

"On the Lame"

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*AHR Forum: The Return of Martin Guerre*  
“On the Lame”

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NATALIE ZEMON DAVIS

THE STORY OF MARTIN GUERRE has been told many a time,<sup>1</sup> and flows so agreeably off tongue and pen that I cannot blame Robert Finlay for finding his own way to tell it again. I, too, welcome the chance to review once more its surprises and mysteries. As an afterthought, Finlay has noticed the last line of my *Return of Martin Guerre*, where I wonder whether my account could be wrong.<sup>2</sup> Indeed, my whole book, from its opening dedication to my husband, “my authentic husband,” to its closing evocation of Pansette, the spirit of trickery, is an exploration of the problem of truth and doubt: of the difficulty in determining true identity in the sixteenth century and of the difficulty in the historian’s quest for truth in the twentieth. “In historical writing, where does reconstruction stop and invention begin?” is precisely the question I hoped readers would ask and reflect on, the analogy with the uncertain boundary between self-fashioning and lying built into my narrative.

Although I would have preferred a critique more attentive to my text and to the *Arrest Memorable* of Jean de Coras, more subject to “the sovereignty of sources” to which it claims loyalty, I welcome Robert Finlay’s response to my challenge. His essay raises important questions about historical method and interpretation, about the range of evidence that can be brought to bear on a historical problem, about

I am grateful to Anthony Grafton, Lisa Jardine, and Donald R. Kelley for their critical reading of and comments on this essay.

<sup>1</sup> Indeed, more times than I knew when publishing the first American edition of *The Return of Martin Guerre*. I use this opportunity to list additional accounts before 1900: [Jean de Coras], *Processo, et Arresto ò sentenza data dal Parlamento di Tolosa sopra d’un fatto prodigioso et memorabile, tradotto di lingua francese nella favella toscana, per Mag. Gio. Batt<sup>a</sup> Forteguerri Dott<sup>o</sup> Pistoiese, con cento annotazioni ornate et aggiunte da lui* (Manuscript, dedicated by Forteguèrri to the Grand-Duchess of Tuscany, April 1591); *Waerachtighe History, Van een Wonderbaerlick bedroch* (Leyden, 1616), based on Coras; “The Case of Martin Guerre,” a four-part serial in the *New London Gazette*, 4–8 (9 December 1763–6 January 1764), drawn from Coras, the first American telling of the case; Gottfried Wilhelm Leibniz, *Nouveaux essais sur l’entendement humain* (1765), Book 3, chap. 3, “Termes généraux”: paragraph 7 refers to “le faux Martin Guerre” and his successful imposture as part of his discussion of the idea of an individual; A. Fouquier, *Causes célèbres de tous les peuples* (Paris, 1865–67), 7: cahier 33, 1–10: “Le Faux Martin Guerre (1560),” based on Coras and Estienne Pasquier, with discussion about what Bertrande knew. I am grateful to Craig Harline, Philip A. Hamburger, and Vanessa Schwartz for passing on some of these references to me.

<sup>2</sup> Natalie Zemon Davis, *The Return of Martin Guerre* (Cambridge, Mass., 1983), 125.

the way to read texts, and about the role of speculation and uncertainty in historical knowledge. He also offers his own theory of the Martin Guerre case, different from mine, different from that of Coras, and different from several others proposed since the publication of *The Return of Martin Guerre*. They make for interesting comparison, showing the complex possibilities in Coras's "prodigious history" and the interplay of scholarly approach and twentieth-century assumption in our historical work.

To frame my essay, I introduce some of the differences in approach between Finlay and me. Both of us would like to know "what happened" when Arnaud du Tilh arrived in the village of Artigat and stayed there as Martin Guerre for three years and more. I conclude that the reaction was a mix of being deceived and being deceptive or acquiescent, even in the village at large ("whatever doubts people had, they silenced or even buried them for a while,"<sup>3</sup>) and that especially Bertrande became Arnaud's collaborator, though toward the end not always a wholehearted one. Finlay concludes that the entire Guerre family and all the neighbors were fully tricked from the beginning and that Bertrande remained a dupe until she saw Martin Guerre in court and realized her error.

I have the additional goal, at least as important, of embedding this story in the values and habits of sixteenth-century French village life and law, to use them to help understand central elements in the story and to use the story to comment back on them—that is, to turn a legend into history. Finlay gives short shrift to my material on Basque customs, migration, property and land sales, inheritance, women's work, judicial practice, and the rest as "context" and "color in historical reconstruction." Or else, when it impinges too closely on his own moral concerns, as with my discussion of religion and marriage law as elements in the mental world of Arnaud and Bertrande, he dismisses it as "exculpatory." In contrast, he is content to leave a cultural and social void around this twosome (quite different from his practice in his valuable study of fifteenth-century Venetian patricians). He presents a timeless pair of "predator" and "prey," of "clever fraud" and "unfortunate dupe," as in an early modern legend or morality tale.<sup>4</sup>

Next, I think it important to explore cultural exchange across class lines, as when peasants and judges meet each other in a courtroom and when a village tale becomes a fascinating subject for learned literature. I find helpful clues here in the perceptions of likeness, difference, and danger in the life story of the "other" and in the appearance of key words and concepts (such as "tragedy") in startling and unusual places. Texts also provide me fresh evidence in their overall organization and in the rules for their creation: literary and narrative structure are part of the "data" upon which I want to do "vulgar reasoning" to get at a sixteenth-century argument.<sup>5</sup> Finlay is interested in cross-class relations in the case of fifteenth-century political exchange between the Venetian patriciate and the *popolo*, but he

<sup>3</sup> Davis, *Return of Martin Guerre*, 43.

<sup>4</sup> Robert Finlay, *Politics in Renaissance Venice* (New Brunswick, N.J., 1980). Robert Finlay, "The Refashioning of Martin Guerre," *AHR*, 93 (June 1988): 571, 562, 564.

<sup>5</sup> Finlay, "Refashioning of Martin Guerre," 571.

does not recognize socio-cultural exchange as a serious historical event.<sup>6</sup> Speculating on psychological reactions to others, even when the life is well documented and the reactions closely linked to sixteenth-century concerns, seems to Finlay unreasonable, although he feels free to rely on, say, the “exaggerated [self-] importance,” “self-righteous[ness],” “bitterness,” or “impulsiveness” of his Venetian subjects.<sup>7</sup> He is indifferent to the manifold structure of the *Arrest Memorable*, to the meaning of its language, and to the place of his few citations in the course of Coras’s argument. Finlay will extend literary concern to the diary of Marino Sanuto but not to a text as strange as the *Histoire prodigieuse*.<sup>8</sup>

Finally, there is a contrast in our mental habits, cognitive styles, and moral tone. I see complexities and ambivalences everywhere; I am willing to settle, until I can get something better, for conjectural knowledge and possible truth; I make ethical judgments as an assay of pros and cons, of daily living and heroic idealism. Robert Finlay sees things in clean, simple lines; he wants absolute truth, established with no ambiguity by literal and explicit words; he makes moral judgments in terms of sharp rights and wrongs. I can conceive of a peasant woman “honorable” in her own eyes and those of her women neighbors by sixteenth-century standards who decides to accept a false husband, lacking any other, and who could be understood and pardoned by those neighbors. Finlay finds this a contradiction in terms and asserts, “There is no doubt that if Bertrande’s contemporaries believed she was guilty, she would have been seen as despicable as the impostor.”<sup>9</sup> If Finlay’s book on Venetian government is much less categorical in tone, in “The Refashioning of Martin Guerre,” he plays Savonarola to my Montaigne. Fortunately, historical practice can profit from each stance.

FIRST, LET ME SPELL OUT FOR READERS my research method. My core sources were the *Arrest Memorable* of Judge Jean de Coras, the special commissioner and reporter for the Guerre case to the Parlement of Toulouse; the *Historia Admiranda (Histoire Admirable)*<sup>10</sup> of Guillaume Le Sueur, a text I discovered and whose author turned

<sup>6</sup> Finlay, *Politics*, 44–59.

<sup>7</sup> Finlay, *Politics*, 12, 256, 278, 235.

<sup>8</sup> Finlay, *Politics*, 10–12, 276–77. The title of the first edition of Jean de Coras’s book is *Arrest Memorable du Parlement de Tolose, Contenant une histoire prodigieuse, de nostre temps, avec cent belles, & doctes Annotations* (Lyon: Antoine Vincent, 1561). The edition I am using is one of the printings of the 2d edn.: *Arrest Memorable du Parlement de Tholose, Contenant Une Histoire prodigieuse d’un supposé mary, advenue de nostre temps: enrichie de cent et onze belles et doctes annotations* (Paris: Galliot du Pré, 1572).

<sup>9</sup> Finlay, “Refashioning of Martin Guerre,” 556. Similarly, I am willing to consider a letter written by Coras to his wife seven years after the trial (lacking one closer) in which he recounts a nightmare, “the severity and threat of a strange dream,” about her turning from him and remarrying another before his eyes, as an indication of his feeling about a “beautiful” peasant woman, attested to as “honorable,” doing a similar thing (Davis, *Return of Martin Guerre*, 112–13, 20). Finlay objects to using a letter from a later date and can see no relevance of the letter to events in the Martin Guerre trial (Finlay, “Refashioning of Martin Guerre,” 569 n. 70). Of course, he is demanding “substantiation”; I am suggesting evidence that can be brought to bear on Coras’s frame of mind and his representation of Bertrande in the *Arrest Memorable*.

<sup>10</sup> [Guillaume Le Sueur], *Admiranda historia de Pseudo Martino Tholosae Damnato Idib. Septemb. Anno Domini MDLX* (Lyon: Jean de Tournes, 1561); *Histoire Admirable d’un Faux et Supposé Mary, advenue en Languedoc, l’an mil cinq cens soixante* (Paris: Vincent Sertenas, 1561).

out to be a law clerk for another judge in the trial (a text not seen by Finlay and mentioned by him only in a footnote); and the decisions concerning the case in the registers of the Parlement of Toulouse. Around these, I clustered evidence of peasant doings and sayings from all the village archives in question (the Artigat of the Guerres and the Rolses, the Basque country of the Daguerres, Arnaud's Sajas, and their environs); from the criminal records at Toulouse; and from sixteenth-century printed accounts about the region. In the absence of the full depositions and testimony from the trials and of rural diaries and letters, this is the best one can do in the study of a primarily illiterate, sixteenth-century peasant society. The world of the judges and their court I built from the same concentric circles of research, starting with evidence from the jurists themselves—books and letters they wrote, cases they judged, and the like—and spreading to the practice of other criminal courts and the prescriptions for criminal procedure published by sixteenth-century judges. Throughout, I worked as a detective, assessing my sources and the rules for their composition, putting together clues from many places, establishing a conjectural argument that made the best sense, the most plausible sense, of sixteenth-century evidence.<sup>11</sup>

In addition, I decided to use a literary construction for *The Return of Martin Guerre* that would allow the book to be read, if one wished, like a detective story (or like Coras's *Arrest Memorable*) at a single sitting. I also chose to advance my arguments—about the case, about rural society, about identity, about doubt—as much by the ordering of narrative, choice of detail, literary voice, and metaphor as by topical analysis. This was partly because I wanted the book to be accessible to a varied audience, from the villagers of Artigat whom I had interviewed to specialists in sixteenth-century rural, legal, and literary history, who I hoped would enjoy my new findings. Even more important, I wanted to develop an expository style for the first part of the book that could provide the equivalent of cinematic movement, with flash-forwards rather than flashbacks.

This rhetorical and narrative strategy clearly has its costs, especially for the scholar's leisurely back-and-forth between source and subject. To be sure, the chapters on the trials at Rieux and Toulouse give much information on the pros and cons of judicial deliberation, and the last three chapters are devoted to the literary production and content of the texts by Coras, Le Sueur, and others. But the research evidence for the story line of the imposture is packed into the notes, available for the patient researcher, but with only an occasional one giving the prose discussions and explicit weighings needed to assist those unfamiliar with legal or archival material.<sup>12</sup> In addition, readers, always an independent lot, may miss irony, ignore metaphors and signposts, and even be lost without an argument that begins "there are four reasons." On the other hand, it has seemed to me that the strategy of *The Return of Martin Guerre* could have distinctive fruits: the

<sup>11</sup> On historical knowledge as conjectural knowledge and historians as detectives, see R. G. Collingwood's celebrated "Epilegomena" to *The Idea of History* (New York, 1956), especially 231–302; Carlo Ginzburg, "Morelli, Freud and Sherlock Holmes: Clues and Scientific Method," *History Workshop*, 9 (1980): 5–36; and Robin Winks, ed., *The Historian as Detective: Essays on Evidence* (New York, 1969).

<sup>12</sup> For example, Davis, *Return of Martin Guerre*, 143 nn. 6, 11.

re-creation of complexity in historical experience (here, in the case of villagers), the recapture of the interplay between the socially determined and the chosen, and the encouragement of readers to think about the implications of literary construction for historical representation.<sup>13</sup>

WE WILL BEGIN WITH BERTRANDE DE ROLS and what she “knew” about Arnaud du Tilh when they lived together as husband and wife. I put quotation marks around “knew” to evoke my phrase “by explicit or tacit agreement, she helped him become her husband” and the suggestions I make about how Bertrande—and, indeed, her relatives and her fellow villagers—could slip into a relationship with an unknown person, quieting doubts, privileging signs of identity, and ignoring contrary clues because a return of a missing husband was so much to be desired.<sup>14</sup> As an abandoned wife, Bertrande had the most at stake, but she also had early and the most intimate access to the contrary clues. The degree of her conscious accommodation to them is hidden from us: one could imagine indirection at the start, not only with the man whom she allowed to be Martin Guerre but also with herself. But somewhere along the way—early or late—their collaboration had to have been openly planned.

