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CONSTRUCTING A TRAITOR: THE CASE OF GUICHARD OF TROYES, THE NOMINAL BISHOP OF BOSNIA IN THE EARLY FOURTEENTH CENTURY

In 1314 Bishop Guichard of Troyes was transferred from the lucrative Episcopal See of Champagne to the Episcopal See of Bosnia, with the seat in Diakovar (nowadays Djakovo, Croatia). This was the consequence of a lengthy trial that baffled both contemporaries and historians alike, and which included a plethora of charges – most notably high treason, murder of the Queen and her mother through witchcraft, heresy, etc. To explain beyond factual reality, the paper regards the concept of treason for which Guichard was tried. To comprehend the methods of construction of treason in Guichard's case, the paper examines features beyond the accusations and deposited witness testimonies: the social, religious and legal transformations; similarities with contemporary trials of the Templars and of the deceased Pope Boniface VIII. This will facilitate comprehension of the elements that construct or add to the concept of treason and the contemporary notions and institutions that permitted it.

Key words: Guichard of Troyes. – Diakovar (Djakovo). – 14th century. – France. – Trials.

1. INTRODUCTION

In 1314, from 23 January to 14 March, by the decision of Pope Clement V, Bishop Guichard of Troyes (1297–1308), was transferred

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to another see, the Episcopal See of Bosnia in Diakovar¹ (present-day Djakovo, Croatia) (Rigault 1896, 223).² The decision made was the final word of a protracted trial of Bishop Guichard that spanned six years (1308–1314), but which could be seen as going back even to 1300. In fact, the resolution brought by Pope Clement V can be considered a moot point, or a sort of compromise, as no judgment was passed. Despite the apparatus employed in the trial, it seems that the evidence was considered insufficient, or even inadequate and superfluous when both of his initial accusers claimed Guichard's innocence in their deathbed confessions. Furthermore, it did not help the substance of the case that those who gave the most damaging testimony were suspected of various transgressions (Strayer 1980, 310). In 1313, Guichard was in Avignon with Pope Clement V, who sheltered him there, and the following year the transfer took place (Rigault 1896; Cuttler 1981, 75). Whether Guichard ever reached Diakovar remains unknown, but rather unlikely (Rigault 1896, 225), but the end of his life, while not obscure, could be seen as the anticlimax of a very vigorous existence (Langlois 2012, 212–217). Improbability of his sojourn in Diakovar as the bishop of Bosnia is strengthened by the fact that he died in Champagne on 22 January 1317, soon after his resignation from the seat of Diakovar early on in the reign of Pope John XXII (Rigault 1896, 225–6; Strayer 1980, 312).³

¹ Name form Diakovar is used in this paper instead of its Hungarian form Diakovár, as this variant is accepted and employed in the literature regarding the theme of the paper.

² Abel Rigault makes this conclusion drawing on published documents predominantly, but not exclusively, pertaining to two publications: Theiner (1859) and *Regestum Clementis Papae V* (1884).

³ After Guichard's resignation from the episcopal seat in Diakovar, Pope John XXII appointed a certain Benedict as the Bosnian administrator, but he did not stay at the post for long. After Guichard and Benedict had resigned from the Bosnian, and by proxy from "its subordinated Diakovar," episcopacy (*bosnensi et de Diacoipsi Bosnensi subiecti*) Pope John XXII (1316–1334) appointed Peter, the Canon of Székesfehérvár, in a bull of 3 July 1317. The majority of published sources and literature erroneously considers that the aforementioned Benedict was the Bishop of Vác before he was appointed the Bishop of Diakovar. This error can be found in Pál Engel's independent list of Bosnian bishops, as well as in the list of Bosnian bishops that Engel created with László Costa. The error was further spread by Balint Ternovac. In the *Archontology*, however, Engel correctly mentions that "Benedict probably in all fact did not take the seat of the Bishop of Vác" (Engel 1996, I, 75, II, 132). It needs to be mentioned that Benedict could not have done this because in reality he had not been nominated as the Bishop of Vác. Benedict was rendered Bishop of Vác (*episcopum vaciensem*) by virtue of a misspellings, though he was, as only Daniele Farlati correctly puts it, "*episcopus suacensis*" i.e. Bishop of Svač. This error probably originates in the fact that the document on filling the truly vacant episcopal seat in Theiner's edition is placed just a few pages ahead of the charter on filling the seat of the Bishop of Svač. The town of Svač, on the border of medieval Zeta, present-day Montenegro and Albania, still exists today. This makes it easier to understand why Benedict, after stepping down from the Bosnian diocese, became archbishop of

The nature of Bishop Guichard's trial, the way that it was conducted, as well as its indeterminate conclusion, baffled contemporaries and historians alike, who tried to classify it as a court affair, a power struggle between the French king and the papacy, which accentuated intermingling between politics and religion, viewing it as a classic political trial. However, to understand it, it is necessary to see how charges of treason against Bishop Guichard of Troyes correlate to other types of accusations, and how they relate to the contemporary realities in which all the participants existed.

It is both interesting and important to mention that despite the title of Bishop of Bosnia with the seat in Diakovar, which Guichard held from 1314 until his death in 1317, his fate was not of particular interest to scholars of the region. It could be because Bishop Guichard most likely never reached the place of his new appointment, the reasons for which are not provided directly by ecclesiastical history nor the history of his trial. In all likelihood, Guichard attempted to wait out the situation and see whether it would be possible to continue his interrupted career in France, or in a less remote place. No significant amount of research has been done in Yugoslav historiography except from a noteworthy study in Croatian historiography published in the 1990s.

