea that Malory invented based only on historical ideas of local regulation. Charles Ross notes that the castle custom as a literary trope first appears in the writing of Chrétien de Troyes (xiii). In discussing the general form of the "vile custom," Ross notes that it "poses a certain moral dilemma in a way that begins as a conflict between individual desire and the community" (xv). For Ross, the tension exists primarily between the knight, the possessor of the individual desire, and the community that holds the vile custom. However, one can equally see a tension between the knight as representative of Arthur's court and the justice it should enforce, and the individual community whose customs may or may not align with Arthur's justice. A knight errant who comes in contact with a castle custom must make two related

decisions; first, he must decide if the custom is good or evil. Based on that decision, he must determine whether he should oppose or uphold the custom. The right of individual castles or communities to set and enforce their own customs is unquestioned; the knight's dilemma deals with the good or evil of the customs themselves. Customs that conflict with the Pentecostal Oath, the kingdom's primary standard for justice, are destroyed, but those that do not conflict with the Arthurian standard of behavior remain in force, as I discuss below.

Several instances of the knight vs. the castle custom occur in the *Morte Darthur*. One commonly observed custom requires visitors to a castle to do battle with the castle knights before they are given shelter for the night. Though this may seem an odd way to pay for one's bed and board, it is not really all that different from knights requiring one another to joust when they meet in the forest, and the Round Table knights generally fall in with this custom without question. Tristram and Dinadan do so when they first defeat a set of castle knights and then take their place in defending the castle against Palomydes and Gaheris when they subsequently arrive on the scene (II.506 - 507). In this case, the lord of the castle reinforces the acceptable nature of the custom by remaining friendly to the knights when the fighting is over; he is glad to help them follow Dinadan to another lodging after Dinadan leaves in disgust over so much unnecessary battle (II.508.26 - 35). Though Dinadan may not personally approve the custom, as a Round Table knight he takes no steps to remove it, choosing instead to remove himself from the sphere of the custom's operation.

Other castles similarly require knights to fight when they arrive seeking shelter, but not in the acceptable manner just discussed. For example, at the Castle Orgulus, La

Cote Male Tayle and Mordred are not merely challenged to fight for lodging, but set upon by a large group of knights who try to kill them and the lady Maledysaunt. They escape with their lives, but barely; La Cote Male Tayle is trapped within the castle and escapes only with a lady's aid (II.463 - 65). At one of Morgan le Fay's castles, custom forces knights to fight with ever more men, particularly if the traveler is a knight of King Arthur's. Lamerok destroys this custom by jousting with twelve knights in groups of various sizes, killing four and forcing the remaining eight to swear to give up their evil deeds. A knight who emerges from the castle afterward tells Lamerok that he has put away the castle's customs because there is no one left to fight (II.597 - 600). When castle custom requires a passing knight to joust, the intent of the castle's inhabitants determines the good or evil of the custom. Jousting to try one's prowess is a common activity among knights and in keeping with Arthurian standards, so if this is all that custom requires, the knights may affirm it. If the knight is required to fight to the death, particularly against large groups of men, the custom is generally put down by the Round Table knights because such activity violates the standards of knightly courtesy and the Oath's provision against treason.

Castle custom is not always simply about fighting. The customs of Castle Plevre, the Weeping Castle, not only require a knight to prove he is stronger than the lord of the castle, but also call for a beauty contest between the lady of the castle and the travelling knight's lady, with the loser to be executed (I.412 - 413). These customs are obviously evil according to the Pentecostal Oath's standards, for they not only require the winner to kill the loser in the battle, but also to kill one of the ladies based only on her relative lack of beauty. Tristram and Isode encounter this custom as they travel from Ireland to

Mark's court for Isode and Mark's wedding. On learning of the custom, Tristram decries it as "a foule custom and an horrible" (I.414. 13 - 14), and one might expect him to refuse to participate. Instead, he beheads Sir Brewnor's lady, who is not as fair as Isode, and then kills Brewnor himself (I.415.10 - 11, 35). Tristram justifies killing the two by claiming that killing them is no loss because they have used this evil custom for a long time (I.414.32 - 35). Because the inhabitants of the castle then ask Tristram to stay so that the foul custom may be destroyed (I.416.2 - 3), simply killing Brewnor and his lady was not enough to destroy it. Ross notes that by killing Brewnor and the lady Tristram actually upholds Castle Plewre's evil custom, elevating himself and Isode into their places as lord and lady of the castle. The custom is only destroyed when Tristram voluntarily yields to Sir Galahalte, Brewnor's son (Ross 32). Tristram's yielding and Galahalte's lack of a lady finally break the cycle that the custom created, bringing Castle Plewre back in line with Arthurian standards.

Castle Plewre's customs are indeed shameful, even evil. However, the most troubling castle custom of the *Morte Darthur* is that of the sick lady who requires a virgin's blood to heal her. Twice in the text knights arrive at this bloody castle in the company of maidens only to be told that they may not leave until the maidens give a dishful of blood in an effort to heal the lady. The first episode involves Balin and a damsels who are surrounded on entering the castle by knights who seek to kill her. When Balin tries to attack them, they will not fight him, saying that they are merely following their castle custom in taking her blood in order to try to save their own lady. Balin and the damsels agree to participate in the custom as long as she is only bled, not killed, and the knights of the castle accept this compromise (I.81 - 82). From only this instance of

the bleeding custom, one might assume that it is close enough to Arthurian justice to be allowed to continue. The lady of the castle can only be healed by a maiden's blood, and her men are thus merely serving their lady as the Oath requires. Though they are overzealous at first, they are not unreasonable and can be persuaded to compromise, taking the damsels' willingly offered blood without killing her. The custom may be distasteful, but it is not completely out of line with justice or proper behavior. However, this is not the end of the story of the bloody castle.

During the Grail quest, Galahad, Percival, and Bors travel past the same castle with Percival's maiden sister. They are surrounded by a dozen knights who demand a dishful of Percival's sister's blood, and though the men initially refuse on her behalf, killing several of the knights, they are persuaded to stay at the castle and hear the purpose of the custom. When the maiden learns that the lady of the castle needs a virgin's blood to heal her, she willingly sacrifices her blood and her life in a successful attempt to cure the lady (II.1000 - 004). To this point, events have progressed much as they did in the Balin story; in both cases, the knights do not take the blood forcibly, but instead persuade the maidens to give it, which they do willingly. As in the Balin episode dealing with this castle, no evil has apparently occurred, and the lady is healed.

The apparent acceptability of these episodes, however, is illusory. After Percival's sister's funeral barge is set out to sea, a tempest attacks the castle, destroying half of it (II.1004.10 - 17). When Galahad and Percival return the next day to see what has happened, they find all of the castle's inhabitants, including the lady that Percival's sister died to save, dead. On hearing a mysterious voice say "Thys vengeance ys for bloode-shedyng of maynyns!" (II.1005.10), they discover a church-yard filled with

sixty maidens' tombs, all of whom "were martirde for the syk lady" (II.1005.15).

Though Percival's sister gained her martyr's crown willingly, there is no sign that these sixty maidens did so. It was only Balin and Galahad's prowess that prevented the murder of their ladies on the sick lady's behalf; only the just behavior of the Round Table knights kept events in these two episodes within the parameters of the Pentecostal Oath. Because the custom of the castle was so evil that it would require the lifeblood even of unwilling maidens, heaven's vengeance destroyed the castle in punishment for the custom.

One might question, however, why the castle would only be destroyed after the lady is healed. Had heaven destroyed it after the first maiden died, Percival's sister and the other fifty-nine virgins could have been saved. Here again, as at Castle Plewre and at Morgan's castle, custom must be fulfilled before it can be destroyed. The knights who put down evil customs in those places first participate in those customs before they can destroy them. Here, once Percival's sister willingly gives her life and the lady is healed, the cycle is broken and vengeance can be taken. Since the knights are unaware of the true evil of the custom, for their actions have kept it within acceptable parameters, heaven takes its vengeance on the inhabitants of the bloody castle. That a custom of this magnitude of evil must be first fulfilled before it can be destroyed is a further indicator of the power of custom within the *Morte Darthur*.

The examples of castle customs presented thus far allow two possibilities when knights encounter an evil custom. As in the case of Morgan le Fay's castle or Castle Plewre, the custom alone may be destroyed, often along with at least some of the knights who enforced it. In the case of the bloody castle, simply destroying the custom is not enough; destroying the castle itself is required. At the bloody castle, supernatural forces

caused this more complete means of putting away the evil custom, but human agency may accomplish the same feat when circumstances require it. Such is the case at La Beale Regarde, a castle held by Morgan le Fay though it rightfully belongs to the Earl of Pase's damsel cousin. At the damsel's request, because of "the evyll customys that bene used therein" (II.643.34 - 35), the Earl and his men fire the castle, destroying it so completely that "they lefft nat one stone stondynge" (II.644.19 - 20). Unfortunately, the text does not record what evil customs Morgan practiced in La Beale Regarde other than imprisoning Alexander the Orphan there for her own lust. We can assume that this is not the reason the castle was destroyed, for the text states that the Earl of Pase would have destroyed the castle sooner had he not wanted to preserve it for his cousin's sake (II.644.9 - 11). In any case, this episode and others demonstrate that castle customs may be put away in various ways. If they violate the standards of justice to a sufficient degree, the entire castle may be destroyed, either in vengeance or in order to prevent the custom from being revived. However, simply having a custom that predates or stands apart from the customs that Arthur himself has established is not proscribed in Logres.

Throughout the *Morte Darthur*, custom serves as a powerful guide to behavior, both as it relates to English customary law and to the behavior of individuals or groups. The power of custom augments the Pentecostal Oath's strictures to give Arthur the capacity for a great deal of control over Logres. But though the Oath and custom are of vital importance to Arthur in controlling his knights and, through them, his kingdom, he has yet another tool to use in establishing justice: the relationship between lord and man.

The relationship between Arthur and his knights differs significantly between Malory's text and his French sources. As Vinaver notes in his commentary, the Arthur of

the *Suite du Merlin* is a member of the Round Table himself, but Malory apparently had little interest in presenting Arthur as *primus inter pares* (Malory, *Works* III.1325.n 99). Robert L. Kelly expands this claim, noting that “the new bond Malory creates between Arthur and the knights is that of king to noble servants” rather than one of a group of men bound by mutual chivalric ties (“Royal Policy” 45). In order to understand the enhanced control that such a relationship would give Arthur over his men, one must grasp the fifteenth-century concept of patronage. Scholars now use the term “affinity” to describe the network of relationships between lords, their servants, and their servants’ servants that existed at this time. The *Middle English Dictionary*’s definition that comes closest to the concept under discussion is “association, fellowship, companionship, alliance,” but this group of terms does not fully explain the type of relationship that existed between a lord and his affinity. The affinity was not just a group of men who gathered together, regardless of what bonds united them, but rather it was a group bound by ties of service to a lord, entailing responsibilities on both sides.

Rosemary Horrox gives a good introduction to the functioning of the patronage relationship. She writes that in the fifteenth century, most people were part of an intricate web of service, a web whose strands included not only peasant-class menial servants, but also members of the nobility. In fact, the honorable servant was all the more valuable to his master because his own status would help him to effectively follow his lord’s orders (Horrox 64). The service relationship was valuable to both the lord and the servant, for while the lord gained someone to do his work, the servant gained monetary or property awards or simply the influence of the lord on his behalf (Horrox 65). In addition, the possibility of retaining or being retained by a lord of high status reflected honor upon

both the lord and the honorable servant thus retained (Horrox 68). The relationship also implied responsibilities on both sides, for the lord was responsible to care for his servant, supporting him when necessary, while at the same time being in many ways responsible for preventing bad behavior on the servant's part; the servant was, of course, responsible for doing the lord's bidding (Horrox 68). At times, though, this system broke down, for bad behavior on the part of the servant might be done for the lord's benefit, and the servant might consider his lord to be practicing the opposite of good lordship if he punished rather than supported him (Horrox 77). The king, as the highest lord of the land, stood at the top of this hierarchy and thus bore the brunt of the responsibility, in reputation if not in fact, for making sure everyone behaved properly (Horrox 78).

Arthur establishes his affinity early in the *Morte Darthur*. At his marriage to Guinevere, Arthur receives the Round Table, which once belonged to his father, and one hundred knights to man it as her dowry. Merlin adds twenty-eight knights to that number before Arthur and Guinevere's wedding takes place. At this time, when the knights are first settled in their seats at the table, Merlin instructs them, ““Fayre sires, ye muste all aryse and com to kynge Arthure for to do hym omage; he woll the better be in wylle to maynteyne you”” (I.99.1 - 3). Becoming a member of the king's personal affinity would bring with it all of the advantages of honorable service, so the knights do not grumble at Merlin's suggestion; instead, they follow it as a matter of course. Malory covers the entire swearing of this homage with one simple clause: “And so they arose and dud their omage” (I.99.4). Malory's summary treatment of this forging of the bond between lord and man tends to downplay the importance of the patronage relationship, but this relationship defines the knights of the Round Table and Arthur himself. And though the

creation of the bond appears simple, the bond itself has profound implications for Arthur's kingdom.

The simple statement that Malory uses to show that Arthur's knights are now personally bound to him demonstrates the familiarity of the process in the fifteenth century. Malory assumes that his audience is familiar with the swearing of homage, both what the ceremony means and how it is performed. As a knight and a member of the Warwickshire gentry whose family's overlords were the dukes of Norfolk (Carpenter 31), Malory would have been well familiar with the process of swearing homage. Today's scholar, however, lacks this advantage, so Henry de Bracton's extensive discussion of homage in *On the Laws and Customs of England* can provide some useful context for Arthur's creation of a service relationship between himself and his men.

According to Bracton, any free person, male or female, layman or cleric, adult or minor, could do homage and thus enter into a patronage bond with a superior (228). Bracton defines homage in terms of land tenancy in exchange for service, writing that "homage is a legal bond by which one is bound and constrained to warrant, defend, and acquit his tenant in his seisin against all persons for a service certain, described and expressed in the gift, and also, conversely, whereby the tenant is bound and constrained in return to keep faith to his lord and perform the service due" (Bracton 228). This bond was traditionally formalized by a gift of land from the lord to the servant, who is thus referred to here as the tenant. However, one should note that the gift of land is not what creates the bond itself; instead, the land gift recognizes in tangible form the bond created in the homage ceremony (Horrox 74). Thus the lord offers the servant his protection, and the servant offers the lord his service. When the knights swear homage to Arthur in

response to the offer that he will maintain them, they are likewise offering him their service in return for his protection—or, as it is often phrased, in return for his “good lordship.”

Bracton records that in order to swear homage, the tenant’s hands are placed between the lord’s hands to represent “protection, defense, and warranty on the part of the lord and subjection and reverence on that of the tenant” (232). The tenant then recites the following words: “I become your man with respect to the tenement which I hold of you and I will bear you fealty in life and limb and earthly honour and I will bear you fealty against all men saving the faith owed the lord king and his heirs”(232). Though at the founding of the Round Table only homage itself is mentioned, Bracton records the process of doing homage as a two step procedure, including both doing homage and swearing fealty. The oath of fealty runs as follows: “Hear this, lord N., that I will bear you fealty in life and limb, in body, goods, and earthly honour, so help me God and these sacred [relics]” (Bracton 232). The oaths of homage and fealty¹, though similar, work together to create a stronger bond than either could do alone. The oath of homage unites the two parties involved and ensures that the tenant supports his lord before all other men except the king. The oath of fealty adds body and goods to the promise of faithfulness in

¹ One might question the relevance of Bracton’s thirteenth-century explanation of the swearing of homage and fealty to Malory’s fifteenth-century text. However, in 1429, John Nowell swore homage and fealty to Thomas de Hesketh following a very similar formula. Hesketh, seated, took Nowell’s hands between his own as Nowell knelt before him. Nowell first repeated this oath of homage: “Sir I become your man from this day forward and will bear you faith for the tenements which I hold from you in Harwood, saving the faith which I owe to our lord the king” (Myers 1118). Nowell then laid his hand on a book, presumably a holy book of some type, and repeated this oath of fealty: “Hear this, Master Thomas de Hesketh, that I, John Nowell, will be loyal and faithful to you, and will bear you faith for the free tenement that I hold of you in Harwood and will perform loyally all the customs and services which I owe to do at the terms assigned, so help me God, and the saints” (Myers 1118). The exact wording of the oaths differs slightly from the Bracton model, for Nowell makes no reference to his life, limbs, or honor, and he is more specific about the property for which he will do homage. However, the ceremony for swearing homage and fealty had apparently changed little in substance between Bracton’s time and Malory’s.

life, limb, and honor; it also strengthens the bond between the two by making it sacred in that the tenant swears by God and by relics. The offer of service and promise of protection made in this ceremony continue for life or until both parties mutually agree to dissolve them (Bracton 228).

Again, Malory mentions only homage in the passage regarding the establishment of the Round Table. However, Malory's text frequently represents the dual ceremony as well. In just over half of the almost thirty mentions of homage in the text,² the person entering the patronage relationship does homage and fealty rather than merely homage, with the story of Gareth providing the heaviest concentration of this dual usage. As Gareth proceeds on his quest to rescue Lyones, he defeats several powerful knights who have affinities of varying sizes. One by one, the Green Knight, the Red Knight, Sir Persaunte of Inde, Sir Ironside, and the Duke de la Rouse all do homage to Gareth on behalf of both themselves and their knights, making him the leader of a very large affinity of his own.³ Gareth then takes steps to ensure that these men are loyal to Arthur, for after accepting them, he sends them to Arthur to do homage to him as well. When he calls them together to fight on his side in a tournament, Sir Ironside reports, "I have bene at the courte of kynge Arthure, and sir Persaunte of Inde and his brotherne, and there we have done oure omage as ye commanded us" (I.342.32 - 34).

When Gareth marries Lyoness, each of these men brings the knights of his affinity, and all of them swear homage and fealty to Gareth again. There are at least two

² Kato's *Concordance* records twenty-seven uses of the word "homage," with various spellings. Fourteen of those uses are paired with varied spellings of "fealty" (572, 918).

³ These men swear homage to Gareth at I.307.4 – 5, I.310.21 – 24, I.314.22 – 25, I.326.1 – 2, I.356.27 – 30, respectively. In all cases but the first, they swear both homage and fealty.

possible reasons for this double swearing. It may be that this allows the men of the knights' affinities to swear homage to Gareth personally rather than having their tie to him created only through their lords. It may also be better for the homage to be done in the presence of Arthur and the other wedding guests because, as Bracton records, homage and fealty should be sworn in public so that the tenant could not easily renege (Bracton 232). Though the homage and fealty being sworn in this section are to Gareth and not to Arthur, one can see how quickly power can accrue to a leader through the pledging of homage and fealty, for by having all of these men bound to him, Gareth changes almost instantly from a lone knight to the leader of an affinity of almost six hundred knights.⁴ Gareth's ties to Arthur, and his insistence that the knights swear homage to the king, too, mean that all of these men are now at Arthur's service as well as his own. When Arthur binds the knights of the Round Table to himself, those bound to them would likewise follow, so a primary affinity of 150 men, the Round Table's full complement, could give him a force of several thousand, all of whom owe him their service.

Service is not the only advantage accruing to Arthur through the patronage bond; it also serves to more fully establish his authority as king. Bracton notes that "because of the bond of homage the tenant may do nothing to the disherison [MED—"deprivation or loss of possessions or privileges; also, destitution"] of his lord or his severe injury, nor conversely, may the lord so act toward the tenant" (233). By doing homage to Arthur, these knights, many of them the most powerful men in the kingdom, promise not to harm him and to be subservient to him, thus providing Arthur at a stroke with both a more secure throne and a large body of retainers. He can now use his security and his affinity

⁴ Stephen Knight makes a similar point, though he reckons the size of Gareth's affinity at only two hundred knights (122).

to set about the task which he promised at his coronation: establishing justice in the kingdom. However, the wording of both the homage and fealty oaths is fairly non-specific. By administering the Pentecostal Oath in addition to these simpler formulae, Arthur demonstrates his wisdom as king. With the Pentecostal Oath in force in addition to homage and fealty, Arthur need not constantly give his knights instructions regarding the behavior he expects. Instead, the baseline of his behavioral expectations is established, ostensibly leaving him free to concentrate on more vital matters.

The knights take on certain responsibilities when they swear homage to Arthur personally, and Arthur makes those responsibilities more specific through the Pentecostal Oath. However, responsibilities accrue to Arthur through the forging of the bond as well, for Bracton notes that in a patronage relationship, “the lord owes as much to the tenant as the tenant to the lord, reverence alone excepted” (228). Arthur as the lord in the relationship is obligated to behave as a “good lord,” which simply means that he “[looks] after his servants’ interest” (Horrox 66). The specific ways in which a lord may look after his followers go unexplained in medieval sources, including the *Morte Darthur*; as Horrox notes, “this concept never needed to be defined, but was simply invoked” (66). Malory invokes this terminology several times in reference to Arthur, beginning even before Arthur becomes king. When Arthur demonstrates to Ector and Kay that he and only he can pull the sword from the stone, Ector asks him, “‘woll ye be my good and gracious lord when ye are kyng?’” (I.15.3 - 4). Near the end of the *Morte Darthur*, Sir Urry and his mother both refer to Arthur similarly, speaking to him as “‘My good and gracious lorde,’” even though they as yet have no personal relationship with him (III.1146.19, III.1153.8). Instead, they are seeking beneficial relations with Arthur,

Urry's mother for her son's healing, and Urry for participation in the activities of the court where he was healed.

Lancelot twice refers to this good lord-to-follower relationship near the end of the *Morte Darthur* during his meeting with Arthur for the return of Guinevere. He first reminds Arthur of the relationship that has long existed between them, stating, ““at suche tymes [. . .] ye loved me and thanked me whan I saved your quene from the fyre, and than ye promised me for ever to be my good lorde”” (III.1188.23 - 26). He then upbraids Arthur for rewarding him poorly for the good services he has rendered him. At the end of his speech, Lancelot returns to the good lord trope, addressing Arthur as “my good and gracious lorde” in his close as if by speaking the words they will become so, and the breach in their relationship will be healed (III.1188.34 - 35). Lancelot never states the type of reward he expects for his good service, nor does he mention his own breach of fealty in having an affair with Arthur's queen. He merely claims the relationship between Arthur and himself, apparently believing that there is at least a possibility that this is all that will be required for relations between them to be restored.

What Lancelot does not acknowledge in his attempted reconciliation with Arthur is that Arthur, as good lord as well as king, is not only responsible for rewarding and supporting his men. He is also responsible for at least attempting to prevent the knights from behaving badly. As their part of the service relationship, Arthur's knights must behave in a way that will reflect honorably upon their lord and king. From the fifteenth-century perspective, an affinity has dual purposes for a lord: bringing honor to him and helping him do his work. Lancelot has done Arthur's work consistently throughout their long affiliation, but his affair with Guinevere, once it becomes public, brings shame, not

honor, to Arthur. Lancelot's behavior destroys the patronage bond that united the two of them as good lord and retainer.

The creation of the patronage bond between Arthur and his knights also demonstrates some of Malory's assumptions about fifteenth-century feudalism, assumptions that have not consistently matched those of scholars. At the swearing of the Pentecostal Oath, Arthur "stablysshed all the knyghtes and gaff them rychesse and londys" (I.120.15 - 16). The gift of lands Malory mentions here places Arthur in the position of a medieval overlord who is following the time-honored means of establishing a feudal relationship based on land tenancy. However, Arthur also uses riches as the means of securing the patronage relationship. Using riches to formalize the Round Table fellowship is completely consonant with fifteenth-century practice, for this was a time of bastard rather than pure feudalism. Under early medieval feudalism, service was based on land tenancy, but the 1290 statute *Quia Emptores* legalized the formalization of feudal bonds with money (Stroud 323). Therefore, under bastard feudalism "periodic payment for service" was legal and accepted as a fact of life (Hicks 4). Victorian era historians were horrified by this system, believing relationships based on money payments to be inherently unstable. Since money is soon spent, bonds forged in this fashion no longer need last a lifetime; therefore, men retained with money gifts could become simple mercenaries serving as accessories in their lords' crimes and misdemeanors rather than being subject to the lord's discipline (Hicks 14 - 15). In the 1880s, Charles Plummer showed his disdain for this type of societal organization by christening it with the pejorative title "bastard" feudalism (McFarlane 180).

Later historians, beginning in the 1940s with K. B. McFarlane, have come to believe that bonds based on money for service were not necessarily any more corrupt than those based on land for service (Hicks 16). Some of these historians argue that the instability that characterizes fifteenth-century England was caused, not by this different basis for the patronage bond, but by the “personal inadequacies” of England’s kings (McFarlane 41). Since Malory plainly favors Arthur and represents his Logres in at least some ways as an ideal kingdom, his perspective regarding the exchange of riches for service is probably closer to that of McFarlane and Hicks than to that of Plummer. Malory acknowledges England’s putatively pure feudal past by including the gift of lands in Arthur’s establishment of the Round Table knights. However, by including riches as an equal gift with lands, Malory also includes the realities of the fifteenth-century present in his text, and he does so without prejudice on either side. The two gifts are apparently of equal value for binding men to Arthur.

