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978-0-521-11053-2 - Documentary Culture and the Making of Medieval English Literature

Emily Steiner

Excerpt

[More information](#)

Introduction

In the lower left corner of the Hereford Mappamundi (ca. 1280) a scribe has drawn four figures: on the one side is a monarch or ecclesiastic enthroned, holding the edge of a typical thirteenth-century charter, and on the other side are three men in robes, presumably surveyors, one of whom gestures with his right hand to the charter and with his left hand to a protruding roundel labeled with a red S (Figure 1).¹ The charter, the seal of which indicates that it has been authorized by Augustus Caesar, orders the surveyors, “Go into the whole world and report each of its continents to the Senate, and I have affixed my seal to this document in confirmation thereof.”² This crowded little scene tells us much about the dynamics of medieval *translatio imperii* – Augustus’s papal tiara and the charter’s papal seal transform Roman imperialism into medieval Christian internationalism. This scene reveals something else, however, about “cognate forms of documentation.”³ More specifically, the surveyor’s emphatic gesture toward the two texts, the charter and the map, implies a reciprocal relation between validation and imitation, and between materiality and textual form. From one perspective, the gesture indicates that Augustus’s servants have fulfilled his royal decree: they have successfully issued a report on the continents of the world. They have, in effect, exchanged documents with the emperor, portraying their service

¹ The “S” doesn’t indicate a southern direction, but rather it is one of the four letters in “MORS” that surround the map.

² “Ite in orbem universum et de omni eius continencia referte ad senatum et ad istam confirmandam huic scripto sigillum meum apposui.” On the sources for this scene see Scott Westrem’s excellent book, *The Hereford Map*, 8.

³ Hiett’s term for this scene in “The Cartographic Imagination of Thomas Elmham,” 863. Hiett’s interest in this map has to do with the ways that both maps and charters make claims on territorial expansion and the ownership of land.

Introduction



Figure 1 Augustus Caesar and his surveyors. From the Hereford Mappaemundi, lower-left corner (c. 1280).

as a diplomatic or administrative event. From a different perspective, the gesture suggests that the emperor’s charter is not just an order but a safe-conduct. It is a document that permits surveyors or cartographers to skirt the dangerous territory located between trespass and hubris, and between a geographical and conceptual imagining of a world that takes Jerusalem as its center. Finally, the surveyor’s gesture argues for a physical likeness between the charter and the map. The Latin word *carta* would not be used to describe a map for at least two hundred years, yet clearly the scribe of the Hereford map hoped to identify the map with the charter by virtue of their shared material textuality. The surveyor, by pointing with one hand to the S roundel and with the other to the sealed charter (*sigillum*), reminds us that both texts corroborate form and function; it is their material grammar – the disposition of the words on the page, the pictorial devices – by which they claim to be universally applicable and irrefutably authoritative. It comes as no surprise, perhaps, that the map’s authorial signature appears at the very conjunction of charter and map. At the bottom of the scene, the Hereford scribe invokes romance and documentary conventions when he implores all

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Excerpt

[More information](#)*Introduction*

those who hear, read, or see this story (“estorie”) to pray to Jesus on behalf of Richard of Haldingham who made and measured it.

I propose that just as the charter defines the textuality of this particular map, its origin, appearance, production, and mode, so medieval English writers used legal documents to trace out the contours of their own writing, or an ideal writing, whether political satire or holy scripture. Indeed, the Hereford map might be taken as a starting point for a period in which authors used documents to describe the larger project of writing literature in later medieval England. From about 1350 to 1420, the period in which vernacular poetry re-emerged as a vital and creative force, insular writers were profoundly invested in the idea of a documentary culture, especially those writers committed to social vision or spiritual reform. The literature of this period, from counsel poems to Passion lyrics, from preaching handbooks to Lollard sermons, abounds in documentary terms and metaphors, tales of miraculous charters, and fictive (spurious or literary) pardons, manumissions, feoffments, patents, testaments, and safe-conducts.