In the 1820s one of the first studies of trial of the bishop of Troyes appeared from the pen of Boissy d'Anglas (1822, 603–619). However, the standard source of information is the university thesis of Abel Rigault (1896), whose conclusions are largely considered valid today. It draws on twelve documents of different content that exist in Paris, at the Archives Nationales (Rigault 1896, vii) in Trésor des Chartes, and marked J 438 No. 1 through No.12 in continuo.

Historians studying the topic in subsequent generations drew on the same information, however, methodological developments since the nineteenth century allow for different approaches to the information, so a plethora of new nuanced conclusions could be reached.

Nonetheless, there are a number of recent studies about Guichard's case and originating in French historiography that were published at the beginning of this century.⁴ Bishop Guichard's case is regularly mentioned in studies of the Avignon Papacy, and more specifically those of the times

Dubrovnik. In the Middle Ages, the bishops of Svač, just like the bishops of Bosnia earlier, were the suffragan of the archbishop of Dubrovnik. It should be noted that the diocese of Vác (*diocesan vaciensem*) has sometimes also been mistakenly identified with diocese of Bacs (*diocese bachiensem*). Similarly, occasionally the Kalocsa diocese (*dioecesem colocensem*) was confused by the papal office with the Colossus diocese (*dioecesem colosensem*) on Rhodes.

⁴ The studies that should be mentioned are by modern French historian Provost (2003, 95–118; 2007, 83–103; 2010).

of King Philip the Fair and Clement V,⁵ but also those that deal with a broad thematic spectrum, ranging from legal history to witchcraft, in Europe of the Late Mediaeval Period.⁶

To understand not only what actually happened for such a peculiar career course, but also what allowed for such a development in the given contemporary circumstances, it is necessary to appreciate the concept of treason for which he stood trial.

In order to understand the way treason is constructed in the case of Bishop Guichard of Troyes in early fourteenth century France, this paper will look at several essential features beyond the accusations and deposited testimonies of the witnesses on the transgressions of the bishop of Troyes. The transformative characteristics of the period in question will be considered in their social, religious and legal capacity, so that a more comprehensive assessment of the final outcome of the process may be achieved. This also implies that the paper will examine similarities with other contemporary trials that have been brought up by a number of scholars of Bishop Guichard's case over several centuries – most notably to that of the trial of the Templars and of the memory of the deceased Pope Boniface VIII, but also those of other ecclesiastical dignitaries in France. Finally, the very accusations against Bishop Guichard will be examined, not so much to detect truth or fabrication in them, but to understand them as elements that constructed or added to the concept of treason and the contemporary notions and institutions, which allowed for it.

2. THE EARLY FOURTEENTH-CENTURY SOCIAL, RELIGIOUS AND LEGAL TRANSFORMATIONS IN FRANCE

The early thirteen hundreds saw the expansion of the bureaucratic apparatus that primarily served the state, encroaching on justice, finance, as well as local government, as the king of France influenced more and more territories, creating the situation that was best defined by D. Nicholas as governed by “stifling bureaucracies took form, creating a situation where offices, which [were] brought and sold without regard to the professional credentials of the holder” (Nicholas 1999, 2–4).

The character of law also underwent changes, which in turn affected the concept of treason as well, as it became overly politicized in the early stages in the creation of the national state (Menache, 1998,

⁵ On the reign of Philip the Fair see Favier (1978), Strayer (1980, particularly pages 300–313), on the papal reign of Clement V it is worth consulting Menache (1998, on Guichard's case: pages 84–87).

⁶ For more on witchcraft and its context in 14th century France, see: Burns (2003).

87) in the hands of the strongest prince in France – who turned out to be the French king himself. The transformation of the notion of treason, which allowed for the royal power to contest other parallel authorities for jurisdictional prerogative, brought the king into a position to infringe up on the ecclesiastical jurisdiction (Cuttler 1981, 6, 54, 68–9).

The relationship between the head of the state and the head of the Catholic world was also affected, as the French kings perceived the popes as political leaders more than spiritual ones (Nicholas 1999, 5). The power struggle between the papacy and the king of France during that period also had an impact on a cleric or secular person who was accused of “any action that injured the king, the royal line, or the kingdom, or that otherwise diminished the authority of the crown – or was intended to do so” was committing treason (Cuttler 1981, 54). This transformation facilitated the possibility of Guichard’s trial.

The connection between law and politics, in a society with a multitude of authorities, expressed itself through the political character of the struggle between the royal and the sacral elements of the late medieval society in France. It is within this phenomenon that the case of the bishop of Troyes and his contemporaries, the king of France, Philip the Fair and Pope Clement V needs to be viewed. Furthermore, the political interlink between the two authorities was caused by unchanged papal outlook on contemporary realities and had as a consequence diminishing of the papal influence, which was not overly criticized by the contemporaries either as confirmation of a political trend (Menache 1998, 86), or due to fear at the age of instability. King of France, Philip IV the Fair had to align his propaganda of the “most Christian King” with his actions to appear maintaining public order through his jurisdiction (Cuttler 1981, 54). Nonetheless, these actions may have not been solely directed by policy, as it would be anachronistic to discount for deep personal piety of medieval men; and King Philip IV the Fair had a fierce reputation for it.

