

THE ROYAL DEATHBED

Preparing for Child Kingship

Royal deathbeds were moments for reaffirming children's prominent participation in rulership; they were not places to convince the aristocracy and church to support a child's rule. In most cases, kings had already secured the backing of prominent magnates and prelates for their choice of heir.¹ The political community had invested in the young boy and had been primed for his future succession. Monastic writers accepted the succession of children without lengthy justification or defence, and their narratives reflect the prevalent tolerance of child kingship. Accounts of what occurred at deathbeds are seldom reliable, however. They rarely pay much attention to royal children, even when a child was heir to the throne. Chroniclers looked back on deathbed scenes with the benefit of hindsight, seeking moral and political lessons or extolling a ruler's qualities.² They were not intending to provide an accurate record of the transition to a new, child king. Ælred of Rievaulx's description of David I's death in 1153 is a case in point. From David's deathbed, Ælred claims, the king of Scots renewed and corrected the *testamentum* he had made the previous year, adding 'a few words' to arrange 'certain things concerning the affairs of the kingdom that seemed to need arranging'.³ Even though the 'things' requiring organisation probably related to the

¹ For example, see J. Gillingham, 'At the deathbeds of the kings of England, 1066–1216', in B. Kasten (ed.), *Herrscher- und Fürstentestamente im westeuropäischen Mittelalter* (Cologne, 2008), 509–30 (511–12).

² S. L. Waugh, 'Royal deathbed scenes in medieval England', in K.-H. Spieß and I. Warntjes (eds.), *Death at Court* (Wiesbaden, 2012), 117–34 (118); Evans, *Death of Kings*, esp. xi–xx; Buc, 'Noch einmal', 170–3; D. Crouch, 'The culture of death in the Anglo-Norman world', in C. W. Hollister (ed.), *Anglo-Norman Political Culture and the Twelfth-Century Renaissance: Proceedings of the Borchard Conference on Anglo-Norman History, 1995* (Woodbridge, 1997), 157–80.

³ 'quaedam etiam quae fuerant corrigenda correxit: et religiosorum consilio quae de regni negotiis ordinanda videbantur, paucis sermonibus ordinavit', Ælred, *Eulogium*, 451 (trans. Freeland and Dutton, 62). David likely made the deathbed additions to his testament orally. See Gillingham, 'Deathbeds', 509, for oral testaments of English kings.

succession, Ælred does not mention David's twelve-year-old heir, Malcolm, in the context of his grandfather's deathbed. Whether the boy was present or not was largely irrelevant to the writer, whose chief concern was to provide an account of David's model death.⁴ Written records of testamentary arrangements were more common by the thirteenth century, but royal wills were still unlikely to convey formal strategies for the intended guardianship of a boy king and his kingdom.

This chapter examines some of the evidence for the preparations dying kings made as they gathered to their side men and women whose involvement would be crucial for the child's continuing education and the realm's administration.⁵ The first two sections draw attention to shifts over time in familial attendance at royal deathbeds and in the testamentary records of rulers' intentions. The actions of kings and queens both before and at their deathbeds suggest hesitancy to impose a wardship model upon royal children, especially upon the new boy king, and the chapter's third and final part examines this royal reluctance in greater detail. Rulers sought promises of future assistance to child heirs, but they evaded definite pledges to individuals and preferred collaborative arrangements over nominating an individual magnate as sole guardian of king and kingdom.

CHILDREN AND MOTHERS AT THE DEATHBED

The itinerant nature of kingship in the eleventh century meant that young sons and their mothers were generally travelling with kings when they died. Joint mother-son interventions in imperial diplomas testify that Empress Agnes and the four-year-old Henry IV were at Bodfeld with Emperor Henry III in the weeks leading up to his death on 5 October 1056.⁶ Similarly, in France, when Henry I died at Dreux on 4 August 1060, his eight-year-old son, Philip I, was in the town with Queen Anne.⁷ Contemporary sources reveal little of the rulers' last days, but in both cases the authority of the king's dying wishes and the attendance of their wives and eldest sons appear to have helped the queen mothers secure their involvement in future guardianship arrangements. Lampert

⁴ Groñ, 'Examples', 421–41.

⁵ For an outline of some of these ideas see also E. J. Ward, 'Child kings and guardianship in north-western Europe, c. 1050–c. 1250', in E. Woodacre *et al.* (eds.), *The Routledge History of Monarchy* (London, 2019), 551–65.

⁶ *MGH DD H III*, nos. 378–81.

⁷ R. Merlet, 'Du lieu où mourut Henri I^{er}, roi de France, le 4 août 1060', *Le Moyen Âge*, 7 (1903), 203–9. Anne and Philip both appear in Henry's last surviving charter, dated at Paris earlier in 1060. See *RHF*, XI, 605–6.

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of Hersfeld claims that Henry III left the *parvulus* Henry under the control of Agnes, 'a most prudent queen'.⁸ The *Annals of Niederaltaich*, written in the mid-1070s and roughly contemporary with Lampert's chronicle, tell a slightly different story in asserting that the emperor, on his deathbed, left his son and heir to Pope Victor II in the presence of many others.⁹ Royal deathbeds were often well-attended, public events, and the two accounts are compatible even if they foreground different characters. Victor had been bishop of Eichstätt in Bavaria since 1042 and still held this bishopric in plurality with the papal see. He had returned to Germany earlier in the autumn, likely at the emperor's request.¹⁰ As pope, Victor could not stay north of the Alps for long, but he was a mediating voice who could assert divine support for the boy king and facilitate Agnes's acceptance as guardian by the other German princes. Victor acted immediately to uphold his deathbed promises to the emperor. Following Henry III's funeral at Speyer, the pope escorted Henry IV to Aachen for a ceremonial crown-wearing.¹¹ At Cologne in December, the five-year-old king issued one of his first diplomas. Through his mother's intervention, the boy confirmed estates to the monastery of Saint-Bertin at Saint-Omer for the love of his 'spiritual father' Pope Victor and in memory of his 'worldly father'.¹² This was a public declaration of Victor's contribution to the transition of power and his endorsement of Agnes's influential political authority. Before Victor returned to Rome early in 1057, he attended assemblies of bishops and secular princes at Cologne and Regensburg, where the political community likely confirmed Agnes as the kingdom's caretaker.¹³

Significant developments in the nature and locale of royal death between the eleventh and thirteenth centuries affected preparations for situations of child kingship. One of the most striking changes was the declining likelihood that young children would be at or nearby their fathers' deathbeds. Louis VIII's death at Montpensier on 8 November 1226 placed him more than 200 miles away from Paris, where Queen Blanche was with their twelve-year-old son Louis and

⁸ 'prudentissimae reginae', Lampert, *Libellus*, 353.

⁹ *Annales Altahenses*, 53; Jenal, *Anno*, I, 155–62, for the variety in accounts of Henry III's deathbed.

¹⁰ Berthold, *Chronicon*, 180–1; Siegbert of Gembloux, *Chronica*, 360.

¹¹ *Annales Altahenses*, 53.

¹² 'pro amore nostri spiritualis patris ... et pro remedio nostri carnalis patris', *MGH DD H IV*, I, no. 2 (3). See also *MGH DD H III*, no. 379. This is one of Henry III's final acts, and it features Victor's intervention alongside the intercession of Agnes and Henry IV.

