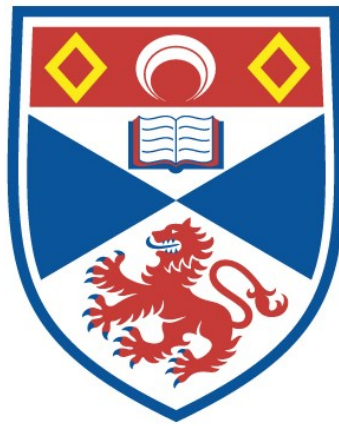


“ESTABLISHING JUSTICE AND TELLING STORIES”:
PARADIGMS OF NORM TRANSMISSION IN
TWELFTH- AND THIRTEENTH-CENTURY
ANGLO-NORMAN AND OLD FRENCH
LITERARY AND LEGAL TEXTS

Cory Hitt

A Thesis Submitted for the Degree of PhD
at the
University of St Andrews



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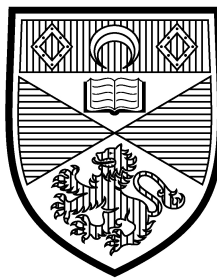
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“Establishing justice and telling stories”
Paradigms of Norm Transmission in Twelfth- and Thirteenth-
Century Anglo-Norman and Old French Literary and Legal Texts

Cory Hitt



University of
St Andrews

This thesis is submitted in partial fulfilment for the degree of PhD
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4 September 2017

ABSTRACT

The texts that comprise the corpus of Old French and Anglo-Norman literature of the twelfth and thirteenth centuries feature numerous portrayals of courtly life. The rules of that life, as they are presented in the literature, are contradictory, fluid, and open to interpretation. The tangle of courtly etiquette in Old French and Anglo-Norman literature, however, possesses certain recognizable recurring elements. These elements form something approaching a corpus of normative behaviours, expectations, and roles. We might even say, as Gadi Algazi and Stephen D. White have suggested, that medieval literature contains templates of various social and legal strategies of which the reader could have availed himself. This thesis seeks to study these norms and templates and how they are communicated. A detailed study of the ways they are transmitted within each text, coupled with an examination of their content, reveals much about authorial voice and stylistic technique. This dual study of form and content also illuminates the author's understanding of honour, gender, the law, and justice.

The literature also offers a glimpse into the psychology and strategy of the medieval legal process. This thesis seeks to build on this thematic connection between legal and literary texts. I therefore compare paradigms of norm transmission not only between individual literary texts, but also with paradigms in law books; specifically, the twelfth- and thirteenth-century *coutumiers* of Northern France, *Glanvill*, and Bracton's *De Legibus*. The law books are analysed from a stylistic, literary angle, and the ideals of the "law book author" are proposed. Broadly, this thesis considers the process of storytelling, seeking to explain how legal texts tell the story of the law alongside contemporary literary *conteurs*.

DECLARATION FORM

For Amy and Greg Hitt

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Abbreviations

- Aliscans*, ed. Régnier
- Amis and Amiloun*, ed. Kölbing
- AND*
- Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst
- Bérout, *Tristan*, ed. Muret
Bérout, *Tristan*, trans. Fedrick
- Bracton Online*
- Brennu-Njáls Saga*, ed. Sveinsson
- Chrétien, *Arthurian Romances*, trans. Kibler
Chrétien, *Le Chevalier au Lion*, ed. Roques
- Chrétien, *Le Chevalier de la Charrette*, ed. and trans. Croizy-Naquet
Cligés, ed. Foerster
- Coutumes de Clermont en Beauvaisis*, ed. Salmon
- De legibus*, trans. Thorne
- Der Welsche Gast*, trans. Gibbs and McConnell
- Egil's Saga*, trans. Jones
- Egils saga Skalla-Grimssonar*, ed. Nordal
- Érec et Énide*, ed. Roques
- Établissements de Saint Louis*, ed. Viollet
Etablissements de Saint Louis, trans. Akehurst
- Ferrante, *Four Twelfth-Century Epics*
- Glanvill*
- Aliscans*, ed. by Claude Régnier, 2 vols (Paris, 1990)
- Amis and Amiloun*, ed. by Eugen Kölbing (Heilbronn, 1884)
- Anglo-Norman Dictionary Online* (Aberystwyth, Swansea) <<http://www.anglo-norman.net>>
- Philippe de Beaumanoir, *The Coutumes de Beauvaisis*, ed. and trans. by F. R. P. Akehurst (Philadelphia, 1992)
- Bérout, *Tristan*, ed. by Ernest Muret (Paris, 1922)
- Bérout, *The Romance of Tristan*, trans. by Alan S. Fedrick (London, 1978)
- Harvard Law School Library, *Bracton Online*, <<http://bracton.law.harvard.edu>>
- Brennu-Njáls Saga*, ed. by Einar Ól. Sveinsson (Reykjavík, 1954)
- Chrétien de Troyes, *Arthurian Romances*, trans. by W. W. Kibler (London, 1991)
- Chrétien de Troyes, *Le Chevalier au Lion (Yvain)*, ed. by Mario Roques (Paris, 1999)
- Chrétien de Troyes, *Le Chevalier de la Charrette*, ed. and trans. by Catherine Croizy-Naquet (Paris, 2006)
- Chrétien de Troyes, *Cligés*, ed. by Wendelin Foerster (Halle, 1921)
- Coutumes de Clermont en Beauvaisis*, Philippe de Beaumanoir, ed. By Am. Salmon (Paris, 1900)
- De legibus et consuetudinibus Angliae: Henricus de Bracton*, 4 vols, ed. by George E. Woodbine, trans. by S. E. Thorne (Cambridge, 1968-1977)
- Thomasin von Zirclaria: *Der Welsche Gast*, trans. by Marion Gibbs and Winder McConnell (Kalamazoo, 2009)
- Egil's Saga: Translated from the Old Icelandic*, trans. by Gwyn Jones (Syracuse, N.Y., 1960)
- Egils saga Skalla-Grimssonar*, ed. by Siguður Nordal (Reykjavík, 1933)
- Chrétien de Troyes, *Érec et Énide*, ed. by Mario Roques (Paris: 2009)
- Les Établissements de Saint Louis*, ed. by Paul Viollet, 4 vols (Paris, 1881-1886)
- The Etablissements de Saint Louis*, Thirteenth-Century Law Texts from Tours, Orléans, and Paris, Trans. and with an Introduction by F. R. P. Akehurst (Philadelphia, 1996)
- Guillaume d'Orange: Four Twelfth-Century Epics*, trans. by Joan M. Ferrante (New York, 1974)
- The Treatise on the Laws and Customs of the Realm of England Commonly Called Glanvill*, Edited with Introduction,

- Godefroy
 Godefroy, Frédéric (1880-1895), *Dictionnaire de l'ancienne langue française et de tous ses dialectes du IX^e au XV^e siècle* (Paris, 1880-1895)
 Notes, and Translation by G.D.G. Hall
- Grágás
 Grágás, ed. by Vilhjálmur Finsen (Copenhagen, 1852)
- Gregory, *History of William Marshal*
History of William Marshal, ed. by A. J. Holden, trans. by S. Gregory, 3 vols, (London, 2002-2006)
- Guingamor, ed. Lommatzsch and Leopold
Le Lai de Guingamor, ed. by Erhard Lommatzsch and Max Leopold Wagner (Berlin, 1922)
- Guingamor, trans. Weston
Guingamor, in *Guingamor, Lanval, Tyolet, le Bisclaveret*, trans. by Jess L. Weston (London, 1900), pp. XXX-XXX
- Knight of the Two Swords*, Arthur and Corbett
The Knight of the Two Swords, ed. and trans. by Ross G. Arthur and Noel L. Corbett (Gainesville, 1996)
- Laws of early Iceland*, trans. Dennis, Foote, and Perkins
Laws of early Iceland : Grágás, the Codex Regius of Grágás, 2 vols, ed. and trans. by Andrew Dennis, Peter Foote, and Richard Perkins (Winnipeg, 1980-2000)
- Le Lai d'Haveloc*, ed. Bell
Le Lai d'Haveloc, ed. by Alexander Bell (Manchester: 1925)
- Li Chevalier as Deus Espees*, ed. Foerster
Li Chevalier as Deus Espees, ed. by Wendelin Foerster (Amsterdam, 1966)
- Marie de France, *Lais*
 Marie de France, *The Lais of Marie de France*, ed. and trans. by Glyn S. Burgess and Keith Busby (London, 2003)
- Marie de France, *Poésies*
 Marie de France, *Poésies: poète Anglo-Normand du xiii^e siècle*, ed. and trans. by B. de Roquefort, 2 vols (Paris: 1820-32), i: *Lais* (1832)
- Meyer, *L'Histoire*
L'Histoire de Guillaume le Maréchal, ed. by Paul Meyer, 3 vols (Paris: 1841)
- Njal's Saga*, trans. Cook
Njal's Saga, trans. by Robert Cook (London: 2001)
- Nouveau Coutumier General*, ed. Bourdot
Nouveau Coutumier General, ou, Corps des Coutumiers Generales et Particulieres de France et des Provinces, ed. by M. Charles A. Bourdot de Richebourg (Paris: 1700)
- Oxford DNB*
Oxford Dictionary of National Biography <<http://www.oxforddnb.com>>
- Perceval*, ed. Roach
 Chrétien de Troyes, *Le Roman de Perceval ou Le Conte du Graal*, ed. by William Roach, 2nd edn (Geneva, 1959)
- Raoul de Cambrai*, Kay
Raoul de Cambrai, ed. and trans. by Sarah Kay (Oxford, 1992)
- Romance of Horn*, ed. Pope
The Romance of Horn, ed. by Mildred K. Pope (Oxford, 1955)
- Song of Roland*
The Song of Roland, ed. and trans. by Gerald J. Brault (University Park, 1978, 1981)
- The Birth of Romance*, trans. Weiss
The Birth of Romance, trans. by Judith Weiss (London, 1992)
- The King's Mirror*, trans. Lawson
The King's Mirror, trans. by Laurence Marcellus Lawson (New York, 1917)
- The Saga of King Heidrek*, trans. Tolkien
The Saga of King Heidrek the Wise, trans. by Christopher Tolkien (London, 1960)

INTRODUCTION

Introducing Literature and Law as Sources for Norms

General Introduction

“Sir Kay is still alive”, declares Thomasîn von Zerclaere, author of *Der Welsche Gast*. Nestled in the folios of the early thirteenth-century Middle High German didactic poem is an exhortation to young men and women to seek out certain works of literature for their education. Medieval literature is a rich source of social and legal norms. Contemporaneous didactic poetry, such as that of Thomasîn, suggests that literature may have been a source on which medieval people could model their behaviour and from which they could learn how to function within the complex interplay of social and legal norms. Beyond scholarly conjecture, this is the first explicit, contemporary evidence that medieval literature may have been used in this way.

Thomasîn advises that women read about “Andromache, from whom they can take their examples and good instruction. They will derive both virtue and honour from that. They should hear about Enite and readily follow in her footsteps, and emulate the lady Penelope and Oenone, Galiena and Blanscheflur.”¹ He continues to advise “what children should hear and read and what can be of use to them”, encouraging young gentlemen to “hear about Gawein, Cligès, Erec, and Iwein”, and “lead their own young lives according to the pure virtue of Gawein. Follow the noble

¹ *Der Welsche Gast*, trans. Gibbs and McConnell, p. 68.

The original Middle High German is as follows:

“Ich hân gefeit daz bæfiu mære
diu fuln kinden wefen fwære,
und hân gefeit welch diu fint.
nu wil ich fagen waz diu kint
fuln vernemen unde lefen
und waz in mac nütze wefen.

...

Juncherren fuln von Gâwein
hœren, Clîes, Êrec, Îwein,
und fuln rihten sîn jugent
gar nâch Gâweins reiner tugent.
volgt Artûs dem kûnege hêr,
der treit iu vor vil guote lêr”;

taken from: Thomasin von Zirclaria, *Der Wälsche Gast*, ed. by Heinrich Rückert (Quedlinburg: 1852), p. 30. I am grateful to Claudia Wittig for this reference.

King Arthur, who sets a very good example before you.”² Thomasîn reminds his reader that the emperor Charlemagne is worth remembering as well. One’s youth should not be squandered, he continues, but well used in the likes of yet more literary heroes: “think of the virtue of Alexander and copy Tristan, Segramors, and Kalogreant in behaving correctly. Look! Look! How they pushed forward, those knights of the Round Table, each one ahead of the other in bravery!”³ Thomasîn even provides counter-examples of how *not* to behave, citing Arthur’s infamous steward, Sir Kay:

Children, do not sit back idly, but follow the instructions of brave people, and this will bring you great honor. You should not copy Sir Kay, whose disgraceful behavior causes me much dishonor: he causes me to despair greatly. To be sure, Sir Kay is still alive and in any case he has lots of offspring, so that I don’t know which way to turn. His children have the same name as he does: once upon a time there was one Kay, now there are more of them. It seems that Parzival is not alive at all: only Sir Kay is striving for honor with lies and inconstancy, with mockery and mischief. You should believe me when I tell you that if I were Parzival I would deal a certain Kay a blow and break one of his ribs. Alas, where are you, Parzival? for if there was a Grail somewhere and if it could be procured for the surety of just a penny, Kay’s hand would not redeem it.⁴

Thomasîn also directs students who do not have the benefit of a tutor or an otherwise formal education toward “adventure stories”. He writes: “Adventure stories are good, because they broaden a child’s mind. Also, *anyone incapable of learning in a better way* should derive his examples from them” (emphasis added).⁵ Thomasîn stresses that “âventiure” are not the best sources for the advanced student; instead, “when his understanding increases, then he ought not to waste his time on adventure stories. He should follow teaching about good behaviour and good sense and truth.”⁶ Thomasîn then considers the relationship between literature and reality, noting that adventure stories “are often clothed in...fabrications” and that “the message of adventures leads us to distort the truth”. He elaborates in a passage that nods to the act of

² *Der Welsche Gast*, trans. Gibbs and McConnell, p. 68.

³ *Der Welsche Gast*, trans. Gibbs and McConnell, p. 68.

⁴ *Der Welsche Gast*, trans. Gibbs and McConnell, pp. 68-9.

⁵ *Der Welsche Gast*, trans. Gibbs and McConnell, p. 69; it is unclear what exactly Thomasîn means by “adventure stories”. Thomasîn’s distinction between “âventiure” and other types of stories perhaps reflects a genre differentiation that does not exist in modern scholarly discourse. At first blush, it seems that “âventiure” could refer to epics or *chansons de geste*. He advises, for example, the emulation of Charlemagne, around whom a tradition of epic poetry revolves.

⁶ *Der Welsche Gast*, trans. Gibbs and McConnell, p. 69.

interpretation, which is a theme that becomes crucial to this thesis's analysis of literature and law:

A wooden image is not a man, but anyone who is capable of comprehending anything understands well enough that it is supposed to represent a man. Even if the stories are not [strictly] true, they can nevertheless indicate what a man should do if he wishes to lead a good and virtuous life...A good story enhances good behavior.⁷

There is also evidence of a strong tradition of Anglo-Norman didactic poetry in this period, and the German and Anglo-Norman sources seem to be aware of one another and of the general literary milieu. (Robert de Blois's didactic *Beaudous*, for example, is quite clearly based on Chrétien de Troyes's *Perceval*.)⁸ The Anglo-Norman poem *Urbain le courtois*, like *Der Welsche Gast*, seeks to educate. The poem's intended audience in this case seems to be the young nobleman. Among various chastisements on table manners and politeness, there is a strong instructional thread concerning the cultivation of honour. In this vein, the poet, much like Thomasîn, recommends several literary characters from which the student can learn:

Cil est orgoillous,
Il quide tantost crestre tous,
Qui unkes certes Rolland
Ne valut de la meité taund
Cum il fait, a soun quider,
E si ne vault mie Oliver,
E plus quide estre curteis
Ke Wawain, li niez li reis,
Ke unke ne fist vilainie,
Certes, ceo dit, en sa vie.
E plus quide estre beaus
Qe ne fust Horn le juvenceaux,
Ou Ypomedes esteit,
Ke tute beauté aveit.⁹

⁷ *Der Welsche Gast*, trans. Gibbs and McConnell, p. 69.

⁸ Roberta L. Krueger, "Teach your children well: Medieval conduct guides for youths", in *Medieval Conduct Literature : An Anthology of Vernacular Guides to Behaviour for Youths, with English Translations* (Toronto, 2009), pp. ix-xxxiii (x).

⁹ Published in H. Rosamond Parsons, "Anglo-Norman books of courtesy and nurture", *PMLA*, 44 (1929), 383-455, ll. 67-80; my translation is as follows: 'He is proud who thinks himself better than all, who believes a certain Roland didn't value half as much as he did, and he wasn't worth a morsel of Oliver, and he thought himself to be more courtly than Gawain, the nephew of the King, who indeed

Much like Thomasîn, the poet of *Urbain* presents himself as an intermediary between the student and the literary works, providing the discernment necessary to identify which characters to emulate. By steering their students away from certain stories and characters, both poets reinforce the student's need for guidance. These passages in *Der Welsche Gast* and *Urbain le courtois* are the most helpful sources we have when considering how the medieval audience might have approached and engaged with literature. They could indicate that literature was not, at least not always, merely a source of entertainment. For the reader quickly discovers that not even the heroes of romance and epic have an entirely clean conscience, nor a perfect record of appropriate conduct. The collection of norms contained in literary works is not orderly, homogenous, predictable, or even logical. Laurence Mitchell elucidates this complexity: "norms are...strands of an intricate fabric of interrelated and often conflicting ideas and values – and not the simple maximization of self-interest."¹⁰ This brings us to the main concern of this thesis: the relationship between a norm's content and the way it is expressed, and how that connection elucidates ideals of instruction and expertise.

The texts that comprise the corpus of Old French and Anglo-Norman literature of the twelfth and thirteenth centuries feature numerous portrayals of courtly life. The rules of that life, as they are presented in the literature, are contradictory, fluid, and open to interpretation. The tangle of courtly etiquette in Old French and Anglo-Norman literature, however, possesses certain recognizable recurring elements. These elements form something approaching a corpus of normative behaviours, expectations, and roles. We might even say, as Gadi Algazi and Stephen D. White have suggested, that medieval literature contains templates of various social and legal strategies of which the reader could have availed himself. This thesis seeks to study these norms and templates and how they are communicated. A detailed study of the ways they are transmitted within each text, coupled with an examination of their content, reveals much about authorial voice and stylistic technique. This dual study of form and content also illuminates the author's understanding of honour, gender, the law, and justice. Furthermore, this study fills two gaps in the existing secondary literature: firstly, by expanding our consideration of norms outside of medieval

never committed any villainy [uncourtly deeds?], so it is said, in his whole life. And he [also] thought himself more handsome than young Horn or Ipomedes who was everything that is beautiful.'

¹⁰ Laurence E. Mitchell, "Understanding Norms", *The University of Toronto Law Journal*, 49 (1999), 177-248 (203).

literary trial scenes, building on the work of Tony Hunt and others; and secondly, by analysing the form of norm transmission, as well as norm content.

This thesis carefully considers several texts in the attempt to identify the norms of courtly life with which this body of literature is most concerned. I suggest that these norms can be grouped as follows: the duties and obligations of lords and their men; honourable knightly behaviour; the role of women; and the legal expertise and social strategies needed to navigate the intersection of the king's anger and the court justice system. This thesis goes on to identify modes of norm transmission. Lastly, I then compare transmissive modes with norm content to develop paradigms of transmission in both literature and law books. The narratives, both legal and literary, that are considered call into question the nature of knighthood as an institution: that is, how knights are made and how they live, serve, and function in political, personal, and military contexts. In several instances, the texts appear to gesture toward a definition of chivalry, seemingly seeking to express what chivalry means in terms both practical and theoretical. There is an overarching interest in honour: both personal and professional, how it is gained and lost.

The literature also offers a glimpse into the psychology and strategy of the medieval legal process. This thesis seeks to build on this thematic connection between legal and literary texts. I therefore compare paradigms of norm transmission not only between individual literary texts, but also with paradigms in law books; specifically, the twelfth- and thirteenth-century *coutumiers* of Northern France, *Glanvill*, and Bracton's *De Legibus*. The law books are analysed from a stylistic, literary angle, and the ideals of the "law book author" are proposed. Broadly, this thesis considers the process of storytelling, seeking to explain how legal texts tell the story of the law alongside contemporary literary *conteurs*.

The texts that this thesis examines have been selected to try to reflect, as broadly as possible, the corpus of Anglo-Norman and Old French literature available in the twelfth and thirteenth centuries. Therefore, texts that repeat similar stories have been omitted (for example, this thesis only considers one iteration of the Tristan and Isolde tale). This process is obviously not perfect, and the study of this body of literature could easily occupy a lifetime. However, the selection has been made in such a way that it hopefully represents the broad scope of vernacular literature that was available in the regions and centuries with which this thesis is concerned. This thesis also seeks to encourage a reconsideration of genre boundaries, which is

conducted through a comparative analysis of paradigms of norm transmission between legal and literary texts.

Chapter Abstracts

Chapter 1, “The youth ‘qui petit fu senez’: Transmission, Interpretation, and Inquiry in *Le Roman de Perceval*”, consists of a close reading of the Anglo-Norman romance *Perceval* and a comparison with *Aliscans*. It considers how Chrétien de Troyes uses rhetorical technique to further his discussion of norm transmission. *Perceval* is a twelfth-century romance that follows a wild and untutored youth, who has been raised in complete isolation from society. The eponymous character has been shielded from knowledge of his true noble lineage and learns about chivalry and knighthood through a series of misadventures. Chrétien employs rhetorical devices to encode a few recurring words with layers of meaning that serve to complicate and enrich the imagery. In a key verse at the beginning of the poem, Chrétien establishes a relationship between the words in final line position using rhymes and homophonic repetition: *enseignier*, *on seignier*, *desdaigneraï*, and *m’en seigneraï*. Typically, Chrétien tends to structure his verse around rhyming couplets. This represents a noticeable divergence from his usual rhyming structure. In one deft poetic stroke, Chrétien speaks to the congruity of instruction and spiritual fortitude, suggests a relationship between education and violence, and wades into the discourse on modes of transmission and inquiry. This chapter will examine the narrative implications of the linking of these words through homophonic repetition. By examining learning processes in the context of chivalric education, this chapter also considers *Perceval*’s contribution to the discourse on interpretation and inquiry in the framework of the twelfth-century renaissance. The comparison with *Aliscans* situates the analysis of concept acquisition within the wider literary context and demonstrates how other writers explore the issue of chivalric education in similar ways. This chapter initiates the discourse on interpretation and educational paradigms that runs throughout the thesis.

Chapter 2, “Transmission of Legal, Behavioural, and Honour Norms in *L’Histoire de Guillaume le Maréchal*”, presents the results of a study of norms and modes of norm transmission within *L’Histoire*. This study entailed combing through the text to identify every moment of norm transmission and categorizing the types of

norms against the modes of norm transmission. I draw on this data to theorize about general paradigms of norm transmission and to discuss the sets of norms with which the writer is primarily concerned. I demonstrate that norms are transmitted via narratorial comment, example, and direct speech. The text shows a particular interest in norms of “lordly honour and behaviour”, “knightly honour and chivalric conduct”, and “military foresight and advice-giving”. Narratorial comment, manifested mostly as a combination of aphorisms and judgemental asides, is shown to transmit primarily legal norms and norms of “knightly honour and chivalric conduct”. Direct speech mainly transmits norms of “military foresight and advice-giving”, as well as norms of chivalric honour, and I demonstrate how the author uses transmission by example most often to demonstrate norms of lordly conduct. *L’Histoire* was chosen specifically because it straddles the boundary between the genres of literature and history, thereby preparing the paradigms for application to both literary and legal texts.

Chapter 3, “Norm Transmission and Norm Content in Several Anglo-Norman and Old French Romances and *Chansons de Geste* from the Twelfth and Thirteenth Centuries”, examines the viability of the paradigms based on *Perceval* and *L’Histoire* when applied to a wider body of about twenty texts, selected to represent a sample of twelfth- and thirteenth-century vernacular literature in England and northern France.¹¹ The works examined in this chapter both confirm and complicate these paradigms. The wider body of literature showed a greater interest in women’s honour and created space for female voices. This could certainly be attributable solely to the broader source material that this chapter considers, particularly from the romance genre. Nevertheless, the expanded female “air-time” yields evidence of norms of female behaviour in both romances and epics. Norms of knightly behaviour and vassal’s duties continue to be transmitted on a horizontal plane of exchange, that is, from vassal to vassal, rather than from superior to inferior. In the Anglo-Norman literary setting, where there is an emphasis on fosterage, father–son relationships are relatively rare. We see an interesting increase, however, in scenes of father-to-son transmission. In these instances, fathers educate their sons in the rules of proper knightly conduct. We also see an expansion of a phenomenon present in Chrétien’s

¹¹ Please see the appendix for a full list of the literary and legal texts this thesis considers, arranged by chapter, language, and approximate date of composition or manuscript.

Perceval: that of the mother acting as the transmitter of political strategy and honour norms.

Chapter 4, “The Law Book Author through the Lens of Norm Transmission”, is a study of the legal texts that survive from the same regions and time periods as the literature that this thesis has considered, specifically, the *Coutumiers de Normandie*, *L’Ancien Coutumier de Champagne*, *Glanvill*, Bracton’s *De Legibus*, the *Établissements de Saint-Louis*, and the *Coutumes de Beauvaisis* of Philippe de Beaumanoir. By explaining how law’s stories are told and how law books tell the story of norms, this chapter aims to shed light on the perceived role of the law-book author with respect to the transmission of legal knowledge. To that end, I conduct three case studies: status law/personal status; alienation and inheritance of family lands; and the conduct of judges and elites. These topics align closely with normative themes explored in previous chapters, particularly knighthood. They communicate norms about chivalric identity, regulations of elite conduct, and the economy of honour. These textual legal case studies will be bolstered by examples of literary norm transmission, demonstrating the common intellectual milieu and proposing tentative evidence of institutionalization of norms.

The conclusion draws further connections between the analysis in Chapter 4 and the literary texts considered in Chapters 1 to 3, as well as considering the role of norm transmission generally within institutional development. It also incorporates some comparative material from thirteenth-century Icelandic sagas and legal codes. The Icelandic source material generates a fruitful comparison because of the radically different institutional framework of medieval Iceland and the Anglo-Norman region. In spite, or, perhaps, because of its lack of a monarchy, Icelandic society produced a vast body of law and literature and a complex justice system.

Theoretical framework: the “Law and Literature Movement”

The scholarship of what is known as the “Law and Literature Movement” has heavily influenced my theoretical approach. Although the law and literature movement really took off in the latter half of the twentieth century, John H. Wigmore’s “A List of Legal Novels”, published in 1908, is arguably the first scholarly work to suggest that lawyers might benefit from reading literature about law. “A List of Legal Novels” was updated and republished in 1922 in the *Illinois Law Review* as “A List of 100

Legal Novels”. Michael Pantazakos, writing on the history of the law and literature movement, quotes Wigmore’s own description of what fiction has to offer to legal minds: “Wigmore believed that since ‘the lawyers must know human nature [and] must deal with its types, its motives...[f]or this learning, then, he must go to fiction which is the gallery of life’s portraits’.”¹² Wigmore’s belief in the benefits of literature, described by Weisberg as his “humane insistence on fiction as integral to the lawyer’s skill”,¹³ was reflected in Benjamin Cardozo’s 1925 essay, “Law and Literature”. Weisberg describes Cardozo’s and Wigmore’s complementary approaches to law and literature: “Like Wigmore’s [essay], it was ambitious...The essay focused on stylistics, however, more than on novels. If Wigmore wanted lawyers to read well, Cardozo wanted them to write clearly and forcefully. Both saw the ‘literary disciplines’ as the wellspring of professional mastery.”¹⁴

Little was said on the relationship between law and literature until the 1970s and 1980s, when scholars tackled the subject with renewed interest. James Boyd White’s *The Legal Imagination* is one of the movement’s seminal texts. Pantazakos describes its influence on other thinkers: “Most scholars seem to concur...that the formal beginnings of law and literature as a distinct jurisprudential discipline lay almost exclusively in the publication of one book in 1973, *The Legal Imagination* by James Boyd White.”¹⁵ Other major law and literature scholars include Robin West, Ian Ward, and Richard Weisberg.

The law and literature movement is a fractured one. Jane Baron, currently the I. Herman Stern Professor of Law at Temple University, explains that although scholars ask, “for what purpose should [lawyers, law students, and legal academics] read literature? What is it that literature can add?”,¹⁶ there is not a unified response. Pantazakos identifies only one theoretical standpoint that stretches across the body of scholarship:

[E]ven when considering the Gordian skein of theoretical stances woven by the variegated and often mutually contradictory subsegments within law and literature scholarship, I do yet perceive a common unifying thread, namely, that

¹² Michael Pantazakos, “*Ad Humanitatem Pertinent*: A Personal Reflection on the History and Purpose of the Law and Literature Movement”, *Cardozo Studies in Law and Literature*, 7 (1995), 31-71 (38).

¹³ Richard Weisberg, “Wigmore and the Law and Literature Movement”, *Law and Literature*, 21 (2009), 129-45 (130).

¹⁴ Weisberg, “Wigmore and Law and Literature”, p. 130.

¹⁵ Pantazakos, “*Ad Humanitatem Pertinent*”, p. 39.

¹⁶ Jane Baron, “Law, Literature, and the Problems of Interdisciplinarity”, *Yale Law Journal*, 108 (1999), 1059-85 (1063).

the confluence of law and letters is fundamentally necessary to “humanize” the legal system and its practitioners, something which may be achieved only by “going beyond” the constraints of normative legal thought into the unplumbed “repository of cultural values known as literature, or more broadly, the humanities.”¹⁷

The division that scholars most conventionally identify within the movement is a split between “law *in* literature” scholarship and “law *as* literature” scholarship. Thinkers who subscribe to the law *in* literature school tout the benefits of studying literature that is about law—i.e. novels in which trials or legal cases form a substantive part of the plot. Law *as* literature scholars believe that we should study legal texts as though they were literature; that is, we should apply literary theory to the law. This thesis uses both of these approaches by applying the same close-reading method of literary analysis to both medieval legal texts and literature about law.

Baron dubs the “law-as-literature” thinkers the “‘hermeneutic’ law-and-lits”.¹⁸ She describes their intent: “The latter group seeks to apply to law interpretive methodologies borrowed from literary studies...To the extent that law is embodied in texts—such as cases, statutes, contracts, orders—those texts must be read and interpreted.”¹⁹ Baron describes the “narrative law-and-lits” as scholars who are interested in the “stories told within law”.²⁰ Paul Gewirtz, in *Law’s Stories: Narrative and Rhetoric in the Law*, explains: “Storytelling in law is narrative within a culture of argument. Virtually everyone in the legal culture...is explicitly or implicitly making an argument and trying to persuade. Storytelling is, or is made to function as, argument.”²¹ This approach influences the fourth chapter of this thesis, which points to evidence that the law book author could be constructed as a storyteller.

White suggests (in this book and in later articles) that lawyers should read novels not just because literature will enrich them, but also because law and literature are united by a similarity of form: law and literature are both disciplines fundamentally rooted in the word, in narrative, and in rhetoric. White writes: “For me the law is an art, a way of making something new out of existing materials—an art of

¹⁷ Pantazakos, “*Ad Humanitatem Pertinent*”, p. 33.

¹⁸ Pantazakos, “*Ad Humanitatem Pertinent*”, p. 33.

¹⁹ Baron, “Law, Literature, and the Problems of Interdisciplinarity”, p. 1065.

²⁰ Baron, “Law, Literature, and the Problems of Interdisciplinarity”, p. 1066.

²¹ Peter Brooks, and Paul Gewirtz, eds., *Law’s Stories: Narrative and Rhetoric in the Law* (New Haven, 1996), p. 5.

speaking and writing.”²² In a later article, White expresses the ubiquity of language across all fields, saying: “For me, language is always present...providing a field within which we must perpetually act, material upon which we must act.”²³ This similarity in form, which draws connections between legal and literary texts as exercises of storytelling, justifies the importance of treating both genres together.

Also relevant to my research is White’s discussion of interpretation. He speculates on the way that a lawyer must act as interpreter and storyteller. In *The Legal Imagination*, he describes how a lawyer must be able to translate between the language of the law and the language of ordinary human experiences:

That he must master theoretical and analytic speech is plain enough, for this is the stuff of most legal reasoning and argument...This is the language in which rules are proposed, holdings defined, distinctions drawn. It should be equally evident that he must know how to tell a story, and how to listen to one.²⁴

The lawyer must be able to interpret his client’s story and mould that narrative into an effective and persuasive story in the law’s language: “The lawyer, one might say, begins with his client’s story and ends in the court of appeals, arguing a point of statutory interpretation or constitutional law.”²⁵ In doing so, the lawyer moves from interpreter (i.e. one who finds meaning in his client’s story) and becomes a storyteller:

The endless possibilities for narrative, the retellings of the story in ever more various terms, come to an end at last with a characterization of experience in the terms of the law, a claim of meaning for which the judge must take responsibility. Might it not be suggested that the central act of the legal mind, of judge and lawyer alike, is this conversion of the raw material of life...into a story that will claim to tell the truth in legal terms?²⁶

Richard Weisberg, another major figure in the law and literature movement, sets out to “involve [his] reader in the delightful task of associating two major human enterprises: establishing justice and telling stories.”²⁷ Weisberg believes, similarly to White, that lawyer and writer, as well as legal texts and literary fiction, are united by a

²² James Boyd White, *The Legal Imagination: Abridged Edition* (Chicago, 1985), p. xiv.

²³ James Boyd White, “‘Our Meanings Can Never Be the Same’: Reflections on Language and Law”, *Rhetoric Society Quarterly*, 21 (1991), 68-77 (73).

²⁴ White, *Legal Imagination*, p. 243.

²⁵ White, *Legal Imagination*, p. 243.

²⁶ White, *Legal Imagination*, p. 243.

²⁷ Richard Weisberg, *Poethics, and Other Strategies of Law and Literature* (New York, 1992), p. ix.

fundamental likeness of form. In *Poethics and Other Strategies of Law and Literature* (hereafter, *Poethics*), Weisberg writes:

Law's manner of recreating and discussing reality strikes the artist as close...to what storytellers themselves are in the business of doing. Lawyer and writer stand together, the former differing only in his coercive power, not in his technique or value system.²⁸

Weisberg posits that legal thinkers can gain valuable insights from fiction; in Ward's words, "[He] suggests that [literary] texts are justified in legal study simply for the situation which they seek to describe and for the social and political contexts which they imply."²⁹ Weisberg is also concerned with "fiction's attraction to law", which he attributes to both the naturally dramatic aspect of legal processes, such as criminal trials,³⁰ and to the "the artist's recognition of the common medium of lawyer and novelist: narrative and linguistic structure."³¹ Weisberg also examines the literary and stylistic construction of judicial opinions in light of this "common medium".

The explicating, translating, and transmitting of legal knowledge occurs in both medieval literary and legal texts. We will look in much more detail at the specific paradigms of its transmission and how it connects to the issue of interpretation. White's analysis of the lawyer as interpreter and storyteller influences my discussion of literary transmission of legal norms, the characterization of the law book author, and the process of concept acquisition.

The identification of the similarity in form between law and literature relates to White's dual exploration of law as a form of rhetoric and law as fundamentally culturally inflected. In his 1985 article "Law as Rhetoric, Rhetoric as Law: The Arts of Cultural and Communal Life", White argues that "law is most usefully seen not...as a system of rules, but as a branch of rhetoric"; he goes on to suggest that rhetoric is "the central art by which community and culture are established, maintained, and transformed. So regarded, rhetoric is continuous with law, and like it,

²⁸ Weisberg, *Poethics*, p. x.

²⁹ Ian Ward, *Law and Literature* (Cambridge, 1995), p. 8.

³⁰ Weisberg expands in *Poethics*: "And legal writing—legal communication generally—strikes some generations of storytellers as metaphorically useful for their own narrative pursuits. Through law, as through no other medium, the writer's own enterprise of public communication can be explored—self-consciously perhaps, but with an eye toward drawing the average reader into the sheer drama of legalistic conflict." (Weisberg, *Poethics*, p. xi)

³¹ Weisberg, *Poethics*, p. 16.

has justice as its ultimate subject.”³² This analysis is particularly useful to the study of medieval law books, the practical authority of which is often in doubt. If a law book cannot be trusted as a rigorously authentic record of rules, then it could perhaps be better understood, as White suggests, as a “culture-specific”³³ branch of rhetoric. White suggests that law:

can be seen...as a way of talking about real events and actual people in the world...[Law] is a way of telling a story about what has happened in the world and claiming a meaning for it by writing an ending to it...The process is at heart a narrative one because there cannot be a legal case without a real story about real people.³⁴

Robin West contributes to this strand of thought, arguing in *Narrative, Authority, and Law* that scholars must look to legal writing as a source for stories about the degree of institutional interference in the human experience: “the stories told within jurisprudential and legal argument can be read as literature...regarding the role of authority in our lives.”³⁵ This disruptive effect on traditional assumptions about the law marks an important step in the study of medieval texts. Every written source we have is fundamentally a constructed text, inextricably linked to and informed by the cultural context in which it was written. We must challenge ourselves to think of law not as exempt from the messy process of cultural inflection, but as a rich and varied source.

Terminology

For the purposes of this thesis, I adopt the Oxford English Dictionary’s definition of “norm” as a generally socially accepted standard or pattern of behaviour.³⁶ This definition benefits from the nuanced interpretation of the term suggested by Piotr Górecki. Górecki’s definition of norm is adapted from work by John Hudson, John L. Comaroff and Simon Roberts, and Stephen White. Górecki claims that a norm is a “declaratory proposition that concerns right and wrong, or that directs particular

³² James Boyd White, “Law as Rhetoric, Rhetoric as Law: The Arts of Cultural and Communal Life”, *The University of Chicago Law Review*, 52 (1985), 684-702 (684).

³³ White, “Law as Rhetoric, Rhetoric as Law”, p. 691.

³⁴ White, “Law as Rhetoric, Rhetoric as Law”, p. 691.

³⁵ Robin West, *Narrative, Authority, and Law* (Ann Arbor, 1993), p. 11.

³⁶ *Oxford English Dictionary Online*, (2017)

<<http://www.oed.com/view/Entry/128266?rskey=BoueED&result=1&isAdvanced=false#eid>>.

outcomes or courses of action under particular circumstances”.³⁷ Comaroff and Roberts’ definition of norm also draws out helpful nuances of the phrase: “we use ‘norm’ throughout to connote a statement of rule that is indigenously regarded as relevant to the regulation of social conduct.”³⁸ It should be noted that there are various levels of norms in the texts. Norms of greeting and gestures that express respect, for example, might be thought of as a “basic” norm; that is, they are part of the minutiae of social interaction. When these norms are broken, they speak volumes. Perceval’s nonconformity to conversational norms serves as a powerful emblem of his ignorance, as we will see in Chapter 1. Norms that deal with more abstract issues, such as honour and chivalry, might be thought of as existing on a more theoretical level. This thesis primarily deals with the more abstract norm. However, the breaking of a more basic norm often signals that the text will soon deal with an abstract normative issue.

In literature, norms are communicated by three modes of transmission, which I have identified by studying several texts from the period this thesis considers. These modes are transmission by narratorial comment, transmission by example, and transmission by direct speech. The term “transmission” is used in this thesis in two ways: that is, it is used, first, to denote when the text or narrator relates a norm to the audience or reader; it is also used, however, to describe moments when norms are expressed to characters within the text in the form of direct speech. Furthermore, norms are transmitted both directly and indirectly. Indirect norm transmission occurs when the writer does not explicitly enter into a discussion on normative behaviours, but the narrative intimates norms. Direct transmission occurs when the writer explicitly communicates a norm. There is an area of norm transmission that falls between direct and indirect; that is, when the writer constructs teaching moments that illustrate a paradigm of normative education. These moments of internal discourse on paradigms of transmission can shed light on the education of young knights.