The evidence for Bertrande’s collusion with Arnaud du Tilh rests not on one argument, as Finlay alleges, but on four, all drawn from the legal sources: the fact, affirmed by all witnesses, that Arnaud greeted everyone by name and knew something of their past when he first saw them in Artigat; the fact, affirmed by many witnesses and confirmed by Jean de Coras, that Arnaud was of quite different body size from Martin Guerre; the character of Bertrande’s behavior from the time that Arnaud was accused of being an impostor by Pierre Guerre and others until the time she became a plaintiff against him; and the character of Bertrande’s testimony during the trial at Toulouse, which allowed Arnaud to persuade the court he was Martin. The implications for Bertrande’s knowledge and intentions are stronger for certain elements than for others, but together they make a good and very plausible case for collaboration.

The law clerk Le Sueur gives us a description of Bertrande’s first meeting with Arnaud as it was described in the trial. Arnaud had set himself up to rest at an inn in a nearby village. When Bertrande first saw him there, “she was uneasy for a long time, expressing doubt and turning away from him.”<sup>15</sup> Only after he had spoken to her in an affectionate voice, recalling what they had said to each other the first night of their marriage and reminding her of the white hosen he had left in a coffer

<sup>13</sup> On the implications of different rhetorical styles in historical writing, see Allan Megill and Donald N. McCloskey, “The Rhetoric of History,” in John S. Nelson, Allan Megill, and Donald N. McCloskey, *The Rhetoric of the Human Sciences: Language and Argument in Scholarship and Public Affairs* (Madison, Wis., 1987), 221–38.

<sup>14</sup> Davis, *Return of Martin Guerre*, 43–44.

<sup>15</sup> “Eum illa primùm contuita, diu anxia restitit: et dubitanter admittens, iam aversari velle videbatur” (*Historia*, 6). “Quand elle fut arrivée devers luy, de prime abordée elle se retint comme esbahie et ne vouloit aprocher; mais comme douteuse, se retiroit en arrière” (*Histoire*, Bi). Coras does not give details of this first encounter except to mention the white hosen: “Et de premiere rencontre luy dit, Va-moy querir les chausses blanches, doubles de taffetas blanc, que ie laissay dans un tel coffre quand ie parti” (*Arrest Memorable*, 63).

the day of his departure, did she embrace him and say that his growth of beard had made it difficult for her to recognize him. When Pierre Guerre arrived, he had the same initial reaction and did not accept Arnaud as his nephew Martin until he began to talk to him of business arrangements they had had before he left.<sup>16</sup> Thus Bertrande and Pierre said they doubted at first that they were seeing Martin Guerre.

Bertrande and Arnaud did not go directly to Artigat—continuing with Le Sueur's account of what was said at the trial—but stayed at the inn for some days while she tended him for an illness. He told her it was the pox, and he did not ask her to sleep with him right away. When he was better, she took him back to her village, where, as Coras reports following the testimony "of almost all the witnesses,"

he greeted by name almost everyone he met who knew Martin Guerre, without having otherwise seen them or known them; and if they found it difficult to recognize him, he brought to mind all kinds of things from the past, and said to each one in particular, "Don't you remember when we were at such and such a place, ten, twelve, fifteen or twenty years ago, and we did such and such a thing in the presence of so and so and where we talked about such and such?"<sup>17</sup>

This was one of the feats that led Coras to write that Arnaud must have had a familiar, must have raised a spirit through necromancy. How did he know all this, especially when it turned out that he and Martin had never met until the latter turned up at the court of Toulouse? Before he was executed, Arnaud named two friends of Martin who had given him information and described other inquiries he had made before his arrival in Artigat, *but Coras did not see how prior instruction could lead to such face-to-face encounters*, even for a man with Pansette's prodigious memory.<sup>18</sup> Unless Robert Finlay wishes us, too, to have recourse to a theory of magic, we have to imagine sustained assistance from a person or persons within the family—the sisters, Pierre Guerre, who after his initial recoil was going about talking to villagers of "his nephew," and most centrally Bertrande, who brought him back to Artigat. This assistance could have been forthright; it could well have been tacit, only a few turns beyond the ordinary mutuality of wife and returned spouse. To imagine a hypothetical case: "You remember Catherine Boëri, Martin—she brought us the drink on our wedding night."<sup>19</sup>

My second "sign" is Arnaud du Tilh's body and its touch to Bertrande. Finlay interprets my text to be arguing narrowly for a distinctive and clearly recognizable

<sup>16</sup> *Historia*, 6–7; *Histoire*, Bi'.

<sup>17</sup> Coras, *Arrest Memorable*, 63.

<sup>18</sup> Coras, *Arrest Memorable*, Annotation 66 (*sic* for Annotation 71), 90: "Il y avoit certes grande raison de penser que ce prevenu eust quelque esprit familier, veu qu'il sçavoit si bien et veritablement respondre de toutes choses . . . Et (qui est bien plus à admirer) cognoissoit tous ceux qui se presenterent à luy du commencement, et apres sans les avoir veux oncques. Ce que ne pouvoit tomber en instructions, ni memoires qui luy eussent esté baillées par autre." And again: "On peut enseigner certains propos, donner des enseignes, et marques: mais de bailler la congoissance de tant et tant de diverses personnes, non iamais veuës ni cognues: cela est impossible, autrement que par Magie" (65).

<sup>19</sup> Coras, *Arrest Memorable*, 62. Boëri is a hypothetical case, as the actual testimonies from individuals Arnaud had greeted are all lost. At the trial, Catherine Boëri was a strong supporter of the accused as truly Martin Guerre (61).

lifetime manner of sexual intercourse. Individuals may indeed have some long-term patterns of sexual behavior and expression, like a sexual fingerprint, but, of course, there is sexual learning (here, Robert Finlay and I agree): Martin and Bertrande learned to have sexual intercourse with each other by the last year or two before Martin departed, and one assumes that there were new gestures and movements in their married congress after he returned from Spain in 1560. A new kind of kiss from Arnaud du Tilh need not of itself constitute a contrary clue for Bertrande de Rols.

But the “touch of the man” is a broader idea. Let us remember that the resemblance between Arnaud and Martin was solely a matter of face and lineaments—not perfect, for some testified that Martin was darker than Arnaud and had a pug nose, but good. Testimony about scars, warts, extra teeth, and a blood mark in the eye was so diverse and divided that Coras said it did not add up to proof one way or the other. (Curiously enough, there was no testimony reported about voice or accent, even though Arnaud, with his Gascon background, would presumably have spoken *langue d’oc* differently from Martin with his Basque mother tongue, and the timbre of their voices might have varied as well.) Where there was accord was on the different body size and height of the two men: “Almost all these witnesses agreed that Martin Guerre was taller and darker, a man thin in body and legs . . . while the prisoner is short, stocky and well-furnished in body, and with thick legs.” The village shoemaker also testified that Martin Guerre’s shoe size was larger than that of the man claiming to be the husband of Bertrande de Rols.<sup>20</sup>

Thus, when Bertrande finally found herself in the embrace of Arnaud du Tilh, she was feeling a body quite unlike the one she had lain next to and held for nine or ten years, unclothed as well as clothed (early woodcuts of couples in the marriage bed show them with nightcaps but naked).<sup>21</sup> One possible reaction to that body is proposed by Coras in trying to understand why so many people mistook Arnaud for Martin: they would assume that he had filled out as he grew older.<sup>22</sup> The other possible reaction—I think more plausible for a wife, since Arnaud was not just stockier but shorter and squatter than her husband and she washed those smaller feet<sup>23</sup>—is that Bertrande “knew,” despite the passage of years, that she was not being held by the real Martin Guerre.

At any rate, this is what Martin Guerre accused her of in court, when he returned on his wooden leg. The phrase “there is no mistaking ‘the touch of the man on the woman,’” which Robert Finlay calls a proverb—and it does have a nice ring—is

<sup>20</sup> Coras, *Arrest Memorable*, 52: “Tous ces tesmoins presqu’accordent que Martin Guerre estoit plus haut et plus noir, homme gresle de corps et des jambes . . . où toutesfois le prisonnier est petit, trappe, et fourni de corps, ayant la jambe grosse.” Coras repeats the contrast later: few of the marks reported on Martin Guerre were not found on the accused “except his height and breadth” (“*reservé de la longueur, et grosseur*”) (74). On the shoemaker, see Coras, 53.

<sup>21</sup> Jean d’Arras, *Mélusine par Jehan d’Arras, Nouvelle édition conforme à celle de 1478* (Paris, 1854), 30<sup>r</sup>, the bishop blesses the marriage bed of Raimondin and Mélusine, who have headdresses but no clothes on. As for smelly bodies, if this were the case, it would only increase the possibility of Bertrande’s distinguishing between Arnaud and Martin and therefore add to the contrary clues.

<sup>22</sup> Coras, *Arrest Memorable*, 74.

<sup>23</sup> Coras, *Arrest Memorable*, 68.

actually taken from *Les Recherches de la France* of jurist Estienne Pasquier, which I cited in the appropriate note.<sup>24</sup> Pasquier, who was a young Paris lawyer in 1560 and who had read both Le Sueur and Coras, describes what Martin said before the court after Bertrande had “asked his pardon for the wrong she had done him unknowingly”: “How is it possible that you have given consent to this abuse? For my uncle and my sisters there is some excuse: but none in the touch of the man on the woman.” Interestingly, Pasquier thought Martin Guerre deserved a punishment as serious as Arnaud’s because “by his absence he had been cause of the wrongdoing.”<sup>25</sup>

And let us hear Guillaume Le Sueur quoting the angry husband as he rebukes Bertrande for more than Finlay’s “imprudence”:

How is it possible that a wife can be abused in this fashion without her knowledge or consent? An uncle and sisters can have some excuse, but the husband must be known to the wife better than to any other relative, for there is no tie closer than marriage. And that for this cause he could not pardon such a fault, and he had to presume that she had done it by desire and impure volition.<sup>26</sup>

Coras’s quotation is more condensed:

And don’t excuse yourself by my sisters, nor by my uncle: for there is neither father, mother, uncle, sister or brother who must better know their son, nephew or brother than a wife must know her husband. And for the disaster that has befallen our house, no one has the wrong but you.<sup>27</sup>

In his discussion of that “disaster” (“malheur et desastre”) elsewhere in his text, Coras uses citations that refer to a wife’s adultery.<sup>28</sup>

My third “sign” is Bertrande de Rols’s behavior from the time Arnaud was charged by Pierre with imposture until the day she became the plaintiff in the case against him before the judge of Rieux. When someone said he was not her husband, “she rudely insisted that that was a lie, that he was Martin Guerre her husband or else a devil in his skin, that she knew him well, and that if anyone

<sup>24</sup> Davis, *Return of Martin Guerre*, 141 n. 3.

<sup>25</sup> “Comment est-il possible (luy dit-il) que tu ayes presté consentement à cest abus? Car et en mon oncle, et en mes soeurs il y peut avoir quelque excuse: Mais nulle en l’attouchement de l’homme à la femme.” Estienne Pasquier, *Les Recherches de la France* (Paris, 1643), 571–72. I cited the 1621 edition in *The Return of Martin Guerre*.

<sup>26</sup> Le Sueur, *Histoire*, Diii<sup>v</sup>: “Comme est il possible qu’une femme soit abusee en ceste façon sans son sceu et consentement? L’oncle et les soeurs en cela pouvoient avoir quelque excuse: mais le mary doit plus estre cogneu à la femme qu’à nul autre parent, et qu’il n’avoit parentage, ny lien plus estroit que le mariage: que pour ceste cause ne luy pouvoit pardonner une telle faulte: et qu’il estoit à presumer que elle l’avoit faicte par desir et volunté impudique.” *Historia*, 16: “Etiam ne, inquit, deludi coniux, nisi volens potuit? Posse ignosci patruo, posse etiam sororibus. At uxori maritum debere esse notioem, quàm ulle ex parentibus, aut sibi. Nullam esse cognationem, quae proprius nos contingat, nullum vinculum quo arctius colligemur. Proinde se ei errori, quem obtendat condonare non posse: qui diffluentis et ad turpitudinem abiectae suspicione non vacaret.” These page numbers to these texts were fully cited in the appropriate endnote of my book, 148 n. 8.

<sup>27</sup> Coras, *Arrest Memorabile*, 107: “Et ne vous excusez en mes seurs, ni en mon Oncle: car il n’y a pere, mere, Oncle, seurs ni freres, qui doyyent mieux cognoistre leur fils, nepveu, ou frere que la femme doit cognoistre le mari. Et du desastre qui est venu à nostre maison, nul a le tort que vous.”

<sup>28</sup> Coras, *Arrest Memorabile*, 5, Annotation 2; and 140, Annotation 98. This citation by Coras is discussed below, p. 593.

henceforth was so foolish as to say the contrary, she would make him die.”<sup>29</sup> Martin’s sisters supported her view, but others joined Pierre’s accusation: her mother, married to Pierre Guerre; Pierre’s sons-in-law; other villagers. Coras says it is understandable that a person persevere in an error if nothing happens to contradict it.<sup>30</sup> But there were public contradictions: the shoemaker told of differing feet size, others spoke of a strange loss of ability to fence and do acrobatics, the soldier from the Picardy wars denounced the man calling himself Martin Guerre, because the real husband had lost his leg at the battle of Saint Quentin. Bertrande maintained her stance, placing herself between Arnaud’s body and the blows of Pierre Guerre and his sons-in-law and supporting him as her husband in a 1559 arson trial in Toulouse, when the accusation of imposture was first made before a court.