These transformative features of the late medieval France and Europe in general, allowed for certain characteristics of the bishop of Troyes’ trial, which caused contemporaries to view it as strange case of a court affair.

3. THE CASE OF GUICHARD, BISHOP OF TROYES (1308–1314)

By the order of Pope Clement V, passed at the meeting of the Estates in Tour on 9 August 1308, the ecclesiastical process against Guichard de Troyes was launched. The ecclesiastical commission that was charged with conducting the investigation into the accusations made against Bishop Guichard of Troyes, consisted of the Archbishop Étienne

Bécart of Sens, Bishop of Orléans, Raoul Grosparmi, and Bishop of Auxerre, Pierre de Sandstone.

The order read: “It has come down to our ears that our venerable brother, the bishop of Troyes, though he deserves to be so called, has let himself go to damnable acts and worthy of execration, by soaking, at his shame, for the loss of his renown and his salvation, in the evil works of spells; that, by the effect of these practices, Jeanne, Queen of France, of illustrious memory, has suffered a cruel death; that said bishop Troyes, falling from bad to worse, sought to drink a poisoned beverage to our dear son and noble Sir Charles, Count of Anjou, while he was in Champagne, and our dear son in Christ, the illustrious King of Navarre, at that moment at Poitiers, a knight, and others, who had drunk of this poison, have died of it; that he has committed many other great and sacrilegious crimes, for the offense of divine majesty, the danger of bad example, and the scandal of the great number.” (Rigault, 58–59; taken from Provost 2003, 2.)⁷

As Boissy d’Anglas noted correctly in the beginning of the nineteenth century, there were two parallel processes being conducted against the bishop of Troyes: the ecclesiastical and the secular.

It all started when in February 1308, the hermit Regnaud de Langres who resided in the hermitage of Saint-Flavit de Villemaur in the diocese of Troyes, escaped his abode fearing for his safety and arrived at Sens, with the intention to denounce Guichard, the incumbent bishop of Troyes, for a vast number of crimes, of which some were considered treason, as they affected the royal house. The hermit confessed to the bailiff of Sens, Guillaume de Hangest, that Guichard, bishop of Troyes, visited him, the hermit, in his hermitage at the time of death of Queen Jean of Navarre, the wife of King Philip IV the Fair. Namely, the hermit denounced the bishop of casting evil spells in the hermitage, which were directed at the Queen.

The death of Queen Jean was supposedly accomplished by creating a wax figure, resembling the queen, which was baptized, given the name of the queen, pricked with a needle and placed near the fire, after which the Queen was supposed to feel badly and would have died when the wax melted completely (Boissy d’Anglas 1822, 608). On his visits to hermitage, the Bishop was accompanied by one of his relatives, Jean de Fay, a Dominican monk, who accomplished in summoning the demons, and by a witch named Margueronne de Bellevillette (Rigault 1896, 74).

Following the success of the magic as the weapon against the Queen, the bishop of Troyes tried to manipulate the hermit to aid him

⁷ Translation of the quotations from French into English was done by the author of the paper.

in concocting the poison that was supposed to be used on the King's son and brother. The hermit may have been the bishop's unwilling or unsuspecting collaborator in the case of practical magic, since due to his innocence he could not fathom the consequences, but it seems that he was well-aware that this type of crime concerned secular authorities, judging by the fact that he denounced the bishop of Troyes to the bailiff. Moreover, the hermit mentioned that the poison was already successfully used on knight Jean Romantis (Boissy d'Anglas 1822, 608).

The bailiff of Sens took the denunciation seriously and proceeded to investigate it by questioning witnesses. The witnesses of this first series are considered the most important for the case, as they "comprised structures, precise developed accounts" (Provost 2016, 120), which implied crimes not only of heresy but of treason as well, which was committed by "enchantments, manufacture of poison and invoking of supernatural." The bailiff of Sens, thus, questioned as witnesses the hermit, the witch, another hermit who cohabited in the same hermitage, and Guichard's chamberlain. When the evidence against Guichard accumulated in the course of the secular investigation of bailiff of Sens, he referred it to King Philip the Fair, who in turn pressured Pope Clement V to commence with the abovementioned ecclesiastical trial.

The first accusations of the ecclesiastical commission ordered by Clement V largely overlap with the accusatory articles combined by the bailiff of Sens. They contain the same charges, particularly focusing on the creation and the employment of the wax figure of Queen Jeanne and enchantments that resulted in her death, and on the poison preparation designated for the king's brother and eldest son. The charges were those implying directly treason, as they affected the royal House of Capete.

After this first inquiry by the ecclesiastical commission, and the withdrawal of bishop of Sens, the two other bishops continued with investigation through deposition of testimonies against Guichard (Boissy d'Anglas 1822, 611–613).

To twenty-eight articles prepared by the bailiff of Sens, many other describing Guichard's "enormous and sacrilegious crimes" were added, such as usury and simony, living openly with a nun as a concubine, as well as being a sodomite, adulterer and fornicator, a well-known sorcerer, who prior to Queen Jeanne killed several other people by poisoning them, and being not only a bastard child, but a bastard of an incubus called Petum, with whom his mother Agnes had been associating, whilst being married to his father (Boissy d'Anglas 1822, 613). More seriously, Guichard was accused of blackmailing innocents and giving pardon to heretics, and extort money from his victims (Provost 2003, 9).