¹³ *Annales Altahenses*, 53; Berthold, *Chronicon*, 182; Jenal, *Anno*, I, 162–6. For evidence of an earlier colloquium see Jocund, *Translatio sancti Servatii* (1088), ed. R. Köpke, *MGH SS 12* (Hanover, 1856), 85–126 (113–14).

the other royal children. This was a far cry from the close familial context of Henry I's death at Dreux in 1060. It became relatively common from the later twelfth century for kings to die away from the children who were to succeed them, although there were various reasons for such geographical separations. In some cases, the locale of a boy's upbringing and education removed them from their father's deathbed. When Emperor Henry VI died at Messina on 28 September 1197, his two-year-old son Frederick was being raised at Foligno on the Italian mainland. A journey of approximately 500 miles and a sea crossing to Sicily separated the infant from his parents. Around the same date, James, son of Peter II of Aragon, was taken into the household of Simon de Montfort as a two-year-old boy to be betrothed to Amicia, Simon's daughter. After Peter's death at the battle of Muret in September 1213, the pope had to intervene and negotiate with Simon for James's return to Aragon.¹⁴

Military campaigns more commonly drew kings away from their wives and children, as in the case of Louis VIII, who died on his return from a crusade in the south of France. On 3 November 1226, Louis called a deathbed council of twenty-five leading magnates and prelates who were travelling with his army. These men swore a corporal oath in the king's presence that, if he died, they would perform homage and fidelity to his eldest son, Louis, and would labour to crown the boy as quickly and fittingly as possible.¹⁵ The notification publicising this oath stipulated that the same promises would transfer to Louis's younger brother, Robert, if his elder sibling died. In England, John died on 19 October 1216 at Newark in Nottinghamshire during a campaign against a baronial uprising which had welcomed Louis, Philip Augustus's son, as a rival for the English kingship. John's eldest son, Henry, had moved around safe locations in the south-west during the warfare.¹⁶ The nine-year-old boy may have been with his mother, but he was certainly not with his father when the king died. Thomas of Sandford had to be sent to Devizes to fetch Henry to Gloucester for his coronation.¹⁷ Three decades later, Alexander II, king of Scots, was

¹⁴ Smith, 'Pope Innocent', 19–50; Vogtherr, 'Könige', 304–6.

¹⁵ *LTC*, II, nos. 1811–12, where the latter contains a similar oath from the archbishop of Bourges, though not in the king's presence and without mention of homage; Philippe Mouskes, *Chronique rimée*, ed. F. de Reiffenberg, 2 vols (Brussels, 1836–8), II, 551–3; L.-S. Le Nain de Tillemont, *Vie de Saint Louis, roi de France*, 6 vols (Paris, 1847–51), I, 413–18, 426–8. John's deathbed letters to sheriffs and castellans similarly ordered them to obey his son Henry in future, but without any oaths being sworn. See Roger of Wendover, *Flores historiarum*, II, 196.

¹⁶ Wilkinson, 'Maternal abandonment', 107–8.

¹⁷ *History of William Marshal*, II, 264–5; *Memoriale*, II, 231–3; Carpenter, *Henry*, 6.

likewise on a military campaign at the time of his death. We do not know where his seven-year-old son was being raised, or whether the boy was with his mother, Marie de Coucy (d. 1284), whose whereabouts at the time are also unknown. Alexander II died on 8 July 1249 on the island of Kerrera, around 100 miles west of Scone, where Alexander III's inauguration took place five days later.¹⁸ Neither geographical location nor the martial and political circumstances of the deaths of thirteenth-century kings dissuaded support for their son's successions, but such circumstances reinforced children's dependency on magnate collaboration.

A more pivotal implication of kings dying on campaign away from their young heirs was the distance this put between queens and their husbands' deathbeds.¹⁹ Queen mothers became even more dependent on episcopal and princely support to secure a position of guardianship and governance *in absentia*. Leading churchmen and prominent secular princes were in complete accord that the child Louis IX should be crowned as his father intended. Immediately after Louis VIII's death, the magnates and prelates reiterated their oath in letters publicising the boy's coronation, to be held at Reims on 29 November.²⁰ There was less unanimity among the political community regarding the arrangements to be put in place for Louis's care and the governance of the French kingdom. At some point in November, three primates who had been present at Louis VIII's deathbed council – Walter Cornut, archbishop of Sens, Walter, bishop of Chartres, and Miles, bishop of Beauvais – issued a letter claiming to record the king's dying intentions for the guardianship. Louis had asked for the son who succeeded him in the kingship, for the kingdom itself and for all his other children to be under the guardianship ('sub ballo sive tutela') of his wife and queen. None of the royal children were named here, but the king had ostensibly specified that Blanche of Castile's role was to last until each child reached an age of legal majority ('donec ad etatem legitimam pervenirent') or died.²¹

Modern historians have debated the context of the letter's production. The three episcopal seals alone authorised it, and the document

¹⁸ *Chron. Melrose*, fo. 55v; *Cronica regum Mannie et Insularum: Chronicles of the Kings of Man and the Isles: BL Cotton Julius A. VII*, trans. G. Broderick (Douglas, 1979), fo. 47r; *Chron. maiora*, V, 89; Campbell, *Alexander*, 8.

¹⁹ See also Ward, 'Guardianship', 553–4.

²⁰ *LTC*, II, no. 1823; Grant, *Blanche*, 78–9. For additional promises from bishops and nobles not at the deathbed council see *LTC*, II, nos. 1824–7.

²¹ *LTC*, II, no. 1828 (102). For guardianship terminology see Chapter 7.

only bears the year of issue, lacking more precise dating features.²² The Tours chronicler, writing contemporaneously with events, corroborates that Louis VIII left both his kingdom and children in Blanche's hands and likewise records the episcopal and baronial oath to crown, perform homage to and obey the young boy Louis.²³ There is no evidence of public secular consent to the guardianship aspects of Louis VIII's deathbed decisions, however, nor any evidence that the magnates' oath incorporated a promise to uphold Blanche as guardian of her son and the realm. Louis's dependence on the queen may have proved contentious among secular princes who likely aspired to share in governing the realm. There is no reason to doubt that the episcopal letter recorded the dying king's hopes for the guardianship accurately, but it is unlikely to have been a precise transcript of his last words. The choice of terminology sent a clear message to the princes by framing Blanche's role within a legal and tenurial context. The queen mother's custody of the *regnum* and her continued involvement in raising her eldest son and his siblings depended on robust ecclesiastical support. Walter Cornut and the bishops of Chartres and Beauvais appear in a mediating role comparable to the part Pope Victor had played in facilitating Empress Agnes's acceptance as guardian by the German princes in 1056. Blanche, aware that relying solely on ecclesiastical backing placed her in a precarious position, immediately sought prominent secular supporters such as the count and countess of Flanders.²⁴

