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Michelle Bubenicek, *Meurtre au donjon: l'affaire Huguette de Sainte-Croix*. Paris: Presses Universitaires de France, 2014. 245 pp. Genealogical tables, bibliography, and indices of names and places, contents page. 21€. ISBN 978-2-13-061788-4.

Review by Hannah Skoda, St John's College and University of Oxford.

In 1327, Etienne de Saint-Dizier was kidnapped, imprisoned, and murdered by a gang of men, led by his own brother, who were seemingly executing the orders of Etienne's wife, Huguette de Sainte-Croix. It is an immensely colourful story and the Gothic-style title of this book is a fair reference to the melodrama of the case. Michelle Bubenicek has found a truly fascinating subject that really merits this kind of rich microcosmic study. In fact, Huguette de Sainte-Croix found herself at the centre of not one, but three rather scandalous affairs in the first half of the fourteenth century. After the murder of her husband and the subsequent investigation and trial, she remarried another local noble named Philippe de Vienne. A year later, the validity of this marriage was called into question. Huguette and Philippe were obliged to apply to Benedict XII for dispensation and Benedict duly ordered an investigation. This was in 1338. In 1342, her son, Béraut, vanished, just after producing a will which endowed his mother with the majority of his lands and possessions.

On the face of it, and certainly according to the nineteenth-century historians who found a kind of prurient fascination in the case, Huguette was a wicked and cruel woman motivated by desire and greed. Bubenicek devotes her attention initially to the portrayal of Huguette in these nineteenth-century condemnations by figures such as Louis Gollut and Jules Finot (pp. 8 and 14–26). Their assessments were typically unmeasured and frankly misogynist. Whilst Bubenicek's interest in these accounts is really as a starting point for her own reassessment, they offer some tantalising insights into the gendered nature of nineteenth-century antiquarianism. Finot and his contemporaries were scholars who delved into the archives with impressive attention to detail, and yet their response to the case of Huguette seems to have been one of ready assumptions and stereotypes entirely undermining any more critical edge. Given recent interest in the medievalism of the nineteenth century, it would indeed be interesting to pursue this gendered strand of nineteenth-century Gothic a little further and to think about what this tells us of the scholarly and historical milieu of nineteenth-century France.

If these historians simply assumed Huguette's guilt, Bubenicek's initial purpose seems to be to throw that into doubt. And indeed, she finds little evidence to bolster the case against Huguette. There is no evidence that she was innocent, but there is no really compelling evidence that she was guilty either. Fourteenth-century contemporaries seem to have been equally well aware that the case was built upon presuppositions and circumstantial evidence. Bubenicek does some careful detective work with the remaining legal sources and concludes that the evidence against Huguette rested on three tenets: that she fled after the incident (it's quite conceivable that she left for other reasons, not least fear of also becoming a victim); that rumours about her were circulating; and, some rather shaky evidence that she paid one of those involved to disappear. This all makes good reading. Bubenicek is at her most compelling when she dismantles the assumptions of the nineteenth-century commentators by working with comparative material from more recent scholarship to show how even the most microcosmic study must be fully embedded in its historical context. For example, Finot read the witness statements about a figure sleeping in another bed in Etienne de Saint-Dizier's bedchamber who did not move when Etienne was kidnapped as indicative of Huguette's presence and active acquiescence in the crime; Bubenicek is able to draw on the work of Philippe Contamine

to show that valets very often slept in the chamber with their master (pp. 40-1).<sup>[1]</sup>

However, compelling as all of this is, as Bubenicek says, what really matters to the historian is not so much to identify whether Huguette was responsible for the crime (we will never know), but to analyse why her contemporaries were so ready to believe that she was. It is this last question which informs the rest of the book and which allows a series of really interesting and thought-provoking insights into fourteenth-century gender relations, patterns of criminality, family structures, conjugality, and legal mechanisms. And it is this which should be of wide interest to students and scholars of later medieval social, cultural, and legal history.

Bubenicek is working with a rich dossier of legal material, which provides fascinating details into the crime itself and the ways in which it was narrated post-hoc by its participants. But it also provides some very revealing insights into the nature of legal mechanisms at this point. Since the work of Joseph Strayer, historians have been quite fascinated with this period as one of rapid growth in legal sophistication: when the nebulous and amorphous nature of customary law seemed gradually replaced by something more systematic, and when the localised application of law seemed to be subsumed into something approaching a more top-down, hierarchical system.<sup>[2]</sup> Of course, more recently, historians, led perhaps by Claude Gauvard, have been problematising this picture in a number of ways, and whilst Bubenicek could perhaps make more of this point, her book represents a really important contribution to this historiographical trajectory.<sup>[3]</sup> The case fell within the jurisdiction of the count of Auxerre. Strikingly, it seems to reveal the shift from an accusatorial to an inquisitorial system rather nicely, as the count acted upon hearing a *fama* or rumour, carried out an investigation himself, wherein he interviewed a number of witnesses, and then proceeded *ex officio*. However, the matter is shown to be considerably more complex.

Inquisitorial procedure implies a more impersonal view of justice, wherein its prosecution interprets the effects of crime as damaging the political body as a whole, and responsibility for its punishment lies with top-down power. In this case, though, the case was finally resolved with a hefty composition payment. In many ways, then, the count of Auxerre continued to interpret this matter as being one of difficult individuals who needed to be coerced into getting along. Even more revealingly, the count of Auxerre seems to have been hesitant about how to proceed and therefore summoned two legal experts to give their opinions (pp. 94-102). This is perhaps the most fascinating part of the whole book that shows a set of legal frameworks and mechanisms in transition as well as a degree of hesitancy and reflexivity which is intriguing. One of the experts advised the count not to treat this as a criminal case, but rather to prosecute it as a case of *nouvel dessaisine* which would effectively render it rather a matter for civil law. What were the reasons given? Primarily, that prosecuting fellow nobles on the basis of rumour was a recipe for social disaster. It was argued that it was wrong to allow someone to be tried and possibly convicted based on rumour, which could have been spread by simple peasants. Historiographically, the social implications of an inquisitorial system and the potentially anti-hierarchical ramifications have not received much attention. We tend to think of inquisitorial systems as serving structures of power in more explicit ways than the horizontally aligned accusatorial systems. It is fascinating then to find an objection to inquisitorial criminal procedure being framed in these terms.