Now, let us hear how Coras reflects on whether Bertrande could be guilty in light of these circumstances:

For during those three years, she often heard people murmur and several of them gave her arguments: specifically, that this personage was not Martin Guerre, against whom (although she had good reason to believe them or at least to wonder about what they said) she nonetheless vigorously fought, maintaining the contrary. In this behavior, one seems manifestly to uncover her guilt, for just as a possessor is said to be in good faith until he knows or suspects that the item he has acquired is from someone other than the person who turned it over to him, so a woman who sleeps with someone other than her husband is excused while she is ignorant and thinks she is with her husband; but when she comes to know the contrary or even to have doubts about it and nonetheless participates with him and allows herself to be known by him, she is inexcusable. Once she perceives or suspects the fraud, she must immediately separate herself from him.<sup>31</sup>

Bertrande showed no such circumspection. The night Arnaud returned from the trial in Toulouse, she washed his feet and slept with him as her husband. It was the next day, after he had been arrested at dawn, that Bertrande finally agreed to be plaintiff in a case of imposture already started falsely in her name by Pierre Guerre. The next day, “*without any new proof*” (“*sans nouvelles preuves*,” emphasis mine), as Coras puts it, she changed her story.<sup>32</sup> That is, during the many months when public evidence was accumulating that the man in her bed was not Martin Guerre, she maintained stoutly that he was; within the course of a day, with no new evidence forthcoming, she stated to the judge of Rieux that he was not. Rather than interpreting Bertrande as so duped by Arnaud du Tilh that she naively ignored all contrary clues, it seems more plausible to assume that she had decided that he was a good enough husband (“Martin Guerre or a devil in his skin”), one worth defending in that role as long as she could.

<sup>29</sup> Coras, *Arrest Memorable*, 66–67.

<sup>30</sup> Coras, *Arrest Memorable*, 86, Annotation 67: “On ne presume point volontiers, et sans cause une erreur en personne quelconque, toutesfois depuis un homme est en quelque erreur, il est à presumer qu’il persuere [*sic*] en iceluy s’il n’appert du contraire, car le changement de volonté n’est à presumer, et moins aussi qu’aucuns nouveaux accidens surviennent, qui le puissent causer.”

<sup>31</sup> Coras, *Arrest Memorable*, 138, Annotation 98.

<sup>32</sup> Coras, *Arrest Memorable*, 67, Annotation 45.

On that January day in 1560, what had changed were her circumstances. Pierre and his sons-in-law had bundled Arnaud off to prison, and, although Bertrande might hope for support from her sisters-in-law, her male protector was gone, a court case drawn up against him as the impostor Arnaud du Tilh. Pierre Guerre, patriarch of both the Guerre and the Rols families, and his wife—Bertrande's mother—were "threatening to throw her out of the house, if she did not accuse the prisoner."<sup>33</sup> Beyond this threat to her access to her children, to her relatives, and to family property was the threat to her reputation and even to her life if Pierre and her mother went so far as to accuse her of complicity in a serious case of adultery and fraud.<sup>34</sup> Other questions may also have troubled Bertrande (what about the Martin Guerre with the wooden leg?) and other feelings (guilt, a disquiet about and inner distancing from the man she had taken in as her husband—what if he tricked her again?). I think we have enough sense of her predicament to understand why she agreed to the court case.

But that was not the only action she took on that fateful day: she also sent clothing and money to the prisoner in Rieux, just as she had when he was a prisoner in the Seneschal's prison at Toulouse.<sup>35</sup> Is this an indication that she *still* thought the prisoner was Martin Guerre, as Robert Finlay would claim, or is it rather an indication of the partial support she would offer him in the months ahead?

My fourth and, in some ways, my strongest "sign" of Bertrande's collaboration with Arnaud du Tilh is her testimony during the trial at Rieux and before the Parlement of Toulouse. This is what I call her "double game" (I do not use the term, as Finlay thinks, to refer to Bertrande's acceptance of Arnaud as Martin, for I see all the Guerres as collaborators to some extent, all of them playing a similar game to begin with). At the trials, on the one hand, she satisfied Pierre Guerre and her own individual interests by insisting that she had been tricked and deceived for more than three years by Arnaud du Tilh, although, as Coras and Le Sueur both noted, she spoke in a hesitant and frightened way and refused to take an oath that he was not her husband. On the other hand, in separate interrogations, she always told stories about her intimate life with Martin Guerre that he could repeat perfectly in separate questioning, and she always confirmed the secret details of their early life together that he had provided in his separate testimony.

This convergence in testimony was a critical element in the Criminal Chamber's moving to a decision "more disposed to the advantage of the prisoner and against the said Pierre Guerre and de Rols."<sup>36</sup> Coras reviews at length the evidence collected by the lower court at Rieux and much increased by the hearings at Toulouse. The material evidence was inconclusive, both resemblances and differences being reported between the prisoner and Martin Guerre. Trustworthy relatives on either side took opposing views. Bertrande was especially baffling, a

<sup>33</sup> Coras, *Arrest Memorable*, 67–68.

<sup>34</sup> As I show from the parliamentary sentences of the court at Toulouse, a wife was given a death sentence for adultery only in those few cases of very serious offense against social order—as when a nobleman's wife slept with her sharecropper (Davis, *Return of Martin Guerre*, 88, 148 n. 11).

<sup>35</sup> Coras, *Arrest Memorable*, 70, 68. Le Sueur, *Histoire*, Biii.

<sup>36</sup> Coras, *Arrest Memorable*, 87, Annotation 68.

woman of “virtuous and honorable” reputation, who said she had been tricked for three years and more, and yet “in so long an interval, it is not plausible [‘vraisemblable’] that she would not have recognized him for a stranger if the prisoner were not truly Martin Guerre.”<sup>37</sup> That she was being suborned so to testify by the self-interested Pierre Guerre became more and more likely because of the prisoner’s seeming to have an attribute that a sixteenth-century judge would take very seriously: the memory of Martin Guerre.

This memory was established not only by Arnaud’s testifying to many facts about Martin’s family, wedding, and activities before he left—facts that he could have obtained from his pre-Artigat informers, from Pierre Guerre in the early days, and from the loyal sisters, as well as from Bertrande—but also by his “pouring out,” in Le Sueur’s phrase, “those secret things that only a husband can observe.” Bertrande had introduced just such detail to the court in justifying her initial acceptance of Arnaud as her husband. Among his “signs” to her, she said in the first trial, were “even the acts and words which are exchanged the most secretly between husband and wife, that others cannot rightly know or hear, up to telling her the places, times and hours of the secret acts of marriage . . . and their words, before, after and during the act.” These are the matters that she would testify about to the judge at Rieux and especially to Coras and Judge François de Ferrières at Toulouse: details of the wedding night, of the ending of their period of “being tied” (that is, of being unable to have intercourse), of subsequent sexual encounters. Arnaud could always repeat them, and the ones he offered, she confirmed.<sup>38</sup>

I do not see how one can account for this convergence of testimony between Bertrande and Arnaud without a prior agreement between the two. Unless Robert Finlay wants to fall back with Coras on magic. Are we to imagine one of the judges or a scribe feeding plaintiff and defendant each other’s words? Moreover, Bertrande could have at any time introduced a “secret act,” remembered or fabricated, between her and Martin that she knew Arnaud could not repeat, and it would have provided evidence for the court that she was not being suborned by Pierre Guerre to accuse the prisoner of imposture. She held it in her hands to bring a judgment against Arnaud du Tilh, but she did not do so.

Here, then, using this testimony from the trial and other elements in the legal situation (my “data”), is how I reconstruct the plans that Bertrande made with her

<sup>37</sup> Coras, *Arrest Memorable*, 46; 59, Annotation 38. Similarly in Le Sueur, *Histoire*, Cif: “et le consentement de la femme avec laquelle il avoit cohabité quatre ans, n’estant pas croyable qu’elle eust peu si longuement estre trompée”; *Historia*, 10.

<sup>38</sup> Le Sueur, *Histoire*, 12–13: “Mox in arcana, quae vix ullius. alii quàm marito perspecta esse possint, effusus.” *Histoire*, Civf: “Passant plus oultre à ce qui ne pouvoit estre cogneu qu’au mary.” Coras, *Arrest Memorable*, 63: “les plus privez et particuliers actes qui peuvent intervenir entre mari et femme”; 21; 39, Annotation 21; 44–45: Bertrande testifies first about the details of the bewitchment and then “ledit du Tilh . . . respond en tout comme ladite de Rols, sans en rien faillir, adiouster, ni diminuer”; 149, Annotation 106. Le Sueur, *Historia*, 12: “Quod antè mulier iudici exposuerat, quis rerum suarum status primis taedis extitisset: id ille, ne latum quidem unguem ab eo cursu desciscens, alacrius percurrit”; *Histoire*, Ciii: “Tout ce que Bertrande avoit auparavant desclaré separement au juge des premières choses qui estoient intervenues entr’elle et son mary, ce faux Martin le racompta aussi de mot à mot, sans y rien obmettre.”

impostor-husband once strife had erupted between him and Pierre and the soldier had brought his news of Martin Guerre. I think they would have agreed on a policy of supportive testimony on the assumption that Pierre would be the plaintiff or, at least, the inspirer of any court prosecution, as was in fact the case in the arson-imposture trial before the Sénéchaussée of Toulouse, and that Martin Guerre, if he were still alive, would not return to France, where he could face a lèse majesté charge, since he had fought for Spain at the battle of Saint Quentin. Then, after Arnaud's arrest and imprisonment at Rieux, Bertrande had to make her own plans, with two men to placate—Pierre and the prisoner—and with her own soul, her own interest, and that of her children to consider. Arnaud clearly regretted that Bertrande had agreed to be the plaintiff against him, asking the judge of Rieux to remove her from Pierre Guerre's household and telling her gently before the Parlement that "he planned no harm against her and that her accusation was incited by the violent passion of another person," namely, Pierre Guerre.<sup>39</sup> In a situation fraught with risks—family feuds, a possible death sentence for him if he lost, a serious penalty for her if she were found guilty of complicity and adultery—she did her best to help Arnaud be declared her husband by the court, while protecting her own life and reputation whatever the outcome. If Arnaud had been adjudged to be Martin Guerre, as we know he almost was, he would have surely continued to lay the blame for false accusation only on Pierre Guerre and tried to resume life with Bertrande.<sup>40</sup>

As it turned out, Martin Guerre returned. On the last day of his life, Arnaud then did his best to help Bertrande by absolving her of any fault in his imposture. This is the kind of thing condemned men often did from the scaffold in the sixteenth century, an approved action in the scenario of execution. Husbands might absolve their wives whatever their behavior: Etienne Mayet, fuller of Touraine, freed his wife of complicity in the murder of their son-in-law, even though, we know from her confession, she had asked their servant to kill him.<sup>41</sup>

<sup>39</sup> On the sequestration, Coras, *Arrest Memorable*, 37; on Arnaud's words in court, Le Sueur, *Historia*, 12: "Reus verò contrà alacriori vultu coniugem suam compellat. nihil gravius se in eam statuere, quòd alterius intolerabili libidine niteretur. Mox in patrum invecus acerbius, quod eum universae scenae choragum nominaret." *Histoire*, Ciii: "La faux Martin . . . avec un visage assureé et joyeux, appelloit doucement sa femme, disant qu'il ne luy vouloit aucun mal, sachant bien qu'elle l'accusoit y estant portée et incitée par autrui; et se tournant à mesdire de l'oncle du vray mary, disant qu'il estoit autheur de toute la tragédie."

<sup>40</sup> Not only was Bertrande in no danger from a suit from Arnaud, but, according to Alfred Soman, specialist in the history and jurisprudential practice of the Parlement of Paris, she was in little danger of a public prosecution for perjury or false testimony. Such cases were exceedingly rare before the Parlement of Paris, which means that either they were infrequently brought before the lower courts or were brought but were punished by so trivial a penalty that appeal was unnecessary. For the king's attorney to win a perjury case, "evil intent" and "malice" had to be proved, and this was virtually impossible (letter of 17 November 1986; conversation of 10 May 1988). I have found only one case of false testimony in examining many hundreds of letters of remission: a young miller of Orléans and his wife were pardoned in a case where they had changed their testimony and feared "corporal punishment," presumably, whipping (Archives Nationales, JJ238, 23<sup>r</sup>-24<sup>r</sup>). Coras, in discussing indices for Bertrande's innocence of complicity and adultery, defines the "danger" she was in, if her denunciation had been found "calumnious and false," not in terms of prosecution but in terms of "great shame" (*Arrest Memorable*, 141, Annotation 98).

<sup>41</sup> AN, JJ236, 687<sup>r</sup>-689<sup>r</sup>, letter of remission, dated November 1524, for Jeanne, widow of Etienne Mayet of Montbazou in Touraine, for the homicide of her son-in-law, for which her husband had been

Arnaud's statement is an index of his attitude toward Bertrande, not an index of her complicity or non-complicity.

WHAT KIND OF A WOMAN, THEN, WAS BERTRANDE DE ROLS? Finlay describes my Bertrande as "a creature of utter calculation," a trait he considers inappropriate and anachronistic for sixteenth-century peasant women, and finds my reference to her "realism" and "stubborn independence" also unfounded and unacceptable. He perceives in my portrait other traits he might have regarded as inconsistent with "utter calculation": "passionate," "romantic," "heroic," and, worst of all, "proto-feminist."<sup>42</sup> This is a careless reporting of my text, its evaluation inattentive to the multiple clues about Bertrande provided in the legal sources and ill-informed about sixteenth-century rural society and about the meaning of the terms feminist, romantic, and heroic.