Other thirteenth-century queens whose husbands died on campaign did not have the benefit of the same political and spiritual endorsement as Blanche. Neither Isabella of Angoulême nor Marie de Coucy ever secured a husband's deathbed recommendation or episcopal backing to facilitate their involvement in royal governance alongside their young sons. Although Alexander II made a deathbed grant of the church of Kilbride in Lorn to the see of Argyll on the day he died, this was very brief and made no reference to his illness, his seven-year-old son, his wife or the succession.²⁵ Eight men witnessed the act, including Bishop Clement of Dunblane, who had charge of the bishopric of Argyll during

²² Scholars in the 1980s and 1990s suggested the letter was a later production to legitimise Blanche's position: G. Sivéry, *Saint Louis et son siècle* (Paris, 1983), 28–9; J. Le Goff, 'Blanche de Castille, dominatrice et maternelle', in G. Bianciotto, R. Favreau and P. Skubiszewski (eds.), *Isabelle d'Angoulême, comtesse-reine et son temps (1186–1246): actes du colloque tenu à Lusignan du 8 au 10 novembre 1996* (Poitiers, 1999), 57–69 (62); Le Goff, *Louis*, 85–7. This has been convincingly disputed by Olivier-Martin, *Régences*, 49, 52. More recently see Grant, *Blanche*, 77, 80, who leaves the issue of the letter's construction open.

²³ *Ex chronico Turonensi*, 317–18. ²⁴ Grant, *Blanche*, 74, 84.

²⁵ A. A. M. Duncan and A. L. Brown, 'Argyll and the Isles in the earlier Middle Ages', *Proceedings of the Society of Antiquaries of Scotland*, 90 (1957), 192–220 (210; 218 for the transcript).

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its vacancy, and royal officials such as Alexander the Steward, Alan Durward, *hostarius* and justiciar of Scotia (1244–51), and David Lindsay, justiciar of Lothian (1243–9). At least one of the other witnesses, William of Brechin, was a kinsman of the king: his father was Alexander II's cousin.²⁶ All eight men were travelling with the ruler on his campaign, and the charter witness list is likely a reliable indication that they were all present at the royal deathbed.²⁷ Alexander may have conveyed his intentions for his son's inauguration and rule to these magnates, but no record of any deathbed conversation survives. Charter attestations during the early years of Alexander III's reign suggest that a secular magnate's presence at the royal deathbed may have given them the edge they needed to assert their prominence in royal affairs, but it did not guarantee any role in royal government under the new boy king.²⁸

Royal children and their mothers were less likely to be present at the royal deathbed by the first half of the thirteenth century. While changes in the nature and locale of royal death did not harm support for the future child ruler, these shifts further heightened children's reliance on magnate support early in their reigns and may have cultivated an environment less favourable to a queen mother's guardianship of the realm.

ROYAL PREPARATIONS: TESTAMENTS AND ORDINANCES

Written testaments more commonly survive from the end of the twelfth century, but they were not the appropriate place to expound preparations for child rulership. Although wills bring greater legal clarity to the king's intentions for the succession and for the distribution of territories and wealth, they seldom record exact provisions for the child heir.²⁹ Testaments were precautionary measures, often written several months or even years before a king's death. They increasingly presumed the eldest son's succession, but they were written without specific knowledge of his age at accession.³⁰ Consequently, children feature within royal wills

²⁶ The three additional witnesses were Walter Bisset, Walter Murray, a knight, and Robert Menzies (Meiniers), who briefly became royal chamberlain. For Robert see Taylor, *Shape of the State*, 246.

²⁷ Duncan and Brown, 'Argyll', 218; K. J. Stringer, 'The Scottish "political community" in the reign of Alexander II (1214–49)', in Hammond (ed.), *New Perspectives*, 53–84 (57).

²⁸ Alan Durward, Alexander Steward, Robert Menzies and Walter Bisset all attest royal acts during 1250 and 1251, although not necessarily together. See *Alexander III*, nos. 1–13. By contrast, Walter Murray and William Brechin do not appear as witnesses until later in 1253, which suggests that they may have struggled to retain a prominent role in governance after the boy's succession.

²⁹ H. E. J. Cowdrey, 'Death-bed testaments', in J. Detlev (ed.), *Fälschungen im Mittelalter: internationaler Kongress der Monumenta Germaniae Historica*, 6 vols (Hanover, 1988), IV, reprinted in his *Popes and Church Reform in the 11th Century* (Aldershot, 2000), 703–24.

³⁰ Lewis, 'Anticipatory association', 926–7.

as legal categories, such as successor or heir, rather than as individuals.³¹ Royal charters were likewise shifting to use legal classifications rather than naming individual children.³² In June 1225, Louis VIII had issued a testament before departing for the Languedoc which intended 'to make provision for all things in posterity for the successor to our kingdom'.³³ Although Louis had specified that the son who would succeed him in rule would possess the entire kingdom of France and duchy of Normandy, he made no written arrangements for his young heir's care or the kingdom's administration in the case of his untimely death.³⁴ The king affirmed his intentions for the division of his property by stipulating lands for his other sons and providing cash payments for Blanche and for the couple's sole daughter. But Louis's testament provided little insight into preparations for the heir's succession. It did not consider precautionary measures to support a child ruler, nor did it introduce any of the legal terminology of guardianship which was so prominent seventeen months later in the episcopal letter supporting Blanche after Louis's death.

More informative in considering how to manage an heir's immaturity is the document Philip II issued in June 1190 before he departed France for the Holy Land. This record draws a sharp line between preparations for absentee kingship and those for a child's rule. It was, first and foremost, an ordinance detailing the arrangements for a king's absence rather than a testament safeguarding against the king's death. Philip, now in his mid-twenties, specified how his mother, Queen Adela, and maternal uncle, Archbishop William of Reims, were to manage affairs in the French kingdom while he was away.³⁵ Only three of the document's eighteen paragraphs concern preparations in case of the king's death. First, if Philip died, he granted that the clergy and laity did not need to pay the tax known as *taille* until his son reached 'the age (*ad etatem*) at which, by the grace of the Holy Spirit, he can rule the kingdom'.³⁶

³¹ Gillingham, 'Deathbeds', 517, 519–20, 528. John does not name his heir in either his testament or letter to Pope Honorius, leaving it open for magnates and pope to turn to his younger son, Richard, if something happened to Henry. See later in this chapter, 162–3.

³² See Chapter 4.

³³ 'Cupientes successori regni nostri modis omnibus in posterum providere', *LTC*, II, no. 1710 (54); Lewis, *Royal Succession*, 161–4.

³⁴ Le Goff, *Louis*, 76, 82. Similarly, in Champagne, lords departing on crusade never left explicit directions for the management of their lordship or care of their family. See Pippenger, 'Lives on hold', 514–15.

³⁵ *Philippe Auguste*, I, no. 345 and V, 338; Baldwin, *Government*, 102–4. The original document is lost but Rigord reproduced it in his chronicle (*Histoire*, 276–85).

³⁶ 'ad etatem in qua gratia Sancti Spiritus possit regere regnum', *Philippe Auguste*, I, no. 345 (419) (trans. B. Pullan, in *Sources for the History of Medieval Europe from the Mid-Eighth to the Mid-Thirteenth Century* [Oxford, 1966], 255). For the burdens of the *taille* see Baldwin, *Government*, 158–9.