Most importantly, it is in the course of these additional charges being brought up that we hear of Guichard's previous crimes, and of his previous

trial during the lives of Queen Jean of France and her mother Blanche d'Artois Countess of Champagne and Queen of Navarre. The inquiry of 1308–1309 brings into play the Guichard's previous trial several years earlier, when in the course of several years (probably between 1300 and 1302) he was accused of exciting a sedition against the Countess Blanche d'Artois in her province of Champagne, as an act of revenge for having been previously ousted from the king's council (Boissy d'Anglas 1822, 606). The bishop of Troyes did not stop at that; he had been accused of aiding escape of a canon of Saint-Etienne de Troyes, Jean de Calais, who was also the treasurer of the Champagne County and had been imprisoned in the Episcopal prison of Troyes, for embezzlement. Allegedly, Guichard had done it for a monetary fee (Rigault 1896, 21–22). To make the irony greater, the witness was Jean de Calais himself, who fled to Italy, where he eventually died (Strayer 1980, 301; Rigault 1896, 13–24, 21–22). The bishop of Troyes was never convicted of this offense. However, after the death of Blanche d'Artois, her daughter Jeanne, the Queen of France, succeeded in depriving Guichard of forty thousand l.t. of income through an agreement reached under mediation of the Archbishop of Sens, in August 1304 (Rigault 1896, 28–29; Langlois 2012, 212–217). Clement V's predecessor, Boniface XI, produced a citation against Guichard de Troyes, but with an act by Clement V in June 1307 the appearance of the bishop of Troyes before the pontifical court was postponed (Rigault 1896, 268–269; Provost 2007, 90).

A witness stated that Guichard poisoned a messenger that Queen Blanche of Navarre had dispatched to Rome to send word about his misdeeds (Boissy d'Anglas 1822, 614). Despite an unsuccessful affair, Guichard remained the bishop of Troyes, but never returned to King Philip the Fair's outer circle.

Reading the aforementioned history of the trial, historians have debated the nature of the trial: was it a “courtly affair” or should it be taken more seriously, as a “political trial”, facilitated by the existing institutions (Provost 2007, 85). A number of possibilities remain open from a “historical distance” and related to the depositions of the witnesses. Historiography offers conflicting opinions on the existence of interested parties within the court and the church who “framed” the bishop of Troyes, bringing about his downfall.

In the early fourteenth-century France, however, when the construction of a traitor, or a person who committed treason, is in question, the creation of a “courtly affair” is one ingredient of a trial for treason that may have the features of a political trial. Thus, information on who Bishop Guichard of Troyes actually was and how he was perceived through the depositions is relevant. Guichard seemed to be a self-made man of the church, who despite rapidly rising through the ranks, was

apparently not skilled enough to navigate all the cracks. By 1273 he was the abbot of St. Ayoul of Provins, only to transfer to another monastery, being appointed the abbot of Montier-la-Celle in 1284, and finally the bishop of Troyes in 1298. Historians agree that he owed his promotion to Blanche d'Artois. It seems that he was very close to the family, since it may have been that he was a godfather to one of the king's sons, from his marriage to Blanche's daughter Jeanne (Rigault 1896, 11, 14; Strayer 1980, 301). In addition to clerical duties, Guichard was very skilled in finances and property management, as he enriched the monastery through his business acumen (Rigault 1896, 9, 10). The affair of letting Jean de Calais, the imprisoned treasurer, escape for a hefty bribe, not only ruined his career, but also put an end to any future dealings with Blanche d'Artois and his influence in Champagne.

It has been suggested that the nature of a courtly intrigue related to Guichard's trial may be visible in the fact that other highly-positioned clergymen close to Queen Jeanne awaited their chance and their turn; one such person was the Archdeacon of Vendôme, Simon Festu, who acted as the accuser of Guichard against Blanche d'Artois in the trial of 1300–1302. Having not met the standards of his royal protector, Guichard made himself vulnerable, falling prey to the game of power (Provost 2007, 92).

However, during the process Guichard was able to confess his wrongdoings. In front of the pontifical commissioners at St. Genevieve, Guichard denied all the charges except that he knew the hermit of Saint-Flavit and that he had sent him to the officials of Sens to be punished for crimes committed in the diocese of Troyes (Langlois 2012, 212–217). Having been reduced almost completely to personal defense, without the ability to establish technique of rationalization against the charges, Guichard conceded certain articles in his second interrogation; namely that he had given absolution to a heretic, for a sum of money, that he “made bad money”, but “that he thought it (to be) good” (Boissy d'Anglas 1822, 616–617). However, he added that heresy had not been proven (in the case of bribe he received for giving the absolution to a heretic) (Langlois 2012, 212–217). It is worth mentioning that amidst the variety of accusations (some being rather general considering the type of trial) Guichard denied the charges of being the child of an incubus, stating that there were talks of succubus in their house, but only after his birth (Langlois 2012, 212–217), and despite their house always being full during his childhood, he asserted his legitimacy as such (Boissy d'Anglas 1822, 617). It seems that the bishop of Troyes was more concerned with the consequences of potential illegitimacy than those of his diabolic nature, despite the common fears of the time.