Historically, money gifts superseded land gifts in the late Middle Ages, at least in part, for the simple reason that most of the land had already been distributed. Though the king might wish to give someone lands, he could not legally evict another landholder in order to make land available. The king could take additional lands only when the landholder was convicted of a felony (Bellamy 121), though lands also became available when landholders died without heirs. Again, the Gareth section illustrates this historical trend. When Gareth accepts homage and fealty from the knights he defeats, he has no land and no riches to give to his new servants in the creation of a patronage relationship. As the youngest son of the royal family of Orkney and as Arthur’s nephew, he has social and political status, but he is personally poor until he marries Lyones and becomes lord of

her not inconsiderable property. The knights he defeats, each of whom already has a fairly large retinue, are the landed ones. Instead of Gareth's bestowing lands upon him in honor of the relationship that is created between them when Gareth spares their lives, they agree to hold the lands that they already own from him. The re-swearng of homage and fealty that occurs at Gareth's wedding illustrates this point most forcefully. One by one, Pertolope, Perimones, Persaunte, Ironside, and de la Rouse not only swear homage and fealty, but also agree to "do him servyse and holde their londis of hym for evir" (I.361.28 - 29). There are minor differences in wording, but the cumulative effect is that almost six hundred men have given Gareth authority over themselves and their lands, while Gareth offers only his good lordship.

Unlike Gareth, Arthur as king does own lands that he could use in formalizing patronage bonds. However, even a king's lands are limited by the size of his kingdom, and kings must also have revenue on which to live. Giles of Rome notes in his *De Regimine Principum* that "kynges and princes schulde be suffisaunt to hemself in outward good and catel" because it is not seemly for royal personages to beg (89), so Arthur cannot afford to give all of his lands away in the creation of service relationships. At the establishing of the Round Table, Arthur binds some 128 knights to his personal service, with more to follow; he cannot have enough land to give sizeable estates to them all. Some of the men may do as Gareth's retainers do and agree to hold their lands from Arthur from this time forth, but the text specifically notes that Arthur distributes riches and lands on this occasion. Limits on real property likely necessitate riches as gifts for some, but such gifts were completely appropriate in establishing a patronage relationship during Malory's lifetime.

Beverly Kennedy has also examined the idea of riches as a gift with relation to Arthur's establishment of the Round Table. She notes that "both types of gift—money and lands—are conditional upon the knights' honouring their part of the contractual agreement"—the Pentecostal Oath (Kennedy 37). By making the gifts of lands and money conditional upon the knights' keeping of the Oath, Arthur is in a much better position to control the knights' behavior than he would be if the gifts were part of unconditional lifetime bonds. Kennedy also claims that this conditional type of lordship was popular in Malory's time because it gave the lord more control of his men than retaining for life would have allowed (37). Regardless of the type of gift, the binding of each of the knights to Arthur personally and making their continued tenure under his lordship dependent on their compliance with the Pentecostal Oath gives Arthur a great deal of power for the controlling of his knights, and thus his kingdom.

As a related issue, Malory's use of the term "maintain" in the passage about the men swearing homage to Arthur also has important implications. Merlin states that Arthur will be more willing to maintain men who have sworn homage to him, thus invoking perhaps the most loaded term in contemporary study of the fifteenth century. Scholars today tend to consider maintenance under the definition provided by J. G. Bellamy, who writes that maintenance is "the illicit support of a suitor, an accused, or even an accuser at law" (79). Even historians who denigrate fifteenth-century feudalism to a lesser degree than those of the nineteenth century still admit that "maintenance was the means" by which medieval aristocrats sought preferential treatment under the law (Hicks 119). Members of the aristocracy would practice maintenance by resorting to all types of negative behavior, including "violence, the threat of violence, blackmail,

influence or bribery” committed by “the parties themselves, their lords, servants or allies” against “judges, jurors, or legal officials” in order to get what they wanted (Hicks 119).

Members of the nobility who engaged in maintenance could be said to prefer victory in their legal disputes to actual justice (Harriss, *Shaping the Nation* 55).

Though the views of contemporary scholars often differ from late medieval beliefs, in this case they do not. Disdain for the abuse of power through maintenance is not a modern judgment that is being projected back upon the medieval world. Richard II, Henry IV, and Henry VI all publically denounced this practice by enacting statutes against the perversion of the law through maintenance. One of these statutes, enacted by Richard II in 1377, commands that “none of [the king’s] Counsellors, Officers, or Servants, nor any other Person within the Realm of England, of whatsoever Estate or Condition they be, shall from henceforth take nor sustain any Quarrel by Maintenance in the Country, nor elsewhere, upon a grievous Pain.” That pain could include monetary fines, imprisonment, and/or loss of one’s office under the king (*Statutes of the Realm* II.2). Even in the Middle Ages, maintenance was a concept that could be considered dubious or even dangerous.

Despite this widespread disapprobation of maintenance, Malory never uses the word negatively. In both the scene where the Round Table is established and the remainder of the text, maintenance is a positive quality indicating care and protection, not a perversion of justice. Malory’s approval of maintenance comes through most strongly in the Grail section, when a voice from heaven uses the term to recommend Galahad as king of Sarras: “there com a voice downe amonge them and bade hem chose the yongest knyght of three to be her kynge, ‘for he shall well maynteyne you and all youris’”

(II.1034.1 - 3). If Malory could portray a voice from heaven recommending that the paragon of knighthood use maintenance on the behalf of the citizens of Sarras, he could not have believed that maintenance was inherently wrong. One might explain Malory's use of this term by noting that in most instances of maintenance in the text, a king or queen is doing the maintaining, be it the future King Galahad, King Angwysh of Ireland, or Arthur and Guinevere. As the supreme heads of their kingdoms, fifteenth-century rulers could potentially be excluded from statutes against maintenance that were intended to control their subjects. However, even in these cases, Malory is careful to keep all discussion of maintenance positive. Angwysh, far from using maintenance to enforce what he wants on others without regard to their needs, refuses to maintain Tristram in Ireland against the will of his wife and his barons (I.391.20 - 23). In Guinevere's case, it is her maintenance of good knights that Bors uses in an attempt to defend her against poisoning charges (II.1054.7 - 10).

Two cases deserve special attention in a discussion of maintenance in the *Morte Darthur*. The first of these involves the body of a dead hermit which another religious man tells Lancelot is wrongly attired. When the man, whom Malory constantly refers to as "the good man," induces a fiend to tell them of the dead man's circumstances, the fiend relates that "'he wente oute of hys ermytaige for to maynteyne his nevew ayenste'" the warring of "the mighty erle" de Vale (II.926.5 - 10). Through the dead man's wisdom and force, the earl was captured, along with three of his lords, and forced to accord with the man's nephew. If only this brief outline of the tale appeared in the text, this could be an instance of the negative form of maintenance. The dead man's breaking of his order calls his character into question, and the earl is described as mighty, which in

Malory is often a very positive term. However, the rest of the story reveals the earl as the man of questionable character in this episode, for he sends two men to be revenged upon the hermit whose maintenance of his nephew defeated him. These men try not only to kill the hermit's body by throwing him into a fire, but also to destroy his reputation by stripping him of his proper religious garments and dressing him in the shirt that caused the good man of the opening such consternation (II.926.30 - 35). Though the hermit died of their actions, his miraculous salvation from burning—for his body and the offensive shirt are perfectly preserved—proves the hermit to have been a holy man. Maintenance is again in this case not something negative, but a just defense of one's family against an unjust lord.

Another questionable use of maintenance in Malory's text involves Lancelot's break with Arthur. When Arthur banishes him from Logres at Gawain's insistence, Lancelot says to the men who purpose to come with him, “I truste to God to maynteyne you on my londys as well as ever ye were maynteyned” (III.1203.27 - 28). Since Lancelot is here promising to maintain men who have already sworn their service to Arthur, this promise appears negative when viewed with Arthur's interests in mind. But Lancelot is not recruiting the men with these promises; in fact, he has warned them that he, as a banished man, is not departing with worship (III.1203.2 - 4). On hearing of his shameful departure, the knights insist that because they have taken Lancelot's part and because many of them are his blood relations, they will no longer be welcome in Arthur's court, and so they would rather continue to follow Lancelot (III.1203.15 - 19). The implication here is that they have lost the protective aspect of maintenance that they had previously expected from Arthur.

Additionally, Lancelot does not make his promise of maintenance as a recruiting tool; instead, he makes the promise in response to their proclamations of loyalty to him. The knights choose to join Lancelot, not because he makes them promises or even because they feel they will have better chances for advancement with him, but out of loyalty to a knight whom they have always admired. Lancelot behaves throughout this section with the utmost generosity, keeping none of his extensive lands for himself, but instead dividing them up among his loyal knights, whom he dubs kings and dukes in his place (III.1204 - 1205). Even in this episode, which has the most potential of any in the *Morte Darthur* for the negative use of maintenance, Malory keeps the term positive. He casts events in such a way that the reader sees, not a lord rebelling against his king and taking away half of his knights, but a leader of a group of wronged men who generously cares for his followers.

Why should Malory choose to provide such a positive image of maintenance? One possibility is that, since he was not a king or high noble dealing with the potential for faction, Malory did not recognize the potential evils involved in maintenance. According to Christine Carpenter, Malory spent a great deal of his time shuttling between the various affinities in Warwickshire, but because he was an “incompetent politician,” he always seems to have chosen lords who could not or would not protect him (42). One reason for Malory’s protracted imprisonment was that only minor gentryfolk, who lacked the necessary clout to ensure his release, would agree to stand surety for him before the courts (Carpenter 41). Maintenance had many unattractive features, including its ability to get men like Malory, who had possibly committed serious crimes, released from prison. But the prisoner seeking release might have ignored such negative features in

favor of the image of a powerful protector such as Lancelot, who could protect his men from the king himself and had land to spare in securing their future.

Through his creation of a kingdom in which King Arthur serves, not as first among equals, but as a king who maintains a personal affinity, Malory has placed his Arthur on a strong throne from which he may govern justly. After the establishment of the Round Table, Arthur has a large force of men who become responsible not only for developing their own honor, but also for gathering more honor for him. As Arthur's sworn servants, they must do his work in the kingdom, and he can use them to fulfill his coronation oath. That oath is a simple one, for it requires only that Arthur be a true king and stand by true justice. By binding his knights to him as his personal servants, Arthur has in a sense recruited them into his system of justice, for they now can ensure that justice is done in Logres.

However, simply binding the men to himself is not enough. Arthur must also make use of the servants who are now available to him. Knowing the customs of the realm which can help him in establishing good behavior, having many servants to help in gauging customs and eliminating the bad, establishing an Oath that provides a basic standard of good behavior by which those servants may judge: none of these, alone or in concert, is enough to ensure that justice is done in Logres. In order to be a true king, Arthur must not only set conditions that can foster justice; he must also enact those conditions. Standing for justice requires action on Arthur's part. Arthur's actions, or inactions, as king will determine the type of realm his kingdom becomes, and it is to those actions that the next chapter of this study will turn.

CHAPTER FOUR

Arthur's Justice in Action

The preceding chapters of this study outline the system of justice that Malory creates in the *Morte Darthur*. Malory drew on the laws of his day in creating this system, but he also felt free to depart from history in order to present his own vision of Arthur's Logres. Though Arthur's judicial system only occasionally takes center stage, it is definitely part of the world in which his characters move. However, Arthur's judicial system cannot promote justice simply by existing: its provisions must be enforced for Logres to be truly just. Walter de Milemete, in his fourteenth-century treatise "On the Nobility, Wisdom, and Prudence of Kings," writes, "justice is the discretionary virtue of the soul, judging rightly among conflicting parties, discerning and rendering to each what is his" (51). This definition represents justice as an active virtue, which requires both deciding what is just and actually providing that justice to the people concerned in a particular situation. Walter speaks for the majority of medieval political theorists both in this definition of justice and in his claim that "justice pertains to the greatest extent to the king" (51). For justice to reign in his realm, the king must actively promote it. Medieval political theory regarding the king's justice serves as a useful measure in assessing Arthur's kingship, particularly when it is joined to an examination of his willingness to follow and enforce his own laws. Such an assessment demonstrates that, while Arthur does work to establish justice in some cases, his rule is also tainted by injustice. Rather

than the ideal king that many have considered him to be, Malory presents a flawed Arthur who cannot always enforce the standards of medieval justice.

Arthur's kingship has long enjoyed a near-perfect reputation. Rosemary Morris attributes Arthur's legendary status, at least in part, to "the ubiquitous--particularly the chronicular [sic]—encomiums of Arthur" that occur in so many texts (92). Though Morris does not consider Malory's writing, the *Morte Darthur* certainly participates in the practice of praising Arthur and his kingship. At several points in the text, characters comment on Arthur's superlative character, both in his presence, which might be considered flattery, and in his absence. For example, in the council before the Roman war, King Angwysh of Ireland tells Arthur "thou ought to be aboven all other Crysten kynges for of knyghthode and of noble counceyle that is allway in the" (I.188.16 - 17). La Cote Male Tayle seeks to be made knight by Arthur because Arthur is "called the moste nobelyst kynge of the worlde" (II.459.25 – 27). Bors wishes to bring his son to Arthur's court because it is "the howse of moste worship in the worlde" (II.831.4), and he later calls Arthur "the man of moste worship crystynde," a sentiment repeated by the narrator during the tale of Sir Urry (II.1053.35, III.1147.3 - 4). Malory also makes clear his approval of Arthur when he describes the people's reaction to Mordred's usurpation of the throne. In the famous, "Lo ye all Englysshemen" passage, Malory writes that Arthur "was the moste kyng and nobelyst knyght of the worlde" (III.1229.7 – 8). In each of these passages, the characters and the narrator comment on Arthur's nobility and worship rather than assessing his justice. However, in medieval terms, "the 'good king' is necessarily just, and just 'good king Arthur' must always be" (Morris 92). Because

Arthur's court enjoys such a glowing reputation, he must be concerned with justice, for establishing justice was the primary role of the medieval king.

Malory was not alone among medieval authors in presenting such a positive image of Arthur and his court. John Lydgate, a contemporary of Malory, wrote of Arthur in *The Fall of Princes* that "Among al kynges renommed & famous, / As a briht sonne set amyd the sterries, / So stood Arthour notable & glorious" (3.901). Lydgate represents Arthur's court as the "Welle of worship, conduit of al noblesse, / Imperial court al wrongis to redresse" (3.903). The justice and nobility of Camelot and Logres are knit into the very fabric of the Arthurian legend, and Malory could not help but respond to that positive reputation. In his overt evaluations of Arthur's rule, Malory is unfailingly positive, and his judgment has influenced both writers who draw on the *Morte Darthur* for source material and scholars who study Malory's text.

Scholars often emphasize Arthur's reputation for justice when they assess his kingship. For example, Edward Donald Kennedy claims that "Malory's Arthur has many of the best traits of the medieval ruler: interest in the common good, love of his men, courage, concern for law, a sense of justice" ("Malory's King Mark" 211). Kennedy also writes that in the *Morte Darthur*, Malory creates "a potentially ideal state," ruled by a king who organizes his kingdom around "a noble concept of government based upon justice, mercy, and virtue" ("King Arthur and King Mark" 6). Charles Moorman honors Arthur as "an idealist, a man of vision, a creator of stable and beneficent government" (*Kings & Captains* 169). Even scholars who see weaknesses in Arthur's reign, particularly toward its ending, honor his justice. Elizabeth Pochoda claims that, though Arthur's code ultimately proves to be flawed (100), Arthur himself has "an innate sense

of justice" (57). From Malory's own perspective and that of his contemporaries up to modern scholarship, Arthur has long been considered ideal in almost every way.

But if Arthur is a perfect king, why does his kingdom fail? Some scholars have claimed that the destruction of Logres is caused, not by a failure on Arthur's part, but by the corruption of his men. For example, Charles Moorman writes that Arthur is "doomed to destruction by the passions of those who do not share his vision or understand the nature of his creation" (*Kings & Captains* 169). Robert Henry Wilson portrays Arthur as "the victim of a tragedy for which he is not, to any great extent, personally responsible" ("Characterization in Malory" 65), and Cory Rushton claims that Malory's Arthur is himself good, but often led astray by the bad advice of those around him (76). Though such positive views of Arthur tend to predominate over time, they do not present a complete picture of the justice of Arthur's Logres. Arthur does set up and at times enforce a system that could serve to promote justice. However, Arthur's enforcement of his own laws is not always perfect, and this imperfection allows corruption to grow up within his kingdom. In the end, that corruption destroys Arthur and the kingdom he worked to build.

Thus far, I have considered Malory's Logres from a historical perspective, using frequent reference to medieval law and custom to analyze the system of justice that Arthur creates. However, while historical information regarding laws and statutes helps to inform the text, it also presents an incomplete standard for judging Arthur's kingship. To that information one must add knowledge of medieval political theory regarding kings and their responsibilities. The *speculum principis*, or mirror for princes, tradition provides a great deal of information regarding the expectations of kingship that Malory

and his readers would have held. As Edward Donald Kennedy asserts, Malory probably did not use works in this tradition as direct sources, but the opinions about good kingship expressed in the mirrors were part of the “climate of opinion” that existed in Malory’s lifetime and thus can provide “a general notion of what people of the Middle Ages expected of their kings” (“King Arthur and King Mark” 41). If, as Kennedy himself has argued, Malory was attempting to present in Arthur an ideal king, he would have worked to ensure that Arthur compared favorably to this tradition.

The *speculum principis* tradition was firmly established throughout Europe by the fifteenth century. Though many of these works were produced on the continent rather than in England, they were frequently translated into English and circulated widely. Such works were popular; even though the advice in the mirrors was aimed at kings, the texts were reproduced for a variety of audiences. Thus John Paston’s “grete booke” includes a copy of Lydgate and Burgh’s translation of the *Secretum secretorum* (Cherewatuk 45), and John Vale’s book includes Sir John Fortescue’s “Governance of England” (Kekewich et al. 226 - 52). The mirrors do not specifically describe any reign, and were in fact often used as tools to safely criticize the contemporary situation by couching their comments as time-honored advice for rulers (Ferster 3). The authors of the mirrors generally referred to contemporary society only obliquely, encouraging the rulers for whom they wrote to adopt the qualities they felt society most needed. The mirrors hold out this promise to the king: if he follows their recommendations, he will have a safe and prosperous reign in which he is blessed by God and loved by his people. The *Secretum secretorum* and Giles of Rome’s *De Reginine Principum* are probably the most influential of the mirrors, for they are extant in numerous Latin texts and vernacular translations (Nederman 18), but

many other texts elaborate on and add to their advice for the ideal king. The advice presented in these works varies widely, directing the king in everything from selection of bride to relationship to God. However, the majority of the mirrors share an interest in the king's responsibility to do justice within his realm.

Many of the mirrors claim that the establishment of justice is not simply one of the king's tasks, but his principal task. Henry de Bracton's *On the Laws and Customs of England* makes this idea plain.¹ Bracton writes: "To this end is a king made and chosen, that he do justice to all men" (305). The anonymous "III Consideraciouns Right Necesserye to the Good Governaunce of a Prince," a fifteenth-century translation of a fourteenth-century French tract, similarly states, "to that entent is the Prince or the greet lord establisht in his estate and reigne in this worlde principally to governe the peopple his subgites well and justely" (Genêt 188 - 89). John Fortescue's political tract "Of the difference between absolute and limited monarchy" notes that "a king's office stands in two things: one, to defend his realm against their external enemies by the sword, the other, that he defend his people against internal wrongdoers by justice" (90). And Thomas Hoccleve's *Regement of Princes* again states "A kyng is maad to kepen and maynteene / Justice" (113.2514 - 15). Fortescue neatly encapsulates the importance of justice in his *De laudibus legum Angliae* by noting that when justice is both established and observed in his realm, "the whole office of a king is fairly discharged" (Fortescue 9). According to these authors and others like them, justice is not one reason among many for kingship; instead, establishing justice is a king's primary purpose.

¹ Though Bracton's text is primarily legal, focused on English legal custom, the early portions of the text that describe the office of the king participate in the *speculum principis* tradition.

This strong emphasis on the king's responsibility to do justice may account for Malory's shortened version of the English coronation oath. When Arthur is crowned, he swears only "to stand with true justyce fro thens forth the dayes of this lyf" (I.16.22 – 23). I note in Chapter II the emphasis Malory's authorial choice regarding the coronation oath places on the importance of justice.² This choice seems reasonable in light of English political theory regarding the role of the king. By swearing to uphold justice, Arthur swears to uphold the primary office of kingship. If he is successful in fulfilling his coronation oath and thus establishing justice throughout his realm, Arthur will have fulfilled his most important task as king.

For a king to establish justice within his kingdom, he must first know the law, both so that he may enforce it and so that he may make new laws where previous law is insufficient. The historical coronation oath hints at this responsibility when it states that the king must "conferme to the pepill of Engelonde the laws and the customes grauntid to hem bi auncient kyngis" (Arthur 52), which requires first a familiarity with the legal statutes. A king cannot enforce the laws of his kingdom if he does not know what they are. Fortescue, in writing to the future Edward IV, urged him to be "devoted to the study of the laws with the same zeal as [he was] to that of arms, since, as battles are determined by arms, so judgements are by laws" (4). In giving advice to Edward, Prince of Wales (Son of Henry VI and Margaret of Anjou), George Ashby recommended that he study the past so that he might observe "how Iuste" his ancestors were (17.150); he also urged Edward to "Prouide that lawe may be exercised, / And executed in his formal cours, / Aftur the statutes autorised / By noble Kynges youre progenitours" so that the people

² Please see p. 19 – 20.

might remain in subjection to the law (29.520 - 23). According to Giles of Rome, a good king should “alwey confourme his reulyng to þe reule þat is apassed vnder þe whiche rulyng þe regne was most siker and best iruled” (53). Knowledge of his country’s laws and traditions is of extreme importance to the medieval king.

The traditional laws of the country, however, may not cover every situation; in some cases new laws will be needed. Giles of Rome notes this possibility when he urges that the king be just within himself, “þat he myȝte rule þe lawe ȝif þer fille a certeyn caas in þe whiche þe lawe schulde not be holde” (60). And since a king in Bracton’s schema “requires two things, arms and laws, that by them both times of war and of peace may rightly be ordered” (19), a king may need to establish laws of his own. Such laws must not be secret, for “ȝif a lawe schal bynde, it mot be ipublisched, icried and iknowe” (Giles 374). In summary, kings must know and enforce existing law, must be just within themselves so that they may provide justice in instances where the old laws are lacking, and must be ready to establish new laws that are widely known so that they may be widely obeyed.

Despite the importance placed on knowing the law in the mirrors, or even in the coronation oath, Malory’s text does not indicate that Arthur received any legal education. Arthur is reared away from the court in the house of Ector, who does not know Arthur’s true identity. When Arthur pulls the sword from the stone in Ector’s presence, Ector tells him, “I wote wel ye are of an hyher blood than I wende ye were” (I.14.37 - 38). Since Ector did not know Arthur was heir to the throne of England, it is unlikely that he would have provided Arthur with the legal training that Fortescue proclaims so necessary for a future king. However, Arthur in many instances seems to need no legal education.

Immediately after his coronation, he not only requires the lords of the kingdom to do their proper homage to him, but he also sorts through the complexities of English property law in order to return land to its rightful owners (I.16.24 – 30). For Malory’s contemporary audience, who lived in a time of political instability much like that which caused Logres to stand “in grete jeopardy long whyle” before Arthur’s coronation (I.12.11), Arthur’s firm consolidation of the kingdom would make him appear an ideal king (Radulescu, “Malory and Fifteenth-Century” 38), one who naturally aligns himself with the *speculum principis* tradition, despite the fact that he was not groomed for kingship from an early age.

Establishing laws, an essential part of the medieval king’s proper behavior, also seems to come naturally to Arthur. Within his own kingdom, Arthur’s relatively quick administration of the Pentecostal Oath to his knights bodes well for justice in Logres. As Pochoda claims, binding the knights with an Oath that specifies Arthur’s demands for their behavior “displays a striking concern for the welfare of the realm” that is unlike anything in Malory’s sources (84). This “peace-keeping oath,” to use the words of Beverly Kennedy, has the potential to direct the ethical, political, and judicial behavior of Arthur’s knights, and as such is “crucial to the success of Arthur’s governance” (37 - 38). Arthur requires the knights to swear the Pentecostal Oath each year, thus making its provisions sufficiently known to be enforceable. Arthur also establishes long-lasting new laws in the conquered territories of Almayne, Lumbardy, and Lorayne during his Roman campaign (I.227.6 – 7; I.242.19 – 21). In making sure that the people in Logres and in conquered territories have what is rightfully theirs and know the expectations of law,

Arthur fulfills many of the requirements of just kingship outlined in the *speculum principis* tradition.

Thus far, it appears that Pochoda's claims regarding Arthur's innate sense of justice are correct. Completely without the training necessary for a crown prince, he steps into the rule of England, and in many cases he does well. However, Arthur's justice is incomplete, and his rule is far from ideal. Despite Malory's overt approval of Arthur, expressed both by the text's characters and its narrator, Malory, through representing his often unjust actions, covertly criticizes his kingship as well. Arthur is as often weak as strong, as often unjust as just. Indeed, one might claim that his justice fails more often than it triumphs, and that Arthur is as often worthy of criticism as of praise.