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Then, in the case of his death, Philip ordered a council of six – Adela, William, the bishop of Paris, the abbots of Saint-Victor and Saint-Denis, and Brother Bernard, leader of the Vincennes hermits – to dispense half the royal treasury to churches and those in need. The other half was to be kept by ‘the guardians of our property and all the men of Paris’ for the use of Philip’s son ‘until he reaches an age (*ad etatem*) at which he can rule the kingdom with God’s counsel and his own capacity (*sensus*)’.³⁷ A third paragraph specified that, as soon as news came of the king’s death, the bishop of Paris was to guard the treasure. These statements contain several ambiguities. Even if the *custodes* of Philip’s treasure were the named council of six – and it is not entirely clear that this is who the king meant, since he later asserts that seven individuals were responsible for distributing the treasure – the king only gave them custody of his property, not custody of his young heir or the kingdom.³⁸ Nothing else is said about how to manage the realm’s affairs with the child on the throne, nor even whether Adela’s and William’s duties during Philip’s absence were to continue in the case of his death.

The ordinance is also vague concerning arrangements for the child heir himself. Although Philip’s sole son, Louis, was only three years old in 1190, the king avoided imposing any fixed age at which the boy could claim the royal treasure as his own. Ruling was not a trait automatically associated with full adulthood since children were usually deemed able to *rule* even if they were unable to *govern*.³⁹ Royal anointing and inauguration would ritually bestow divine counsel and spiritual grace upon any king, regardless of age, so these were similarly ambiguous markers of maturity. Even the assertion that Louis had to reach his full capacity, *sensus*, does not necessarily indicate the end of childhood or any contemporary notion of legal maturity. Attaining one’s own *sensus* could also imply full command of the senses, a trait associated with the development of speech and the end of infancy, usually placed around the age of seven.⁴⁰ The phrase *ad etatem* was a recognisably legal term which commonly appeared in contemporary records of tenurial wardship, but in Philip’s ordinance the words *in qua* and the conditions which follow

³⁷ ‘custodibus averi nostri et omnibus hominibus Parisiensibus, quod eam custodiant ad opus filii nostri, donec ad etatem veniat in qua consilio Dei et sensu suo possit regere regnum’, *Philippe Auguste*, I, no. 345 (419) (trans. amended from Pullan, 256).

³⁸ The *custodes* may instead have been Pierre the Marshal, who supervised financial accounts at the Temple, and the six Parisian bourgeois for whom only initials are included.

³⁹ For this distinction see Chapter 7. ⁴⁰ See Chapters 1 and 5.

add several caveats.⁴¹ These royal stipulations suggest that, when the king was preparing for the eventuality of his death, he wanted to differentiate markers of the prince's maturation from contemporary aristocratic legal norms. This contrasts starkly with the episcopal letter detailing Blanche's guardianship a few decades later which, out of necessity after Louis VIII's death, had fully embraced a wardship model when specifying that the queen mother's role lasted *ad etatem legitimam*. The age clause in the 1190 ordinance also diverges from the cases discussed above where kings were eager to ensure continued fidelity to royal children until they reached a 'legitimate' age.⁴² Kings hoped fidelity to their children would continue after their deaths, but they also wanted to leave a more flexible path open for a son and heir to assert control of the reins of royal power and government in future.

Charters, letters and testaments *in extremis* reveal a novel shift which saw kings and queens actively seeking papal protection for their young sons, thereby acknowledging the pope's role in supporting boy kings and their kingdoms.⁴³ In Aragon, Marie of Montpellier placed her five-year-old son, James, under papal protection in her final will, dated 20 April 1213, the day before she died.⁴⁴ A couple of years later, in England, John likewise believed that papal support provided the best chance for his nine-year-old heir to secure the kingdom in a time of crisis. Rather than using his deathbed testament to entrust Henry to the pope, John instead wrote directly to Honorius III from Sleaford only four days before his death, offering 'our kingdom and our heir ... to both divine and your [Honorius's] protection'. Under papal care, John hoped that Henry would be able to succeed to his 'paternal inheritance'.⁴⁵ The kingdom of Sicily saw a far more convoluted situation involving the pope's guardianship of Frederick II at the turn of the thirteenth century. Papal sources alone preserve fragmentary snippets of Empress Constance's dying wishes in November 1198, claiming that she had conveyed her son's tutelage (*tutela*) and the guardianship of the kingdom

⁴¹ For *ad etatem* in a tenurial context see *Philippe Auguste*, I, no. 444 and II, nos. 678, 709, 921. The phrase could also refer to a future age of knighting, as in P. Guilhaume, *Essai sur l'origine de la noblesse en France au Moyen Âge* (Paris, 1902), 395–6, 399 n. 16. See also Chapter 10.

⁴² See Chapter 5.

⁴³ The most comprehensive study of the papacy's role during periods of child kingship is B. Wiedemann, *Papal Overlordship and European Princes, 1000–1270* (Oxford, 2021). I would like to thank Benedict Wiedemann for sharing advance copies of this and other publications.

⁴⁴ Wiedemann, *Papal Overlordship*, ch. 4; Smith, 'Pope Innocent', 23–4.

⁴⁵ 'Nos igitur ipsum regnum nostrum et heredem nostrum ipsis presentibus protectioni divine et vestre obtulimus ... ad ipsius heredis nostri successionem in paternam hereditatem', *The Letters and Charters of Cardinal Guala Bicchieri, Papal Legate in England, 1216–1218*, ed. N. Vincent (Woodbridge, 1996), no. 140b (106).

(*balius regni*) to Innocent III before strengthening her deathbed bequest with an oath.⁴⁶ This maternal justification for Innocent's guardianship of Frederick and Sicily appears prominently in papal correspondence early in 1199 and was still being mentioned as late as March 1209.⁴⁷ Such records likely convey the gist of Constance's wishes, but we should once again be wary of assuming these to be exact transcripts of a ruler's last requests.⁴⁸ The evidence that Frederick's father, Emperor Henry VI, had made similar guardianship promises before his death a year earlier is even more suspect than the empress's testamentary bequest.

The king's dying wishes had always played a significant role in the initial arrangements for child kings and their kingdoms, but they became even more consequential in the thirteenth century because they could provide an authoritative means of challenging other claims to guardianship, especially those stemming from the papacy. The first decade of Frederick's reign illustrates these competing hierarchies of legitimacy at work in Sicily. Innocent's guardianship of the young boy and his kingdom did not go unchallenged after the deaths of Emperor Henry and Empress Constance. The pope faced a competing claim from the emperor's close confidant, Markward of Anweiler (d. 1202), duke of Ravenna and Romagna and margrave of Ancona.⁴⁹ According to papal sources, Markward asserted that he had the dead emperor's testament in his possession and that the document favoured him as *balius regis et regni*, guardian of the Sicilian kingdom and its boy ruler.⁵⁰ Henry's testament was taken from Markward in 1200 when his baggage train was captured during battle. Part of the document then appeared in the *Gesta Innocentii tertii*, an account of Innocent's pontificate written between 1204 and 1209. The *Gesta* was an 'in-house document' composed for members of the curia, and its author predictably quoted Henry's testament to support papal interests in Sicily.⁵¹

⁴⁶ MGH DD Konst., no. 71; D. R. Gress-Wright, 'The *Gesta Innocentii III*: text, introduction and commentary', unpublished Ph.D. thesis, Bryn Mawr College (1981), 19–20 (trans. J. M. Powell, *The Deeds of Pope Innocent III by an Anonymous Author* [Washington, DC, 2004], 22). The *Gesta* emphasises that the papal legate, Cardinal Gregory of Santa Maria in Portico, received an 'oath of guardianship' (*balii iuramentum*) from royal officials in Sicily after Constance's death. See also: T. C. van Cleve, *Markward of Anweiler and the Sicilian Regency: A Study of Hohenstaufen Policy in Sicily During the Minority of Frederick II* (Princeton, 1937), 93; Abulafia, *Frederick*, 90–3.