However, in addition to the elements of the crime, the possibility of heresy was present in the construction of treason in fourteenth-century;

in fact, general characteristics pertaining to the nature of a person were taken into consideration as is the case in many political trials. Thus, the persona of Guichard de Troyes was constructed through the depositions of the witnesses, which were on one hand unintentionally skewed by the very process of recording them (Provost 2003, 29),⁸ but also by very present coercion.⁹

The features of this constructed person were important for the process, and this constructed Guichard came down to us. The image constructed is that of a morally and physically unencumbered person, greedy and brutal, and most importantly of diabolic nature, since only such a person would be physically and morally capable of committing treason. Essentially, it was necessary to demonize the opponent.

It is not an issue whether Guichard de Troyes and the bishop of Troyes, did or did not commit the crimes he was accused of,¹⁰ since, as Provost pointed out, it is difficult to find the truth in depositions: “(...) involved in the production and recording of testimony a process of creation, in an approximation which is due to the impossibility of rendering by speech a situation passed in its entirety” (Provost 2003, 29).¹¹ Depositions are used to understand how such depiction was sufficient or essential for the (un)successful trial for treason. The constructed image of Guichard de Troyes was in contradiction to that of a good cleric (Provost 2003, 6–7). Bishop Guichard of Troyes found himself in the midst of the transforming idea of the “good bishop”, whose creation occurred in the early fourteenth century. We will never know whether he did not

⁸ Provost (2003, 29) offers a literary deconstruction of the text of the deposition and comments on it: “Nevertheless, this fixation, this final becoming of facts and positions are reinforced by the methods of writing and serialization. Under the authority of the investigators – of an institution that freezes the speech, immobilizes the speech, and confers on it its legitimacy – each one stands in its place, in a definite position, occupying a specific rank in the enumeration of the depositions.” (Translation of the quotations from French into English was done by the author of the paper).

⁹ All the witnesses swore that they were telling the truth without restraint. The king’s people, however, had warned Margueronne, in the prison where she was, that it was necessary to tell the truth, by will or by force; and as Lorin had initially declared that he had never seen his master go out during the night, the bailiff of Sens had him suspended in the air, naked, with his limbs spread apart, shackled to the walls (Langlois 2012, 212–217).

¹⁰ Langlois (2012, 212–217) discusses the rational possibility of accusations against Guichard, which sounds somewhat anachronistic given the period: “In short, he was no better than many others, whose fortuitousness did not cause the turpitudes to be as carefully collected and unveiled as his. But that he has kept a private demon in a glass jar, and that he has never bewitched or poisoned anyone, is what the stories of the hermit of Saint-Flavit and the Lombards, guardians of Noffo Dei, are not enough to establish.” (the quote from French was translated by the author of the paper)

¹¹ Translation of the quotations from French into English was done by the author of the paper.

understand its significance and was unaware of the changes within the church, or he completely disregarded it as unimportant for him. Yet he allowed for the opposite image of him to be constructed.

However, he was not the only one who was caught in the changes and was not able to adapt quickly enough. There were cases of several bishops who fared similarly at the very beginning of the fourteenth century, but also the trial of the Templars, which chronologically coincided with his, as well as obviously extreme cases of the heretical trials of the last of the Cathars in Occitan.

4. THE TRIALS OF ECCLESIASTICAL DIGNITARIES, GUICHARD'S PROCESS AND THE CRIME OF TREASON

As mentioned previously, the early fourteenth-century notion of treason allowed a significant level of arbitration on the part of the king, therefore, it is not surprising that a number of trials of persons who should have been prosecuted by ecclesiastical courts, were also tried by the secular authorities, with different outcomes. It has been long established that there were similarities between the trials of Guichard de Troyes and other members of the church, regardless of their position in the ecclesiastical hierarchy, and some of the monastic orders, as well as the posthumous trial of Pope Boniface VIII. Thus, his arrest was not unprecedented in the notorious reigns of King Philip IV the Fair and Pope Clement.

The first case of royal officers partaking in the trial of a cleric was that of the bishop of Pamiers in Occitan, Bernard Saisset, in 1301, which also symbolizes "the first important treason trial of a cleric in later medieval France," "the first 'state trial' of any person" and "the first case of constructive treason by words in the later middle ages," for its blending of the two concepts of treason (Cuttler 1981, 74–75). Looking from the view point of legal history, S.H. Cuttler emphasizes how royal bureaucrats had a more important part in the trials of the clergy, more so than the king himself (Cuttler 1981, 74).

In the case of Guichard de Troyes, King Philip the Fair was in clear breach of clerical privileges, although he attempted to maintain the form of legality (Strayer 1980, 300). And if Clement V would have wanted to raise the issue, he would have had all the rights. However, it has been established that Clement V's compromise on this point was "the innovation" in the relation between the papacy and the French king, which drastically diverged from Boniface VIII's canonically warranted "militant move" in the case of the arrest of bishop of Pamiers in 1301 (Menache 1998, 86). One could have not expected that Clement V would act in the

same manner as his predecessor on the papal seat, against whose memory he opened the trial.

Bernard Saisset, the Bishop of Pamiers, was also a member of an old Occitan aristocratic family, and was struggling against the influence of Paris, which arrived in Languedoc also in the form of the bishop of Toulouse. Shouting against him, he was eventually denounced as a rebellion plotter for Occitan independence, siding with the Kingdom of Navarre and local counts. Saisset appeared in front of the king that same year, when he was charged with high treason and with heresy and blasphemy by the secular authorities, very similarly to Guichard, who was accused of desecration of the Eucharist.¹² Saisset escaped detention and fled to Rome, but eventually returned in 1308 when King Philip the Fair pardoned him under Clement V, and was reinstated as bishop of Pamiers.