One deviation that Arthur makes from good kingship is that he does not consistently obey his own laws. Kings of England historically were expected to be under the law rather than above it (Schramm 208); as Bracton wrote, "the king must not be under man but under God and under the law, because law makes the king" (33). The mirrors describe a king who acts for his own profit, regardless of the law, as a tyrant who is unworthy to rule (Fortescue 91; Giles of Rome 119). Arthur seldom behaves like a tyrant; Malory more often attaches the traits of tyranny to Mark (E. D. Kennedy, "King Arthur" 181). However, when he kills the children born on May Day, Arthur acts as a tyrant who seeks only his own safety, without regard for the law.

In Malory's retelling of the murder of the May Day infants, Arthur's action appears foolish and poorly motivated. Early in Arthur's reign, Merlin relates two prophecies about his kingdom's end. First, he tells Arthur, "'ye have done a thyng late that God ys displeased with you, for ye have lyene by youre syster and on hir ye have

gotyn a childe that shall destroy you and all the knyghtes of youre realme” (I.44.16 – 19). At another time, Merlin tells him “that he that sholde destroy hym and all the londe sholde be borne on May-day” (I.55.21 – 22). In the French sources, Merlin’s prophecies are more vague, but Malory makes them quite specific, so that if Arthur had applied any reasoning power at all, he should easily have been able to figure out exactly where the threat lay (Korrel 261). Once Arthur learns the identity of his mother, which occurs before the massacre, it should not be difficult to compare these two prophecies and determine that Mordred is the fated child. Instead, Arthur sends for all of the children of the nobility who were born on May Day, puts them in a ship, and sends the ship out to sea, killing all of them except Mordred, the one child in the ship who is a threat to him (I.55.23 – 30). Though Arthur has done little at this point toward establishing law in the kingdom, there can be no doubt that this was an outrageous, evil act of murder, and an ineffective one at that. Those who lost children in the incident are upset, but blame the outrage on Merlin, a detail which Malory creates, apparently in an effort to excuse Arthur (Sanders 112).³ Yet regardless of whom the barons choose to blame, Arthur sent for the babies and had them shipped out to sea, so Arthur bears the responsibility for these murders, which he commits seemingly without a qualm. That Arthur, as a young man, would consider acceptable the merciless killing of a large group of infants in order to protect himself calls his devotion to justice into question.

Despite the lack of mercy Arthur displays toward the May Day babies, Malory also portrays Arthur as a merciful king. To medieval political theorists, true justice must

³ Carol Kaske claims that Arthur is not blamed for the killings because the provisions of the Pentecostal Oath teach him to restrain his cruelty (262). I would assert instead that Arthur is capable of both cruelty and nobility.

be tempered with mercy. Walter de Milemete claims that being “quick to mercy” is one of the essential characteristics of the just king (51); he also notes that “the virtue of gentleness requires that the king from his mercy pardon offenses and grant indulgence to his subjects, especially the great men, who (although they transgress) are humble petitioners for forgiveness” (55). William Caxton’s translation of De Cessolis’ *The Game and Playe of the Chesse* notes that “every prynce ought to be pyetous in puynsshynge and redy for to rewarde” (47), while “The III Consideraciouns” notes that “justise with oute mercy is cruytis and felonye” (Genêt 200). Bracton records the requirement to mercy within justice as part of the coronation oath, which charged the king to “cause all judgments to be given with equity and mercy, so that he may himself be shown the mercy of a clement and merciful God” (304). Though Malory does not record mercy as part of Arthur’s coronation oath, he does include it in the Pentecostal Oath, which requires the knights “to gyff mercy unto hym that askith mercy” (I.120.18 – 19), indicating the importance of this virtue in Logres.

Arthur demonstrates his willingness to show mercy even before he is crowned. When the barons finally accede to the commons’ demand that Arthur be made king, they “knelyd at ones, both ryche and poure, and cryed Arthur mercy bycause they had delayed hym so longe” (I.16.15 – 17). Arthur, backed by an angry crowd of armed commoners, could have taken vengeance on the barons who had already denied his claim to the throne four times, but instead he forgives them immediately. Arthur later grants mercy, though grudgingly and perhaps unwisely, to King Mark, making “a brokyn love day” between Mark and Tristram instead of punishing Mark for his various treasons (II.594 – 95). Near the end of the text, in a speech to Gareth in which he outlines the virtues of the

“worshipful” knight, mercy is one of the characteristics that Arthur extols, claiming that only cowards are merciless (III.1114.27). Arthur commands his men to show mercy, praises knights who do so, and practices mercy himself, showing the esteem in which he holds that virtue.

Despite the value that Arthur places on mercy, he does not always show mercy in dealing with others, particularly when he is angry. At such times, he is much more given to vengeance than to mercy. The *speculum principis* tradition warns against acting in anger and seeking vengeance rather than justice. In his version of *The Game and Playe of the Chesse*, Caxton writes that “hit is better to leve a gylty man unpunysshed than to punysshe hym in a wrath or yre” (50). Further, he quotes Seneca, recommending “do not thyng that thou oughtest to doo whan thou arte angrye” (Caxton 50). Giles of Rome claims that “it is inconuenient þat [the king] be wrathful lest he be peruerter and myswend by wrethe” (97). More generally, Giles also notes that judges should work to ensure “þat angry wordis and hote and euil sittingge þat meueþ to wraþþe and to hate be forbode in doom” (362). Walter de Milemete combines these strictures when he notes that an ideal king should be “resistant to anger, slow to vengeance, and quick to mercy” (51). Though Arthur frequently does show mercy, he as frequently acts in anger, a serious defect in a medieval king.

One such instance is the Balin episode. As will be discussed below,⁴ Balin’s dismissal from court for killing the Lady of the Lake is not unjust. However, such is not the case in Arthur’s next action. When Launceor, an “orgulus” Irish knight, requests permission to follow Balin and “revenge the despite that he had done,” Arthur promptly

⁴ Please see p. 125 – 126.

agrees, saying, ““I am ryght wroth with Balyne. I wolde he were quytte of the despite that he hath done unto me and my courte”” (I.67.7 – 17). As a just king, Arthur should at this point stand above his anger and desire for vengeance, but he does not. Instead, he falls in with Launceor’s desire for vengeance, a desire based, not on his zeal for the honor of Arthur’s court, but his jealousy that Balin was proven a better knight than he in the recent sword-pulling challenge; the text records that “he had grete despite at Balyne for the enchevyng of the swerde, that ony sholde be accompted more hardy or more of prouesse” than himself (I.67.10 – 14). Arthur should investigate Launceor’s motives and allow Balin’s already proclaimed discipline to stand, but he does not. Instead, he involves himself in Launceor’s “orgulousness” and attempts to add vengeance to the justice he has already administered.

Arthur’s anger is also in evidence when he banishes Uwayne from court. In this instance, Arthur acts merely on suspicion. When Morgan le Fay attempts to kill him with a poisoned cloak, he banishes her son Uwayne from court because he may be complicit in his mother’s actions (I.157 – 58). Though this action may seem unfair to today’s reader, for Arthur has no reason to suspect Uwayne other than his kinship to Morgan, it is not inappropriate under medieval law. Bracton writes that the heirs of a convicted traitor “are admitted neither to their paternal nor their maternal inheritance. For this crime is so serious that his heirs are hardly permitted their lives” (335). Since treason was considered infectious, so that the children of traitors were disinherited due to the taint of treason in their blood, Uwayne could be banished from court for his mother’s crime. However, Arthur’s action in this instance is again tainted by anger. Just before he tells Uwayne’s father Uriens to send him away, the text notes that Arthur was “wondirly

wroth more than he was toforehande” (I.158.2 – 3), a condition that the mirrors state should preclude him from taking action against Uwayne until he has regained his composure. Time to reflect would also have allowed Arthur to discover that Uwayne, far from being complicit in Morgan’s treason, acted against her when she attempted to kill Uriens, disarming her and thus saving his father’s life (I.149). Arthur himself seems to acknowledge the injustice of his judgment by recalling Uwayne almost immediately, though Uwayne does not actually return to court for a year due to the messenger’s inability to find him (I.179.11). A great deal of trouble could have been saved had Arthur restrained his anger before judging Uwayne’s case.

Arthur acts in anger to most disastrous effect at the end of the *Morte*, both in his summary judgment of Guinevere and in his desire for revenge upon Lancelot. In these two instances, Arthur acts as a king who has been “peruerterd and myswend” by the wrath against which Giles of Rome argues so strenuously (97). The injustice of Arthur’s wrath is particularly noticeable in Guinevere’s case. When Arthur learns of the results of Aggravayne and Mordred’s trap, he determines that Guinevere must die and is “sore amoved,” an emotional response that Stephen Knight interprets as sorrow (III.1174.18; Knight 140). However, the text goes on to state that “there was made grete ordynaunce *in thys ire*, and the quene muste nedis be jouged to the deth” (III.1174.19 – 20, emphasis mine). Though Arthur may be sorrowful about the situation, his primary emotion in this episode is anger. This anger leads to Arthur’s summary order of execution for Guinevere, a decision that is questionable on many grounds. First, it is unclear exactly what crime Arthur considers her to have committed. If the crime is adultery, her death sentence is unjust because there is insufficient evidence to prove the adultery. Had the

two been caught in the act and their guilt established beyond all doubt, as occurred with Tristram and Isode (I.431.5), summary judgment would be possible, but the accusers never enter the chamber and thus lack the necessary incontrovertible evidence (Harris 191). Robert L. Kelly claims in contrast that the crime for which Guinevere is sentenced to death is her serving as an accessory in the death of Arthur's knights because she helps Lancelot to arm himself in Collgreavance's armor. However, since her guilt in such an instance would depend on Lancelot's guilt, she should certainly not be sentenced before he has even been apprehended (Kelly, "Malory and the Common Law" 124 - 25, 129). Though Arthur claims that Guinevere "shall have the law" (III.1175.23), it is Arthur's anger, not Logres' law, that sentences her to death. Later, after Lancelot's actions and the Pope's intervention force Arthur to reflect on the matter, he apparently reconsiders, for when he agrees to take Guinevere back, she is no longer under threat of execution.

Anger is also in play when Arthur first begins to seek revenge upon Lancelot for the deaths of his men. Arthur's anger at his knights' death and at his wife's adultery may be natural, but as a king he should not allow this anger to determine his actions and pervert his justice. As I will discuss below, Lancelot's banishment from England may be an appropriate response to his behavior; however, the revenge war that Arthur pursues against him, both in England and in France, is not. Of course, many scholars, including among others Peter Korrel, Raluca Radulescu, and Robert Henry Wilson, claim that Gawain is responsible for this war, and that Arthur's only failing in this instance is being too weak to curb his nephew's desire for revenge.⁵ These interpretations, though, neglect an important fact. Gawain certainly keeps the war alive long after Arthur's anger has

⁵ Please see Korrel 265, Radulescu "John Vale's Book" 76, and Wilson 69.

faded and his desire to fight is gone, but it is Arthur, not Gawain, who instigates the war. When Gawain learns of the deaths of Gareth and Gaheris, he is grief-stricken, but his thoughts do not immediately turn to revenge. Arthur makes the first move in that direction, saying “Sir Lancelot slew them in the thyk prees and knew them nat. And therefore lat us shape a remedy for to revenge their dethys” (III.1185.33 – 35). Though he acknowledges that the killing of Gawain’s brothers was accidental, Arthur wants vengeance for their deaths and for those of his other knights. When he moves against Lancelot, he does so in anger, as a king starting a war, not as a just judge apprehending a felon for punishment.

Almost invariably, when Arthur moves in anger, he gains two results. First, he often makes poor decisions that result from motives other than the true establishment of justice in his realm. Second, he loses his desire to discipline once his anger is gone. Reversing his decisions is appropriate for Arthur when anger leads him to injustice, as in the banishment of Uwayne or the summary sentencing of Guinevere. However, even when punishment is due, Arthur ceases to enforce the law once he ceases to be angry. A case in point is Gaheris’ banishment for killing Morgause; after he learns of her death, Arthur dismisses Gaheris from court because he is “wrothe” (II.613.8). Felicity Riddy claims that the anger with which Arthur dismisses Gaheris from court over Morgause’s death is righteous anger, “the anger of the peaceable man which buttresses rather than destroys the idea of society” (101). However, little concern for the community is truly demonstrated in such a short-lived punishment. Gaheris is guilty of matricide and deserves banishment at the very least, but Arthur, after his initial angry dismissal of his nephew from court, capitulates. Gaheris disappears from court for a while, but later

enters the tournament at Surluse as if nothing had happened (II.659, 663). Were Arthur to make his judgments dispassionately, he would have far less need to reconsider them later, and he might also be able to persevere in those that are truly necessary.

Though acting in anger and vengeance is wrong, the king should punish those whose punishments are deserved, blending justice with the required mercy. The mirrors are quite clear on this point, for just as justice without mercy is cruelty, so “mercy with oute justise is no verrey mercy, but rather it may be seid folye and symplesse” (Genêt 200). Giles of Rome states the need for punishment clearly: “*ȝif vices may not oþer wise be destroied noþer þe comyn profit may oþer wise dure but by destroyeng of euel doers, suche scholde be destroyed for þe comyn profit scholde not perische*” (120). In order to promote the peace and stability of the realm, it is important that the king punish those who deserve it. “[Punishing] the mistakes of transgressors” is listed by Walter de Milemete as one of the basic actions of a king (29 - 30), and Thomas Hoccleve ties punishment to the essence of justice, writing that “by justice is shedyng of blood restreyned, / And gilt punysshid whan it is compleyned” (113.2510 - 11). The purpose of punishment, according to the mirrors, is to prevent crime. As Giles of Rome writes, “*ȝif no ponyschyg were ido noþer wreche itake in þe regne, men wold be wrongful and do wrong to oþere men and þanne policie ne myȝte not dure*” (97). Medieval political theorists apparently had no romantic illusions about the essential goodness of human nature, instead holding that fear of punishment was the most effective means for ensuring good behavior.

Arthur as king is at times unafraid to deal out punishment with his own hand. One such instance occurs during the Roman war, when Arthur arrives at his lands in

Brittany and learns that a giant has been terrorizing his subjects. The husbandman who reports the issue to Arthur, revealing that the giant has eaten over five hundred children and kidnapped and raped the duchess of Brittany, asks Arthur as their “ryghtwos kynge” to punish the giant for the outrages he has committed (I.198 – 99). Instead of delegating the destruction of the giant to his men, Arthur slips away from camp accompanied by only Kay and Bedwere; when the three come near where the giant has taken the duchess, Arthur leaves even these two behind as he faces the giant alone. He finds the duchess already dead from being “forced [. . .] by fylth” of the giant, with three maidens to suffer the same fate after the he eats the twelve infants they are cooking for him (I.201 – 202). Seeing the evidence of the giant’s evil before his own eyes, Arthur moves to execute him, but first castrates him in a symbolic punishment for the rape of many maidens (Lynch *Malory’s Book* 68, I.203.7 - 8).⁶ By his own hand, Arthur punishes the giant who has hurt so many of his subjects and promotes safety for his subjects in this part of his kingdom.

Another instance in which Arthur personally deals out punishment involves a crime against himself rather than others. The sorceress Aunowre, because of her lust for Arthur, lures him to her tower in the Forest Perilous. When he refuses to “ly by her,” she tries to kill him, a clear instance of high treason. She plots against his life indirectly at first, sending him into the forest with her men in an apparent attempt to kill him in a so-called accident. After sending them out daily for an unspecified period of time without result, Aunowre decides to act more directly. Two of her men attack Arthur just outside of her tower, striking him down and removing his helmet. Aunowre then takes Arthur’s

⁶Malory’s punishments for rape tend to go beyond those of the fifteenth century, at which time rape was considered largely a property issue (Please see p. 60). However, the giant’s castration as a punishment for rape is consistent with Glanvill’s twelfth-century *Tractatus de legibus et consuetudinibus regni Angliae* (Saunders 108), while his death is consistent with the requirements of the Pentecostal Oath.

sword and moves to behead him, but fortunately, Nynyve arrives at that very moment with Tristram, who kills the two knights. Arthur himself regains his sword and uses it to behead Aunowre (II.490 – 91), an action that Felicia Ackerman terms summary justice (4). There is no need for a trial, for in this instance there is no doubt that Aunowre has committed treason by plotting against and attempting to take Arthur’s life. Bracton indicates that in instances when guilt is unquestionable, “as when [a murderer] is arrested over the body of the dead man with his knife dripping blood,” there is no need for a trial, for “no further proof is necessary” to demonstrate the murderer’s guilt (386). In this case, Aunowre has acted against Arthur himself, and he wastes no time on a trial, but proceeds straight to judgment. Though historically it would be somewhat improper for a king to be “both *actor* and judge in a case involving life and members” (Bracton 337), Arthur’s action at Aunowre’s execution is that of a strong king who insists on justice within his realm.

In the two cases discussed above, Arthur uses the death penalty to promote justice within his kingdom. However, Arthur has other weapons in his arsenal, among them loss of lordship, which he primarily enforces through banishment. Balin’s temporary banishment from the court is perhaps the best example of the operation of this punishment. Arthur apparently accepts Balin’s explanation for his reason for killing the Lady of the Lake, for he does not actually punish him for the slaying. Instead, he reproves Balin for killing her while she was under Arthur’s “sauffconduyghte” (I.65 – 66). In response to this breach of his hospitality, Arthur temporarily banishes Balin from the court, thus preserving his honor and demonstrating his commitment to justice. Because Balin admires Arthur and desires to return to court, he sets out almost willingly

with the goal of defeating Arthur's enemy King Royns. Balin's banishment thus not only helps to confirm Arthur's reputation for justice, it also leads to Balin's capture of Royns, adding the benefit of the capture of one of his strongest enemies to its judicial benefits (I.74.9 – 31). Arthur at times makes good use of temporary banishment from court, for this form of discipline allows the knight to remain within the realm and to continue to work for the good of the king even while he is being punished.

Arthur also makes use of what is intended to be permanent banishment when he expels Lancelot from the realm. According to Raluca Radulescu, Arthur's treatment of Lancelot, particularly when he pursues him to France after Lancelot is banished, smacks of ingratitude, for Lancelot has given a lifetime of service to Arthur, and it is largely by Lancelot and his followers that the stability of the realm has been maintained (*The Gentry Context* 138). Additionally, the banishment of Lancelot, though it does separate Lancelot and Guinevere and thus put a halt to their adultery, also divides the Round Table because so many of Arthur's men choose to go with Lancelot (Riddy 146). Political expediency seems to require that Arthur continue to overlook Lancelot's indiscretions, but such looking aside is not a characteristic of a just medieval king. The *speculum principis* tradition demands that judgment be impartial, “wythout havyng of ony eye opene to ony persone” (Caxton 32). Giles of Rome notes that “by cause of riȝtwisnesse þe riȝtful man scholde no man spare [. . .] for not for fader noþer for sone noþer for frend noþer for oþer scholde men spare to do well” (391). While these two sources make this recommendation with regard to judges, or even simply men, in general, other mirrors indicate that it also applies specifically to the king's judgment. George Ashby, for example, notes that the king is responsible for impartial judgment, “Procedyng & in iche

case equally, / Hauyng no respecte to grete alliance, / Ner therfore dredyng manne-is displeasance" (41.902 - 04). Ideally, a medieval king, in his position as highest judge in the land, would proceed impartially, rendering true justice to all, even his closest friend.

Lancelot and Arthur are very close, but Lancelot is also guilty of several crimes. Arthur states three specific grievances against Lancelot at the siege of Joyous Garde: "thou haste slayne my good knyghtes and full noble men of my blood, that shall I never recover agayne. Also thou haste layne be my queen and holdyn her many wynters, and sytthyn, lyke a traytoure, taken her away fro me by fors" (III.1187.30 – 34). All of these actions are treasonous. First, though it is not part of the Pentecostal Oath itself, the text makes clear that Round Table knights are not to knowingly fight one another. In the Tristram section, when Gaheris volunteers to fight Uwayne on Mark's behalf, Uwayne scolds him thus: "the firste tyme that ever ye were made knyght of the Rounde Table ye sware that ye shuld nat have ado with none of youre felyship wyttingly" (II.546.26 – 28). When Aggravayne and Mordred come with their small company of knights to catch Lancelot and Guinevere in the act, Lancelot does not attempt to speak with them; instead, he and Guinevere both immediately assume that the others are there to kill him (III.1165 – 1166). Even when the knights state, "we shall save thy lyff untyll thou com to kynge Arthur" (III.1167.16 – 17), Lancelot remains in battle mode. It is true that Collgrevraunce "wyth a swerde strake at sir Launcelot myghtyly" as soon as he enters the room (III.1167.22 – 23), but neither Collgrevraunce's breaking of his oath not to fight a fellow knight nor the potential shame of being captured in at Guinevere's chamber gives Lancelot the freedom to not only fight with, but to kill fourteen Round Table knights in

his efforts to escape (III.1168.17 – 22). By engaging in such a fight, Lancelot breaks his oath and reduces the strength of Arthur’s forces significantly.

Since Lancelot felt himself in danger at Guinevere’s chamber, one might excuse him for that attack, as Gawain indeed does, even though Aggravayne and two of Gawain’s sons were killed there. At Guinevere’s execution, though, Lancelot adds to the death toll by killing twenty-four more Round Table knights, some of whom, like Gaheris and Gareth, were without armor and therefore posed no threat to him. The text reports on multiple occasions that attacking an unarmed man is shameful; in fact, Lancelot himself says ““That were shame unto the, . . . thou an armed knyght to sle a nakyd man by treason”” when Phelot attacks Lancelot while he is unarmed (I.283.14 – 15⁷). But Lancelot seems unconcerned about such shame as he swings his sword indiscriminately through the “prees” around Guinevere at the fire. By the time of the siege at Joyous Garde, when Arthur delivers the charges against him, Lancelot has killed thirty-eight Round Table knights. Such killing not only reduces Arthur’s strength significantly through sheer loss of manpower, but it also threatens the unity of the kingdom as a whole, for these deaths essentially force the knights to choose sides between Gawain and Lancelot. Were Arthur to leave these killings, some of them murders of unarmed men, unpunished, he could face rebellion not only by Gawain, but also by the relatives and friends of the other knights who died at the fire.

Arthur’s other two charges against Lancelot involve Guinevere directly. Lancelot’s longstanding affair with Guinevere is treason in two senses. First, their adultery is treason in the general sense often used in the *Morte Darthur*, for it is certainly

⁷ For two other textual examples of the shame involved in killing an unarmed man, see II.612.32 – 33 and II.841.9 – 12.

a betrayal of Arthur's trust. Arthur apparently chooses to ignore the adultery as long as it is kept secret since Lancelot's party at court is so much a part of the proper maintenance of the kingdom (Walsh 524). The text records that Arthur had his suspicions, but he ignored them "for sir Launcelot had done so much for hym and for the queen so many tymes that wyte you well the kynge loved hym passingly well" (III.1163.23 – 25). However, once Aggravayne and Mordred make the affair public, Arthur can no longer afford to look aside, but must carry out legal action (Knight 140). Lancelot's affair with Guinevere is also an instance of legal treason, for violating the king's consort was declared treasonous by the 1352 Statute of Treasons because it threatened the orderly succession of the office of kingship (Kelly, "Malory and the Common Law" 123 - 24). Lancelot has committed both personal and legal treason in his relationship with Guinevere, thus breaking his oath in multiple senses.

Finally, when Arthur accuses Lancelot of taking Guinevere away from him by force, readers may be tempted to roll their eyes. After all, had Lancelot not taken Guinevere away, Arthur would have had her executed, a decision of which he has now apparently repented. However, Lancelot's seizure of Guinevere is in medieval terms an act of rape. Because under the law Guinevere is essentially Arthur's property, Lancelot has no right to take her away, even if she is in danger or consents to her abduction. Taking her from her husband is a "socially unnatural" act, and one that causes massive loss of life and is destructive to the realm (Saunders 123). Additionally, though the justice of Guinevere's death sentence itself is questionable, rescuing her subverts the king's proclaimed justice. Though Lancelot's rescue of Guinevere is dictated by his honor and affected by various mitigating circumstances, it is at base illegal.

The three charges that Arthur makes against Lancelot at Joyous Garde—that he has killed Arthur’s knights, had an affair with Guinevere, and then kidnapped her—are all well founded. For Arthur to be a truly just king, he must punish even his favorite knight for these crimes. Hyonjin Kim notes that Lancelot tries to clear himself of these crimes both by lying in that he claims the adultery never occurred and by claiming that his current crimes are more than balanced by his years of service to his king and queen (96). However, Lancelot’s long service, high lineage, and friendship with the king should not allow him to break the law. Arthur’s willingness in the end to punish even Lancelot speaks well of his desire to promote justice within his realm.