The document figures so largely in medieval English literature because it was considered to be an eminently citable text. It was citable, not just because it was precious, authoritative, or true, but also because its *brevity*, by which I mean both its conciseness and portability, made it citable as a writing outside writing, a writing that acts precisely because it is a writing that ends. For one thing, like a social security card or driver’s license, the document’s brevity made it immediately recognizable to medieval audiences as the smallest unit of institutional writing, even if it turned out to be forged. Whether it was drawn up in a royal or ecclesiastical chancery or it was drawn up between individuals, it was recognizable as an official production because it was written according to certain protocols, and because its distinctive physical shape determined and substantiated its textual form. For another thing, the very quality that made the document citable – its brevity, its ability to be framed as text or within a text – is what made it *instrumental*, and for this reason it might serve as a model of literary practice, as well as a mode of literary reflection. Like a social security card or driver’s license, the document’s brevity gave it its practical efficacy, the agency to enact legislation, identify persons, grant land, or declare war. This relationship between brevity and instrumentality accounts for the difference between a charter and

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Excerpt

[More information](#)*Introduction*

a chronicle, but also, and more contentiously, between a papal indulgence and the Bible. It is also what crucially distinguishes documents in literature from ekphrasis or stained-glass windows. This is not to suggest that the document, by virtue of its textual agency, transcended or insisted upon the difference between the literary and the non-literary. Rather, as I argue in this book, the document, because it was citable as text, became a means of thinking through intergeneric problems about the status of textuality in late medieval England: how a text might be imagined to itself or classified for others, or how the community of a text might be defined and its effects qualified and measured. By document, then, I don't mean just any text that attests to a culture or a narrative, but rather to its narrowest possible definition: a material object, written on parchment, sealed with wax, carried in sleeves, displayed to witnesses, and stored in the chests, cupboards, and *vasa* that served as archives in medieval England.

The proliferation of documents in medieval English literature was accompanied by a surge in the production of official documents. By the mid-fourteenth century the legal document was clearly one of England's primary texts, and possibly the only written text available to every social stratum. The average layman may have seen liturgical books processed up the nave, glimpsed the tiny Books of Hours in the hands of merchants' wives, or heard sections of the gospel recited in private reading groups. Yet the texts that the majority of administrators, laborers, artisans, and their apprentices (not to mention the upper echelons of society) physically encountered were official documents: certificates of good conduct, land-grants, indentures, proclamations, and indulgences. Michael Clanchy has demonstrated that, by the end of the thirteenth century, members of every social stratum had first-hand experience with legal instruments – by the fourteenth century, even laborers and artisans owned seals – and had come to trust the written record as the primary instrument of proof in a legal transaction. By this period, the charter had replaced traditional symbolic objects such as ancient family knives, which had often accompanied a conveyance of goods or property. A charter might even be laid on an altar during a legal transaction, serving like the Bible or a relic as a guarantor of the transaction as well as its official

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Emily Steiner

Excerpt

[More information](#)*Introduction*

record.⁴ By the late thirteenth century, the jurist Henry de Bracton was complaining that the livery of seisin (the formal occupation of land), a critical step in the transfer of property, had become ancillary to written evidence.⁵ In short, the document had become not only important to legal action but the principal agent of that action as well. The production of legal documents increased in the fourteenth century as a corollary to the growth of towns and trade and to a burgeoning interest in efficient estate management.⁶ During that period, the royal administration also grew dramatically in size and complexity, and the number of clerks multiplied in the royal household, the court of Chancery, and the nascent Office of the Privy Seal.⁷

Modern scholars have generally supposed that the increasing prominence of the document in all sorts of contracts, in addition to its wider circulation in medieval English culture, compromised the integrity of the judicial system and the flexibility of social relations. They argue that the formalizing of legal rhetoric and the systematizing of legal texts were socially divisive, inequitable, and coercive practices. Thus, according to the legal historian Robert Palmer, the Black Death so frayed social relations that a more coercive form – the written contract – was invented to make people stick to their obligations. Before the Black Death, for example, the contract of debt depended upon a covenantal relationship in which both parties had to produce witnesses should the debt be contested. After this period, it was much more common to contract debt on obligation, based on a sealed bond rather than on witnesses, a practice that gave creditors a better chance of compensation but could often be inflexible and harsh. In order to escape the debt, the defendant had to produce a quittance or prove that the original deed was invalid.⁸ In a similar vein, the literary historian Richard

⁴ Clanchy, *From Memory to Written Record*, 49–52, 260. For more information on the cultural and technological transformations of documentary culture from the eleventh to thirteenth centuries, see Clanchy, “Archives and Memory in the Middle Ages,” and “Literacy, Law and the Power of the State.”

⁵ For a more detailed explanation of Bracton’s theories of documentary agency, see chapter 1.