There is a further judicial element to the case with Huguette. The murder of her husband (and this is something which again Bubenicek could perhaps make more of) looks distinctly like a lynching. He was taken from his bed in the middle of the night, imprisoned, and then strangled. His 'executioner' apparently asked for his pardon before killing him, just as Gauvard has shown happening in a judicial context until the late fifteenth century at least.<sup>[4]</sup> The motivations for killing Etienne de Saint-Dizier remain shrouded in mystery, but this very judicial dimension to his killing is nevertheless intriguing. In the past, it was assumed that Huguette was perhaps in love with his brother whom she then hired as his executioner; if this were the case, there would be no need for this kind of violent rhetoric at his murder. Indeed, the rhetoric of the violence renders far more compelling Bubenicek's tentative suggestions that it had to do with the vast indebtedness of Etienne or the resentment of his younger brother.

There is much here, too, for historians of gender. Bubenicek presents a woman whose guilt we cannot know and yet who was constrained by circumstances in ways which render many of the assumptions and accusations of older historians invalid. She cannot have killed her husband in order to transact another marriage because she had so little say in the second marriage in any case: the author draws on the vast recent literature surrounding marriage in the later medieval period to show that women were able to exercise only minimal agency in this respect. However, the Huguette who emerges from this book is no pawn: within the constraints which are outlined, she is shown to have manipulated her circumstances with a certain degree of panache, particularly in the transfer of her possessions at marriage.

Perhaps the most telling insights for gender historians come, though, in the considerations of relationships between the characters in the book, rather than in Huguette as a stand-alone figure. After all, even if she were guilty of the murder of her husband, it was undertaken by a network of individuals. Bubenicek uses the surviving records to examine the nature of medieval marriage. Huguette and Etienne's relationship bears no signs of affection and there is no evidence of any particular display of grief by Huguette on his death. The author makes much of the fact that the evidence suggests they probably slept in separate chambers, even claiming that there was a rise of individualism in the later Middle Ages, which is possibly taking things a little too far (p. 41). Huguette's second marriage is particularly interesting. When dispensation turned out to be necessary for this marriage, Huguette and Philippe's case was based on the claim that their marriage was to bring peace to their families. Bubenicek delves into the origins of the feud to which this seems to refer, and finds that it was most probably a decades-old hostility between the families of Philippe de Vienne and Etienne de Saint-Dizier (pp. 139-41). Even then, after the murder of Etienne, Huguette was pursuing a marriage which was supposed to foster the interests of *his* family. What this suggests about the loyalties, at least in a formal if not an emotional sense, created by marriage--loyalties so strong that they shaped the choice of the second marriage--is intriguing. Moreover, there are implications here for the study of private warfare and ongoing feuds in this period, an area which has received a new lease on life with the recent publication of Justine Firnhaber Baker's work.<sup>[5]</sup>

The networks of individuals shaping these cases stretch beyond marriage. Huguette's relationship with her son is a fascinating one. On any terms, it is hard to read her as a deeply affectionate mother from the surviving evidence. Her interest in her son's will shows that the kind of property relations which we know to have characterised marital relationships have filtered across to filial ones. And yet, even if Huguette was really solely interested in inheriting her son's property (and again, there is little proof of this), the condemnatory tone of the rumours about this suggest that the community disapproved such a cynical reading of maternal responsibilities. The dissonance between what looks increasingly like a set of relations devoid of affection given the bloody outcomes and the more emotional expectations revealed by communal rumours is a useful corrective to any simplistic interpretations.

There are also brotherly relations here. Bubenicek carefully analyses the relationship between Etienne de Saint-Dizier and his brother who was responsible for his murder. She sets this interestingly in a much broader context of resentful younger brothers (notorious to historians since the work of Georges Duby <sup>[6]</sup>) and even in a literary context of jealous twins. And there are sisters and sisters-in-law: I would have loved to hear more about how and why Huguette chose to flee to the home of her sister-in-law following the initial murder.

In sum, this is a truly intriguing book. A fascinating set of cases provide seemingly endless food for thought and some extremely revealing and complex perspectives on what has long been thought of as a rather transitional period.

## NOTES

[1] Philippe Contamine, "Les aménagements de l'espace privé. XIVe-XVe siècles," in Philippe Ariès, Georges Duby, eds., *Histoire de la vie privée*, 5 vols. (Paris: Seuil, 1985-87), vol. II, pp.421-501.

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[2] Joseph Strayer, *Medieval Statecraft and the Perspectives of History* (Princeton: Princeton University Press, 1971).

[3] Claude Gauvard, *De grace especial: Crime, état et société en France à la fin du Moyen Age* (Paris: Publications de la Sorbonne, 1991).

[4] Claude Gauvard, *Violence et ordre public au Moyen Age* (Paris: Picard, 2005), pp. 68–9.

[5] Justine Firnhaber-Baker, *Violence and the State in Later Medieval Languedoc* (Cambridge: Cambridge University Press, 2014).

[6] Georges Duby, “The Structure of Kinship and Nobility: northern France in the Eleventh and Twelfth Centuries,” in *The Chivalrous Society*, trans. C. Postan (London: Arnold, 1977), pp. 138–48.

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