As mentioned briefly above, a secondary aim of the comparison between legal and literary sources is to theorize on whether norms, as presented in literature, are institutionalized in medieval legal texts. When considering the legal sources, therefore, this thesis looks at the paradigms of transmission present in the legal

³⁷ Piotr Górecki, “A Historian as a Source for Law: Abbot Peter of Henryków and the Invocation of Norms in Medieval Poland, c. 1200-1270”, *Law and History Review* (2000), 479-524 (483).

³⁸ John L. Comaroff, and Simon Roberts, *Rules and processes: the cultural logic of dispute in an African context*. (Chicago, 1981), p. 28.

sources in order to examine if and how these norms are institutionalized. PIMIC (Power and Institutions in Medieval Islam and Christendom), the research group of which this thesis is a part, has developed a useful definition of “institution”:

This project conceives institutions as structures or processes performed by social regularities, which do not simply flow from an addition of individual behaviours, but rather as the outcome of power struggles among multiple actors who shape institutions as arenas of social conflict and dispute.³⁹

The OED offers a more restrained definition, describing an institution as “the giving of form or order to a thing...the established order by which anything is regulated.”⁴⁰ Gadi Al-Gazi speaks to the multifarious definitions available to the term in historical thought:

Institutions have no generally accepted definition across disciplines and theoretical orientations...the strict and technical definition of institutions as legal-political entities prevalent in legal history and the traditional history of institutions; a more recent, somewhat broader concept referring to social bodies functions according to rules and norms...and a truly wide definition which sees institutions wherever regular, recurring forms of conduct subject to norms and based on mutual expectations can be detected.⁴¹

PIMIC’s interpretation enhances the OED’s definition by acknowledging the active, social processes by which institutions are created and changed and recognizing the dialogue between the institution, those who created it, and those who interact with it.

I suggest that we could consider the law books to be part of the written record that both *describes* the framework of the institution and concomitantly acts as *part of* the framework of the institution. It follows that when a norm is included in a law book, that is, contained in the regulations that the text prescribes, it becomes institutionalized. In other words, the norm could be referred to as part of the processes of institutional redress. Institutionalization connotes regularity, authority, and self-perpetuation. That is, individual people temporarily interact with an institution, the framework of which is perpetual. It therefore transcends the individual; however, individual interaction with the institution allows for that perpetuation to occur. The law books this thesis considers allow and facilitate individual participation in

³⁹PIMIC. (2017). *What - PIMIC*. [online] Available at: <http://pimic.eu/what/>

⁴⁰*Oxford English Dictionary Online*, (2017)
<<http://www.oed.com/view/Entry/97110?redirectedFrom=institution#eid>>.

⁴¹John Hudson and Ana Rodríguez, eds., *Diverging paths? : The Shapes of Power and Institutions in Medieval Christendom and Islam* (Leiden: 2014), p. 5.

processes of institutional redress, which reinforces both the authority of the institution and the text and contributes to procedural regularity. The norms contained within the law books could therefore be thought of as institutionalized. Norms are part of the process of individual interaction with the institution and preserved in the written guides that seek to regularize individual interaction with institutions.

Existing historiography

R. Howard Bloch's *Medieval French Literature and Law* is one of the best-known contributions to the field, despite much of his work having been heavily disputed. Bloch explains that, "From the appearance of the first works in the vernacular to the era of printing, literature was, to a much greater degree than today, a collective phenomenon whose modes of creation and dissemination involved the community as a whole."⁴² Bloch proposes the existence of a fundamentally community-based approach to most medieval literature, noting that reading in the Middle Ages was not a solitary exercise, but rather a recitation or performance.⁴³ Bloch suggests that literature, as a public affair, was a forum in which to affirm shared values and practices. I suggest, however, that literature also could have served as a canvas on which to negotiate, rather than validate, legal and moral quandaries and explore the relationship between norms of honour and legal texts. To a large extent, the main focus of existing medieval law and literature scholarship has focused on disputes and dispute processing, although Stephen White, one of the leading scholars in the field, has a particular interest in rules and norms. This thesis has been greatly influenced by White's work, as well as by William Ian Miller's scholarship on dispute processing and norms in medieval Icelandic sagas.⁴⁴ White's work on norms, rules, and legal practice in *Custom, Kinship, and Gifts to Saints* outlines the difficulties modern scholars face when trying to reconstruct medieval normative systems. White observes:

When the existence of rules or norms is inferred largely from evidence about behavior or practice, how can we be sure how those rules were conceptualized or verbalized by the people whose behavior is being studied...every act leads a double life: it constitutes conformity or disobedience to custom at the same time

⁴² R. Howard Bloch, *Medieval French Literature and Law* (Berkeley, 1977), p. 1.

⁴³ Bloch, *Medieval French Literature and Law*, p. 2.

⁴⁴ See William I. Miller, *Bloodtaking and Peacemaking: Feud, Law, and Society in Saga Iceland* (University of Chicago Press, 1990), and William I. Miller, *"Why is your axe bloody?": A Reading of Njáls saga* (Oxford University Press, 2014).

that it becomes part of the social process by which custom is defined...the distinction between the choice of rules and the making of decisions under rules...remains ill defined.⁴⁵

White also addresses the role of literature in the norm-rule-law system and gestures at the tangle of social and legal norms contained in medieval literature:

The rule, moreover, provided no guidance about what should be done when conformity to it would have necessarily entailed the violation of another norm or the flouting of another commonly observed practice. The question of how—or whether—such rules could be harmonized with one another and applied to concrete cases was not an object of systematic study; it was more likely to be a subject for poetry.⁴⁶

Despite White's statement, no scholar has as yet examined the rhetorical processes of that poetic endeavour in this way.

Robert Stein, in "Dreaming of Other Worlds: Romance as Reality Fiction", offers an interpretation of medieval romance that nods toward White's analysis of medieval literature as an imaginative space where the relative "harmonization" of norms and rules can be tested and explored:

Fiction is the narrative representation of an invented place, the invention of a dream world containing infinite realms in which to locate events that can be narrated and analyzed for their significance *as if* one were writing history—but without history's constraints...By narrating beyond the evidence, fiction returns to history the power to locate secular experience in the secular world and thus to make it knowable—precisely what Aristotle sees as the function of mimesis...*Romance as I have presented it is inseparable from the consciousness of social and political processes in the secular world.*⁴⁷ (emphasis added)

Stein's analysis makes a convincing case for examining literature as I do in this thesis, as does Stephen White's scholarship on the ordeal, which thoughtfully uses literary and legal sources in tandem.⁴⁸ The notion of romance as mimesis aligns with Thomas's understanding of literature as a type of wooden man. The romance, the epic, the *lai*, and the *coutumiers* all serve as man-made representations of the dynamic

⁴⁵ Stephen D. White, *Custom, Kinship, and Gifts to Saints* (Chapel Hill, 1988), pp. 13; 71.

⁴⁶ White, *Custom, Kinship, and Gifts*, p. 74.

⁴⁷ Robert M. Stein, *Reality fictions: romance, history, and governmental authority, 1025-1180* (Notre Dame, 2006), p. 107.

⁴⁸ See Stephen D. White, 'Proposing the Ordeal and Avoiding It: Strategy and Power in Western French Litigation, 1050-1110', in Thomas Bisson (ed.), *Cultures of Power: Lordship, Status and Process in Twelfth-Century Europe* (Philadelphia, 1995), pp. 89-123.

interplay of norms, actions, and ideals, sculpted into narrative by the tool of rhetoric from the raw material of human experience.

Tony Hunt's analysis of Chrétien's *Yvain* also provides a valuable theoretical framework for this thesis. As this thesis points out, to recognize that the "wooden image is not a man" and to take lessons from it, the student must engage interpretively with the literature. Hunt speaks to this process: "*Interpretation* was therefore directed at uncovering and refining the sense (Old French *sen*) which was hidden by the poets within their works".⁴⁹ Hunt elaborates on the connection between interpretation and rhetorical practice:

The concern of the schools with both practical explication (exegesis) and systematic interpretation (hermeneutics) leads in the romance to the literary *prise-de-conscience* of a new class of vernacular poets, excited by the possibilities of *literature*, understood not only in the normal twelfth-century sense of 'writing, the written word'...but in the modern (eighteenth century onwards) sense of writing, the significance of which derives not simply from *what is said* but from *the way it is said*.⁵⁰

This thesis represents the first systematic analysis of "the way it is said".

⁴⁹ *Yvain (Le chevalier au lion)*, Hunt, Tony, (London, 1986), p. 14.

⁵⁰ *Ibid*, p. 14.

THE YOUTH “QUI PETIT FU SENEZ”

Transmission, Interpretation, and Inquiry in *Le Roman de Perceval*

In *Le Roman de Perceval ou Le Conte du Graal*, Perceval, the youth “qui petit fu senez”,¹ encounters several figures who teach him how to function in courtly society according to their own rules, which are frequently at odds. Chrétien de Troyes explores issues of transmission, interpretation, and inquiry through the edificatory misadventures of the titular character: an untutored, sheltered, and barbarous youth. The romance explores the complexities of the transmission and learning processes, and at various points the text invites the reader to explore the shifting and elusive definition of honour. The text’s thematic explorations are enhanced and complicated by Chrétien’s use of rhetorical technique. He phonetically encodes a few words with layers of meaning that serve to enrich the imagery. Through a close reading of stylistic and rhetorical technique, this chapter will explore how the minutiae of Chrétien’s wordplay brings depth and meaning to the narrative on a larger scale. Chrétien, in a critical verse, establishes a relationship between the words in final line position using rhymes and homophonic repetition: *enseignier*, *on seignier*, *desdaignerei*, and *m’en seignerei*. In one deft poetic stroke, Chrétien speaks to the congruity of instruction and spiritual fortitude, suggests a relationship between education and violence, and wades into a discourse on modes of transmission and inquiry. This chapter will examine the narrative implications of the linking of these words, and rhetorical analysis of several other verses and moments in the narrative will contribute to this discussion. The analysis of *Perceval* will be woven through with examples from the epic poem *Aliscans*, demonstrating how interpretation and concept acquisition in the context of knightly education are similarly explored in contemporaneous literature.²

¹*Perceval*, ed. Roach, l. 281.

²Wolfram von Eschenbach, a late twelfth- and early thirteenth-century poet, famously based his epic poem, *Parzival*, on Chrétien’s *Perceval*. The Old French *Aliscans* is thought to be the source of another of Wolfram’s three epic poems, *Willehalm*. This could perhaps suggest that Wolfram saw some common theme uniting *Perceval* and *Aliscans*.

Chrétien opens the poem with a prologue that refers to the sowing of seeds and initiates the discourse on transmission and instruction:

Ki petit semme petit quelt,
Et qui auques requeillir velt
En tel liu sa semence espande
Que Diex a cent doubles li rand;
Car en terre qui riens ne valt,
Bone semence seche et faut.³

When moving into the narrative proper, Chrétien is quick to recall the image of seed-sowing, setting the stage for Perceval's instruction at the hands of approaching knights: "Il pensa que veoir iroit/ Herceors que sa mere avoit,/ Qui ses avaines li semoient;/ Bues doze et sis herces avoient."⁴ The *herceors* are notably described as belonging to Perceval's mother, perhaps alluding to the fact that up until this point, she has had sole control over his education.

Before examining specific scenes of transmission, we should pause briefly to discuss the subtleties of Perceval's ignorance and the nuances of the concept acquisition process. The complete process of learning consists of understanding first the name of an object or concept, i.e. the sign or signifier. The process then entails understanding the meaning the sign signifies and the object or concept's weight within a cultural context, i.e. the signified and its significance. In order to comprehend the signified, however, interpretation is required on the part of the learner.

The twelfth century, which saw the writing of *Perceval*, has, since the publication of Charles Haskins' *The Renaissance of the Twelfth Century*, been described as a period of renaissance and renewal. Although scholars disagree on the particulars, one aspect of Haskins' research has been mostly accepted: that during the long twelfth century, there was an interest in words and universals. This interest was encouraged when the works of Aristotle were rediscovered. The resulting revival of philosophical thought invited debate on Aristotle's *Old Logic*, as well as Boethius's interpretation of Aristotle's *De Interpretatione*. According to the work of philosopher-historian Stephen Read, medieval thinkers were concerned with the "mechanism of

³*Perceval*, ed. Roach, l. 1-6.

⁴*Perceval*, ed. Roach, l. 81-84.

concept acquisition”.⁵ This involved an examination and exploration of signs and signifiers. As Read says, “This is the dominant semantic scheme of the medieval period: words signify concepts, which are likenesses of things in the world.”⁶ In the words of Boethius: “spoken [words] are signs (*notae*) of impressions (*passionum*) in the soul.”⁷ Indeed, Eugene Vance claims that “the major thread of coherence in medieval culture was its sustained reflection...upon language as a semiotic system—more broadly, upon the nature, the functions and the limitations of the verbal sign as a mediator of human understanding.”⁸ This chapter demonstrates through textual analysis that Perceval fails to understand both signifier and signified.

Perceval receives his first introduction to knighthood at the hands of a group of *chevaliers*, who arrive in the forest in a blaze of colour and sound:

il oi parmi le gaut
Venir cinq chevaliers armez...
Et molt grant noise demenoient,
Les armes de ciaux qui venoient...
le blanc et le vermeil
Reluire contre le soleil,
Et l’or et l’azur et l’argent,
Si li fu molt bel et molt gent.⁹

The enumerative construction of “et...et...et...” in the penultimate line emphasizes Perceval’s uncomprehending wonder, suggesting perhaps that he perceives each new sight without registering its significance. Perceval assumes the clamour is the result of demons, recalling a lesson of his mother’s. In Chrétien’s first overt mention of transmission, Perceval describes one of his mother’s teachings in a cleverly constructed set of verses that emphasizes the narrative’s discourse on instruction:

Et si dist por moi enseigner
Que por aus se doit on seigner,

⁵Read, Stephen, “Concepts and Meaning in Medieval Philosophy”, in *Intentionality, Cognition, and Mental Representation in Medieval Philosophy*, ed. by Gyula Klima (New York, 2014), pp. 9-28 (5;7).

⁶Read, “Concepts and Meaning”, p. 8.

⁷Boethius, *Commentarii in librum Aristotelis Peri Hermeneias: Editio Prima*, ed. by Carl Meiser (Leipzig, 1877), p. 36; in Read, p. 7.

⁸Vance, Eugene, *Mervelous Signals: Poetics and Sign Theory in the Middle Ages* (Lincoln, 1989), p. x.

⁹*Perceval*, ed. Roach, ll. 100-36; “he heard five armed knights...And the approaching knight’s armour made a great racket...when he beheld the green and vermilion glistening in the sunshine and the gold, the blue and silver, he was captivated and astonished” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 382).

Mais cest ensaing desdaigneraï,
Que ja voir ne m'en seigneraï.¹⁰

William Kibler translates the verse as follows:

She instructed me
to make the sign of the cross to ward them off,
but I scorn her teaching,
and indeed I won't cross myself.¹¹

Kibler's translation is technically accurate, but the process of translation obscures the subtleties of Chrétien's message. The words in final line position, when examined more carefully, show a multiplicity of meanings. "Enseignier" is defined in Godefroy as "marquer", "montrer", or "faire signe", and, when made reflexive, it is defined as "s'instruire": to instruct.¹² It could also be an alternate spelling of "enseignir", meaning "instruire".¹³ The spelling is reminiscent of "enseignoir", meaning "devenir seigneur", or, when reflexive, "se rendre maître".¹⁴

Chrétien structures the verse so that "enseignier" is aligned with the phonetically similar "on seignier". The spelling of "seignier" is irregular, and therefore the meaning has some room for ambiguity. It is also perhaps related to the word "seigner" (note the missing "i"), as in "to bleed". The entry for "signer" offers Kibler's interpretation: "to mark, to make the sign of the cross over".¹⁵ Godefroy redirects the reader seeking "seignier" to "cenier" and "seonier", but the entries for both seem irrelevant to this verse.¹⁶ Godefroy also redirects anyone seeking "seigner" to "segnier" (note the movable "i"), which he defines as "faire une marque à" or "poinçonner".¹⁷

Bearing all of these definitions in mind, we now turn to the verse's third line: "Mes cest ensaing desdaigneraï". The word "ensaing" is rather perplexing to a translator. Kibler translates it as "teaching", and the context of Perceval's mother's instruction supports that interpretation. The obvious similarity to the modern French "enseigner" also supports Kibler's translation. However, Chrétien could, in his

¹⁰*Perceval*, ed. Roach, ll. 117-20.

¹¹Chrétien, *Arthurian Romances*, trans. Kibler, p. 382.

¹²Godefroy iii, p. 232.

¹³Godefroy iii, p. 232.

¹⁴Godefroy iii, p. 233.

¹⁵AND <<http://www.anglo-norman.net/D/signer>>.

¹⁶Godefroy vii, p. 359.

¹⁷Godefroy vii, p. 356.

ambiguous spelling, have deliberately encoded this word with layers of meaning. Godefroy, for instance, does not contain an entry for “ensaing”. The entry for “ensaigne” (note the repositioned “g”) redirects the reader to “enseigne”, which is defined as “marque, tache”, “signe”, or “signal”.¹⁸ “Ensaing” could also be related to the word “ensaignier”, which means “to bloody”, “to get blood on”, or “to cause bloodshed”.¹⁹

The spellings of these words are clearly variable and leave a great deal of room for ambiguity. It would be unwise, however, to ascribe too much meaning to the rather capricious nature of Old French spelling. The choices could even be attributed to a scribe rather than to Chrétien himself. Yet even if Chrétien intended his spellings to be of little import, he created a homophonic cycle that links the words in final line position with each other and with their phonetic partners. The homophony both contains and evokes the multiplicities of meaning that are offered by the variant spellings. What’s more, the repetition of a rhyme through four lines, forming a rhyming quartet, stands out in a piece where rhymes are usually confined to couplets. The homophony takes on even greater importance in light of the fact that this poem, like most poetry from this time period, was probably primarily passed on orally in the form of performances at court. The audience would have experienced the poem as an auditory entity, and this verse, with its unusual quartet of rhymes, would have pricked their ears.

This brings us to the symbolic implications of the verse, both in the narrative and historical contexts. It could be suggested that Chrétien purposefully rhetorically aligns the words for “to teach/make a sign”, “bleeding/making the sign of the cross”, “sign/teaching (with undertones of bloodiness)”, and “disdaining”. The symbolism of the verse could be two-fold, and in order to explain this, some textual context is necessary.

Chrétien’s Perceval is an adolescent boy, whose mother has raised him in complete isolation in the wilderness of Wales. She has sought to shield him from all knowledge of the outer world, particularly of knighthood and chivalry. The narrator explains how his mother has employed her whole household in this enterprise to shelter her son. His mother’s agricultural workers are gripped by a terrible fear when

¹⁸Godefroy vii, p. 230.

¹⁹Godefroy vii, p. 227.

they see that Perceval's mother's efforts to shield him from knowledge of knighthood have failed:

Et quant il virent lor seignor,
Si tramblerent tot de paor.
Et savez por coi il le firent?
Por les chevaliers que il virent...
Et sa mere en istroit del sen,
Car destorner l'en quidoit l'en
Que ja chevalier ne veïst
Ne lor afaire n'apreïst.²⁰

Why she has gone to such lengths soon becomes apparent. While hunting in the forest, Perceval encounters a couple of questing knights, as already mentioned, and the encounter demonstrates the degree to which Perceval's worldview is structured around his mother's teachings. It is at this point in the narrative that Perceval utters the verse just examined, situating his new experience within the framework of his mother's instruction.

So why has Perceval's mother tried so valiantly to shield her son from knowledge of knighthood, and how does that endeavour relate to this verse? The first time the audience is introduced to her, we see her in a distressed, sorrowful state, one that will come to be representative of her general outlook. Chrétien describes her as "dolant et noir",²¹ and her first words to her son are exclamations that she has nearly died of grief at his absence: "Biax fix, biax fix...molt a esté destroys/ Mes cuers por vostre demoree./ De doel ai esté acoree,/ Si que par poi morte ne sui."²² Their family's bloody past colours his mother's understanding of the chivalric world. She reveals that Perceval's father was a powerful knight, renowned for his prowess: "N'ot chevalier de si haut pris,/ Tant redouté ne tant cremu...com vostre peres fu/ En toutes les illes de mer".²³ His mother also unveils his true heritage: "Biax fix, bien vos poëz

²⁰*Perceval*, ed. Roach, ll. 311-22; "When they saw their master they all trembled in fright. And do you know why? Because they saw armed knights...and his mother would go mad with grief—for they had sought to keep him from ever seeing knights or learning of their ways" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 385).

²¹*Perceval*, ed. Roach, l. 366; "sorrowful and dark" (my translation).

²²*Perceval*, ed. Roach, ll. 373-77; "Fair son, my heart was most distressed because of your delay. I've been overwhelmed with grief and almost died of it" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 386).

²³*Perceval*, ed. Roach, ll. 416-19; "There was no worthier knight, no knight more feared or respected, fair son, than your father in all the Isles of the Sea" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 386).

vanter/ Que vos ne dechaez de rien/ De son lignage ne del mien”.²⁴ But the death of Utherpendragon, the king whom Perceval’s father served, brought misfortune and violence to their family, especially when his father was wounded: “Vostre peres...Fu parmi la jambe navrez/ Si que il mehaigna del cors”.²⁵ With his father wounded in such a way that his virility and masculinity are symbolically and perhaps literally (the narrative is ambiguous) compromised, his lands fall into ruin: “Sa grant terre, ses grans tresors,/ Que il avoit come preudom,/ Ala tot a perdition,/ Si chaï en grant provreté”.²⁶

Perceval’s brothers sought out knighthood on the advice of their father: “Et vos...Deus molt biax freres aviiez...Quant grant furent vostre dui frère,/ Au los et au conseil lor pere/ Alerent a deus cors roiaus/ Por avoir armes et chevax”.²⁷ The brothers met with an unfortunate fate, ingraining the inherent violence of knighthood into their mother’s consciousness. She describes the circumstances of their death: “Et en un jor andui li vallet/Adoubé et chevalier furent,/ Et en un jor meïsme murent”.²⁸ Chrétien’s rhyming of *furent* and *murent* emphasizes how Perceval’s mother aligns the two concepts within her mind. She equates the act of becoming and being a knight, *adoubé et chevalier furent*, with death. The eldest son suffers a symbolic mutilation after his death—his eyes are clawed out by crows: “De l’ainsné avrinent merveilles,/ Que li corbel et les corneilles/ Ambesdeus les oex li creverent;/ Einsî les gens mort le troverent”.²⁹ His hollow, bloodied sockets serve as a metaphor for his mother’s perspective on knighthood: she sees only the violence and wreckage of chivalric pursuits, if indeed she sees anything at all. The death of his sons proves to be the undoing of Perceval’s father: “Del doel del fit morut li pere,/ Et je ai vie molt amere/ Sofferte puis que il fu mors”.³⁰

²⁴*Perceval*, ed. Roach, ll. 420-22; “You can confidently boast that neither his lineage nor mine is any disgrace to you” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 386).

²⁵*Perceval*, ed. Roach, ll. 435-37; “Your father...was wounded through his thighs and his body maimed in this way” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 386).

²⁶*Perceval*, ed. Roach, ll. 438-41; “The extensive lands and great treasures he held as a nobleman were all laid ruin, and he fell into great poverty” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 386).

²⁷*Perceval*, ed. Roach, ll. 455-62; “And you...had two very handsome brothers...When your two brothers were grown, on the advice and counsel of their father they went to two royal courts to receive their armour and horses” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 386-7).

²⁸*Perceval*, ed. Roach, ll. 468-70; “Both youths were dubbed and were knights on the same day, and on the same day, they died” (my translation).

²⁹*Perceval*, ed. Roach, ll. 477-80; “A strange thing happened to the elder: the crows and rooks pecked out his eyes—this was how the people found him dead” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 387).

³⁰*Perceval*, ed. Roach, ll. 481-3; “Your father died in grief for his sons, and I have suffered a very bitter life since he died” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 387).

Perceval's mother has sheltered him from knowledge of knighthood because of the traumatic, violent deaths and mutilations that chivalry has brought to their family. His mother perceives, therefore, a need to shelter her son from knowledge and to restrict his access to a more traditional nobleman's education, in order to protect him. In the verse we have considered, Chrétien draws out this connection between education and violence. Some of the key words in the verse are encoded with violent undertones: as we have shown, "enseignier", "seignier", and "ensaing" have extremely close associations with the words to do with bleeding, blood, and causing bloodshed. This connection runs through the course of the romance, as Perceval's education in the ways of knighthood leads to bloodshed and violent misadventures.

In the scene that follows, we witness Perceval's first lesson in knighthood at the hands of the *chevalier* and glimpse Chrétien's foray into the discourse on signs and signifiers. As mentioned above, the complete process of concept acquisition consists of learning first the name of an object or concept—i.e. the signifier—and then comprehending its meaning and the concept's significance within its cultural context—i.e. the signified. Perceval is stunted in acquiring both signifier and signified. In the exchange between the *chevalier* and Perceval, Chrétien also introduces an issue that becomes critical in the romance: that of inquiry. Perceval's ignorance is evident in his failure to understand the subtleties of conversation, and the dialogue between Perceval and the knight feeds into the overarching discourse on concept acquisition and interpretation.

Notably, the knight who gives Perceval his first lesson in knighthood is himself newly dubbed. Although he has only been a knight for five days, he is far more advanced than Perceval in his understanding of societal norms, perhaps because his upbringing instilled in him norms that Perceval lacks. Perceval, sheltered from society from infancy, is barely equipped to carry on a conversation. His ignorance is palpable from the moment of their meeting, when he misunderstands the natures of knighthood and of God. As the knight advises Perceval to have no fear, the youth cries out: "N'iestes vos Diex?"³¹ When informed that the brilliantly clad creature is not God, but rather a *chevalier*, Perceval reveals that he has never encountered a knight: "Ainc mais chevalier ne conui...ne nul n'en vi/ N'onques mais parler n'en

³¹ *Perceval*, ed. Roach, l. 174; "Are you not God?" (my translation).

oi”.³² The structure of the verse, particularly the enumerative construction of “*ne conui...ne nul n’en vie/N’onques...n’en oi*”, emphasizes Perceval’s ignorance. He lacks understanding in nearly every sensory capacity: he has never “*met a knight...nor seen one, nor ever heard tell of one*”.³³ Perceval addresses him in a manner that demonstrates his level of understanding: “*Vos qui avez non chevaliers,/ Que est or che que vos tenez?*”³⁴ Instead of directly addressing him as a knight, he pointedly refers to him as “you who have the *name of knight*”. Perceval is now aware of the title, a superficial descriptor. He does not, however, understand what constitutes a knight beyond the verbal designation, let alone the existence of knighthood as an order of society.

At this point, Chrétien engages with the discourse on inquiry and interpretation. The *chevalier* asks Perceval a question that becomes his refrain throughout the scene: “*Veïs tu hui par ceste lande/ Cinc chevaliers et trois puceles?*”³⁵ Perceval ignores the knight’s demand, responding in kind with a query about his lance: “*Que est or che que vos tenez?*”³⁶ Perceval and the *chevalier* continue in this vein for several verses: each time the knight presses Perceval for information, the youth does not answer, but instead bluntly responds with a question about the trappings of knighthood. Chrétien sets up their discussion as a verbal sparring match that demonstrates Perceval’s failure to understand linguistic norms, conversational behaviours, and essential truths. Perceval’s unrelated quips jar awkwardly with the knight’s urgent quest for information, signalling Perceval’s ignorance of communicative norms. Perceval’s relentless questioning, which mirrors the knight’s repeated inquiry, could be interpreted as an attempt to understand communicative norms through mimesis.

The *chevalier*, initially irritated at the young Welshman’s curiosity, which is a hindrance to his quest, eventually explains that “*ce est ma lance*”.³⁷ Perceval, still failing to acknowledge the knight’s initial question, attempts to conceive of the lance in terms of a weapon with which he is already familiar. He asks: “*Dites vos...c’ou la*

³²Perceval, ed. Roach, ll. 176-79; “I’ve never before met a knight...nor seen one, nor ever heard tell of one” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 383).

³³Chrétien, *Arthurian Romances*, trans. Kibler, p. 383.

³⁴Perceval, ed. Roach, ll. 190-1; “You who have the name of knight—what is that which you hold?” (my translation).

³⁵Perceval, ed. Roach, ll. 184-5; “Have you seen five knights and three maidens cross this clearing today?” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 383).

³⁶Perceval, ed. Roach, l. 191; “what is that which you hold?” (my translation).

³⁷Perceval, ed. Roach, l. 197; “this is my lance” (my translation).

lance/ Si com je faz mes gavelos?”³⁸ The distinction between a lance and a javelin echoes the differences between the youth and the knight. A lance, emblematic of the tournament, is a literary marker of courtly society. It is wielded on horseback, held close to the body and directed with precision, and employed against another knight. Chrétien associates Perceval’s *gavelos*, by contrast, with the wild forest he inhabits, and although Perceval wields them with skill, he launches them with a touch of wild abandon:

Et cil qui bien lancier savoit
Des gavelos que il avoit
Aloit environ lui lanchant,
Une eure [arriere,] l’autre avant,
Une eure bas et autre haut.³⁹

The beasts of the forest, against which the javelin is especially effective, are far less cultured than courtly tournament participants.

Perceval continues to pepper the *chevalier* with questions about his trappings and begins to build up his knowledge of the norms that constitute knighthood. He grasps the knight’s shield and asks: “Ce que est et de coi vos sert?”⁴⁰ The *chevalier* responds with frustration yet again, and the text implies that Perceval’s refusal to answer his question breaks a code of informational exchange:

Vallet, fait il, ce est abés:
En autre novele me mes
Que je ne [te] quier ne demant.
Je quidoie, se Diex m’avant,
Que tu noveles me deïsses
Ainz que de moi les apreïsses,
Et tu vels que je tes apraigne.⁴¹

³⁸Perceval, ed. Roach, ll. 198-9; “And do you launch it, would you say, as I do my javelins?” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 383).

³⁹Perceval, ed. Roach, ll. 96-99; “Being a skilled thrower, he began to cast his javelins all around him: sometimes behind him, sometimes in front, sometimes low and sometimes high” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 382).

This echoes Claude Lévi-Strauss’s distinction between raw and cooked, which Jacques le Goff explores in his essay ‘Lévi-Strauss en Broceliande: Esquisse pour une analyse d’un roman courtois’, 1974.

⁴⁰Perceval, ed. Roach, l. 214; “what is this and what purpose does it serve?” (my translation).

⁴¹Perceval, ed. Roach, ll. 215-21; “Young man, this is some trick! You are leading me on to subjects I didn’t even ask you about! I intended, so help me God, to get information from you rather than have you draw it from me—yet you want me to inform you!” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 383-4).

The knight's irritation falters, however, and he proceeds to instruct him without rancor: "Ains que soie mis a la voie,/ Quanqu'il voldra tot li dirai;/ Ja autrement n'en partirai."⁴²

In an instance of direct transmission to the audience, another *chevalier* present voices his disapproval of Perceval's uncouth behaviour: "Sire, sachiez tot entresait/ Que Galois sont tot par nature/ Plus fol que bestes en pasture;/ Cist est ausi come une beste".⁴³ In this statement, Chrétien invokes tropes of barbarianism to signal Perceval's ignorance, as well as to demonstrate the way that the *chevaliers* perceive him. The other knight also implies that they will not benefit from indulging the ill-mannered Welshman's queries: "Fols est qui dalez lui s'arestet;/ S'a la muse ne velt muser/ Et le tans en folie user".⁴⁴

The knight conversant with Perceval explains to his peer that he must remain and teach the youth, for "Il ne set pas totes les lois".⁴⁵ Although "lois" is often interpreted as "manners", as in Kibler's translation, it can be translated as "laws" or "norms", which has legal and institutional connotations.⁴⁶ The knight's statement may therefore allude to Perceval's symbolic function within the narrative: as a *tabula rasa* on which Chrétien can sketch out how norms of the institution of knighthood are communicated. "Loi" is a multi-faceted term in Old French, however, and also serves as the personal masculine pronoun. The subtext here could be two-fold. Chrétien perhaps simultaneously alludes to Perceval's dual nature, a raw and uncouth *beste en pasture* with a secret knightly lineage, and to the fact that Perceval, who does not know his *lois*, also does not know himself.

Perceval, unknowing of his *lois* in the double sense described above, then seeks to understand the provenance of knights. As yet unaware of the fact that his father and brothers were knights, he asks the *chevalier* how a knight is created. His first instinct is that knighthood is a birthright; he inquires: "Fustes vos ensi nez?"⁴⁷

⁴²Perceval, ed. Roach, ll. 250-52; "So I'll tell you, come what may, because I've grown to like you. What I'm carrying is called a shield" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 384).

⁴³Perceval, ed. Roach, ll. 242-45; "Sir, you must be aware that all Welshmen are by nature more stupid than beasts in the field: this one is just like a beast" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 384).

⁴⁴Perceval, ed. Roach, ll. 246-8; "A man is a fool to tarry beside him, unless he wants to while away his time in idle chatter" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 384).

⁴⁵Perceval, ed. Roach, l. 236; "He doesn't know his manners" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 384).

⁴⁶*Old French-English Dictionary*, p. 398.

⁴⁷Perceval, ed. Roach, l. 282; "Were you born like this?" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 384).

This simple question invokes broad, complex issues and begs further questioning: if one cannot be born a knight, as the *chevalier* insists, then what is the role of family lineage in determining knightly success? Isn't Perceval, in a way, born into knighthood, contrary to what the *chevalier* deems possible? What is the difference between being born into knighthood and becoming a knight? Would he be capable of achieving such chivalric feats if his heritage did not allow it? The knightly aptitude that Perceval eventually demonstrates, and which is achieved with minimal instruction, seems to insist upon the importance of bloodline. The text seems to suggest that although birth may be a necessary element, birth alone is not sufficient; it must be combined with education.

The *chevalier* eventually explains to Perceval how he came to be knighted:

... 'Fustes vos ensi nez?'
 — 'Naie, vallet, ce ne puet ester
 Qu'ensi peüst ja nus hom nestre.'
 — 'Qui vos atorna dont ensi?'
 — 'Vallet, je te dirai bien qui.'
 — 'Dites le dont.' — 'Molt volentiers:
 N'a pas encor cinc ans entiers
 Que tot cest harnois me dona
 Li rois Artus qui m'adouba'.⁴⁸

He describes the process of being knighted as a ceremony of gift- and title-bestowing. The king serves as the source of wealth and prestige, but not as an instructor. The audience only sees the king in a ceremonial role, and even our view of that is second-hand.

The knight's lesson concludes when Perceval at last provides some of the information the knight initially sought. Perceval directs him to his mother's *herceor*, and here we see an echo of the sowing metaphor with which Chrétien opened the poem: "La sont li herceor ma mere,/ Qui ses terres sement et erent".⁴⁹ Chrétien again uses phonetic repetition to underscore the presence of the sowers: "Li vallés prent son

⁴⁸*Perceval*, ed. Roach, ll. 282-90. Please note that one of the manuscripts says "ans" in place of "jors"; it is clearly a mistake given that several other manuscripts say "jors"; "'Were you born like this?'—'No indeed, young man, it's impossible for anyone to be born like this.'—'Then who fitted you in this fashion?'—'Young man, I'll tell you who.'—'Then tell me.'—'Most willingly. It hasn't been five full days since King Arthur knighted me and gave me all these trappings'" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 384-5).

⁴⁹*Perceval*, ed. Roach, l. 301; "My mother's harrowers are there, sowing and ploughing her lands" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 385).

chaceor/ Et va la ou li herceor/ Herçoient les terres arees/ Ou les avaines sont semees”.⁵⁰ Chrétien emphasizes the words for sower/sowing, signalling their importance, by rhyming *chaceor* with *herceor* and following *herceor* immediately with *herçoient*. The reappearance of the sowing metaphor reminds the audience of the woman who has heretofore controlled the information that Perceval receives.

Perceval’s mother, seeing that she can no longer shelter him from knowledge of knighthood, proceeds to offer him advice. She initially remarks on the process of transmission and learning: “Qu’il n’est merveille, ce m’est vis,/ S’en ne set che c’on [n’]a appris;/ Mais merveille est quant on n’aprent/ Ce que on ot et voit sovent”.⁵¹ She suggests that “no one can know what he hasn’t learned”,⁵² intimating that knowledge is not instinctive, but rather is acquired by means of instruction. Her first words of advice to him regard the treatment of women:

Se vos trovez ne pres ne loing
 Dame qui d’aïe ait besoig
 Ne pucele desconseillie,
 La vostre aïde appareillie
 Lor soit, s’ele[s] vos en requierent,
 Car to’es honors i affierent.
 ...
 Dames et puceles servez,
 Si serez par tout honorez.⁵³

Her lessons are inflected by her experience of violence and loss. In what may be a way of revising her own history, she entreats him to serve and protect women. She rewrites her own scarred past, creating a space in her son’s future where women in courtly society are treated with gentleness.⁵⁴ She also instructs him to kiss a lady but

⁵⁰*Perceval*, ed. Roach, ll. 307-310; “So the boy took his hunting horse and went to where the harrowers were harrowing the ploughed ground where the oats were sown” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 385).

⁵¹*Perceval*, ed. Roach, ll. 523-6; “You will lack all the skills, and it’s not surprising, I think, since no one can know what he hasn’t learned. But it is surprising when one doesn’t learn what is often seen and heard” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 387).

⁵²Chrétien, *Arthurian Romances*, trans. Kibler, p. 387.

⁵³*Perceval*, ed. Roach, ll. 533-42; “Should you encounter, near or far, a lady in need of aid, or a maiden in distress, make yourself ready to assist them if they ask for your help, for it is the most honourable thing to do...Serve ladies and maidens and you will be honoured everywhere” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 387).

⁵⁴Ironically, Perceval applies his mother’s advice and brings an undue amount of shame and pain to the first young lady he encounters.

proceed no further, to accept tokens of a lady's love such as a ring or alms purse, to keep the company of *preudomes*, and to worship God.

Her advice reveals much about how she conceives of honour. She first presents honour as an internal property that flourishes or perishes based on personal actions: "Qui as dames honor ne porte,/ La soe honor doit estre morte".⁵⁵ Perceval's mother also portrays honour as a commodity dispensable by God and earned through prayer and religious observance: "Sor tote rien vos weil proier/ Que a l'eglise et al mostier/ Alez proier nostre Seignor/ Qu'en cest siècle vos doinst honor".⁵⁶ She imparts a social code about the fate of men who accumulate honour: "S'est bien en plusiors lius veü/ Que les mescheances avient/ As preudomes qui se mai[n]tiennent/ En grant honor et en proëce".⁵⁷ Their honourable deeds—acts of strength, courage, and kindness—make these *preudomes* more vulnerable. She goes on to explain that shame, cowardice, and sloth are immune to ruin: "Malvestiez, honte ne pereche/ Ne dechiet pas, qu'ele ne puet,/ Mais les buens dechaoir estuet".⁵⁸ Malevolence, being base by its very nature, is incapable of decline. The valorous acts of *les buens* ironically make them vulnerable to misfortune, elevating them to such a height that the fall from grace is particularly steep.⁵⁹ This incongruity within honour, the conflicting elements of prowess and vulnerability, hearkens back to one of her original descriptions of knights, which reflects these discordant elements. Perceval informs her that he has seen the most beautiful creatures ("Ne fist si bele creature"⁶⁰), and his mother describes them as "the angels men complain of":

...Biax fix, a Dieu te rent,
Que molt ai grant paor de toi.
Tu as veü, si com je croi,

⁵⁵Perceval, ed. Roach, ll. 539-40; "He who fails to honour ladies finds his own honour dead inside him" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 387).

⁵⁶Perceval, ed. Roach, ll. 567-70; "Above all I want to beg you to pray to our Lord in chapel and church to give you honour in this world" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 388).

⁵⁷Perceval, ed. Roach, ll. 428-31; "it is widely known that misfortune often comes to noble men who cultivate great honour and prowess" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 386).

⁵⁸Perceval, ed. Roach, ll. 432-4; "Cowardice, shame, and sloth never fall on hard times—that is impossible, it is always the good who do" (Chrétien de Troyes, *Arthurian Romances*, trans. W. W. Kibler (London, 1991), p. 386).