Let us remember the setting in the Lèze valley: women have important roles in economy and family but relatively little authority and access to property ownership and a more precarious legal personality than men. Wedded too young, unfruitfully married for years, and then abandoned without possibility of remarrying, Bertrande emerges as committed to village values, not wanting to be cut off from the sizable peasant holdings of Guerre and Rols, eager to maintain the status conferred by marriage, anxious like other village women about sexual reputation, living "virtuously and honorably" during Martin's disappearance and talking of her "honor" before the court.<sup>43</sup> Along with these traditional values, she also displayed on occasion a distinctive independence and willingness to take some risks to escape from her predicament.

That independence, that concern for womanly honor, and "a shrewd realism about how she could maneuver within the constraints placed upon one of her sex"<sup>44</sup> were first suggested to me by Bertrande's reaction to Martin's impotence and her refusal to agree with her kinfolk to the annulment of the marriage. I will review my reasoning here as an example of my method. Bertrande said in her testimony at Rieux that she and Martin were *both* "tied and bewitched" ("liez et maleficiiez," plural adjectives) for eight years and could not cohabit, and then at the end of nine years, "she was freed from the spell" ("elle fut dessorcelee") and instructed to have four masses said, etc. Le Sueur puts it similarly: "Bertrande was not able to play the duties of a wife" and only after eight years "did Martin begin to play the role of the husband."<sup>45</sup> Since Coras's annotation on this point elaborated mostly on male impotence and bewitchment, I used a citation from the *Malleus Maleficarum* simply to illustrate how a contemporary source explained the spell on a female.

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executed. The Martin de Guerre executed in Rouen in 1555 for the crime of transporting enemy letters (see below, p. 602) freed Jarmot Dechentry of complicity before he was hanged. This is a gesture found in execution scenes, one that won praise for the condemned persons who thus took responsibility on themselves, allowed for pardon for the living person, and helped their chances before God.

<sup>42</sup> Finlay, "Refashioning of Martin Guerre," 560, 559–61, 556, 562, 570.

<sup>43</sup> Coras, *Arrest Memorable*, 46; Le Sueur, *Historia*, 11; *Histoire*, Cii<sup>v</sup>.

<sup>44</sup> Davis, *Return of Martin Guerre*, 28.

<sup>45</sup> Coras, *Arrest Memorable*, 40, 44; Le Sueur, *Historia*, 12; *Histoire*, Ciii<sup>v</sup>.

I then went on to suggest that, even though Bertrande would use other language, she was relieved not to have to have sexual intercourse for a while.<sup>46</sup>

Why? Bertrande had barely reached the age of puberty when she married. She said later that she was about nine or ten and Martin only a little older, but, whatever the case, they were very young. Demographers of sixteenth-century France have taught us how unusual such an early marriage is, especially among peasants;<sup>47</sup> Bertrande would not even have had a cultural preparation for so precocious a sexual union. Coras himself comments that at such a young age neither boy nor girl "can become really excited by the pricks of desire." To regard Bertrande's years of "bewitchment" as a response to this situation seems very plausible, as does her refusal to agree to the dissolution of the unconsummated marriage from fear of being forced into another marriage when she was still in her early teens—quite apart from her attitude toward the young Martin.<sup>48</sup> This is what I call a realistic weighing of possibilities.

I find support for my interpretation in views of peasants as characteristically weighing their choices, from the sixteenth-century commonplace of peasant "cunning" to Pierre Goubert's description, "there is something of a merchant in every peasant," to the theory of rational choice underlying Hilton Root's recent book, *Peasants and King in Burgundy*.<sup>49</sup> Furthermore, weighing and calculating also play a central role in the study of early modern women of different classes. These traits are an aspect of the female "prudence" found or enjoined in families of modest means or with wastrel husbands (Christine de Pizan on the wives of "foolish husbands," Charles Estienne on diligent farmers' wives). They also provide a mode of resistance for wives who, in their legal status as subject to their husbands, have few other means of getting their way. "Women feel sorry for themselves . . . and get sick when they want to," went the popular proverb; or, as a lawyer wrote to his daughter in the early seventeenth century at the start of her marriage,

Don't do anything in or outside the house without [your husband's] advice. By obeying you'll learn to command him. I mean that when he recognizes your humble obedience, he'll no longer do anything but what you want and give over to you the free disposition of your household . . . Your late mother and I lived together in this fashion and never raised our voices to each other.<sup>50</sup>

<sup>46</sup> Davis, *Return of Martin Guerre*, 28.

<sup>47</sup> Pierre Goubert, *Paysans français au XVII<sup>e</sup> siècle* (Paris, 1982), 92: eighteen to twenty is a usual age for the marriage of peasant women in the sixteenth century. Jean-François Soulet reports women as marrying "rarely" before the age of twenty in the Pyrenees: *La Vie quotidienne dans les Pyrénées sous l'Ancien Régime du XVI<sup>e</sup> au XVIII<sup>e</sup> siècle* (Paris, 1974), 227–28.

<sup>48</sup> Coras, *Arrest Memorable*, 2, Annotation 1. The phrase Le Sueur uses about Bertrande, presumably drawing from her testimony, is that after eight years "she was in despair about having offspring, when an old woman appeared as from heaven and advised her what to do." *Historia*, 12.

<sup>49</sup> Goubert, *Paysans français au XVII<sup>e</sup> siècle*, 182. Hilton Root, *Peasants and King in Burgundy* (Berkeley, Calif., 1987). For the general approach to peasant culture in terms of "shrewdness" and "calculation of costs," see Eric Wolf, *Peasants* (New York, 1966), 13–17.

<sup>50</sup> Christine de Pizan, *The Book of the City of Ladies*, trans. Earl Jeffrey Richards (New York, 1982), Book 1, chap. 43, 87–89; Book 2, chap. 66, 209. Charles Estienne, *Maison Rustique or the Country Farme*, trans. Richard Surflet (London, 1606), Book 1, chap. 11, 51–53 (1st French edn., 1564); *Proverbia communia noviter aucta, revisa et emendata* (Paris, 1513), a v: "Femme se plaint, femme se deult, Femme est malade quant elle veult." Nicolas Pasquier, *Les Lettres in Les Oeuvres d'Estienne Pasquier . . . et les Lettres de Nicolas Pasquier*, 2 vols. (Amsterdam, 1723), 2: 1235–36, Book 5, letter 9. See also the article by Nicole

The constraints placed on widows in the many wills I described from the Lèze valley illustrate well why women would be incited to ploys and maneuvers.<sup>51</sup> Family life has its politics just as does the Venetian state.

What is more unusual about Bertrande is her *sustaining* her refusal against her parents' pressure. Queens do this more readily, such as Jeanne d'Albret, carried rigid to the altar of her first marriage, and Marguerite de Valois, refusing to separate from Henri de Navarre against the insistence of her mother, Catherine de Médicis.<sup>52</sup> For a village lass in a patriarchal family, such refusal is a sign of "stubborn independence," a trait that reappeared during the months that Bertrande stood out fiercely against Pierre and her mother in defense of the impostor-husband. Indeed, even a Bertrande duped from start to finish could not be constructed as passive or easily victimized, for the evidence of her independence is unmistakable.

Finally, citing Coras's quotation about Bertrande's refusal being a "touchstone . . . of her *honnesteté*" (honesty/honor) and recalling the village women who hit and sued each other for insults to their reputation, I treat this episode as a first example of Bertrande's concern for her womanly honor.<sup>53</sup> She shows herself loyal to marriage and gives herself time for sexual maturation and for proving to her village that she can one day be a mother.

"Passionate" was not an adjective I used about Bertrande de Rols, although it would seem appropriate to characterize the strong feeling (the precise meaning of "passion") behind her threat that she would kill anyone who henceforth said the man living with her was not her husband Martin Guerre. My words were, "with the new Martin she had a man she could live with in peace and friendship (to cite sixteenth-century values) and in passion."<sup>54</sup> Is this too outrageous a conjecture from such phrases as "he lived with her for four years so peacefully" (Le Sueur), "they lived like true married people, eating, drinking, and ordinarily sleeping together" (Bertrande), and "they conversed together day and night" (Arnaud)? Does not their giving birth to two children and Bertrande's gracious reception of Arnaud when he returned to her bed from the Toulouse prison (washing his feet, giving him a white shirt, sleeping with him<sup>55</sup>) suggest an affectionate intimacy between a man and woman who had been strangers three years before?

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Castan referred to in *Return of Martin Guerre*, 145 n. 7, for evidence from cases before the Parlement of Toulouse on how husbands and wives manipulate images of wifely irresponsibility to get themselves out of punishment.

<sup>51</sup> Davis, *Return of Martin Guerre*, 30–31.

<sup>52</sup> Nancy L. Roelker, *Queen of Navarre: Jeanne d'Albret, 1528–1572* (Cambridge, Mass., 1968), 54–55; Marguerite de Valois, *Mémoires et autres écrits de Marguerite de Valois, la Reine Margot*, ed. Yves Cazaux (Paris, 1971), 59. I speculated in *The Return of Martin Guerre*, 32, that the example of Bertrande's Basque mother-in-law may have provided an example for an independent style, given what is said about Basque women in the sixteenth century.

<sup>53</sup> Coras, *Arrest Memorable*, 40, Annotation 5 (*sic* for 22). On concern about woman's honor in the Artigat region, see the case cited in *Return of Martin Guerre*, 32, and among peasant women more generally, see Natalie Zemon Davis, *Fiction in the Archives: Pardon Tales and Their Tellers in Sixteenth-Century France* (Stanford, Calif., 1987), 95–101.

<sup>54</sup> Davis, *Return of Martin Guerre*, 44.

<sup>55</sup> Le Sueur, *Historia*, 7; *Histoire*, Bii<sup>v</sup>. Coras, *Arrest Memorable*, 25, 149, 68.

But Bertrande was also a woman of conscience. When faced with too much pressure or danger, as she was during the lonely months of sequestration and imprisonment during the trials, she could be uncertain about the rightness of her actions. This is one of the interpretations I placed on her conduct during the Toulouse trial: the lowered eyes and voice full of trepidation as she testified (indicating unease about both sides of her double game) and the "trembling like a leaf" and weeping before the returned Martin Guerre. Yes, the weeping, which Finlay curiously reads me to say was contrived, I saw, on the contrary, as quite genuine, born of terror and guilt.<sup>56</sup> It is her words to him that seem to me a prepared excuse, for example,

*As soon as [I] began to perceive the fraud, [I] wanted death many times over . . . and seeing this trickster had stolen [my] honor and [my] reputation for chastity, [I] immediately brought him to justice [emphasis mine].<sup>57</sup>*

"Romantic" this portrait certainly is not, Bertrande's love seasoned as it was by pragmatism, self-interest, and concern for her children. Nor is this portrait "heroic," Bertrande accusing her preferred impostor-husband in order to satisfy Pierre Guerre and accommodating herself to the returned husband who had deserted her. "Feminist" least of all, for there is no sign in her maneuvering or adventuresomeness of an argument for changing the lot or image of peasant women in a fundamental way, no sign of an argument about woman's education or woman's moral potential, which we associate with the early feminists Christine de Pizan, Cornelius Agrippa, Louise Labé, and Lucrezia Marinelli. (Le Sueur even claims the weeping Bertrande told Martin that she had accepted Arnaud "out of imprudence and the inconstancy of women."<sup>58</sup>) Bertrande, in my *Return of Martin Guerre*, can be located along a spectrum of ordinary peasant women, sometimes accepting, sometimes resisting their personal fate, the only possible cultural novelty in Bertrande's life being that of Protestantism, of which more in a moment.

MY PORTRAIT OF ARNAUD DU TILH IS A DOUBLE ONE, involving both a talented trickster with gifts of memory and tongue, who spent a youth of mischief, loose living, and soldiering, and a man who embraces his role as the husband of Bertrande de Rols and the heir of Sanxi Guerre. The first part of my portrait Robert Finlay accepts, the second part he finds a whitewash, "elevated and exculpatory."<sup>59</sup> An impostor is an impostor, an adulterer is an adulterer, and there is nothing more to say.

The argument for Arnaud du Tilh's remaking himself as Martin Guerre was prompted by three kinds of evidence about him. First is the reported transformation of his behavior from the "dissolute" young man "of bad life" from Sajas. "For the prisoner did not appear thus," commented Coras. He lived those years

<sup>56</sup> See Coras, *Arrest Memorable*, 100; Le Sueur, *Historia*, 16; *Histoire, Dii*. Coras says she ran to embrace him; Le Sueur says she threw herself at his feet. Finlay, "Refashioning of Martin Guerre," 560.

<sup>57</sup> Coras, *Arrest Memorable*, 102, 105.

<sup>58</sup> Le Sueur, *Historia*, 16: "imprudencia et muliebri inconstantia."

<sup>59</sup> Finlay, "Refashioning of Martin Guerre," 564.

in Artigat “with no offense,” commented Le Sueur, “conducting himself well in all affairs.”<sup>60</sup> Second is the fact that Arnaud never left, never took the money and ran, but remained embedded in the economic life of the Lèze valley and in the rhythms and quarrels of the Guerre household. Third, and especially telling, is his behavior before the court after the man with the wooden leg had been identified as Martin Guerre—by Bertrande, by Pierre, and by the sisters, who had until then remained the prisoner’s staunch allies. Arnaud refused to renounce his claim to be Martin Guerre, continuing his “impudence” before the Parlement, interrupting President Mansencal as he read the final sentence,<sup>61</sup> and taking his birth-name back only four days later, the morning of his execution in Artigat. This conduct before the court, when all hope was irrevocably lost, suggests the strength of his self-identification as the true husband of Bertrande de Rols.