Malory’s Arthur does not suddenly become impartial once he is sufficiently angry with Lancelot; a previous display of this trait occurs when he allows Guinevere to be tried for the murder of Sir Patryse. When Madore de la Porte accuses Guinevere of treason for poisoning his cousin, Arthur states, “me repenthith of thys trouble, but the case ys so I may nat have ado in thys mater, for I muste be a ryghtfull juge” (II.1050.4 – 6). Edward Donald Kennedy praises Arthur’s impartiality in this passage, noting that his placing his concern for justice over his love for his wife would have earned Arthur high praise from medieval political theorists (“Malory’s King Mark” 217). Arthur does intervene in the case slightly, for he privately questions Guinevere about it, perhaps to reassure himself of her innocence, and he adds his plea to hers in convincing Bors to fight on her behalf in Lancelot’s absence (II.1051 – 52). However, on the day scheduled for the trial by battle that will determine Guinevere’s guilt or innocence, he puts Guinevere in the constable’s custody and has a fire prepared in case she is convicted, “for such custom was used in tho days: for favoure, love, nother affinité there sholde be none other

but ryghtuous jugement, as well upon a kynge as uppon a knyght, and as well uppon a queen as uppon another poure lady" (II.1055.11 – 15). In this episode, Malory clearly depicts Arthur as a king who puts the interests of justice above all, even his own wife, and he represents Logres as an ideal kingdom where justice is equal for everyone.

Trial by battle determines guilt or innocence in Guinevere's murder trial, as it does in many other instances in the *Morte Darthur*. Malory writes that "the custom was such tho dayes that and ony man were appealed of ony treson othir of murthure he sholde fyght body for body, other ellys to fynde another knyght for him" (1.405). In such a battle, since one knight must defeat the other, the result for the loser, who was then believed to be the guilty party, was either loss of worship or death. The original belief behind trial by battle was that, since, as Malory expresses it, "God woll have a stroke in every batayle" (3.1133), the innocent will triumph regardless of his strength or skill. Despite this claim, trial by jury had gradually replaced trial by battle throughout the medieval era. As early as 1187, Glanvil advocated jury trial over battle trial because it was more prompt and fair, free of both the delays and the ambiguous results that haunted trial by battle (Neilson 35). As the jury trial gained in prominence, trial by battle receded until by 1300 it was largely extinct (Neilson 72 - 73). By Malory's era, trials by battle were fought extremely rarely, though they were still permissible in cases that could not be decided by more rational means (Swanson 156). Treason was the most frequent crime assessed through trial by battle, but only when the guilt or innocence of the accused party was truly hidden; in cases in which the guilt of the accused was known beyond doubt, battle trial was not allowed (Enyon 34, 30).

In religious terms, trial by battle came under severe attack. Though the original theory behind trial by battle, as noted above, was that it was a trial by ordeal that allowed God to determine the winner (Enyon 2), some considered such trials as attempts to force God into doing a miracle to reveal the truth, particularly when the champions were unevenly matched. The church forbade trial by battle at the Lateran council of 1215 (B. Kennedy 39), and according to Christine de Pizan, Pope Urbine denounced trial by battle in such strong terms that even spectators should avoid them on pain of cursing (258 - 59). To commentators like Christine, if the weaker were to defeat the stronger in such a battle, it would be simply by accident rather than by miracle, and “trouthe it is also that oftymes it hathe be seen that he that had good ryght lost” (259). We cannot be sure that Malory had any knowledge of Christine de Pizan’s writing, but her assertions regarding trial by battle were not unique. Rather, they represent the medieval church’s opinion on this form of trial, an opinion that was widely known in Malory’s day. Though its advocates might claim God’s intervention on their side when they won battle trials, the church denied any such heavenly support.

Despite the church’s condemnation and the infrequent use of battle trial in the fifteenth century, Malory relies on it heavily. As Beverly Kennedy notes, it is almost the only form of trial that Arthur employs (39). Though it was permissible historically for the combat judge—in Malory’s text, usually King Arthur—to intervene at any point during a trial by battle (Enyon 59), Arthur seldom intervenes in the battles themselves, though he does attempt to influence the action of such trials by assigning the best knight he can to the side he feels is right (B. Kennedy 42). Even with this safeguard, however, the wisdom of Arthur’s reliance on battle trial is open to question. He himself apparently

does not regard battle trial as the judgment of God, for he makes no reference to God before any of the battle trials. In fact, Malory refers to God's intervention in such trials only through Mellyagaunce, a kidnapper who attempts to cheat on his own trial by imprisoning Lancelot so that he will not be able to fight. Such a choice on Malory's part challenges the justice of Arthur's reliance on battle trial, for it questions the fundamental nature of such procedures. Despite Keven Whetter's claim that Malory's true interest in battle trial involves "[aggrandizing] his heroes" rather than "legal niceties" (170), Arthur's heavy use of trial by battle in the *Morte Darthur* leaves his justice as a king open to question.

One possible explanation for Arthur's reliance on battle trial may come from its ties to the Pentecostal Oath. Because such trials include the possibilities of death and loss of worship within their structure, the results of battle trials dovetail neatly with both the penalties specified in the Pentecostal Oath and with customary justice. Formal trials by battle, those that take place in the court before judges as part of a legal procedure, are relatively rare in the *Morte Darthur*. Guinevere's murder trial is the example of such a trial which best illustrates the possibility that justice may be served in this way. Nadine Enyon argues that this trial by battle functions exactly as the procedure should; it establishes Guinevere's true innocence, despite the fact that most of the court believe her to be guilty (122 - 23). Jacqueline Stuhmiller agrees; though in her opinion, trial by battle in the *Morte Darthur* is frequently an imperfect means of determining justice, she claims that this is the one case that "unequivocally [fulfills] all the requirements of a legal, necessary, and effective" battle trial, for it proves Guinevere innocent despite the knights' conviction to the contrary (456). In short, in the "Poisoned Apple" episode,

Arthur's dedication to justice shines, for Arthur remains impartial and his chosen form of trial results in a just verdict.

Unfortunately, such just verdicts of battle trials are rare, even within Malory's text. Guinevere's just exoneration of the murder of Sir Patryse is offset by the more questionable verdict reached in her adultery trial. Sir Mellyagaunce accuses Guinevere of adultery with one of the wounded knights who are sleeping in her chamber. At her trial, Lancelot is once again able to prove her innocent, and his triumph over Mellyagaunce is just in that Guinevere is innocent of the specific charge. But proving Guinevere innocent is not *fully* just, for though she is innocent of adultery with one of the ten wounded knights, she is in fact guilty of treason with Lancelot. Herein lies the problem with trial by combat—right does not always prevail. Such a trial involves no investigation of facts; it is strictly based on the belief that might makes right. Despite the claim that God will intervene, a knight who is stronger than his opponent will generally win, even if he is wrong, and the stronger knights frequently are wrong. Jacqueline Stuhmiller asserts that trial by battle actually “[results] in a demonstrably just verdict less than half the time, even worse than what pure chance would predict” (434). And in this case, how can battle trial produce a just result? Guinevere is only technically innocent, for she and Lancelot made love in Mellyagaunce's castle (III.1131.29 – 31). Mellyagaunce, her accuser, is certainly guilty of rape for kidnapping Guinevere in the forest, of attacking brother knights for wounding and threatening to kill her guard, and of treason for capturing Lancelot through false means (III.1122 – 23, 1134). One might claim that Mellyagaunce's death is the best possible result because the preponderance of

guilt is on his side, but Guinevere's complete release from blame renders the trial's result questionable at best.

The most egregious example of an unjust result from a battle trial occurs in Mark's trial for the murder of Sir Bersules. Mark kills Bersules on the spur of the moment when Bersules refuses to be part of his plot to kill Tristram, and would have killed Amant and two squires as well had they not banded together against him (II.578.17 – 33). Later, Amant accuses Mark of treason before King Arthur, though at Mark's request he conceals Mark's identity (II.592.22 – 23). When they fight, “by mysadventure kynge Marke smote sir Amante thorow the body; and yet was sir Amaunte in the ryghtuous quarell” (II.592.25 – 27). When Amant subsequently tells the full story to the damsels who tend him as he is dying, the maidens cry out, ““A, swete Jesu that knowyste all hydde thynges! Why sufferyst Thou so false a traytoure to venqueyshe and sle a trewe knyght that faught in a ryghteous quarell!”” (II.593.11 – 13). In this episode, Malory goes beyond merely reporting the possible injustice of battle trial to draw attention to the process' failings. Keith Swanson claims that because Mark defeats Amant by misadventure, this trial calls into question the efficacy of trial by battle as a whole: “once chance is admitted as a factor, judicial combat becomes worthless as a forensic procedure since there is no necessary correlation between victory and justice” (158). Nadine Enyon comments further that Malory “seems to accept, realistically, that it is the stronger or luckier, not necessarily the innocent, party that will often win a trial by battle” (127). The fact that Arthur would use such an uncertain method of trial calls Arthur's justice into serious question.

Some scholars have sought to defend Arthur's action in the Mark versus Amant episode. Enyon, for example, claims that Arthur, in not punishing Mark when the battle is done, merely accepts the verdict of a legal and fairly conducted battle trial. As added evidence, she notes that when Lancelot brings Mark back to court just after the death of Amant, Arthur says nothing about the death of Bersules, choosing instead to berate Mark for his general bad behavior (Enyon 126 - 27). But since promoting justice is Arthur's primary responsibility as king, he should do something to make this situation right.

Beverly Kennedy attempts an explanation of Arthur's failure to punish Mark when she claims that Arthur's decision to allow the result of the battle to stand is a demonstration of his "political acumen," for though Mark is a client king under Arthur, he is a king (B. Kennedy 160). This argument seems convincing, for though Mark may be a rotten wretch, his office as an anointed king deserves respect. But Arthur does not know Mark's identity at the time of the battle. Amant does not reveal Mark's identity until after Mark has left the court (592.27 – 28). Because Arthur is ignorant of Mark's identity, his refusal to provide justice for Amant and Bersules cannot be the result of respect for Mark's office. Truly, one could claim that Arthur is ignorant about the entire situation. Why should he "lightly" order two unidentified men to fight one another in a battle to the death without knowing the full situation? In this case, Arthur's sense of justice fails him completely.

Though Arthur depends heavily on trial by battle to establish justice in his kingdom, he also sees the flaws of this form of trial, for he denies Lancelot the opportunity to defend himself and Guinevere by battle after Aggravayne and Mordred's disastrous attempt to catch them together. Arthur condemns Guinevere to death by

burning without trial “bycause sir Mordred was ascaped sore wounded, and the deth of thirteen knyghtes of the Rounde Table” (III.1174.26 – 27).⁸ Gawain remonstrates with him, pointing out that there is no evidence of any evil between Lancelot and Guinevere and that Lancelot could probably prove his innocence through a battle trial. Arthur replies forcefully: “I woll not that way worke with Sir Launcelot, for he trustyth so much upon hys hondis and hys myght that he doutyth no man. And therefore for my queen he shall nevermore fight, for she shall have the law” (III.1175). John Michael Walsh claims that Arthur’s refusal of a battle trial in this instance is intended to prevent the “travesty of justice” that would result from allowing the powerful Lancelot to defend himself by battle (300). Arthur has always known that a powerful knight has an advantage in trial by battle; this fact necessitates the command against taking up wrongful quarrels in the Pentecostal Oath. In the end, Arthur falls back on that knowledge to deny a battle trial to his foremost knight, whom he knows to be acting in the wrong. But by this time, he has used trial by battle in so many instances that his decision to deny it to Lancelot and Guinevere seems capricious. Rather than acting as a consistently just king regarding battle trial, Arthur exploits the potential injustice of the procedure when a questionable verdict would suit his purposes, as when Lancelot proves Guinevere not guilty of adultery with a wounded knight. However, when the same form of trial would prove Lancelot and Guinevere’s innocence against his desires, Arthur refuses its use, condemning Guinevere with no trial at all.

⁸ As E. Kay Harris and Robert L. Kelly both note, Guinevere’s summary judgment does not stand up to the rigors of English law. Harris claims that, though he has no actual proof of the adultery, Arthur creates his own form of law under which the thirteen dead knights and the wounded Mordred somehow equal adultery by the queen (204 - 06). Kelly adds that, because Lancelot would be the principal criminal in both the adultery and the deaths of the knights, his guilt must be proven before Guinevere could be legally tried. Therefore, “on substantive, as well as procedural grounds, then, Arthur’s summary sentencing of the queen to death as a traitor is a miscarriage of justice” (Kelly 129).

Plainly, trial by battle is not always an effective means of determining justice, and both Arthur's heavy dependence on this form of trial and his ultimate rejection of it call his judgment into question. Additionally, Arthur fails in impartiality of judgment even more often than he is able to maintain the standard. The *speculum principis* literature is very specific in demanding that a person who offends against the law must be punished, regardless of that person's status. In addition to the recommendations noted above, the "III Consideraciouns" states that kings and princes who desire to keep their realms just should "punissh the yvell folke and furfetours with oute sparyng of theyme othir for favoure or greete lynage or for any othir maner of affeccion" (Genêt 197). Giles of Rome likewise insists on the need for punishment for friends as well as enemies, noting that "who þat euere doþ so he schal be ponysched so, vnwetynge wheþer frend oþer enemy schal do so and haue suche a peyne" (361). Arthur does well at avoiding favoritism in Guinevere's case, and in the end he is able to overcome his partiality in order to punish Lancelot. However, he does so only after years of turning a blind eye to Lancelot's occasionally unknightly behavior. One may explain Arthur's tolerance of Lancelot by noting not only Arthur's love for him, but also Lancelot's value to the kingdom. Raluca Radulescu notes that Arthur's refusal to acknowledge Lancelot's affair with Guinevere is a sign of "Arthur's political wisdom in maintaining a strong relationship with such a powerful subject, who commands respect and loyalty from many lords and kings" (*The Gentry Context* 125). However, Lancelot's usefulness to the crown is not reason enough to allow him to misbehave with impunity. As I suggest below, had Arthur corrected him when Lancelot first began to display signs of criminality, the dissolution of the kingdom might have been avoided.

The most famous instance in which Arthur ignores bad behavior on Lancelot's part is, of course, in his affair with Guinevere. Lancelot's love for Guinevere is established very early in the text. R. M. Lumiansky asserts that one purpose of the whole of the Lancelot section is to establish that Lancelot loves Guinevere, though their adultery has not yet begun (92). In the "Lancelot and Elaine" episode, however, their relationship has progressed far enough that Lancelot is unsurprised to receive a token from Guinevere, or so he thinks, that serves as an invitation to spend the night with her.⁹ Though the woman in his bed is actually Elayne, Lancelot believes her to be Guinevere and thus is willing to betray Arthur by sleeping with his wife (II.794 – 95). Though Malory only depicts Lancelot's making love to the real Guinevere once in the course of the *Morte Darthur* (III.1131.28 – 31), his two assignations with Elayne in Guinevere's likeness¹⁰ lend credence to Aggravayne and Mordred's claim that their affair is longstanding (III.1163.7 – 8). Before Arthur even marries Guinevere, Merlin warns him "that Launcelot scholde love hir, and sche hym agayne" (I.97.31), but Arthur not only marries her anyway, he also completely ignores their affection, and their affair, for years. He also ignores Mark's letter and Morgan's shield that tell of the affair, choosing to believe that these accusations arise from malice and therefore cannot possibly be true (II.558 – 59, II.617.10 – 16). In his *Book of the Ordre of Chyvalry or Knyghthode*, Ramon Llull warns against such negligence, writing "lytil knoweth he & euyl kepereth he that commaundeth

⁹ The timing of this event is difficult to ascertain. However, most scholars of Malorian chronology agree that the begetting of Galahad that occurs in this episode must be related in flashback, placing Lancelot's willingness to indulge in a sexual affair with Guinevere quite early in Arthur's reign (Moorman, "Internal Chronology" 241, 247; Wilson, "Chronology in Malory" 330, 334).

¹⁰ Lancelot is again tricked into making love with Elayne when she visits Camelot with her father (II.804 – 805). As before, he believes her to be Guinevere at the time.

his sheep to the kepyng of the wulf & that putteth his faire wyf in the kepynge of a yonge knyght traytre” (C vi verso). Radulescu considers this passage advice for kings and claims that Arthur should have heeded it instead of leaving Guinevere in Mordred’s charge when he pursues Lancelot to France (*The Gentry Context* 142), but the same could easily be said for the trust he placed in Lancelot for years. Had Arthur warned Lancelot to stay away from Guinevere from the beginning, had he kept watch on the two of them to thwart any untoward behavior, much later sorrow could have been avoided: but he did not. He simply looked the other way.

The affair between Lancelot and Guinevere is not the only bad behavior on Lancelot’s part that Arthur excuses. Despite the fact that Round Table knights take an oath not to fight one another, Arthur never reprimands Lancelot for his frequent habit of disguising himself and then fighting with his companions. One such instance occurs in the Tristram section and might almost be termed a crime spree. Over the course of a few days, Lancelot attacks and wounds Tristram, Palomydes, Bleoberys, Gawain, and Kay. He also claims to hate Arthur’s court, speaks villainously of Arthur and Guinevere, and kills Galardonne simply because he is one of Arthur’s knights (II.563 – 566). When the wounded men return to court and express wonder about the identity of the knight who has performed all these deeds, Arthur does not even need to question anyone. He merely states, ““hit is sir Launcelot”” and then adds, ““Hit is not the fyrste tyme [. . .] he hath done so”” (II.571.9 – 10, 13 – 14). One would expect such actions—particularly the purposeless slaying of Galardonne, which also left his lady ““in grete woo and damage”” (II.564.24)—to be worthy of censure at least, but Arthur does nothing in response to Lancelot’s behavior. Because Arthur loves Lancelot, and because he needs the support of

Lancelot and his kin, he allows him to behave as he pleases. Such inaction on Arthur's part may be politically expedient, but it does not smack of true justice.

For justice to be established in the kingdom, the king must not only withhold preferential treatment from his friends, but also from his family. However, Arthur not only favors the politically useful Lancelot, but also consistently favors his relatives, both natural and adopted. Arthur first shows this inclination to favor his family before he is even made king. When Arthur pulls the sword from the stone in Ector and Kay's presence and learns that Ector is not his father, his first act is to promise Ector his favor if he should become king, saying, “ye shall desire of me what I may doo and I shalle not faille yow” (I.15.9 – 10). Arthur promptly agrees to Ector's request that Kay be made seneschal of all of his lands, swearing that Kay will hold that office as long as they both live. Perhaps because of his youth, Arthur does not question the wisdom of this decision, but Kay's character even in the short span of time that he has appeared in the text thus far demonstrates that the decision is indeed questionable. When Kay first enters the text, he does so as a careless knight who cannot remember his sword when he goes to a joust and instead of admitting his fault sends his foster brother to correct it (I.13.23 – 24). When Arthur brings Kay the sword from the stone as a replacement for his own, Kay attempts to use the sword to gain the crown, even though he knows that Arthur must be the predestined king. It is only when Ector forces him to swear on a book¹¹ in a church regarding how he obtained the sword that he admits that Arthur brought it to him (I.13 – 14). Such behavior on Kay's part does not indicate fitness for a position as important as seneschal of all Logres.

¹¹Though the reader may assume that Ector forces Kay to swear on a gospel or a bible, in fact Malory writes only “book” in this case (I.14.6).

Arthur continues to keep Kay as one of his most valued servants despite his unfitness for the position. Kay serves admirably throughout the wars, but once peace is established, he proves himself unsuited for the seneschal's office, which requires him to give hospitality to visitors at the king's court. Instead, Kay shows disrespect rather than welcome to at least two members of Arthur's court by giving Gareth and Brunor le Noyre the scornful nicknames Bewmaynes and La Cote Male Tayle. In the case of Gareth, Kay's rudeness goes even further, for despite the fact that Arthur orders Kay to treat the stranger in his court "as though he were a lordys sonne" (I.294.33 -34), Kay insists that such favor is needless. Instead, he chooses to keep Gareth in the kitchen so that he may feed him "'as a porke hog'" (I.295.7). Arthur, not knowing that the young man in question is his own nephew, allows his foster brother to have his way in his treatment of this guest in his court. When Morgause arrives seeking her son and learns of his treatment, she reproves Arthur sharply, saying, "'ye dud yourself grete shame whan ye amongyst you kepte my son in the kychyn and fedde hym lyke an hogge'" (I.339.16 – 18), to which Arthur can only reply weakly that he was unaware of Gareth's identity at the time. Arthur's instinct to treat Gareth royally was the correct one, but due to his favor for his foster brother, he did not insist that Kay treat him properly, a fact that causes Arthur shame once he learns the truth. Though Arthur's willingness to repent of his mistake is admirable, he would have had no need of apology had he insisted that Kay follow his instructions.

Arthur also must apologize for his actions at the beginning of the Balin story. As this episode opens, Malory relates that Balin has just spent six months or more in prison "for sleyng of a knyght which was cosine unto kynge Arthure" (I.62.35 – 36). Malory

does not further illuminate the circumstances surrounding the death of Arthur's cousin; he only states that Balin is finally released due to the "good meanys of the barownes" (I.62 – 63). Balin may have earned his imprisonment by murdering Arthur's cousin, but the cousin could also have died in a joust or battle with Balin, in which case no punishment would be due for the killing. This second state of affairs seems all the more likely in light of Arthur's apology to Balin. After Balin proves his worth through drawing the sword that only "a passynge good man of hys hondys and of his dedis, and withoute velony other trechory and withoute treson" can draw (I.61 – 62), Arthur backpedals, saying "'I have shewed you unkyndnesse. But blame me the lesse, for I was mysseinfourmed ayenste you: but I wente ye had nat bene such a knyght as ye ar'" (I.64.26 – 28). Arthur is seemingly noble here, for he both releases Balin from prison before his worth is proven and admits that he made a mistake in putting him there. But the admission of the mistake demonstrates that Arthur was unjust in imprisoning Balin in the first place, an act that he doubtless committed owing to his regard for his kin.¹²

Arthur also shows favoritism in dealing with his sister, Morgan le Fay. Arthur begins by favoring his sister, not only by giving her castles and towns (I.152.30 – 31, II.597.12 – 13), but by entrusting her with the keeping of Excalibur (I.78.28 – 29). However, he continues to show favoritism by not punishing Morgan for her crimes after she turns against him. Arthur does proclaim Morgan's need for punishment and at one

¹² One might attempt to excuse Arthur's actions here by noting that he was misinformed about Balin. Medieval kings were obliged to listen to counsel, so if the barons had advised Arthur to imprison him, Arthur's responsibility might appear to be the less. However, in the opening scene of this episode, Balin has just been *released* from prison because of the barons' intervention, implying that his imprisonment was Arthur's individual choice. Even if counselors had advised Arthur to imprison Balin, a king was also obliged to consider the value of advice given him and to reject it if it was poor; as Judith Ferster notes, the justification for Edward II's deposition included not only ignoring good counsel, but following evil counsel (70).

point takes direct action against her. After she tries to have him killed in the battle with Accolon and then steals back the recovered Excalibur, he and Outelake pursue her, though the pursuit comes to nothing because he believes her ploy of turning herself and her men into stones to be the judgment of God upon miscreants (I.151). When he learns that she has survived and still defies him, Arthur swears, “I shall so be avenged on hir and I lyve that all crystendom shall speke of hit” (I.157.8 – 10). Though, as Edward Donald Kennedy notes, the desire for vengeance Arthur expresses here seems excessive and thus not in keeping with the traits of a truly just king (“King Arthur and King Mark” 142), Morgan does deserve legal punishment for her crimes. In addition to *lesè majesté* against Arthur, Morgan is also guilty of the attempted murder of her husband, King Uriens of Gore (I.148 – 149). She again attempts to take Arthur’s life with a poisoned cloak (I.157 – 58) and goes on to force any of Arthur’s knights who pass her castle to joust with multiple knights in an effort to “dystroy all thos knyghtes that kynge Arthur lovyth” (II.597.10 – 23). Despite her long list of crimes and attempted crimes, Arthur does nothing to punish Morgan. In dealing with his sister, Arthur appears to be, not a strong king who effectively governs his realm, but one of the “undermighty” kings that McFarlane credits for the disorder of the fifteenth century (41).

Early in Morgan’s evil career, Arthur may have some excuse for not dealing with her effectively. His rule begins in turmoil, and he and his men must fight many battles in order to consolidate the kingdom. Once Morgan retreats into her husband’s homeland of Gore and “[makes] hir castels and townys stronge” (I.152.30 – 31), Arthur simply may not have the forces to pursue, capture, and punish her. However, though Arthur eventually has the whole kingdom in hand and commands ample forces to deal with

Morgan's treachery, he still does nothing. Consider Dinadan's description of one of Morgan's strongholds that occurs in the Tristram section:

"Here is a castell that I knowe well, and therein dwellyth queen Morgan le Fay, kynge Arthurs systyr. And kynge Arthure gaff hir this castell by the whyche he hath repented hym sytthyn a thousand tymes, for sytthen kynge Arthur and she hath bene at debate and stryff; but this castell coude he never gete nother wynne of hir by no maner of engine." (II.597.10 – 20)

Despite the fact that Arthur's reign is now secure, he is supposedly unable to take this castle back from Morgan, so she is free to use it as a staging point to harass and even kill his knights. However, this description of the castle, which holds the custom of attacking and attempting to destroy Arthur's knights, serves to introduce Lamerok's series of battles in which he jousts with twelve of the castle knights, killing four and forcing the remaining eight to renounce their evil ways (II.600.8 – 11). If one knight in one day can "[fordo] all the olde customes of this castell" (II.600.21 – 22), surely Arthur could take the castle away from Morgan if he were to attack in force. Further evidence that Arthur could undo Morgan's power if he were to extend himself comes in the story of Alexander the Orphan, in which the Earl of the Pace with four hundred men is able to completely destroy La Beale Regarde, another of Morgan's castles (II.643 – 644). As king, Arthur can command much greater forces than the Earl's if need be, but in Morgan's case, he chooses not to act. This inaction seems to be part of the pattern of excusing the crimes of his kin that becomes so obvious when one turns to the behavior of Arthur's nephews.