⁵⁹This image is clearly reminiscent of Boethius' Fortune's Wheel.

⁶⁰Perceval, ed. Roach, l. 386; "Have I not just seen the most beautiful things there are" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 386).

Les angles dont la gent se plaignent,
Qui ocïent quanqu'il ataignent.⁶¹

This characterization of angels as unwelcome malevolent figures is significant because angels are, first and foremost, messengers, agents of transmission, and she has tried valiantly to shield her son from knowledge.

Before Perceval's departure, his mother dresses him: "Et si ot cote a caperon,/ De cuir de cerf close environ./ Einsî la mere l'atorna".⁶² Given that a squire or nobleman's attendant typically outfitted a knight, Perceval's being clothed by his mother serves as yet another signal to the audience of his rawness. Not only is he outfitted by a woman in lieu of a squire, but he is also dressed in "la guise/ De Gales",⁶³ which recalls the stereotype of Welsh barbarianism. It also represents his mother's final endeavour to shield her son.

Aliscans, a *chanson de geste* written around the end of the twelfth century, engages with some of the same issues surrounding concept acquisition. *Aliscans*, surviving in thirteen manuscripts, is part of the earliest *chansons* of the Old French William of Orange cycle, and the author is unknown. Although it is part of the William of Orange cycle, the narrative focuses significant attention not on William but on Rainoart, an enormous, oafish man whom William finds working at the French court. Rainoart gives the overwhelming impression of comic brutishness, but his oafishness is shot through with signs of latent nobility. The portrayal of Rainoart as the savage brute with underlying nobility mirrors Chrétien's characterization of Perceval. Like Chrétien's narrative, *Aliscans* gives the impression that Rainoart's blundering misadventures were intended to be humorous. Rainoart, like Perceval, has a mixture of physical markers that signal both barbarianism and hidden gentility.⁶⁴ Both heroes epitomize raw prowess. Rainoart wields a massive club as his weapon of choice, which echoes Perceval's javelin. Both weapons can be conceived of as unrefined counterparts to knightly armaments, either sword or lance. Furthermore,

⁶¹ *Perceval*, ed. Roach, ll. 396-400; "Fair son, I commend you to God, for I am most afraid on your account: you have seen, I believe, the angels men complain of, who kill whatever they come upon" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 386).

⁶² *Perceval*, ed. Roach, ll. 503-5; "he had a cloak and hood of bucksin fastened about him. And so his mother equipped him" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 387).

⁶³ *Perceval*, ed. Roach, ll. 500-1; "the style of Wales" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 387).

⁶⁴ The poet introduces Rainoart as follows: "De la cuisine vit Renoart torner/ Parmi un huis et el paleis entrer,/ Toz iert nuz piez, n'ot chauce ne sollar;/ Grant ot le cors et regart de sengler,/ En tote France n'ot si grant bacheler,/ Ne si fort home por un grant fés lever,/ Ne mielz seüst une pierre giter", *Aliscans*, ed. Régnier, i, ll. 3525-3531, p. 145.

both Rainoart and Perceval are unaware of their noble lineage.⁶⁵ It is later revealed that Rainoart is the son of a king and the brother of William's wife. As we will demonstrate, his education in knighthood shows many similarities to Perceval's struggles with concept acquisition.

Perceval sets out on his adventures and soon encounters a maiden in a tent. In this episode, Perceval demonstrates his failure to understand the subtleties and nuances of his mother's advice. Through Perceval's bungled, well-intentioned actions, Chrétien engages in greater depth with the problem of interpretation. Perceval's first act of ignorance is to misinterpret the purpose of her tent:

il vit un tref tendu
En une prairie bele
...
Li vallés vers le tref ala,
Et dist ains que il venist la:
'Diex, or voi je vostre maison.
Or feroie jou mesprison,
Se aorer ne vos aloie'.⁶⁶

Chrétien uses the diminutive "*pucelete* endormie"⁶⁷ to describe the maiden within, perhaps emphasizing her vulnerability. Indeed, as we shall see, Perceval's obtuse application of his mother's teachings results in his violating and shaming the *pucelete*.

Perceval's greeting to the maiden is structured in such a way that the language underscores his mother's instruction rather than his own understanding:

Et li vallés, qui niches fu,
Dist: 'Pucele, je vos salu,
Si com ma mere le m'aprist.
Ma mere m'ensaigna et dist
Que les puceles saluaise
En quell que liu que jes trovaisse'.⁶⁸

⁶⁵ Louis informs William that: "I bought him at sea/from merchants...they told me he was the son of a Slav./ I have had him asked often enough/ who his father his father is, but he won't name him" (Ferrante, *Four Twelfth-Century Epics*, p. 231).

⁶⁶ *Perceval*, ed. Roach, ll. 638-57; "he saw a tent pitched in a beautiful meadow...The boy went towards the tent and exclaimed before he reached it: 'My God, here I behold your house! I would do wrong were I not to go and worship you'" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 389).

⁶⁷ *Perceval*, ed. Roach, l. 671; "sleeping maiden" (italics, translation mine).

⁶⁸ *Perceval*, ed. Roach, ll. 681-86; "Maiden, I greet you just as my mother taught me. My mother instructed me to greet maidens wherever I found them" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 389).

Rather than “I learned”, Perceval states “my mother taught me”, constructing her as the subject and prime actor and placing himself in a passive position. This perhaps emphasizes his lack of active concept acquisition, as is demonstrated by his ensuing inappropriate behaviour. Instead of serving and aiding maidens, which is the essential truth behind his mother’s advice, Perceval inspires fear in the maiden by applying her advice literally: “La pucele de paor tramble/ Por le vallet qui fols li samble”.⁶⁹ He proceeds to defile her by forcing a kiss from her and ripping a ring from her finger, justifying each action with one of his mother’s instructions. Her obvious distress should have alerted Perceval to his bad behaviour. Perceval, failing to interpret both her loud protestations and his mother’s lessons, continues to abuse her. Upon revealing Perceval’s actions to her lord, the *pucelete* is cruelly punished and shamed: “Ne jamais ne seront changié/ Li drap dont vos estes vesture/ Ainz me sivrrez a pié et nue/ Tant que la teste en avrai prise;/ Ja n’en ferai autre justise”.⁷⁰ This episode demonstrates the complexity of the transmission process and speaks to the critical act of interpretation on the part of the learner.

The inadvertent violence that Perceval inflicts upon the *pucelete* is echoed in two scenes in *Aliscans*. Firstly, Rainoart is unable to interpret his instruction in an effective way, resulting in unintended brutality; and secondly, Rainoart fails to make the connection between sign and signified. William, recognizing Rainoart’s potential, brings him into his circle of retainers. Rainoart and his club prove to be a boon in battle, although Rainoart seems unable to wield his club with precision. Rainoart’s inability to control his club means that he kills the horse of every knight he defeats: “Rainoart lifts the great heavy club/ and strikes a fatal blow on his helmet...He splits him straight through to the saddle/ and shatters the whole spine of the horse...With another blow he has killed Malquidant/ and Samuel, and Samul, and Salmuant./ Not even the horses are safe from death”.⁷¹ This sets the stage for a teaching moment from Bertrand, another of William’s company, who intimates that Rainoart is transgressing

⁶⁹ *Perceval*, ed. Roach, ll. 678-88; “The maiden trembled in fear of the boy who appeared mad to her” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 389).

⁷⁰ *Perceval*, ed. Roach, ll. 828-32; “You shall not change the clothes you’re wearing, but will follow me naked and on foot until I’ve cut off his head—nothing less will satisfy me” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 391).

⁷¹ Ferrante, *Four Twelfth-Century Epics*, p. 242; “Renoart hauce le grant tinel pesant,/ Parmi son elme le fiert en trespassant,/ Ainc de nule arme ne pot avoir garant;/ Jusqu’an la sele le vet tot esmiant,/ Tote l’eschine del cheval derompant./ Enz en un mont vet tot acraventant./ A l’autre cop a ocis Malquidant/ Et Samüel, Banurs, et Samiant;/ Onc li cheval n’orent de mort gairant” (*Aliscans*, ed. Régnier, ii, p. 215).

a norm of battle when he kills the horse as well as the rider. Ironically, the reason that Rainoart kills Malquidant, Samuel, Samul, and Salmuant is to secure a horse for Bertrand. Bertrand expresses his frustration, begging Rainoart to control his swings.⁷² Bertrand, undoubtedly out of personal interest, continues to attempt to shape Rainoart's battle skills into something that more closely fits with the knightly mould. Rainoart responds to Bertrand with a phrase that becomes something of an ironic refrain, a rhetorical device that echoes Perceval's repeated "my mother taught me": "I am learning now,/ from now on I shall make my blows softer".⁷³ The irony of the situation intensifies as Rainoart's refrain is proven wrong by his inability to interpret and apply Bertrand's lesson. When Rainoart does successfully secure a horse, it is an accident rather than the result of careful application of his teacher's principals. Rainoart's learning process echoes Perceval's piecemeal method of concept acquisition. Furthermore, Rainoart, like Perceval, does not engage with his teachers; he does not interpret or question, nor does he seek to understand the changeable social context of his lessons. Like Perceval, Rainoart does not respond in a meaningful way to instruction when it is communicated by direct speech. As we will see shortly, Perceval engages more appropriately with his teacher when he learns by observation and mimesis.

The tutelage of Gornemans of Gorhaut offers an opportunity to consider the evolution of Perceval's patterns of learning and shows minor development in his faculties of concept acquisition. At this point in the narrative, Perceval seems to respond to instruction in a more appropriate way, that is, he receives the information and then applies it practically, mimicking what has been demonstrated for him. This recalls Perceval's dialogue with the first knight, wherein his communicative strategy was to mimic the knight's way of speaking, responding to nearly every question with a question. It should be noted, however, that in that conversation, Perceval's mimesis seemed more of a reflexive reaction than a deliberate choice to engage with the information mimetically. Here, Perceval's engagement with Gornemans' lesson feels more deliberate.

⁷²Ferrante, *Four Twelfth-Century Epics*, p. 243.

⁷³Ferrante, *Four Twelfth-Century Epics*, p. 243; "Or vois je aprenant;/ Des ore iré mes cops plus adouçant" (*Aliscans*, ed. Régnier, ii, p. 215).

Gornemans begins his lesson by enjoining Perceval to “believe your mother’s advice and mine”: “Que vos querrez/ Le conseil vostre mere et moi”.⁷⁴ Perceval is forcibly disarmed and left wearing the clothes from his mother, his roughly hewn garments a symbol of his raw intellect: “Et li autres le desarma,/ Si remest en la robe sote,/ Es revelins et en la cote/ De cerf mal faite et mal taillie/ Que sa mere li ot baillie”.⁷⁵ Gornemans dons Perceval’s spurs and mounts Perceval’s horse. The image is perhaps intended to invoke an impression of what Perceval might have been, had he been formally trained: “Et li preudom se fist cauchier/ Les esperons trenchans d’acier/ Que li vallés ot aportés,/ Et sor son cheval est montez”.⁷⁶ Chrétien uses a familiar rhetorical device when describing Gornemans’ demonstration, repeating the word “ensaigne”: “Lors a desploie l’ensaigne,/ Se li mostre et si li ensaigne”.⁷⁷ Notably, Chrétien uses “ensaigne” here to mean “pennon/banner”. This clearly recalls Perceval’s declaration earlier in the narrative, in which *ensaigne/ensaignier* echoes throughout four lines of verse, signalling an imminent scene of transmission.

Perceval, who had previously demonstrated a lack of interest in instruction and a failure to engage inquisitively with others, studies Gornemans’ movements carefully: “Quant il ot fait tot son cembel/ Devant le vallet bien et bel,/ Qui bien s’en ot garde donee”.⁷⁸ Gornemans’ lessons are apparently largely non-verbal. They are based primarily on demonstration, which begs the question: has Gornemans employed a mode of transmission that resonates more effectively with Perceval? Perhaps the non-verbal nature of his lessons helps Perceval to avoid fixation on the signifier and instead bypass signifier for signified. Chrétien emphasizes the importance of Gornemans’ tutelage by yet again repeating *ensaignier*. He repeats the word three times during the description of Gornemans’ demonstration, which is also structured in a threefold manner: “Li preudom par trois fois monta,/ Par trois fois d’armes

⁷⁴Perceval, ed. Roach, ll. 1416-17; Kibler, p. 399.

⁷⁵Perceval, ed. Roach, ll. 1422-26; “and the other removed his armour, leaving him in the coarse robe, the buskins, and the roughly sewn and ill-fitting bucksin cloak that his mother had given him” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 399).

⁷⁶Perceval, ed. Roach, ll. 1427-30; “The gentleman had himself equipped with the sharp steel spurs the young man had been wearing, mounted the boy’s horse” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 399).

⁷⁷Perceval, ed. Roach, ll. 1437-38; “Then he unfurled the pennon and showed him how he should grip his shield” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 399).

⁷⁸Perceval, ed. Roach, ll. 1451-53; “When he had gone through all his manoeuvres in front of the boy, who had observed them all very carefully” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 399).

l'ensaigna/ Itant come ensaignier l'en pot,/ Tant que assez ensaignié l'ot,/ Et par trois fois monter le fist".⁷⁹

After observing Gornemans' demonstration, Perceval mounts his horse and imitates Gornemans' maneuverings with the lance and shield. Chrétien notes that Perceval holds his lance just as he had seen Gornemans handle it: "Quant li vallés ot fait son tor,/ Devant le preudome al retor/ Lance levee s'en repaire,/ Si come il li ot veü faire".⁸⁰ This marks a change in Perceval's learning style: upon previous instruction, he had made sense of each new concept by automatically relating it to an entity that he already understood.⁸¹ Now, we see Perceval absorbing knowledge in a new way, by attempting to make sense of it in a new setting, rather than in the context of past-understood experiences. Perceval's mimicry of Gornemans, recalling his earlier mimesis examined above, also speaks to the efficacy of Gornemans' "modelled behavior" method of teaching. Gornemans also encourages Perceval to engage analytically with the knowledge and to think critically about the multiple ways that the information could be applied. Gornemans draws Perceval into the interpretative process by constructing hypothetical situations and inviting him to speculate:

A la daerraine li dist:
'Amis, se vos encontreiez
Un chevalier, que feriez,
S'il vos feroit?'—'Jel referroie.'
— 'Et se vostre lance pechoie?'
— 'Aprés che n'i avroit li plus,
Mais qu'as poinz li corroie sus.'
— 'Amis, ce ne feriez vos mie.'
— 'Que ferai dont?'⁸²

⁷⁹*Perceval*, ed. Roach, ll. 1505-9; "Three times the gentleman mounted the horse, three times he demonstrated the weapons until he had showed him all he knew and all there was to show, and three times he had the young man mount" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 400).

⁸⁰*Perceval*, ed. Roach, ll. 1491-94; "When the boy had completed his turn he rode back before the gentleman with lance raised, just as he had seen him do" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 400).

⁸¹ This scene could also reflect how knights were taught the skills of chivalry, perhaps suggesting that they were learned in more demonstrative, practical situations, rather than a "classroom" style education.

⁸²*Perceval*, ed. Roach, ll. 1510-18; "The last time he said to him: 'Friend, if you were to meet a knight, what would you do if he struck you?'—'I'd strike back at him.'—'And if your lance splintered?'—'If that happened I'd have no choice but to rush at him with my fists.'—'Friend,

With that single question (“then what should I do?”), Perceval actively participates in the learning process, succeeding on two counts on which he had previously failed. Now, he effectively executes a conversation in an appropriate manner and interprets what he has learned in a cultural context; and, most importantly, he asks a question.

Chrétien further complicates the internal discussion on transmission by exploring the competing influences of inborn talent and formally cultivated skills. He points out that Gornemans has been preparing for knighthood from infancy: “Li preudom sot molt de l’escu/ Et del cheval et de la lance,/ Que il l’ot apri des enfance”.⁸³ Perceval, by contrast, has had nature for his teacher. Under the tutelage of an established knight, he excels quickly, seemingly bypassing an entire adolescence of knightly training: “il comencha a porter/ Si a droit la lance et l’escu/ Com s’il eüst toz jors veschu/ En tornoimens et en guerres/ Et alé par toutes les terres/ Querant bataille et aventure”.⁸⁴ Although Gornemans insists upon the importance of hard work and devotion (“Il covient a toz les mestiers/ Et cuer et paine et us avoir;/ Par ces trois le puet on savoir”),⁸⁵ the narrator asserts that nature’s influence and one’s own heartfelt desire would prove a superior combination: “Car il li venoit de nature,/ Et quant nature li aprent/ Et li cuers del tot i entent,/ Ne li puet estre rien grevaine/ La ou nature et cuers se paine”.⁸⁶

At the close of the Gornemans episode, he offers some verbal advice that adds nuance to that of Perceval’s mother. He advises Perceval to aid ladies only when it is feasible and appropriate, qualifying his mother’s sweeping command: “Et si vos proi,/ Se vos trovez home ne fame,/ Ou soit orfeinins ou soit dame,/ Desconseilliez d’aucune rien,/ Conseilliez les, si ferez bien,/ Se vos conseiliez les savez/ Et se vos pooir en avez”.⁸⁷ Gornemans also enjoins Perceval to cease with his refrain (“this is what my mother taught me”). He suggests that now that he has received some formal

that’s not what you should do?”—“Then what should I do?” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 400).

⁸³Perceval, ed. Roach, ll. 1446-48; “The *preudom* knew how to use the shield, horse, and lance very well, for he had learned them from childhood” (my translation).

⁸⁴Perceval, ed. Roach, ll. 1474-79; “he began to carry the lance and shield as properly as if throughout his life he had frequented the tournaments and wars, and wandered through every land seeking battle and adventure” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 399).

⁸⁵Perceval, ed. Roach, ll. 1466-68; “every profession requires effort and devotion and practice: with these three one can learn everything” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 399).

⁸⁶Perceval, ed. Roach, ll. 1480-84; “since Nature was his teacher and his heart was set upon it, nothing for which Nature and his heart strove could be difficult” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 399-400).

⁸⁷Perceval, ed. Roach, ll. 1656-62; “And I beseech you, if you find a maiden or woman—be she damsel or lady—who is disconsolate in any way, to do right by consoling her if you know how to console her and are able to do so” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 402).

education, it would be shameful to continue to declare it: “Or ne dites jamais, biax frere,/ Fait li preudom, que vostre mere/ Vos ait appris rien, se je non./ Et sachiez que ne vos blasmon/ Se vos l’avez dit dusqu’a chi”.⁸⁸ Perceval’s relinquishing of his mother’s clothes symbolizes this intellectual progress: “As dras vestir plus ne repose,/ Si a les sa mere laissez”.⁸⁹

Although Perceval has made intellectual progress, Rainoart’s subsequent interactions with the signifiers of knighthood demonstrate his inadequate concept acquisition. As we will see throughout the thesis, the moment a young nobleman mounts a horse has symbolic significance, as it does in Perceval.⁹⁰ Rainoart has never ridden a horse, and the first time he mounts one, he declares that the act of mounting a horse will make him a knight: “now I shall mount this noble charger/ and I shall be a knight from now on”.⁹¹ Rainoart, in this utterance, shows that he believes that the sign (riding a horse) is equal to the signified (achieving the rank of knighthood). This is a perversion of the correct concept acquisition process. *Aliscans*’s discourse on concept acquisition, much like *Perceval*’s, is laced through with humour, suggesting that the audience would have registered the fallacy of Rainoart’s declarations. The comedy intensifies when Rainoart leaps onto the horse back to front, thereby facing the animal’s backside. This also represents his failed mimesis of other knights, perhaps due to poor observational skills or limited exposure to *chevaliers* in action. Rainoart’s attempts to mount are thwarted by his club, a symbol of the obstacle that his savagery poses to his literal ascension to the horse and figurative ascension to knighthood. Rainoart, like Perceval, has been raised unaware of his noble birthright and has been denied the knightly education a young nobleman would ordinarily receive. Taken as a whole, the image epitomizes the obstacles faced by men who try to become knights but have not been raised and educated in a knightly milieu.

The steed is frightened of the club and refuses to allow Rainoart to climb astride: “the horse whinnies, he is badly upset/ by the club which Rainoart still

⁸⁸ *Perceval*, ed. Roach, ll. 1675-79; “‘You must never again claim, dear brother,’ continued the gentleman, ‘that your mother taught or instructed you. I don’t blame you at all for having said it until now’” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 402).

⁸⁹ *Perceval*, ed. Roach, ll. 1622-23; “He hesitated no longer in putting on the new clothes, and left aside those his mother had made for him” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 401).

⁹⁰ See Chapters 2 and 4 for more analysis on the significance of this image.

⁹¹ Ferrante, *Four Twelfth-Century Epics*, p. 250; “Or monteré desus cest auferrant,/ Je seré chevalier desormés en avant” (*Aliscans*, ed. Régnier, ii, p. 234).

brandishes”.⁹² Perhaps the horse’s discomfort signifies Rainoart’s unfitness for riding. The club, a signifier of Rainoart’s unrefined barbarism, much like Perceval’s javelin, is fundamentally incompatible with the signifier of knighthood. The original language illuminates the incontrovertible connection between horses and knighthood: as we have seen, the Old French for “knight” is *chevalier*. This word contains within itself *cheval*, meaning “horse”, thus revealing how intimately horsemanship is tied to knighthood.

Rainoart fails to discern that he must jettison the club in order to mount: he says, “I would mount willingly...but...how could I then carry my club?”⁹³ Eventually, having mounted the horse backwards, still clutching the club, Rainoart rides, but unsuccessfully. He falls off, loses hold of his club and is dragged by the horse’s tail. In a fit of anger, he punches the horse twice, pummeling it into the ground. This is patently not how a young nobleman would learn how to be a knight, and it is obvious even to the modern reader that this is not how a knight should treat his steed. His outburst against the horse, the symbol of knighthood, can be seen as a violent rejection of chivalric norms.

His ignorance of norms of knighthood is crystallized in one utterance; he refers to his club as “sir”: “I would not give you up, / sir club, for the city of Troy”.⁹⁴ He assigns the incorrect sign to his club. In doing so, he shows that he still has not made the intellectual link between sign (club) and signified (barbarianism). By referring to the club as “sir”, Rainoart shows that he still believes the club to be appropriate for an elite warrior, demonstrating his ignorance of the essential truths of both knighthood and barbarianism.

Perceval’s internal discourse on acquisition and transmission of knowledge culminates in his visit to the court of the Fisher King. In search of his mother, Perceval encounters a gentleman fishing: “Et cil qui fu devant peschoit/ A la ligne et si aeschoit/ Son ameçon d’un poissonnet/ Un poi greignor d’un vaironnet”.⁹⁵ The image of the fisherman, “baiting his hook with a little fish”,⁹⁶ could perhaps allude to

⁹²Ferrante, *Four Twelfth-Century Epics*, p. 250; “Le cheval fronche, durement se desroie” (*Aliscans*, ed. Régnier, ii, p. 235).

⁹³ Ferrante, *Four Twelfth-Century Epics*, p. 250; “Volentiers monteroie, / Mes il me semble que le cuer m’afebloie. / Et mon tinel, comment le porteroie?” (*Aliscans*, ed. Régnier, ii, p. 235).

⁹⁴ Ferrante, *Four Twelfth-Century Epics*, p. 257; “Certes, ne vos donroie, / Sire tinel, por la cité de Troie” (*Aliscans*, ed. Régnier, ii, p. 248).

⁹⁵*Perceval*, ed. Roach, ll. 3007-10; “The man in front was fishing with a line, baiting his hook with a little fish, somewhat larger than a minnow” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 418).

⁹⁶Chrétien, *Arthurian Romances*, trans. Kibler, p. 418.

(among other things) the processes of inquiry and concept acquisition. The fishing rod serves as a symbol of inquisitiveness; the fisher inquires, the water responds, and the fisherman acquires. The image of fishing, which recalls the act of questioning, also resembles the basic rhythm of a conversation: it is an exchange between man and water, in the same way that a conversation is a structured linguistic exchange between two people. The presence of a fisher therefore foreshadows the complex consequences that arise from Perceval's imminent failure to question.

Once settled in the court of the Fisher King, Perceval witnesses the procession of the grail. Maidens and young men carry a lance dripping a single drop of blood, a candelabra, the grail itself, and a carving platter: "Uns vallés d'un[e] chambre vint,/ Qui une blanche lance tint...les chandeliers...le graal...un tailleoir d'argent".⁹⁷ Although Perceval feels curious as to the purpose of the strange procession, he remembers Gornemans' counsel and refrains from asking:

Li vallés voit cele merveille
 Qui la nuit ert laiens venus,
 Si s'est de demander tenus
 Coment ceste chose avenoit,
 Que del chasti li sovenoit
 Celui qui chevalier le fist,
 Qui li ensaigna et aprist
 Que de trop parler se gardast.⁹⁸

Perceval conceives of his actions in the context of Gornemans' earlier admonishment. Perceval seemingly believes in the immutability of his lessons: he fails to reinterpret the advice he has received and misunderstands which social norm to adhere to, and the results are destructive. When he later admits to his cousin that he did not inquire as to the meaning, provenance, or purpose of the grail, she reveals that by doing so, he has robbed the *Roi Peseheor* of an opportunity to be healed and the glory of the land to be restored:

⁹⁷*Perceval*, ed. Roach, ll. 3191-3231; "a squire came forth from a chamber carrying a white lance by the middle of its shaft...Then two other squires entered holding in their hands candelabra of pure gold...the grail...[and] a silver carving platter" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 420-21).

⁹⁸*Perceval*, ed. Roach, ll. 3202-09; "The young knight watched them pass by but did not dare ask who was served from the grail, for in his heart he held the wise gentleman's advice" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 421).

Perchevax maleïrous,
 Com iés or mal aventurous
 Quant tu tot che n'as demandé!
 Que tant eüsses amendé
 Le buen roi qui est mehaigniez
 Que toz eüst regaaignier
 Ses membres et terre tenist,
 Et si grans biens t'en avenist!⁹⁹

At the end of the romance, the audience is left with glaringly unanswered questions. Why is so great a price attached to Perceval's failure to ask about the grail? Why is questioning so important? The dramatic consequences of Perceval's silence seem disproportionate to his sin. The fate of a kingdom, that can only be saved by the asking of a question, rests on the shoulders of a young man who barely has the skills to engage in a conversation, let alone recognize the need for inquisitiveness in a complex and new social setting; indeed, the Fisher King's is the first court he has ever visited.¹⁰⁰ These drastically disproportionate consequences are perhaps meant to emphasize the vitality of these norms, or that societies can be made and broken on the backs of words. Perceval bites his tongue, and a kingdom perishes.

Perhaps the narrative suggests that Perceval's real quest is to learn how to function in society, which necessitates the understanding of communicative norms. Indeed, this chapter has shown examples of modes and paradigms of norm transmission that we will examine in much greater detail as this thesis progresses. The romance features transmission of basic norms of chivalry and behaviour. As we will come to see, Perceval's mimesis of Gornemans' behaviour could be understood as an example of transmission by example. Perceval's mother's lessons could be conceived of as transmission by direct speech. What's more, the text features paradigms of knightly education that recur in other literary sources. Motherly instruction features in *Raoul de Cambrai*.¹⁰¹ The mastery of horses and horsemanship continues to be an expressive symbol of chivalric norms. The passing on of norms of knighthood from

⁹⁹ *Perceval*, ed. Roach, ll. 3583-90; "Ah, unlucky Perceval, how unfortunate you were when you failed to ask all this, because you would have brought great succour to the good king who is maimed: he would have totally regained the use of his limbs and ruled his lands, and much good would have come of it!" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 425).

¹⁰⁰ Perhaps the Fisher King was counting on the unchecked curiosity that we saw in Perceval's first conversation with the *chevalier* in the Waste Forest, suggesting that, in some ways, his education may have crippled him. As we can see, the discourse on transmission and learning is complex and has the potential to be explored at greater length.

¹⁰¹ Please see Chapter 3 for a more nuanced discussion of motherly instruction.

an older male to a younger male recurs in many other texts, particularly *L'Histoire de Guillaume le Maréchal*, which is the subject of the next chapter. In the following chapters, we will expand our discussion of these modes and paradigms to several other contemporaneous texts.

TRANSMISSION OF LEGAL, BEHAVIOURAL, AND HONOUR NORMS IN *L'HISTOIRE DE GUILLAUME LE MARÉCHAL*

Section I: Means of transmission

Introduction

L'Histoire de Guillaume le Maréchal is a valuable source of norms concerning twelfth- and thirteenth-century life among the elite. *L'Histoire* is a thirteenth-century biography that celebrates the life of William Marshal, earl of Pembroke and effective regent of England during the early years of the minority of Henry III.¹ The narrative for the most part is chronological, beginning with William's childhood in the shadow of his father's eminence and ending with William's death. The narrative structure of this celebratory biography allows for the transmission of norms by a variety of modes. Our hero, William Marshal, never fails to rouse his soldiers as they rush into battle or to provide astute political advice to his lords. We, as the audience, hear of the intricacies of legal norms as the Marshal navigates King John's court. We listen as the narrator praises William's prowess and makes snide asides concerning John's arrogance. We witness how William, time and again, exemplifies the ideals of chivalry, both on and off the battlefield. By closely examining these instances through the lens of literary analysis, we can gain insight into the narrative means of norm transmission. In terms of the overall theoretical argument of this thesis, a close reading of *L'Histoire* both digs deeply into the relationship between norm content and mode of transmission and proposes paradigms of norm transmission that can then be applied to a wider body of contemporaneous literature and law. Whereas the previous chapter looked specifically at the transmission of norms of honour and chivalry in the context of knightly education, this chapter expands its focus to include other social

¹ It should be noted that nowhere in *L'Histoire* is William Marshal referred to using the Old French equivalent of the term "regent". The use of this term is mostly a historiographical approximation of his role. In the Patent Rolls of the Reign of Henry III, in 1216 on 30 October, William Marshal is referred to as "fidelis nostri comitis"; in an entry dated 1 November 1216, William has acquired the additional title of "justiciarii nostri" (Patent Rolls, I Henry III, p. 1).

and legal norms. Furthermore, *L'Histoire* has been chosen because it straddles the boundary of two genres: fiction and historical biography. As such, it is valuable for this thesis's overall approach, which reconsiders established genre boundaries, especially between legal and literary texts.²

I firstly identify the modes of norm transmission in the text and illuminate patterns of transmission that become clear throughout the narrative. In the second section of this chapter, detailed literary analysis reveals some of the most important and noteworthy instances of norm transmission, exploring the mechanisms and processes of each mode. This detailed close reading of the narrative also considers several significant thematic questions that arise in the course of poem. The text calls into question, for instance, the nature of knighthood as an institution; that is, how knights are made and in what ways knights live, serve, and function in political, personal, and military contexts. In several places, the poem seems to eke out a definition of chivalry, seemingly seeking to express what chivalry means in terms both practical and theoretical. Much as the previous chapter explored the processes of learning and interpretation in the context of Perceval's introduction to chivalry, this chapter looks in more detail at the specific modes of transmission involved in knightly education.

Norms are transmitted in *L'Histoire* by three modes, to which I will now provide a brief introduction. The first is transmission by narratorial comment. Throughout *L'Histoire*, the narrator emerges as a character in and of himself. He identifies himself as John. He notes that he was commissioned to prepare the history by William Marshal's son, also called William, and John of Earley, the late William's closest friend, advisor, and retainer. The narrator, in the act of storytelling, gives us insight into those things of which he approves and disapproves, the judgements and characterizations from which he distances himself, and the sources to which he refers. All these elements contribute to the very tangible presence of a narrator-character within the text. It is important, however, to distinguish the narrator from the poet or author. We cannot assume that the narrator as he appears in the text is identical to the writer; indeed, the narrator's personality could be constructed by the writer. This is an important distinction to bear in mind as we examine the construction of the narrative.

² Please see Chapter 4.

The second mode is transmission by example. At several points in the text, characters' behaviours and actions are described in such a way that the description is illustrative of certain norms and ideals. Transmission by example includes scenes of both good and bad behaviour that serve as models of comportment. King John's behaviour, for instance, is generally exemplary of bad lordship, whereas Queen Eleanor's actions show her to be a good lord. It is no surprise, given the provenance of *L'Histoire*, that the poet frequently uses William Marshal's behaviour to demonstrate the qualities of an ideal knight. The poet expresses his intent to portray William as an exemplary figure; referring to the composition of *L'Histoire*, the author says: "Dex m'otreit qu'ele soit si faite/ Que bone essemple i puissent prendre/ Tuit cil qui i voldront entendre!"³ At William's funeral service, the archbishop enjoins those present to regard their "mirror": "Veiz ici nostre mireor,/ Autressi nostre comme vostre", which underscores the notion that William's behaviour should be copied.⁴ Considering that William's family commissioned the poem as a celebratory biography, we can glean much about what at least one group deemed to be praiseworthy characteristics. Transmission by direct speech, the third mode, refers to statements made by characters within the narrative and accounts for a significant proportion of norm transmission within *L'Histoire*. This should come as no surprise: the very nature of speech makes it an expected and appropriate forum for transmission. Conversing, delivering galvanizing pre-battle speeches, advising a lord, training young knights, and defending oneself in court: all of these forms of direct speech communicate norms.

The unique forms of transmission often function in conjunction with each other, that is, norms are often conveyed by more than one mean. For instance, transmission by example is often accompanied by one or both of the other two modes. Similarly, when a norm is transmitted by direct speech, the narrator will sometimes comment on the character's statement. The combining of transmitting modes often signals what Stephen White has referred to as the "harmonization" of conflicting norms, that is, when adherence to one norm might entail disobedience to another. As White says, "The question of how—or whether—such rules could be harmonized

³ Gregory, *History of William Marshal*, ll. 15028-30: "May God grant that the story is composed by me so that anyone who would like to listen to it might find in it a good example to follow" (my translation)

⁴ Gregory, *History of William Marshal*, ll. 19078-79: "Behold here our mirror, as much ours as yours"

with one another and applied to concrete cases was not an object of systematic study; it was more likely to be a subject for poetry.”⁵

Classification of norms: norm categories explained

Let us now look at the methodology for examining the relationships between types of norm and means of transmission. In order to conduct a study of the modes of norm transmission, the norms in question needed to be classified. The resulting classification is an attempt to identify and group the main types of norms being transmitted in *L'Histoire*.⁶ It became clear that three categories of norms are transmitted most often throughout the narrative: those pertaining to “military foresight and advice-giving”; “personal honour and chivalric conduct”; and “lord’s behaviour and honour”. Although the distinctions between the classifications are at times subtle, it remains important to establish categories of norms in order to identify patterns of norm transmission. This methodology is certainly not fool-proof, it does shed light on patterns of transmission that would otherwise have gone unnoticed.

“Military foresight and advice-giving” refers to norms usually communicated in the contexts of wartime negotiations among elites, galvanizing speeches before heading into battle, and political strategizing. William Marshal, on numerous occasions, delivers speeches that are at turns inspirational and edifying before combat. It should be noted that this category does not address technical martial skills; rather, these issues are classified under the heading “battle skills and conduct”. William also excels as an advice-giver, and norms concerning political strategy and military manoeuvrings are usually transmitted from him to his lord (including to the king). This category also pertains to general advice-giving codes, such as the lordly responsibility to listen to good counsel (and the ramifications of ignoring William’s advice). “Personal honour and chivalric conduct” refers to norms concerned with the winning and losing of honour across the various spheres of life. These norms, with just a few exceptions, pertain exclusively to male honour. Finally, the last of the most prolific categories is “lord’s behaviour and honour”. These norms deal with lordly

⁵ Another of White’s observations is relevant here: “The rule, moreover, provided no guidance about what should be done when conformity to it would have necessarily entailed the violation of another norm or the flouting of another commonly observed practice” (Stephen D. White, *Custom, Kinship, and Gifts to Saints* (Chapel Hill, 1988), p. 74).

⁶ Please see Figure 1, “Frequency of Norm Transmission by Mode of Transmission”.

obligations, particularly in the context of war and his responsibilities to his retainers, peers, and prisoners.

There are several other norms that, although discussed less frequently, offer interesting insight into certain issues. Many norms transmitted in the text, for example, pertain to education, particularly the training of young knights. Fewer relate to the theoretical and practical significance of knighthood and chivalry as institutions, and a small number refer to specific combat skills. Other norms address vassal's duties, appropriate behaviour after the death of a loved one, the procedure following a king's death, and the itinerant lives of reputation-hungry fledgling knights. Furthermore, a number of legal norms are transmitted in the text by each of the three means of transmission.

Figure 1

Frequency of Norm Transmission by Mode of Transmission

		Mode of Transmission		
Type of Norm Transmitted		Narratory Comment	Example	Direct Speech
	Military and Political foresight and advice; general advice norms	5	8	17
	Personal honour/ chivalric conduct	10	3	13
	Lord's behaviour and honour	5	13	0
	Legal norms	7	1	5
	Battle skills and conduct	6	2	4
	Education	4	0	5
	Vassal's duties	0	1	5
	Chivalry/ "meaning" of knighthood as an institution	3	0	0
	Young knights; winning reputation	2	0	1
	Learning processes	0	1	0
	Customs re: king's death	3	3	0
	Death norms	2	1	0

	Slander	1	0	0
	Affinity to warfare	0	1	0
	Feats of strength/impossibility	0	1	0
	General behaviour	1	0	0

Analysis of table

The table, which considers how the categories of norms relate to the modes of transmission, reveals a few patterns. Firstly, it demonstrates the types of norms that are discussed most in *L'Histoire*: “military foresight and advice-giving”; “personal honour and chivalric conduct”; and “lord’s behaviour and honour”. The table also shows that the mode of transmission is usually related to the category of norms that is being transmitted. Norms of “military foresight and advice-giving” and “personal honour and chivalric conduct” are transmitted most commonly by a significant margin by direct speech, whereas norms related to lordly obligations are principally communicated by means of transmission by example. Narratorial comment stands out as the mode that most frequently transmits legal norms. These findings will be elaborated in the following section, after each transmissive mode is briefly introduced.

Transmission by narratorial comment

Narratorial comment, although primarily responsible for the transmission of legal norms, also accounts for significant communication of norms of “personal honour and chivalric conduct”. In fact, narratorial comment transmits eleven norms of personal honour and just seven legal norms, but this still remains a lower number of personal honour norms than those conveyed by direct speech. The norms transmitted by narratorial comment have a special significance: these are the norms that the author deems appropriate to articulate in the voice most closely associated with his own (that is, the voice of the narrator). Comments that issue from the mouths of other characters are automatically distanced from the narrator. This distancing effect can perhaps safeguard the narrator from statements that might be deemed inappropriate or disrespectful. That having been said, the distancing quality can also lend authority to

certain statements, giving weighty respectability to the praise William receives from figures of authority, for example.

So how is the narrator characterized? He appears eager not to be tedious and to stay true to the course of his story. He shortens the description of a battle, for instance, close to the start of *L'Histoire*, noting that to dwell on it for too long could induce ennui: “Ne tot taire ne tot conter,/ Quer a ennui porreit monter/ A reconter lor asemblees/ Ne lor agaiz ne lor meslees”.⁷ The narrator repeats similar sentiments several times as the biography progresses. The narrator, eager to demonstrate his reliability, perhaps, expresses his intent to remain faithful to the facts as far as he knows them. He advises his audience, for example, that he cannot comment on certain matters until he receives further information: “Ci endreit ne voil or plus dire/ Quer ne sai pas bien la matire/ A combien ele fu montee/ Desqu’el me seit avant contee”.⁸ He makes numerous comments that self-consciously refer to his role as narrator and historian. His ostensible concern with factual accuracy undoubtedly does not prevent him from creative elaboration of certain scenes, nor does he refrain from offering his presumably subjective opinion on honourable and shameful behaviours.