Within this frame, I tried to make sense of Arnaud’s economic actions, for example, of his selling some Guerre properties in Artigat and leasing one in the Basque Hendaye. Pierre thought this was wasting the patrimony, but the impostor’s supporters among the villagers of Artigat evidently did not perceive him as recklessly alienating the Guerre holdings. Arnaud’s behavior was surely imprudent in violating Basque custom in regard to inheritance property and in defying the old Basque uncle, legal guardian of the patrimony until Arnaud took Martin’s place, but it was in accord with the busy land market and commercial expansion revealed in the archives of the Lèze valley and known more generally for Languedoc in these decades.<sup>62</sup> This is “theft,” as Coras named it,<sup>63</sup> for Arnaud du Tilh had no legal right to sell Martin Guerre’s lands, but it is the theft of a man with a double memory, staying put and reinvesting Guerre wealth rather than siphoning it off to the du Tilhs. A theft is a theft, but judges distinguish among them in giving sentence, and historians ought to make even greater distinctions if they want to give rightful account.

Descriptions of Arnaud’s behavior toward Bertrande during the trial also suggest a genuine affection for her: “with a face assured and joyous, he called his wife gently, saying he wished her no harm” (Le Sueur); he swore that he would “submit to a thousand cruel deaths if she would swear he were not her husband” (Coras). Together with his “living peaceably with her” and his statement to Martin from the scaffold, entreating him not to mistreat Bertrande, because she was a

<sup>60</sup> Coras, *Arrest Memorable*, 77–78, as argument why the prisoner could be the real Martin Guerre: “N’y fait rien aussi, que ledit du Tilh ay esté des sa ieunesse dissolu, de mauvaise vie, et addonné à toute espece de meschancetez: car il n’appert point que le prisonnier soit celuy la, ains plus tost Martin Guerre.” (Of course, it should be remembered that Martin Guerre had left home because of a “theft” of grain from his father.) Le Sueur, *Historia*, 7: “sine ulla offensione vixerit.” *Histoire*, Bii<sup>v</sup>, “et se conduisant si bien en toutes affaires, qu’on n’eust pu avoir de luy aucun soupçon de mal.”

<sup>61</sup> Le Sueur, *Historia*, 18; *Histoire*, Div<sup>v</sup>: “Toutes les choses remonstrées par le President, en grande assemblée de Messieurs du parlement, ce faux Martin ne changeoit aucunement son assuree impudence . . . Aucuns furent d’avis qu’on luy baillast la gehenne pour en tirer enclorre la verité par sa confession.” Coras, *Arrest Memorable*, 128, Annotation 90: “ce temeraire estoit d’une impudence effrontée . . . et eut à chaque mot troublé monsieur le president qui prononçoit [l’arrest].”

<sup>62</sup> See the reference to sales contracts and the citation to Emmanuel Le Roy Ladurie’s study of the Languedoc in *Return of Martin Guerre*, 142 n. 2.

<sup>63</sup> Coras, *Arrest Memorable*, 126.

woman of "decency, virtue and constancy,"<sup>64</sup> Arnaud emerges as a man who took seriously his years as Bertrande's substitute husband.

Among the terms I used for Arnaud du Tilh's partial transformation from trickster to husband, as well as for the adventures of Martin Guerre and the endeavors of Bertrande de Rols, was "self-fashioning." I referred to Stephen Greenblatt's brilliant development of that term and to an allied concept in Norbert Elias's *Civilization of the Body*, both helpful because they link changes in conduct and self-consciousness to the elaboration of the state.<sup>65</sup> Finlay fancies this a twentieth-century literary trend. On the contrary, not only is the "individual as work of art" a commonplace of Renaissance scholarship since Jacob Burckhardt's day, the term "self-fashioning" derives from Montaigne, from the essay I cited in my next sentence: "On s'y forme, on s'y façonne . . . car la dissimulation est des plus notables qualitez de ce siècle" ("Men form and fashion themselves . . . , for dissimulation is among the most notable qualities of this century").<sup>66</sup> Or, since Finlay is a specialist in Italian history, he might recall the theme of "fashioning" from Castiglione's *Book of the Courtier* or from the *Galateo*, the much reprinted book of manners of the Venetian Giovanni Della Casa.<sup>67</sup> "Self-fashioning" is almost as old as "the myth of Venice."

I introduced the term for two reasons. First, I wanted to account for the fascination of the Martin Guerre case to the many learned men who wrote about it and commented on it, starting with Coras himself. Men of letters were preoccupied with masking, with false face and language: in Roman times, said the Toulousain Guillaume de La Perrière, masks were worn for special occasions, now they are worn every day. "For dissimulation is not bad," said lawyer Philibert de Vienne in his satirical *Philosophe de Court*, "not a wrong, nor fraud . . . for we do it to please others . . . an easy way to attract benevolence, honor, and good reputation."<sup>68</sup> Here is a link between "the thousand necessary lies" of the peasant

<sup>64</sup> Le Sueur, *Historia*, 11–12; *Histoire, Ciii*; Coras, *Arrest Memorable*, 66; Le Sueur, *Historia*, 21: "Martinum obstestari ne alieniore à Bertranda (quam ut sibi ignosceret unicè rogabat) esse animo, quòd eius pudori vitium intulisset. Eam nul li pudore, virtute et constantia cedere." *Histoire, Eii*: "il prioit Martin ne vouloir faire aucun mauvais traitement à Bertrande, pour ce qu'elle n'avoit aucun couple pour ce qui s'estoit passé, mais qu'elle estoit une fort honneste et prude femme."

<sup>65</sup> Davis, *Return of Martin Guerre*, 103, 152 n. 6.

<sup>66</sup> Michel de Montaigne, *Essais*, Book 2, chap. 18: "Du Dementir" in *Oeuvres complètes*, eds. A. Thibaudet and M. Rat (Paris, 1962), 649 (cited in *Return of Martin Guerre*, 152 n. 15), English trans. by Donald Frame, *The Complete Works of Montaigne* (Stanford, Calif., 1948), 505.

<sup>67</sup> Baldassare Castiglione, *The Book of the Courtier*, trans. Thomas Hoby (London, 1948), especially Book 1. Hoby says, "Let us fashion such a Courtier" (16) for the Italian "formiamo un cortegian." See the study by Wayne A. Rebhorn, *Courtly Performances: Masking and Festivity in Castiglione's "Book of the Courtier"* (Detroit, Mich., 1978), which has as one of its goals "tak[ing] seriously Castiglione's image of the self as a work of art and find[ing] in the principles and practices of High Renaissance portraiture the key to characterization in his book" (18). On editions of the *Galateo*, see Antonio Santosuoso, "Books, Readers, and Critics: The Case of Giovanni Della Casa, 1537–1975," *La Bibliofilia*, 79 (1977): 101–86. Is there no self-fashioning involved in the processes by which young men were enticed, persuaded, or compelled to become decorous adult members of the Venetian regime? See Stanley Chojnacki, "Political Adulthood in Fifteenth-Century Venice," *AHR*, 91 (1986): 791–810.

<sup>68</sup> Guillaume de La Perrière, *Le Theatre des Bons Engins* (Lyon: Jean de Tournes, 1549), A8<sup>r</sup>; Philibert de Vienne, *Le Philosophe de Court* (Lyon: Jean de Tournes, 1547), 63. Vienne was a lawyer in the Parlement of Paris.

Arnaud du Tilh and the constant shaping of word and gesture in the world of favor and royal advancement.<sup>69</sup>

Second, I wanted to extend the concept of forming and fashioning the self to a wider range of situations and social groups—to make it a sixteenth-century issue, not just a “Renaissance” issue. Thus the book tracks a number of peasant migrations, where people must change their language and manners—opening with the Daguerre removal from the Basque country to the Léze valley, to Martin Guerre’s movement to Spain, to Arnaud du Tilh’s arrival from his Gascon Sajas in the langue d’oc-speaking Artigat. I explore the customs of nicknaming and carnival masking in these regions and then cross into the transgression of taking on a false name in forgery cases, in stories, and finally in the case of Arnaud du Tilh. “Imposture” stands not as an isolated form of behavior, not as a disconnected “monstrosity” or disjoint “prodigy,” but as an extreme and disturbing case on a sixteenth-century spectrum of personal change for purposes of play, of advantage, or of “attracting the benevolence of others.”<sup>70</sup>

As I embedded “imposture” in the cultural practices of sixteenth-century life, so I sought to embed what I called “the invented marriage”—the relationship that began with a false identity but was sustained by collaboration—in some kind of cultural understanding available to sixteenth-century peasants. What traditions or ways of thinking, I asked, might they have clutched at to make an invented marriage seem to them practical or even rightful in light of the long disappearance of the real Martin Guerre? I suggested two answers: the centuries-old custom of clandestine marriage, condemned only in 1563 at the Council of Trent, by which the sacrament of marriage is performed simply by the man and woman exchanging “words of the present” and tokens;<sup>71</sup> and the newer Protestant teaching, by which a wife deserted by a husband is free to remarry after a year. I might well have added a third social practice, that of bigamous unions.

As for Protestantism, I establish beyond the shadow of a doubt the presence of converts, pastors, and religious action in the region around Artigat in the late 1550s, a good decade before the inhabitants of Artigat cleansed the church and were described in a local manuscript as “Huguenots.” The question is whether we can see any signs of Protestant sentiment in Bertrande and Arnaud. The closest evidence concerns Arnaud. (Finlay’s comment that his blaspheming youth “does not bespeak receptivity to the Reformed religion” shows how unfamiliar he is with the conversion patterns of sixteenth-century Protestantism.<sup>72</sup> The conversion of the former gambler, sinner, blasphemer, and fornicator is a topos of Reformed

<sup>69</sup> Coras, *Arrest Memorable*, 12, Annotation 5.

<sup>70</sup> Vienne, *Le Philosophe de Court*, 63. See a like distinction in meanings of “prodigious” in the sixteenth century in Davis, *Return of Martin Guerre*, 106, and the book by Jean Céard, cited in 152 n. 4.

<sup>71</sup> Robert Finlay refers to this incorrectly as a “non-sacramental view of marriage” (“Refashioning of Martin Guerre,” 563). Clandestine marriage was disapproved of by the church but was, as I point out in *Return of Martin Guerre*, “an indissoluble union” (46), valid, and thus sacramental. Only with the 1563 bull *Tametsi* does it change its status. To the texts cited on 141 n. 7 can now be added Charles Donahue, Jr., “The Canon Law on the Formation of Marriage and Social Practice in the Later Middle Ages,” *Journal of Family History*, 8 (Summer 1983): 144–58.

<sup>72</sup> Finlay, “Refashioning of Martin Guerre,” 564.

martyrologies like Jean Crespin’s *Histoire des martyrs* and a fact of numerous Protestant lives. It is, of course, a commonplace in Catholic conversion stories as well.) To begin with, there is the respect accorded Arnaud for so long during the trial by the Protestant Jean de Coras. Coras’s Protestant sympathies were already in place by 1560; a recent essay by Aldo Stella has shown him being denounced as early as 1534, during his student days at Padua, as “a heretic, banished for heresy from the city of Toulouse.”<sup>73</sup> Could his finding the false Martin believable have been sustained not merely by the prisoner’s perfect memory, repeatedly praised by Coras, but by his giving off in those many interviews the religious cues that the judge took seriously?

Whatever the case, Coras’s description of Arnaud’s end, added to the 1565 edition<sup>74</sup> at a high point of religious controversy, would sound Protestant to contemporaries, lacking the characteristic Catholic invocation to Mary and all the saints of the celestial court of Paradise: he was executed “asking pardon . . . with great signs of repentance and detestation of his deed, crying always mercy to God by his son Jesus Christ.” Le Sueur’s quotation is even closer to Protestant formulas, and he, too, was a supporter of the Reformed cause: “For all the things with which he had . . . defiled himself most foully in body and soul, he asked grace from God, who does not spurn sinners if they turn toward his divine will and place their hope in the blood of Christ, shed for the salvation of everyone.”<sup>75</sup> Why would two Protestants represent a condemned criminal praying in such a fashion if they did not intend to suggest a Reformed sensibility that had led him finally to repent?

The Protestantism of Arnaud and Bertrande remains a mere possibility throughout my text, never a certainty, yet one that suggests connections—and ways to think about connections—between the hard-to-document attitudes of individual peasants and major cultural movements of their day. When Finlay says “there is no warrant in the sources for introducing a religious dimension to the Martin

<sup>73</sup> Aldo Stella, “Atteggiamenti eterodossi di studenti francesi nell’università di Padova,” in *Scambi culturali tra l’Italia e la Francia dal Medioevo all’età moderna* (Geneva, 1987), 289–91. In a 1982 paper for a graduate seminar directed by Professor Ralph Giesey of the University of Iowa, Gillian S. Gremmels explored Coras’s use of the Bible in the *Arrest Memorable*. She finds evidence of Calvinist sentiments in the text but points out that he was not a careful biblical scholar and that he was not using a Geneva Bible. He could have been using one of the vernacular editions published in Lyon, however, which prudently avoided some of the obvious Reformed signs (Bettye Thomas Chambers, *Bibliography of French Bibles: Fifteenth- and Sixteenth-Century French-Language Editions of the Scriptures* (Geneva, 1983), 144 *et passim*).