As has been frequently noted in Malorian scholarship, Arthur tolerates criminal behavior on the part of his nephews to an excessive degree. He does, as I mentioned previously, briefly banish two of them, Uwayne for possibly being in league with Morgan le Fay and Gaheris for killing Morgause, but in general he allows them Gawain and his

brothers to behave exactly as they please without reprisal. Four of the brothers, Gawain, Gaheris, Aggravayne, and Mordred, rack up an impressive list of crimes in the course of the *Morte Darthur*. Early in the work, Gawain kidnaps a woman and then uses his relationship to Arthur to avert reprisal when Lamerok challenges him (II.449.20 – 31). Gaheris, of course, kills his own mother (II.612). Gawain and Gaheris, acting together, kill Pellinor “nat manly, but by treson” in order to avenge the death of their father, King Lott, even though he died in battle while in rebellion against Arthur (II.810.13, I.77.11 – 16). Similarly, Aggravayne and Mordred kill Dinadan “cowardly and felonously” during the Sankgreal Quest (II.615.6 – 7). Aggravayne and Gaherys kill a knight simply for saying that Lancelot is a better knight than Gawain (II.690.30 – 33). The four men together attack and kill Lamerok, first killing his horse to put him at a disadvantage, and then attacking him four to one until Mordred is able to stab him in the back (II.699.20 – 26). According to Dinadan, these four men “hatyth all good knyghtes of the Rounde Table for the moste party,” particularly Lancelot and his kin (II.700.2 – 5). Because Gawain “was evir vengeable, and where he hated he wolde be avenged with murther” (I.360.34 – 35), and because Arthur never reproves him for his bad behavior, Arthur’s court becomes unsafe for knights who are not of Gawain’s party. Tristram and Lamerok, two of the *Morte Darthur*’s most powerful knights, refuse to remain in Arthur’s court for fear of Gawain and his brothers, thus depriving Arthur of their service (II.663 – 64; II.698.32 – 33). And in the end, Gawain’s insistence on revenge and Mordred’s treasonous attempt to seize both the kingdom and his father’s wife destroy the kingdom.

Had these men behaved honorably throughout and then suddenly broken out into vengeance and treason at the end of the text, one could excuse Arthur’s inability to deal

with the situation. However, since Gawain and Mordred, along with their brothers, have behaved badly, even criminally, for years, Arthur himself must bear much of the culpability for their actions. Had he punished them early on, their ways could have been mended and their threat neutralized. According to medieval political theory, punishment of the brothers could have created the fear of the law that would prevent further crime. And the ultimate punishment—death—effectively prevents a criminal from re-offending. But because Arthur chose to look the other way, the brothers from Orkney are free to commit crime after crime without fear of punishment.

Judging by the number of times that he mentions it in the text, Malory considers the slaying of Lamerok the most egregious of the Orkney brothers' crimes. This particular crime also provides a useful demonstration of Arthur's unwillingness to deal with the threat that his nephews pose to his knights, whom he loves and depends upon for the governance of his kingdom. During a conversation among honorable knights, Palomydes describes the manner of Lamerok's death in full:

‘Whan [Lamerok] was gyvyn the gre by my lorde kynge Arthure, sir Gawayne and his three bretherne, sir Aggravayne, sir Gaherys and sir Mordred, sette upon sir Lamorak in a pryy place, and there they slew his horse. And so they faught with hym on foote more than three owrys bothe byfore hym and behynde hym, and so sir Mordred gaff hym his dethis wounde behynde him at his bakke, and all to-hewe hym.’ (2.699)

Various voices also mention this murder four more times in the course of the text: Palomydes again describes it as a felonious killing to Percival and Ector (II.688.8 – 10); he states that they killed Lamerok “only by treson” when telling the story to King Harmynde (II.716.2 – 15); the narrator mentions that Gawain and his brothers killed Lamerok “by treson” in explaining why Pynell attempted to poison Gawain with an apple at Guinevere’s feast (II.1048.24 – 16); and the narrator again notes that Lamerok was

“with treason slayne” in describing Tristram’s similar death at the hands of King Mark (III.1149.33 – 35).

In addition to these five descriptions of Lamerok’s murder, the criminals involved are twice accused of the crime. Tristram, pursuing Aggravayne and Mordred for killing the knight who prefers Lancelot to Gawain, also accuses them of killing Lamerok, but says, ““for kynge Arthurs sake I shall lette you passe as at this tyme,”” though he adds that it is a shame that they are come of such great lineage (2.691.24 - 32). The two are unrepentant, merely stating that if Tristram had been there, they would have killed him as well (II.692.1 – 2). Gawayne is similarly defiant in the face of this deed. When Gawayne accuses Lancelot of being a false knight during the conflict between them after Gareth’s death, Lancelot rejects Gawayne’s right to judge him, saying ““may hit never be seyde on me and opynly preved that ever I be forecaste of treason slew no goode knyght as ye, my lorde sir Gawayne, have done.”” Gawayne’s response is ““that thou menyst by sir Lamorak. But wyte thou well, I slew him!”” (3.11901 - 6). Though the murder of Lamerok is well known and disparaged throughout Arthur’s kingdom, the criminals responsible make no effort to hide their deed, but instead openly and shamelessly admit it.

And yet, what happens to Lamerok’s killers? Are they formally accused of treason or murder? Are they tried by battle or summarily sentenced? Unfortunately for Arthur’s kingdom, the answer is no--Arthur never holds the four brothers responsible for this heinous act, but ignores it, just as he does their other crimes. One of the Oath’s specified punishments, loss of worship, is brought to bear on them, but Aggravayne, Gaheris, and Mordred have little worship to lose, and Gawayne’s reputation is stained

from the time he denies a knight mercy and subsequently kills a lady on his first quest (I.106.17 – 21). Therefore, loss of worship cannot be very important to these knights. Nor are they sent away from court, with the exception of Gaheris' short exile after Morgause's death, despite the fact that they have deprived the kingdom of several useful knights, killed Arthur's own sister, and caused other knights to avoid Arthur's service. They certainly never participate in any trial by battle, something which could easily have meant the end for any of them, particularly if Lancelot or Tristram served as the champion for justice. Dynadan and Tristram say plainly, ““And yf they were nat the cousyns of my lorde kynge Arthure that slew [Lamerok], they shoulde dye for hit, all that were concentyng to his deth”” (2.698). But because they *are* Arthur's nephews, they receive no punishment at all.

Arthur's willful ignorance in the face of Lamerok's murder is made even more serious because Arthur not once, but twice, promises to protect Lamerok. Just after Morgause's death, Lancelot tells Arthur plainly, ““I am sure ye shall lose sir Lamerok for sir Gawayne and his bretherne woll sle hym by one meane other by another,”” to which Arthur responds ““That shall I lette”” (II.613.22 - 25). Though in his single-volume edition of the text Vinaver glosses the meaning of “lette” as “prevent” (*Malory: Works* 795), subsequent events tempt the reader to see a dual meaning in this word—the modern meaning of “allow.” Later, at the tournament at Surluse, Arthur also swears protection to Lamerok personally. In a plea for Lamerok to stay with him at court, Arthur says: ““A, sir Lamerok, abyde wyth me! And be my crowne, I shall never fayle the: and nat so hardy in sir Gawaynes hede, nothir none of his bretherne, to do the wronge”” (II.663.30 - 33). Arthur knows the danger that his nephews pose to Lamerok and is

sworn to protect him by personal oath and by his responsibilities under the Pentecostal Oath. Yet Arthur takes no action to prevent the murder, and he does not punish his nephews after Lamerok's treasonous death. In fact, one might hold Arthur partially responsible for Lamerok's murder, both because he does not attempt to prevent it and because his failure to punish his nephews for their past crimes leaves them at large in the kingdom.

Arthur's failure to uphold justice within his realm is most egregious in the cases of his near kin, particularly his nephews. However, the presence of other unpunished criminals in Logres perhaps indicates a more systemic injustice. A case in point is Sir Breunys Sanze Pyté. Helen Cooper, who gives Breunys the delightfully apt title of "thug errant," notes that Breunis is always bad, displaying no redeeming qualities at all. Instead, "Breunis is always an outsider, encountered only in fleeting moments in the forest, where his unknightliness is matched only by his skill in speedy escapes" (Cooper 196). Breunys commits crime after crime without reprisal in the course of the *Morte Darthur*, kidnapping, stealing from, and even murdering women and trampling felled knights under the feet of his horse. Sir Epynogrys pronounces the text's judgment of Breuny when he proclaims him "'so grete a foo untyll all arraunte knyghtys'" (II.721.32). Yet Arthur does nothing about this threat to his kingdom; he issues no order for Breunys to be captured or exiled. At one point, Tristram and Palomydes have this villain trapped in a tower, but instead of waiting for him to come out or bringing others to catch him and punish him for his deeds, the two simply ride away and leave him there, even though Palomydes has just witnessed Breunys' slaying of a woman (II.561 – 62). Such indifference on the part of these two usually honorable knights indicates a general

indifference toward crime in the kingdom. Breunys, as long as he has the faster horse or a convenient castle, is apparently free to behave as he pleases without fear of reprisal, despite Arthur's oath to stand with true justice.

Though Arthur's kingdom has the potential to be a place where the king firmly establishes justice, in the *Morte Darthur* one cannot argue that this is the case. However, claiming that Logres is a kingdom without justice would be equally incorrect. For an accurate description of Arthurian justice, one must instead note the conversation between justice and injustice in Arthur's realm. This conversation is especially obvious in episodes where justice and injustice go hand in hand. I have at times used the same episodes to illustrate both simply because it is at times impossible completely to separate Arthur's unjust actions from his just ones. However, examining an incident in terms of both justice and injustice should help to illustrate the way in which these two features of Logres interact. The battle trial that Arthur fights with Accolon in order to decide the property dispute between Damas and Outelake is an excellent episode for this purpose, for it touches on many of the aspects of Arthurian justice included in this chapter.

In the “Arthur and Accolon” episode, Morgan le Fay magically transports Arthur to the dungeon of Sir Damas, a hateful knight who is currently involved in a property dispute against his brother Outelake. In the dungeon, Arthur finds twenty knights whom Damas has imprisoned and starved in an attempt to force them to fight as his champion, but because of his traitorous nature, they all refuse the battle. Arthur in contrast accepts the offer to serve as Damas’ champion in order to secure the release of himself and the other knights from the prison. Arthur sends for his sword, Excalibur, which is in Morgan’s keeping, but she sends him a copy, giving the real sword instead to Outelake’s

champion Accolon, whom Morgan loves and wishes to set up as king in Arthur's place. The two fight a long battle during which Accolon at first has the advantage because he bears Excalibur, but the magical intervention of Nynyve causes him to drop the sword, which Arthur recovers. Arthur then quickly brings the battle to a close, winning the victory for Damas. However, rather than letting Damas keep the manor of which Arthur's victory should give him ownership, Arthur uses his status as king to decree that Outelake will hold the manor instead, while Damas will be reduced in rank and forced to ride a palfrey, as better befits a cowardly, treasonous man.

This battle and the events surrounding it have many judicial implications, and in the course of this episode, Arthur behaves both as a true king standing with justice and as a man who is willing to pervert justice for his own ends. Before and during the battle, the actions of the unjust king predominate. First, in defiance of his own law, Arthur chooses to fight on Damas' behalf, despite the evidence presented by the twenty prisoners that Damas has defrauded his brother of "a full fayre maner and a rych" (I.138.29 – 30). Though Arthur is acting to save his own life and the lives of others in agreeing to be Damas' champion, his choice to do so breaks an important clause of the Pentecostal Oath: the charge never to take up wrongful battles. Because trial by combat is often used to determine justice in Logres, it is vital that the knights fight only in worthy causes, so that they may make every effort to be on the side of justice. However, Arthur apparently is unconcerned about following his own law in this case. The only indication that Arthur might find this decision a questionable one is his comment "that is harde" when one of Morgan's damsels proposes the battle to him (I.139.22). He then immediately accepts the

battle, seemingly without any consideration that there might be another way to escape the dungeon and save the prisoners.

The process of the battle is as questionable as Arthur's decision to fight in it. First, the battle is tainted by magical interference. According to Nielson's classic study of trial by battle, a combatant in such a contest was to swear that he carried no "words, stones, herbs, charms, carectes, conjurations of devils, wherein he hoped for aid" (163). Therefore, Excalibur, a weapon with an enchanted scabbard that prevents the owner from bleeding, should not be used in a judicial trial. Arthur's desire to use such a weapon is therefore suspect (Stuhmiller 448). If Arthur were a truly just king, he would not seek to affect the result of the trial by using an enchanted weapon. More problematic still is Arthur's ultimate victory in the battle. It may prove his prowess as a knight, but it results in an unjust verdict. As Keith Swanson points out, the justice of the *cause*, not the worthiness of the champion, is supposed to determine the outcome of a trial by battle (160). In order for this story to support the efficacy of trial by battle in establishing justice in Logres, Arthur should lose, but he does not. This battle trial occurs early in the text and clearly demonstrates that this form of trial is a dubious means of determining true justice, yet Arthur relies on battle trial to determine justice throughout the text. In both the manner of his participation in this battle trial and in his continued reliance on such trial after his personal experience proves this judicial procedure unworthy of his trust, Arthur appears as a careless ruler who does not do his utmost to establish just legal practices.

Despite these negative features of Arthur's behavior, Arthur shines as a just king at the end of the "Arthur and Accolon" episode. After his defeat, Accolon reveals to

Arthur that he is Morgan's lover and that her purpose in instigating the battle had nothing to do with the Damas / Outelake dispute. Instead, she intended Accolon to use Excalibur to kill Arthur so that she can set Accolon up in his place. Despite Accolon's treason in colluding with Morgan to replace him as king, however, Arthur does not seek vengeance against his already defeated opponent. On learning Arthur's identity, Accolon cries out ““Fayre swete lorde, have mercy on me, for I knew you nat”” (I.146.13 – 14), and Arthur is quick to respond, ““A, sir Accolon, [. . .] mercy thou shalt have”” (I.146.15 – 16). Arthur goes on to proclaim Accolon a traitor because he had agreed to Arthur's death, even though he did not during the battle know that Arthur was his opponent. However, he is willing to excuse Accolon's behavior because the plot is Morgan's. Accolon later dies of the wounds he incurred in the battle, but Arthur keeps himself free of anger and vengeance in this case, instead responding to the fatally wounded man with mercy.

Arthur also shows his commitment to justice in this episode by reversing the result of the unjustly decided battle trial. After dealing mercifully with Accolon, Arthur takes on the role of judge instead of champion. As judge, Arthur awards the manor that he has just won for Damas to Outelake. Though he does state that Outelake will hold the manor from Damas, thus honoring the result of the battle trial, he sternly orders Damas to “never distresse no knyghtes araunte” and that he “restore thyse twenty knyghtes [. . .] all theire harmys that they be contente for,” adding that if any of the knights complains of Damas henceforth, he will be executed (I.147.23 – 27). Arthur's feelings toward Damas are quite clear, particularly in his order that Outelake allow Damas only to ride a palfrey in future, as a knight's courser is not a proper mount for a treasonous coward (I.147.19 – 21). Arthur's treatment of Damas shows that he is not under Arthur's protection and is

not considered a worthy knight of the realm. In contrast, Arthur invites Outelake to come to court as one of his own knights with the expectation that his deeds will soon lead to preferment, allowing Outelake to “in shorte tyme be in ease as for to lyve as worshipfully as [his] brother” (I.147.33 – 34). Such an action on Arthur’s part makes his withdrawal of favor from Damas even more telling. Arthur’s behavior in this section demonstrates punishment and reward exactly according to the Pentecostal Oath’s strictures, distributing lands and the possibility of increased worship to Outelake as a reward for his goodness, while at the same time withdrawing property and lordship from Damas due to his bad behavior. The reader thus leaves the episode with a positive view of Arthur’s justice, but at the same time recalls that Arthur’s justice is not absolute.

In conclusion, one cannot simply claim that Arthur is a just king, despite his fame. He is too affected by anger and too willing to play favorites to meet the demands required by his coronation oath. Peter Korrel states Arthur’s weakness most strongly, claiming that “one could almost say that when Arthur in *Le Morte Darthur* performs an action or passes a judgment, he is hardly ever beyond criticism” (264). But while Arthur often merits criticism, he also frequently merits praise. Many of his actions do line up with justice. The very fact that he attempts to create a system that will provide justice in his realm, though it fails due to lack of enforcement, indicates that he does understand his responsibilities as king. One cannot apply a simple label—either “just” or “unjust”—to Malory’s Arthur.

Perhaps the judgment of Arthur’s character that best represents the text is to call him human. Malory did not create in his Arthur a paragon of virtue whose ideal kingdom failed because the people that he had to work with were weak. Instead, Malory’s Arthur

himself is a mixture of strong and weak characteristics. The contemporary misrepresentation of Arthur's character is much like the contemporary misreading of the phrase "the best of all possible worlds." While readers today tend to interpret this phrase as a description of the best world that could ever exist, period, its actual meaning takes into account the fallibility of the matter that one must work with to create a world. Since matter is imperfect, even the most perfect world possible will be inherently imperfect. The same is true of Arthur's kingship and his kingdom. Arthur may be the most noble Christian king, but he is still only a man and therefore must be flawed. The knights whom he rules and on whom he relies to carry out his justice are similarly flawed, as is the very Oath they seek to uphold. So many flaws make it almost inevitable that justice should fail in the kingdom, and that the kingdom—and the king—should fail along with it.

CHAPTER FIVE

Knights as Agents of Justice

The previous chapter discusses at some length the weakness of Arthur's personal justice. However, to expect Arthur to be responsible for justice throughout the entire kingdom of Logres is perhaps expecting too much. Though medieval political theory placed responsibility for the maintenance of justice squarely on the king's shoulders, practically it is impossible for one man to do everything. Arthur as king can set the standard, and he should model complete adherence to that standard. But for the day-to-day action of justice in his realm, Arthur must depend on others. This dependence creates Arthur's need for the Round Table, which according to Alison Lee serves in Malory's text as "an instrument of social justice" (150). The members of the Round Table rather than Arthur himself perform many of the judicial deeds that Malory represents in the *Morte Darthur*.

According to Beverly Kennedy, the knights of the Table act "as a kind of itinerant national police force" (49) in a realm which lacks one in the modern sense. While other texts focus on the chivalry of the Round Table, considering its ability to promote virtue for virtue's sake, the *Morte Darthur* presents the Round Table knights more pragmatically, treating the Table as "an institution through which a royal patron recruits noble retainers to serve the specific [...] needs of his realm" (Kelly, "Royal Policy" 46). Therefore, to truly assess Arthurian justice, one must also examine the knights' actions in following the Pentecostal Oath and the legal traditions of Arthur's realm. For the

kingdom to be just, not only its king, but its knights must both be just in themselves and enforce justice upon lawbreakers. The members of the Round Table do much to establish justice in Arthur's realm, but their failure to enforce consistently the provisions of their Oath to the full extent of legal custom leaves Arthurian justice incomplete and thus ineffective.

Arthur does not establish the Round Table *ex nihilo*; instead, he receives it from King Lodegraunce of Camylarde as Guinevere's dowry. Along with the physical table itself come one hundred men, two thirds of the table's full complement of knights (I.98). Arthur, pleased with the gift more than he would have been with "ryght grete rychesse" (I.98.25), orders Merlin to find men to fill out the table, but Merlin finds, in all of Arthur's kingdom, only twenty-eight men who are worthy of seats at the Round Table. The lack of worthy men in his country that leaves twenty-two seats at the Table vacant is a part of what Robert L. Kelly calls Arthur's "crisis of authority," caused in part by his early lack of supporters. The Round Table provides Arthur the means to recruit "men capable of sharing the duties of governing," including the law enforcement necessary to a peaceful and just kingdom (Kelly, "Royal Policy" 63).

On becoming Arthur's knights, and particularly after being bound with the Pentecostal Oath, the knights of the Round Table become a vital part of Arthur's government. According to Elizabeth Pochoda, Malory makes use of the common medieval "physiological metaphor of the state as a human body with the king as head and his councilors as limbs" (54). Arthur is the head, responsible for making the decisions involved in governing, but the active enforcement of his laws requires the actions of his knights, who serve as his hands and feet. Lancelot's men proclaim the Round Table's

value to both Arthur and his kingdom as they prepare to leave for France at the end of the text: “by the noble felyshyp of the Rounde Table was kynge Arthur upborne, and by their nobeles the kyng and all the realme was ever in quyet and reste” (III.1204 – 204). Though peace and rest may not always be the proper terms to describe the condition of Logres during Arthur’s reign, the knights of the Round Table are vital to Arthur’s rule.

In order to serve Arthur in establishing justice in Logres, the knights of the Round Table must ensure that all knights follow the Pentecostal Oath and the legal customs of the land. Their assistance is invaluable to Arthur in ensuring that knights who lie outside of his immediate control are brought to justice when necessary. However, for their assistance in government to bring about fully just results, the knights must police themselves, both personally and within the fellowship, as well as outsiders. In other words, to create a just kingdom in Logres, each of the knights must make a personal commitment, not only to enforce the Oath against outsiders, but also to keep the Oath himself and to see that his companions do so as well. Though the knights excel at the correction of those outside the Round Table, they are seldom as willing to enforce its strictures within their fellowship.

Malory’s portrayal of the knights of the realm as vital to the establishment of Logres’ justice is not merely a literary trope; instead, the importance of the knights in the *Morte Darthur* reflects historical practice. Medieval English kings theoretically were responsible for the state of justice within their kingdom. However, what applies in Arthur’s literary kingdom also held true in literal England: no one man could personally see to the establishment of justice throughout an entire kingdom. In the words of Robert L. Kelly, “the institutional reality” of medieval government “was that English kings,

having only a very limited central bureaucracy, were incapable of ruling the whole of their kingdom directly” (“Malory’s ‘Tale’” 81) Even the most authoritative of kings had to rely “on the support of the propertied classes” to do the business of the kingdom (Harriss, “The King” 15). The ranks of the propertied classes included both the nobility and the gentry, but the men who filled government offices were labeled knights whether they had been dubbed or not in respect for their office (B. Kennedy 19). Thus it was the knights, not the king himself, who controlled the administration of justice in the countryside (Given-Wilson 254). According to Hyonjin Kim, “the knights and wealthier esquires,” the very people who fill the vast majority of Malory’s text, historically “virtually monopolized the major offices of sheriff, member of parliament, justice of the peace, and commissioner of array,” the positions most responsible for maintaining the King’s Peace and seeing that justice was done (8).

Unfortunately, this political reality created an imbalance in medieval justice. Common people tended to be punished severely for crimes, while aristocrats might not be punished at all. In his *Regiment of Princes*, Thomas Hoccleve described the state of fifteenth-century justice as follows:

Smal tendrenesse is had now of oure lawes,
For if so be that oon of the grete wattis
A dede do which that ageyn the lawe is,
Nothyng at al he punysshid for that is.
Right as lopwebbes, flyes smale and gnattis
Taken and suffre grete flyes go,
For al this world, law is now reuled so. (122.2815 - 2821)

Hoccleve here describes a dual system of justice that enforced two sets of standards, a harsh one for the commons and a more lenient one for the nobility. According to historian G. L. Harriss, crimes committed by members of the lower classes were handled

within the localities by the justices of the peace, but crimes committed by the gentry were referred to the court of the King's Bench in Westminster,¹ where the justices tended to be lenient because they were associates of the people who were on trial. Their social equality with the justices gave the members of the nobility "a proprietary attitude to the law," which they viewed as a tool rather than a rule for themselves (Harriss, *Shaping the Nation* 54). The common phrase used to describe this state of affairs was "'the law goeth as lordship willeth'" (Harriss, *Shaping the Nation* 135), and its reality meant that the common person had little recourse against crimes committed by members of the gentry and noble classes.

Of course, the plight of the common man has very little part in Malory's *Morte Darthur*. In fact, if one based one's view of fifteenth-century society solely on Malory's text, one would believe that England was populated almost exclusively by knights and ladies, with commoners appearing and disappearing only occasionally, as needed. Hyonjin Kim asserts that Arthur's world is inhabited almost exclusively by the upper classes, chiefly knights who ignore most of the "social, economic, and political concerns of the fifteenth-century gentry" (15). Even the differing ranks of the nobility make only occasional appearances, for in Malory's world it is knighthood that sets a man apart from the commons; even kings are knights first. The Round Table fellowship has kings, such as King Pellinor, as members, and Arthur himself is "but a knight as we are," as Mador de la Porte reminds him during the Poisoned Apple episode (II.1050.19).