In order to communicate norms, the narrator frequently makes aphoristic statements. It is unclear to what extent these statements are common proverbs. The majority of the statements have a negative, condemnatory tone and are usually located at the end of an account of bad behaviour. There is a recognizable pattern of the narrator describing bad behaviour in specific terms and then following that passage with a denunciation of such behaviour in general terms. This usually comes in the form of a maxim. For example, after recounting Count Robert’s shameful transference of allegiance from John to the French king, the narrator writes: “Huntuz est qui de gré s’avile”: “A man who consciously disgraces himself is guilty of shameful behaviour”.⁹ This shift from specific to general could be an attempt at situating the anecdote within a wider moral context. It could also signal that the aphorism is intended to be a teaching tool. We see this device at work in the account of the conflict between Henry II and his son. The narrator begins by describing the giving of traitorous counsel, then recounts via indirect speech the men of the king’s household

⁷Gregory, *History of William Marshal* i, ll. 153-56, p. 9: “It is not good to omit all, or tell all either,/ for it could prove tedious/ to relate all their combats,/ the ambushes and the battles”.

⁸ “At this point I have no wish to make any further comment/ since I do not know/ how matters developed/ until I am informed at a later date” (Gregory, *History of William Marshal* ii, p. 143).

⁹Gregory, *History of William Marshal* ii, l. 12620, p. 131.

who criticize the counsellors. He finishes by offering a general condemnation of all who sow seeds of rebellion between sons and their fathers:

Asez fu qui li conseilla
Qu'encontre son pere tornast
E par force tel l'atornast
Que il li feïst, mal gré suen,
Sa volonté e tot son buen.
Li autre n'orent de ce cure,
Qui furent de sa norreture,
Einz deloerent cel afaire,
E que trop sereit mal a faire.
Qui mal meit entre filz e pere
*C'est bien raison qu'il le compere.*¹⁰

This passage also illuminates another device that is used frequently as part of transmission by example: the presentation of bad behaviour followed immediately by a counter-example of proper behaviour. After detailing the malevolent advisors who counsel the Young King to rebel, the narrator presents a counter-example of men who advise Henry not to undermine his father.

The narratorial treatment of King John's transgressions is mixed. At times, the narrator seems to tread lightly around the issue, while at other moments he offers frank criticism of John's flawed personality. The majority of honour norms relating to John's reign are transmitted by example rather than narratorial comment, perhaps because it would have been risky or uncouth for the author to speak too unkindly about the current king's father. The poet tiptoes around certain subject matter that may have been delicate or unseemly; for example, he skims over the baronial revolts toward the end of John's reign that eventually led to the sealing of Magna Carta.¹¹ He devotes just a few lines to the events and offers little in the way of condemnation or judgement for either side:

¹⁰“The young King was amazed by this,/ and there were many who advised him/ to turn against his father,/ and use force to reduce him,/ against his will, to doing/ all his son's desires and wishes./ Others had no time for this,/ who were men of the King's household;/ they advised against that course of action,/ saying that it would be very wrong to act in that way./ *It is entirely right that any man should pay/ for the discord he sows between father and son.*” (Gregory, *History of William Marshal* i, ll. 1997-2008, p. 103, emphasis added).

¹¹ However, it should be noted here that the poet does openly criticize King Henry's decision to crown his son and to have his baron's pay homage to him: “Mais d'itant i meit mon asens/ Que li reis ne fist mie sens/ Quant il fist a tot son barnage/ Par force a som filz faire homage” (Gregory, *History of William Marshal* i, ll. 1925-28).

Aprés ce commença la guere
 E l'estrife e le mesprisons
 Entre le roi e les barons,
 Qui unques, a dreit ne a tort,
 Ne traist a fin dusqu'a la mort...
 Mest n'est pas a dire a ceste ore
 Des ovres ne des achaisons,
 Quer trop i out el que reisons
 D'amadeus pars, ce fu la veire,
 Que a peine porreit nul creire
 Le mal que d'ambe par i fu,
 S'il ne l'out oï ou veü:
 Chascuns i acreissent le mal.¹²

Finally, the legal norms transmitted in the form of narratorial comment primarily deal with the pragmatics of lordship, the negotiation of problems that arise between a lord and his men, and guardianship of minors.

Transmission by example

Transmission by example is, essentially, the performance of norms. In several scenes throughout *L'Histoire*, characters' actions illustrate certain norms, and the characters perform social ideals and normative transgressions. This mode is unique in that it is, in some ways, a forum wherein the norms can be played out and tested in a practical context, sometimes offering a window into how conflicting norms are harmonized. The text makes it clear that William should be viewed as a model of behaviour for the audience of *L'Histoire*. In addition to the aforementioned statements that refer to William's role as an exemplar, William refers to himself as "Esemples e mireor" in the company of King John and his barons.¹³

Critically, transmission by example is made up of both positive and negative examples; in other words, transmission is possible through exemplary good behaviour or through transgressive behaviour. Many characters feature in this mode of transmission, especially King John, and his actions tend to be iniquitous in nature.

¹²"and thereafter began the war,/ the strife and criminal conflict/ between the King and the barons,/ which, rightly or wrongly, did not/ come to an end before his death...But it is not the time to speak now/ of the episodes and what gave rise to them,/ for there were many deeds done that were not right/ by both sides, in very truth,/ so much so that nobody could believe/ the wrong done by both parties,/ if he had not heard of it and seen it for himself;/ everybody strove to aggravate the harm done" (Gregory, *History of William Marshal* ii, ll. 14842-60, p. 243-45).

¹³ Gregory, *History of William Marshal* ii, l. 13170: "Exemplar and mirror" (my translation).

The narrative takes particular issue, for example, with John's repeated mistreatment of prisoners.

Transmission by example does not often stand alone, usually occurring in tandem with other modes. Other characters may bolster the narrative description of William's feats, for example, by commenting on his exemplary prowess. Narratorial comment, on many occasions, also supplements transmission by example, functioning much in the same corroborative manner as direct speech. This coincidence of transmitting modes sometimes signals that a description is functioning as transmission by example, rather than just a continuation of the narrative.

This mode of transmission communicates the majority of norms regarding "lord's behaviour and honour". Furthermore, it communicates one of only two instances of norms relating to female behaviour. Transmission by example is also responsible for the conveyance of a large number of norms of military foresight and general advice-giving. This trend can be explained by William's role as a model of good behaviour: on many of the occasions that he gives wise counsel, he stands out as the best (or indeed, only) adviser to do so.

Transmission by direct speech

Direct speech allows norm transmission in a very natural way that does not detract from narrative flow. This is especially true in formal education settings and in the context of military and political deliberations. In these situations, speech acts as the currency of exchange. Consequently, direct speech accounts for a significant proportion of norm transmission within *L'Histoire*.

Direct speech is responsible for transmitting the highest number of norms related to "military and political foresight and advice-giving", as well as "personal honour and chivalric conduct". This transmission usually occurs in formal educational settings, in the form of a rousing speech before a battle, or in the context of strategy discussions between kings and barons. In the two main educational scenes in the text, which will be examined in much greater depth later in this chapter, an older, more experienced knight transmits norms to a younger man. In the case of the Chamberlain and William, the Chamberlain is William's superior, and norms are thus transmitted from superior to inferior. When it comes to William's education of Henry the Young King, however, these same rules do not apply: Henry, the student, occupies a higher social rank than William, the tutor. We cannot, therefore, conclude that norms

transmitted by direct speech are always passed from superior to inferior. In fact, this instructional mode of transmission subtly transgresses social boundaries, as expressed by the narrator: “Beneeiz seit qui lor aprist...Que par ce fu il puis maint jor/ Sire e mestre de son seignor”.¹⁴

In the context of military and political deliberations, norms are generally passed from inferior to superior. Norms of military foresight and strategy and political manoeuvring are almost always transmitted to the king from a social inferior, usually William Marshal or another baron. However, the king’s subsequent approval and praise (or disapproval and derision) serve as a method of norm transmission within direct speech, wherein the best advice-giver becomes an exemplification of the social ideals of providing sound counsel and devising effective military and political strategy (or the reverse).¹⁵ Direct speech thus works in tandem with transmission by example. William Marshal is swift to offer sound counsel on military and political strategy, transmitting norms through his advice and his exemplification of the ideal counsel-giver. There are numerous instances where William offers his counsel to the king. In doing so, he demonstrates a keen insight into both military strategy and how to manipulate the political situation to his lord’s advantage. In the context of discussions of political strategy, direct speech also conveys honour norms related to a vassal’s duties to his lord. It should be noted that these norms are usually transmitted not from superior to inferior, or from a lord to his men, but among vassals on a mostly horizontal plane of exchange. This will be explored further in the latter half of this chapter.

Honour norms are also frequently transmitted in the form of the galvanizing pre-battle speech. William typically delivers these rousing encouragements and usually conveys fairly general, aphoristic statements about the honour that is up for grabs on the battlefield. Prior to combat with the French, for example, William enjoins the army to take revenge on their opponents: “por tresaute enor conquere...Nus ne s’en deit ariere traire:/ Bien venge son mal e sa honte/ Cil qui sun enemī sormonte”.¹⁶ In the lead up to another battle, the Marshal proclaims: “Vez ici hautece e enor... Honiz seit qui ce ne s’esforce/ De metre i, ui c’est jor, challenge...E

¹⁴“Blessed be the man who taught them the way...for subsequently, for this quality, he was for many a day/ lord and master of his lord” (Gregory, *History of William Marshal* i, ll. 2631-34, p. 135).

¹⁵ If a king ignores William’s advice, he is repeatedly shown to have erred in judgement.

¹⁶“to win for ourselves the highest honour...Nobody should hold back:/ a man takes full revenge for the wrong and shame done to him/ when he overcomes his enemy” (Gregory, *History of William Marshal* ii, ll. 16146-96, p. 309-13).

se nos lé vencons, sanz fable,/ Nos avrons enor pardurable/ Conquise a trestoz nose ages,/ A nos e a toz nos lignages”.¹⁷

Lastly, perhaps because the narrative revolves around the lives of knights at an elite level, characters of a lower class are never represented in direct speech. We only ever hear their voices indirectly. In other works, such as those of Chrétien de Troyes (particularly in *Le Chevalier de la Charrette*), low-class characters are given a marginally greater voice.

Section II: Literary processes

In the following section, I will explore the literary techniques employed in norm transmission, and also examine the relationship between norm content and mode of transmission. Literary analysis of the text begs some important questions. It asks us to consider the nature of chivalry and how we can define it in terms both practical and theoretical. When we consider the transmission of norms of honour, chivalry, and knighthood, we are left with questions that are not fully resolved within *L'Histoire*: how is chivalry learned and passed on in the text? Is it learned as one would learn how to use a lance? Is it studied as one would study an academic discipline? By considering these issues, we locate *L'Histoire* within a wider twelfth- and thirteenth-century literary discourse on chivalric education and learning processes. The examination of these literary processes is organized around the means of transmission. Instances of norm transmission are therefore considered in the context of the means by which they are transmitted.

Transmission by narratorial comment

According to *L'Histoire*, during William's adolescence, his father sends him away to the Chamberlain of Tancarville to be fostered and educated. In the course of narrating this period of William's life, the text communicates norms related to “personal honour and chivalric conduct”. The narrator notes that the Chamberlain is devoted to increasing and safeguarding his family's honour and reputation: “Al Chamberlenc kui

¹⁷ “There is honour and glory to be won here...Shame upon the man who does not strive,/ this very day, to put up a challenge...And, if we beat them, it is no lie to say/ that we will have won eternal glory/ for the rest of our lives,/ both for ourselves and for our kin” (Gregory, *History of William Marshal* ii, ll. 16278-98, p. 317).

pas n'avile/ Son lignage ne jor ne ore,/ Einz l'eime e essauce e enore".¹⁸ Presumably, John Marshal hopes that the Chamberlain's dedication to pursuing honour will serve as a good model for his son, although this is not explicitly articulated. The narrator communicates the appropriate pursuits of young noblemen, suggesting that it is proper for a young man to seek an honourable reputation. He writes:

Esi com il out pris en mains
 Il fist atorner son afaire,
 Comme a gentil home estuet feire
 Qui s'en vet en estrange terre
 Por pris e por onor conquere.¹⁹

This pursuit of a good reputation clearly has a geographic component, at least according to the narrator, as he notes that young men should travel to "estrange terre". Perhaps this emphasis on travelling has to do with gaining exposure in a twofold sense: witnessing foreign cultures and lands on the one hand, and demonstrating your prowess to foreign lords on the other. The narrator also notes that young knights do well to maintain an itinerant lifestyle and to resist long periods of rest: "nus qui velt en pris monter/ N'amera ja trop long sejour".²⁰ Many of the norms related to the Marshal's knightly education and maturation are transmitted in the form of direct speech (i.e. spoken commands or reprimands from the Chamberlain) and will be explored in the section analysing transmission by direct speech.

The narrator makes several remarks that reveal his opinions on honour norms, mostly in the context of military activity. When King Richard, for example, treats his prisoners with kindness and respect, the narrator postulates that: "Mais d'itant ne deit doter nus:/ Quant prusdom est plus el desus,/ De cruelté e de mal faire/ Tant s'en deit il plus beal retraire;/ E itant vos di, c'est la some/ Que le desus del malveis home/ Torne a cruelté e a hunte".²¹ This statement reflects the narrator's tendency to follow

¹⁸"The Marshal decided/ that he would send William/ to Tancarville in Normandy,/ to be with the Chamberlain, who had never brought shame/ upon his family line at any time;/ indeed, he set great store by it and kept its reputation high" (Gregory, *History of William Marshal* i, ll. 743-48, p. 39).

¹⁹"Just as he had undertaken to do,/ so he arranged William's affairs,/ as is fitting for a nobleman/ setting off abroad/ to win an honourable reputation" (Gregory, *History of William Marshal* i, ll. 750-54, p. 39).

²⁰"Any man who would like to rise up in esteem,/ Would never like prolonged rest" (Gregory, *History of William Marshal* i, ll. 1890-91, my translation); this norm is found in several literary works, especially Chrétien's *Érec et Enide* and *Yvain*.

²¹"But nobody should have any doubt on this point:/ the more a worthy man has the advantage,/ the more he should show his worth by desisting/ from doing harm and from acts of cruelty./ And so much do I say to you, in a word,/ that when a bad man has the advantage,/ cruelty and outrage are the consequences" (Gregory, *History of William Marshal* ii, ll. 10277-83, p. 15).

a specific description of behaviour with a general aphorism. In this case, he segues from Richard's honourable behaviour to a postulation on the worthy man's responsibility to do good and the bad man's proclivity toward cruelty. This allusion to the danger of having a bad man in a position of power perhaps hints at the forthcoming reign of King John.

The narrator comments numerous times on personal honour in the context of battle. William, finding himself alone and lacking assistance in a battle with the French, performs as the narrator remarks that a "good knight should": "Cil estut devant la porte/ Toz solz, que nuls ne li aporte/ Conseil ne confort ne aie,/ E il se defent e aie/ Comme boens chevaliers deit faire/ Quant il est en itel afaire".²² In the course of that same conflict, the narrator muses on brave warriors and on those who would rather flee than fight: "Bien savez, tels est la maniere/ Que le plus vaillant sunt desriere/ Quant vient a la desconfiture;/ Li autre, ke de ce n'ount cure,/ E a els garder ont tendu/ S'enfuient a col estendu".²³ The narrator takes a plaintive tone when lamenting the way that worthy men are treated in court: "Eisi avient tote jor/ Que losengier e traïtor/ Sunt tuit maistre e seignor a cort/ E li prodome tenu cort".²⁴ Although *L'Histoire* is largely focused on the lives of the male elite, the narrator, in the context of describing William's children, mentions the qualities that every noble lady ought to possess: "Bealté, franchise e gentillece/ E tot li bien, gel di por veir,/ Qu'en gentil feme deit avoir".²⁵ These qualities—beauty, generosity, and nobility—overlap with the traditional descriptions of male protagonists of romances, lais, and epics.

Narratorial comment expresses paradigms about chivalric education. The concept of a more formalized chivalric education was perhaps intended to parallel the academic education provided in the expanding school system in the twelfth century. The narrator has embedded the discourse on chivalry with terms that refer to education, frequently referring to the "learning" of chivalry. The narrator writes:

²²"The Marshal was in front of the gate/ all alone, and nobody was there to give him/ advice, help or assistance,/ but he defended himself and performed/ as a good knight should/ when he is in such a situation" (Gregory, *History of William Marshal* i, ll. 8595-8600, p. 437).

²³"As you well know, it is the way/ that the bravest remain behind/ when it comes to a rout,/ whereas the others, who have no taste for that,/ set their mind on self-preservation/ and take flight as fast as their horses can carry them" (Gregory, *History of William Marshal* ii, ll. 11025-30, p. 53).

²⁴"And so it always is/ that base flatterers and traitors/ are all cocks of the roost at court/ whilst worthy men are given short shrift" (Gregory, *History of William Marshal* ii, ll. 13047-50, p. 153).

²⁵"Beauty, generosity and nobility/ And all that which is good, I can tell you truly,/ That a worthy woman must possess" (Gregory, *History of William Marshal* ii, ll. 14920-23, my translation).

“Qui en haute enor se velt metre/ Primes li covient entremetre/ Qu’il en ait esté a escole”.²⁶ He frequently refers to well-performing knights as those who have “learned” (or “apris”) their skills. In his praise of knights at the battle of Lincoln, the narrator notes: “En la bataille de Nichole/ Ot de tels quin orent apris/ Tant qu’il esteient de haut pris”.²⁷ During one of William’s first battles, the poet describes William’s prowess and notes that “Qui l’esgarde ne quide pas/ Que il seit d’armes a apprendre”.²⁸ In the same battle, describing how the enemy bore down upon them, and how they in turn pushed the enemy back, the poet says of the men of Tancarville: “Bien lor apristrent la chariere”—“they certainly taught them the way”.²⁹ The narrator describes chivalry as something that is learned: “si trescostos a apprendre”.³⁰ In this same passage, the narrator delves into a discussion of the nature of chivalry. He begins by describing those who boast of great prowess at arms: “Tel parole de bien fait d’armes/ Que, s’il teneit par les enarmes/ Un escu en itel afaire,/ Certes, qu’il n’en savreit que faire;/ E s’il esteit de tot armez,/ Il quidereit estre charmez,/ Si que ja mes ne se meüst/ Por nul besoiing qu’il en eüst”.³¹ These boasters, he says, would not know how to use even their shield, let alone their weapons, and would be utterly defenceless on the field of battle. Notably, the narrator does not condemn the falseness of their boasting, just the act of boasting in general. This perhaps intimates that those who truly perform great deeds need not ever boast themselves, because the nature of their valour and prowess means that others will write and sing of them.

It should be noted that the narrator has a particular interest in proper comportment when it comes to the handling of arms and armaments. He returns a few times to this issue, noting, for instance, when it is and is not appropriate to arm oneself. Indeed, norms surrounding arming are crucial to one of the most noteworthy scenes of transmission, as we will see. The narrator also mentions a number of times

²⁶ “Any man seeking to achieve high honour/ must first see to it/ that he has been well schooled” (Gregory, *History of William Marshal* ii, p. 345).

²⁷ “At the battle of Lincoln/ were some who had learned sufficiently/ to have won high renown” (Gregory, *History of William Marshal* ii, p. 345).

²⁸ “Anyone watching him would not have thought/ that he still had to learn about fighting” (Gregory, *History of William Marshal* i, p. 49).

²⁹ Gregory, *History of William Marshal* i, l. 1048, p. 55.

³⁰ “so very costly to learn” (Gregory, *History of William Marshal* ii, l. 16861 my translation).

³¹ “Some speak of great feats of arms/ who, if they held a shield/ by the straps at such a time,/ would certainly not know what to do with it./ And, if they were fully armed,/ they would think they were bewitched,/ to the point where they would be powerless to move,/ however much they needed to do so” (Gregory, *History of William Marshal* ii, p. 345).

the difficulties that knights have in removing their helmets, often requiring the help of a smithy to remove them.³²

Having expounded on the foolishness of those who boast of prowess, he then segues into a theorization about the nature of armed combat. He simulates a conversational exchange, posing a number of questions to his audience that he proceeds to answer. He begins by asking what it means to work with weapons: “Qu’est fere d’armes?”³³ Is it the same as other manual labours?

Qu’est fere d’armes? fet en l’an
Si comme d’un crible ou d’un van
Ou d’une coingnie ou d’un mail?³⁴

He compares the handling of weapons to the handling of tools used in manual trades, asking what separates a knight from a common labourer. The narrator argues that armed combat fundamentally differs from other manual trades in that those who practise it are able to rest periodically, rather than toil interminably, as with other labours. He states: “Nenil, c’est trop greignor travail,/ Car cil quin uevre se repose/ Quant il a over une pose”.³⁵ “Greignor”, an alternate spelling of “graignor”, meaning “greater”, also connotes importance or seriousness. “Nenil”, meaning “emphatically no, not at all”, emphasises the gulf of difference between armed combat and other labours. Knighthood is a solemn undertaking, and although knights might wield swords as a woodsman might swing an axe, knighthood is a far finer profession. The first two tools that the narrator mentions in the comparison intimate that knighthood is the most refined of all trades. He first compares armed combat to working with “un crible” (a “sieve”), which serves to purify that which is poured over it. He then offers “un van” (a “winnow”) as a comparison, which, quite literally, separates the wheat from the chaff. He seems to be suggesting that knighthood is labour that has been distilled to its purest, noblest form. The narrator then turns to a discussion of chivalry, asking: “Que est donques chevalerie?”³⁶ The implication is that chivalry and armed

³² For example: “Molt i avoit mauveise feste,/ Quer li feuvres o ses martels,/ O tenailles e o pincels,/ Li alout son hiealme esrachant/ E les fondeüres tranchant,/ Qui trop esteient enfundues/ E enbarrees e fundues;/ Entor le col ert si serrez/ Qu’a grant peine fu desserrez” (Gregory, *History of William Marshal* ii, ll. 3104-12)

³³ “What is armed combat?” (Gregory, *History of William Marshal* ii, p. 345).

³⁴ “What is armed combat? Is it the same/ as working with a sieve or a winnow,/ with an axe or mallet?” (Gregory, *History of William Marshal* ii, p. 345).

³⁵ “Not at all, it is much nobler work,/ for he who undertakes these tasks is able to take a rest/ when he has worked for a while” (Gregory, *History of William Marshal* ii, p. 345)

³⁶ “What, then, is chivalry?” (Gregory, *History of William Marshal* ii, p. 345)

combat ought to be considered as distinct but related concepts. Although he implies this distinction, he does not reveal in precise terms what distinguishes them.

The narrator poses and answers his own question: “Que est donques chevalerie?/ Si forte chose e si herdie/ E si trescostos a aprendre”.³⁷ The process of “learning chivalry” is difficult and costly (perhaps the poet here refers to the actual cost incurred in terms of horses, arms, etc., in addition to a more metaphorical costliness). It should be noted that the narrator does not use “chivalric” as a modifier, suggesting that although one can be learned in the discipline or art of chivalry, that does not necessarily mean one is “chivalric”. When the narrator describes those who have “learned” chivalry, he will typically use descriptors such as “sages” or “de haut pris”, but he does not use the term “chivalric” or “chivalrous”. This raises several questions: what must a knight do to be deemed “chivalrous”? Perhaps the learning of chivalry is only one component, albeit a crucial one, and in order truly to embody the chivalric ideal, one must implement and perform the chivalric norms in practical terms. It could also suggest that the term “chivalric” was never used as a modifier in medieval literature and is thus a modern imposition. Indeed, the corpus of Old French and Anglo-Norman literature from the twelfth and early thirteenth centuries does not contain an adjectival form of “chevalerie”, suggesting that the use of “chivalric/chivalrous” by modern translators is actually obscurative.³⁸ In any case, it begs a reconsideration of the wording used by modern scholars to describe the embodiment of the knightly ideal. The narrator expressly states that the title and trappings of knighthood alone do not make a knight by default. Following the same question-and-answer format, he asks: “Est chascuns chevaliers un tels? /Nenil.”³⁹ There is more to true knighthood, the narrator implies, than just the title.

Having offered his thoughts on knighthood, the narrator describes the martial performance of knights who have studied chivalry. He praises the skills of those who had “apris/ Tant qu’il esteient de haut pris”,⁴⁰ entreating his audience to hear of the prowess on display at the Battle of Lincoln: “Bien sachiez qu’en cele assemblee/ Ne

³⁷ “What, then, is chivalry?/ Such a difficult, tough,/ and very costly thing to learn/ that no coward ventures to take it on” (Gregory, *History of William Marshal* ii, p. 345).

³⁸ Based on research from the *AND* and Godefroy. It seems that variants of the term “chevaleureux” come into use in fourteenth-century French.

³⁹ “Is every knight really such?/ Not at all” (Gregory, *History of William Marshal* ii, p. 345)

⁴⁰ “learned sufficiently/ to have won high renown” (Gregory, *History of William Marshal* ii, ll. 16871-72, p. 345).

fu mie proësse emblee”.⁴¹ The good qualities he details include riding a “cheval de pris”, holding a “boen glavie”, and dealing blows so fiercely that armour is rendered useless: “N’i valeit couverture un froc”.⁴²

The narrator also devotes considerable attention to norms of lordly behaviour and honour. He focuses on the conduct of King John, at times treading lightly around his failings and at others letting the audience feel the full force of his disapproval. As we have seen, he offers especially gentle treatment of the baronial revolt during John’s reign. At a later point, the narrator takes a similarly delicate approach, perhaps out of conciliatory concerns. He tempers the criticisms by putting them in the form of indirect speech, in this case, the complaints of several English sailors: “Mes molt se pleinstrent des mesfez/ Que li reis Johans lor out feiz/ E des pertes e del damage,/ Que il les ot mis en servage”.⁴³ The narrator makes sure to clarify that “that is what the soldiers said” (“Issi distrent li mariner”).⁴⁴ The use of indirect speech has the effect of distancing the narrator from the negative comments, although it should be noted that the poet could also have structured it in such a way as to maintain the rhyming pattern.

The narrator does not always take such a light-handed approach. He writes in a seemingly frank manner about the destructive nature of John’s arrogance (and what the narrator calls John’s “perpetual misfortune”) after victory at Mirebeau: “Tant i out gaaingnié le jor/ Li reis Johan pris e enor/ Que sa guerre fust afinee,/ Se ne fust male destine/ E sis orgels qui nel laissa,/ Qui totes veies l’abassa”.⁴⁵ The narrator appears to imply that John’s pride and misfortune, although they hinder the resolution of the war, do not prevent his winning of glory and honour. This calls into question the relationship between being an honourable man and being able to acquire honour. It seems that the former might not be a prerequisite for the latter (just as being a “chevalier” does not make one “un tels”). The narrator also has harsh words for John’s arrogance, which, according to him, increases steadily and inhibits his reason.

⁴¹“Listen well, that in this assembly/ Prowess was not at all lacking” (Gregory, *History of William Marshal* ii, ll. 16873-74; my translation)

⁴²Line 16878 “valuable horse”, line 16879 “sturdy lance”, line 16892 “their protective covering was not worth a fig” (Gregory, *History of William Marshal* ii, p. 347).

⁴³“However, they complained bitterly about the wrongs/ which King John had done to them,/ about the losses and damages they had sustained/ to the point that they had been reduced to abject poverty” (Gregory, *History of William Marshal* ii, ll. 17229-32, pp. 363-65).

⁴⁴Gregory, *History of William Marshal* ii, l. 17232)

⁴⁵“So much honour and glory did King John win there that day that the war would have been brought to an end, if it weren’t for bad luck/fate and his pride, which never left him, and which always saw to his downfall” (Gregory, *History of William Marshal* ii, ll. 12105-10, my translation).

The narrator corroborates this with an aphoristic statement on pride in general, continuing the paradigm of concluding examples of bad behaviour with an aphorism: “Mes totes veies crut e crut/ Li orguels, qui veeir ne lesse/ Raison as suens, einz les abesse”.⁴⁶ Perhaps the focus on John’s arrogance, pride, and bad fortune is the narrator’s way of excusing the late king and his failings, for his “orgels”, positioned as the subject of the clause, is portrayed as almost outside of John’s control: a malevolent force acting upon him and souring his capabilities. The author eventually redeems John, when, as his death looms, he sees the error of his ways and expresses remorse for his mistreatment of William.

Narratorial comment transmits the highest number of legal norms. It is well suited to expressing such norms, which perhaps are meant to help the audience understand the intricacies of the legal matters in the story. It also constructs the narrator as the authority on legal process. In the context of a dispute between King John and William, legal norms are transmitted by co-occurring modes of transmission: narratorial comment and direct speech. The narrator describes John’s accusation that William knowingly harboured an enemy of the king. The mode of transmission then transitions to direct speech, which gives William the opportunity to defend himself (and to look good doing so). William cites the obvious distress and pain suffered by the man when he arrived at his residence: “Quant ge le vi, molt m’en fu bel,/ Quer molt esteit malaaisiez;/ E s’il fu par mei aaisiez,/ Vos nel devez pas a mal prendre,/ Quer n’i cuidei de rien mesprendre”. He appeals to the responsibilities of a friend and a vassal and pleads ignorance of the King’s enmity with his guest at the time of his stay: “Qu’il ert mis amis e mis sire,/ Ne unques n’avoie oï dire/ Que vox fusiez par mal de lui./ Bien ensemble estiez andui/ Quant ge departi d’Engleterre/ E ge m’en vinc en ceste terre”.⁴⁷ This also serves as an example of the process of “harmonization” of norms that Stephen White has identified.⁴⁸ The co-occurring modes of direct speech and narratorial comment signal that adherence to one norm is requiring disobedience to another. William has conformed to the norm that a knight

⁴⁶“but day by day the King’s arrogance grew/ and grew, a fault which does not allow those in its grip/ to see reason but brings them down” (Gregory, *History of William Marshal* ii, ll. 12518-20, p. 127).

⁴⁷“When I saw him, I was very pleased to welcome him,/ for he was in a very sorry state,/ and, if I was in a position to help his distress,/ you should not take that in the wrong way,/ for I had no idea whatever that I was doing wrong,/since he was my friend and my lord/ and I had never heard say/ that you had quarrelled with him./ You were both on very good terms/ when I left England/ and came to these shores” (Gregory, *History of William Marshal* ii, ll. 14300-10, p. 217).

⁴⁸ See pp. 16, 46.

ought to be merciful and provide aid and succour, but that has entailed violating a norm of vassalage, namely, that one should not harbour the enemy of one's lord. Notably, the norms come into conflict partially because of John's consistent transgression of norms of good lordship. We could even go so far as to say that the text perhaps provides a template of how to navigate this conflict of norms. For example, the text presents an example of which norm ought to be conformed to and which norm ought to be transgressed. The narrative shows us that the norm related to a vassal's duties should be subordinate and perhaps implies that varying social contexts might engender different responses. In this case, subordination of the vassalage norm is appropriate because John has repeatedly demonstrated his unworthiness. Furthermore, the passage demonstrates how one should construct one's defence, showing which specific norms should be cited in order to provide an appropriate justification for one's transgression. It also demonstrates how one should structure one's speech so that not only are appropriate norms cited, but emotions are appealed to, strengthening the argument for the dominance of the norm of mercy.

Transmission by example

William's childhood coincided with the Anarchy, a period of conflict between King Stephen of Blois and Empress Matilda in the mid-twelfth century. In telling of the siege of Newbury, a standoff between William's father, John Marshal, and Stephen, *L'Histoire* recounts how the child William was used as a pawn by both sides of the conflict. There are few depictions of children, especially of childhood, in Anglo-Norman literature, let alone several hundred lines devoted to the actions of a child. This rarity imbues the scene with a certain significance. This scene offers us much in the way of transmission by example; young William, in particular, exemplifies the ideal future *chevalier*.

William's exposure to various weapons, and the way in which he processes that information, offers insight into chivalric education, a concept that the narrator develops throughout *L'Histoire*. The depiction of young William's learning process also ties in to the wider discourse on concept acquisition and interpretation that this thesis has identified. With John Marshal's castle under heavy siege, the inhabitants request a truce: "Cil des chastel se purpenserent,/ Come cil qui bone gent erent,/ K'une trieue demandereient...Li Mareschals...Ses laitres enveia al rei/ Qu'il li

donast...Trieues".⁴⁹ Stephen, distrustful of John's word, demands hostages from him, and John, unwilling to part with his eldest son, offers up his second eldest. The narrative does not specify why John chose William to serve as his hostage, and John comes across as calculating, callous, and bold. When informed that William was in danger of death, John stonily replies: "Ben fu al pere fait entendre,/ Mais il dist ke ne li chaleit/ De l'enfant, quer encore aveit/ Les enclumes e les marteals/ Dunt forgerait de plus beals".⁵⁰

The audience meets William at the same time as the enemy king does: as a child caught up in the negotiations of a siege. William is, in a sense, born to the audience in the context of war. The narrator introduces William and describes the hostage transfer: "A tant fu la broche taillé/ Ke si fu l'ovre aparillé/ Qu'un de ses filz out en ostage,/ Dunt avenir dut grant damage,/ Non le premier, mais cel après,/ Willeaume, de kui des or mes/ Orra meinte bele aventure/ Qui i vodra metre sa cure".⁵¹ William's date of birth is unclear, and therefore so is his age during the siege. Paul Meyer speculates that he is between six and eight years old: "Il est clair que les 'belles enfances' qui lui valurent la pitié du roi Étienne conviennent bien plutôt à un enfant de six à huit ans."⁵² David Crouch posits that William "was born around 1147 into the middle of a war".⁵³ He suggests that William "would have been four or five years old" when he was a hostage in Stephen's camp, given that his older brother was born "c. 1146 at the earliest" after his parents' marriage circa 1145.⁵⁴ Whether William was four or six, we must concede that he would most definitely be considered a very young child, at least by modern standards. There is no indication that the author of *L'Histoire* would have wanted to portray William as a different age. After handing William over, John betrays the terms of the truce by restocking and fortifying his castle. In retaliation, the king orders William to be hanged. Yet William

⁴⁹ "The people in the castle decided,/ good folk that they were,/ they would ask for a truce...The Marshal...sent letters to the King,/ Asking him...to grant a truce" (Gregory, *History of William Marshal* i, ll. 461-76, p. 25).

⁵⁰ "Word came of this to his father,/ but he said he did not care/ about the child, since he had/ the anvils and hammers/ to produce even finer ones" (Gregory, *History of William Marshal* i, ll. 512-16, p. 27).

⁵¹ "Thereupon the matter was concluded,/ with the result that the King/ obtained one of the Marshal's sons as hostage,/ which might well have turned out badly./ I am not speaking about the first son but the next,/ William, about whom, from now on,/ anyone will to give his attention/ will hear many a fine tale" (Gregory, *History of William Marshal* i, ll. 485-92, p. 27).

⁵² Meyer, *L'Histoire* iii, p. xxiv.

⁵³ David Crouch, *William Marshal: Court, Career, and Chivalry in the Angevin Empire, 1147-1219* (London, 1990), p. 9.

⁵⁴ Crouch, *William Marshal*, p. 16.

is “unsuspecting of the fear of death”⁵⁵ (“li emfes...ki de sa mort ne se dotout”) and blithely asks for Earl Arundel’s javelin: “li emfes...Si vit le cunte d’Arundel,/ Qui teneit un bozon molt bel,/ Si li dist o simple reison:/ ‘Sire, donez mei cel bozon’”.⁵⁶ Stephen, deeply moved by the child’s words, spares his life. William is immediately intrigued by the javelin and shows a keen interest in the tools of warfare, which closely recalls Chrétien’s *Perceval*. There is little specific evidence that the author of *L’Histoire* would have read Chrétien; however, it is likely, based on evidence proposed by Crouch, that Jehan would have had access to the Marshal family’s libraries.

Stephen’s counsellors once again advise baiting John by endangering his son, this time proposing that William be fired from a catapult into the besieged castle: “Lors revindrent li conseiller/ Al rei loer e conseiller/ Que li enfes fust tant tost pris/ E si fust en la funde mis,/ E si lor fust lancié laenz/ Por espoënter cels dedenz”.⁵⁷ William, ignorant of what a catapult signifies, does not recognize that his life is at stake. He once again seems excited by the weapon, which he interprets as a toy. He exclaims “Dex aïe! kel branle!/ Or est ben dreiz que ge m’i branle”.⁵⁸ Stephen forbids his men from firing him from the catapult, due to the innocence of William’s remarks: “Trop set beles enfances dire”.⁵⁹ The king’s men try a final time to provoke John by putting his son in harm’s way, threatening to crush William with a giant millstone dangling from the battlements. William responds to the looming millstone, and to the men’s promises to “[squash him] to a pulp” (the brilliantly evocative “tost esquasiez”)⁶⁰ with cheery curiosity, asking what kind of “new toy this could be”.⁶¹ “E li emfes demanda lors/ Quel gieu ce repoeit ore estre/ Qu’il pendeient a la fenestre”.⁶² This humorously faulted concept acquisition (and William’s sweet words) endear him

⁵⁵Gregory, *History of William Marshal* i, ll. 1. 525–26, p. 29.

⁵⁶“And the child...saw the earl of Arundel/ who was holding a very fine javelin, and he said in his simple childish way: ‘My lord, give me that javelin.’” (Gregory, *History of William Marshal* i, ll. 525–30, p. 29).

⁵⁷“The advisors came back/ to recommend to the King/ that the child be taken forthwith,/ placed in the sling,/ and fired at those within the walls,/ to strike fear in their hearts” (Gregory, *History of William Marshal* i, ll. 543–48, p. 29).

⁵⁸“Gracious me! What a swing!/ It would be a good idea for me to have a swing on it” (Gregory, *History of William Marshal* i, ll. 553–54, p. 29).

⁵⁹“he comes out with such engaging childish remarks” (Gregory, *History of William Marshal* i, l. 560, p. 31).

⁶⁰“Tels presenz avra, ce saciez,/ Dunt il serra tost esquasiez,/ Autresi comme un taberaut” (Gregory, *History of William Marshal* i, ll. 577–579).

⁶¹Gregory, *History of William Marshal* i, p. 31.

⁶²“Seeing this, the child asked/ what sort of new toy this could be/ that they were hanging out of the window” (Gregory, *History of William Marshal* i, ll. 584–86, p. 31).

even further to Stephen, who promises his safety despite his father's deceit; it also shows William's predisposition for warfare.

William's role as a prominent *chevalier* is also foreshadowed in a game he plays with King Stephen. William approaches Stephen in his tent, and the affectionate king plays a game called "knights" with the boy:

Trop bonement e voluntiers
Alout coillant les chevaliers
Qui creissent en la lancelee,
Qui a la foille agüe e lee.
Quant il en out coilli asez
E dedenz son poing amasses,
Si dist al rei: 'Beau sire chiers,
Volez joer as chevalers?'
'Oïl,' feit il, 'beau duz amis.'⁶³

Once again, William conceptualizes warfare in the context of play, but this time, instead of focusing on the tools of warfare, such as javelins or catapults, he directs his attention to knights: the actors of warfare.⁶⁴ The rules of the game are not fully explained,⁶⁵ but it seems to be a sort of mock-battle or tournament. Such games were a common part of aristocratic upbringing, as is clear from, for example, Gerald of Wales.⁶⁶ Stephen lets William take the first turn, and in the fray, Stephen's knight loses his head:

...Puis dist, 'Li queus ferra avant?'
'Vos,' feit le reis, 'beals amis chers.'
Lors prist un de ses chevaliers,
E li reis tint le son acuntre,
Mais isi avint en l'encontre
Qu'icil al rei perdi la teste;

⁶³ "Happily and cheerfully/ he went about gathering the 'knights'/ growing on the plantain,/ with its broad pointed leaves./ When he had gathered enough/ to make a good handful,/ he said to the King: 'My dear lord,/ would you like to play knights?'/ 'Yes,' he said, 'my little friend'" (Gregory, *History of William Marshal* i, ll. 601-9, p. 33).

⁶⁴ Once again, the text recalls Perceval's struggles to conceptualize a "knight".

⁶⁵ This perhaps suggests that the game would be recognizable to the audience.

⁶⁶ We have other references to children playing games in the middle ages in western Europe; Nicholas Orme points out in "The Culture of Children in Medieval England" that "Gerald of Wales, recalling his childhood at Manorbier Pembrokeshire, in the 1150s, tells how he and his brothers played with sand and dust (perhaps on the nearby beach), they building towns and palaces, he churches and monasteries" (Nicholas Orme, "The Culture of Children in Medieval England", *Past & Present*, 148 (1995), 48-88(54)). Metal toy soldiers—miniature armoured knights on horseback—survive from the reign of Edward I (Orme, "Culture of Children", pp. 53-4).