<sup>74</sup> Jean de Coras, *Arrest Memorable du Parlement de Tolose, Contenant Une histoire prodigieuse, de nostre temps, avec cent et onze belles, et doctes annotations: dont les onze ont esté nouvellement adioustees sur le procez de l’exectuion dudit Arrest* (Lyon: Antoine Vincent, 1565). Finlay cites only the 1561 edition (n. 9) and evidently did not consult the 1565 or later editions.

<sup>75</sup> Coras, *Arrest Memorable*, 160. Le Sueur, *Historia*, 21: “Quorum omnium, atque eorum, in quibus foedissimè tota vita volutatus, quibus et animo et corpore turpissimè conspurcatus esset, à deo opt. max. qui ne profligatus quidem, si ad eius numen se converterint, si in Christi cruore ad salutem omnium profuso spem collocarint, solet aspernari, veniam postulare.” *Histoire*, Eii<sup>r-v</sup>: “Dont et de toutes les mechancetez qu’il avoit commises en sa vie il requeroit à Dieu pardon lequel il sçavoit bien recevoir à sa misericorde tous les pecheurs qui s’adressent à luy avec repentance.” Among other differences, Catholic formulas would call on Mary, one’s name saint, and all the saints in the celestial court of Paradise. This is the case with Catholic wills in Artigat and its region (see, for example, Archives départementales de l’Ariège, 5E6219, will of 31 July 1530; 5E6859, will of 3 May 1541; 5E6653, 3<sup>r-v</sup>).

Guerre story,”<sup>76</sup> he makes several mistakes. He fails to recognize what clues there are in Coras and Le Sueur, and he fails to recognize as a “source” the facts about the local religious movements impinging on the lives of all the actors. (This is the eve of the French Religious Wars!) More important—and quite apart from my Protestant speculation—he does not think it interesting to ask about what goes on in the heads of peasants. How can there not be religious dimension in the sixteenth century to a case concerned with sexuality, lying, marriage, and the definition of self? Finlay can talk about the doge’s procession as “commemorat[ing] Venice within the context of providential design”<sup>77</sup> but not think it worth reflecting on how Arnaud and Bertrande see themselves within a providential design. For him, that would be elevating a story better left to the idiosyncrasies of persons of low estate, to the fraud of the impostor and the fidelity of the wife.

ARNAUD DE TILH WAS CONDEMNED BY THE PARLEMENT OF TOULOUSE to be hanged and burned for his “imposture and false supposition of name and person and adultery”; Bertrande de Rols, along with Martin and Pierre Guerre, was freed from prosecution and punishment.<sup>78</sup> Does this mean, as Finlay claims, that the court never suspected that Bertrande was guilty of adultery and/or that at some point she had been Arnaud’s accomplice? Does it mean that the Parlement’s decision was made without any lingering doubts about “what Bertrande knew”? The answer is no, once one has taken careful notice of Coras’s text and also placed the Parlement’s verdict within the frame of sixteenth-century French juridical practice. Here, then, we turn our historian’s argument from what Bertrande knew to “what the judges knew.”

The decision about whether or not to prosecute Bertrande was, says Coras, the most difficult the court had to make in its final deliberations. First, he characterizes the court’s concern about both Martin and Bertrande: “The greatest difficulties in judging this trial and on which the court worked the hardest were whether Martin Guerre and Bertrande de Rols should be condemned.” After weighing the pros and cons in regard to Martin (his abandonment of his family, his not communicating with them, his serving in the Spanish army against France), he goes on, “Even greater, certainly, was the difficulty in regard to Bertrande de Rols.”<sup>79</sup>

<sup>76</sup> Finlay, “Refashioning of Martin Guerre,” 564.

<sup>77</sup> Finlay, *Politics*, 122–23.

<sup>78</sup> Archives départementales de la Haute Garonne, B, La Tournelle, 76, 12 September 1560: “Et pour punition et reparation de l’imposture et faulce supposition de nom et personne et adultere par ledit du Tilh,” he is condemned to make an amende honorable, etc. “Et en oultre [the court] a miz et mist hors de proces et instance ledit Martin Guerre, ladite Bertrande de Rolz, ensemble ledit Pierre Guerre, oncle dudit Martin.”

<sup>79</sup> Coras, *Arrest Memorable*, 135, Annotation 97: “Les plus grandes difficultez du iugement de ce proces et ausquelles la cour se travailla le plus furent si Martin Guerre et Bertrande de Rols estoient en voye de condemnation”; 138, Annotation 98: “Plus grande certes estoit la difficulté pour le regard de ladite Bertrande de Rols.” Finlay says, “Davis presents no evidence for her contention that ‘after much discussion’ about Bertrande, the judges of Toulouse” decided not to prosecute her (557); the reader can see from this quotation, its page number duly cited (*Return of Martin Guerre*, 149 n. 20), that I was paraphrasing Coras’s text. This is one of several places where my notes were “beside the point” for Finlay because he was inattentive to what was on Coras’s page.

He gives several reasons for that difficulty. Bertrande accepted the impostor "much too easily" and "imprudently." But could this be the whole story? Why did she live with him in intimacy for three years and defend him as her husband *even after* those whom she had reason to trust said he was not?<sup>80</sup> Elsewhere in his annotations, Coras comments that in other impostures "women have often shown themselves sharper, quicker and more perspicacious than men in uncovering the fraud."<sup>81</sup> So unlikely did it seem that Bertrande could not tell the difference that the court was led to believe the accused was in fact Martin and Bertrande was being forced to testify falsely by Pierre Guerre: "in such a long interval, it is not plausible ['vraisemblable'] that she would not have recognized him as a stranger if he had not been truly Martin Guerre."<sup>82</sup> If this is the way the court was thinking about the wife before the return of the real Martin Guerre, what does it imply about the court's thinking after his return, when they were deciding whether to punish her or not? It implies at least two plausible theories about Bertrande, and the court talked about both: that she was tricked for three years and that she was a knowing participant in adultery.

"Adultery" is a word that surfaces in Coras's consideration of whether Martin Guerre deserved a punishment for abandoning his wife for such a long period of time and giving her no word of his existence:

The husband's long absence rendered him *de prime face* extremely guilty and almost beyond any excuse, as having given the occasion for the misfortune and disaster ["malheur et desastre"] that followed. Witness Saint Augustine when he says, "if you abstain from your wife for a long time without her volition, you give her license to have sex where she should not ['paillarder'], and, if she conducts herself badly, her sin will be blamed on your abstinence." From which opinion, some have dared to say that a judge could justly absolve a wife accused by her husband of adultery ["d'adultere"], if she is convicted of having abandoned herself and her honor only after having been left for a long time by her husband, who gave her the occasion and thus made himself guilty of the wrongdoing.<sup>83</sup>

<sup>80</sup> Coras, *Arrest Memorable*, 138, Annotation 98.

<sup>81</sup> Coras, *Arrest Memorable*, 12, Annotation 5: "Bien qu'en autres suppositions les femmes se soyent monstrées plus aigües, vives et perspicaces à les descouvrir et cognoistre que les hommes." His examples are the wife of Q. Sertorius at Rome and Jeanne, daughter of the Count of Baldwin. He returns at length to Jeanne's unmasking of the impostor pretending to be her father on 117, Annotation 82. In addition to queries centering on Bertrande's knowledge and intention, Coras gives two other arguments that could lead to condemnation but that weaken or put aside the question of intention: had not Augustine found Lot guilty, not of incest with his daughters but of letting himself get drunk? Could it not be said that, even without Bertrande's intention, "the action was so prodigious and bad, the adultery so pernicious in example, that it should be punished in itself"? Coras puts aside these arguments in favor of those focusing on knowledge and intention (138–40, Annotation 98).

<sup>82</sup> Coras, *Arrest Memorable*, 59, Annotation 38.

<sup>83</sup> Coras, *Arrest Memorable*, 5, Annotation 2, referred to again 136, Annotation 97, when Coras is reviewing the other side of the argument, that is, what can excuse Bertrande from guilt: "what little fault there be, if any, should be imputed to Martin Guerre, having remained absent for so long a time, rather than to Bertrande de Rols, because of what I said above following Augustine." The text cited from Augustine is *De Conjugiis Adulterinis ad Pollentium, Libri Duo*, where Augustine comments on Matthew 5:32: "Whoever shall put away his wife, saving for the cause of fornication, causeth her to commit adultery." Augustine, "Les Deux livres à Pollentius sur les mariages adultères," Book 1, chap. 2; Book 2, chaps. 10, 17, in *Oeuvres complètes*, trans. Péronne, et al., 33 vols. (Paris, 1869–78), 29: 591, 625, 634. The canon law text he was citing was the *Alphabetum aureum* of the Petrus Ravennas (d. ca. 1509).

Coras was not happy about this last formulation, taken from a late fifteenth-century canon lawyer, since such a view could give license to wifely wrongdoing “under the cloak of her husband’s absence.” But the discussion makes clear (in contrast to Finlay’s claim that “Bertrande’s good faith was . . . never a matter of debate”<sup>84</sup>) that Coras and his fellow judges wondered long and hard about Bertrande’s possible complicity.

Does the final verdict signify an end to all their doubts? They decided to accept her statement, made by a woman of otherwise honorable and virtuous reputation (an important criterion for judges in establishing credibility), that Arnaud had deceived her for three years and more. Apart from Martin, no one in the Guerre family had accused her—or each other—of complicity. Even if she had too easily believed Arnaud’s signs, others had done so as well, Martin had been gone for long years, and she wanted her husband back; her error had come from no ill intention.<sup>85</sup>

But the Bertrande in error that emerges alongside the collaborating one in Coras’s text is not a simple victim. The first phrase the judge uses to account for Bertrande’s being tricked is a standard legal formula, one that draws on long-term cultural definitions of male and female and is also conveniently at hand whenever courts want to mitigate female responsibility: “To excuse the said de Rols comes first into consideration the weakness of her sex, easily deceived by the trickery and finesse of men, to whom the law does not presume intention to do wrong.”<sup>86</sup> We see a formula of this kind employed in a 1545 royal letter of pardon for Jeanne Domecourt, native of Wallers in Picardy and inhabitant of Saint Quentin, for her imposture over several years of Damoiselle Charlotte Lebel, the heiress of a small fief and other properties in the village of Esmery. Jeanne confessed the story fully, starting with her being mistaken for Charlotte, describing how she fooled Charlotte’s widowed mother (with whom, however, she did not live and visited only once), and how she acquired and sold the fief. Her excuse was that the imposture had been wholly the idea of Messire Pierre de Vaulx, canon of the church of Saint Quentin, whose servant and concubine she had been and “whom she could not rightly disobey.” The letter remitted her penalty of banishment forever from the kingdom of France because “the fault of the suppliant had come about through the fragility of the female sex, she being in the power of . . . her master, and being [at the time] a minor under twenty-two years of age.”<sup>87</sup>

A similar mitigation of female responsibility emerges in decisions by the Parlement of Paris in cases of bigamy. Alfred Soman finds in 1572–1585, for instance, that of roughly seventy men appealing bigamy sentences, between a third and a half were condemned to death, and almost all of the rest were given some kind of corporal punishment, such as the galleys and whipping; of the twelve

<sup>84</sup> Finlay, “Refashioning of Martin Guerre,” 557.

<sup>85</sup> Coras, *Arrest Memorable*, 140–41, Annotation 98.

<sup>86</sup> Coras, *Arrest Memorable*, 139, Annotation 98: “Pour l’excuse de ladite de Rols Vient premierement en consideration la foiblesse de son sexe, facile à estre deceu par l’astuce, calidité et finesse des hommes.”

<sup>87</sup> AN, X<sup>2A</sup> 98, 31<sup>v</sup>–36<sup>r</sup>. The Parlement of Paris ratified Domecourt’s letter of remission in the spring of 1546, ordered her release from prison, and requested the bishop of Noyon to start a prosecution of the canon before a spiritual court.

women appealing bigamy sentences from 1564 to 1588, one was hanged, four were released, and the others were whipped and/or banished. In a 1610 case in which both members of the bigamous couple were punished, the husband was hanged while the wife was whipped and banished for nine years.<sup>88</sup>

Thus Bertrande's being freed by the court from prosecution and punishment should be placed within a grid of judicial practice where women involved in imposture and bigamy (and in other crimes as well, apart from infanticide and witchcraft) were punished less seriously than their male collaborators. The decision also served the court's commitment to family coherence, to keeping the returned Martin with his wife and children—"In doubtful situations the law commands that the presumption in favor of marriage triumph over any other," wrote Coras<sup>89</sup>—and to local pacification, so important in the judicial ratification of letters of pardon.