The case of Bernard Délicieux, on the other hand, had a different ending. Délicieux was the prior of the Franciscan convent in Carcassonne, Occitane, when in 1299 he led a revolt against the city's inquisitors, thwarting the arrest of two heretics sheltered in the Franciscan convent. He actively criticized the work of Bishop Castanet and the inquisitors, in front of the king, continuing preaching against the Inquisition in Languedoc throughout the following years. This eventually earned him reproach from Pope Benedict XI in 1304, who ordered his arrest, but due to his untimely death nothing came of it. Instead, Délicieux was placed under house arrest in Paris, and with the installment of Clement V was added to his entourage in Avignon in 1309, only to join the Spiritual Franciscan Convent in Beziers in 1310. However, in 1317 Pope John XXII charged him with disobeying the Franciscan Order, high treason against the French king, the murder of Benedict XI using spells and poison, and impeding the Inquisition and was found guilty of all charges except murdering Benedict XI (Théry 2002, 305). He died in prison.¹³

In comparison, Guichard's fate seemed somewhat less successful than Bernard Saisset's and far more positive than Délicieux's; yet it should be mentioned that Délicieux did not meet his end while under house arrest, placed there by the royal authorities. Just like Saisset and Délicieux, charges against Guichard contained more serious ones of high treason and murder by magic and poison, as well as those of heresy and blasphemy.

Guichard's vehement opposition to the transfer is understandable, since his punishment was harsher than that of Bishop Saisset, whose accusations were graver. It could not be that King Philip IV the Fair, due

¹² For more on Bernard Saisset, the Cathar movement in Languedoc and the Royal prerogative in the early 14th century see: O'Shea (2011).

¹³ On Délicieux see: O'Shea, (2011), Friedlander (2009), Théry (2002, 301–306).

to his emotional attachment to his deceased wife Jeanne, never believed completely in lack of Guichard's involvement in her demise, although it was highly probable that the king had a personal involvement in the punishment (Strayer 1980, 310, 312 n. 45). It is unlikely that the king would have let Guichard off the proverbial hook only with the transfer to a far-off see, if he genuinely believed in Guichard's actual involvement in the death of the queen and her mother. It is far more likely that Guichard's punishment served to remind the bishop of his lower social background and that he owed his position of bishop of Troyes to Blanche d'Artois, Countess of Champagne, whilst Bernard Saisset was a southern aristocrat, protected by Pope Boniface VIII.

In all the mentioned cases the royal prerogative was activated on the basis of committed treason, where the royal power understood that crimes were perpetuated against the members of the Capetian dynasty. There are views in historiography on the unsuitability of Guichard de Troyes's trial in the general discussion of interactions between King Philip the Fair and the papacy, due to certain characteristics. Namely, Guichard did not represent provincial separatism, as Saisset did, and he was not against the workings of the Inquisition, nor was he accused of participation in a network of heresy, as the Templars were (Strayer, 1980, 300). On the other hand, Alain Provost set out to examine how similarities of these trials fit into the perspective of the relations (Provost 2016, 122). Nonetheless, it is entirely an issue of unsuitability of Guichard's trial in the part in the general discussion on the relation between the king and the Catholic Church, the suitability of this process in the emerging national state, since the mentioned relation was only one segment that was affected by its budding emergence.

5. THE TRIALS OF THE TEMPLARS, BONIFACE VIII AND GUICHARD DE TROYES

The relationship between the trials of Guichard de Troyes and those of the Templars and the deceased Pope Boniface VIII was noted very early in historiography as pertaining to examination of process against the bishop of Troyes. In the early the nineteenth century, Boissy d'Anglas stated in his imperfect articles that "Guichard was persecuted like the Templars" and for "similar motives" (Boissy d'Anglas 1822, 618–619), and linked the more fortunate ending of Guichard's trial to its long duration and the disappearance of the threats posed by the memory of Boniface VIII and the Templars. Thus, the political elements exceeded the usefulness of the trial (Boissy d'Anglas 1822, 618–619). In his seminal work on the process against the bishop of Troyes, Abel Rigault emphasized that Guichard's trial was not a simple trial of witchcraft or heresy, but it had

a more important, political significance at a time when the trial against the memory of Boniface VIII was to be conducted (Rigault 1896, iii-v). Modern historiography does not bypass the established convergence of these three trials, which stand out not only in their temporal plane but in the methods as well. The congruence between the processes against members of the Order of the Temple and the bishop of Troyes implies that the affair was to a degree instrumented by the King of France and his entourage in face of the papacy (Provost 2007, 92).

Looking at the three trials that occurred almost simultaneously, it is difficult not to see the convergence of the same people, who took part in them, thus shedding light on the formal and informal network of courtiers, but also of clerics with close ties to the king. Out of a number of personas, the names of the most mentioned in connection with the three trials are definitely Guillaume de Nogaret, statesmen, councilor and keeper of the seal to King Philip the Fair and a certain Noffo Dei, a Lombard who was regarded as the denunciator of the Order of the Temple, among whose members he had previously spent some time.