¹ Malory himself was charged with various crimes at a local court in Nuneaton and then remanded to the King's Bench. One of the four justices was the Duke of Buckingham, whom Malory was charged with attempting to kill, but no one seems to have protested against this seemingly unjust move (Field 101).

Though Malory's text does reflect the historical reality, the kingdom he depicts also differs significantly from fifteenth-century England. Because Malory's world is made up almost exclusively of knights, one would expect that all instances of lawbreaking would be handled directly by King Arthur, since the court of the King's Bench, along with all of the other appurtenances of medieval justice, is missing from the text along with the commons and most of the noble hierarchy. Sheriffs, bailiffs, justices are all absent from the *Morte Darthur*, where they are replaced by Arthur's knights distributing rough justice on their own authority. Beverly Kennedy asserts that this fact creates the major difference between Arthurian and historical English justice, for "the errant Round Table knights punish the malfactors [sic] themselves rather than turn them over to the local sheriff or send them back to King Arthur's court for judgment" (49). Additionally, though justice is certainly lacking for members of the lower classes, as illustrated by Pellinor's unpunished rape of a milkmaid (I.101.14) and Lancelot's casual killing of two of Mellyagaunce's churls (III.1126.23 – 25, 1127.29 – 30), commoners feature so seldom in the text that this distinction loses significance. Far more important in the *Morte Darthur* is the division between knights who act within and without the Round Table fellowship, for the knights of the Round Table hold each other to a far more permissive standard than outsiders. For example, Lancelot fights with and kills Sir Tarquyn for simply shaming many of the knights of the Round Table, but no knight ever punishes Arthur's nephews from Orkney for killing Pellinor, Lamerok, and Dynadan, three of the Round Table's most valued knights.² Despite these differences, however, the

² Lancelot kills Tarquyn at I.267.22 – 23; the text reports on the deaths of Pellinor, Lamerok, and Dynadan at II.810.10 – 12, II.699.20 – 27, and II.615.5 – 7, respectively.

reader can see in Malory's text a system of justice in operation, one that depends heavily on the kingdom's knights.

Though Arthurian justice differs in key ways from historical English practice, the fact that the people who enforce that justice are knights opens another avenue of inquiry regarding justice: that of justice's relation to chivalry. In crafting his text, Malory wrote for an audience that would have a basic understanding of knighthood and its duties based on accepted standards. Because Malory assumes that knowledge on the part of his audience, explanations of chivalry in any form tend to be minimal, for Malory's goal was not "to explain knighthood to the ignorant" (Lee 152). However, just as medieval kingship was informed by the *speculum principis* tradition, knights had their own body of theory regulating their behavior: the chivalric manuals. In fact the two at times overlap, for kings were knights first, and knights were "part of the political structure supporting kingship" (Lee 16). These manuals demonstrate a key difference from the works in the *speculum principis* tradition, though, for they were generally written by the knights themselves.

As Richard W. Kaeuper explains, the knights recognized both the possibilities of knighthood and the problematic behavior of their own companions and composed these chivalric manuals in an attempt at reform from within (*Chivalry and Violence* 273). One of the concerns addressed to differing degrees in the manuals is a concern for justice and the knight's responsibility to establish it in his sphere of influence. One might assume that, since Malory's sources for the story of Arthur are French, his ideas about knighthood could reasonably be influenced by the French as well. During the Hundred Years' War, chivalric manuals flourished in France, providing the possibility for access

to a large body of information regarding various aspects of chivalry, including justice. According to historian Craig Taylor, however, the manuals that were so popular in France during the Hundred Years' War saw very little circulation in England until the mid-fifteenth century, giving them little time to influence Malory's ideas of knighthood (71). In addition, many of the French chivalric manuals focus far more on issues like warfare and even love than on the method for establishing justice. For example, Geoffroi de Charny's popular treatise on knighthood, *Livre de Chevalerie*, goes to great lengths in describing the hierarchy of deeds of prowess and how knights should serve the Church, but mentions justice only a few times. He states that all rulers, including knights, were "chosen to administer justice and to maintain the rights of the humble as well as of the mighty" (de Charny 141), but he gives no practical information about what maintaining the rights of the humble would look like. De Charny implies that knights automatically know, by virtue of their chivalry, how to uphold the rights of those under their sway.

De Charny does provide more detail in discussing criminal behavior by knights themselves. He writes that knights who "wage war without good reason, who seize other people without prior warning and without any good cause and rob and steal from them, wound and kill them [. . .] behave like cowards and traitors" and do not deserve to be considered men-at-arms (de Charny 177, 179). The fact that de Charny felt it necessary to mention such behavior at all demonstrates that not all knights were as pure as his more idealistic passages imply. De Charny goes on to note that lords whose men commit such deeds "are no longer worthy to live if they do not inflict such punishment on them that would persuade anyone else who might have a desire for wrongdoing to draw back" (179). De Charny thus strongly decries criminal behavior by knights and insists that it is

their lords' responsibility to punish severely any who offend. These recommendations are an indication that noble knighthood does not guarantee good behavior, but de Charny provides no practical guidelines for knights to follow in establishing justice, either against knights or against others who break the law. Instead of clearly delineating just behavior, de Charny leaves the determination of what it means to be just in a particular instance up to the conscience of the knight himself.

Though de Charny's manual provides little context for the knight's responsibility to justice, another guide to knighthood may have had a better chance of influencing Malory's ideas about knighthood. This work, Ramon Llull's *Libre del Orde de Cavalleria*, dates to 1279 - 1283, and it circulated widely in Europe during the rest of the Middle Ages, first in Catalan, then in French, and finally in William Caxton's 1484 English translation (Kaeuper, *Chivalry and Violence* 275). Because Llull's text was widely popular over a long period of time, it is much more likely to have influenced Malory than de Charny's more contemporary text. And unlike de Charny, who touches on justice only incidentally, Llull makes justice one of the primary traits that appertain to a knight's soul (B.vi.recto). Llull did not make such comments with closed eyes; like de Charny, he understood that knights could be violent thieves and murderers rather than paragons of justice. In his *Book of Contemplation*, Llull calls knights ““the Devil's ministers”” and says that they create the most harm in the world (Qtd. in Kaeuper, *Chivalry and Violence* 277). Once again, the recommendations in Llull's *Book of the Ordre of Chyvalry or Knyghthode*, as Caxton titled his translation, are prescriptive rather than descriptive.

Some of Llull's prescriptions apply specifically to the creation of justice.

According to Llull, knights should maintain justice through fear; knights are part of the order of chivalry "to thend that they enclyne the smal peple by drede / by the whiche the one doubte to doo wronge to the other" (Llull B.ii recto). Lull lists among the knight's duties both defending the common people so that they can get on with their work and seeking out and punishing those who trespass against justice (C.ii recto - C.ii verso).

When read together, the implication of these passages is that the commons must be protected from each other and perhaps from invaders from without. Llull claims that knights have authority over the common people because "by thonour that he receyueth of his ordre / he hath noblesse of herte / & by noblesse of courage he is the lasse enclyned to doo a vylaynous fait or dede than another man" (Llull B.v verso). In an ideal world, a man who receives knighthood would be a virtuous man, well capable of taking up the charge of protecting the less fortunate.

Llull's ideal for the twinning of knighthood with justice is very high. In a virtuous knight, justice should be so closely allied to chivalry that the two cannot be separated, just as the soul cannot be separated from the body:

"yf a man withoute body were a man / Thenne were a man a thyng
Inuysyble / And yf he were Inuysyble / he were not a man / ne that which
he is / And al in lyke wyse / yf a man without Iustyce were a knyght hym
behoueth by force that Iustyce were not in that / in which she is or that
chyualry were a thing dyuerse fro the same chyualrye / which now is /
And how be it that a knyȝt haue the begynnnyng jussyste and be Iniuryous /
and weneth to be in thordre of chyualrye / that apperteyneth not / For
chyualry and Iustyce accorden so strongly / that withoute Iustyce
Chyualrye may not be / For an iniuryous knyght is enemy of Iustyce / and
dyffeateth and casteth hym self out of chyualrye / and of his noble ordre /
and renyeth hit and despyseth" (E.vi.verso)

In Llull's terms, just as a soul without a body is not a man, a knight without justice is no true knight. However, the series of "if" clauses Llull uses to establish the supposedly indestructible link between chivalry and justice also tacitly acknowledges the possibility that knights may become criminals. In addition to idealistic passages like this one, Llull includes in his text instructions to knights to punish their fellows if they act against justice, for "euery knight that susteyneth & suffreth a knyght to be a robbour & theef / in that doing he useth not his office" (Llull C.v recto). Knights should take care that not only their own behavior, but that of their companions, accords with justice.

Another work that demonstrates the connection between chivalry and justice is Jacobus de Cessolis' work on chess as an allegory for society, first printed in English by William Caxton as *The Game and Playe of the Chesse* in 1474. As one might expect, the discussion of the knight's piece includes discussion of "the ordre of chevalrye and knyghthooode" (Caxton 36), but so does the discussion of the rook, which is described, not as a castle tower as in modern chess, but instead as "vycayres and legates of the kynge" which "ought to be maad a knyght upon an hors" (Caxton 44). Though the general discussion of knighthood included in the section on the knight speaks little of justice, the rook's description focuses heavily on that quality. The responsibility of the rooks is to bear the king's authority to the parts of the realm where he is not and, among other duties, to establish justice, "most fayr of the vertues" (Caxton 44). This duty is especially important because if the ministers of the realm subvert justice, the king may lose his kingdom, so the king's vicar is to do everything in his power to preserve the common good (Caxton 44). However, as in de Charny, this text says little about the manner in which justice may be established or the common good preserved.

Though the texts described above give some indication of the importance attached to justice as an accompaniment of chivalry, they may or may not reflect English sentiment due to their original continental production. Very few English books dealing with chivalric themes date to the thirteenth and fourteenth centuries because the principles of English knighthood tended to be passed down from knight to knight in the form of practical experience rather than written documents (Taylor 82). This fact makes discovering any differing principles that would have driven the writing of an English knight like Malory difficult. A few English texts, including Constable Thomas of Woodstock's *The Ordenaunce and Fourme of Fightyng within Listes*, Sir Nicholas Upton's *De Studio Militari* and Sir John Tiptoft's "Ordinances for Justes and Triumphes," give minute details of English practice. Woodstock lays out the complete ceremony for trials by combat, with the intention that his nephew, Richard II, should conduct such trials "with justice and equite to [his] honourable renowne, in which all justice shulde duelle and bee" (301). Woodstock writes of serious battle to be used in settling otherwise irresolvable disputes; the pre-battle ceremonies charge the knights involved to fight until they force their opponent to yield or until he is dead (319), and in treason cases, the loser of the combat, either appellant or defendant, is to be executed (325). Upton deals with a wide variety of issues, but his comments on justice are also confined to trial by battle, in his case to long lists of possible reasons to hold such a trial, particularly in disputes over land or in cases of suspected adultery (10 - 11, 13). Tiptoft, in contrast, writes of tournament jousting, including the scoring system and the ways in which prizes may be won or lost. His rules deal with fair play and good sportsmanship rather than serious battle. For example, he writes that a knight who drops his sword loses

the match, so it is unsportsmanlike to affix the sword to one's glove (Tiptoft xxx).

Allison Lee's assessment of Upton's writing might easily apply to all three of these works, for they all relate to technical rules rather than the knight's theoretical position (27 – 28). Though these works prove useful in examining certain aspects of knightly action, they do not speak to the theory of justice that the continental works indicate should attach to a knight's general behavior.

One English text that addresses justice more directly is William of Worcester's *Book of Noblesse*, written in 1475—and thus after Malory's death—in an attempt to spur Edward IV into stronger action in France. Worcester relies heavily on Christine de Pizan's *Livre des fais d'armes et de chevalerie*, which incorporates material from Vegetius' *De re militari* and Honoré Bouvet's *Arbre des Batailles*; he refers frequently in his text to "Dame Christen's" opinion on his various subjects. Worcester's purpose is to encourage an invasion, so most of the text focuses on war in France, but he does at times touch on issues of home justice. He represents such justice primarily in terms of seeking the common good, which should be the first goal of kings and their knights (Worcester 21, 56 - 57). However, some of Worcester's recommendations hint at the darker side of knighthood in England. For example, he notes that soldiers should be paid generously and on time to prevent them from turning on the common people to make a profit. In describing the plight of English citizens living in Normandy, Worcester writes that some were "manassed [and] beten, and mischieved theire bestis with theire wepyns, that they were nigne out of theire wittis for sorow and so enforced for duresse to forsake youre title and youre lawes" (73). Worcester decries such behavior, asking why such cruelty should be shown to the law-abiding common people, upon whom the nobility depend for

livelihood. In writing thus, Worcester comes much closer to an accusation against the knights of the kingdom than either de Charny or Llull, for he speaks, not of the possibility that some knights may go bad, but of literal attacks against the helpless by the people who theoretically should protect them. Such an acknowledgement moves knightly violence against the people of the realm from the sphere of possibility to the real world of human experience.

Though much of the information on justice that may be distilled from the chivalric manuals is either vague or technical, one can draw some conclusions about a knight's responsibility for justice based on them. Though knights may become criminals, the ideal is for them to be just and to ensure that those around them are likewise just. They should first and foremost protect the common people over whom they have jurisdiction, primarily from squabbling among themselves but also from foreign raids and from by criminous knights. They should also prevent their fellow knights from committing crimes, and if any choose to engage in criminal behavior, they should expect others to regard them as alienated from knighthood and vulnerable to punishment. Because knighthood and justice are parts of the same whole, all knights should devote themselves to this virtue.

Though Malory's knights rarely have anything to do with the common people and are not represented as trying their disputes, they do stand for Arthur's justice in the realm, working in an effort to maintain justice among the upper classes. But in addition to depicting knights who obey Arthur's Oath and uphold justice, the text records multiple instances of knights violating the strictures of the Pentecostal Oath. The evil knights who also inhabit the text are necessary, for in order to prove their dedication to Arthur's

justice, the Round Table knights must have enemies to fight, and one can only include so many giants and dragons in a text before it becomes unbelievable. Good and evil are not simple categories in the *Morte Darthur*, for the knights who violate the code are often the highest members of the Round Table. One need seek no further than Lancelot, Arthur's favorite knight, and Gawain, Arthur's favorite nephew, for examples of such criminality. Lancelot for years engages in a treasonous affair with his king's wife, and Gawain is widely reputed as a murderer. If these two knights are unable to commit fully to Arthur's code, what can be expected of the Round Table as a whole?

Yet Malory represents the Round Table as famous worldwide. Percival's aunt claims that "all the worlde, crystenyd and hethyn, repayryth unto the Rounde Table, and whan they ar chosyn to be of the felyshyp of the Rounde Table they thynke hemselff more blessed and more in worship than they had gotyn half the worlde" (II.906.17 – 21). Round Table membership is a great honor, so much so that knights are willing to leave their families behind in order to swell the Table's ranks, as Percival's aunt claims he himself has done (II.906.22 – 26). According to Elizabeth Archibald, Arthur's knights are able to behave thus because "the secular fellowship of the Round Table is totally satisfying" (321); they need no other tie in order to live fulfilled lives. Once Arthur gains the Table, then, he has control of a large group of fighting men who, at least in theory, place his interests and the interests of the fellowship above their own. These valued members of Arthur's court are not carpet knights who receive honor but give nothing in return; instead, Arthur tasks them with preserving peace in the kingdom.

The Round Table knights have certain characteristics that set them apart from other knights, making them both worthy of high honor and able to carry out the tasks of

the kingdom. The first and most important of these characteristics is prowess, which Richard Kaeuper defines as “the will, sheer strength and endurance and actual physical capacity with edged weapons by which one knight completely dominates another” (“Chivalry” 25). A knight’s fighting ability is of primary importance for good reason, for prowess and good are not always equated. As D. Thomas Hanks Jr. notes, a knight was more than anything else an armed man (94), and some of those armed men used their weapons and their power to oppress others. Therefore, knights who serve the cause of justice must have the prowess to defeat the wrongdoers. Recurring episodes in which knights are denied entrance into the Round Table fellowship until their prowess is proven underscore the importance of this characteristic. For example, Torre asks at Arthur’s wedding feast both to be made knight and to be seated at the Round Table; Arthur readily grants the first, but tells Torre that he must “be of proues and worthynes” to become a Round Table knight (I.100.26 – 32). Only after Arthur has “sene hym proved” does he give Torre a place in the fellowship (I.131.26 – 33). Even Arthur’s foster brother Kay and his favorite nephew Gawain are not seated at the Round Table immediately upon its founding; they must wait for Pellinor’s recommendation after eight knights die during the invasion of the five kings (I.131.6 – 13). In similar fashion, Lancelot can only promise to recommend Belleus to the Round Table at his lady’s request; he must prove himself “doughty of his hondis” in order to actually join the fellowship (I.260.34 – 37). In the end, Lancelot’s recommendation is all that Arthur requires to raise Belleus to the Table, but prowess at least receives lip-service.³ At the end of the text, just before the Round

³ Elayne le Blanke, Bors’ illegitimate son, is the only certain exception to this rule. Arthur makes him a Round Table knight simply because he is Bors’ son, disregarding his extreme youth (II.831.1 – 11).

Table collapses, Urry and Lavayne are not raised to the Round Table until they have proven their prowess by defeating all comers at a tourney, though “there justed none of the daungerous knyghtes” (III.1153.14 – 21). Membership in the Round Table fellowship requires that a knight be first a man of prowess, for the knights’ characteristic prowess allows them to carry out the duties inherent in that membership.

Prowess, however, is as double-edged as any of the knights’ swords. It is often employed in trials by battle, where the victor is assumed, because of his victory, to be in the right. Though the text at one point claims that, because “God woll have a stroke in every batayle” (III.1133.28), the party in the right will win even if he is weaker, the reality in the text as a whole is that the knight of the most prowess will win, regardless of the rightness of his cause. This fact necessitates Arthur’s command not to fight in wrongful battles (Stuhmiller 437). And, of course, the primacy of prowess invalidates trial by battle as a whole, for “there is no necessary correlation between victory and justice” (Swanson 158). When greater prowess rather than “moral deliberation” becomes symbolic of the rightness of a knight’s cause (Lynch, “Thou Woll Never” 26), the kingdom cannot be said to be truly just. However, there is no doubt that Malory and his knights value prowess highly and consider it a prerequisite for Round Table membership.

The other characteristics that define Round Table knights depend, not on their personal attributes, but on their deeds. Three particular activities mark the Round Table knights: they help ladies in need, they help one another when necessary, and they do not openly fight one another. The first of these behaviors, helping ladies, is required by the Pentecostal Oath and is apparently well-known among the ladies of the kingdom. Several

However, the circumstances of Arthur’s elevation of Gaherys, Aggravayne, and Mordred to the Round Table are not represented in the text.

damsels come to court to request aid in particular adventures, including Lyonet (I.296 – 97) and Maledysaunt (II.461 – 62). Ladies also feel free to ask Round Table knights for service when they are away from the court. For example, a maiden suffering kidnap sees Bors as she is being carried away and, because “she demed hym a knyght of the Rounde Table” (II.961.5 – 6), she cries out for his help. She asks for his aid both in the name of God and of King Arthur; Caxton’s version of the text adds an appeal to the “hyghe Ordre of Knygthode” (II.961.9). Her request phrased in these terms is so compelling that Bors chooses to help her even though doing so requires him to abandon his brother, who is being led away naked by knights who beat him with thorns (II.960.23 – 28). Though knights are not compelled to do everything that a lady asks—Lancelot, for instance, refuses several requests from women who desire him as a paramour⁴—they are to serve them when the ladies are in need.

Such required service creates a certain level of vulnerability for the knights, for it gives the ladies they serve power over their behavior. Ackerman notes that because any gentlewoman has “an automatic claim on the prowess of even the strongest knight,” women may wield far more power than the weaker knights, who lack such an advantage (4). If the ladies’ clause were to be carried to the fullest possible extent, Arthur’s Round Table fellowship could become, in Dorsey Armstrong’s terms, simply a group of “knights acting in accordance with the wishes of ladies” (*Gender* 192), a turn of events that could put knights in danger. For example, during the Grail Quest, Percival meets a fiend who attempts to gain power over him by assuming the shape of a beautiful and helpless

⁴ Early in the text, Lancelot refuses to become the paramour of any of the four queens who imprison him in Morgan le Fay’s dungeon (I.257 – 58); near the end, he again refuses the sexual advances of the damsel who brings him his food in Mellyagaunce’s dungeon (III.1134.25 – 28).

gentlewoman. She tells Percival that she has been disinherited and is seeking good men to champion her cause, and she asks Percival to become one of those men. To strengthen her claim on his service, the lady adds, “for ye be a felowe of the Rounde Table, wherefore ye ought nat to fayle no jantillwoman which ys disherite and she besought you of helpe” (II.917.27 – 29). Percival immediately promises to help her in any way he can, despite the fact that he has no knowledge of the truth of her claims. Though Percival’s desire for purity saves him from the fiend-woman in the end, her claim upon his knighthood has a large part in her near success in turning him from his pursuit of the Grail. The strength of the fiend’s claim on Percival, especially when considered with Bors’ choice of a strange lady over his brother, indicates the extent to which serving ladies is part of a Round Table knight’s identity.

In addition to helping ladies, Round Table knights help each other. In several instances, Round Table knights indicate that they aid others because they are companions in Arthur’s Table. One case in point is Percival’s rescue of Persydes. Percival finds Persydes chained to a stake and left to die because he refused to be a woman’s paramour. On hearing his story, Percival says, ““bycause ye ar a knyght of the Rounde Table as well as I, I woll trust to God to breke youre bondys”” (II.813.14 – 16). With one blow, Percival severs the chain that bound Persydes to the stake; he then goes with Persydes to the wicked lady’s castle, frees his servants, and escorts him home (II.813 – 814), apparently all on the strength of Persydes’ claim of Round Table membership.

Even the relatively minor knights of the Round Table will risk their lives to help one another. Consider for example the case of Sir Collgrevaunce, a knight whose primary claim to fame may be that he is killed twice, first by Lyonell and then again by

Lancelot (II.973, III.1167). In his first death scene, Collgrevance becomes embroiled in a dispute in order to help a brother knight. Collgrevance happens to be passing when Lyonell attacks Bors, and he intervenes, not only because he “loved [Bors] ryght well” (II.971.15), but also because he is “one of [Bors’] felowis” (II.972.1). Collgrevance’s personal affection for Bors apparently does not extend to Bors’ cousin Lancelot, for it does not prevent him from joining Aggravayne and Mordred in their attempt to catch Lancelot and Guinevere together. However, his loyalty to a fellow member of the Round Table does make him willing to fight against another Round Table member who mounts an unjust attack.

In addition to helping one another, Round Table knights often refuse to fight against one another. Uwayne makes the clearest statement of this policy when Gaherys rides out to fight him at the request of King Mark. When Uwayne recognizes Gaherys’ shield, he says ““Sir, ye do nat youre parte; for [. . .] the firste tyme that ever ye were made knyght of the Rounde Table ye sware that ye shuld nat have ado with none of youre felyship wyttyngly. [. . .] And thaugh ye wolde breke youre othe, I woll nat breke myne”” (II.546.26 – 28). Ashamed, Gaherys then declines to fight, and Uwayne rides away. The text never depicts the swearing of the ‘no fighting one’s comrades’ oath; it is not part of the Pentecostal Oath, and no other place in the text specifically mentions it. However, the Round Table knights are known for this pledge of non-combatance. The first mention of such behavior comes before Uwayne and Gaherys’ aborted battle, in the truage battle between Cornwall and Ireland. Marhalte, the Irish champion, is a member of the Round Table. Because Cornwall apparently lacks a similarly powerful knight, some of Arthur’s barons recommend that Mark request that Lancelot fight on his behalf.

The other barons, however, warn Mark that Lancelot will refuse the battle because “ony of [the Round Table knights] wolde be loth to have ado with other” (I.377.16); Mark’s court then all agree that seeking help from a Round Table knight against one of their own would be useless.

At times, Round Table knights do battle one another accidentally, and they generally react with dismay once their identities become known. One such battle occurs during the Grail Quest, when Gawain engages in battle with a knight whose identity he does not know (II.943 – 944). When the two fight, both are wounded, but the unnamed knight’s wound is fatal. Gawain does not learn until his opponent lies dying that he is Uwayne, Gawain’s own cousin. However, Uwayne does not mention their familial relationship, instead identifying himself thus: ““I am of kynge Arthurs courte, and was a fellow of the Rounde Table, and we were sworne togydir. [. . .] And my name ys sir Uwayne le Avoutres, that somtyme was sone unto kynge Uryen [. . .]. And now forgyff the God, for hit shall be ever rehersed that the tone sworne brother hath slayne the other”” (II.944 – 945). Gawain, though he bemoans his misadventure and weeps openly, likewise makes no mention of their blood bond; their status as Round Table members who have fought one another is more important.