Willelmes fist mult grant feste;
Li reis un autre l'en tendi.⁶⁷

The decapitation of Stephen's knight by a child could gesture toward Stephen's future loss of the crown to the child of his rival. But moreover, this scene, a nod toward William's future, highlights those qualities that pre-dispose William for greatness. As a young child "qui poi fu senez",⁶⁸ William displays eagerness to interact with the tools of war and he conceives of that interaction within the framework of familiar objects and pursuits. In this way, the author could be contributing to a larger discussion in Anglo-Norman literature on the proper ways one learns about knighthood and chivalry. There are a few striking parallels with Chrétien's *Perceval*. Firstly, the author of *L'Histoire* uses almost the exact same phrase to describe the young William as Chrétien uses to describe Perceval. Perceval is the youth "qui petit fu senez",⁶⁹ and William is "Li emfes, qui poi fu senez".⁷⁰ When Perceval encounters knights, he is first intrigued by a javelin—so too, William. Young William's and Perceval's processes of concept acquisition in terms of knightly signifiers parallel each other. Where *L'Histoire* differs, however, is that the text shows the child William's process through what is presumably a more normal knightly education.

The narrator expresses honour norms associated with young knighthood in his depiction of William's adolescence. During his maturation, William exemplifies certain ideals, such as bravery and the desire to win honour, but he also transgresses some behavioural norms. During his eight years as a squire, William faces criticism from members of the Chamberlain's household, usually focused on his over-indulgence in sleep, food, and drink (recognisable adolescent habits):⁷¹ "Sil teneit om a grant damage/ Que poi veillout e trop dormeit/ E molt menjout e molt bevoit".⁷² At this point, the narrator condemns the Chamberlain's "indulgent" treatment of

⁶⁷ "then he asked: 'Who has the first go?'/ 'You, my dear little friend', replied the King,/ so he then took one of the knights,/ and the King placed his own against it./ But it turned out that in the contest/ the King's knight lost its head,/ which made William overjoyed./ The King held out another one" (Gregory, *History of William Marshal* i, ll. 612-19, p. 33).

⁶⁸ Gregory, *History of William Marshal* i, l. 545: ("who knew little" my translation)

⁶⁹ *Perceval*, ed. Roach, l. 281.

⁷⁰ Gregory, *History of William Marshal* i, l. 545: ("the infant who knew little" my translation)

⁷¹ Furthermore, as David Crouch suggests, these anecdotes could have been recounted to the author as part of the family's memories of William and therefore perhaps serve as amusing and comforting memories for a grieving family, gathering to hear about the life of their beloved patriarch. Crouch observes that: "These stories do not always portray the Marshal in a favourable light, and so the element of truth in them may be high".⁷¹ (Crouch, *William Marshal*, p. 6.)

⁷² "People thought it a great pity/ that he stayed up so little at night and yet slept so late,/ that he ate and drank too much" (Gregory, *History of William Marshal* i, l. 774-76, p. 41).

William: “Tels esteit sis confors sevals/ Qu’il aveit des plus beaus morsels/ Qui erent devant le seignor”.⁷³ William’s measured response exemplifies courtly restraint: “Costumiers esteit de s’i taire,/ Quer tant ert duz e deboneire/ Que ja nul semblant ne feïst/ De mesdit ke l’om li deïst”.⁷⁴ These criticisms are met with a kind response from the Chamberlain: “Enkor traïra feve de pot./ Il est mis niés e mis amis, Vos ne savez ke jo nurris”.⁷⁵ The Chamberlain uses the loaded word “nurris” when defending William to his critics, which intimates the role that Chamberlain plays in William’s maturation. “Nurris”, although translated by Gregory as “keeping”, was more commonly used as a word for suckling, nursing, and breastfeeding.⁷⁶ Indeed, in *Raoul de Cambrai*, a twelfth- or thirteenth-century *chanson de geste*, “nurris” is used numerous times to refer to breastfeeding. This paints a picture of a nourishing, nurturing relationship, wherein William receives all the benefits of the Chamberlain’s experience as a child would from his mother’s milk.⁷⁷

The first lord who transgresses behavioural norms is the same man who “nurris” our protagonist. Transmission by example communicates the largest number of norms related to “lord’s behaviour and honour”. These depictions are fairly equally split between transmission by good example and transmission by transgression. William suffers some financial setbacks due to the death of his finest horse during the battle of Tancarville, where he fought admirably for the Chamberlain, and, in return, the Chamberlain “molt li fist petit de bonté” to the Marshal.⁷⁸ He does not pay William the attention he seemingly deserves after his excellent service in the recent battle: “Li Chamberlenc...Ne tint de lui gaires de conte”.⁷⁹ Consequently, William is “dishonoured” by poverty:

Il est ben seü, c’est la some,
Que poverte a maint gentil home
Defolé e mis al naient;

⁷³“so indulgently was he treated/ that he partook of the choicest dishes/ placed in front of his lord” (Gregory, *History of William Marshal* i, ll. 795-97, p. 43)

⁷⁴ “He was wont to hold his tongue on these occasions,/ for he was of such a docile and well-bred disposition/ that he would never show signs of noticing/ any slur spoken against him” (Gregory, *History of William Marshal* i, ll. 801-04, p. 43).

⁷⁵“You’ll see, he’ll set the world alight yet./ He’s my nephew and my friend,/ and you’ve no idea of the quality of the man I’m keeping” (Gregory, *History of William Marshal* i, ll. 792-94, p. 41). I disagree with Gregory’s translation of “nurris” as “keeping”, as will be explained in the main body of the chapter.

⁷⁶ *AND*. Also, for the use of “nurris” to mean “suckling”, see numerous instances in *Raoul de Cambrai*.

⁷⁷ For more on “nurris” and breastfeeding, see chapter 3 of this thesis.

⁷⁸ “The Chamberlain showed little kindness” (Gregory, *History of William Marshal* i, l. 1182, p. 61).

⁷⁹“The Chamberlain...scarcely took any account of him” (Gregory, *History of William Marshal* i, ll. 1183-84, p. 61).

Des cestui as fait ensement,
 Qu'il n'a que doner ne que prendre.
 Un sol mantel li comvint vendre
 Qu'il out kant il fu chevalers.⁸⁰

The Chamberlain later commits one of the cardinal sins of lordship (at least in a literary context): he forgets the Marshal in the sharing out of horses. When outfitting his knights for the tournament between Sainte-Jammes and Valennes, he overlooks the Marshal yet again: “Mener i fist de boens destriers/ Por doner a ses chevaliers./ Quant departiz out les chevaux,/ Obliëz fu li Mareschals”.⁸¹ It is unclear why the Chamberlain treats William in this way. There is a significant lacuna at this point in the manuscript, and it is possible that the missing text explains the Chamberlain’s poor treatment of William. The Chamberlain’s behaviour could also be explained in the context of the overall narrative arc, which is beginning to transition to William’s adulthood. As a grown man, the Marshal is portrayed as the ideal teacher: the exemplar transmitter of social ideals to such prominent young noblemen as Henry the Young King. Perhaps the Chamberlain’s actions are meant to highlight that where he fails as a teacher and a lord, the Marshal will not. As we see later in the narrative, William is generous well into his last days: one of his last acts is to distribute robes to the knights in his service. William’s instructional excellence is emphasized when contrasted with an example of poor education. This scene could also represent an attempt to construct William as a traditional literary hero, drawing on the literary trope of the worthy forgotten vassal.

In any case, in response to William’s request, the Chamberlain affords him the last remaining horse: “Molt ben taillé e fort e bel,/ Rade, remuant e isnel”.⁸² Despite the horse’s fine form, it has one significant defect in that it cannot be tamed. William mounts the horse, which leaps into motion faster than a hawk (“plus tost qu’esmereillons”, l. 1280), and he cleverly devises a modification to its bridle that successfully allows the creature to be controlled. The modification is a brilliant

⁸⁰“In brief, it is well known/ that poverty has brought dishonour/ on many a nobleman and been the ruin of them;/ such was the case with the Marshal,/ for he had nothing to give and no source of wealth./ He had to sell one of his cloaks,/ which he had when he was made a knight” (Gregory, *History of William Marshal* i, ll. 1185-91, p. 61).

⁸¹“The Chamberlain had seen to it that fine horses/ were taken there as gifts for his knights./ But, in the sharing out of horses/ the Marshal was forgotten” (Gregory, *History of William Marshal* i, ll. 1253-56, p. 65).

⁸²“Very well shaped and strong and handsome,/ Swift, lively and rapid” (Gregory, *History of William Marshal* i, ll. 1269-70, my translation).

improvement: “Tant fu amendez por le serre/ Que en demi acre de terre/ Le tornast il a la reonde/ Comme le plus tender del monde”.⁸³ William’s taming of the un-tameable horse is a powerful metaphor for socialization and for the learning of social norms. The wild horse must be tamed and brought to heel in a process that mirrors William’s maturation. Just as the horse’s wild power is brought into check by his bridle, so too must William’s raw strength and power be moulded to function within the confines of armour, lance, and sword. Both William’s and his steed’s potential can now be adequately tapped by their masters. There is also a comparison to be made here with Perceval, who is brimming with potential but very much raw and untamed. While William excels within the social structure very effectively, Perceval’s “taming” is a very fraught process, and his socialization arguably fails.

Transmission by example occurs in the context of one of only a few scenes that deal with female roles. Queen Eleanor possesses qualities of an exemplary lord that are typically only reserved for males, at least within this text. William’s prowess and his increasingly good reputation, largely earned as an itinerant tournament-goer, have attracted the notice of a number of powerful figures, including Eleanor. She comes to his rescue during his imprisonment by enemy knights, paying the ransom for his freedom and outfitting him finely with supplies, horses, and cash after his release. “Quant ele pout”, we are informed, “la reïne Alienor/ Li fist atoner son afaire/ Come a tel bachiler dut feire;/ Chivals e armes e deners/ E beles robes voluntiers/ Li fist doner...Quer molt fu vaillante e corteise”.⁸⁴ Her behaviour contrasts starkly with that of the Chamberlain, whose neglect brings William poverty and dishonour.

King John, in contrast to Eleanor, frequently transgresses the norms of good lordship. The narrator takes particular issue with his treatment of prisoners. When King John reaches Chinon, for example, his harsh treatment of prisoners is seen as disgraceful: “Ses prisons si leident tint/ E en si vilaine destrece/ Que sembla honte e leidesce”.⁸⁵ We are told that John loses the hearts of his men when he allows Lovrecaire to treat them badly and that he dishonours men’s wives and daughters:

⁸³“The horse was so improved by this new bridle/ that he could have been ridden around/ in half an acre of land/ as if he were the tamest on earth” (Gregory, *History of William Marshal* i, ll. 1299-1302, p. 67).

⁸⁴“When she could...Queen Eleanor made ready his affairs,/ As she should do for such a young man [*or, young knight*];/ Horses and arms and money/ And handsome clothes she willingly/ Gave to him...Because she was most worthy and courtly” (Gregory, *History of William Marshal* i, ll. 1865-82, my translation).

⁸⁵“He kept his prisoners so terribly/ and in such filthy confinement/ that it seemed a shame and an offence” (Gregory, *History of William Marshal* ii, ll. 12508-10, my translation).

“Par fei, par Lovrecaire/ Lé menot de si mal randon/ Que il perneit tot a bandon/
Quant que il trovout en la terre/ Ausi com s’ele fust de guerre”.⁸⁶ John also demands hostages from William, and unfairly so, as the narrator is swift to point out. William, demonstrating the behaviour of a good vassal, graciously does John’s bidding. John, however, holds the hostages for a deplorably long period of time: “Pres d’un an furent en prison/ Li ostaige par mesprison,/ Qur cil n’i aveit rien forfeit/ Por quei amor ce lor fu fait”.⁸⁷ The prevalence of narratorial comment in the communication of these transgressions can perhaps be explained by the nature of the norm violations. Narratorial comment is the main mode used to communicate legal norms, and John’s failings as a lord are here also transgressions of legal norms and laws.

The description of the failings of King Richard’s chancellor serves as a microcosm in which the narrative examines several aspects of poor lordly conduct. In a brief passage comprising just forty-five lines, we hear of the failings of the “chanceliers”, whose greatest desire was to have the title of “lord”: “k’il ne tendi/ Fors a estre seingnor clamez”.⁸⁸ This depiction of poor lordly behaviour is supplemented by narratorial comment, wherein the poet uses indirect speech to illuminate the norms being transmitted. The barons list many of his mistakes, presented to the audience in the form of indirect speech. The barons disapprove of his excessive spending of the king’s money, his fondness for inviting strangers to court, and his ruination of the abbeys. The narrator refers to these as the chancellor’s “excesses” (“sorfait”, l. 9767). The barons also complain that he tries to be chancellor, justiciar, legate, and king all at the same time: “Qu’il esrout comme chanceliers/ E come mestre justisiers,/ Comme legaz e comme reis”.⁸⁹ He is also accused of establishing his own laws “everywhere”: “Par tot faisseit cosre ses leis”.⁹⁰ It seems that the barons fault the chancellor for lacking restraint and indulging in excessive

⁸⁶“By my faith, he allowed Lovrecaire/ to treat them so harshly/ that he seized/ whatever he came across in the land/ as if the land were at war” (Gregory, *History of William Marshal* ii, ll. 12598-602, p. 131). On John’s raping without compensating: “Encore n’ert de ce nul conte,/ Mais se il lor feseient honte/ De lor femes e de lor filles,/ Ja n’en fust amendé deus billets” (Gregory, *History of William Marshal* ii, ll. 12603-06); the textual structure could suggest that rape is as severe a normative transgression as the failure to pay compensation for that violation: “Encore n’ert de ce nul conte,/ Mais se il lor feseient honte/ De lor femes e de lor filles,/ Ja n’en fust amendé deus billets” (Gregory, *History of William Marshal* ii, ll. 12603-06).

⁸⁷“The hostages spent nearly a year/ in prison, and that was wrong,/ for the man out of love for whom they were there/ had done no wrong in the matter” (Gregory, *History of William Marshal* ii, 14469-72, p. 225).

⁸⁸Gregory, *History of William Marshal* i, ll. 9748-49.

⁸⁹“how, at one and the same time, he was acting as chancellor/ and chief justiciar,/ as legate and king” (Gregory, *History of William Marshal* i, ll. 9769-9771, p. 497).

⁹⁰“he imposed his own laws everywhere” (Gregory, *History of William Marshal* i, l. 9772, p. 497).

behaviours. It is possible, however, that they consider his lack of respect for the courtly system to be his greatest grievance. He refuses to consider their advice, and, critically, sends for the company of strangers at court, undermining and offending the existing hierarchy and threatening the established networks of support. The barons' laundry list of complaints could be interpreted as a pretence for their chief grievance, which does not have legal standing and is not a valid reason for legal recourse.

The narrator of *L'Histoire* identifies this man as William de Longchamp, who served as chancellor, justiciar, and bishop of Ely under King Richard. Longchamp was a "self-made man"; born in somewhat humble circumstances, he is widely derided by contemporary chroniclers who exaggerate his low birth and accuse him of being the grandson of a peasant. William paid £3000 for the position of chancellor.⁹¹ Perhaps the baronial audience of *L'Histoire* would have found it wildly amusing to hear of the failings of a floundering chancellor, fundamentally out of his league as a man of "new money". This also connects to the wider interest in how one ought to learn about chivalry and the court and the disadvantage that can derive from not having been formally educated. The scene also raises questions about how one's birth affects one's ability to participate in the chivalric world, an issue that we will return to in Chapter 4 of this thesis, where we consider status law.

As is typical of transmission by transgression, this episode is followed up with a counter-example of good lordly behaviour. After banishing the chancellor, the barons elect Archbishop Walter of Rouen to the position. The narrator praises this decision as "saveir" and notes that Walter is superior to his predecessor: "Quant justice fu d'Engleterre,/ Si mena plus a dreit la terre/ Que li chanciliers n'aveit fait".⁹² Notably, Walter listens to the advice of the Marshal, the barons, and the Queen. In a subtle show of foresight and good judgement, he eschews the advice of the soon-to-be-king John: "Li quens Johan volt autresi/ Ke l'arcevesque ovrast par lui,/ Mais il n'en volt parole entendre...Quer il quidast mesprendre,/ Quer bien veeit qu'il voleit faire/ E bien kenoisseit son afaire".⁹³ This binary construction of transmission by

⁹¹ *Oxford DNB*, Ralph V. Turner.

⁹² Line 9866: "saveir", meaning "knowing, wise" (*AND*); "while he was justiciar of England/ he governed the land more rightfully/ than the chancellor had done" (Gregory, *History of William Marshal* i, ll. 9867-69, p. 501).

⁹³ On Walter heeding the advice of the Marshal, the barons, and the Queen, see lines 9872-9876; "Earl John likewise wanted/ the archbishop to act on his advice,/ but he would not hear a word of it...Because he thought he would be doing wrong,/ since he could well see what John's intentions were/ and was fully aware of his dealings" (Gregory, *History of William Marshal* i, ll. 9877-82, p. 501-03).

example, wherein positive and negative exemplifications of behaviour are portrayed consecutively, affords the writer a unique opportunity. It allows the writer to explore “in situ” the aphorisms that are passed on through narratorial comment and direct speech.

Transmission by direct speech

In formal educational contexts in *L'Histoire*, instruction usually occurs in the form of direct speech. During a battle associated with the conflict between King Henry II of England and King Louis of France, we witness William, newly knighted, being instructed by the Chamberlain. At this point in the narrative, William serves in the Chamberlain's retinue. Before the battle breaks out, the scene is chaotic and frightening: “Tant engreigna cele bosoigne/ K'un cria: ‘As armes! as armes!/ Quens, que fais tu que tu ne t'armes?/ Cin avalent plus de deus mile,/ Qui volent ardeir ceste vile’”.⁹⁴ The Chamberlain rides onto the bridge “O lui de chevalers grant front”.⁹⁵ William, brimming with eager energy, gallops up beside the Chamberlain and rushes forward to the head of the charge. The Chamberlain scolds him, suggesting that William is occupying an inappropriate position for a knight of his rank or experience level. He instructs him to hold back and make way for the other knights: “Guillaume, traiez vos arriere;/ Ne seez pas si prinsautiers,/ Laissez passer cez chevalers”.⁹⁶ William feels deeply ashamed at the Chamberlain's comments, particularly because “he thought he was indeed a knight”: “E il se trast un poi ariere,/ Maz e honteus, o morne chere;/ Melz volsist k'encor fust a nestre,/ Quer chevalier cuidoit il estre”.⁹⁷ The remark undermines his sense of his own prowess and knightliness.

His remark could have been meant to encourage William to prove himself. Although he allows three knights to pass him, William spurs his steed to the front of the lines again: “Treis en lassa passer avant;/ Le cheval urte maintenant/ Tant com il fu el premier frunt/ De cels kui passouent le pont”.⁹⁸ Throughout the battle, William

⁹⁴“The situation reached such an emergency pitch/ that people cried out: ‘To arms! To arms!/ Count, what are you doing not arming yourself?/ A force of more than two thousand is descending on us here/ and they intend to burn this town’” (Gregory, *History of William Marshal* i, ll. 838-42, p. 45).

⁹⁵“with a strong vanguard of knights” (Gregory, *History of William Marshal* i, l. 868, p. 45).

⁹⁶“William, get back;/ don't be so hot-headed,/ let these knights pass” (Gregory, *History of William Marshal* i, ll. 872-74, p. 45).

⁹⁷“William withdrew a few paces,/ downcast and ashamed, his face the picture of gloom;/ he wished he had never been born,/ since he thought he was indeed a knight” (Gregory, *History of William Marshal* i, ll. 875-78, p. 47).

⁹⁸“He let three men pass in front of him,/ then he quickly spurred on his horse/ until he was right at the front/ of those crossing the bridge” (Gregory, *History of William Marshal* i, ll. 879-82, p. 47).

pushes to the front of every clash, seemingly determined to assert himself as a member, or perhaps even a leader, of the community of knights: “Or ne lerra, coment k’il aille,/ S’il i a estor ne bataille/ N’assemblee de chevalers,/ Qu’il n’i seit trovez as premiers”.⁹⁹ William proves himself to be courageous: “Mais Guillaume li Mareschals/ S’i esprova comme vasals”.¹⁰⁰ We can not ignore the possibility that the Chamberlain’s admonishment was intended as a teaching tool. The narrative seems to intimate that the Chamberlain’s admonishment was unnecessary and that William’s natural prowess and courage suffice. Indeed, the poet remarks that anyone watching his performance would not think he had any more to learn of arms: “Qui l’esgarde ne quide pas/ Que li seit d’armes a aprendre”.¹⁰¹

William receives, through indirect speech, yet more validation of his performance as the battle progresses. The men of Tancarville are eventually forced to retreat when charged by a new group of warriors: “Quer parmi la chauceie d’Ou/ Trop grant gent sor els dechargierent,/ Qui trop durement les chargierent,/ Que lor convint les dos torner”.¹⁰² Their company retreats to the bridge, but William remains in dangerous territory, sheltering temporarily in a sheepfold. William continues to attack the enemy, even though he fights alone, and shouts: “Tancarville!/ Seignors, ele est nostre la vile./ Nos vos dirrum tel paternostre/ Qu’il nos remandra maugré vostre”.¹⁰³ William’s feats are watched and admired by ladies, knights, and burghers sheltering in the house to which William’s sheepfold is attached.¹⁰⁴ Even though William is fighting his first battle, his courage and skills far exceed those more experienced members of the company. The heralds proclaim his prowess and bravery:

Or ça! tuit al bon chevalier!
Cist ne se fait mie celer,
Cist fait les granz conreis pleier,

⁹⁹“Whatever happened,/ if there was to be a skirmish or battle,/ if knights were going to be locked in combat,/ he would make sure he was up there at the front” (Gregory, *History of William Marshal* i, ll. 883-86, p. 47).

¹⁰⁰“and all they had to strike at each other with were the stumps”; “William the Marshal/ proved himself as a valiant knight” (Gregory, *History of William Marshal* i, ll. 909-10, p. 47). NB: Although Gregory translates “vasals” as “valiant knight”, I suggest a more accurate translate would be “courageous”. See the entry for “vassalage” in the Anglo-Norman Dictionary Online.

¹⁰¹“Anyone watching him would not have thought/ that he still had to learn about fighting” (Gregory, *History of William Marshal* i, ll. 914-15, p. 49).

¹⁰²“coming on the road from Eu,/ a mighty force fell upon them/ and mounted a ferocious charge against them;/ all they could do was retreat” (Gregory, *History of William Marshal* i, ll. 942-45, p. 49).

¹⁰³“Tancarville!/ My lords, the town is ours./ We will teach you such a lesson/ that it will stay so, do as you may” (Gregory, *History of William Marshal* i, ll. 963-66, p. 51).

¹⁰⁴“Seignors Normanz, vos feites mal/ Que vos n’aidez al Marescal./ Molt nus peise e molt nos est gref/ Qu’il se combat a tel meschief” (Gregory, *History of William Marshal* i, l. 973-76, p. 51).

Cist fait les rens aclarier;
 Ço est cil qui par tut ateint,
 Ce est cil qui pas ne se feint,
 A qui fer ne fust n'a duree;
 Cist n'a mie la pais juree.¹⁰⁵

The acerbic final line declares with biting sarcasm “*this* man hasn’t sworn peace”,¹⁰⁶ singling William out of the company of his fellow knights as an exemplary *chevalier*. Although this is his first battle, he exemplifies many ideals of knighthood, but it is the words of the chorus of onlookers that ratify them. The narrator observes that William’s skills exceed those of the renowned Gadefer des Larriz: “Unkes ne quit ke Gadefer/ Des Larriz, qui tant out enor,/ Feïst tant d’armes en un jor”.¹⁰⁷ After extended combat, the men of Tancarville succeed, and the narrator credits their victory to the help of the Marshal. The narrator makes an interesting allusion to teaching here. In describing how the enemy forced them back, and how they in turn pushed the enemy back, he says of the men of Tancarville: “Bien lor apristrent la chariere”—“they certainly taught them the way!”¹⁰⁸ It is “la chose fu ben seüe” (“common knowledge”) that “cil dedenz d’armes outrerent/ Cels qui par defors venu erent/ Par l’aïde del Mareschal”.¹⁰⁹ After the town has been secured and the combat has dwindled, all parties involved agree that the Marshal was the most valiant knight of them all: “Lors distrent tut, si con li durent/ E com il aveient veü,/ Que des deus parz out tot vencu/ Li Mareschals d’armes le jor,/ Sin portout le pris e l’enor”.¹¹⁰ The co-occurrence of transmission by example, indirect speech, and narratorial comment serve to contradict the Chamberlain’s poor assessment of William. The combination of transmissive modes emphasizes William’s fulfilment of knightly ideals.

¹⁰⁵ “Over here all of you, to the brave knight’s side!/ This man doesn’t hide away,/ he makes great companies buckle before him,/ he cuts a swathe through the ranks,/ he is a man whose blows strike home everywhere,/ a man who doesn’t hold back,/ before whom lance and sword offer short resistance./ He’s the one who hasn’t sworn a peace accord” (Gregory, *History of William Marshal* i, ll. 1. 981-88, p. 51).

¹⁰⁶ my translation, emphasis added

¹⁰⁷ “I do not think for a minute that Gadefer/ des Larriz, a man of such high reputation,/ could have performed so many feats of arms in a single day” (Gregory, *History of William Marshal* i, ll. 1004-6, p. 53).

¹⁰⁸ Gregory, *History of William Marshal* i, l. 1048, p. 55.

¹⁰⁹ “These are no exaggerated words of mine,/ for it was common knowledge/ that those inside overcame by force of arms/ those who had come from outside,/ with the help of the Marshal” (Gregory, *History of William Marshal* i, ll. 1050-53, p. 55).

¹¹⁰ “they all said, as they could not help but do/ since they had seen it to be so,/ that out of both sides it was the Marshal/ who had been the foremost in combat that day,/ and that his was the fame and the glory” (Gregory, *History of William Marshal* i, ll. 1098-1102, p. 57).

In addition to instructional moments, as we have seen above between the Chamberlain and William, direct speech is also used in the context of advice-giving. The exchange of political and military advice is a significant aspect of lord-vassal relations in *L'Histoire*. In this context, direct speech and transmission by example often work together: William exemplifies the ideal adviser, frequently standing out among barons as the best and wisest counsellor. The co-occurrence of these two modes serves to emphasize William's performance within normative requirements of good knighthood. William is the sole knight who volunteers advice to King Henry, for example, in the midst of conflict with France, regarding which knights to pick and how to navigate negotiations with his enemies.¹¹¹ The Marshal volunteers his advice again as matters develop, devising a plan to trick the French troops: "E ge vos lo que vostre gent/ Departiez, mais priveement/ Lor dites que a nos revient...Une chevalchie fereiz/ En la terre le rei de France".¹¹² Henry praises William's insight: "Mareschal, molt estes corteis/ E molt m'avez conseillié bien;/ Issie ert, ja n'em faudra rien".¹¹³ During the reign of King John, the Marshal shows his good sense when he offers his, albeit unsought, advice and admonishment to the monarch: "Mais vos, sire...toz nos devez gouverner,/ N'i gardastes a l'engriner;/ Mielz nos en fust a toz ensemble;/ Ne di fors raison, ce me semble".¹¹⁴

Norms related to a vassal's duties and obligations to his lord are typically passed from vassal to vassal on a horizontal plane of exchange by direct speech. Throughout the corpus of literature, the king is rarely a source of norms of vassalage. In an audience before his peers, William conveys honour norms related to faithful service to one's lord: "tot li home debonaire/ Deivent haschie e grant dolor/ Souffrir por naturel seignor".¹¹⁵ When pressed to be held as King John's hostage on behalf of William, John of Earley asserts to the other barons present that vassals must remain loyal to their lords, regardless of the inconvenience: "Quer il n'est pas ami entiers/

¹¹¹ See lines 7563-7650.

¹¹² "I advise you to disband your own troops,/ but in secret/ tell them to return to us...Then make an incursion/ into the King of France's domains" (Gregory, *History of William Marshal* i, ll. 7787-93, p. 397).

¹¹³ "Marshal, you are an excellent man/ and have advised me very well;/ it will be done, exactly as you say" (Gregory, *History of William Marshal* i, ll. 7800-02, p. 397).

¹¹⁴ Lines 12737-42: "But you, sire...a man meant to govern us all,/ paid no attention to the first signs of discontent,/ and it would be better for us all if you had./ My view is that what I say is only right" (Gregory, *History of William Marshal* ii, p. 139).

¹¹⁵ Lines 10110-12: "for all men of good birth/ should suffer hardship and great pain/ for their rightful lord" (Gregory, *History of William Marshal* ii, p. 7).

Qui a seignor faut a besoing,/ Ou que il seit, o pres ou loing”.¹¹⁶ The common thread running through these admonishments is the fundamental responsibility to suffer for one’s lord. This horizontal enforcement of vassalage norms illustrates the existence of a plane of exchange among the barons, perhaps eventually contributing to a sense of the community of peers. This network can be used to support the government, but, as we glimpse in *L’Histoire’s* portrayal of the baronial rebellions, it can also be mobilized to achieve their own ends.

Conclusion

Some of the most compelling scenes of norm transmission demonstrate all three modes functioning in tandem. For example, in the course of conflict with the French, William has continually provided King Richard with sage advice on military strategy. He has proven his advice to be worth heeding. One morning, in anticipation of further clashes with enemy forces, the troops celebrate mass very early: “L’endemain sanz longe ademesse/ Firent molt tost chanter la messe,/ Que molt dotoent le grant ost”.¹¹⁷ William hastens to arm himself promptly: “E li Mareschal s’arma tost”.¹¹⁸ The King, by contrast, mounts his horse and heads to the church completely unarmed. Narratorial comment expresses reproach at this. He points out that the Marshal did well to arm himself, for to do otherwise is to risk injury: “Mais nel vout mie fere issi/ Li Mareschal, si fist que sages;/ Creistre l’en peust grant damages”.¹¹⁹ The King, noticing that William has arrived to worship in full armour, rebukes him, questioning his judgement: “Kar vos desarmez,/ Mareschal; por qu’estes armez?”.¹²⁰ The Marshal coolly replies that his armour greatly pleases him and that it does not vex him at all as he goes about his day. He preaches preparedness and will not disarm, he says, until he knows what they are up against: “Ne me desarmerei imes/ Devant qu’aie seu quel fes/ Nos couvendra a endurer”.¹²¹ The Marshal then offers aphoristic wisdom, reminding

¹¹⁶ Lines 14384-86: “for a man is not a loyal friend/ who fails his lord in his hour of need,/ wherever he happens to be, near or far” (Gregory, *History of William Marshal* ii, p. 221).

¹¹⁷“The next day, without delay,/ they had mass celebrated very early,/ because they were in great fear of that vast army” (Gregory, *History of William Marshal* i, ll. 8517-19, p. 433).

¹¹⁸“And the Marshal armed himself early” (Gregory, *History of William Marshal* i, l. 8520, my translation).

¹¹⁹“but the Marshal behaved sensibly/ and would not do the same,/ for great injury could have befallen him as a result” (Gregory, *History of William Marshal* i, ll. 8524-26, p. 433).

¹²⁰“Go on, take that armour off,/ Marshal. Why are you armed?” (Gregory, *History of William Marshal* i, ll. 8527-28, p. 433).

¹²¹“I shall not remove my armour for the rest of this day/ until I have discovered what burden/ we shall have to shoulder” (Gregory, *History of William Marshal* i, ll. 8533-35, p. 433).

the king that an unarmed man is at a steep disadvantage in a crisis: “Hom desarmez ne puet durer/ En bosoingne n’en grant afaire;/ Now ne savom qu’il voldrunt faire”.¹²² The king makes all those accompanying him disarm: “A telz paroles, a telz diz/ Fist li reis desarmer son fiz...E qui unques o lui eissi/ De la vile se desarmerent,/ Outre la Meison Dieu alerent”.¹²³ This scene also exemplifies, albeit in a light-hearted manner, the use of multiple forms of transmission to express the harmonization of conflicting norms. In order to conform to the norm that a knight should have good military foresight (in that he foresees the need for armour), William has to wear his armour at church. This conformity entails disobedience of the norm that one should not enter a church armed. The king also experiences a conflict of norms: he chooses to adhere to a norm of proper Christian behaviour, but this choice necessitates the disobedience of the norm that a good king ought to heed the advice of his best men.

The king soon comes to rue not heeding the Marshal’s advice. The king’s men, having briefly stopped to talk, soon see the French vanguard approaching menacingly. They realise that, because they are unarmed, they find themselves in a very dangerous position: “La s’esturent a un conseil/ Tuit cil qui erent si feeil/ E si virent sanz demorance/ L’avant garde le rei de France”.¹²⁴ William Marshal, watching the scene unfold, quickly has John of Early help him with his helmet. The narrator relays to us the Marshal’s self-satisfied judgement:

E li boens Mareschals, si kut,
Devant la porte ou il s’estut
A Johan d’Erlee demande
Son hielme, a lacier li comende
E dit qu’a drait repentant erent
Cil qui oreinz se desarmerent,
E qu’or vodreient estre arme
Cil qui esteient desarme.¹²⁵

¹²²“An unarmed man cannot last out/ in a crisis or a grave situation,/ and we don’t know what their intention will be” (Gregory, *History of William Marshal* i, ll. 8536-38, p. 433-35).

¹²³“After this exchange of words and views,/ the King made his son...disarm himself...Indeed, all those who left the town with him, disarmed themselves first,/ and with him they rode beyond the Maison Dieu” (Gregory, *History of William Marshal* i, ll. 8541-50, p. 435).

¹²⁴“There, all those who were his trusted men/ stopped to deliberate,/ and it was not long before they caught sight/ of the King of France’s vanguard” (Gregory, *History of William Marshal* i, ll. 8551-54, p. 435).

¹²⁵“And the worthy Marshal, I believe,/ as he stood there in front of the gate,/ asked John of Earley/ for his helmet, told him to lace it up,/ and said that those who had but lately/ taken off their armour were

The three modes of transmission work seamlessly together in this scene to express the harmonization of discordant norms. William exemplifies the ever-ready, always wise *chevalier*. He remains deferential and loyal even as he corrects his lord on proper knightly conduct. As usual, those who ignore William's advice end up the worse for it. This scene may also be humorous, suggesting that the audience might have understood how uncouth it was to wear arms in a church; they might have had instantaneous awareness of the normative transgression. This scene also could be understood as a template of how one might go about successfully identifying when norms need to be transgressed. The Marshal does not conform to a norm of good behaviour, but, in doing so, he exemplifies how one ought to engage interpretatively with the norms. He identifies the conflict of norms and actively uses his judgement and interpretive faculties to discern which course of action is most appropriate. The narrator follows this with an example of improper interpretation, as is his pattern, by showing the king incorrectly interpreting which norm to conform to. This is a shining example of the type of intellectual activity that Perceval cannot and does not master. Interpretation of norms within shifting social circumstances continues to be a concern for medieval writers, both of literary and legal texts, as we will demonstrate in the following chapters.

rightly sorry,/ and that now those who were unarmed/ would be wishing they had their armour on" (Gregory, *History of William Marshal* i, ll. 8585-92, p. 437).

NORM TRANSMISSION AND NORM CONTENT IN SEVERAL ANGLO-NORMAN AND OLD FRENCH ROMANCES AND *CHANSONS DE GESTE* FROM THE TWELFTH AND THIRTEENTH CENTURIES

Introduction

The narrator of *Raoul de Cambrai* dejectedly remarks, with weary omniscience of the faults and futures of his characters, that “If [Raoul] had not had in him an immoderate streak, there would not have been a better vassal occupying his rightful place; but the outcome of this fault was to prove disastrous—an unbridled man has great difficulty in surviving.”¹ This is just one of many examples of norms being expressed in the wider body of Anglo-Norman and Old French literature. The texts that this chapter considers range in date from the mid-twelfth to the mid-thirteenth century. These dates have been chosen to align with the legal texts considered in Chapter 4.

This chapter seeks to test and elaborate on the paradigms of norm transmission examined in previous chapters. The evidence from a broader body of sources both confirms and complicates these models. Although I had previously theorized that transmission by example was the main mode for the communication of norms of lordship, it became clear that direct speech accounts for a significant proportion of this transmission. Direct speech is perhaps such a significant transmitter of norms of lordly conduct because of the normative import of the lord’s requirement to take counsel from his barons. This parallel verbalization recalls the narrative insistence on adherence to this norm, which is, in particular, rooted in speech. Transmission of norms of knightly honour and conduct is fairly evenly split between direct speech and narratorial comment. The frequency of narratorial comment can perhaps be explained if we consider it through the lens of literary technique. The narrator, who frequently

¹“S’en lui n’eüst un poi de desmesure/ mieudres vasals ne tint onques droiture,/ mais de ce fu molt pesans l’aventure:/ hom desreez a molt grant painne dure” (*Raoul de Cambrai*, Kay, ll. 320-23, p. 29).

directly addresses the audience in an edificatory manner, could be seen as mimicking the role of the instructor in the story, who directly addresses the edified character.

This chapter also draws attention to father-to-son transmission, which is exclusively dominated by direct speech. Father-to-son transmission usually serves as a corrective for entrenched patterns of bad behaviour in the son. This perhaps suggests that if the child had been fostered out, the fosterer failed to educate him properly. It is difficult to make more conclusive arguments about this area of transmission due to its rarity in the literature. Evidence from this wider body of sources supports the textual interest in portraying paradigms of knightly education. Norms of womanly honour and conduct are communicated by transmission by example and direct speech, with the exception of instances that deal with women's behaviour in relation to men. And lastly, direct speech remains an important factor in the configuration of norms of the lord–vassal relationship. Transmission of honour norms continues to occur on a horizontal plane of exchange among barons, mainly in the context of disputing. In order to illuminate these observations, this chapter is structured around literary case studies that demonstrate these paradigms of transmission.

Textual analysis of transmission of norms of lordship

The literary depictions of lords are marked by a profound narrative ambivalence. They serve as a canvas on which the author can model lordly behaviour. Rarely do we find a lord whose actions exemplify either complete normative conformity or total normative transgression. In the *Song of Roland*, even Charlemagne, for example, with the weight of his reputation for generosity, wisdom, and prowess behind him, places his faith in a traitor, with disastrous effect. For all his strengths, he is not immune to bad judgement. In the same vein, the narrator of the *Song of Roland* does not simply typecast Charlemagne's secondary adversary, the Emir, as an unredeemable pagan. Instead, the Emir brims with prowess, and in a moment of valour, displays his beard in a gesture that makes him parallel to Charlemagne.²

² See p. 93.

The lord-figures (including kings) portrayed in this corpus of literature occupy a behavioural spectrum, where norms are transgressed or conformed to in varying degrees. In the more nuanced portrayals, the ideal of lordship is never fully realised. In texts where lords play a more minor role, the extremes of good and bad lordship are more achievable. In these simplistic portrayals of lords, the author typically approaches the depiction of lordship in one of two ways. The lord-figure's morality is either treated simply, i.e. he plays the role of good lord or bad lord, or his moral status is not discussed. In these scenarios, the lord's role consists of the performing of customary acts and gestures that serve to further the protagonist's narrative development. Transmission of norms of lordship occurs by the depiction of exemplary behaviours, narratorial comment, and direct speech. This section seeks to demonstrate how paradigms of transmission of norms of lordship function in several texts.