Rigault believes the “intrigue of Guichard” to be entirely the result of Nogaret’s machinations (Rigault 1896, iii-v). Before Rigault, Boissy d’Anglas was convinced that accusations made by Noffo Dei against Guichard would have had such a weight in order to provoke a legal disposition if not for actions of Nogaret, who behaved towards the bishop of Troyes with the same violence as towards the memory of Pope Boniface VIII and which he employed also in the prosecution of the Templars (Boissy d’Anglas 1822, 608). While Nogaret definitely had a part in the process, it is questionable how far his influence in it stretched, which demands further examining where, when and how he intervened. Noffo Dei, on the other hand, was firstly involved in Guichard’s case when, together with Archdeacon Simon Festu of Vendôme, he accused the bishop of Troyes in front of Blanche d’Artois for facilitating Jean de Calais’s escape (Boissy d’Anglas 1822, 605).

Nogaret’s intercession in the Guichard case in 1307 is rather palpable, if for no other reason than because of the fact that a draft of the charges against the bishop of Troyes, created by Noffo Dei, were addressed to him, and although he may not have had much involvement with this draft, the second version of the accusation was undoubtedly done by his hand (Rigault 1896, 95–99; Strayer 1980, 307; Provost 2016, 122). The typical part of the charges is the one suggesting that Guichard was not only a traitor but a heretic as well, since he had only pretended to receive communion (Rigault 1896, 100–101).

As in the case of the Templars and Boniface VIII, in the process of bishop of Troyes there is a system to the charges that is rational and consistent, thematically structured (Provost 2016, 122), with the process

of accumulation providing additional effect (Provost 2003, 6), which thus organized and conceptualized served to support the construction of a traitor. The new charges that were subsequently added, concerning Guichard's general diabolic nature and his tyrannical conduct during his time as abbot, seem not to originate in Nogaret (Rigault 1896, 110–115; Strayer 1980 307). As in the cases of the Templars and of Boniface VIII, the royal officials took the charge of heresy as an addition that would have safeguarded the charge of treason – it served as an auxiliary charge, yet not less dangerous.

In the case of Pope Boniface VIII, the legal processes were conducted first against him during his life, and then posthumously against his memory over the course of eight years (1303–1311). Similarly, the charges against Boniface VIII were initially formulated only to be supplemented with additional claims, altering the focus of the accusations. Whilst the proceedings commenced with the main charge being Boniface VIII's lack of right to the papal seat, it became the charge of heresy. In the course of the proceedings some specific charges against him were made (heresy, simony, vengefulness), only to be supplemented with charges indicating heresy (denial of the immortality of the soul, transubstantiation, the existence of an afterlife and the efficacy of penance), as well as those serving defamation (fornication, sodomy, homicide, demonolatry and black magic), and those that could be taken as the crime against the state (bringing about the death of the pope Celestine V, intending the obliteration of the French king and the French people, the accountability for the loss of the Holy Land, in which the French Kings were heavily politically invested). Nonetheless, heresy, as the main charge in the case of Boniface VIII, needs to be viewed in both the legal and the political context, since the very attack meant an attack on the existing royal authority and its relation towards the papal authority. (Denton 2018, 119) The process against the memory of Boniface VIII ceased in a similar way as Guichard's: it was discarded after a political bargain was reached.

The system of adding charges to the accusation is also visible in the case of the Templars, when in 1307 the main charges during their arrest were "the denial and the spitting, obscene kissing and homosexuality, and idol worship" (Barber 2006, 202), and after the reopening of the case in 1308 the more organized catalog of 127 accusations was drawn up, falling into seven groups: denial of Christ, idolatry, refusal of sacraments, which together with hearing of confession and absolving of sins by the Grand Master and their lay leaders, was a similarity taken from the Cathar teachings. Furthermore, the accusation can be placed under homosexuality, undeserved material gain and obscure meetings. This method of dealing with enemies, which involved a combination of coercion, pressure, and outright brutality in questioning the accused or witnesses, together with

spreading of disinformation and defamation, and public hearings, has been understood as the trademark *modus operandi* of Nogaret and his ministers (Barber 2006, 202–203).

Furthermore, it is probable that Nogaret instituted a public meeting at the Île de la Cité, where the masses had the chance to hear Guichard's wrongdoings, as Nogaret used this method in the cases of the trials of Boniface VIII and Templars (Rigault 1896, 65; Strayer 1980, 308).

The attitude of the bishop of Troyes at the accusations was comparable to that of the Templars: while he was allowed to discuss the process step by step and to see, but not to touch the written evidence (which turned out to be forged), according to the canonical rules, he was forbidden to communicate with witnesses (Langlois 2012, 212–217). Similarly, the members of the Order of the Temple were prevented from defending themselves by the King and his ministers, regardless of irregularity or viciousness of the means by which this was achieved (Théry 2013, 127).

The temporal convergence of these three trials also suggests Nogaret's influence, as the divergence in temporal plane in which the process of the bishop of Troyes and that of the members of the Order of the Temple, in particular, were taking place, was more than a coincidence. The investigation against the bishop of Troyes commenced on 9 August 1308, while the Templars were arrested in 1307, Guichard de Troyes was moved to Diakovar in 1314, after he stayed with placed with Pope Clement V in 1313, while Jacques de Molay was executed in 1314 (Provost 2003, 3). As to the chronological parallelism with the posthumous process against Pope Boniface VIII, there is a more than unusual temporal overlap: both trials were announced at the Assembly of the Estates in Tours and the confrontation between the pope and the king, i.e. the king's men, occurred in Poitiers shortly after (Provost 2016, 125). Of the three cases, the case of the bishop of Troyes seems the least serious, almost auxiliary to those of the Templars and Boniface VIII, and was seemingly a supplementary factor of strain placed on Clement V by the royal prerogative (Provost 2016, 125).¹⁴

Despite the amount of evidence suggesting Nogaret's involvement in and influence on the trial of bishop of Troyes, modern historiography warns of over-dramatization of it; namely, it warns us that the trail against Guichard was more complex than a simple plot of eliminating an important man. However, Nogaret, who several years earlier had been administrating the province of Champagne, was certainly aware of Guichard and his actions (Provost 2007, 93–95).