Because of their prowess, their unity, and the Pentecostal Oath by which Arthur binds his men to uphold the right, the Round Table knights seem perfectly placed to aid Arthur in the primary task of kingship: maintaining justice. Felicia Ackerman confirms this role for the knights, describing them as “quasi-policemen and keepers of the peace, who prevent and investigate crimes, rescue victims and potential victims, and [. . .] lawfully sometimes mete out summary, even capital, punishment” (3). The king and his

Table Round function together in this all-important task of rulership, a partnership that could create a powerful force for the management of the kingdom and the punishment of wrongdoers.

Many episodes throughout the *Morte Darthur* portray Arthur's knights enforcing the provisions of the Pentecostal Oath against knights who violate them. The first knight to act on Arthur's behalf in establishing justice in the realm is Sir Torre, who during his first quest executes Sir Abellus. A lady in demanding Abellus' head claims that he is "the moste outerageous knyght that lyvith, and the grettist murtherer" (I.112.22 – 23). She makes her accusation based on Abellus' behavior in killing her brother, whom he had already defeated "by adventure of armes" rather than in any more serious combat, despite the fact that she knelt in the mud for half an hour to beg for his life (I.112.27 – 32). Abellus, whom Torre has already defeated before the lady makes her demand, begs for his life, but Torre refuses him mercy on the grounds that he cannot overturn his promise to the lady to grant her a boon. He removes Abellus' helmet and then cuts off his head as Abellus tries to flee (II.113.1 – 9).

Though the Abellus/Torre incident taken alone may seem a clear example of the way in which Arthur's knights enforce justice, when viewed in context it raises several concerns. First, it occurs both before Arthur establishes the Pentecostal Oath and before Torre becomes a member of the Round Table. The standard is therefore not yet available for the knights to enforce, leaving Torre without guidelines to follow. He is at this time simply a knight at large, bound to perform a single quest, and no different in status from his opponent. Torre is thus innocent of default in denying Abellus mercy, for he does not yet know that such is required of Arthur's knights, and his common upbringing would

leave him without the knowledge of knightly behavior demonstrated by Gaheris during Gawain's concurrent quest. His behavior here, before the Oath is established, serves as a test case for knightly behavior, for the provisions of the Oath which follows so quickly on the triple quest of Gawain, Torre, and Pellinor directly address the issues the knights face in that quest. The fact that Torre alone receives praise on returning to Camelot indicates that his behavior is closest to and even helps to set the knightly standard.

Second, one might claim that Torre has acted rashly in executing Abellus, for he has only the lady's word for it that the crime against her brother ever occurred. Torre kills Abellus, a knight who has spent at least some time in Arthur's court, on the word of a woman whom he has never seen before, in order to keep his foolishly granted promise to give her a gift. However, such a claim would be misguided, for Torre has a good deal more than the lady's word to go on. Abellus lacks status in Arthur's court, for though he is knight and is present at Arthur's wedding feast, his position at the sideboard indicates Abellus' lack of favor. Abellus' unworthiness of Round Table membership at a time when several seats at the Round Table remain vacant indicates potential problems with his character.

The fact that Abellus enters the text as a thief confirms this possibility. On being knocked over by the white hound while sitting at the sideboard, Abellus rises and carries it away, despite the claims of the lady who enters the court as he leaves that the dog is hers. Her claim is leant weight by Merlin's insistence that Torre either bring both knight and dog back to court or kill the knight (I.103.1 – 21). Yet when Abellus pursues Torre, who has taken the dog from a pavilion in the forest, he cries “*yelde my brachette*” (I.111.26); if the dog is the lady's, as Merlin's intervention indicates that it is, Abellus

adds lying to theft by claiming that it belongs to him. Abellus is also unwilling to return to Arthur's court; even after Torre beats him until he cannot stand, he insists on fighting to the death over the dog's ownership (I.112.4 – 10). And most damning of all, Abellus does not claim innocence when the lady accuses him of her brother's murder. He simply requests the mercy that he has refused only moments before (I.113.1 – 2). Thus when Torre executes Abellus, he is not merely acting on the lady's word or fulfilling a rash promise; he is acting on a sense of justice that tells him Abellus is a bad knight who deserves to be executed. Arthur and Guinevere's approval of Torre's actions on his return to court indicates that he has judged rightly (I.113 – 14). Though to modern sensibilities the summary justice that Torre distributes to Abellus may be distasteful, in the world of the text Torre is a model for other knights to follow in dealing with wrongdoers.

And follow him they do. Malory's text records more than fifteen other instances when knights who either are or soon will be members of the Round Table fellowship act to defend justice in Arthur's realm. By far the most frequent of these actions involve the defense of ladies' rights, a confirmation of the Pentecostal Oath's strictures that also serves to promote the common good. Gareth, Palomydes, Uwayne, Bors, and Lancelot are all involved in episodes during which they defend the rights of ladies, often in single-combat disputes that decide the ownership of land. Uwayne wins back the "baronnery of londis" that Hew and Edwarde of the Rede Castell extorted from the Lady of the Roche (I.177- 78); Gareth defeats Sir Ironside in order to prevent his destruction of Lyonsesse's lands (I.296); Palomydes defends the land rights of an unnamed damsels against Sir Gomoryes (II.655 – 56); Bors acts as champion for a young woman whose lands have

been stolen by an older woman and her champion, Prydam le Noire (II.957 – 60). Even Gawain, who is never depicted as helping a woman to her rights despite the quest of ladies that Guinevere lays on him after his first quest (I.108.32 – 34), is accompanied in his dream visit to Arthur after his death by numerous ladies that he helped during his life. Knights of the Round Table are well known for their support of ladies' rights, making Arthur's court the place to go for damsels in distress.

When ladies receive other forms of oppressive treatment unrelated to their lands, the Round Table knights are again on hand to assist them and punish their oppressors. Thus Gareth kills the Brown Knyght wythout Pité for keeping thirty widows trapped in a castle (I.355), and Palomydes executes Corsabryne, who will not allow a damsel whom he loves to marry anyone else (II.664 – 66). During the Grail Quest, Galahad drives seven knights away from the Castle of Maidens, where they have raped and murdered several women; Gawain, Gareth, and Uwayne later kill them (II. 888 – 90). Bors rescues a damsel who is being carried away by an unnamed knight, despite the fact that he must leave his brother Lyonell in great danger to do so (II.960 – 62). Though one might not go as far as Armstrong in claiming that the Round Table exists only to serve ladies (192), Arthur's knights again and again act to protect the rights and the lives of the damsels they encounter.

Beyond service to ladies, Arthurian justice is most effective in dealing with criminal knights who fall outside of Arthur's direct authority. As I have noted previously,⁵ Arthur's knights exact Arthur's penalties against violators of Arthur's Oath, even if those knights have presumably had no opportunity to swear that Oath. The

⁵ Please see Chapter II, p. 21 - 22.

assumption seems to be that even if one did not swear the Pentecostal Oath on becoming a knight, he must have sworn another oath with similar provisions, provisions which he violates in committing criminal or unchivalrous acts. According to the chivalric manuals, such behavior fits poorly with a true knight's behavior, and good knights should not tolerate it. Thus Aglovayle executes Sir Goodwyne for killing his squire (I.811 – 812), and Palomydes slays Heylus and Helake for treasonously killing their master and benefactor, King Harmaunce of the Red City (II.711 – 19). Sometimes even accidental killings by Arthur's knights result in justice; for example, when Gareth kills Garrarde and Arnolde le Breuse at the passage of Mortayse early in his quest to help Lyonesse (I.301 – 02), she later reveals that they deserved their end, for both were murderers (I.317.29 – 31). Similarly, during the Grail Quest Galahad, Bors, and Percival are horrified by the slaughter they perpetrate against a group of possible Christians who attack them, but are reassured to learn that they were evil men led by the three sons of the Earl Hernox, who wounded and imprisoned their father, raped and murdered their sister, killed priests, and destroyed chapels (II.996 – 98). Many of the offenders against justice in Arthur's kingdom are summarily dealt with by Arthur's knights, even when those knights are initially unaware of the extent of their evil.

Occasionally offenders in Arthur's kingdom are made part of the Round Table instead of being brought to justice. Consider the Gareth episode, in which Gareth sends both the Duke de la Rouse and Sir Ironside to Arthur's court after defeating them in battle. Though Gareth's sending them to the king, presumably for judgment, accords reasonably with medieval justice, they are in fact not judged. Instead, Arthur seats them at the Round Table. Arthur has no reason to punish the Duke, for though he was not

previously one of Arthur's allies, he has committed no actual crime. Once he has sworn allegiance both to Gareth, a member of Arthur's court, and to Arthur himself, he is bound by his honor not to fight against them. Though he has held against Arthur before, Gareth's prowess apparently convinces the Duke de la Rouse that association with Arthur's court is better than his previous stance against it, and Arthur immediately accepts this former enemy as a valuable addition to his Round Table rather than punishing him for his former attitudes. Since the Duke brings one hundred knights under Gareth's and Arthur's control through this new alliance, this decision seems a wise one.

In the case of Sir Ironside, the Red Knight of the Red Lands, the decision to make him a Round Table member raises more questions regarding justice. Sir Ironside is not simply against Arthur's court, he is a murderer. His lady requested that he seek revenge against Arthur's men because either Lancelot or Gawain killed her brothers (I.325.1 – 9); therefore, he has defeated forty knights in battle and then hung them like common criminals in his desire “to do all the vylany unto Arthurs knyghtes” (I. 320.1 – 9, I.325.7 – 8). That Sir Ironside is a good fighter cannot be denied, for he has defeated at least forty men, but he has done so shamefully. In fact, his behavior before Gareth defeats him is worse than that of many of the men who are killed for their crimes by other Round Table knights. Despite his crimes, however, Arthur raises him to the Round Table on his promise that he will no longer be a “man-murtherer” (I.337.21). According to Christopher Canon, “Murderers are easily accommodated to Arthur's Order of Knighthood because, in fact, there are murderers in it” (176). The other knights raise no protest at the inclusion of Sir Ironsyde in their number, but how can they when the king's own nephew, Sir Gawain, is widely known as a murderer (I.360.32 – 36)? Though the

Round Table knights are perfectly willing to enforce their Oath against people outside of the fellowship, they rarely enforce its strictures on those who are members of the group, and this leniency extends even to new members who were known to be criminals before their elevation to the Table.

The Round Table's propensity to neglect policing their own leaves the kingdom vulnerable to internal threats. As Susan Elizabeth Leas states, "The dangers to the institution are not the villains, from whom gentle deeds are unlooked for, but rather the gentlemen who fail to perform such deeds, although they understand the requirements of knighthood" (84). One such villain is Sir Lyonell. Though for most of the text he appears as a good knight, another side of him shows during the Grail Quest, when he attacks his own brother, Bors. Lyonell completely ignores the Pentecostal Oath in his search for revenge due to Bors leaving him in captivity to rescue a kidnapped damsel. He first denies the Oath's claim against Bors, for though he acknowledges that Bors left him "to succour a jantillwoman" (II.969.14), he claims that such behavior is, not a chivalrous act that promotes justice, but an "untrouthe" and a "mysseedede" deserving of death (II.969.16 – 17). In the attacks that follow, Lyonell disregards two pleas for mercy from Bors and one from the hermit who seeks to defend Bors after Lyonell's initial attack (II.969.21, 970.10 – 11, 27 – 28). On first attacking Bors, Lyonell tramples him with his horse, rendering Bors unconscious through a form of attack usually associated with utter villains (II.970.16 – 18). Next Lyonell murders in cold blood a hermit⁶ who seeks to protect Bors and then fights against and kills fellow Round Table knight Sir

⁶ According to Henry V's Statutes of War, those engaged in the service of God were not to be harmed by soldiers, on penalty of death (Upton 35). Though this statute is mentioned nowhere in the *Morte Darthur*, it is worth part of the context that Malory's audience would bring to the text.

Collgrevance, who also tries to prevent him from slaying his brother (II.971.4 – 5, 972 – 73). In this passage, Lyonell shows complete disregard for the Oath and for knighthood.

Despite the grievous nature of his attack on Bors, Lyonell is never disciplined for denying him mercy or for killing the hermit or Collgrevance. Lyonell does request Bors' forgiveness for his “trespass,” which Bors readily grants (II.974.14 – 17), but such forgiveness would extend only to his attacks against Bors himself, not to the killings. Yet when Lyonell returns to court, he is accepted back into the fold without even a verbal reprimand (II.1020.21 – 23). While Bors himself cannot punish his brother for his wicked behavior because a voice from heaven warns him against fratricide (I.974), no such stricture applies to Arthur’s other knights, but they overlook Lyonell’s crimes as well. Rather than punishing or even scolding him according to his desserts, the Round Table knights welcome him back.

As badly as Lyonell behaves during the Grail Quest, his failing pales beside those of Gawain, Gaheris, Aggravayne, and Mordred. Other knights repeatedly excuse the criminal behavior of these four men because they are Arthur’s blood relations. This pattern begins with Blamoure of the Maryse’s men, who release Gawain for killing their lady because of the relationship (I.108.14 – 21). Later, Gawain actively trades on his relationship to Arthur to prevent punishment by Lamerok when he attempts to kidnap a lady who is sitting by a well with a sleeping knight. Lamerok sees him take the lady and challenges him, to which Gawain responds, ““what woll ye do with me? I am nevew unto kynge Arthure,”” to which Lamerok responds, ““for that cause I woll forbeare you”” (I.449.27 – 29). Likewise, Pelleas spares Gawain “for the love of the kynge” (I.180.1) when Gawain betrays him by seducing Ettarde rather than helping Pelleas to win her love

as he had promised. Lamerok also refrains from seeking revenge for both his father's and lover's deaths at the hands of Gawain and his brothers "for my lorde kynge Arthurs sake" (II.670.18 – 19). And when Gawain and his brothers finally kill Lamerok, Tristram and Dynadan state plainly that the only reason they are not executed for the murder is that they are "the cousins of my lorde kynge Arthure" (I.698.29 – 30).

Even when Arthur's nephews make a show of commitment to justice, their actions display mixed motives, with the desire for justice merely serving to cover their own jealousy and hatred. This propensity to jealousy is on display even early in the text, at the very establishment of the Round Table. Gawain, seeing Pellinor given the highest occupied seat at the Table, feels "gret envy" and tells Gaheris that he will kill Pellinor because Pellinor killed their father (I.102.10 – 15). If one accepts Beverly Kennedy's assertion that Gawain represents heroic knighthood, under which the blood tie takes precedence over all other allegiances (83), then Gawain's desire to kill Pellinor takes on a certain flavor of justice. Pellinor did kill Lott in battle, reason enough under the *lex talionis* for Gawain and his brothers to kill, not only Pellinor, but his son Lamerok as well. Though justice based on blood feud would not be in keeping with the Pentecostal Oath, it would be in some way justifiable. Gawain is doubtless very upset by his father's death, but Malory's comment on his envy of Pellinor indicates that blood feud is not Gawain's only motive in planning to kill him. At Arthur's wedding feast, Gawain twice is displaced by Pellinor and his blood. The first instance occurs when he is knighted after Torre, though his request to be knighted at the wedding preceded that of Torre's foster father (I.99 – 101). Gawain then sees Pellinor seated high at the Round Table to which he has not yet been elevated, a place he may feel should be his as the oldest of Arthur's

nephews. Jealousy surely plays a role in Gawain's determination to destroy Pellinor, regardless of the guise of familial loyalty with which he seeks to cloak it.

Similar motives are in play when Aggravayne and Mordred bring charges of treason against Lancelot at the end of the text. Once again, the two men mask their true motives under concern for their blood. When they accuse Lancelot and Guinevere of adultery, they claim that their reason for making the accusation is, ““we be your syster sunnes, we may suffir hit no lenger. And all we wote that ye shude be above sir Launcelot, and ye ar the kynge that made hym knyght”” (III.1163.8 – 10). Their only concern, according to this speech, is that their dear uncle should not be dishonored by a knight who is clearly his inferior. They make no mention of their true motives for making the accusation, which the text reveals instead as “a prevy hate unto the queen, dame Gwenyver, and to sir Launcelot” (III.1161.12 – 13). One might claim that this private hatred could arise from seeing their aunt deceive their uncle with one of his own men for years. But the fact remains that in this case, as in the case of Gawain's hatred of Pellinor, jealousy causes these men to put aside what should be a preeminent concern—the common good—in favor of their own private concerns. If they were truly accusing Lancelot of his treasonous crime in order to see justice done, they would have done it long before, when the damage caused by revealing the relationship would be smaller. Instead, they allow their private hatred to fester until fully half of the Round Table owes some allegiance to Lancelot, causing utter disaster when he is driven away with all of his followers.

In the previous chapter, I discussed Arthur's being remiss in his failure to punish his nephews, but their crimes are also relevant here because the knights overlook them as

well. True, it is primarily Arthur's responsibility as their uncle and their liege lord and king to punish them for their crimes. But if the knights of the realm are to bear the responsibility for just rule with the king, then they should do so even when the criminals in question have close ties to the crown. That the knights forbear from actually executing the brothers from Orkney is doubtless a wise decision due to their blood relationship to Arthur. But the knights not only refrain from killing them, they also refrain in most cases from reproving them for their behavior or reporting it to King Arthur and demanding that he control and punish them. Only Lancelot ever comes close to seeking reprisals against Gawain and company when he warns Arthur that unless Arthur acts, they will kill Sir Lamerok (II.613.22 – 24). Arthur promises to prevent them from doing so, but actually does nothing.

In truth, the Round Table knights pose both a problem and its solution for Arthur. They are the problem in that it is the knights, both within and without Arthur's court, whom Malory represents as disrupting peace and justice in Logres. And, of course, they are the solution because it is often other knights who must enforce the proper behavior on the part of their fellows. Were the *Morte Darthur* to present a simple case of good knights within the Table and evil knights without, the story would be straightforward, a representation of an idealized kingdom in which Arthur's court works to impose order and justice for the good of the community on the chaos created by those dedicated to self-interest. However, such is not the picture that Malory paints in his text. Instead, he represents a kingdom in which the knights within and the knights without Arthur's court may be good, bad, or both. The majority of the Round Table knights are unable to meet the standard imposed by Arthur's Pentecostal Oath and the expectations of chivalry and

custom. Instead, they tend to make gestures toward justice when it suits them, while feeling free to violate knightly principle in the interest of their own desires. Like the larger flies in Hoccleve's metaphor of cobweb justice, the Round Table knights have Arthur's favor, so little will be done against them in reprisal for their crimes.

Consideration of the broad trends of knightly behavior demonstrates the inconsistency of the Round Table with regard to justice. However, the same can be accomplished through focusing on the behavior of individual knights. For example, scholars have long noted the inconsistency of Gawain's character in the *Morte Darthur*. At times, Gawain serves as a boon companion and able advisor, but at other times Malory represents him as a vengeful murderer. William Bennett explains that this inconsistency results at least in part from Malory's use of both French and English sources. In the English tradition, which lacks Sir Lancelot, Gawain is the best of Arthur's knights (Bennett 22), but in the French tradition Gawain is first sidelined by Lancelot and ultimately painted as a villain (Bennett 24 - 25). Barbara Gray Bartholomew asserts that this inconsistency is deliberate on Malory's part. Instead of being an accidental result of source choice by an inattentive redactor, Gawain's variable nature is "a typified image of the Round Table knights" that illustrates that both good and evil exist in the Round Table from its very beginning, leading to the kingdom's fall (262 - 63). Rather than attempting to reconcile Gawain's good nature with his evil one, Malory allows both to stand in order to "[acknowledge] the existence of profound evil even within a scheme which is aimed toward the achievement of an ideal" (Bartholomew 265). Gawain thus could be said to represent in miniature the trend toward inconsistent justice that applies throughout the *Morte Darthur*.

Though Bartholomew's argument is provocative, Gawain as the ultimate representative of the Round Table in the end seems unlikely. She represents Gawain as the "most good and most evil" of the Round Table's knights (263). Gawain demonstrates more criminal behavior than any other knight, rivaled only by his own brothers, but this fact makes him too evil to be a true representative of his fellows, most of whom come nowhere near his level of wickedness. And though Gawain is a man of prowess who does some good in the realm, particularly when he cautions Arthur against the attempt to summarily execute Guinevere that in the end proves so costly (III.1175), he cannot be said to be Arthur's best knight. The best of Arthur's knights, to most readers and apparently to Malory himself, is Lancelot. The text dwells at length on Lancelot's knightly perfection, over and over terming him the best knight in the world. Yet despite his excellencies, Susan Elizabeth Leas notes that Lancelot is also the knight whom the text most often terms "false." Though this labeling most often comes from the angry Gawain during the revenge war that he prosecutes against Lancelot, Arthur's best knight is also in many ways false to his king and to knighthood (Leas 154). I have reserved any discussion of Lancelot's involvement with justice in Logres to this point because he serves as an excellent representative of the Round Table as a whole. Through Malory's characterization of this knight, one can see both the glories and the failings of the Round Table society.

Lancelot is generally regarded as Malory's favorite knight. The text's multiple references to Lancelot as the best knight in the world make it reasonable that Lancelot should be the example of what a knight should be. If any knight were to be able to follow the Oath and customs of knighthood perfectly, it should be this one. However, while the

reader can find in the text multiple examples of Lancelot's behaving rightly, upholding the tenets of the Oath, serving his king, and helping his fellows, Lancelot as often violates the Oath and behaves badly. Though he is Arthur's best knight in prowess, Lancelot is not a consistently just knight. All too often, he places personal desires before the common good, causing injustice instead of upholding justice as a knight should. At times Lancelot's self-referential behavior taints even his good service, leaving his just actions open to question, as I will discuss below. In both his good service and his treason, Lancelot serves as a fitting example of the problem that plagues Arthur's Round Table, for the very men who should serve the kingdom bring about its destruction.

Lancelot's good service under the Oath is most pronounced in the service of ladies. Lancelot often works for ladies to protect them and to advance their rights. Such is the case when a gentlewoman tells Lancelot that Sir Perys robs and rapes women. Lancelot, outraged at Perys' violation of the Order of Knighthood, uses the damsels as bait to draw Perys out and then rebukes and summarily executes him (I.269 – 70). Immediately after, Lancelot kills two giants who imprisoned sixty ladies and damsels in a castle, doing silk work, for seven years (I.271 – 72). Even after the Grail Quest, when Lancelot resumes service to damsels at least in part “to eschew the sclawndir and noyse” occasioned by his affair with Guinevere, his mixed motives do not prevent him from doing a great deal of service to ladies in need, of which Logres seems to have no shortage (II.1045.22 – 28).

The most famous lady whom Lancelot serves is Queen Guinevere. In the Poisoned Apple episode, Lancelot unites his service of the lady to another of the Pentecostal Oath's tenets, for he fights as her champion in the text's clearest example of a

rightful quarrel. During this episode, Guinevere stands accused of the murder of Sir Patryse, whom Sir Pyonell accidentally poisons in an effort to kill Gawain at a dinner that Guinevere holds for several of Arthur's knights (II.1048 – 49). As Keith Swanson notes, the Arthurian justice system, which depends on trial by battle for the conviction and execution of the guilty, almost breaks down in this instance because the Round Table knights believe Guinevere guilty of the poisoning and refuse to defend her, doubtless to avoid battle in a wrongful quarrel as the Oath specifies (165 - 66). The trial is only able to go forward because Bors agrees to fight for Guinevere under pressure from Arthur (II.1053). Lancelot, however, does not doubt Guinevere's innocence, and on the day of battle takes over from Bors to fight against Guinevere's accuser, Patryse's cousin Mador de la Porte. Lancelot subsequently defeats Mador and forces him to admit Guinevere's innocence, creating justice by freeing the queen from an unjust accusation (II.1057 – 58). Though Lancelot's later involvements in trial by battle on Guinevere's behalf are tainted by their own treason, in this instance he battles for the right cause, and justice is served.

The good knight Lancelot also serves justice in other ways than serving ladies. Early in the text, Lancelot punishes Sir Phelot for his treasonous attempt on Lancelot's life. Phelot's wife, at her husband's behest, tricks Lancelot into disarming and climbing a tree in pursuit of a hawk so that Phelot can gain the upper hand and kill Lancelot. In response, Lancelot knocks Phelot unconscious with a tree branch and beheads him. When Phelot's widow protests the apparent injustice of beheading an unconscious man, Lancelot responds, ““with falshede ye wolde have had me slayne with treson, and now hit is fallyn on you bothe”” (I.284.5 – 7). His reference to treason indicates that Lancelot sees Phelot's beheading as a just execution, not as an act of revenge or self-defense.

Killing Phelot is thus in keeping with the Pentecostal Oath and his duty as a Round Table member to enforce its tenets.