⁴⁷ Innocent III, *Regestorum sive epistolarum liber quintus*, PL 214 (Paris, 1855), cols 519–20 and *Regestum*, no. 188; B. Wiedemann, 'Papal authority and power during the minority of Emperor Frederick II', in T. W. Smith (ed.), *Authority and Power in the Medieval Church, c. 1000–c. 1500* (Turnhout, 2020), 67–77 (71, 74).

⁴⁸ See Cowdrey, 'Death-bed testaments', 723–4, for the broad spectrum of testamentary falsifications.

⁴⁹ For Markward's career see van Cleve, *Markward*, chs 1 and 2.

⁵⁰ Gress-Wright, *Gesta Innocentii*, 20 (trans. Powell, 22); Abulafia, *Frederick*, 94–102; *RI* IV.3, no. 614.

⁵¹ *Deeds*, trans. Powell, xii–xiii.

Historians have long debated this ‘testament’, questioning whether such a document existed (and in what form: draft, agreement or last will?) and interrogating the extent to which the surviving text has been fabricated.⁵² Since the primary source is no longer extant, the short answer to all such enquiries is that certainty is impossible. The traditions which conveyed the fragmented knowledge of the testament provided plenty of opportunity for adaptation and alteration to support a specific, papal narrative. Even if the portion which survives is authentic, it is of little use for determining whom Henry had entrusted with his son and realm since it does not mention any arrangements relevant to Frederick’s childhood. The passage copied into the *Gesta* focuses exclusively on imperial possessions the pope was set to recover. It details how the Sicilian realm would come to the papacy if Frederick died without an heir, but does little to counter Markward’s claim to have been appointed guardian.⁵³

The evidence of near-contemporary royal testaments from England and France casts doubts on the suggestion that any testament the emperor wrote would have conveyed explicit guardianship arrangements in writing. Even less plausible is the notion that Henry’s dying wish placed his young son and realm in the hands of a sole secular magnate. If the emperor, from his deathbed, specified that the *balius regni* was to be anyone’s – and, once again, we cannot be certain that he ever stipulated this formally in writing – it is most likely that Henry bequeathed the guardianship to Constance. It was through her that Sicily passed to their son Frederick and she, like Markward but unlike most other queens at the time, was at her husband’s deathbed to hear his dying wishes.⁵⁴ There are earlier Sicilian precedents for a queen mother’s deathbed nomination as her son’s guardian. William I (r. 1154–66), in the presence of magnates and prelates at his deathbed, specified that Queen Margaret should have ‘the care and administration of the entire realm, which is commonly called *balium*’ until their twelve-year-old son, William II, reached an age of discretion. William I also specified three *familiares* to support the queen in her role, another instance of intended collaboration between royal women and leading prelates and royal officials.⁵⁵

⁵² Van Cleve, *Markward*, 9–11, 67–72; M. Thumser, ‘Letzter Wille? Das höchste Angebot Kaiser Heinrichs VI. an die römische Kirche’, *Deutsches Archiv für Erforschung des Mittelalters*, 62 (2006), 85–133.

⁵³ Gress-Wright, *Gesta Innocentii*, 34–5 (trans. Powell, 34–5); van Cleve, *Markward*, 96.

⁵⁴ Gress-Wright, *Gesta Innocentii*, 16 (trans. Powell, 19); van Cleve, *Markward*, 2–3.

⁵⁵ ‘Hugo Falcandus’, *La historia o liber de regno Sicilie*, ed. G. B. Siragusa (Rome, 1897), ch. 25 (88) (trans. G. A. Loud and T. Wiedemann, *The History of the Tyrants of Sicily, 1154–1169* [Manchester, 1998], 137). For other precedents of royal widows ruling alongside their sons in Sicily see Hamm, ‘Regentinnen’, 123–39. See also H. Takayama, ‘*Familiares regis* and the royal inner council in twelfth-century Sicily’, *EHR*, 104 (1989), 357–72.

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No such precedent exists for a Sicilian ruler's deathbed nomination of a secular magnate as *balius regni*. In all likelihood, Henry's testament at most named Markward in an advisory form which promised him a place at court, perhaps as one of the emperor's executors or as a counsellor or *familiaris* who could aid the empress in governing the realm.⁵⁶ If Markward did attempt to use Henry's testament to legitimise his guardianship of the boy king and kingdom, it is revealing that he only did so after Constance's death. Although Markward was raising an army to invade Sicily, there is no evidence that he employed Henry's testament to justify acting against the empress.⁵⁷ It is papal sources alone which assert that Markward based his claim to guardianship on the testament, and they likely exaggerated such statements as part of a dedicated campaign to undermine his actions.⁵⁸ Other unsubstantiated papal charges against Markward accused him of attempting to steal the Sicilian crown and of spreading scandalous rumours about Frederick's illegitimate birth. Neither allegation has any concrete foundation.⁵⁹ What Markward himself believed or asserted is harder to disentangle. In May 1199, the German princes addressed him as the imperial seneschal and *procurator* of Sicily. They did not specify whether Henry had bestowed these titles, whether they were labels Markward was using himself or whether this was simply how a German audience perceived the magnate's position.⁶⁰

Greater certainty regarding the contents of Henry VI's testament is unlikely to be forthcoming, but the debate sheds light on the authoritative aura of a king's dying wishes in the circumstances of child kingship. Deathbed testaments are usually most insightful in indicating what was viewed as important *after* the king's death, rather than at the time the king dictated his wishes.⁶¹ This was precisely the case in the early years of Frederick's reign. The justifications for papal authority over the boy king and kingdom were situational, and Innocent used varying tactics to legitimise his involvement in Sicily in the decade after Constance's death.⁶² The papacy responded to Markward's claims to the Sicilian guardianship, shifting from justifying papal authority primarily with reference to the queen mother's dying wishes to instead asserting the more

⁵⁶ For Markward as Henry's executor see van Cleve, *Emperor Frederick*, 28, 38.

⁵⁷ Contrary to the suggestion in D. Matthew, *The Norman Kingdom of Sicily* (Cambridge, 1992), 296.

⁵⁸ Gress-Wright, *Gesta Innocentii*, 20; Innocent III, *Regestorum*, cols 717, 719.

⁵⁹ *Deeds*, trans. Powell, 24–5; van Cleve, *Markward*, 109–14, 130.

⁶⁰ *Philippi regis constitutiones*, ed. L. Weiland, *MGH Const.* 2 (Hanover, 1896), no. 3; van Cleve, *Markward*, 95. For the title of *procurator* see Chapter 7.