Indeed, the freeing of Bertrande in some ways resembles a pardon. Coras devotes an annotation to pardonable crime after he quotes Bertrande's supplication to Martin "to pardon her fault, committed by imprudence and because she was overcome by the seduction and ruses of [Arnaud] du Tilh." Her wrongdoing was pardonable as involuntary, but, in the shades of excusability that Coras considers in regard to Bertrande—from "error without good foundation" to fully understandable error—President Mansencal extracted the middle position of Bertrande's "having believed too lightly."<sup>90</sup> Reconciling Martin and Bertrande publicly before the court, Mansencal blamed Martin for having left his young wife for so long and then said, in the report of Le Sueur, that "Bertrande in truth was not free of guilt, for she had too easily allowed herself to be led into fraud and had persevered in it too long a time. And he ordered her to ask pardon of her husband. So it came about that they agreed to forget their injuries and to accept reconciliation in holiness."<sup>91</sup>

READERS MAY NOW BE ABLE TO SEE why Coras's *Arrest Memorable* can be said to tell two stories at once. It is both a legal narrative and a literary interplay between a TEXT and ANNOTATIONS (Coras's terms). In its legal aspects, it moves through the entire case, starting with summaries of Bertrande's brief and then of Arnaud's brief, presenting and annotating the arguments for each side. The middle section of the book produces the pros and cons that Coras and his fellow commissioner

<sup>88</sup> The punishments for men involved in bigamy are given in Alfred Soman, "Les Procès de sorcellerie au Parlement de Paris (1565–1640)," *Annales: Economies, sociétés, civilisations*, 32 (1977): 797, Fig. 4, and he comments on 799, "nombreux étaient les bigames masculins à être exécutés, alors que les femmes s'en tiraient le plus souvent par l'amende honorable ou le fouet." I am grateful to Dr. Soman for providing me with his unpublished material on the punishments for women appealing bigamy sentences, collected from the registers of the Conciergerie du Palais at the Archives de la Préfecture de la Police.

<sup>89</sup> Coras, *Arrest Memorable*, 70–71, Annotation 50; and the same point, 59, Annotation 38.

<sup>90</sup> Coras, *Arrest Memorable*, 100–01, Annotation 75, and 139–41, Annotation 98. On pardon in sixteenth-century France, see my *Fiction in the Archives*.

<sup>91</sup> Le Sueur, *Historia*, 19: "Bertrandam verò non vacare culpa: quae tam facile in fraudem induci se passa, in ea tandiu perseverasset. Iussa à marito veniam postulare. Quo contigit ut iniuriarum oblivionem, et ad extremum spiritum conciliationem sanctissime recipent." *Histoire*, Eif.

had to think about in preparing their report: arguments that the prisoner is Arnaud du Tilh or that on the contrary he is Martin Guerre. At the point where the court was “in great perplexity” but “more disposed to the advantage of the prisoner” (Annotation 68 of the 100 annotations that appear in the first edition), the real Martin Guerre appears. The internal debate continues: for example, all the pros and cons about Bertrande’s culpability are considered once again, grouped in Annotation 98. The book has conclusions, that is, the judgment that decides between the arguments and names the man to be executed and those to go free. But the reader is left with the reasoning and evidence from which to construct alternate views.

Other features of the *Arrest Memorable* also lead to the doubling of a text that, for Finlay, must always be single-minded, objective, and transparent. When a sixteenth-century writer uses words like “prodigious,” “tragedy,” and “tragicomedy,” the historian must pay attention, for they are hot and expanding terms of that day. “Prodigious” helps produce a moral tale centered on the trickster Arnaud and, as I put it, his “full dazzling power of deception”;<sup>92</sup> “prodigiousness” requires a duped and innocent Bertrande. “Tragedy” and “tragicomedy,” applied as they are to the actions of mere villagers, Arnaud du Tilh and Bertrande de Rols, help produce a counter-story that invites sixteenth-century readers to identify with their lot. Martin Guerre is sent by God’s providence at just the right moment in either account to demonstrate the weakness of the judge’s human reason, but in one case his return unmasks a magician-adulterer, in the other it interrupts lovers caught in a fateful lie. Here, life is being seen through the prism of art, not the prism of the villagers of Artigat but that of the *Arrest Memorable*.

Similarly, when a sixteenth-century judge misstates the actual crimes for which the man he has sentenced has been condemned (Coras adds to the crimes of imposture and adultery recorded in the decree in the parliamentary register the words “abduction, sacrilege, plagiat, and larceny”), the historian asks what that means. I say he is trying to defend his decision for the death penalty, which we know had its critics—in fact, he says it himself—while the annotation on “raptus” (abduction, here, for purposes of sexual violation) ends “from this emerges a kind of excuse for the said de Rols, for a forced woman cannot be reproached with adultery.”<sup>93</sup> When a judge comments that the burning of the body of a criminal like Arnaud is justified “so that the memory of so miserable and abominable a person be annihilated and lost”<sup>94</sup> and then publishes an account of such a criminal

<sup>92</sup> Davis, *Return of Martin Guerre*, 109.

<sup>93</sup> His long annotation on the crime of “supposition du nom” ends saying that it is up to the discretion of the judge to weigh the circumstances and decide whether the death penalty should be given. Then he continues, “but in the case of our Arnaud du Tilh there are so many capital crimes assembled, each one worthy of the death sentence that there is not much reason to wonder about it any more, as we will now go on to show” (*Arrest Memorable*, 118, Annotation 82). “Raptus” is a capital crime in Roman law in its various forms; for the other three crimes, Coras specifically insists that they are worthy of death (125–27, Annotations 85–87). Finlay keeps forgetting that the *Arrest Memorable* is first and foremost a legal text, written by a great specialist in the Roman law. On Coras as a scholar of the law, see A. London Sell, *Origins of Legislative Sovereignty and the Legislative State*, 3 vols. (Königstein and Cambridge, Mass., 1983–87), esp. vol. 1, *Corasius and the Renaissance Systematization of the Roman Law*.

<sup>94</sup> Coras, *Arrest Memorable*, 132, Annotation 94.

under the title *Memorable Decree*, the historian asks what that means. I say it means giving Arnaud's story another chance to be heard and debated by readers.

And when a jurist-author invents a new kind of book—for the *Arrest Memorable* is a new kind of writing on crime and the law—the historian wonders why. I offer several reasons, including Coras's recently developed interest in publishing in French, but the one that arouses Finlay's ire the most is the suggestion that Coras identified on some level with Arnaud du Tilh. I urge parallels between the two lives, which Coras could have perceived, for example, the remarkable rhetorical skills of both men and the rebelliousness of both men, so problematic for Coras, himself both Protestant critic and defender of royal sovereignty. Aldo Stella's recent finds on Coras's student days reveal yet another one: as Arnaud was suspected of magic in his youth (reported by Coras), so Coras's circle at Padua was accused of owning "magical and illicit books."<sup>95</sup> As Arnaud's talents could be used for good or ill, could also those of Coras?

I am thus engaging in the historian's common practice of conjecturing from evidence on the basis of assumptions about psychological process. The processes assumed here—of identification and ambivalence—are simple ones and quite transportable across five hundred years of West European history; Rabelais has equivalent ways of talking about the same thing. Finlay discusses neither evidence nor assumptions but just snorts that they are "unfounded." I leave it to readers to weigh my argument.

ROBERT FINLAY HAS NO DOUBTS ABOUT WHAT IS TRUE in the case of Martin Guerre—"no reader of Coras can doubt that the court and everyone else concerned had discovered the truth of the matter"—but I think Jean de Coras had a few, and certainly some of his sixteenth-century readers did.<sup>96</sup> The most important of them was Michel de Montaigne, whose essay "On the Lame" is the heart of my last chapter. Against Finlay's sense of closure, let me once again quote Montaigne, who arrives at Coras after reflecting on the dangers of credulity and the uses of being tentative about what one does not know: "Me thought he proved his imposture, whom he condemned as guiltie so wondrous-strange and so far-exceeding both our knowledge and his owne, who was judge, that I found much boldness in the sentence, which had condemned him to be hanged."<sup>97</sup> Better to have followed the example of the Areopagus Council of ancient Athens, which, when it was perplexed, told the parties to come back in a hundred years. Four hundred years

<sup>95</sup> Davis, *Return of Martin Guerre*, chap. 10, esp. p. 96. Coras, *Arrest Memorable*, 90. Stella, "Atteggiamenti," 290–91.

<sup>96</sup> Finlay, "Refashioning of Martin Guerre," 567–68. The request that Coras add information to a new edition of his book about Arnaud's finally confessing to his imposture was made "at the continual supplication and prayers of his well-wishers" (*Advertissement de l'Imprimeur aux Lecteurs*, \*ii\*, from the 1572 edn.). The title page of the 1565 edition specifically announced that it had added the information "sur le procez de l'execution." This sounds to me as though Coras's readers wanted to know what happened after the sentence was read.

<sup>97</sup> Montaigne, "Des Boyteux," in *Essays*, Book 3, chap. 11, *Oeuvres*, 1008, trans. by John Florio, *The Essays . . . of Lord Michael de Montaigne* (London, 1610), "Of the Lame or Cripple," 615.

later, I think the Martin Guerre case still an excellent one to teach us humility in our rightful quest for historical truth.

The rights and wrongs in the Guerre case are also crystal clear to Finlay, and he attributes a similar moralism—a wrongful and romantic moralism—to me. “If readers of her book feel a kinship with Bertrande and lament the return of the man with the wooden leg . . .”<sup>98</sup> (Is he confusing the book with the film, I asked myself in reading this sentence? A British feminist reviewer thought my epilogue unrealistically soft on the reestablishment of the marriage of Bertrande and Martin, and, although I think that view ignores the pragmatism in my argument, I find her closer to the mark than Finlay.<sup>99</sup>) I exculpate a treacherous fraud by making him a pardonable self-fashioner; I believe a collusive and adulterous Bertrande “honorable”; I am out to subvert Coras’s text by “accusing” him of “egregious shaping of evidence.”<sup>100</sup>

These are Finlay’s moral understandings, not mine. They come in part from his inattentiveness to the whole argument of my book and his deafness to my authorial voice. I attribute views to my characters—a sense of honor to a sixteenth-century Bertrande, a description of Martin by Coras as “the hard-hearted man with the wooden leg”<sup>101</sup>—and Finlay assigns them to me. On the contrary, in *The Return of Martin Guerre*, I let all of my characters have their say; I try to construct their stance toward the world so that they are understandable in terms of the range of values in their day. Martin and Pierre Guerre get much more balanced treatment at my hands than they do at the hands of Coras and Le Sueur. In their texts, Martin is only an irresponsible husband who has abandoned his family and fought for the enemies of France; he behaves abominably in court toward Bertrande and is lucky the judges decided that he deserved no punishment beyond the dishonor he had already suffered at the hands of Arnaud du Tilh. My text incorporates these judgments but also goes behind them to suggest why a sixteenth-century villager, imbued with Basque manly ideals, could reject the peasant values of property and family and prefer to seek his fortune in Spain. I stress the costs to Martin Guerre of losing his leg and of almost losing his social identity and the ambiguities in his position after he returned to Artigat.

In the texts of Coras and Le Sueur, Pierre Guerre is an unsympathetic figure, proven to have broken the law, suspected of further lying, a brutal man who puts property values above all else. When he finally emerges in the right, he is portrayed as pathetic—“this poor Pierre Guerre”—and praised only belatedly for his expenditures and risks in unmasking the impostor.<sup>102</sup> Here again, I use these judgments but go beyond them: the old tile-maker represents another Basque path, loyal to patrimony and land and, after an initial acceptance of the impostor,

<sup>98</sup> Finlay, “Refashioning of Martin Guerre,” 571.

<sup>99</sup> Miranda Chaytor, “Tale of Two Suitors,” *New Society*, 67, no. 1219 (5 January 1984): 18–19.

<sup>100</sup> Finlay, “Refashioning of Martin Guerre,” 564, 566.

<sup>101</sup> Coras’s description of Martin’s response to the tears of Bertrande is that he “ne monstra oncques un seul signe de douleur et tristesse: ains au contraire d’une austere, et farouche contenance . . . ne daignant presque la regarder” (*Arrest Memorable*, 106). The judges in that first encounter “ne peurent oncques amolir son cuer.” The word “hard-hearted” is Coras’s.

<sup>102</sup> Coras, *Arrest Memorable*, 142, Annotation 99.

loyal to the conventions of legitimate birth and to truth-telling about identity as a basis for ordered family life.

As for Bertrande and Arnaud, I flesh them out as historical actors, presenting their values and actions as they might have interpreted them, but then introduce other perspectives—from the sixteenth century and from today—to show the moral dilemmas and dangers posed by invention. Clandestine identity is not, I point out, the same as clandestine marriage; a possible rebirth as a Protestant would not, in the eyes of a Reformed church, justify a false rebirth as another man. Especially, at the end of the chapter on quarrels, just after the arrest of Arnaud and while Bertrande is thinking about whether she will agree to be a formal plaintiff in the case, I stop all the action and ask whether Arnaud du Tilh ever had a chance of "getting away with it."<sup>103</sup> This is the problem of lying, posed through the present-day inhabitants of Artigat, who said, "That pretty rascal, he lied." (My model, remember, is not the cunning Arnaud and the passive villagers, but the cunning, assisted Arnaud and villagers who "too easily believe.") My conclusion is that an *unacknowledged* lie of this magnitude, even one dependent to some extent on the hidden or open acquiescence of the sisters, of Pierre (initially), and, more distantly, of many of the villagers, would ultimately breed mistrust and disloyalty. Disloyalty within Arnaud (were these really his people?), mistrust of him by Bertrande (hadn't he initiated a relation by a trick?), mistrust of him by the village (maybe he is a magician). With Montaigne, *The Return of Martin Guerre* argues for the presence of invention everywhere in speech and culture and yet affirms, "We are human beings, and hold together only by our word."<sup>104</sup>

I do not, however, let Montaigne have a definitive word against Coras. They remain always in debate. Montaigne criticizes Coras's sentence from the luxury of detachment, as one who speaks "not as a judge . . . but by way of conversation," balancing other people's vehemence with the questioning of "a tumultuous and vacillating mind."<sup>105</sup> But Coras had to make a decision in the face of a bitterly divided family and village, and his *Arrest Memorable* humbly reveals to everyone the perplexities of a "vacillating mind." Rather than a plot to discredit that text, my analysis of the *Histoire prodigieuse* gives it a human value, shaped, "lying a little," its author implicated in its creation, yet aspiring to a true report and yielding more than its author intended.<sup>106</sup>

Nor did I exempt myself from this predicament, suggesting my own implication in *The Return of Martin Guerre* and the pull exerted on me by competing modes—visual and textual—for telling about the past and by competing moral positions. In my preface, I opened the gap between what I hoped to accomplish and what the sources could yield with absolute certainty; by my last page, the reader has had ample encouragement to think about other ways of making sense of the evidence.