The Oath also constrains Lancelot to grant mercy, even when he would rather withhold it. Consider first the episode involving Sir Pedyvere, the jealous knight who refuses to trust his wife's relationship with her "cousin jarmayn" (I.284.31 - 32). Lancelot interrupts Pedyvere's first attempt to kill his wife, but then succumbs to the old "look over there" trick, allowing Pedyvere to cut off his wife's head. Pedyvere immediately throws down arms and begs for mercy, to which Lancelot at first responds "'thou shamefull knyght! Thou mayste have no mercy: therefore aryse and fyghte with me!'" (I.285.19 – 21). Pedyvere refuses to fight, however, and rather than killing him in cold blood, Lancelot forces him to carry his wife's head and body to Guinevere for judgment. Lancelot knows that Pedyvere is guilty of murdering his wife; since he is actually present at the killing, he actually has more direct evidence against Pedyvere than he had against Perys, whom he summarily executed only a few pages before. But because Pedyvere persistently requires from Lancelot the mercy prescribed by the Oath, Lancelot sends him to the court for justice rather than enforcing justice himself.

In like fashion, Lancelot affords mercy to King Mark, whom he earnestly desires to kill. After Mark kills Amant in the unjust battle trial that acquits Mark of the murder of Sir Bersules, Arthur sends Lancelot to fetch Mark back to his court. When Lancelot overtakes Mark, he at first simply attacks him, refusing to hear Mark when he says "'I yelde me to the, Sir Launcelot, honorable knyght'" (II.594.7). Mark here appeals to Lancelot's honor in order to save his life, an appeal that goes unheeded until Mark deliberately falls from his saddle and cries out, "'Sir Launcelot, have mercy upon me!'"

(II.594.12). Lancelot sorely regrets that he cannot strike Mark for the wrong he has done to Tristram, Isode, and the two dead knights, but his Oath constrains him, and he takes Mark back to Arthur's court unharmed. In both these instances, Lancelot's personal desire is the death of the man involved, but the Oath's requirement for mercy abrogates all choice in this matter. Where mercy is concerned, instead of acting on his own wishes, Lancelot follows his Oath.

In addition to behaviors that are consistent with the Pentecostal Oath, Lancelot also demonstrates many of the qualities that set the Round Table knights apart. Chief among these traits is his prowess. Lancelot's strength and fighting ability set him apart even from his brother knights. This prowess allows Lancelot to win the battles that he undertakes on behalf of ladies, as discussed above, seeing that they receive their rights and that Guinevere is exonerated of Patryse's murder. Lancelot's prowess also allows him to win the numerous battles that he fights throughout the text, even those with formidably strong knights like Sir Tarquyn, who has previously defeated and imprisoned some sixty-four knights, some of whom are Round Table members (I.264 – 67). One could easily multiply examples of Lancelot's prowess, but to do so would be extraneous because this is his overriding feature. As Elizabeth Scala notes in her discussion of Lancelot's supremacy in Malory, "Malory never shows us a Lancelot defeated" (391).⁷ Though during the Grail Quest the reader occasionally sees Lancelot humbled, when the quest ends, even his failure is described in terms of his near success (Scala 390).

⁷ Scala is not completely correct in this claim. During the Grail quest, Lancelot, on seeing a battle between two parties of knights—one black, one white—takes the side of the weaker black knights in order to increase his worship. However, the black knights are defeated in the battle after Lancelot becomes too weary to continue fighting, a shame that Lancelot believes reflects his sinful state (II.931 – 32).

Lancelot's prowess is a primary factor in his status as the world's best knight, Malory's representative of what knights should be.

Lancelot is also conspicuous for his willingness to help his fellow knights. The battle with Sir Tarquyn mentioned above is a prime example of this trait, undertaken as it is to rescue the "three score and four" knights of Arthur's court whom Tarquyn holds in his prison (I.264.29). Lancelot also undertakes the dangers of the Chapel Perelus in order to help Meliot de Logris, who is cursed with unhealing wounds by a sorceress. When Meliot's sister asks Lancelot's help and reveals her brother's identity, Lancelot's response to his situation is "'That me repentys, [. . .] for he is a fellow of the Table Rounde, and to his helpe I woll do my power'" (I.279.30 – 32). Though Lancelot might have helped the damsels' brother anyway, his statement on taking up the adventure indicates that Meliot's status as a Round Table knight is a factor in his willingness to face the Chapel's dangers.

Lancelot displays his loyalty to his fellows in other ways as well. He helps Kay by first defeating three knights who were attacking Kay as one and then wearing Kay's armor on his way back to court, leaving Kay to ride safely in Lancelot's own recognizable armor (I.273 – 275). Though he attacks the three knights without knowing their victim's identity, on explaining the adventure to his host he calls Kay "'an olde felowe of myne'" (I.274.20), and their fellowship in the Round Table is doubtless part of his decision to leave Kay with his armor, in which Kay claims that he "'rode in Goddys pece and no man would have ado with'" him (I.287.2 – 3). Even when afflicted by madness, Lancelot displays loyalty to his fellows. Sir Blyaunte, the knight who has rescued and fed him, is attacked by Sir Brewnys Saunze Pité and his brother outside of

his castle. When Lancelot sees this, he breaks the chains with which he has been bound for his own safety, rushes unarmed out of Blyaunte's castle, and drives the two knights away, disarming Sir Bartelot and using his sword to unhorse Sir Brewnys (II.820.5 – 18). Throughout the majority of the text, Lancelot's loyalty to the Round Table provides an excellent example of how the knights should hold together. Were he able to promote such unity throughout the Table and over time, they would be a powerful force for maintaining order in the kingdom.

Nowhere is Lancelot's loyalty more pronounced than during the war between his faction and Arthur's at the end of the text. Though Lancelot does siphon away a large part of the strength of the Round Table when he flees the court, he refuses to use those men to destroy Arthur. During the battle at Joyous Garde, even the righteous Sir Bors, one of the Grail Knights, becomes so carried away by the battle that he offers to kill Arthur, saying to Lancelot, “Sir, shall I make an ende of thys warre?” (III.1192.14). Throughout this battle and those that follow, however, Lancelot refuses to allow anyone to harm Arthur. In the incident with Bors, Lancelot replies in the negative, adding, “I woll never se that moste noble kynge that made me knyght nother slayne nor shamed” (III.1192.17 – 19). And this remains his attitude during all of the difficulties that follow. Though Lancelot ironically commits treason by bringing his forces into battle against Arthur's in order to prove his innocence of Arthur's and Gawain's charges of treason against him (Miko 225), his loyalty to Arthur prevents him from taking that treason to its furthest extreme. Even in rebellion and exile, Lancelot remains Arthur's knight, so much so that as soon as he learns of Mordred's treachery, he willingly hastens to England to help the men who have just burned and pillaged his own territory (III.1249 – 50). In

loyalty to both his king and his fellows, Lancelot is once again a sterling example of honorable knighthood.

Were Malory to illumine only Lancelot's good traits, of which the above is only a sampling, he would have to find a new end for his story. Instead, however, Malory also includes a full description of the dark side of Lancelot's character. As Janet Jesmok notes, Lancelot's character is complicated, displaying negative characteristics as well as positive (81). Jesmok concentrates a good portion of her argument on an episode in the Tristram section in which Lancelot rides in disguise, attacks and even kills other knights, and denigrates Arthur's court; she even draws parallels between Lancelot and the text's most notorious villain, Sir Brewnys Sanze Pité (81 - 83). Lancelot's negative behaviors also extend far beyond this one episode, providing a counterbalance to his many positive characteristics. Lancelot's negative character traits are a requirement of the story, of course; Malory could not characterize Lancelot as a complete paragon, for Lancelot's faults play a major role in Arthur's destruction. Those very faults are also emblematic of the weaknesses that plague the Round Table, ultimately destroying Arthur's kingdom.

As if to balance his hero's good traits, Malory includes in his text several examples of general bad behavior on Lancelot's part. The episode that Jesmok discusses is perhaps the most egregious cluster of behaviors unworthy of a Round Table knight illustrated by Lancelot. In this section of the text, Lancelot, riding in disguise, fights with and injures six Round Table knights, including Tristram, Palomydes, Gawain, Bleoberys, and Kay. He also kills Sir Gallardone, a young knight of King Arthur's court. During this episode, Lancelot claims to "hate all tho that be of Arthurs courte" (II.564.19 – 20), and he speaks "grete vylony by the kynge, and specially by the queen Gwenyver"

(II.566.4 – 5). One might forgive Lancelot for fighting others in disguise, for as Scala asserts, the necessity to continually prove one’s worship requires a knight to fight with other knights, but Lancelot’s prowess makes others unwilling to fight him (385). The episode noted above in which Kay rides unmolested in Lancelot’s armor is evidence that he could find it hard to find the necessary combat when adventuring in his own person. But insulting, injuring, and even killing one’s allies should not be necessary to gain worship. Such behavior is not worthy of chivalry’s supposed paragon.

Though Lancelot apparently attacks his own companions in cold blood in the episode discussed above, at times battle rage also gets the better of him, causing him to behave in a manner congruent with the worst knights in the text. During the Roman War, for example, Lancelot tramples the Emperor Lucius with his horse three times (I.220.19 – 20), an action that Michal Stroud calls “the worst of chivalric sins” (336). One might claim that the attitudes of war are different from those of peace, thus excusing the trampling in a battle situation, but this does not change the fact that all other trampling instances in the text reflect poorly on the knights who commit them. I have already discussed the way Lyonell attacks Bors with his horse as part of his attempt to kill him⁸ (II.970.16 – 18). Without question the text’s most frequent trampler is Sir Breunys Saunze Pité, who at various times tries to kill Gawain, Aggravayne, and Bleoberys using this method (II.512.25 – 28, II.614.12, II.686.15 – 18). These two murderous knights seem strange company for the noble Lancelot, but when the rage of battle is on him, he behaves just as they do, using a horse in an attempt to destroy a fallen opponent.

⁸ Please see p. 184.

Lancelot's rage can take other, equally unsavory forms as well. In the Knight of the Cart episode, Lancelot becomes so incensed over Mellyagaunce's kidnapping of Guinevere that he kills two of Mellyagaunce's churls with his bare hands simply because they inconvenience him (III.1126.23 – 25, III.1127.28 – 30). These men are apparently unarmed and merely doing their jobs, and as such should not be menaced by one of the armed men whom the chivalric manuals claim should protect them, but in his haste to rescue Guinevere, Lancelot ignores this duty. Anger also causes Lancelot to disregard his responsibility not to fight with his Round Table companions when he comes to rescue Guinevere from the fire at her execution. Instead of remembering his loyalty to and fellowship with these men, he slays them indiscriminately. He destroys nineteen knights of the Round Table, even Gareth and Gaheris, who demonstrated their unwillingness to participate in the execution by going unarmed and unarmored (III.1177.23 – 34). Lancelot is strong in many of the knightly virtues, but he often lacks self-control when angered, and his anger when coupled with his prowess has the potential for serious destruction.

Lancelot's problematic behavior includes more than violation of knightly custom and giving way to anger; it also involves direct violations of the Pentecostal Oath. The most egregious example of his flouting of the Oath is his longstanding affair with Guinevere, a clear instance of the treason that Round Table knights are to flee. Because Malory pictures Lancelot and Guinevere abed together only once, during the Knight of the Cart episode (III.1131.28 – 32), there is some scholarly debate about how long this affair lasts. This debate largely springs from the claims of R. M. Lumiansky, who asserts that the section Vinaver entitles “The Noble Tale of Sir Launcelot du Lake” chronicles

“the Lancelot-Guinevere relationship before the beginning of the adultery,” which actually begins sometime in the Tristram section (92, 96). However, Lumiansky uses as evidence for his claim Lancelot’s speech to the four queens in which he states that Guinevere “is the treweste lady unto hir lorde lyvynge” (96; Malory I.258.5 - 6), never noting that this speech is virtually identical to the one that Lancelot makes over the walls of Joyous Garde at the end of the text. There Lancelot proclaims to Arthur that Guinevere “is as trew a lady unto youre person as ys ony lady lyvynge unto her lorde” (III.1188.14 – 15). Since Lancelot lies with these words at the end of the text, he could easily be lying with the same words at the beginning. The ease with which Brusen is twice able to convince Lancelot on Elayne’s behalf that Guinevere has sent for him for a romantic tryst is further evidence that they are engaged in a longstanding relationship, for if they are not involved in an affair, why does he express no surprise at being sent for and brought to bed with the queen (III.794 – 95; III.804 - 805)? Though Malory certainly downplays the extent of their affair, minimizing the physical aspects of it as much as possible (Scala 387), there is little real doubt that Lancelot treasonously betrays Arthur for years through an affair with his wife.

Lancelot’s treasonous love for Guinevere leads him into another violation of the Oath as well. Though the Oath clearly specifies that knights are not to enter into wrongful quarrels “for no love ne for no worldis goodis” (I.120.24), Lancelot is ever ready to fight for Guinevere, whether or not she is in the right. On four separate occasions, the text declares that Lancelot is Guinevere’s knight “in ryght othir in wronge”

(II.1058.31 – 32⁹). His willingness to battle for her wrongfully becomes reality when he does so during the Knight of the Cart episode. As in the Poisoned Apple episode, Lancelot defends Guinevere in trial by combat against a charge of treason, though this time the charge is treasonous adultery rather than murder. But unlike the earlier episode, in this case Guinevere, though innocent of the specific charge, is indeed guilty of treason against her husband—with her champion himself. In this battle, Lancelot fights for her wrongfully, showing more concern with protecting her reputation and hiding his own treason with her than for upholding justice in the realm.

Most of the action in the Knight of the Cart episode arises from mixed motives. Mellyagaunce charges Guinevere with treasonous adultery, not because of his own commitment to justice, but to divert attention away from his own guilt. Guinevere is only in his castle, where he discovers her in the morning lying in a bloodstained bed, because he kidnapped her and wounded ten of Arthur's knights in the process. When Mellyagaunce first makes the accusation, he does it in a general sense, simply saying “‘a wounded knyght thys nyght hath layne by you’” (III.1132.22); though he may have the knights in the chamber in mind as he makes this charge, since he does say as well, “‘I am sure there hath one of hir hurte knyghtes layne with her this nyght’” (III.1133.9 – 20), he leaves the charge itself open. In response, Lancelot changes the accusation’s focus, offering to prove through battle that “‘thys nyght there lay none of thes ten knyghtes wounded with my lady’” (III.1133.30 – 31). In this speech, Lancelot engages in his own

⁹ In this passage, Lancelot speaks these words directly to King Arthur, showing no shame for the disregard for the Oath demonstrated by such a confession. He also confesses it more humbly to a hermit during the Grail Quest (II.897.18 – 19) and to Guinevere herself at their parting in her chamber (III.1166.15 – 16). Bors makes the fourth proclamation of Lancelot’s dedication to Guinevere when she asks him to be her champion in the Poisoned Apple episode (II.1052.8 – 9).

diversion, for he was the wounded knight who slept with Guinevere, having cut his hand when he came through the window to join her. Thus both men are prevaricating, and both have betrayed Arthur through actions that in the Middle Ages would be considered rape.¹⁰ Under the Oath, Mellyagaunce's forcible kidnapping of Guinevere is a serious crime, worthy of death, and thus he seeks to cover it. But Lancelot in this episode acts from similar motives, for his treason with Guinevere is also against the Oath's strictures.

Lancelot is a clear example of the way in which Arthur's knights are both the problem and the solution for the maintenance of justice in his kingdom. Lancelot frequently acts in the interests of justice, punishing wrongdoers, refraining from vengeance, and granting mercy. However, on occasions when his desires come into conflict with the Oath or with knightly custom, particularly in terms of his love for Guinevere, those desires are given free rein, regardless of the fact that they violate knightly ethics and Logres' laws. In just this manner, Malory pictures many of Arthur's knights fighting for the common good, but only when that good does not run counter to their own wishes. Thus Malory has in Lyonell a valuable knight and fighter who is also willing to kill his own brother over a slight, or in Gawain a good knight and useful advisor who murders those he hates and drags the entire kingdom into a revenge war. None of Arthur's knights truly devotes himself to serving his king and establishing a just realm.

Arthurian justice remains inefficient and incomplete due to the neglect of both the king and his knights. Arthur has a system that could be used to create justice, but he does not enforce that system's laws. Following his example, the knights prefer personal

¹⁰ Under medieval law, a husband could accuse his wife's lover of rape even if she consented to sexual contact (Batt 82).

motives to disinterested ones, following their own desires rather than pursuing justice. For the kingdom to be truly just, the Round Table fellowship must “[gain] prominence over any individual,” but the “jealousy, treason, and internal strife” that mar the group prevent it from reaching that ideal (Scala 382). Elizabeth Pochoda states the Round Table’s fatal flaw thus: “individuals are dependent on and drawn to the community and at the same time antisocial and antagonistic to its interests” (103). Only through the Round Table fellowship can Arthur hope to establish the justice that he promises to his realm at his coronation, but in creating that fellowship he empowers the very knights who in the end destroy his kingdom.

CHAPTER SIX

Conclusion

Sir Thomas Malory was not at liberty to create a happy ending for his *Morte Darthur*. As the translator of a received plot, he operated under constraints that prevented him from depicting Logres as an ideal kingdom. Like those authors who came before him, he could represent King Arthur and his Round Table as reaching toward that ideal, but the ideal itself must remain forever beyond their grasp. But Malory was free to alter the circumstances of the kingdom and the behavior of his characters in order to create new explanations for the kingdom's fall, and he did so. The alterations Malory made to the *Morte Darthur* place it squarely within the fifteenth-century context, for he presents Arthur, not as the perfect monarch, but as an undermighty king who cannot preserve the stability of his kingdom.

During Malory's lifetime, the English crown changed hands four times; he was born under Henry IV, who had usurped the crown from Richard II. He twice saw successions from father to son as the crown passed from Henry IV to Henry V and then to Henry VI. For most of his life, Malory lived under the rule of Henry VI, one of England's weakest monarchs. As Radulescu notes, Henry VI's inability to control the nobility allowed, and perhaps encouraged, many of them to commit crimes during his reign (*Gentry Context* 12). In the last decade of Malory's life, Henry VI lost his crown to Edward IV and nine years later briefly regained it. However, Malory did not live to see Edward IV recrowned. Though Malory himself apparently did not cut a figure in court

circles, there can have been no doubt in his lifetime that the monarchy was largely unstable and that a weak king on the throne, though he might rule long, was ineffectual in providing justice for his kingdom.

The *Morte Darthur* reflects the weakness of the English monarchy during the fifteenth century. Aurner sees a one-to-one correspondence, claiming that Arthur's weakness as a king, particularly in his inability to defend Guinevere from Mador's murder charge, is a direct reflection of Henry VI's lack of control of his kingdom (374 - 75). However, Malory probably intended no such direct modeling. Hanks claims that the deposing of Edward II in 1327 created a "felt need to placate the magnates of the realm" in the kings of England who followed him, lest they share his fate (105). Desiring to placate his barons does not inspire a king to insist on their good behavior, and this is the fifteenth-century influence that one may see reflected in Malory's text. Stephen Knight ably connects the fifteenth-century context to Arthur's reign when he notes that "the apparent weakness of Arthur is no more than a realisation [sic] of the position of the fifteenth-century king, dependent for authority on the forces of his great lords and very limited in his own power and income" (143).

Though Malory never states directly that Arthur is powerless to control his knights, his text certainly indicates that is the case. Arthur creates a system that could work to control his men, requiring them to swear both an oath of homage to himself and the Pentecostal Oath, which should regulate their behavior. He also names penalties that should accrue to those who will not follow his requirements. But Arthur must depend on the actions of the knights themselves to provide the control he seeks, both in controlling themselves and policing one another. Since even Lancelot, the best of Arthur's knights,

cannot give up his personal desire for Guinevere for the good of the kingdom, the project is doomed to failure. And Arthur's unwillingness to reprimand his favorites, particularly his nephews, for their unjust behavior compounds the difficulties that beset his realm. These plot features are present in Malory's sources, but the way in which he treats them emphasizes Arthur's failure to stand with true justice, suggesting the interpretation that the kingdom falls due to the king's own imperfections.

The *Morte Darthur* overtly places the blame for Arthur's death and Logres' fall on Aggravayne and Mordred. As he moves into his final tale, Malory writes, "here I go unto the morte [sic] Arthur, and that caused sir Aggravayne" (III.1154.14 – 15). Shortly afterward, in foreshadowing the kingdom's end, he writes that in the kingdom's final May there arose "a grete angur and unhappe that stynted nat tylle the floure of chivalry of all the worlde was destroyed and slayne. And all was longe uppon two unhappy knyghtes which were named sir Aggravayne and sir Mordred" (III.1162.4 – 10). Malory's Arthur further blames Mordred at the end of the last battle, calling him "'that traytoure sir Mordred that hath caused all thys myschyff'" (III.1236.20 – 21). In other words, as the text nears its close, Malory's narrator passes no judgment on Arthur for the incest through which Mordred was born, nor on Lancelot and Guinevere for providing the impetus for the kingdom's destruction, nor on Gawain for his unquenchable thirst for revenge. The text's narrator makes Aggravayne and Mordred alone the scapegoats for the kingdom's destruction. However, the text itself suggests other reasons for the destruction of Logres.

Malorian scholars have posed various explanations for the fall of Logres. Perhaps the most common explanation is, in the words of Charles Moorman "the passions of

those who do not share [Arthur's] vision" (*Kings & Captains* 169). These passions range from the adultery between Lancelot and Guinevere (Murray par. 33; E. D. Kennedy, "King Arthur" 216; Lambert 205) to kin loyalty (Sanders 52) to each of the characters' "individual forms of chivalric idealism" (Harrington 66). C. David Benson blames the ideal of honor, which requires Gawain to avenge Gareth (268, 270), while William K. Bennett blames Gawain's flaws (28) and Robert Henry Wilson blames Arthur's partiality for Gawain ("Characterization" 69). Other scholars see the Round Table itself as culpable for the kingdom's fall, whether it is due to conflict between the Table's members (W. M. Richardson 66; Pochoda 106), to the knights' inability to live according to the ideals of chivalry (E. D. Kennedy, "King Arthur" 136; Moorman, "Lot and Pellinor" 136; Leas 3), or to the evil that exists within the knights themselves (Bartholomew 265). And, of course, some scholars see Arthur as at least partially responsible for the kingdom's fall, perhaps due to incest (Wilson 65), to overdependence on Lancelot (Leas 91), to capitulating to Gawain (C. Dean 100), or to his mishandling of Guinevere's summary judgment (Kelly, "Malory and the Common Law" 131). In a story as complex as Malory's *Morte Darthur*, there is no shortage of space for interpretation.

And yet, some of these theories seem based as much on later redactions of the Arthur story as on the *Morte Darthur* itself. Those scholars who represent Arthur as an ideal figure who is undermined by the failures of his wife and followers could be recalling the perfect Arthur-as-Christ-figure represented by Tennyson rather than the Arthur represented in Malory's text. T. H. White's Arthur makes his appearance in Malorian scholarship, too, particularly among those who picture Arthur as dedicated to justice. Stephen J. Miko even claims that Arthur is obliged by law to support Gawain's

quest for vengeance (223), a claim more easily supported with evidence from *The Once and Future King* than from the *Morte Darthur*.

Malory's text can be, and obviously has been, used to support many and various claims regarding the failure of Arthur's kingdom, many of them dealing with ideals of chivalry and honor. However, Malory's text can also support a more practical explanation for the fall of Logres: Arthur's failure to support justice. Christopher Dean, while also blaming human weakness for the fall, places the ultimate responsibility squarely on Arthur's shoulders, for it is his job as king "to maintain order and control" in his kingdom (100). Many of the interpretations of Arthur's fall listed above have their roots in his own failures. Arthur fails in personal continence and thus engenders Mordred; his tyrannous attempt to murder the one baby who can harm him, hidden among others who are no threat, compounds his crime, calling his justice into question early in his reign. Arthur marries Guinevere despite Merlin's warning about Lancelot and then ignores Lancelot's treason with his queen for years. He also ignores murder after murder committed by his nephews, and a few murders committed by Lancelot as well. If Arthur had appropriately punished those who commit murder and treason early in the text, those same men would not be present at the end to destroy his world. Indeed, punishing a few favorites early on could have deterred others from committing the acts that tear the kingdom apart.

In the late fifteenth century, Sir John Fortescue advised the future King Edward IV "that justice, indeed, is the object of all royal administration, because without it a king judges unjustly and is unable to fight rightfully" (9). The coronation oath of the kings of England, and that of Malory's King Arthur, focus heavily on the king's responsibility to

establish justice in his realm. In fact, *all* that Arthur promises at is coronation is “to be a true kyng, to stand with true justice fro thens forth the days of this lyf” (I.16.22 – 23).

Walter de Milemete stressed the importance of punishment as part of that justice, noting that punishment both rids the realm of the malicious and deters others from crime by example (52). Arthur and his knights at times follow this tenet, dealing out punishment for malefactors, but instead of punishing friends and enemies equally, as advised by Giles of Rome (391), Arthur instead favors those whom he loves, allowing them to commit crimes without sufficient punishment. Thus, though Malory overtly approves of Arthur, the most Christian king of the world, he also represents him failing in the most basic of kingly duties. Rather than acting consistently as an ideal king, Arthur represents at best inconsistent justice. Ultimately, the doom that falls upon Malory’s Arthur is of his own making. His failure to insist on justice in Logres destroys him.

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