⁶¹ Cowdrey, 'Death-bed testaments', 712, 723–4.

⁶² As Wiedemann convincingly shows in 'Papal authority', 67–76.

'singular' papal duty of care over and above parental preference.⁶³ This Sicilian case study adds further weight to the idea that respect for testamentary decisions was legally and culturally ingrained, but the disputes over guardianship during Frederick's minority cannot be read backwards onto the closing scene of Henry's reign. Despite the increasing survival of written royal testaments from the later twelfth century, no king in north-western Europe ever used their dying wishes to confer a child heir and realm formally into the hands of one secular magnate alone.

ROYAL REJECTION OF A WARSHIP MODEL?

Contemporary social and legal norms increasingly advocated that a sole secular magnate tied to the dying ruler by fidelity was the natural choice when the custody of an underage boy and his inheritance was at stake. The strength of the lord's right to guardianship varied from region to region. Whereas the Norman dukes had long exerted seigneurial control over the wardship of underage heirs, in other territories, such as the Loire, collateral and ascendant relatives continued to play a much greater role in guardianship arrangements.⁶⁴ Similarly, in Germany, different regional legal customs influenced variances in practices of wardship.⁶⁵ Despite the multivalence of legal practices, customary law from the later twelfth century prioritised a lord's right to tenurial wardship over the rights of the boy's kin. In England and Normandy, customary law codes actively warned against mothers and other relatives as tenurial guardians for underage children. The ideal legal solution, as in the *Très ancien coutumier*, was a single guardian connected to the child's father by fidelity and bound by homage.⁶⁶ The issues of Magna Carta in 1216, 1217 and 1225 all assumed children from landholding classes would be under their lord's wardship, saying nothing regarding the role of either mother or kin.⁶⁷ These and other similar legal views were

⁶³ Wiedemann, 'Papal authority', 74–5 and *Papal Overlordship*, ch. 6.

⁶⁴ H. d'Arbois de Jubainville, *Recherches sur la minorité et ses effets dans le droit féodal français* (Paris, 1852), 6–20; Livingstone, *Out of Love*, esp. 49–50, 70–71, 88–90, 186–8.

⁶⁵ F.-R. Erkens, 'Die Frau als Herrscherin in ottonisch-frühstaufer Zeit', in A. von Euw and P. Schreiner (eds.), *Kaiserin Theophanu: Begegnung des Ostens und Westens um die Wende des ersten Jahrtausends*, 2 vols (Cologne, 1991), II, 245–59 (253–4).

⁶⁶ *Coutumiers de Normandie*, I, 10–11; J. C. Holt, 'Feudal society and the family in early medieval England: 3. Patronage and politics', *TRHS*, 34 (1984), 1–25 (16–18); Chapter 1; Chapter 7.

⁶⁷ *EHD*, III, 327–8, 332–3, 341–2; A. W. B. Simpson, *A History of the Land Law*, 2nd edn (Oxford, 1986), 18–19, earlyenglishlaws.ac.uk/laws/texts/hn-cor/view/#edition/translation. Contrast this with Henry I of England's coronation 'charter' in 1100, which suggested that a child's *custos* could either be his father's widow or another relative with a better right: Henry I, *Coronation Charter*, ed. and trans. R. Sharpe, digital edn online at *Early English Laws* (2021).

not confined to the realms of theory but came to influence the practical provisions parents made for their children's care. By the thirteenth century, grants of wardships to male relatives were uncommon among the English aristocracy.⁶⁸ These wider legal shifts at an elite level likely fostered a sense of entitlement among leading magnates when it came to arrangements for the guardianship of royal children. However, while kings were happy to enforce a lordship model for fatherless children from the aristocracy and nobility, the royal family were far more reluctant to employ similar legal directives when organising the care of their own sons.

Kings carefully avoided imposing tenurial features or terminology upon their heirs in deathbed communications, as this discussion has shown. Their cautious attitude towards the adoption of tenurial models of wardship is expressed in two main ways. First, as in Philip II's 1190 ordinance, kings hesitated to specify in writing any rigid arrangements for the kingdom's management such as a fixed termination for a period of guardianship. Secondly, there was a complete lack of royal endorsement for secular magnates to act as sole guardians for boy kings and their realms.

Kings preferred to leave their young sons and the practicalities of government in the hands of collaborative groups rather than individual men. Contrary to some enduring preconceptions, I have found little indication in the kingdoms of north-western Europe between the eleventh and thirteenth centuries that kings considered their direct male kin, either maternal or paternal, as appropriate choices to be their child's sole protector and the realm's sole governor. This may not have been the case elsewhere. In the kingdom of Aragon, for example, James I's great-uncle (through the paternal line), Sancho of Provence, administered the affairs of the realm as *procurator* between 1214 and 1218. Even in this instance, however, Sancho's appointment post-dated Peter II's death and there is little evidence that Peter had nominated Sancho for such a role.⁶⁹ The most prevalent form of co-operative partnership over the central medieval period was for kings to entrust guardianship to the queen and to encourage senior members of the episcopate to support and mediate her acceptance by the wider magnate community, as detailed above. Another solution was for the king to handpick a group of lay and ecclesiastical representatives to support their child heir. When King John was 'hindered by grave infirmity' in October 1216, he turned to collaborative arrangements in his testament, in addition to the separate appeal he

⁶⁸ S. L. Waugh, *The Lordship of England: Royal Wardships and Marriages in English Society and Politics, 1217–1327* (Princeton, 1988), esp. 194–207.

⁶⁹ Smith, 'Pope Innocent', 28–30.

made to the papacy.⁷⁰ John's testament is extant as a single-sheet parchment drawn up by a chancery hand.⁷¹ Much of the narrative focuses on his last wishes for his soul and body, but the king also asks thirteen named *ordinatores* to support his children in 'obtaining and defending their inheritance'.⁷² All those John named were to play central roles in the early years of Henry III's reign, and the king had selected them precisely for the wide range of skills they could put at the child's disposal.⁷³ Nevertheless, like Louis VIII a decade later, John refrained from detailing in writing how governance would work in practice under the boy king despite dictating his wishes in the full knowledge that his eldest son would succeed while still a child.

Small but significant distinctions between John's letter to the pope and his testament *in extremis* shed further light on royal hesitancy to embrace secular magnates as the sole guardians of boy kings and their realms. John had entrusted Honorius with the protection of his kingdom and his heir (singular) and asked the pope to help his heir (singular, once again) to succeed to his *paternal* inheritance (*in paternam hereditatem*).⁷⁴ The multiple references to *heres* in the singular form and to the *regnum* confirm that John's chief concerns in his letter to Honorius were his eldest son Henry and the English realm. The pope fully embraced these responsibilities although, in correspondence with the legate Guala early in 1217, Honorius went slightly further in asserting that John had entrusted him with the kingdom and his sons/children (plural).⁷⁵ By contrast, John did not refer to any arrangements for the *regnum* in his testament, nor did he specify the nature of the inheritance he was asking his *ordinatores* to obtain and defend for his children. This is a provocative hint that John at least thought of his wife Isabella's possessions from his deathbed. The king may have intended the broader definition of *hereditas* to encompass his sons' maternal inheritance, namely the county of Angoulême. Moreover, John's testament uses the plural form *fili* throughout, rather than the

⁷⁰ S. Church, 'King John's testament and the last days of his reign', *EHR*, 125 (2010), 505–28 (506, 516: *gravi infirmitate preuentus*, 519). For textual similarities between the testament and the letter to Honorius: *Letters of Guala*, no. 140b; Gillingham, 'Deathbeds', 520–1.