Direct speech plays an important role in the expression of norms of lordship. In Chrétien's *Érec et Énide*, the king, before an audience at court, articulates at length his own role and responsibilities:

Je sui rois, si ne doi mantir,
ne vilenie consantir,
ne fauseté ne desmesure;
reison doit garder et droiture,
qu'il apartient a leal roi
que il doit maintenir la loir,
verité, et foi, et justise.
Je ne voldroie an nule guise
fere deslëauté ne tort,
ne plus au foible que au fort;
n'est droiz que nus de moi se plaingne.³

This self-proclamation begins with a bold and unequivocal pronouncement of power: "Je sui rois". But the modern audience is left a question: why does the king need to assert his power? Perhaps it is because he makes this statement in the context of a potentially inflammatory social setting. The king is bound to uphold the tradition of

³ *Érec et Énide*, ed. Roques, ll. 1749-59: "I am the king, and I must not lie nor consent to any villainy or falsity or excess; I must preserve reason and rightness, for a loyal king ought to maintain law, truth, faith, and justice. I would not wish in any way to commit disloyalty or wrong, no more to the weak than to the strong; it is not right that any should complain of me" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 59).

hunting the white stag, which requires that he who slays the aforementioned beast must kiss the most beautiful maiden in the king's court. Gawain cautions the king to abandon the hunt, warning him that his court abounds with many noble ladies. If offence were given to these maidens, their sweetheart knights would enter into contention over the slight, and unnecessary conflict would undoubtedly ensue. The king insists that the custom must not be ignored, partly because "la costume...siaut maintenir mes lignages" and "parole que rois a dite/ ne doit puis estre contredite".⁴ When the deserving woman is presented—Énide, the protagonist's wife—the king finds himself at the intersection of four loyalties: to his bloodline, his wife, his vassal, and to custom. Having slain the stag, the king must now kiss his vassal's wife. In doing so, he runs the risk of betraying his marriage vows and giving offence to Érec. If he does not kiss Énide, he betrays his responsibility to his forebears and risks undermining his own authority. This conjuncture of conflicting loyalties propels the king to proclaim that his actions are within the norms of good kingship. It is not enough that he act within norms of kingship, he must also performatively explicate those norms to his court. This both hints at the potential for conflict when norms come into competition and exposes the fault lines where conflict between lords and vassals could blossom. In the following section, we explore a common paradigm of lord-vassal conflict. This entails the confluence of two modes of transmissions, narratorial comment and direct speech, to express discordant norms.

The twinned tropes of the "wicked counsellor" and the "king who countenances bad counsel" are common in this body of literature. They are usually situated in the context of a false accusation made by jealous courtiers. The ensuing conflict is transmitted by narratorial comment and direct speech. Direct speech typically communicates the lord's request for counsel, as in Bérout's *Tristan*, as we will consider below. As we have shown, this body of literature is concerned with the lord's responsibility to take counsel. In *Raoul de Cambrai*, Doon proclaims before the court that "sos ciel n'a home, s'en concell ne se mist/ de ces frans homes, ne remansist honnis".⁵ The short-sighted Louis, incapable of managing the disparate needs of his land-hungry baronage, ignores the advice offered by his advisers. Raoul spurns the counsel of his politically savvy mother and ends up dying in a battle of his

⁴"my lineage is bound to uphold the custom" and "the voice of a king must not be contradicted" (my trans.), (*Érec et Énide*, ed. Roques, ll. 1761-62, p. 54).

⁵"there is no one under heaven who, if he failed to take counsel with his noble vassals, would not be disgraced"; (*Raoul de Cambrai*, Kay, ll. 6017-18, p. 364).

own making. Charlemagne dutifully defers to his baronage for advice, but even he, brimming with the wisdom of two hundred years of war-making, cannot spot the bad seed in their midst. We are warned of this weakness. The narrator of *Cligès* expresses that even the most discriminating and faithful lord can succumb to bad counsel or forget a worthy knight in the sharing out of patronage. He laments: “there is no court in all the world that is free of wicked counsel”.⁶ As we will see, the jealous counsellor often ignites the conflict.

In *Eliduc*, Marie de France’s twelfth-century Breton *lai*, the protagonist serves his lord loyally and well. His success at court, however, invites the envy of his peers. These jealous rivals offer bad counsel to their lord, making slanderous accusations that cause Eliduc to fall undeservedly out of his lord’s favour. The lord fails to recognize that his counsellors have fed him a falsehood out of their own selfish motivations. The narrator, the keeper of lordship norms, speaks to Eliduc’s unfair treatment:

Pur l’envie del bien de lui,
 si cum avient sovent d’altrui,
 esteit a sun seignur medlez
 e empeiriez e encusez,
 que de la curt le cungea
 senz ceo qu’il ne l’araisuna.
 Elidus ne saveit pur quei.
 Soventes feiz requist le rei
 qu’il escundit de lui priest
 e que losenge ne creïst,
 mult l’aveit volentiers servi
 ...
 Mult le servi a sun poeir,
 ja ne deüst mal gre aveir”⁷

The narrator cites norms of vassalage and liege lordship to explain the negative effect of the jealous accusation. The paradigm of the jealous counsellor also appears in

⁶ Chrétien, *Arthurian Romances*, trans. Kibler, p. 155; “Mes il n’a cort an tot le monde,/ Qui de mauvés consoil soit monde” (*Cligès*, ed. Foerster, ll. 2635-34, p. 72).

⁷ Marie de France, *Poésies* i, ll. 41-60, p. 402-04: “The envy of his good fortune, which often possesses others, caused him to be embroiled with his lord, to be slandered and accused, so that he was banished from the court without a formal accusation. Eliduc did not know why and often beseeched the king to hear his defence and not to believe slander, for he had served him long and willingly... He had served him to the best of his ability and ought not to have deserved his ill-will” (Marie de France, *Lais*, p. 111).

Bérout's *Tristan*. In this romance, Tristan has an adulterous affair with King Mark's wife, Yseut. As in other texts, the narrator establishes himself as the determinant of the normative code. The narrator passes judgement on the peers who are hell-bent on Tristan and Yseut's destruction. The counsellors who expose the affair are evil not because they are spreading falsehoods, but because they intend to harm the protagonist, who is saddled with a bad lord. King Mark turns to his men for advice, adhering to a norm of good lordship, but the barons' evil intentions pervert the exchange of counsel: "Conseillez m'en, gel vos requier;/ Vos me devez bien consellier,/ Que serve perdre ne vuel./ Vos savez bien, n'ai son d'orguel".⁸ When the barons allege Tristan's sexual misconduct and Yseut's infidelity, the narrator condemns them in spite of the veracity of their claims: "A la cort avoit trois barons,/ Ainz ne veïstes plus felons".⁹ How do we explain the narratorial support for what is clearly Tristan's transgression of norms of vassalage and Yseut's adultery?

The text could suggest a normative explanation for the narrator's denunciation of the barons' actions in lieu of condemnation of Tristan and Yseut's transgressions. The barons' counsel is inappropriate, the text suggests, because it springs not from loyalty to the king, but from hatred of Tristan. Their counsel serves to alienate the best knight from the king. In doing so, they destabilize and weaken the king's authority, as well as undermine the accused's well-earned power at the king's court. At the same time, it calls into question the norms of proper vassalage, perhaps suggesting that the loss of faithful and skilled military service is more detrimental to a king than sexual betrayal.

King Mark continues to allow the bad counsellors to advise him, resulting in a corporal manifestation of his susceptibility to bad counsel and generally poor lordship. Bérout sketches out a short scene in which it is revealed that Mark has a secret: he is sporting horse's ears. Interestingly, the narrator does not offer any explanation or interpretation of the king's condition, allowing the image to speak for itself. His condition is revealed through direct speech; the king himself is forced to admit: "Ce mal,/ Que j'ai orelles de cheval,/ M'est avvenu par cest devin".¹⁰ Mark

⁸ Bérout, *Tristan*, ed. Muret, ll. 631-34, p. 20; "Give me your advice, I beg you. You must advise me well, for I do not want to lose your service. You know that I have no wish to act arrogantly" (Bérout, *Tristan*, trans. Fedrick, p. 61).

⁹ Bérout, *Tristan*, ed. Muret, l. 582, p. 19: "At Mark's court there were three barons—you never saw more wicked men!" (Bérout, *Tristan*, trans. Fedrick, p. 60).

¹⁰ Bérout, *Tristan*, ed. Muret, ll. 1343-45, p. 42; "this evil, that I have horse's ears, has come to me from this magician" (my translation). There seems to be some evidence that the motif of the king with either

attributes his equine affliction to the magician, whose schemes Mark indulged in order to expose Tristan and Yseut's infidelity. The consequence of shifting from narratorial comment to direct speech is that King Mark exposes himself as a fool. His admission is made the more striking, and himself all the more foolish, by the rarity of direct speech in the passage.

We will explore the significance of the confluence of direct speech and narratorial comment in this paradigm in greater depth in Chapter 4. In that chapter, we will demonstrate how the use of the two modes signals a clash of discordant norms. In *Raoul de Cambrai*, narratorial comment and direct speech serve as the mechanisms for the expression of norms of lordship, resource distribution, and baronial management. Louis, like Mark, is a flawed king. He makes fatal missteps in the management of his barons, which ultimately result in decades of warfare and insurgency. As a result of his bungled redistribution of fiefs, Louis is much maligned by both the narrator and his peers.

The *chanson de geste* begins with the death of Raoul's father, Raoul Taillefer,¹¹ while his wife Alice is heavily pregnant. When Raoul is a small child, Louis, Alice's brother, reassigns the fief of Cambrai, to which Raoul is the rightful heir, to Giboin of Mans. Alice's kinsman Guerri the Red coaxes the infant Raoul into pledging to regain his land as soon as he is old enough to bear weapons. From the outset, the narrator repeatedly insists that the king's reassignment of Cambrai was not only foolish, but fatal. He writes: "Qe fox fist cil qant il l'osa penser/ car maint franc home en covint puis verser".¹² A few short lines later, he reiterates: "Rois Loeys fist le jor grant folaige/ qe son neveu toli son eritaige;/ et Giboin refist molt grant outraige/ qant autrui terre vost avoir par barna[ige]--/puis en fu mors a duel et a hontaig[e]".¹³ Lady Alice joins the chorus of blame. Referring to Louis' "giving the glove", a gesture that symbolizes the transfer of the Cambrésis, Alice says: "'Fous fu li Roi qui le gant li donna';/ elle dit encores:/ 'Roi Loeis a mon fis le renda/ a icel jor

horse's or donkey's ears exists elsewhere, most notably, the Irish fable of king Labraid Loingsech and the Greek myth of King Midas.

¹¹ This surname roughly translates to "suit of iron"—an obvious allusion to knighthood.

¹² "he acted like a fool when he dared to think of it, for as a result many noble men were bound to be thrown from the saddle" (*Raoul de Cambrai*, Kay, ll. 131-32, p. 15).

¹³ Lines 135-39: "King Louis committed an act of great folly that day, for he deprived his nephew of his inheritance; and Giboin for his part acted outrageously in wanting someone else's land in return for his service as a warrior—he later died in sorry and shameful circumstances" (*Raoul de Cambrai*, Kay, p. 15).

que chevaliers sera/ et droit en cort et jugement aura”¹⁴ The narrator corroborates Alice’s judgement: “Notre empereres exploita mallement,/ de Cambresis saisi le tenement/ et au Mansel en fi saisissement”¹⁵

It should be noted that in this case, the confluence of modes of norm transmission does not signal a problem with harmonization of conflicting norms. Rather, the combined modes have a different effect that also appears in other texts. The confluence of narratorial comment and direct speech serves to bolster the narrator’s judgement, resulting in a resounding condemnation of Louis’s transgression. This recalls a similar coincidence of narratorial comment and direct speech in *L’Histoire de Guillaume le Maréchal*. Both the narrator and a chorus of onlookers praise William’s performance in the battle of Tancarville.¹⁶ The combination of these two modes has a similar effect in that it serves to strengthen and corroborate the narrator’s judgement.

Throughout the text, it is the voice of the narrator that judges the validity of each character’s position. With recurring judgemental asides, the narrator weaves his own voice through the text, establishing himself as the ultimate authority on morality and justice. In addition to passing judgement on Louis, the narrator also judges Raoul’s behaviour, from his adolescence to the time when he assumes lordship. Raoul is the kind of man, he says, to whom noblemen would entrust the care of their sons: “or n’a baron de ci qe en Ponti/ ne li envoit son fil ou son nourri/ ou son neveu ou son germain cousin./ Il fu preudon, ces ama et goï;/ bien les retint et bien les revesti”¹⁷ This praise falls within norms of good lordship, which show that good fosterage of the children of other nobles is a lauded and respectable quality. But the narrator is careful not to let his audience bask in Raoul’s valour. He does not let us forget his earlier warning: “S’en lui n’eüst un poi de desmesure/ mieudres vasals ne tint onques

¹⁴“‘The king was mad to give him the glove.’ She also said, ‘King Louis will return it [the Cambrésis?] to my son on the day he becomes a knight and can receive justice and jurisdiction at court’” (*Raoul de Cambrai*, Kay, ll. 176.i-176.iv, p. 19).

¹⁵“Our emperor acted wrongly, he seized the fief of Cambrésis and invested Giboin with it” (*Raoul de Cambrai*, Kay, ll. Lines 176.v-176.vii, p. 19).

¹⁶ See chapter 2 for a discussion of this scene.

¹⁷“Now there is no baron from here to Ponthieu who does not send him his son, his protégé, or nephew or first cousin. Raoul acted very properly, and befriended and welcomed them” (*Raoul de Cambrai*, Kay, ll. 350-54, p. 31). Again, note the use of the “nourri”; see the section on woman’s honour and conduct for a more detailed discussion. It was also used in *L’Histoire* to describe the Chamberlain’s fosterage of William.

droiture,/ mais de ce fu molt pesans l'aventure:/ hom desreez a molt grant painne dure.”¹⁸

The poet structures an episode that foreshadows the consequences of Raoul's immoderateness and emphasizes the dangers of unmeasured action. As we will see, this “rehearsing” of main themes is a narrative technique employed frequently by Chrétien de Troyes as well. On Easter day, several knights initiate a game of fencing. Although it starts innocently enough, the exercise proves calamitous: “Emmi la place qī tant fist a loer/ cil chevalier commence[n]t a jouer/ a l'escrimie por lor cors deporter./ Tant i joerent a mal l'estut torner--/apres lor giu lor covint aïrer”.¹⁹ The sons of Ernaut of Douai lose their lives in this game gone awry, and Raoul is blamed for their deaths: “desor R[aoul] [e]n le blasme mis”.²⁰ This carnage serves as a rehearsal or a “preview” of the destruction that is to come from Raoul's unchecked ardour. Just as the game turns deadly, so Raoul's rashness leads to large-scale bloodshed. The potential violence inherent to educational exercises, such as this episode of mock-warfare, echoes the violent undertones of education that are expressed in *Perceval*.

The words of Guerri the Red serve to express lordship norms in the twinned contexts of feudal service and resource distribution. Guerri, Raoul's uncle, entreats Raoul to contest his loss of land. In a particularly vociferous remark, Guerri speaks to the shamefulness of disinheritance. Spurred into a rage by Guerri's acrid tongue and conscious of the personal shame incurred, Raoul approaches the king. In a telling gesture, he signals his displeasure and rage by failing to fall before the king's feet as greeting: “Devant le roi vienent cil aati./ Cele parole pas a pié ne chaî”²¹—a gesture that suggests norms of greeting and of respect have been broken. Raoul addresses the king, referring to social norms, such as the rewards he is owed for faithful military service: “Drois empereres, par le cors Saint Amant,/ servi vos ai par mes armes portant;/ ne m'en donnastes le montant d'un bezant./ Viax de ma terre car me rendez

¹⁸“If he had not had in him an immoderate streak, there would not have been a better vassal occupying his rightful place; but the outcome of this fault was to prove disastrous—an unbridled man has great difficulty in surviving” (*Raoul de Cambrai*, Kay, ll. 320-23, p. 29).

¹⁹“In the centre of the celebrated square the knights started a round of fencing to amuse themselves. They played so eagerly things were bound to go wrong—their fun inevitably turned to sorrow” (*Raoul de Cambrai*, Kay, ll. 369-73, p. 33).

²⁰“the blame is laid at Raoul's door” (*Raoul de Cambrai*, Kay, l. 378, p. 33).

²¹“They all hastened into the king's presence...he did not fall at his feet” (*Raoul de Cambrai*, Kay, ll. 502-03, p. 41).

le gant,/ si con la tint mes pere(s) au cors vaillant”.²² Raoul also cites law: “l’onnor del pere, ce se vent li auquant,/ doit tot par droit revenir a l’esfant”.²³ The king, seeking to pacify Raoul but refusing to strip Giboin of the Cambrésis, makes yet another blunder. He promises to invest Raoul with the land and titles of any count who dies in the Vermandois or the Île-de-France.

Louis’s response, which necessitates the disinheritance of another of his barons, illustrates his failure to conform to models of successful resource distribution. The narrator, as keeper of the normative code, reinforces the rectitude of Raoul’s position. The narrator turns his barbed tongue against the king once more: “R[aous] ot droit, tres bien le vos dison,/ mais l’empereres ot trop le quer felon/ qi de tel terre fist a son neveu don/ dont maint baron widierent puis arçon./ R[aous] fu saiges, tres bien le vos disons,/ qi des ostaiges demanda a fusion”.²⁴ Again, direct speech and narratorial comment are woven together to emphasize the severity of Louis’s transgression.

Louis’s reasons for pursuing this solution are unclear, although it could have been part of a larger plot to incite conflict among his barons, thereby deflecting their animosity away from himself. His course of action reveals various norms transgressed. Firstly, his re-assignment of Cambrai and the Vermandois shows that he lacks foresight (clearly recalling the literary topos of the rash boon). He seeks only to appease Raoul temporarily, perhaps hoping that the next lord to die in the Vermandois would do so without an heir. He may also have planned to renege on his deal and miscalculated the scale of Raoul’s response. Secondly, Louis seemingly does not consult his baronage before proposing this arrangement, transgressing the norms that a good king will invite and attend to the counsel of his barons and that he will distribute his resources with an eye to fairness and lasting peace.

Louis’s response to the eventual death of Herbert continues to aggravate his men. Raoul calls in his debt, eager to take up the land the king has sworn to grant him. Louis replies that if he were to give him the land of Herbert, he would lose control of

²²“By St. Amant, rightful emperor, I have served you at arms; you never gave me so much as a bezant for it. At least restore my land to me, pledged with your glove, just as my valiant father held it” (*Raoul de Cambrai*, Kay, ll. 506-10, p. 41).

²³ “everybody knows that a father’s fief ought in all justice to pass to his son” (*Raoul de Cambrai*, Kay, ll. 525-26, p. 43).

²⁴“Raoul was in the right, we tell you truly, but the emperor acted most perfidiously in giving away to his nephew such land as would cause numberless barons to quit the saddle. Raoul was wise, we tell you truly, when he demanded plenty of hostages” (*Raoul de Cambrai*, Kay, ll. 602-07, p. 47).

his baronage. Unless he were to renege on his deal with Raoul, Louis would be unable to compel his barons to perform the duties they owe him. He informs Raoul of his decision, seemingly without remorse: “Nou ferai, frere... S’or vos aloie lor terre abandonner,/ tuit gentill home m’en devroient blasmer,/ mais a ma cort nes poroie mander,/ ne me volroient servir ne honnorer”.²⁵ This is a rare instance where norms of vassalage are transmitted from a superior to an inferior. Generally, such norms are exchanged on a horizontal plane among men of similar rank. In return, direct speech expresses the baron’s frustration with their king. Geoffrey advises the king that “tros feïs grant folage/ qant ton neveu donnas tel eritaige,/ et d’autrui terre l’onnor et le fieaige...R[ous] a droit, vos en aveiz l’outraige”.²⁶ Bernier echoes Geoffrey’s concerns: “esgardez ore se ci a desraison!/ Li fil Herbert n’ont pas fait qe felon,/ n’en vostre cort forgugier nes doit on./ Por qoi donnez lor terres a bandon?”²⁷

Both Louis and Raoul continually transgress norms of lordship. It is clear that Raoul has been unfairly disinherited. Yet Raoul’s unflinching conviction that he is owed the Vermandois perpetuates the cycle of disinheritance. Raoul’s pursuit of the Vermandois forces Bernier, his vassal and companion, to make war on his father’s fief. In spite of his profound reluctance, Bernier decides to stand with Raoul in the conflict. His loyalty, he says, ultimately lies with his liege lord, to whom he is sworn, rather than to his father: “je nel feroie por l’onnor de Baudas!/ R[ous] mesires est plus fel qe Judas;/ il est mesires, chevaux me done et dras,/ et garnemens et pailles de Baudas./ Ne li fauroie por l’onnor de Damas”.²⁸ Here, Bernier, choosing fidelity to his sworn lord over familial ties, exemplifies the loyal vassal. Raoul, however, does not reciprocate. Because of his rashness and arrogance, he rewards Bernier very poorly for his service. He burns the convent that Bernier’s mother headed, and she burns along with it.

Raoul’s transgressions are relayed primarily by direct speech, with a few narratorial interjections. The judgements expressed by narratorial comment and direct

²⁵“I will not do it, brother...If I were to abandon their land to you, the whole nobility would reprove me for it; I would no longer be able to summon them to my court, nor would they serve me and honour me” (*Raoul de Cambrai*, Kay, ll. 669-76, p. 51).

²⁶“it was unexampled folly to give your nephew such an inheritance,/ the rights and title to another man’s land...Raoul is in the right, yours is the disgrace” (*Raoul de Cambrai*, Kay, ll. 718-22, p. 55).

²⁷“is this justice? Herbert’s sons are guilty of no crime, and judgment should not go against them in your court. Why do you give away their land?” (*Raoul de Cambrai*, Kay, ll. 749-52, p. 59).

²⁸“I would rather not do it [*i.e. NOT make war on his father’s fief*] for all the wealth of Baghdad. Raoul my overlord is more villainous than Judas: [yet] he is my overlord, he gives me horses and clothing and arms and oriental silks. I wouldn’t fail him, not [even] for the fief of Damascus” (*Raoul de Cambrai*, Kay, ll. 1203-07, p. 89).

speech concur, continuing the pattern wherein combined modes reinforce the message. Both Raoul's and Bernier's mothers inform Raoul that he would be breaking several norms if he were to pursue the Vermandois or harm the convent. Yet in response to his mother's advice, Raoul merely juts his jaw impatiently, a gesture that expresses his impetuous and thoughtless norm breaking: "R[aous] tenoit sa main a sa maissele".²⁹ Guerri the Red replies to his nephew's gesture with words. He seeks to temper Raoul's hubris by reminding him of his inexperience: "trop ies desmesurez!/ Encor n'a gaires qe tu fus adoubés".³⁰ Bernier cuts to the heart of the matter when he says: "R[aous], biaux sire, molt faites a proisier/ et d'autre chose fais molt a blastengier...Je sui vostre hom, a celer nel vos qier—/de mon service m'as rendu mal loier:/ Ma mere as arce la dedens cel mostier".³¹ The narrator condemns Raoul for burning the convent and for breaking his faith: "Li quens R[aous] en a mal exploitié:/ le jor devant ot Marcent fiancié/ qe n'i perdroient nes un paile ploié—/ le jor les art, tant par fu erragiés".³² As we can see, all three forms of norm transmission are employed in Raoul's condemnation.

Where Mark, Louis, and Raoul fail as lords, Charlemagne excels. The *Song of Roland* provides an example of how non-verbal gestures can function within transmission by example to express conformity to lordship norms. Charlemagne, as portrayed in the *Song of Roland*, is in some ways an anomalous lord when compared with others this thesis considers. Not only is he an emperor rather than a king, he is also preternaturally old. The author never allows his audience to forget the emperor's advanced age. Descriptions of Charlemagne's long, white beard, whether being constantly fiddled with or blowing mightily in the breeze, accompany nearly every appearance of the emperor.³³ The Saracen king Marsile informs the audience that: "Il est mult vielz, si ad sun tens uset,/ Men escient, dous cenz anz ad passet".³⁴ Because

²⁹"Jutting his jaw in his hand" (*Raoul de Cambrai*, Kay, l. 837, p. 65).

³⁰"you are getting above yourself! It's scarcely any time since you were knighted" (*Raoul de Cambrai*, Kay, ll. 1098-99, p. 81).

³¹"Raoul, dear lord, you can be praiseworthy, and then in other ways you lay yourself open to censure...I am your vassal, I don't try to conceal the fact, but you have rewarded my service ill: you have burned my mother to death in that church" (*Raoul de Cambrai*, Kay, ll. 1460-68, p. 103).

³²"Count Raoul has behaved atrociously: the day before he had given his word to Marsent that they wouldn't lose so much as a folded cloth—and today he burns them to death, that's how crazy he was!" (*Raoul de Cambrai*, Kay, ll. 1293-96, p. 93).

³³See p. 83.

³⁴"He is very old and time is running out,/ I understand he is over two hundred years old" (*Song of Roland*, ll. 523-24, p. 35).

of his longevity and his imperial status, Charlemagne may be held to different standards.³⁵

Once the formulaic military accolades have been dispensed with, Charlemagne's first appearance shows him to be a thoughtful man, committed to pensive deliberation and judicious action. The narrator pays particular attention to Charlemagne's gestures, particularly to those involving his head and beard, and at times they alert the reader to an otherwise unarticulated emotional intensity. The repeated bowing of his head and stroking of his facial hair express the norm that a lord should not act hastily and should carefully consider the advice of his men. When Blancandrin proposes Marsile's conversion and submission, Charlemagne lowers his head, holds his hands up to God, and thinks: "Li empereres tent ses mains vers Deu,/ Baisset sun chef, si cumencet a penser".³⁶ Charlemagne's raised hands could represent the reception of revealed knowledge from God. The narrator observes that this reflectiveness is customary for the king: "De sa parole ne fut mie hastifs,/ Sa custume est qu'il parolet a leisir".³⁷ The emperor's bowed head ("Li empereres en tint sun chef enclin")³⁸ betrays immense power under perfect restraint.

Charlemagne summons a council of his barons, conforming to the norm that a good lord ought to take the counsel of his best men: "Desuz un pin en est li reis alez,/ Ses baruns mandet pur sun cunseill finer:/ Par cels de France voelt il del tut error".³⁹ The emperor responds to Roland's advice with silence, drawing the reader's focus to his gestures: "Li emperere en tint sun chef enbrunc,/ Si duist sa barbe, afaitad sun gernun,/ Ne ben ne mal ne respunt sun nevuld".⁴⁰ This heading-bowing gesture recurs at key moments of the narrative, perhaps signalling worry and sorrow, as Philippe Ménard suggests: "Ainsi dans la *Chanson de Roland*, Charlemagne pleure et tien *sun chef enbrunc*. Signe que l'empereur est soucieux... Plus tard, Charlemagne, voyant que ses barons n'osent affronter le redoutable Pinabel, est la proie d'une vive

³⁵ The relationship between age and behavioural norms will be discussed at a later point in this chapter; see p. 95.

³⁶ "The Emperor lifts up his hands to God,/ He lowers his head and begins to reflect" (*Song of Roland*, ll. 137-38, p. 11).

³⁷ "He was not one to speak hastily,/ He customarily replies after deliberation" (*Song of Roland*, ll. 140-41, p. 11).

³⁸ "The Emperor kept his head bowed down" (*Song of Roland*, l. 139, p. 11).

³⁹ "The King went beneath a pine tree/ And summoned his barons to conclude his council:/ He wishes to be guided by the men of France in this entire matter" (*Song of Roland*, ll. 165-67, p. 13).

⁴⁰ "The Emperor kept his head lowered,/ He stroked his beard, smoothed his moustache,/ He does not tell his nephew he agrees or disagrees" (*Song of Roland*, ll. 214-16, p. 15).

inquiétude: *mult l'embranchit e la chere e le vis*".⁴¹ Although this gesture might not directly communicate a behavioural norm, it does offer a window into the emotional life of the emperor. It may therefore shed light on the emotional norms of lordship, such as when and how it is appropriate to express emotions. This theme is explored in many romances and *chansons de geste*. The king's expression and control of emotions, particularly anger, sorrow, and boredom, often play an interesting role in narrative development and legal proceedings, a point that will be revisited when we consider Marie de France's *Lanval*.

Conclusion

Norms of lordship are primarily communicated by direct speech and narratorial comment. Although some are expressed through transmission by example, the former two modes, especially in combination, express both the ideals of good lordship and how these norms come into conflict. Furthermore, direct speech is used to express norms of lordship in contexts where the lord's authority is threatened.

Knightly honour and chivalric conduct: analysis of transmission of norms of knightly honour

Narratorial comment and transmission by example: young and old knights

Narratorial comment and transmission by example are the most frequent ways by which writers communicate norms related to the old knight–young knight dichotomy. In Chrétien's *Érec et Énide*, the king holds a magnificent assembly, attended by hundreds of renowned kings and knights. Among the dignitaries present is one King Ban of Ganieret, who is accompanied solely by youths: "Avoec ces que vos ai nomez/ vint li rois Bans de Ganieret,/ et tuit furent juesne vaslet/ cil qui ansamble o lui estoient,/ ne barbe ne grenon n'avoient".⁴² He is followed by Quirions of Orcel, an old king who brings with him only elderly companions, the youngest of whom is one

⁴¹ Ménard, Phillipe, "Tenir le chef embronc, croller le chief, tenir la main a la maissele, Trois attitudes de l'ennui dans les chansons de geste du XIIe siècle", *Société Rencesvals, Quatrième Congrès International, Actes et Mémoires* (Heidelberg, 1969), pp. 145-55.

⁴² *Érec et Énide*, ed. Roques, ll. 1922-26; "With those that I named for you came King Ban of Ganieret, and all who were with him were young squires; they had neither beards nor moustaches", (Chrétien, *Arthurian Romances*, trans. Kibler, p. 61).

hundred years of age.⁴³ The two companies stand in striking contrast: a troupe of beardless *jeusne vaslet* and a company of aged men whose white beards reach their belts. This opposition epitomizes a dichotomy within knighthood. Writers frequently distinguish between the behaviour of old and young knights. The writer of *L'Histoire de Guillaume le Maréchal* takes us through the life cycle of a knight, describing the evolution of the boisterous *bachelor* into the measured, thoughtful protector of the realm. In the last years of his life, William Marshal bears a stronger resemblance to *Roland's* Charlemagne than to the energetic, adventurous protagonists of Chrétien's romances, epitomizing the changes that should come to a knight with age.

In the *Song of Roland*, the narrator describes old knights playing chess while the young *bachelor* fence: "As tables juent pur els esbaneier,/ E as echecs li plus saive e li veill,/ E escremissent cil bachelor leger".⁴⁴ The narrator creates a contrast between stillness and movement, between intellectual and physical activity, and between wisdom and unchecked vigour. The old knights are "li plus saive", they are seated "as tables", and they are engaged in the ancient, cerebral game of chess. The *bachelers* are "leger": light, nimble, and active; "leger" can even connote immodesty or frivolity, and they amuse themselves ("esbaneier") with swordplay. Age is here associated with wisdom, restraint, and thoughtfulness, while youth is associated with unbridled eagerness and impulsive keenness for battle. The description of Gautier in *Raoul de Cambrai* illustrates the contrast between impetuosity and wisdom: "Gautiers fu juvenes, de novel adoubez;/ B[erneçon] a requis comme senés".⁴⁵ Gautiers may be young ("juvenes") and newly knighted ("de novel adoubez") but he attacks Bernier "comme senés" ("like a wise one"). *Raoul's* narrator also notes that "the untried boy knights are jubilant and thrilled".⁴⁶ As we saw in *L'Histoire de Guillaume le Maréchal*, young men are characterized as peripatetic. The text idealizes the itinerant life in constant search of adventure and reknown. *Raoul's* narrator, when

⁴³ "Quirions, li rois vialz d'Orcel,/ n'i amena nul jovancel,/ einz avoit conpaignons .II. cenx,/ don li mainz nez avoit cent anz;/ les chiés orent chenuz et blans,/ que vescu avoient lonc tans,/ et les barbes jusqu'as ceinturs" (*Érec et Énide*, ed. Roques, ll. 1933-39); "Quirions, the old king of Orcel, brought no young men along, but rather had two hundred companions, the youngest of whom was a hundred years old. Their heads were hoary and white and they had beards down to their waists, for they had lived a long time" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 61).

⁴⁴ "The knights are sitting on white silk cloths,/ Playing backgammon to while away the time,/ The older and wiser among them playing chess;/ The agile youths are fencing" (*Song of Roland*, ll. 110-13, p. 9).

⁴⁵ "Gautier was a young man, only recently knighted, [but] he has attacked young Bernier like a wise one" (*Raoul de Cambrai*, Kay, ll. 4792-93, p. 297).

⁴⁶ "li vaslet en sont goiant et lié" (*Raoul de Cambrai*, Kay, l. 2212, p. 147).

praising Count Hugh's prowess, notes that: "Jovenes hom ert, n'ot pas aaige grant—/ chevalerie et pris aloit qerant".⁴⁷ The inherent difference between old and young warriors manifests itself in the structure of battle: in *Raoul*, Ybert instructs the men: "Vos li viel homme garderez le terrier,/ et la grant tor et le palais plaignier;/ et li vaslet et li france esquier/ voist tost chascuns aprester son destrier,/ car orendroit nos couvient chevauchier".⁴⁸

The effect of using narratorial comment and transmission by example is that this aspect of knighthood is portrayed as incontrovertibly true. While it is narratively feasible that characters may lie when they verbalize their remarks, the implication of narratorial comment and narration in general is that it is a reliable source. Although the textual interest in the normative distinctions between old and young knights is relatively minor, it is significant in that it plays a role in the narrative modelling of knightly education. As we will see, norms of personal honour and conduct are almost exclusively transmitted from an older to a younger knight.

Narratorial comment and direct speech continue to be intertwined in the portrayals of knightly education. Narratorial comment frames the paradigms of knightly education, and direct speech communicates instruction within those models. Alexander, Cligès' father in Chrétien's eponymous romance, approaches his own father with a request. He asks that he might be given leave to travel to Britain to serve King Arthur. This is the best way, he says, for him to "enor aprendre/ Et por conquerre pris et los".⁴⁹ This wording could suggest that honour is something that a knight should *learn* in order to be successful. This phrase also recalls *L'Histoire's* exhortation that "Qui en haute enor se velt metre/ Primes li covient entremetre/ Qu'il en ait esté a escolé".⁵⁰ The narrator of the *Romance of Horn* remarks that high-born children ought to receive education: "Chescun meine le soen od sei en guionage/ Qu'il aveient nurri e apris par (bon) corage/ De tuz afaitemenz, cum gent de bon

⁴⁷"He was a young man, of tender years, and he went in quest of knightly accomplishment and renown" (*Raoul de Cambrai*, Kay, ll. 2510-11, p. 165).

⁴⁸"You older men stay to guard the rampart, the tower, and the great hall, and let the young men and the noble squires all go and get their horses ready, for we must ride off at once" (*Raoul de Cambrai*, Kay, ll. 1754-58, p. 120).

⁴⁹"learn honour and win honour and glory" (Chrétien, *Arthurian Romances*, trans. Kibler, ll. 84-85, p. 124).

⁵⁰"Any man seeking to achieve high honour/ must first see to it/ that he has been well schooled" (Gregory, *History of William Marshal* ii, p. 345).

lignage”.⁵¹ Additionally, in the Anglo-Norman *Lai d’Haveloc*, Grim regrets that his foster-son, having been removed from courtly society, does not have access to education: “Grim, le prodome, qi le nurrit;/ Mes de ceo out le queor dolent/ Quil nert nurri entre tiele gent/ Ou il puist auques entendre/ Et afetement aprendre”.⁵²

So what does the literature indicate about the nature of knightly schooling? In *L’Histoire de Guillaume le Maréchal*, William’s instructional skills are expressed through narratorial comment. Although he is described as an ideal teacher of chivalry and combat, his lessons are not transmitted by direct speech. William’s burgeoning renown coincides with Henry II’s return from war in France and his decision to crown his son, Henry the Young King.⁵³ The elder king seeks out the finest companions for him, “compaignons les meilz esprovez/ Qui el reigne furent trovez”.⁵⁴ Henry II chooses William, who probably would have been eight or nine years older than the young king. He retains him to accompany his son in order to care for and teach him: “Pour lui garder e esseigner”.⁵⁵ William, in the role of the young king’s master (“sis mestres”),⁵⁶ moulds and guides *li giembles reis*, helping him to build his reputation, acquire more honour, and increase his courage and worthiness: “Tant li fist e tant l’avança/ Que par ce ke il out apris/ Monta li giembles reis en pris/ E en enor e en hautesce;/ A lui s’accompaigna proësce”.⁵⁷ The Marshal also schools the young King in the culture of tournaments, of which William has extensive experience. One of William’s greatest contributions to Henry’s repertoire is his instruction in martial

⁵¹ *Romance of Horn*, ed. Pope, ll. 432-433a: “Each lord escorted his own charge, whom he had nurtured and willingly taught every accomplishment, appropriate to those of good family” (*The Birth of Romance*, trans. Weiss, p. 10).

⁵² *Le Lai d’Haveloc*, ed. Bell, ll. 158-62: “Grim, the brave man who nurtured him, took enormous pleasure in him. But one thing saddened him: that he was not raised amongst the kind of people where he might learn of something and acquire instruction and wisdom” (*The Birth of Romance*, trans. Weiss, p. 144).

⁵³ Here, the narrator interjects with a few opinions of his own, which he mentions “do not pertain to my story” (my trans.): “I would add my opinion/ that the King did not act wisely/ when he forced his barons/ to pay homage to his son” (*Raoul de Cambrai*, Kay, p. 99); he also philosophizes that “men often do many things/ readily, only to regret them;/ but no man can predict the future” (*Raoul de Cambrai*, Kay, p. 99).

⁵⁴ “the most proven men/ to be found throughout the realm” (Gregory, *History of William Marshal*, ll. 1937-38, p. 99).

⁵⁵ “to care for and teach him” (Gregory, *History of William Marshal*, l. 1945, my translation).

⁵⁶ Line 1966: “his master” or “his tutor” (AND).

⁵⁷ “He did so much for him, and brought him on so,/ that, as a result of what he had learned,/ the young King’s reputation increased,/ along with his eminence and the honour paid to him;/ he also acquired the quality of valour” (Gregory, *History of William Marshal*, ll. 1950-54, p. 101).

skills: “si tresbien lui aveneit...Certes, e non deveit il estre?/ K’il out d’armes le meillor mestre/ Qui fust ne a son tens ne puis”.⁵⁸

As a result of his improvements under the Marshal’s tutelage, the young Henry has now acquired sufficient qualities to be considered among the best princes on earth: “Des ce ku’il out tantes bontez,/ Si fu il al plus beal contez/ De toz les princes terriens”.⁵⁹ During a period of conflict between *li giembles reis* and his father, those in the company of the young king request that he be knighted for the sake of morale.⁶⁰ He seeks out the man whom he refers to as: “li meldres chevaliers” to perform the ceremony.⁶¹ The Marshal then girds on the young king’s sword, just as the Chamberlain once did for him: “L’espee li ceinst voluntiers/ Sil baisa; lors fu chevaliers”.⁶² This depiction of an educational experience fits with the paradigm of an older male teaching a younger male, and recalls Gornemans’ of Gohort’s lessons to Perceval.

In the *Romance of Horn*, we witness one of the most detailed portrayals of the training of young men. This romance was written around 1170 by a clerk who self-identifies as Master Thomas. The story begins with the arrival in Brittany of several young boys.⁶³ King Rodmund has just conquered Aalof’s kingdom and slain many magnates. The sons of the slain nobles have been forced out to sea by Rodmund, who does not have the stomach to watch them die, but knows that he cannot let them live. When the boys arrive in Brittany, they are brought before King Hunlaf. He decrees that each child should be fostered by one of his nobles, and that the boys’ leader, Horn, son of the late King Aalof of the Suddene, should be fostered by his seneschal, Herland. The king states that each of his men should foster a boy: “Chescun de vus avrat a garder un enfaunt/ Tresque taunt ke veëz k’il seient creü grant./ Chascun afait

⁵⁸“Things turned out for him so exceedingly well...And, of course, was that not bound to be the case?/ After all, he had the best instructor in arms/ that there ever was in his time or since” (Gregory, *History of William Marshal*, ll. 3649-55, p. 187).

⁵⁹“Now that he had so many qualities,/ he was reckoned to be the finest/ of all princes on earth” (Gregory, *History of William Marshal* i, ll. 1955-57, p. 101).

⁶⁰ The poet deviates from his narrative briefly to explain “how and why it was/ that he was king first and knight later” (Gregory, *History of William Marshal*, p. 109). See lines 2116-2122 for the poet’s account of these circumstances.

⁶¹ “the best knight” (Gregory, *History of William Marshal*, p. 107)

⁶² “he gladly girded on his sword/ and kissed him, whereupon he became a knight” (Gregory, *History of William Marshal*, p. 107).