⁶ Bennett, “Careerism in Late Medieval England,” 21.

⁷ Green, *Poets and Princepleasers: Literature and the English Court in the Late Middle Ages*, 15–16. For more information on diplomatics in medieval England, see chapter 2.

⁸ Palmer, *English Law in the Age of the Black Death, 1348–1381*, 62–72.

Cambridge University Press

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Emily Steiner

Excerpt

[More information](#)*Introduction*

Firth Green argues that documents precipitated a crisis of contractual faith or “trouthe”: by the mid-fourteenth century it had become difficult to “maintain an illusion of communal coherence founded on ethical truth in the face of the unwavering insistence of written evidence on a depersonalized intellectual truth.”⁹ Green offers the example of relations between lord and vassal, which were increasingly organized by indentures of service and maintenance rather than by the ancient trothplight that had confirmed traditional (hereditary) homage.¹⁰ The relationship that Green posits between contractual faith and legal documents is illustrated indirectly by some fourteenth-century reformists, who denounce the partiality and abuse of the law in terms of the law’s written culture. The author of *The Book of Vices and Virtues* (c. 1375), for example, berates the scribes, notaries, and lawyers who draw up self-interested (“fals”) documents (as opposed to the “true” documents that they ought to be producing): they “maken fals lettres and fals seales and makeþ fals dedes and charteres and many opere falsenesses.”¹¹ Likewise, in the view of the poet and social critic John Gower, the corruption perpetrated by royal and aristocratic affinities was facilitated by documentary culture. According to his *Cronica tripartita* (c. 1400), for example, Richard II proved his faithlessness by forcing his subjects to seal “blank checks” during the frantic last years of his reign: “Charters were written and read everywhere, and he ordered these to be stamped with seals and honored by all . . . City, farm, and manor affixed seals to the charters, so that all the poison was scattered to the fullest extent.” As Gower explains, these charters made all recipients irredeemably complicit in the king’s treason: “Everyone was reckoned as a traitor, for one’s established guilt might be made a matter of record by means of a seal.”¹²

⁹ Green, *A Crisis of Truth*, 38–9.

¹⁰ Green, *A Crisis of Truth*, 155–63. According to Green, this “mechanization” of contract debased homage, weakened ties of responsibility, and corrupted the judicial system by creating networks of self-interest. He proceeds to argue that if documents were often venerated in the late medieval period (and especially in literary texts), it was only because they retained some of the aura and symbolic power invested in old common law objects, such as swords or gospel books (264–82).

¹¹ *The Book of Vices and Virtues*, ed. Francis, 36, ll. 8–10.

¹² “Carte scribuntur et in omni parte leguntur/Hasque sigillari iubet omnibus et venerari . . . Vrbs, ager, et villa cartis posuere sigilla/Quo magnis ad plenum conspergitur omne

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Excerpt

[More information](#)*Introduction*

Green and Palmer, among others, have demonstrated the various ways in which documentary culture permeated the legal world of late medieval England, and especially the way it reconfigured relations among lawyers, magnates, merchants, and kings. By contrast, legal and literary historians of the 1381 Peasants' Revolt, such as Christopher Dyer, Rosamund Faith, and Steven Justice, have traced the expansion of legal documents among the illiterate and disenfranchised, demonstrating in the process how documentary culture could frequently be empowering and its uses unpredictable and complex. From the beginning of the fourteenth century, for example, laborers and artisans began to use documentary culture for more sophisticated political agendas, such as proving their rights to free status and to the king's justice. They hoped that documents would help them avoid the arbitrary services and manorial courts of landowners, and as the relationship between lords and tenants grew more strained over the course of the century, the participation of laborers in documentary culture was increasingly disputed. The monastic chronicles of the 1381 revolt attempt to show, for example, that the rebels, in their headlong stampede towards London, destroyed old records out of ignorance of, or hostility towards, the written record.¹³ As the same accounts make clear, however, the insurgents were sufficiently well-versed in documents to discriminate between forms and invoke ancient records to support their claims.¹⁴ The king had first tried to appease the rebels with charters of general pardon, which they

venenum/Fallitur ex illo quisquis, cum firma sigillo/Culpa recordetur, qua proditor omnis habetur" (*Cronica tripartita*, III. 49–50, 55–8). The English translation is from *The Major Latin Works of John Gower*, trans. Stockton, 313. The Latin text is from John Gower, *Complete Works*, vol. 4, ed. Macaulay, 331.