¹⁴ As early as the beginning of the nineteenth century, Boissy d'Anglas concluded the lack of usefulness of the Guichard's trial to King Philip IV the Fair after he got rid of the Templars.

These considerations of the chronological convergence of the three processes can tell of the construction of a traitor in the early fourteenth-century France. The common feature to all three was the charge of treason that was brought up among other accusations. Royal authority, this time in the person of Guillaume de Nogaret, was interested in exerting influence on the processes. Thus, the royal authority attempted to control development of the processes in time, either by bringing one to the end or by dismissing it, as it was deemed appropriate for widening of the royal prerogative. Therefore, traitor was a construct of the royal authority in a bid for power with the ecclesiastical authority at the time of the beginning of the formation of the national state and tentative attempts of centralization.

The process led against the bishop of Troyes was one in a series of trials in the early fourteenth-century France under King Philip the Fair, whose common feature is the convergence of politics and religion, with the most famous being the trials to the memory of Pope Boniface VIII and the Templars, with some cases against ecclesiastical dignitaries. Even if the details of the circumstance were different, they resemble each other very much in the procedural elements and the type of charges that were brought (Provost 2003, 3).

6. CONCLUSIVE REMARKS

Guichard, the nominal bishop of Bosnia with the seat in Diakovar (present-day Djakovo, Croatia), has remained known through history as the bishop of Troyes in the province of Champagne, France. The reason for it can be found in the likelihood that he never took the seat, but rather remained in France in his former diocese of Troyes, where he died on 22 January 1317 (Rigault 1896, 225 n. 4).¹⁵ The transfer of Guichard to the Episcopal See of Bosnia, with the seat in Diakovar, was the outcome of a trial against him, which resulted in a sort of a compromise on the part of Pope Clement V.

The peculiarity of Guichard's case and its surprisingly positive conclusion has been established by comparison to similar contemporary cases. It took place at a time when the relations between the royal and papal authority were in its most serious crisis. The series of cases that started with Bernard Saisset's trial and ended with the trial of the Templars had the aim to establish King Philip the Fair as the ultimate guarantor of the Catholicism. The construction of the charges against the Templars,

¹⁵ Guichard had previously resigned from the seat of Bishop of Bosnia, which can be deduced from the document which states that on the 3 July 1317, Peter was nominated the Bishop of Bosnia by Pope John XXII.

which was the most serious case, understood as constituting “heresy of the state”, serving to subsequently construct a supreme royal authority, in contrast to the ultimate papal authority, is explained by Julien Théry (2013, 137).

All of the cases contained the same sequence of steps, which started with *infamia* and was followed by listing of atrocious crimes, whose nature required the prompt intervention of the royal authority, infringing on the process in the papal sphere of influence (Théry 2013, 129). It is noticeable that out of four cases around the years 1301–1314, which interrelatedness has been noted, only the trial of the Templars had fatal consequences, whilst Bishop Bernard Saisset of Pamiers was pardoned by King Philip the Fair and returned to his seat, the trial to the memory of the pope Boniface VIII was cancelled, and Guichard de Troyes became nominal bishop of a faraway see.

Although charge of the heresy was cited in all the cases, and in some it was more focal than in the others, in Guichard’s trial this claim had the least central place, since the focus of the accusation was on his magical murder of two queens. Similarly, all the cases involved either the accusation of the improbable murders or plans for the King’s annihilation. Guichard de Troyes was the least important participant of all the individuals or groups that stood trial and as such needed the least of the constructed charge of “heresy of the state” to be employed in his accusations, which, granted, were no less outlandish. Guichard’s case, thus, can be viewed as the most apparent political of the trials with which it converged on the mentioned variety of planes, where focus on the heretical aspects was the least necessary for the construction of the traitor.

Construction of traitor in the early fourteenth-century French trials was facilitated by the change in jurisprudence that allowed for a wider concept of treason, which provided a theoretical foundation for the encroachment of the royal prerogative on clerical rights. This circumstance is particularly visible in Guichard’s persecution as well as in those of other clerics, living or dead. The double trial, conducted both by secular and ecclesiastical authorities, which is a trait of ambiguous practice at times of change within the state and its institutions, provided features of a political trial. In other words, a treason trial in the case of clerics or members of religious orders was a process where the royal prerogative could assert its authority, through encroachment into ecclesiastical jurisdiction. Very often parallel temporalities of cases served to produce fruition of political aims, and a variety of almost off-the-shelf charges had an auxiliary function in the trials in securing the priority of the accusations of high treason.

All this was the situation in the process of Guichard, Bishop of Troyes. It was not necessarily a courtly affair, strategically aimed at bringing down a powerful man, as much as a case of opportunism on

the side of the royal authority for the sake of increased gain. After all, Guichard, as many of his contemporaries, got caught up in the murky waters of transformation of the society as a whole, including the notion of the ideal image of a bishop.

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