⁶³ *The Birth of Romance*, trans. Weiss, p. x.

le soen qu'il seient honurant,/ Tresqu'(e) il pussent armes par force portaunt".⁶⁴ The king's seneschal is the only appropriate teacher for the prince among them: "E vus garderez Horn, seneschal dan Herlant:/ Tus voz afetemenz, dunz vus estes savant,/ Issi cum vus m'amez li seiez enseignaunt".⁶⁵ Seneschals often exemplify certain norms; see, for instance, the seneschal we examined in the previous chapter as well as the infamous Sir Kay.

The narrator notes that all of the children are well educated—"bien endoctriné"⁶⁶—but that Herland took great pains to make sure that Horn receives education of the highest quality, surpassing that of the other boys: "Mes sur tuz se pena Herland, li seneschal,/ Ke ne fussent li soen vers les autres egal;/ S'(e)il ne sunt plus savant ne se prisē un jal;/ S'aukun seüst plus d'aus,/ mut le tendreit a mal".⁶⁷ Much later in the narrative, we gain insight into one of the specific types of instruction. When faced with danger, Horn refers to Herland's teaching, noting that the seneschal had taught him how to fight and carry weapons: "La doctrine Herland li avra or mester,/ Ki mut l'enseigna bien de ses armes porter".⁶⁸ Horn is eventually appointed to the position of "constable", who is "in charge of military training of young men".⁶⁹ In *Raoul*, the narrator mentions in passing that the titular character taught swordplay to younger boys when he himself was an adolescent in Paris: "Qant R[ous] fut jovenciax a Paris/ a escremir ot as effans apris".⁷⁰ In the same vein, the narrator of Chrétien's *Le Chevalier de la Charrette* points out that Lancelot has "practiced fencing since his youth".⁷¹ These portrayals of the educational experiences

⁶⁴ *Romance of Horn*, ed. Pope, ll. 348-51, p. 12: "Each of you will have one child to keep, until you see that he is full-grown. Each shall educate his own to be worthy of honour until he has the strength to bear arms" (*The Birth of Romance*, trans. Weiss, p. 8-9).

⁶⁵ *Romance of Horn*, ed. Pope, ll. 354-56: "And you, Sir Herland, you will care for Horn: All of the *afetemenz* of which you are knowledgeable—therefore as you love me you will teach him" (my translation).

⁶⁶ *Romance of Horn*, ed. Pope, l. 370.

⁶⁷ *Romance of Horn*, ed. Pope, ll. 371-74; "But Herland the seneschal took more pains than anyone that his two charges should not be at the same level as the others. He esteemed himself not worth a farthing if they were not more accomplished. He would have taken it badly if anyone knew more than them" (*The Birth of Romance*, trans. Weiss, p. 9).

⁶⁸ *Romance of Horn*, ed. Pope, ll. 1495-96; "Now he would need Herland's teaching, who instructed him so well in carrying arms" (my translation).

⁶⁹ *The Birth of Romance*, trans. Weiss, p. 36.

⁷⁰ "When Raoul was a youngster in Paris, he had taught the boys sword-play" (*Raoul de Cambrai*, Kay, ll. 2675-76, p. 175).

⁷¹ "Lancelot nel redote mie,/ car il savoit plus d'escremie/ la mitié que cil n'an savoit,/ car an s'anfance apris l'avoit" (Chrétien, *Le Chevalier de la Charrette*, ed. and trans. Croizy-Naquet, ll. 7061-64); Chrétien, *Arthurian Romances*, trans. Kibler, p. 293.

of young knights align with the depiction of William Marshal's own education and his instruction of Henry the Young King.

Another paradigm of knightly instruction that appears in this corpus is that of a father teaching his son. Direct speech is the sole mode of transmission for father-to-son instruction. Given the near ubiquity of fosterage, the few descriptions we do have of a young man's interactions with his biological father stand out. Usually, the content of the fatherly advice consists of behavioural and honour norms. Some are aphoristic admonitions that recall familiar honour norms, such as Alexander's father's prescription to be generous: "Mes molt covient que soiez larges".⁷² Alexander, eventually a father himself, instructs his son Cligès on how he can increase his prowess. The surest way to gain strength and reputation, he says, is by serving at King Arthur's court.

King Bademagu, lord of the otherworld in Chrétien's *Le Chevalier de la Charrette*, is particularly concerned with teaching his delinquent son how to behave honourably. Before Bademagu instructs the wayward Meleagant, however, Chrétien employs a narrative strategy wherein he "rehearses" the Bademagu-Meleagant scene with other characters. This is very similar to the technique employed by the writer of *Raoul*, considered earlier in this chapter. In this "preview", Chrétien shows that a lady whom Lancelot has been protecting is threatened by her former lover, who believes he still has a claim to her love. The father of the former lover warns his son that he is being foolish; he could never best Lancelot and he is placing "too much faith in your own prowess": "Ne te leirai mie/ conbatre, por rien que tu dies./ An ta proesce trop te fies,/ mes fai ce que je to comant".⁷³ This interaction is a foil for Bademagu's attempts to correct his son's imminent dishonourable behaviour.

Lancelot first encounters Bademagu and Meleagant in what is implied to be the fairy otherworld, which he enters by crossing the dangerous Sword Bridge. Lancelot is seeking to rescue Guinevere, whom Meleagant captured and is holding in his father's domain. Meleagant's personality is reminiscent of that of Kay, Arthur's seneschal: both have crass tongues and an overall distasteful air. When Lancelot arrives, he makes it clear that he intends to win Guinevere back, which displeases

⁷² *Cligès*, ed. Foerster, l. 180; "But it will greatly benefit you to be generous" (my translation).

⁷³ "I'll not let you fight...no matter what you say. You place too much faith in your own prowess. Now do as I order" Chrétien, *Arthurian Romances*, trans. Kibler, p. 293; Chrétien, *Le Chevalier de la Charrette*, ed. and trans. Croizy-Naquet, ll. 1732-35.

Meleagant greatly. Meleagant's father lays out strict guidelines for his son, outlining how to comport oneself honourably when in contention with another gentleman:

Se cist est an ta terre seus,
se li doiz conpaignie feire,
que prodom doit prodome atreire
et enorer et losangier,
nel doit pas de lui estrangier.
Qui fet enor, l'anors est soe:
bien saches que l'enors iert toe
se tu fez enor et servise
a cestui qui est a devise
li miaudres chevaliers del monde.⁷⁴

The transmission scene continues as Bademagu shares more general advice about how to deal honourably with the foreign knight. Bademagu points out that Lancelot has not come to wreak harm or dishonour, but rather, "einz est venuz por porchacier/ et son pris croistre et aloser".⁷⁵ Bademagu lays out a framework that describes the transfer of honour. He states: "Se tu la reïne li ranz,/ creins an tu avoir desenor?/ De ce n'aies tu ja peör,/ qu'il ne t'an puet blasmes venir,/ einz est pechiez del retenir/ chose ou an n'a reison ne droit".⁷⁶ As the conflict between Meleagant and Lancelot develops and various staged battles between the opponents are arranged, Bademagu echoes Alexander's admonition to Cligès: "Ja certes hontes ne damages/ ne t'an vandra, se tu me croiz,/ mes fei ice que feire doiz!/ Don ne te sovient il que tu/ as an la cort le roi Artu/ contre lui bataille arramie?/ Et de ce ne dotes tu mie/ que il ne te soit granz enors,/ se la te vient biens, plus qu'aillors!".⁷⁷ Seeing Lancelot's prowess, Bademagu counsels his son to keep the company of such a worthy knight: "tuit cil qui boen sont/

⁷⁴ Chrétien, *Le Chevalier de la Charrette*, ed. and trans. Croizy-Naquet, ll. 3216-25; "Since he has entered alone into your land, you must offer him hospitality, for a gentleman must welcome, honour, and praise another gentleman and never snub him. He who shows honour is honoured by it. You can be sure that honour will be yours if you honour and serve the knight who, without any doubt, is the best in the world" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 247).

⁷⁵ Chrétien, *Le Chevalier de la Charrette*, ed. and trans. Croizy-Naquet, ll. 3468-39; he "has come to seek his honour and increase his renown" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 249).

⁷⁶ Chrétien, *Le Chevalier de la Charrette*, ed. and trans. Croizy-Naquet, ll. 3446-51; "Are you afraid of incurring dishonour by returning the queen to him? Have no fear of this, for no blame can come to you from it; on the contrary, it is a sin to keep something to which one has no right" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 250).

⁷⁷ Chrétien, *Le Chevalier de la Charrette*, ed. and trans. Croizy-Naquet, ll. 5042-50; "Certainly no shame or harm will come to you for taking my advice. So do what is right... And can you doubt that it would be a far greater honour to defeat him there [*i.e. at the court of King Arthur*] than anywhere else?" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 269).

doivent enorer et server/ celui qui ce puet desservir,/ et maintenir sa compaignie”.⁷⁸ Meleagant spurns his advice, continuing to boast foolishly and act dishonourably to Lancelot. Bademagu, relentless in his quest to correct his son’s behaviour, reminds him that: “Vairs est que boens cuers s’umilie,/ mes li fos et li descuidiez/ n’iert ja de folie vuidiez”.⁷⁹

Conclusion

In the context of knightly education, both in formal and in informal settings, narratorial comment is used to frame the scene and direct speech is used to communicate the norms. The instruction is usually portrayed as a corrective for normative transgressions. Bademagu, for example, elucidates norms of honour and of knightly comportment for his son, as well as explicating how honour is won and lost. What’s more, he encourages his son to engage interpretively with the social context, urging him not to win honour by defeating Lancelot, but to do so by keeping his company. This issue of interpretation seems key to many of the failings of the wayward young knight. We have already shown how Perceval’s failure to engage his interpretive faculties has disastrous results. Raoul’s rashness stands in the way of correctly interpreting the political and social contexts. He should have engaged interpretively, thinking critically about how and when norms of behaviour, lordship, and honour should be applied. The corpus of literature seems to suggest that all the instruction in the world is good for nothing if the student does not interpret what he has learned.

Womanly honour and conduct: models of transmission

Introduction

“A woman has more than a hundred moods”, explains the narrator of *Le Chevalier au Lion*.⁸⁰ “A man has to be really mad, to believe what a woman says”, gripes Guerri

⁷⁸ Chrétien, *Le Chevalier de la Charrette*, ed. and trans. Croizy-Naquet, ll. 6274-77; “all good men should honour and serve one who has shown himself worthy in this fashion, and keep his company” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 284).

⁷⁹ Chrétien, *Le Chevalier de la Charrette*, ed. and trans. Croizy-Naquet, ll. 6318-20; “It is the truth that a good heart is humble, but the fool and the braggart will never be rid of their folly” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 285).

⁸⁰ Chrétien, *Arthurian Romances*, trans. Kibler, p. 312; “fame a plus de cent corages”; Chrétien, *Le Chevalier au Lion*, ed. Roques, l. 1440.

the Red in *Raoul de Cambrai*.⁸¹ Such denigrating comments as these abound in the corpus of twelfth- and thirteenth-century Old French and Anglo-Norman literature. But these one-dimensional observations by no means exemplify the experiences or textual treatment of women, which are marked by rich internal lives and a set of honour norms that rivals their masculine counterparts. We begin this section by examining how narratorial comment and direct speech are used in conjunction. The combination of modes is used to express norms regulating men's and women's relationships with each other, as well as how those relationships affect their conformity to norms of honour and chivalry. Direct speech and narratorial comment, used in these scenes together, express the need to harmonise discordant norms.

Male-female relationships often engender scenarios wherein honour norms come into conflict. The relationship between men, women, and chivalry is complex, and the negotiation of these elements can prove tricky for our characters, many of whom find themselves caught in the snare of competing obligations. Many men find it difficult to strike an acceptable balance between the allure of their lover and the duties expected of an honourable knight. Women, too, find themselves in an onerous position: they are expected to exude sense, sweetness, and beauty while always increasing their lover's honour. These duties are sometimes at odds. Portrayals of romantic relationships often serve as a microcosm wherein these normative conflicts are explored.

Norms that govern romantic relationships are closely intertwined with norms of masculinity and male honour. In *Le Chevalier au Lion*, Gawain speaks to the expectation that women should increase male honour and that men should be worthy of that female service:

Comant! seroiz vos or de çax,
ce disoit mes sire Gauvains,
qui por leur fames valent mains?
Honiz soit de sainte Marie
qui por anpirier se marie!
Amander doit de bele dame
qui l'a a amie ou a fame,

⁸¹ "con par est fox li home qi feme croit"; *Raoul de Cambrai*, Kay, l. 5601.

que n'est puis droiz que ele l'aint
que ses los et ses pris remaint⁸²

Another of Chrétien's romances, *Érec et Énide*, takes this dynamic as its central theme, and narratorial comment serves to express these norms of masculine and feminine comportment. Érec is so besotted with his new bride, Énide, that he gives himself fully to the pleasures of his lover and forgoes all knightly activities. This incurs the scorn of his peers. The narrator describes Érec's predicament: "Mes tant l'ama Érec d'amors,/ que d'armes mes ne li chaloit,/ ne a tornoiemant n'aloit./ N'avoit mes soing de tornoier:/ a sa fame volt dosnoier...Si compaignon duel en avoient;/ sovant entr'ax se demantoient/ de ce que trop l'amoit assez".⁸³ The court deems Érec's abandonment of chivalric pursuits to be a great shame, an unfortunate decline in his honour, and an unfitting way of life. The narrator expresses the court's displeasure as indirect speech:

Ce disoit trestoz li barnages
que granz diax ert et granz damages,
quant armes porter ne voloit
tex ber com il estre soloit.
Tant fu blasmez de totes genz,
de chevaliers et de sergenz,
qu'Enyde l'oï autre dire
que recreant aloit ses sire
d'armes et de chevalerie
...
De ceste chose li pesa⁸⁴

The disparaging comments spread thick and fast throughout the court, and it is not long before they reach Énide's ears. Énide finds herself caught in a web of competing norms: norms require her to be beautiful, but her beauty has distracted Érec from

⁸² Chrétiens, *Le Chevalier au Lion*, ed. Roques, l. 2486-94; "who are worth less because of their wives? May he who diminishes his worth by marrying be shame by Holy Mary! He who has a beautiful woman as wife or sweetheart should be the better for her; for it's not right for her to love him if his fame and worth are lost" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 326).

⁸³ *Érec et Énide*, ed. Roques, ll. 2430-41; "But Erec was so in love with her that he cared no more for arms, nor did he go to tournaments. He no longer cared for toureying; he wanted to enjoy his wife's company...His companions were grieved by this and often lamented among themselves, saying that he loved her far too much" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 67).

⁸⁴ *Érec et Énide*, ed. Roques, ll. 2455-65; "All the nobles said that it was a great shame and sorrow that a lord such as he once was no longer wished to bear arms. He was so blamed by everyone, by knights and men-at-arms alike, that Enide heard them say among themselves that her lord was becoming recreant with respect to arms and knighthood...This weighed upon her" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 67).

chivalry. She feels that she has shamed Érec and that it is her duty to correct Érec's loss of honour. But the decision to inform Érec of his shameful behaviour is a difficult one. It is only when her sorrow becomes untenable that she broaches the topic.

The confluence of narratorial comment and direct speech signals that there are competing norms that the characters struggle to harmonize. The narrator remarks on her grief and warns of the disastrous effects of her intervention: "tel duel en ot et tel pesance/ qu'il li avint par mescheance/ qu'ele dist lors une parole/ dome le se tint puis por fole;/ mes ele n'i pansoit nul mal".⁸⁵ Énide, lamenting Érec's fall from grace and her role in his lapse, communicates norms of masculine honour: "quant toz li miaudres chevaliers,/ li plus hardiz et li plus fiers,/ qui onques fust ne cuens ne rois,/ li plus lëax, li plus cortois,/ a del tot an tot relanquie/ por moi tote chevalerie./ Dons l'ai ge honi tot por voir;/ nel volisse por nul avoir".⁸⁶ The text does not clarify whether Énide's lamentation is vocalized or an internal monologue, but it is clear that Énide's speech has no audience within the text. These feelings are articulated privately: at most they are spoken aloud to an empty bedchamber.

Notably, Énide's voice does not appear in the text until this point. In a narrative that hinges on her decision to speak, the first words she utters take on special significance. Furthermore, the first time we witness her speaking to her husband, she instructs him on proper chivalric conduct, which is usually expressed on a male-to-male plane of exchange. When Énide speaks to Érec about his shameful conduct, she also expresses concern for her own reputation, which has suffered as a result: "Vostre pris est molt abessiez...recreant vos apelent tuit...et por ce m'an poise ancor plus/ qu'il m'an metent le blasme sus".⁸⁷

Érec takes his wife's words to heart, but he punishes her severely for speaking up. He commands her not to speak to him again; specifically, he forbids her to warn him about any dangers she might notice on the adventure on which they embark. Énide instantly regrets her intervention: "mes trop m'a orgualz aleevee,/ quant ge aid

⁸⁵ *Érec et Énide*, ed. Roques, ll. 2481-85; "she felt such pain and sorrow that by mischance she happened to make a remark for which she later counted herself a fool, though she meant no evil by it" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 67).

⁸⁶ *Érec et Énide*, ed. Roques, ll. 2495-2502; "the very best of knights—the boldest and the bravest, the most loyal, the most courteous that was ever count or king—has completely abandoned all chivalry because of me. Now have I truly shamed him; I should not have wished it for anything" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 68).

⁸⁷ *Érec et Énide*, ed. Roques, ll. 2544-56; "Your renown has greatly declined... all call you recreant... That I am blamed for it grieves me particularly" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 68).

it si grant oltraige;/ an mon orguel avrai domaige/ et molt est bien droiz que je l'aie:/ ne set qu'est biens qui mal n'essaie".⁸⁸ Several norms are expressed in the course of this scene. The text suggests that for a knight, sustained participation in the chivalric sphere is expected and valued. A man must be gallant and heroic enough to attract a worthy woman, but strong enough to resist excessively succumbing to the idle pleasures of love; the same dilemma is explored in Chrétien's *Le Chevalier au Lion*. Men must remain committed to performing deeds of chivalry and to maintaining an itinerant way of life: constantly roaming from tournament to tournament, gaining renown across many lands. One of Érec's mistakes was that when he married Énide he forsook the itinerant life. The forsaking of itineracy is intimately connected with the forsaking of the pursuit of honour. It seems that a knight must continually seek honour. Honour, the text perhaps suggest, does not have a long shelf life: one's stores must be continuously replenished.

This scene also demonstrates conflicting norms of womanly comportment and hints at the complex ways in which women's voices may have been received. Until her intervention in her husband's affairs, Énide is portrayed as the perfect combination of beauty and good sense. The narrator describes her appeal: "Molt est bele, mes mialz asez/ vaut ses savoirs que sa biautez:/ onques Dex ne fist rien tant saige/ ne qui tant soit de franc coraige".⁸⁹ Yet there are a few hints that she might possess a potentially problematic, unbridled independence. The narrator mentions her wild, unbound hair as she rides upon her own steed to Érec's court, and he notes that "she needed no bidding": "qui de rien ne s'an fist proier".⁹⁰ The free-flowing hair may be meant to evoke the trope of the exposure of the warrior's beard that we explored in the *Song of Roland*. Before she and Érec depart from her father's lands, she arms him. The narrator specifies that she was able to do so without any sort of witchcraft, suggesting that perhaps this is an unusual skill for women to possess:

la pucele meïsmes l'arme:
n'i ot fet charaie ne charme,
lace li les chaues de fer

⁸⁸ *Érec et Énide*, ed. Roques, ll. 2602-06; "pride raised me up too high when I said such an outrageous thing. I shall be punished for my pride, and it is entirely right that I should be: you cannot recognize good fortune if you have not tasted misery" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 69).

⁸⁹ *Érec et Énide*, ed. Roques, ll. 537-40; "Indeed, though beautiful, her good sense is worth even more than her beauty; God never made such a wise creature nor one so noble in spirit" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 43).

⁹⁰ *Érec et Énide*, ed. Roques, l. 741.

et queust a corroie de cer;
 hauberc li vest de boene maille
 et se li lace la vantaille;
 le hiaume brun li met el chief,
 molt l'arme bien de chief an chief.
 Au costé l'espee li ceint⁹¹

Énide even girds on Érec's sword, a gesture that forms a part of the knighting ceremony, performing a traditionally masculine role. This is a woman who knows of men's affairs, who would not hesitate to advise her husband: a woman who needs no bidding.

Ultimately, we cannot ignore the potentially humorous aspects of the situation. The consequences of Érec's relinquishing of his traditionally male roles are perhaps comically exaggerated. Énide's inner monologue, which emphasizes her guilt, never betrays an ounce of resentment toward her husband's humiliating punishment, even as she is forced to travel in inhumane and demeaning conditions. Yet in an ironic twist, as their adventure progresses, she cannot hold her tongue. She continually goes against her husband's strictures, frequently trespassing into the male sphere and repeating her initial offence. Érec's severe punishment of his wife ends up magnifying his own insecurities rather than demonstrating fearsome, masculine dominance. The text shows more about the wrath of the injured male ego, which seeks to bring a woman to heel by controlling her voice, than it does about female impertinence. Notably, *Érec et Énide*'s discourse on the performance of the male chivalric role occurs within the framework of a discussion on transmission. The text shows interest in norms and modes of transmission, that is, how and when a woman should and should not speak. This demonstrates a thematic connection between discussions of transmission and discussions of honour that occurs in other texts. It recalls Chrétien's concern with conversational norms and instructional modes in *Perceval*, which also takes chivalric norms as its subject matter. In that text, the exercise of direct speech also plays a crucial narrative role.

In the course of Gawain's adventures in *Li Chevalier as Deus Espees*, direct speech expresses norms about appropriate masculine and feminine comportment.

⁹¹ *Érec et Énide*, ed. Roques, ll. 709-17 "The maiden herself armed him; she used neither spell nor charm in doing so. She laced on the iron greaves and attached them solidly with deer-hide thongs; she dressed him in the hauberk of gold chain mail and laced on the ventail; she put the burnished helmet on his head: she armed him well from head to foot. She girded his sword at his side" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 46).

Much as Erec's manliness is affected by his relationship with his wife, so Gawain's masculinity is measured against his treatment of women. The text also explores norms of the dynamic between masculinity and femininity. We have seen several examples of men being tested against other men, but now, much like in *Érec et Énide*, we have a glimpse into the economy of honour in a mixed-sex context.

In *Li Chevalier as Deus Espees*, Gawain, travelling incognito, performs a service for a local lord, and, as a reward, the lord presents Gawain with their young, beautiful daughter. The mother is extremely open about her daughter's sexual availability, practically imploring him to have sex with the maiden: 'Sire, ie uous amain/ Vostre amie ne ie ne quit/ Kei a de nul autre deduit/ Me seussies tel gre ia mais./ Ie m'en uois et si le uous lais,/ Si en faites ce k'il uous seit,/ Si uous proi, k'ele ne s'en liet/ Pas tele ke i couchera'.⁹² Eventually, when the mother leaves and things start to escalate, the maiden stops Gawain on the brink of intercourse. She has heard so much about the famed Gawain, she says, that she has fallen in love and will only give herself to him. She is obviously unaware that the man in her arms is that very man. Our hero promptly replies that (quelle surprise) he is Gawain. She laughs, scoffing fondly at what seems a lewd trick, and puts an end to their sexual activity. Gawain, undoubtedly frustrated but outwardly gentle, kindly accepts her refusal, and the pair drifts off to sleep. This is a clever perversion of the common romance trope of the incognito hero. The text seems to imagine the humorous, unintended consequence of a pursuit that normally garners much personal renown. Toward the end of the poem, the pair are reunited, and the maiden learns that her lover truly is the renowned Gawain. He inquires as to why she did not believe that he was telling the truth about his identity. She replies that the true Sir Gawain would never have been so weak as to allow a woman to escape him when he had her entirely in his power: "Ne dui croire, se dix m'ait,/ Que ia ior mes sire Gauuains/ Fust si lasques ne si uilains,/ Que por plaindre ne por plorer/ Peust de lui feme escaper".⁹³

⁹² *Li Chevalier as Deus Espees*, ed. by Wendelin Foerster (Amsterdam: 1966), ll. 4890-97; "My lord, I have brought you your sweetheart, and I do not think that you could ever be more grateful to me for any other delight. I am going now and will leave her with you: so do with her as you please. And, I implore you, do not let her get up from bed in the same state as she lies down" (*Knight of the Two Swords*, Arthur and Corbett, p. 72).

⁹³ *Li Chevalier as Deus Espees*, ed. by Wendelin Foerster (Amsterdam: 1966), ll.12072-76; "So help me God, I didn't think that Sir Gawain would ever be so weak or unworthy that a woman could escape from him" (*Knight of the Two Swords*, Arthur and Corbett, p. 179).

Direct speech serves as a tool for both direct and indirect norm transmission in this scene. The narrator is also noticeably absent as a source of moral judgement. Here, he is distinctly amoral, lending the focus to the characters' voices. The maiden's mother uses her words to entice Gawain into the arms of her daughter, perhaps attempting to broker her daughter's sexuality for the guarantee of long-term service from Gawain. There is a remarkable absence of concern for chastity. It is instead replaced by a concern for personal security and political gains on the part of the mother, much as Lunete orchestrates Laudine's marriage to Yvain in *Le Chevalier au Lion*.

The maiden's speech seemingly betrays much about norms of masculinity and femininity. During that first night spent with Gawain, she speaks freely and coyly, demonstrating her independence, sexuality, and control over her own sexual desire. On the occasion of their second tryst, the maiden fearlessly challenges Gawain's masculinity. The ease with which she candidly insinuates that Gawain is less of a man stands in stark contrast to the tortured and guilt-ridden build up to Énide's verbalization of Érec's failings. Gawain's reply is also plainly different from Érec's injured response: with little more than a laugh to punctuate her invective, Gawain carries on with the business of lovemaking. In addition to expressing norms of female agency, the maiden's comments could also illuminate norms of masculine behaviour. She seems to suggest that the man should exert dominance over the woman and that masculine desire is to be valued over the feminine. But the very boldness with which she exercises her agency by controlling their sexual experience and defining standards of masculinity suggests the opposite interpretation of her comments. She is the one who defines the male-female power relationship as one of feminine agency in the guise of masculine dominance; she is the one to bring the invincible Gawain to heel.

We must, however, take this text with a pinch of salt. It seems to be laced with humour and satire. The story might be intended to parody traditional romance tropes. The mother's open sexual solicitation of her daughter, for instance, could be meant to parody the idealization of the trope of the itinerant knight's sexual conquests. The maiden's critique of Gawain's failure to force himself on her sexually could be a comment on traditional ideals of masculine strength and female submission. As we have seen in the examinations of Énide's confrontation of her husband and the maiden's sexuality in *Li Chevalier as Deus Espees*, the textual response to powerful women is complex and ambiguous.

As we turn our focus away from norms of heterosexual relationships and look towards norms of female behaviour and honour, transmission by example and transmission by direct speech play a significant part. The more subversive norms of womanly honour and behaviour are usually expressed by transmission by example, such as when a woman demonstrates independence, exercises power, or performs a traditionally masculine act. It is important to note that often when women dare to do more than fainting or needlework, their actions are not strictly condemned by the narrator or by other characters in the text. Consequently, the norms of female behaviour and honour are unclear, partially because of the lack of the aphoristic narratorial comments and judgement.

Li Chevalier as Deus Espees offers several opportunities to rethink our expectations of acceptable female behaviour in medieval literature. The Lady of Cardigan bursts onto the realm of male adventuring and outperforms each of her peers in traditionally masculine tasks. When the marauding King Ris takes her land, she finds herself a prisoner in his court. Ris issues a challenge: anyone who can successfully bring a pair of shackles to the Gaste Chapele and return with a piece of his altar cloth will receive anything he might ask for as a reward. The knights reply:

We have often heard of the Gaste Chapele, my lord...but we have never heard tell of anyone coming back from there; that is why no one dares to go near it. And so, despite the fact that there are perhaps some nine hundred knights here, there is not a single one of them—no matter how bold or hardy he might be—who would ever venture to do what someone else might do in his place.⁹⁴

The Lady, feigning ignorance, proceeds cleverly to manipulate King Ris into reiterating his promised reward and pledging never to break his word. Her manipulation of the conversation, which is clearly reminiscent of the topos of the rash boon, demonstrates intelligence and verbal trickery, traits possessed by other female romance heroes, including Chrétien's Lunete and Béroul's Yseut. To the shock of the court, the Lady of Cardigan returns from her quest victorious, having achieved what the other knights were too cowardly to attempt. She cashes in on King Ris's promise, regains her land, and travels to the court of her liege-lord, King Arthur. Already, we

⁹⁴ "Souuent en auons oi, sire/ Parler, dient li cheualier,/ Mais n'oimes du repairier/ De nului mule fois parler,/ Por ce n'i ose nus aler./ Non pourquant si a il chaines/ Cheualiers espoir teus .ix. cens,/ N'I a nul d'eus ki n'empresist/ A faire quan c'autres fesist,/ Onques tant fust fiers ne hardis" (*Li Chevalier as Deus Espees*, ed. Foerster, ll. 516-525; English from http://www.yorku.ca/inpar/Knight_Two_Swords.pdf)

are seeing a set of norms emerge: female intelligence, foresight, and bravery are valued. She expresses a norm of the lord–vassal relationship, calling upon King Arthur to fulfill his lordly duties: “Te tien de uous toute ma terre/ E uous me deues conseilher,/ Car nus ne me doit a moullier/ Prendre se par uostre gre non”.⁹⁵ She asks him to arrange a marriage for her. It soon becomes evident that she has a specific man in mind and that her relationship to the king is the vehicle through which she can secure the marriage she desires.

She does not return from her adventure completely unscathed: during her quest, she happens to pick up a sword and girds it on to her belt, reminiscent of Énide’s girding of Érec. She soon discovers that she cannot remove the sword. It is stuck, causing a good deal of inconvenience and consternation until the finest of knights removes it. The cumbersome weapon makes it very awkward to change her clothes, and she causes quite a stir when she wears the weapon into a church. She is also forced to sleep with the sword still girded on, which is reminiscent of the topos of the adventuring knight who must sleep with his sword. The king’s seneschal remarks that a woman wearing such a fine sword is hitherto unheard-of, and that furthermore, he has never even seen a man sport such a fine blade: “Li senescaus enquiert auant/ Toudis et dist ke il saroit/ Mout uolentiers, si li plaisoit,/ Pour coi ele ot espee chainte./ Car ueue auoit dame mainte/ Et mainte damoisele esrer,/ Onques mais n’ot ueu porter/ Espee a dame n’a pucele,/ N’ainc mais ne uit auoir si bele/ A home, tant deust ualoir”.⁹⁶

The lingering sword serves as a marker of tainted femininity. When she stepped into the role of the adventurer, which is typically occupied by young, itinerant knights, she marred her femininity and now bears a pseudo-phallus as a result. The sword, stubbornly fixed about her waist, marks her as different from other women at court and illustrates the consequences of performing traditionally masculine actions. Her girding of the sword upon herself is a further appropriation of a masculine ceremony. The sword can only be removed by a man; it is a man who, in ungirding

⁹⁵ *Li Chevalier as Deus Espees*, ed. Foerster, ll. 1264-67; “I hold all my land from you and it is your duty to advise me, for no man must have me as his wife except by your consent” (*Knight of the Two Swords*, Arthur and Corbett, p. 20.)

⁹⁶ *Li Chevalier as Deus Espees*, ed. Foerster, ll. 1066-75; “The seneschal couldn’t stop asking questions: he said he would very much like to know, if she wouldn’t mind telling him, why she was wearing a sword. He had seen many a lady and many a damsel traveling abroad, but never had he beheld a lady or a maiden with a sword girded on—and never before had he seen such a fine weapon on a man, however worthy he might be” (*Knight of the Two Swords*, Arthur and Corbett, p. 17).

the sword, corrects her error and restores the balance of the gender roles. We cannot ignore the humour that is probably a significant part of this narrative. Humour derives from a concept or object being taken out of place and considered in a contrasting context, and thereby suggests that the Lady's action should *not* be considered as exemplary of norms of femininity. Rather, humour would suggest that the opposite is true: that her behaviour is humorous precisely *because* it contrasts so sharply with accepted rules about male and female behaviour.

The combination of direct speech and transmission by example in this passage expresses the clashing of norms of female comportment and norms of male chivalric behaviour. In some ways, this passage deviates from the paradigms of transmission this chapter has explored. For example, the Lady of Cardigan expresses norms of vassalage by direct speech to her king. This diverges from the paradigm of norms of vassalage being communicated on a male-to-male plane of exchange. Furthermore, a consequence of the lack of narratorial comment on Lady Cardigan's misadventures is that the audience is not provided any moral guidance on how her actions should be interpreted.

Some norms of female honour and behaviour mirror knightly norms. These norms are expressed by direct speech. The use of direct speech could be interpreted as giving agency to women to articulate their roles in chivalric society. The proclamation of honour norms also recalls the king's declaration of lordship norms in *Érec et Énide*. In that situation, the king needed to explicate how his actions fit within norms of good lordship because of their potentially inflammatory consequences. Perhaps women in these texts explicate their role for similar reasons, because either their own honour is in doubt or because conformity to one norm requires transgression of another.

Guinevere says in Chrétien's *Le Chevalier de la Charrette* that "Malveise est qui mialz vialt morir/ que mal por son ami sofrir,/ mes certes, il m'est molt pleisant/ que j'en aille lonc duel feisant".⁹⁷ The sentiment she expresses, that bodily suffering is temporal and must be endured in the pursuit of glory, echoes codes of knightly bravery. We also see strictures about the control of female voices. Again, in *Le Chevalier de la Charrette*, a lady says to Lancelot: "Nel tenez pas a vilenie/ se je vos

⁹⁷Chrétien, *Le Chevalier de la Charrette*, ed. and trans. Croizy-Naquet, ll. 4247-50; "A woman who would prefer to die rather than to endure pain for her love is unworthy of that love...I prefer to live and suffer life's blows than to die and be at rest" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 259).

di ce que je cuit”.⁹⁸ Soredamors, in Chrétien’s *Cligès*, expresses almost the exact same sentiment.⁹⁹ This recalls *Érec et Énide*’s depiction of the attempted suppression of a woman’s voice. In that text, Énide, like a woman who would “ask a man to love her”, speaks in a way that is deemed inappropriate.

Direct speech plays an important role in female expression in *Raoul de Cambrai*. In the works this thesis has considered, the giving and receiving of political advice is an important aspect of male honour and the masculine social structure. Typically, women’s voices contribute less frequently to the chorus of political and military advice. Grief, however, is a powerful narrative tool that gives mothers the agency to act as advisors in the male-dominated military sphere, manifested as direct speech. This section will explore the motherly performance of grief in the context of counsel-giving in *Raoul de Cambrai*. Alice, Raoul’s mother, is grieved by the emperor’s disinheritance of her son and by her son’s personal flaws. She translates her grief into counsel concerning politics, military strategy, and personal honour. Similarly, Marsent, mother of Raoul’s companion, provides political and military counsel to her son, Bernier. This creation of the mother-counsellor also ties into the authorial construction of paradigms of normative education and serves as another example of an internal discourse on models of transmission. Such internal models of instruction include the depictions of William Marshal as student and instructor and the fosterer-teachers portrayed in the *Romance of Horn*. In *Raoul de Cambrai*, the depictions of these mother-counsellors are laced with the language of breastfeeding, which maps the discussion of gendered dialogue onto the female body. The breastfeeding imagery also relates to the wider topos of the Virgin Mary breastfeeding Christ, a motif that gained traction in the twelfth century and was transmitted widely across theology, art, music, and literature. In *Raoul de Cambrai*, this motif culminates with the dramatic burning of Marsent’s breasts.

Where Perceval’s mother sought to control her son’s education through isolation from the political atmosphere and chivalric world, the mothers Alice and Marsent operate within the political structure. Alice, Raoul’s mother, is grieved by the bloody conflict fuelled in part by King Louis’s poor baronial management and Raoul’s unbridled hunger for territory. Speaking from a place of grief, motherhood,

⁹⁸ Chrétien, *Le Chevalier de la Charrette*, ed. and trans. Croizy-Naquet, ll. 1260-61; “Do not consider me ill-bred for telling you what I believe” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 223).

⁹⁹ She says that: “no one has ever seen a woman behave so wrongly as to ask a man to love her, unless she were more deranged than the next person” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 135).

and political expertise, Alice advises her son to cease his pursuit of the Vermandois. She first establishes her role as one who nourishes (*norri*), a word that is used in many texts to mean both breastfeeding and instructing, as we have seen. She also cites the *dolor* (grief or sorrow) that his actions have caused her. Alice demonstrates technical knowledge of warfare and strategy, citing Raoul's insufficient equipment and lack of baronial support: "Raoul, my son...I fed you with milk from my own breast. Why do you strike pain deep in my heart?...One would need rich harness and saddlery, and trusty barons, to go to war against such a force."¹⁰⁰ She counsels him to make peace with the sons of Herbert: "Raoul, my son, I urge this counsel on you, make peace with Herbert's sons, and agree a settlement and compensation for the war. Leave their land alone, they will think better of you for it, and help you wage your other war to drive the Mansel from the country."¹⁰¹ In the typical style of the writer of *Raoul*, these sentiments are repeated numerous times across several *laisses* to emphasize their importance and to increase dramatic tension. Raoul dismisses her advice and repudiates the validity of any female counsellor: "Devil take the nobleman—what a coward he must be—who runs to a woman for advice when he ought to go off fighting...you're not fit to meddle with anything else!"¹⁰² His dismissal moves her to tears: "When the Lady Alice hears this, she starts to cry".¹⁰³

Marsent, Bernier's mother, also takes it upon herself to counsel Raoul, whose actions threaten her nunnery and the women of God who reside there. It should be noted that Marsent's role as an abbess lends a further layer of spiritual and instructional motherhood. She instructs him in the proper treatment of monks and nuns and of the dangers to his soul should he allow the nuns to be harmed: "Have pity, Raoul, by God our Judge! You are committing a grave sin if you allow us to be slaughtered; we are easy prey for you...we are not able to handle weapons. You can easily slaughter and destroy us. I tell you truly, you will not see us wield lance or

¹⁰⁰ "Biax fix R[aous], dist A[alais] la bele,/ 'je te norri del lait de ma mamele./ Por quoi me fais dolor soz ma forcele?...Molt doit avoir riche lorain et cele/ et bon barnaige qi vers tel gent revele'" (*Raoul de Cambrai*, Kay, ll. 826-33, p. 65)

¹⁰¹ "Biax fix R[aous], un conseil vos reqier,/ q'as fix H[erbert] vos faites apaisier/ et de la guere acorder et paier./ Laisse lor terr[e], il t'en aront plus chier,/ si t'aideront t'autre gu[e]re a baillier/ et le Mancel del pais a chacier" (*Raoul de Cambrai*, Kay, ll. 916-921, p. 71)

¹⁰² "Maldehait ait—je le taing por lanier—/le gentil homme, qant il doit tornoier,/ a gentil dame qant se va conseilher...car d'autre chose ne devez mais plaidier!" (*Raoul de Cambrai*, Kay, ll. 925-31, p. 71).