<sup>103</sup> Davis, *Return of Martin Guerre*, 47, 50, 59–61.

<sup>104</sup> Montaigne, "Des Menteurs," in *Essais*, Book 1, chap. 9, *Oeuvres*, 37.

<sup>105</sup> Montaigne, "Des Boyteux," in *Essais*, 1010.

<sup>106</sup> Davis, *Return of Martin Guerre*, 108.

A NUMBER OF THOSE READERS HAVE DONE SO. Their views show the possibilities in interpreting sources that Finlay considers fixed in meaning. Robert Finlay's theory is that all the Guerres and the entire village of Artigat were absolutely tricked by a treacherous Arnaud du Tilh. Bertrande is forced by Pierre Guerre to testify against Arnaud at the trial, but her deception by him lasts until she is confronted with the real Martin Guerre in the courtroom. This view has the advantage of interesting starkness and simplicity, and individual phrases can be cited from Coras in support of some of it. (Finlay cannot call on a literal phrase from Coras in support of Bertrande's last-minute enlightenment, since Coras's argument for the wife's good faith rests partly on the notion that, as soon as she perceived Arnaud was an impostor, she became a plaintiff against him. Le Sueur, too, assumes she had changed her mind when she agreed to the case.<sup>107</sup> For this, Finlay is going to have to admit to the work of interpretation.) To establish its plausibility, this view would have to confront all the contrary evidence of Bertrande's knowledge, Arnaud's change of behavior, Pierre's change of heart, and the court's deliberations. More important, one would want to embed the traitor and dupe in a sixteenth-century rural world. Here I foresee difficulty, especially with Bertrande. The sole trait Finlay recognizes in her is marital fidelity, and it leads her to suffer passively one piteous misfortune after another. Patient Griseldas are not impossible, to be sure, but the women I meet in the Artigat archives seem more willing to take matters into their own hands.

An opposite view of the case emerged several years ago out of a University of Iowa graduate seminar directed by Ralph Giesey, which examined the *Arrest Memorable* and *The Return of Martin Guerre* especially within the framework of Roman law.<sup>108</sup> The "Hawkeye Propositions" suggested that "the imposture of Arnaud was known from the outset by everyone in Artigat (or at least all who counted)." Although initiated by accident, the imposture was "perfected by collusion with Martin's relatives and friends." The Hawkeye reasoning incorporated my arguments about the advantages to the family and the village of having an heir back in place but went on to consider the economic and legal advantages to the Guerres of replacing Pierre's guardianship over the patrimony with the freer options allowed to a paterfamilias. The agreement broke down when Arnaud demanded the fruits from the property for the years of Martin's absence; Pierre tried to kill Arnaud ("his use of force betrays his original commitment to the imposture") and, when that failed, suborned Bertrande to accuse him. The Hawkeye Propositions then support my view of the trial: "Bertrande plays for a fail-safe situation."<sup>109</sup>

The Hawkeye Propositions of conscious complicity seem more plausible than the theory of a totally deceived family and village, and they are informed by a superb

<sup>107</sup> Coras, *Arrest Memorable*, 106, Annotation 78. Le Sueur, *Historia*, 9; *Histoire*, Biv<sup>r</sup>.

<sup>108</sup> "Hawkeye Propositions on Martin Guerre," November–December 1982. Of the several excellent papers that came out of this seminar, that by Thomas A. Kiefer, "Family Law and the Case of Martin Guerre," had the most bearing on the argument in regard to complicity. I want to thank Ralph Giesey for permitting me to discuss this unpublished material in this essay.

<sup>109</sup> "Hawkeye Propositions on Martin Guerre," November–December 1982.

understanding of the laws and strategies of heirship in sixteenth-century France. They certainly are appropriate for families so eager for property consolidation and alliance that they marry Bertrande and Martin as children and then, in the wake of Martin's departure, support a marriage between Pierre and Bertrande's mother, a degree prohibited by Catholic law.<sup>110</sup> A mixture of accident and family intervention in the staging of imposture is also found in Jeanne Domecourt's confession about the Charlotte Lebel case. Jeanne was first identified as Charlotte by a villager of Esmery, who saw her going about her affairs in Saint Quentin and said she "had goods belonging to her in Esmery." When summoned by Jeanne's canon for more details, the villager returned with Charlotte's half-brother, who gave over Charlotte's titles of property to the canon and called Jeanne "my sister."<sup>111</sup>

Yet one cannot tell what the half-brother knew: was he paid off by the canon, did he simply think he was seeing his sister, or something in between? I have the same misgivings about the Hawkeye Propositions. If all the important villagers were openly associated with what was going on, would not some accusation of collusion have surfaced in the trial, especially since witnesses from Artigat were bitterly divided? Even limiting the open collusion to the Guerres,<sup>112</sup> I find it harder to conceive of that first meeting (in terms of all we know about the case) as part of a family plan with Arnaud's shadowy informers, Pujol and Quilliet, than as a surprise encounter in which contrary signs were underplayed by the Guerres and Bertrande for the sake of having a much needed relative back. I prefer to leave our options open to a range of "knowing," from the barely conscious to the "too easily persuaded" to explicit agreement.<sup>113</sup>

Further, when one situates the Hawkeye Propositions in the grid of local culture, they image peasants as too exclusively concerned with calculations about property and patrimony and fail to take into account other and sometimes competing concerns about honor, progeny, legitimacy, regional custom (here, Basque values), peaceable households, affectionate marriages, and sin. They also center Pierre and Arnaud as actors—the guardian and the substitute paterfamilias—and reduce the initiative of Martin's sisters and Bertrande. But it was the sisters who were the first to see the impostor at the next village and come back for Bertrande and who were the last ones in the family to defend him as their brother, adjusting along the way

<sup>110</sup> Pierre was marrying the blood relative of his nephew's wife, an affine of the second degree. This would presumably require a dispensation. I am grateful to Lisa Jardine and Charles Donahue, Jr., for comments on this matter.

<sup>111</sup> AN, X<sup>2A</sup>98, 32<sup>v</sup>–33<sup>r</sup>.

<sup>112</sup> Which the Hawkeye Seminar was willing to do when I raised this problem about the court testimony with them and pointed out that surely parliamentary judges, used to dealing with village conspiracies, would have had some inkling of village collusion (letter to Ralph Giesey of 14 November 1982). Ralph Giesey responded, "We concede that the villagers need not have been explicitly conspirators, but rather that they let the family do as it wanted" (letter of 20 December 1982).

<sup>113</sup> G. W. Pigman has written an essay, presented at the annual meeting of the Modern Language Association in San Francisco in December 1987, and drawing on his training as a psychoanalyst and as a literary scholar and discussing the Martin Guerre case. He there spells out the uncertainty of our knowledge of another person's experience, not merely of another person from the distant past but even of another person in a clinical situation today.

to a man who could no longer speak the Basque of their childhood. And it was Bertrande that the Parlement of Toulouse suspected of collusion.

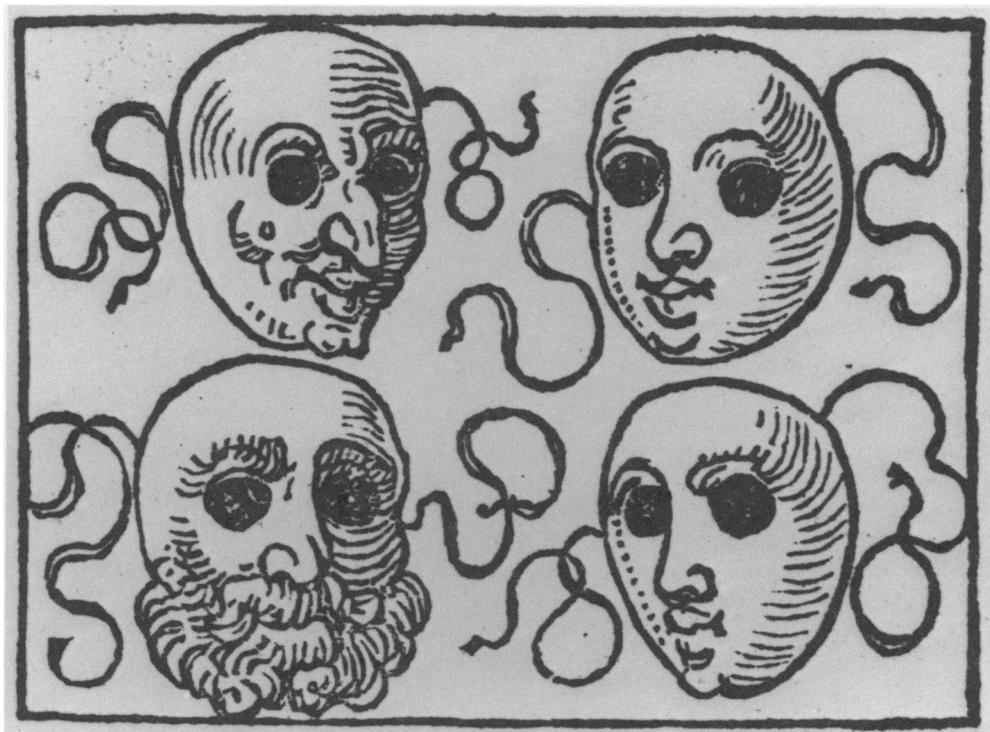
Finlay's interpretation rests on the assumption that individual identity is fixed and sure but, somehow, the capacity to deceive and be deceived about identity is almost limitless. The Hawkeye Propositions rest on the assumption that people know who they are but that social identity is the important thing, and that niches can be filled by social agreement. Stephen Greenblatt, starting from *The Return of Martin Guerre* and a remarkable grasp of literary process, suggests in an important essay, "Psychoanalysis and Renaissance Culture," that to sixteenth-century observers it was uncertain what was under the mask of persona, that identity was not established by an internal sense of a past stretching back to infancy, and that what was at issue in the case was "not Martin Guerre as subject but Martin Guerre as object, the place-holder in a complex system of possessions, kinship bonds, contractual relationships, customary rights, and ethical obligations." The story of Martin Guerre is a step in the long historical process by which the idea of "proprietary rights to the self [is] secured" and psychoanalysis gains its subject.<sup>114</sup>

I agree with Stephen Greenblatt about the significance of external attributes, social roles, and contractual places in determining identity in the sixteenth century and in the Martin Guerre story in particular, and his essay makes us understand afresh Renaissance delight in the theatrical performance of successful imposture. But I think his argument goes too far, underestimating the ways in which people with a different sense of boundary from ours or Freud's—of property boundary and bodily boundary—understood a personal history and perceived the guarantee for some stability to the self.<sup>115</sup> In the Martin Guerre case, intimate memory was thought of as a personal possession. Forgetting did not count so much: that the prisoner could not speak Basque was not proof of who he was one way or another, for Martin had left Hendaye when he was about two. But the court could not see how the prisoner, if he were not Martin Guerre, could remember intimate things that had taken place only between Martin Guerre and Bertrande de Rols. Further, this memory was drawn on in one privileged relation, that between God and the individual person, mediated through the priest in Catholic confession or directly in Protestant prayer. The devil might trick one, but there was something there, given by God, to be tricked, and at the resurrection one would rise and be judged in one's own body and under one's own name. Bertrande and Arnaud's collusion on a memory test shows a recognition of the inner definition of the self, here used to sustain a position as husband that Martin had wrongly abandoned. Bertrande's display of guilt in court and Arnaud's final remorse show the sixteenth-century limits to the social invention of identity.

<sup>114</sup> Stephen Greenblatt, "Psychoanalysis and Renaissance Culture," in Patricia Parker and David Quint, eds., *Literary Theory/Renaissance Texts* (Baltimore, Md., 1986), 210–24.

<sup>115</sup> I have considered some aspects of this topic in "Boundaries and the Sense of Self in Sixteenth-Century France," in Thomas Heller, Morton Sosna, and David E. Wellbery, eds., *Reconstructing Individualism: Autonomy, Individuality, and the Self in Western Thought* (Stanford, Calif., 1986), 53–63, 332–36.

Unless that was not really Martin Guerre who came back. Some readers have wondered about the mysterious Martin de Guerre in my notes,<sup>116</sup> executed in 1555 for transporting "enemy letters" from Burgos, where our Martin Guerre had been living, via Irgun and Bayonne to Spanish merchants in Rouen.<sup>117</sup> To such a query, I respond that the evidence about Martin Guerre at the 1557 battle of Saint Quentin is good, but, whoever he was, the man with the wooden leg won the assent of Bertrande and the Guerres and died as Martin Guerre in Artigat some thirty years later.



Masks from Guillaume de La Perrière, *Le Theatre des Bons Engins* (Lyon, 1549). Photo courtesy of Houghton Library, Harvard University.

<sup>116</sup> Davis, *Return of Martin Guerre*, 147 n. 2.

<sup>117</sup> AN, JJ263A, 271<sup>r</sup>-272<sup>r</sup>.