¹³ See Knighton's description of these activities in *Knighton's Chronicle, 1337–1396*, ed. and trans. Martin, 207–31. The Anonimale chronicler confirms that when the rebels attacked the Archbishop's palace at Lambeth, they threw in the fire all the chancery documents that they could find: "toutz les livres des registers et rolles de remembraunce de la chauncellerie illeques trovez" (*The Anonimale Chronicle, 1333–1381*, ed. Galbraith, 140). Walsingham recounts the destruction of documents at St. Alban's in *Gesta abbatum monasterii Sancti Albani*, ed. Riley, 308. For theories of the rebels' anti-literacy see Susan Crane, "The Writing Lesson of 1381."

¹⁴ Dyer, "Social and Economic Background to the Rural Revolt of 1381"; Justice, *Writing and Rebellion: England in 1381*; 55–64. See also Paul Strohm's study of stigmatization and ventriloquism in the chronicles of 1381, "A Revelle!": Chronicle Evidence and the Rebel Voice," in *Hochon's Arrow: The Social Imagination of Fourteenth-Century Texts*, 33–56.

Cambridge University Press

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Emily Steiner

Excerpt

[More information](#)*Introduction*

dismissed as “troefles et mokerie,” but he was later forced to hand over charters of freedom (“chartres destre free de toutz maners de servage”) when the rebels reconvened at Mile End.¹⁵ Later at Smithfield, rebel leaders attempted to obtain a charter of liberty that would better address the emancipation of serfs: “ut a rege emendaciorum optineret de libertate cartam; displicuerat enim eis carta per regem primitus concessa.”¹⁶ And when the king finally dispersed the rebel troops at Smithfield, the townsmen of Somerset had the foresight to send the king a draft of pardon so as to avoid future retribution.¹⁷ Similarly, Thomas Walsingham reports that the townspeople of St. Alban’s would not be satisfied until their abbot handed over a spurious charter of King Offa, which they remembered to be decorated with gold and lapis lazuli. Indeed, this absent charter became a major negotiating point for the rebels: when the abbot claimed ignorance, they forced him to write out a new charter that confirmed their free status.¹⁸ Nor was their vigilance without precedent. A few years before the revolt, the tenants of Saint Mary Ottery, Devon, organized a strike based on an exemplification (an official copy) from the Domesday Book, which confirmed the free status of the town.¹⁹

In each of these examples, the written record played a crucial role in the insurgents’ larger political agenda. They assumed that their personal

¹⁵ *The Anonimale Chronicle*, 143, 145–6.

¹⁶ *The Westminster Chronicle, 1381–1394*, ed. and trans. Hector and Harvey, 7, 11. See also the account of this charter in Martin, ed., *Knighton’s Chronicle*, 212–13: “Vnde rex pro bono pacis et temporis ingruencia ad petitionem eorum concessit eis cartam sub magno sigillo quod omnes homines in regno Anglie liberi essent et libere condicio- nis et ab omni iugo seruitutis et uillenagii exuti pro se et heredibus suis imperpetuum permanerent.”

¹⁷ Harvey, “Draft Letters Patent of Manumission and Pardon for the Men of Somerset in 1381,” 89–91.

¹⁸ *Gesta abbatum monasterii Sancti Albans*, 308, 317–22.

¹⁹ Faith, “The ‘Great Rumor’ of 1377 and Peasant Ideology.” Villeins began to use the Domesday Book as proof of ancient demesne as early as the last two decades of Henry III’s reign. The earliest case concerns a group of villeins from Yorkshire who were trying to establish that they were privileged tenants. Domesday was consulted and their villein tenure confirmed (Hallam, *Domesday Book Through Nine Centuries*, 52). In the fourteenth century, manorial tenants and townsmen increasingly purchased exemplifications from the Domesday Book in order to be excused from paying local taxes under special status upon ancient demesne. The 200-year-old Domesday Book could not answer many of the questions raised, yet it continued to be dutifully searched and extracted from (Galbraith, *Domesday Book: Its Place in Administrative History*, 112–22).