⁷¹ Church, 'John's testament', 508–9.

⁷² 'et sustentacione prestanda filiis meis pro hereditate sua perquirenda et defendenda', Church, 'John's testament', 516. The *ordinatores* consisted of the papal legate Guala, three bishops (of Winchester, Chichester and Worcester), the Master of Knights Templar in England (Brother Aimery de Saint-Maur), three earls (of Pembroke, Chester and Derby), the royal administrator William Brewer, two marcher lords (Walter de Lacy and John of Monmouth) and two military commanders (Savaric de Mauléon and Falkes de Bréauté).

⁷³ Church, 'John's testament', 526–8.

⁷⁴ *Letters of Guala*, no. 140b (106); see earlier in this chapter, 156.

⁷⁵ *ROHL*, I, appendix 5, no. 1.

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singular *heres* which features in the letter to Honorius. *Filius* had far fewer legal connotations than *heres* and, in the plural form used in the testament, may either have denoted John's two sons, Henry and Richard, or have encompassed all the king's offspring collectively, both sons and daughters.

Whereas John envisaged the pope having a specified role in protecting the king-to-be and kingdom, *heres* and *regnum*, the group of magnates he gathered at his deathbed were instead asked to provide aid to all his sons or children. The role of the magnates and prelates did *not* include custody of the kingdom, which was already entrusted to the pope. John had placed the English realm in papal hands in 1215 and reiterated the kingdom's position as a papal *patrimonium* in 1216.⁷⁶ John avoided implying that those gathered at his deathbed had any legal right to the guardianship of his eldest son or realm, even if he trusted their collaborative support would aid his children. Similar trust in collective magnate support can be seen in 1260 when Margaret, queen of Scots, remained in England to give birth to her first child and King Alexander III instructed thirteen bishops, earls and barons regarding what to do in the case of his death.⁷⁷ This document was not the king's selection of a 'regency council'.⁷⁸ Alexander did not specify the roles these magnates would play beyond taking the *proles* into their possession and conveying the infant back to Scotland. The choice of two neutral verbs, *habere* and *adducere* – neither of which was overtly associated with custody, guardianship or governance – cautions against assuming Alexander envisaged any more formal arrangements at this time. The king also conceded that it would only take as few as four, or even three, of the magnates to complete what he was asking of them. Kings avoided placing royal authority formally in the hands of a single magnate before their young son's succession, and they continued to be cautious about specifying exact, official arrangements for possible situations of guardianship, even by the second half of the thirteenth century.

Changing practices and expectations of aristocratic wardship from the twelfth century did not alter kings' preferences for more collaborative arrangements, but these shifts did influence how authors represented the selection of a boy king's guardian. Narrative accounts can present a very different picture than the documentary evidence because writers often created and embellished stories of royal deathbeds to serve later purposes.⁷⁹ The idea that Henry I, on his deathbed in 1060, nominated

⁷⁶ *Letters of Guala*, no. 140b.

⁷⁷ *Foedera*, 402–3; *Calendar of Documents Relating to Scotland Preserved in Her Majesty's Public Record Office*, London, I, A.D. 1108–1272, ed. J. Bain (Edinburgh, 1881), no. 2229.

⁷⁸ Watt, 'Minority of Alexander', 21. ⁷⁹ See also Ward, 'Guardianship', 554–5.

Baldwin V of Flanders to care for Philip I and the kingdom is wholly fabricated by authors writing in the twelfth century who ignore Anne of Kyiv's more prominent role.⁸⁰ Modern historians followed these later accounts, assuming that the chroniclers were authoritative without assessing the reliability of their information.⁸¹ Eleventh-century accounts of Philip's early reign emphasised Baldwin's participation in guardianship, but these earlier writers never suggested that Henry had arranged such a provision before his death or from his deathbed. Near-contemporary Flemish annals and royal charters reveal entirely different arrangements.⁸² Baldwin does not appear prominently in Philip's acts until mid-1063, when he consented to a royal concession to the abbey of Saint-Crépin-le-Grand in Soissons, but only as one of Philip's *fideles*.⁸³ Later that year, Philip and Baldwin began to be addressed together as a governing partnership, and the count remained prominent in royal acts until his death in 1067.⁸⁴ No eleventh-century French source corroborates Baldwin's presence at Henry's deathbed, let alone suggests that it was here that the king entrusted his son and kingdom to the count's care. Instead, Queen Anne, who we have already seen was likely with her eldest son at her husband's side when he died, appears most conspicuously in the eight-year-old king's first acts. Authors such as William of Malmesbury, writing more than fifty years later, erased the queen mother's participation in rule alongside her son by concocting a scene in which Henry, as he lay dying, had bestowed his son and kingdom upon Count Baldwin.⁸⁵ This finding is important for understanding maternal

⁸⁰ Hugh of Fleury, *Liber qui modernorum regum Francorum continet actus*, ed. G. Waitz, *MGH SS* 9 (Hanover, 1851), 376–95 (389); *The Gesta Normannorum ducum of William of Jumièges, Orderic Vitalis, and Robert of Torigni*, ed. and trans. E. M. C. van Houts, 2 vols (Oxford, 1992–5), II, 152–3; Orderic Vitalis, *Ecclesiastical History*, ed. and trans. M. Chibnall, 6 vols (Oxford, 1969–80), II, 88–9; William of Malmesbury, *Gesta regum*, I, 436–7. This argument is made in greater detail in E. J. Ward, 'Anne of Kiev (c. 1024–c. 1075) and a reassessment of maternal power in the minority kingship of Philip I of France', *HR*, 89 (2016), 435–53.

⁸¹ Select examples include: Prou, *Recueil*, xxix; Fliche, *Règne de Philippe*, 16; G. Duby, *France in the Middle Ages, 987–1460: From Hugh Capet to Joan of Arc*, trans. J. Vale (Oxford, 1991), 117; Grant, *Blanche*, 278.

⁸² The *Annales Blandinienses* date Baldwin's guardianship to 1061: *Les annales de Saint-Pierre de Gand et de Saint-Amand*, ed. P. Grierson (Brussels, 1937), 27. Only two of the first thirteen charters of Philip's reign mention Baldwin: Prou, *Recueil*, nos. 2, 3.

⁸³ Prou, *Recueil*, no. 16; Chapter 8.

⁸⁴ Prou, *Recueil*, no. 17. For Baldwin's definition of his position as Philip's *procurator et baiulus* see Chapter 7.

⁸⁵ William of Malmesbury, *Gesta regum*, I, 436–7. William was probably influenced by the account of Henry's deathbed in the *Vita Ædwardi Regis*, whose author linked Baldwin to the deathbed, though not as explicitly as in William's account. See *The Life of King Edward Who Rests at Westminster Attributed to a Monk of St Bertin*, ed. and trans. F. Barlow (London, 1962), 82–3. The *Vita's* author likely constructed this scene to provide a parallel to or foreshadowing of Edward's deathbed scene. See Ward, 'Norman Conquest', 348–9.

involvement in situations of child kingship and invites us to interrogate the reliability of later narrative sources in similar cases.