Cambridge University Press

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Emily Steiner

Excerpt

[More information](#)*Introduction*

rights were encased in legal documents and must be proven by specific forms. And if their appeals to the Domesday Book were fanciful or uninformed, as the chroniclers would suggest, they nevertheless chose ancient records of privilege over oral declarations or physical acts.²⁰ Green and Palmer suggest that fourteenth-century legal actors would be right to mourn a bygone world of oral *communitas*, yet those most underserved by the legal system longed for a liberating past of founding documents. In these chronicles, moreover, bureaucratic savvy is nearly indistinguishable from mythic, hagiographic, or even apocalyptic imaginings of the written record. Offa's charter becomes a founding relic glittering in the communal memory, and the Domesday Book, whose reputation was already inflated beyond all utility, becomes a myth of political origins.²¹

The two pictures of medieval documentary culture summarized above – documents derided as instruments of legal and moral corruption and documents employed as instruments of insurrection and repression – together illustrate the juridical and political climate of later medieval England, as well as the controversial role that documents played during that period. Neither, however, makes sense of legal documents as a literary practice, which, I argue in this book, is central to the formation of a documentary culture, as well as to the ways that medieval writers came to terms with the notion of an English literary tradition. This book takes as its premise the idea that a culture's understanding

²⁰ "By the thirteenth century onwards, many documents were given its name [Domesday] to endow them with special and binding importance. Among them were the Domesday rolls of Chester, used for recording charters . . . [and] the thirteenth-century Domesday survey of the lands of St. Paul's Cathedral . . . such wide use of the name to cover many different kinds of documents further enhanced the standing of the original Domesday Book, but also strengthened the common misapprehension that it contained a virtually inexhaustible and encyclopaedic store of useful evidence" (Hallam, *Domesday Book Through Nine Centuries*, 53–4).

²¹ Admittedly, the chroniclers were, with the benefit of hindsight, satirizing the rebel's naiveté: the king did end up revoking the charters of freedom (citing extortion), and King Offa's charter probably never existed, as Walsingham takes enormous pains to prove. But the chroniclers took the rebels' charters very seriously and were equally willing to attribute to documents an almost supernatural power and authority. (*Gesta abbatum monasterii Sancti Albani*, 365). Many of the chroniclers copied the rebels' charters of privilege and pardon and gave detailed descriptions of the reasons why these documents were declared legally invalid.

Cambridge University Press

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Emily Steiner

Excerpt

[More information](#)*Introduction*

of textuality is revealed both in its literature's reflexive moments, and in its material texts or ritual objects.²² And it asks, subsequently, not how legal documents undermined the traditional values of the aristocracy, or how they endorsed the goals of the peasantry, but rather how they informed the literary culture of fourteenth and fifteenth-century England by posing challenging questions about the making of texts. This book argues that documentary culture was shaped, in part, by the formal, ethical, spiritual, and political aspirations of late medieval English writers. Conversely, it argues that documentary culture helped shape an identity for English literature: the work it performs, the stories it tells, and the authority that it claims for itself.

Finally, I want to suggest that it is at the intersection between documentary culture and late medieval literature that we encounter distinctly medieval – and even, perhaps, distinctly English – relationships between the institutional and the expressive, the material and the textual, the literate and the literary, and Latin and the vernacular. I call this intersection a documentary poetics, a term that extends not only to poetic theory and composition but also to genre theory, historiography, public writing, textual authority, and vernacular piety. It is this documentary poetics that enabled late medieval English writers to come to terms with their own literary endeavors and to describe the conditions of their own literary moment. This book is divided into three parts. The first part, “Documentary poetics,” argues that the document's peculiar relation of textual form to material text made it a rich site of rhetorical and generic experimentation in fourteenth-century religious texts. In the first chapter, “Bracton, Deguileville, and the defense of allegory,” I argue that Guillaume de Deguileville, in his popular pilgrimage trilogy (French, 1330s–1350s, English, 1360s–1420s), used documentary writing to defend the spiritual efficacy of personification allegory. In doing so, he was exploring theories of legal person and documentary will developed a century earlier in Henry de Bracton's influential legal treatise, *De legibus et consuetudinibus Angliae* (*On the Laws and Customs of England*) (c. 1230–50). In chapter 2, “Lyric, genre, and the material text,” I turn to a uniquely English tradition, the Middle English *Charters of Christ*

²² On this idea, see Derrida, “Of Grammatology as a Positive Science,” in *Of Grammatology*, trans. Spivak, 87–8; Goldberg, *Writing Matter: From the Hands of the English Renaissance*; and Lerer, *Literacy and Power*, 27, 158–94.