A less overt fabrication surfaces in thirteenth-century England when William Marshal's biographer claimed that John, in the presence of other magnates at his deathbed, selected the earl of Pembroke to take charge of his son Henry and help the boy manage the royal lands.⁸⁶ According to the biographer, William himself was absent from John's deathbed, although his nephew was there to witness the king's designation of his uncle.⁸⁷ No extant record confirms John's nomination of William Marshal as the boy king's guardian *in absentia*, contrary to Blanche's deathbed appointment in France a decade later. John's testament simply names the earl as one of the king's thirteen *ordinatores*, although the fact that William's name appears first among the lay magnates – after the papal legate, the bishops and the Master of the Knights Templar – indicates his baronial and political seniority. It seems improbable, then, that John planned for the Marshal to have sole control of his son and kingdom. Even the claims of William's biographer do not stretch quite this far. Rather, the writer asserted that John had asked those at his deathbed to see that William 'takes my son into his care (*en garde*) and always keeps him under his care (*garde*)'.⁸⁸ John's actions gave William custody of the child alone, but this did not imply guardianship of the realm as well, even if the biographer hoped his reference to the management of John's *terres* would, not so subtly, encourage his audience to make this leap.

The Anonymous of Béthune, writing a few years earlier than William's biographer, does not resort to such obfuscation. He uses identical terminology (*en la garde*) to describe how John first entrusted his eldest son Henry to God and to William Marshal and then commended his second son, Richard, to Peter de Maulay.⁸⁹ It was only *after* Henry's coronation, according to the Anonymous, that William was chosen as the guardian of the realm (*baillius del regne*).⁹⁰ William's biographer likewise refrains from mentioning the concept of legal guardianship (*la baillie*) until after John's death.⁹¹ This account of events aligns with the Crowland chronicler's statement that William's prominent position in

⁸⁶ *History of William Marshal*, II, 260–1; D. Crouch, *William Marshal*, 3rd edn (London, 2016), 158–60; *The Acts and Letters of the Marshal Family: Marshals of England and Earls of Pembroke, 1145–1248*, ed. D. Crouch (Cambridge, 2015), 13.

⁸⁷ *History of William Marshal*, II, 258–63; Crouch, *William Marshal*, 159.

⁸⁸ *History of William Marshal*, II, 260–1, with translation slightly amended.

⁸⁹ *Histoire des ducs*, 180. Likewise, see Philippe Mouskes, *Chronique*, II, 552, for Louis VIII's request that Matthew of Montmorency, constable of France, take his son *en garde*.

⁹⁰ *Histoire des ducs*, 181. ⁹¹ *History of William Marshal*, II, 270, 278–80.

government relied on the 'common counsel' of royalist magnates at an assembly in November 1216.⁹² By the time William's biographer was writing in the mid-1220s, the earl was dead and reproaches of his behaviour as Henry's guardian circulated. David Crouch has shown how these criticisms affected William's son and heir, spurring the younger Marshal's desire to commemorate his father in writing and equally influencing the biographer's intentions for the work.⁹³ As part of an attempt to legitimise the earl's actions, his biographer embellished the narrative to claim, suggestively, that John had charged William not only with the care of his son but also with the management of royal lands; that is, the kingdom. Such a deathbed nomination implied that William had been a loyal vassal who acted with little regard for his own interests, motivated by a desire to fulfil his lord's dying wishes. Narrative representations of royal deathbeds therefore reflect the changing legal context around aristocratic wardship which, from the twelfth century, began to prioritise the selection of a single magnate to oversee a child's inheritance while he was underage. In reality, royal families were far more cautious than these narratives suggest, and kings avoided implying that the heir to the throne would be bound to the same model of wardship as an aristocratic child.

There are clear discrepancies between how dying rulers prepared for a situation of child kingship and how others justified the provisions for the child king's care after his father (or mother) had died. Even as written testaments brought greater legal precision to the partition of possessions and lands from the later twelfth century, kings were adamant that their young sons were not to be treated as tenurial wards. Rulers resisted incorporating models of wardship within the preparations they made and never introduced constraints which might compromise an heir. It is possible that kings similarly avoided introducing tenurial terminology, such as *tutela* or *balius*, within these arrangements. Philip II preferred not to specify any provisions for his son's *custodia* in 1190, and John's letter to Honorius in 1216 spoke solely of papal and paternal *protectio*. In other cases, especially in Sicily in the late 1190s but also in France in 1226, it is impossible to ascertain whether dying rulers themselves had introduced terms such as *tutela* or *balius* to characterise the care of boy kings and their realms. It remains plausible that such vocabulary only appeared as part of the later justifications circulating after the ruler's death. We can have greater confidence regarding who rulers entrusted with the overarching

⁹² 'ex communi consilio', *Memoriale*, II, 233; Crouch, *William Marshal*, 158–60. See ROHL, I, appendix 5, no. 4, for an attempt to cast doubts on William's fitness for office.

⁹³ D. Crouch, 'Biography as propaganda in the *History of William Marshal*', in M. Aurell (ed.), *Convaincre et persuader: communication et propagande aux XII^e et XIII^e siècles* (Poitiers, 2007), 503–12 (esp. 510–12).

care of their sons and kingdoms, even where there is little certainty around the precise terminology used. Kings deliberately sought out collaborative arrangements for managing their kingdom, often involving their wives. From the later twelfth century, rulers increasingly appealed to the pope's protection of their heir and realm rather than promoting individual princes or barons to any 'official' position of guardianship. Widowed queens likewise avoided entrusting a single magnate with a young son and his kingdom. After the ruler's death, however, any distinctions royal families had attempted to cultivate became increasingly obscured. Distorted representations of the royal deathbed circulated to justify existing guardianship arrangements. Children's legitimacy to rule was rarely disputed, but their parents' final wishes regularly became a prop to assert or contest the legitimacy of guardianship power and delegated authority after the child succeeded to the throne.

Throughout Part II we have seen how royal children were valued participants in many of the transactions, ceremonies and rituals of rule. Their young age did not preclude their importance as political actors. Parents, magnates and ecclesiastical communities regarded infancy and childhood as important stages in a prince's life cycle. These were years when a boy could foster friendships with abbeys and churches, appear prominently within national and international networks of allegiance, and play an active role in royal affairs through performative political acts of testimony and consent. When grave illness compelled rulers to plan for the likelihood of a child's succession, their chief concern was not that their young son would be passed over as king. Instead, most dying rulers focused on making collaborative arrangements for protecting the kingdom and supporting the child in rule. Part III builds on the insight that childhood and royal rule were not mutually exclusive to move beyond the association of boy kings with political instability. Shifting to focus on the years after a child's succession, Chapters 7 to 10 present an alternative narrative which shows the careful maintenance of the hierarchy of rulership, stresses innovations and adaptations in royal government, questions the exaggeration of violence and political disorder under a boy king, and suggests a ruler's childhood posed far less of a challenge than their adolescence and youth.