¹⁰³ "Oit la dame, si prist a larmoier" (*Raoul de Cambrai*, Kay, l. 932, p. 71)

shield in our defence.”¹⁰⁴ She expresses the norm that a knight should give mercy where it is asked and that he should exercise gentleness toward women, especially defenceless women of God. Marsent then intervenes in Bernier’s affairs, demonstrating political acumen: “But be frank with me about one thing: why should you make war on your father’s fief? He has no other heirs, and you cannot fail to inherit it—you will gain it by your valour and your sense.”¹⁰⁵ Bernier and Raoul’s reactions to their mothers’ advice illustrate much about their characters. Raoul accents his disregard for his mother’s counsel with a jutting of his jaw, a gesture that, in its very outwardness, illustrates the savagery of his unbridled vigour. Raoul’s brusque response echoes Perceval’s rude reply to his mother. Bernier’s reply is more measured; he cites norms of vassalage, giving credence to his mother’s foray into political discourse by responding in kind: “Raoul my overlord is more villainous than Judas: [yet] he is my overlord, he gives me horses and clothing and arms and oriental silks. I wouldn’t fail him, not [even] for the fief of Damascus, until such a time as all can declare: ‘Bernier, you are in the right!’”¹⁰⁶

When Raoul and his men burn Marsent’s convent, Bernier exclaims: “Raoul...has treated me outrageously, burning my mother, noble Marsent, to death in the church of Origny. The very breasts with which she suckled me, I saw them burning.”¹⁰⁷ Internal rhyme makes two lines in this verse all the more striking, powerful, and foreboding: “baili...Cambresi”/ “Celes mameles”. It also draws attention to the image of the burning breasts, which can be interpreted in more than one way. They could symbolize both Raoul’s rejection of his mother’s advice and the violent consequences of that dismissal. Because Raoul ignores Alice’s counsel, decades of warfare ensue. The burning breasts also serve to represent the cycle of the metamorphosis of sorrow: grief is first transformed by the mother into political counsel, and then re-formed into the sorrow of the son, in what could be an interesting reversal of the *mater dolorosa*, the image of the Virgin sorrowing over the body of

¹⁰⁴ “por Dieu le droiturier,/ grans pechiés faiz se nos lais essilier;/ legierement nos puet on essillier...nos ne savons nule arme manoir./ Bien noz poez destruire et essilier./ Escu ne lance ne nos verez baillier/ por nos desfendre” (*Raoul de Cambrai*, Kay, ll. 1127-67, pp. 83-87)

¹⁰⁵ “Mais une chose nel me celer tu pas:/ l’onnor tel pere por qoi geuroieras?/ N’i a plus d’oirs, ja ne le perderas—/par ta proesce et par ton cens l’aras” (*Raoul de Cambrai*, Kay, ll. 1198-1201, p. 89)

¹⁰⁶ “R[aous] mesires est plus fel que Judas;/ il est mesires, chevaux me done et dras,/ et garnemens et pailles de Baudas./ Ne li fauroie por l’onnor de Damas/ tant qe tuit dient: ‘B[erniers], droit en as!’” (*Raoul de Cambrai*, Kay, ll. 1202-08, p. 89)

¹⁰⁷ “mal m’a baili R[aous].../qi ma mere art el mostier d’Origni,/ dame Marsent au gent cors signori./ Celes mameles dont ele me norri/ vi je ardoir” (*Raoul de Cambrai*, Kay, p. 97)

her dead son. It should be noted that when Bernier arrives on the scene of his mother's death, he finds the psalter lying atop her chest, and the breasts and psalter burn together. The twinning of the breasts and psalter reinforces the connection between maternal nourishment and instruction. The burning of the breasts and psalter at once expresses the mother's inherent role as instructor and destroys the mother-counsellor. In the flames, the roles of mother-nourisher and mother-counsellor are simultaneously united and reduced to ashes.

As we have seen, Alice, Marsent, and Perceval's mother counsel men to act within approved normative frameworks. Their advice is communicated through direct speech. Despite the soundness of their counsel, they fail to correct male norm transgression. Marie de France's *lai*, *Eliduc*, however, offers a rare successful depiction of a woman correcting male transgression. In this text, Eliduc is forced to serve another lord in a distant land, leaving behind his wife. While abroad, Eliduc falls in love with another woman and takes her as his second wife, knowingly betraying his first. When he and his second wife return, Eliduc's first wife asks his permission to leave, because, in the indirect speech of the narrator, "it was neither right nor proper to keep two wives, nor should the law allow it".¹⁰⁸ She establishes her own abbey and develops her own monastic rule:

Quant la dame vit lur semblant,
 sun seigneur a a raisun mis;
 cungié li a rové e quis
 qu'ele puisse de lui partir,
 nune vuelt estre, Deu servir;
 de sa terra li doint partie
 u ele face une abeïe;
 cele prenge qu'il eime tant;
 kar n'est pas bien ne avenant
 de dous espuses maintenir,
 ne la leis nel deit cunsentir
 ...
 Quant tut a fet bien aturner,
 la dame i fet sun chief veler,

¹⁰⁸ Marie de France, *Lais*, p. 125; "Kar n'est pas bien ne avenant,/ De deus espuses maintenir,/ Ne la lei nel' deit cunsentir" (Marie de France, *Poésies* i, ll. 1118-20, p. 480).

trente nuneins ensemble od li;
sa vie e sun ordre establi.¹⁰⁹

The first wife's role here is to correct the male transgression. The successful negotiation of male infidelity in this *lai* is particularly striking in the context of the corpus of literature as a whole. Infidelity is a major trope in medieval French literature. Adulterous love between men and women usually leads to hostile lawsuits, exile, or other acrimonious endings. This is a rare depiction of an adulterous relationship resolving peacefully. Here, Eliduc's wife is the author of this peaceful resolution. She resolves her husband's transgressions of both legal and moral norms. This recalls other depictions of female attempts at correcting male transgressions of norms, many of which are ultimately unsuccessful. Alice and Marsent, despite the rectitude of their admonishments, do not succeed in swaying Raoul away from his transgressions. Perceval's mother has the same fate. Énide, who, like all these women, has genuine concern for her man's well being and reputation, is punished for trying to resolve her husband's loss of honour. Her husband silences her repeatedly, repressing her voice with a series of humiliating punishments. Perhaps it is no accident that the *Eliduc's* depiction of a woman successfully correcting male transgression is, unlike the examples of Marsent, Alice, Énide, and Perceval's mother, transmitted by indirect speech.

Legal expertise and processes

Anglo-Norman and Old French literature is particularly interested in courtroom dramas, and direct speech is the currency of exchange. The texts are peppered with descriptions of the legal process. They show special concern with what happens when the judicial system is subverted, particularly when jealous peers make false or unfair accusations. The jealous accusation serves as a vehicle by which legal norms of the lord-vassal relationship are transmitted. It immediately constructs a situation where the protagonist, who has served the king well and fulfilled his feudal duties, is thrust into a situation where his loyalty is being entirely re-evaluated by external sources.

¹⁰⁹ (Marie de France, *Poésies* i, ll. 1120-30, 1141-44, p. 480); "When the lady saw how they looked, she spoke to her husband and asked him for permission to leave and to separate from him, for she wanted to be a nun and serve God. He could give her some of his land, on which she could found an abbey, and then marry the girl he loved so much, for it was neither right nor proper to keep two wices, nor should the law allow it...When everything had been properly prepared, she took the veil, as did thirty nuns with her. Then she established her way of life and the rules of her order" (Marie de France, *Lais*, p. 125).

Regardless of its veracity, the jealous accusation creates a microcosm for the examination of legal norms and feudal relationships.

One particularly common accusation is that of sexual misconduct. In these cases, the accuser typically levels charges of sexual misconduct, usually with the king's wife, daughter, or ward. The factual veracity of the accusations varies depending on the text. The textual corpus suggests that sexual activity is a source of anxiety and a potentially destabilizing element.¹¹⁰ Interestingly, sexual (mis-)conduct in and of itself never seems to be a source of anxiety for the narrator: narratorial comment intimates that the inherent worth of the male and female protagonists is not affected by extra-marital or adulterous sex. The social implications, however, of illicit sex do create narrative anxiety.

In addition, during the trial scenes that result from the accusation, general legal norms are transmitted, almost always by direct speech, as part of the protagonist's defence or the barons' deliberation. Furthermore, deliberation during dispute serves as a forum for the horizontal exchange of norms between the king's men.

In Thomas d'Angleterre's *Romance of Horn*, the protagonist falls out of the king's favour when a jealous peer falsely accuses Horn of sleeping with the king's daughter. The king makes the formal accusation against Horn, citing norms of lord-vassal relations. He complains that Horn has poorly repaid the king's generosity: "Mut ai mal enpleié en vus norrissement./ Ki m'avez purchacé mal e honissement./ Od ma fille gisez, si fetes folement,/ Le bien ke vus ai fait me rendez malement./ Mes par icel seignor, ke requerent penent,/ Si ne'l m'escundisez, e çoe par serrement,/ Ja n'estrez bien de mei en tut vostre vivent".¹¹¹ Horn offers to defend himself by fighting two knights chosen by the king. He pleads with him not to believe the men who make this accusation without proof: "Pernez dous chevaliers ke eslirez de cent:/ Si m'en voelent prover, mei e li en defent:/ Mun dreit sai devant mei issi veraïement,/ Ja ne

¹¹⁰See, for example, *Érec et Énide*, *Le Chevalier de la Charrette*, *Lanval*, *Graelent*, *Romance of Horn*, and *Amis e Amilun*.

¹¹¹ *Romance of Horn*, ed. Pope, ll. 1920-26; "Raising you has been a bad mistake, for you have procured me harm and shame. You are sleeping with my daughter, a wicked deed; you repay me evilly for the good I did you. But, by the Lord whom penitents invoke, if you cannot deny it to me, and on oath, you will find no favour with me, for the rest of your days" (*The Birth of Romance*, trans. Weiss, p. 45).

seront taunt pruz ke je's dut de neent".¹¹² Already, we see a few norms emerging. The king frames his accusation in terms of Horn's failure to uphold his feudal responsibilities, suggesting that when these responsibilities go unfulfilled, institutional redress can be sought. Furthermore, the scene demonstrates that the accused is allowed to suggest a method of defence, which includes trial by combat. But the jealous baron, knowing that the custom in Horn's native land prevents him from swearing, contrives a situation wherein Horn cannot win. He cunningly convinces the king that the only defence he should accept from Horn is his sworn oath. Horn says that swearing is not the custom in his land, and that it is shameful and unseemly for a king's son to swear: "'Par Deu, sire,' dist Horn, 'n'iert si fait en present/ Kar a ces dunt sui nez n'est acostument... Unc ne vi fiz de rei a qui(l) fust demaundé,/ Qu'il feïst serement, kar çoe sereit vilté'".¹¹³ Horn reasons that if a man is in fine physical form, it is more fitting for him to refute the charges through combat:

Taunt cum est sein del cors, s'est de rien apelé,
Par bataille le nit: si est dreit esgardé.
Se il faire ne'l veut, si se rende prové,
Cum cil ki ne deit estre en la crestienté,
Ne remainder entre gent qu'il ne seit avilé:
Sire rei, çoe est dreit e si est leauté.¹¹⁴

The king does not accept Horn's reasoning, asserting that "'Ne deit estre creüz ki si ne s'e[n] aleie'".¹¹⁵

In this text, the mode of exchange of legal norms is almost exclusively direct speech. The spoken word, regardless of its veracity, has the power to at once ignite a legal process and undermine and destabilize the legally enshrined lord–vassal relationship. The king comes to believe that the spoken oath, more than chivalric

¹¹² *Romance of Horn*, ed. Pope, ll. 1928-31; "Take two knights, chosen from a hundred: if they want to find me guilty, I shall defend myself against them. However valiant they may be, I am so sure of being in the right that I have no fear of them" (*The Birth of Romance*, trans. Weiss, p. 45).

¹¹³ *Romance of Horn*, ed. Pope, ll. 1939-49; "'By God, sire,' said Horn, 'that shall not be done, for it is not the custom among those of my race...He whose time is up, so that he's old, lame or maimed, should swear. I never saw a king's son asked to take an oath, for it would be base'" (*The Birth of Romance*, trans. Weiss, p. 45).

¹¹⁴ *Romance of Horn*, ed. Pope; "So long as he is whole in body, if he is accused of anything, he refutes it in combat: that is how right is determined. If he won't do so, he admits his guilt like a man who shouldn't remain in Christendom or amongst people without dishonour. My lord King, this is right and according to the law" (*The Birth of Romance*, trans. Weiss, p. 45).

¹¹⁵ *Romance of Horn*, ed. Pope, l. 1964; "He who doesn't clear himself from the charge shouldn't be believed" (*The Birth of Romance*, trans. Weiss, p. 46).

deeds proven by combat, has the power to restore faith in his vassal. The text seems to suggest, however, that this is a false equivalency, and that the true proof of honour is through non-verbal displays of chivalric prowess. Horn suggests a non-verbal defence. The king, however, is swayed by the jealous counsellor's machinations to accept only a ceremony of verbal proof. The underlying message of the text, however, seems to be that the oath is actually a less accurate measure of honour. The king is led to misinterpret the sign-signified link on an abstract level. The sign, in this case, Horn's refusal to swear, does not signify Horn's guilt. The king misunderstands the essential truth behind Horn's words. This scene exposes a fault line in the lord-vassal relationship. The jealous counsellor can exploit this vulnerability by convincing the king of a perverted sign-signified relationship.

The use of direct speech also emphasizes the characters' active engagement with and manipulation of the legal process. The depiction of the characters' vocal articulations of complex legal process has the effect of making them appear like legal experts. They are portrayed as masters of the language of the law. This fits within a broader concern of this thesis: that these works of literature portray templates of how to act within a framework of legal and social norms. They show the reader what to say and how to say it in order to achieve one's ends. Whether the reader is a jealous counsellor, an overlooked vassal, or an angry king, he or she can learn from how the conflict develops.

In *Amis e Amilun*, all three transmissive modes are used in conjunction to express conflicting honour norms of knightly conduct, vassalage, and legality. *Amis e Amilun* tells the story of an extremely close friendship between the eponymous characters, both of whom are exemplarily vassals to the same lord. Eventually, Amilun must leave to reclaim his father's lands. Amis falls deeply in love with the king's, their lord's, daughter and begins a secret sexual relationship with her. It is not long before the seneschal brings this information to the king, who accuses Amis of rape. Although the seneschal is correct that Amis and Florie had sex, he distorts the truth when he calls it rape. Their physical relationship is portrayed as consensual. The jealous accusation is again made to undermine a rival courtier.

In exposing Amis and Florie's relationship, the seneschal both transgresses norms of good vassalage and conforms to them. He transgresses norms of good vassalage in that his accusation ultimately is not made in the best interests of the king. By alienating a king from one of his best warriors, the seneschal erodes the collective

prowess of the court. He thereby undermines the king's ability to exercise power through the mobilization of his vassals. However, the seneschal conforms to norms of good vassalage in that he brings to the king's attention that his daughter's sexual purity is under threat. Virgin daughters could be valuable diplomatic tools, and therefore the king's political assets could be weakened should his daughter engage in pre-marital sex.

The jealous accusation therefore reveals a divergence within norms of good vassalage that is difficult to reconcile. Narratorial comment sheds some light on how we ought to interpret this divergence. The narrator, in several of these texts, continually denigrates the accuser and reaffirms the accused's virtue and honour. According to the narrator, it seems, having sex outside of the normative bounds of marriage does not decrease the honour of the man or woman involved. The narrator expresses greater concern about the social implications of the sexual relationship, which exposes another fault line in the social network. The jealous counsellor can exploit this vulnerability, which opens a window for destabilization and weakening of the king's power network.

The confluence of direct speech and narratorial comment used in the description of the lawsuit signals the competing norms. The king exclaims that his daughter has become a whore and that Amis has betrayed him: "Ma fille est pute devenue;/ Ele est honie e jeo trahi".¹¹⁶ The narrator intervenes, commenting that he thinks the affair is not a legal offence: "D'autre chose ne dirrai mie,/ Ne crei pas k'il eust vilainie".¹¹⁷ The seneschal offers to prove the truth in combat: "Li seneschal atant i vint/ E son gant, ke en son poin tint,/ Tendi avant en noun de gage,/ Com homme de grant vasselage,/ E diht k'od li combatereit/ E la verite provereit".¹¹⁸ This process marks a slight departure from some other literary works, such as *Romance of Horn* or Bérout's *Tristan*, where the accuser is not expected to prove the truth of his accusation, but rather, the accused must prove his or her innocence. Perhaps this measure is meant to act as a corrective for Amis' transgression of norms of good vassalage.

¹¹⁶ *Amis and Amiloun*, ed. Kölbing, ll. 336-37; "my daughter has become a whore. She's disgraced and I'm betrayed" (*The Birth of Romance*, trans. Weiss, p. 164).

¹¹⁷ *Amis and Amiloun*, ed. Kölbing, ll. 321-22; "I shall say no more, but I think there was no harm in it" (*The Birth of Romance*, trans. Weiss, p. 164).

¹¹⁸ *Amis and Amiloun*, ed. Kölbing, ll. 383-88; "Then the seneschal came up and tendered the glove he held in his fist as sign of a pledge, like a man of great valour, and said he would fight with him and prove the truth" (*The Birth of Romance*, trans. Weiss, p. 165).

As the narrative unfolds, it continues to reveal norms of legal process. The court convenes and, upon deliberation, decides that an exchange of hostages is necessary. The anger of the king is so formidable, however, that Amis can find no one willing to help him, and he is unable to secure any hostages.¹¹⁹ This is communicated by narratorial comment. Eventually, as a last resort, Florie's mother stands bail (an event expressed by direct speech), understanding that she will receive the punishment intended for her daughter (burning at the stake) should Amis lose. Amilun, via direct speech, offers to take Amis's place, so that Amis does not perjure himself when he swears before the combat. However, this entails Amilun perjuring himself.

Conveniently, Amilun and Amis are almost identical in physical appearance, so the king, Florie, and the court will all be none the wiser. Amilun explains his plan to Amis: "kant avez forfeit/ E le serment averez fet,/ Jeo me dout ke pur pecche/ Del serment serriez encombre;/ Mes pur vus la bataille frai,/ Le serment sauvement jurrai,/ Ke jeo unkes ne li forfis,/ E quiderunt ke seit Amis".¹²⁰ Amilun's plan succeeds, and for many years things continue peacefully and prosperously, until Amilun becomes gravely ill and grotesquely disfigured with what appears to be leprosy. This physically disfiguring illness perhaps signals that Amilun's clever use of a legal loophole was a transgression of honour norms, now manifested in the body as a sort of transmission by example. The confluence of all three norms of transmission demonstrates Amilun's desire to conform to norms of chivalry (by serving his companion loyally), which has necessitated his disobedience to legal and honour norms.

Soon, it is revealed to Amis through a vision that the only way to cure Amilun is to kill his and Florie's two sons. Hesitating only to consult his wife (who agrees), Amis pitilessly beheads his children as they sleep. Amilun is cured, and, miraculously, Amis returns to his children's bedchamber to find them very much alive and playing happily in their bed. The narrator's conspicuous lack of explanation of Amilun's illness underscores the image as a moment of transmission by example. The illness, which is a corporal embodiment of norm transgression, generates the need for

¹¹⁹ "Many pitied him, but his lord was so angry, there was no man so bold as to dare speak a word in his favour" (*The Birth of Romance*, trans. Weiss, p. 165); "Plusurs avoint de li pitie,/ Mes li sire fu tant irre,/ Ke n'i out homme tant hardi,/ K'osaht un mot parler por li" (*Amis and Amiloun*, ed. Kölbing, ll. 411-14).

¹²⁰ *Amis and Amiloun*, ed. Kölbing, ll. 493-500; "since you have done wrong, and will have to swear on oath, I'm afraid that, from sin, that oath will get you into trouble. But I shall undertake the fight for you and safely swear an oath that I never did her any wrong, and they will think I am Amis" (*The Birth of Romance*, trans. Weiss, p. 166-67).

corrective action, constructing a scenario wherein Amis can rectify the previous norm transgression.

The narrator's conspicuous lack of explanatory comment on the physical disfigurement recalls Bérout's *Tristan*, where the narrator also declines to explain King Mark's horse ears. In both situations, the narrator also declines to offer any aphoristic judgements that might illuminate the reason behind the corporal change. This lack of narratorial comment is perhaps meant to emphasize the role that transmission by example plays in the demonstration of norms of honour, where the body's display of physical prowess speaks more loudly than words. We will see that with Lanval's maiden, whose body absolves him from legal blame and impresses upon the crowd and the reader Lanval's innocence. In the economy of honour, two currencies compete: word and action.

Amis e Amilun also demonstrates a complex interplay of norm content. Firstly, we see that Amis' long-standing, faithful service to his lord is outweighed by the ferocity of the king's anger. The narrator does not judge Amis and Florie's pre-marital sexual relationship to be transgressive, but the narrative itself expresses anxiety about the way it can be used as a force of social manipulation. The text also shows that the king's wrath is an alienating force that wipes out Amis's network of support. Amilun's exploitation of a their identical appearances illustrates the way that manipulation of the legal system can act as a corrective to the king's unfair anger. But such manipulation also requires a corrective. Lastly, *Amis e Amilun* explores how the anxiety surrounding deceit and sexual misconduct is resolved. The text suggests that penance for the initial misconduct was never paid, and the price of that error is not the blood of their children (the fruits of their union), but the willingness to spill that blood. The scene could also allude to the biblical story of Abraham and Isaac, where Abraham's willingness to sacrifice his son is of greater importance than the sacrifice itself.

A common thread throughout many of these lawsuits is the presence of the baron's disputation. Disputing provides a forum for the horizontal transmission of norms among the king's barons by direct speech. This mirrors the pattern that has emerged from *L'Histoire de Guillaume le Maréchal*: that is, norms of honourable vassalage are exchanged by direct speech on a horizontal plane. In Marie de France's *Lanval*, unfair accusations from a spurned queen thrust the protagonist into a legal

dispute with the king. During the barons' deliberation, the Earl of Cornwall discusses legal procedure within the framework of normative baronial loyalty:

Ja endreit nuls n'i avra faille,
 Kar ki que en plurt e ki que en chant,
 Le dreit estuet aler avant.
 Li reis parla vers sun vassal
 Que jeo vus oi numer Lanval;
 De felunie le retta
 E d'un mesfait l'acheisuna... Nuls ne l'apele fors le rei.
 Par cele fei ke jeo vus dei,
 Ki bien en veut dire le veir,
 Ja n'i deüst respuns avoir
 Si pur ceo nun que a sun seignur
 Deit hum bien par tut fair honur.¹²¹

In addition to fostering the horizontal exchange of norms, disputing invites the vertical transmission of norms from inferior to superior, as well as facilitating narratorial dialogue on legal norms. For example, in Bérout's *Tristan*, Dinas advises King Mark that it would be both shameful and unjust to burn Yseut without trial: "Vos la volez sanz jugement/ Ardoir en feu; ce n'est pas gent,/ Qar cest mesfait ne connoist pas;/ Duel ert, se tu le suen cors ars".¹²² In *Guingamor*, when the queen propositions the protagonist, he couches his reply in terms of the loyalty he owes his king: "Bien sai, dame, qu'amer vos doi:/ Fame estes mon seignor le roi,/ Et si vos doi porter honnor/ Conme a la fame mon seignor".¹²³ The narrator of Chrétien's *Le Chevalier au Lion* offers his own opinion on normal disputing procedure: "Et cil furent ars an la ré/ qui por li ardoir fu esprise;/ que ce est reisons de justise/ que cil qui autrui juge a tort/ doit de celui meïsmes mort/ morir que il li a jugiee".¹²⁴

¹²¹ "There shall be no default on our part. Like it or not, right must prevail. The king accused his vassal, whom I heard you call Lanval, of a felony and charged him with a crime... Only the king is accusing him, so by the faith I owe you, there ought, to tell the truth, to be no case to answer, were it not that one should honour one's lord in all things" (Marie de France, *Lais*, ll. 434-48, p. 78-9).

¹²² Bérout, *Tristan*, ed. Muret, ll. 1097-1100; Dinas says to the king: "You want to burn her without trial, but this is not rightful for the crime has not been proved. It will be a great shame if you burn her" (Bérout, *Tristan*, trans. Fedrick, p. 71-2).

¹²³ *Guingamor*, ed. Lommatzsch and Leopold, ll. 95-8; "You know well, my lady, that I owe you love: You are the wife of my lord, the king, and if I must do you honor, it is as the wife of my lord" (my trans.)

¹²⁴ Chrétien, *Le Chevalier au Lion*, ed. Roques, ll. 4564-69; "And those who had been eager to burn her were themselves thrown upon the pyre, because it is right and just that those who wrongfully condemn another should die by the same death to which they have condemned the other" (Chrétien, *Arthurian Romances*, trans. Kibler, p. 352).

Direct speech, in addition to playing an important role in disputing, also becomes significant in terms of voicing the opinion of the masses. The voice of the the general, unspecified crowd, aware of a legal conflict, becomes a frequent contributor to the legal discourse. In *Graelent*, for example, the hero is put on trial for claiming to know a woman more beautiful than the queen, clearly reminiscent of *Lanval*. When the maiden in question arrives and effectively enters herself as evidence in the case, the masses first deem her to be peerlessly beautiful, a judgement that is then echoed by the king: “N’i ot un seul, petit ne grant,/ Ki ne désist bien en oïant,/ Qu’ensamble li a tel mescine,/ Qui de biauté vaut la Roïne;/ Li Rois méismes a jugié/ Devant sa Cort è otroié/ Que Graelent est aquités,/ Bien doit estres quites clamés”.¹²⁵

The crowd present in *Tristan* defines the legal norms to which Tristan and the queen are subject, deeming the accusations against the hero to be shameful and the queen to be noble.¹²⁶ When King Mark is on the verge of burning Yseut without trial, the masses outline the proper legal procedure that Mark should adhere to: “Tuit s’escriënt la gent du reigne:/ ‘Rois, trop feriez lai pechié,/ S’il n’estoient primes jugié;/ Puis les destruit’”.¹²⁷ Conversely, the assembled masses in *Li Chevalier as Deus Espees* take it upon themselves to execute a criminal without due process: “Tuit sans demander iugement/ L’ont pris et demene uielment/ Et lui et toute sa maisnie./ Tost fu lor mors aparellie”.¹²⁸

This pattern of norm transmission calls into question the nature of legal authority. The king, although he sits at the head of the court, is evidently not the seat of legal knowledge. Nor is legal knowledge, or legal expertise, confined to a class of specialists. Lancelot, in Chrétien’s *Le Chevalier de la Charrette*, says that he is “knowledgeable in trials, laws, suits, and verdicts”: “je sai de quausés et de lois/ et de

¹²⁵ Marie de France, *Poésies* i, ll. 631-638; “Tous les barons, d’un mouvement unanime, déclarerent que la dame avoit raison et que ses suivantes surpassoient la reine en beauté. Le monarque lui-même, souscrivit à cette décision et proclama que Graelent étoit acquitté”.

¹²⁶ “Alas, we have much to weep for! Alas, Tristan, noble knight! What a shame that these wretches have had you taken by treachery. Noble, honoured queen, in what land will a king’s daughter be born who is your equal?...Alas, Tristan...We should never let you be put to death” (Bérout, *Tristan*, trans. Fedrick, p. 66).

¹²⁷ Bérout, *Tristan*, ed. Muret, ll. 884-87; “All the people of the kingdom cried out: ‘King, you would do them too great a wrong if they were not first brought to trial! Afterwards put them to death’” (Bérout, *Tristan*, trans. Fedrick, p. 67).

¹²⁸ *Li Chevalier as Deus Espees*, ed. Foerster, ll. 8179-82; “Without bothering to call for a trial, everyone took hold of him and gave him what he deserved, him and all his henchmen. Their execution was soon arranged” (*Knight of the Two Swords*, Arthur and Corbett, p. 119).

plez et de jugemanz:/ ne doit estre sanz seiremanz/ bataille de tel mescreance”.¹²⁹ This is an example of a phenomenon that we have seen several times in this chapter. These texts show knights, barons, and kings articulating details of the legal process, demonstrating an awareness of legal norms. The narrator has also been constructed as a source of legal knowledge. As we now turn to another genre, the law book, we will continue to examine how ideals of legal authority are constructed. Integral to our understanding of these ideals is an analysis of how the law book author is characterized. Although specialist legal experts do not factor into literary lawsuits, they were clearly being trained and taught in the real world. These law books seek to teach their readers how to practise the law. Both law books and literature have a similar concern with the issue of interpretation. Literature, as we have demonstrated, shows the importance of knowing how to interpret norms, particularly when norms come into conflict with each other. Law books guide the student toward methods of interpretation of legal and social norms that can be applied in legal practice. Although the genre change brings with it changes in the specific modes of transmission, the general principle remains: that both literature and law provide templates of action within frameworks of conflicting norms.

¹²⁹Chrétien, *Le Chevalier de la Charrette*, ed. and trans. Croizy-Naquet, ll. 4954-57; “I am knowledgeable in trails, laws, suits, and verdicts. When a man’s word is doubted, an oath is required before the battle begins” (Chrétien, *Arthurian Romances*, trans. Kibler, p. 268).

The Law Book Author through the Lens of Norm Transmission

Introduction

“The law says, and I am its spokesman”, proclaims the author of the *Customs of Orléans*. This bold statement defines the relationship between the law book author and the content he communicates. Although not all law books express this same sentiment, it is this relationship that this chapter seeks to explain.

Previous chapters have developed models of norm transmission in Anglo-Norman and Old French literature from the twelfth and thirteenth centuries. This thesis has also drawn out the relationship between the content of those norms and the ways they have been communicated. This chapter now expands our source material to contemporaneous legal texts from England and Northern France. By explaining how law books tell the story of norms, this chapter aims to shed light on the perceived role of the law book author with respect to the law itself. To that end, this chapter conducts three case studies: personal status law; alienation and inheritance of family lands; and the conduct of judges and elites. As in previous chapters, we identify recurring modes of norm transmission. Here, we examine these mechanisms and explore the patterns of their usage. I intend to illuminate modes and paradigms of norm transmission in the texts. These textual case studies will be bolstered by examples of literary norm transmission where relevant, to demonstrate the common intellectual milieu of which both genres are a part.¹

This chapter will compare the texts that traditionally fall into the genre of “law” with literary texts about law. By comparing how both types of texts tell their stories, we hope to elucidate the degree to which norms are institutionalized in law books. Part of that process, however, entails consideration of whether inclusion in law books can really be considered institutionalization. The chapter therefore questions the relationship between textuality and modes of institutional memory keeping.

¹ Although some of the dates of the law books from this chapter range later into the thirteenth century than previous chapters, they have been chosen because they are the closest possible to the literary texts.

The main aim of the chapter is to examine the characterization of the law book author in terms of ideals of legal expertise. This is done through the lens of norm transmission; that is, this chapter examines the author's transmissive techniques and considers how those findings contribute to their characterization. A few transmissive modes are of particular interest. For example, the *Coutumes de Beauvaisis* use a mode we call the "illustrative story and creation of illustrative historiography". The so-called *Établissements de Saint-Louis* use moralizing poetry as a way of expressing norms of elite conduct. *Bracton* makes use of etymology to communicate norms of honour and status among elites. Lastly, *L'Ancien Coutumier de Champagne* and Bracton's *De Legibus* (hereafter, *Bracton*) use case evidence to buttress the authority of their legal norms. Common modes of transmission include exposition, "statement of a rule", and "statement of a custom". "Statement of a rule" can be understood as a prescriptive command, stipulation, or prohibition. "Statement of a custom" describes the situating of authority of the specified law within the bounds of local practice.

Introduction to texts used

The texts that I have considered for this chapter correlate both geographically and to a considerable extent chronologically to the literary texts examined previously. All are from twelfth- and thirteenth-century Northern France and England.

England

The Treatise on the Laws and Customs of the Realm of England Commonly Called Glanvill was most likely written between 1187 and 1189, by a person whom G. D. G. Hall claims was "a man learned in the law and in current practice and usage of the king's court at the Exchequer, practical but not afraid to speculate".² The text's language is Latin and the identity of the primary author is unknown and often-speculated upon. Although Ranulf of Glanvill, who was appointed royal justiciar in 1180, has been offered as a potential author, Hall asserts that he was "an obvious but unlikely choice".³ Hubert Walter and Geoffrey fitz Peter have both also been suggested, but neither has been definitively confirmed.⁴

² *Glanvill*, p. xi.

³ *Glanvill*, p. xxxi.

⁴ *Glanvill*, p. xxxi-ii.

The other tract I have examined from England is *Bracton, De Legibus et Consuetudinibus Angliæ*, a composite text containing laws and legal cases that was drawn up in the 1220s or 1230s, probably by multiple clerks, although exact authorship is uncertain.⁵ It is therefore difficult to comment on this text's authorial voice as a cohesive entity. Hereafter, this will be referred to as *Bracton*, after the royal justice Henry de Bracton, who was the text's final medieval editor. Bracton probably stopped work on the treatise in the mid-1250s.

Northern France

The *Coutumes de Beauvaisis*, which record the customs of the county of Clermont, were completed in 1283.⁶ Philippe de Beaumanoir, the work's author, was the son of a *bailli* who served as a *bailli* himself, but wrote the *Coutumes* before he had served the majority of his judicial roles.⁷ F. R. P. Akehurst defines *bailli* as "the administrator of a county or an area of similar size...he was...the chief judge".⁸ Beaumanoir also served as *senechal* of Poitou and Saintonge, as well as serving again as *bailli* in Vermandois, Touraine, and Senlis.⁹ This text will be hereafter referred to as "*Beaumanoir*".

The *Établissements de Saint Louis* are "deceptively titled", since they actually comprise three distinct collections from Tours, Orleans, and Paris.¹⁰ They were completed by 1283, and the authorship is unknown. It is also unclear to what extent these customs actually reflect official practice. Throughout this chapter, I will designate the various sections by referring to them as they are presented in the text—that is, as the *Coutume de Touraine-Anjou*, the *Usage d'Orlenois*, and the *Rules of Procedure in the Châtelet*.

Li droict et lis coustumes de Champagne, et Brie, que li Roys Thiebaulx establi premierement survives from the thirteenth century, and is as yet the least-studied of all the *coutumes* that I examine in this chapter. I will use the name given to this by Paulette Portejoie, the latest scholar to consider the text comprehensively.

⁵ *Bracton Online* [13 May 2016].

⁶ Richard W. Kaeuper, "Review of *The "Coutumes de Beauvaisis" of Philippe de Beaumanoir*, ed. by F. R. P. Akehurst", *Speculum*, 69 (1994), 741-42.

⁷ *Coutumes de Beauvaisis* Review, Kaeuper, p. 742.

⁸ Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, p. xxx.

⁹ *Coutumes de Beauvaisis* Review, Kaeuper, p. 742.

¹⁰ Stephen D. White, "Review of *The Etablissements de Saint Louis: Thirteenth-Century Law Texts from Tours, Orléans, and Paris*, ed. by F. R. P. Akehurst", *Speculum*, 74 (1999), 115.

Lastly, I have examined the *Coutumiers de Normandie*, which consist of the Latin *Tres ancien coutumier*, the earliest parts of which were written around 1200, the Anglo-Norman translation of that tract, and the Latin *Summa de Legibus*. The *Tres ancien coutumier* as they survive are a composite text, probably assembled in the late thirteenth century.¹¹

Beaumanoir: Illustrative stories and historiographies

The French law books—as well as *Bracton*—are concerned with the dangers of alienating family lands. To mitigate these risks, the dangers of which are not fully articulated beyond diminution of inherited lands, the law books record the process of redemption. Redemption is the right of a family member, who would have a legal claim to lands that have been sold, to reclaim them from the buyer for the same price within a fixed time period: usually a year and a day from the point of sale. Redemption therefore was a protective measure for families who feel that they have been hard done by or disadvantaged by the transactions of a patriarch. To explain this legal issue, Beaumanoir provides case evidence that consists of formulaic exemplary stories featuring the recurring characters Pierre and Jehan. These tales could also be interpreted as a sort of teaching tool, meant to illustrate principles of law put into practice.

Pierre and Jehan find themselves at the heart of hundreds of disputes throughout *Beaumanoir*, many of which deal with redemption. One of these instances involves Jehan suing Pierre on the grounds that Pierre purchased property that was heritably owned by Jehan's uncle, Guillaume. In this case, the author describes the judgment of a sample court, a common feature of the Pierre and Jehan stories. The story provides a window into the deliberative process, demonstrating to the student of law how the law should be interpreted in each context. In this case, Pierre challenges the claim that Guillaume owned the property as his inheritance. He argues that Guillaume had purchased it, and therefore had leave to give, sell, or donate it without right to redemption. The court judges in favour of Jehan, simultaneously validating the sanctity of property that, though once purchased, has since been passed heritably, and protecting the family network:

¹¹ Nick Vincent, forthcoming.

It was judged that there was no redemption if a person who had bought land resold it; but if he died, the land passed to the heirs as inherited real property, and if the heirs sold it, the relatives of the heirs could redeem it from the buyer, and for that reason Jehan was able to buy it back for money.¹²

Beaumanoir speaks to what is legally required in order to redeem property: “If you want to redeem some property, you must prove two things if the buyer requests it: the first thing is that you must prove you are from the lineage of the person who sold it; the second thing is that the property descended on the side of the seller’s family to which you belong.”¹³ How can we account for this emphasis on belonging to the “correct” side of the family? Beaumanoir explains this caveat in the context of half-siblings:

For if I had a brother who was my half-brother through my father, and he had property from his mother, if he sold it, I could not redeem it for money, for the property is not held through the side of the family of my father, through whom I am related to my half-brother; but yet my brother’s relative through his mother could redeem it, even if he was related only in the fourth degree...¹⁴

This clause exemplifies the insistence on defining the bounds of the “correct” lineage, which seems to be defined by blood relation. Notably, Beaumanoir uses the first person to explain this scenario, perhaps intimating that at times, the student of law should seek to understand these complex issues by interpreting them on a personal level. He soon returns to the third person, however, distancing himself from any involvement in the particulars of the theoretical dispute. The tense shift re-establishes the narrator as the knowledgeable authority; indeed, he returns to the first person to give his final judgement on the matter when describing how the right to redemption changes by degrees of kinship:

¹² Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 44, clause 1358, p. 486; “Il fu jugié qu’en aqueste n’avoit point de retraite, se cil qui l’avoit aquesté le revendoit; mes s’il mouroit, l’aqueste demouroit as oirs eritagiés et, se li oir le vendoient, li parent as oirs de par celi qui l’aquesta le pouoient retrere, et pour ce l’en porta Jehans par la bourse.” (*Coutumes de Clermont en Beauvaisis*, ed. Salmon ii, p. 192)

¹³ Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 44, clause 1364, p. 488; “Qui veut rescourre eritage, il doit prouver deus choses, se cil veut qui l’eritage acheta: la premiere chose si est qu’il doit prouver qu’il est du lignage a celui qui le vendi; la seconde chose si est que l’eritages muet du costé dont il apartient au vendeur” (*Coutumes de Clermont en Beauvaisis*, ed. Salmon ii, p. 193)

¹⁴ Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 44, clause 1364, p. 488; “Car se j’avoie demain un frere qui ne fust mes freres que de pere et il avoit eritage de par sa mere, s’il le vendoit, je ne le pourroie ravoir par la bourse, car l’eritages ne muet pas du costé de par le pere dont je li apartieng, et avant li parens mon frere de par sa mere, s’il ne li estoit fors en quart” (*Coutumes de Clermont en Beauvaisis*, ed. Salmon ii, p. 193-4)

If a man buys some property from a relative, property which he could have redeemed if a stranger had bought it, a closer relative to the seller than the buyer can redeem it, but a more distant relative cannot. And if he is of the same degree of lineage as the person redeeming, can he get partition? I say no, for you do not have to be a broker for someone else unless he can say: "I am more closely related."¹⁵

Here, we can see that although redemption seems at face value to be severely restrictive of land transactions, redemption is, in fact, subject to constraints. It is also important to note that this passage explores the issue of land sales among family members. This clause perhaps demonstrates the impetus to keep family lands within the tightest possible kinship network. These clauses could suggest that family networks sought to restrict themselves. Perhaps these clauses also shed light on what would have been considered the ideal ways to manage families and family lands to create a powerful and effective kinship network. If this assumption is true, then these laws could represent an institutionalization of the ideals of family networks and of power structures based on land. To that end, they could demonstrate an institutionalization or, at least, institutional evidence of the fundamental distrust of those outside the kinship network.

Intricately tied to the idea of kinship power networks is the issue of personal status. Status law regulated participation in land-holding and chivalric society. Beaumanoir deals with personal status and status law in contemporary society. He delves into the questions of why certain men are free and others un-free, seeking to explain the origins of the institution of serfdom. To that end, he employs a rhetorical device that we will call "the creation of illustrative history", in which Beaumanoir provides a narrative of past events that explains the legal classifications of contemporary social systems. These narratives serve to explain, and, perhaps, justify, current law based on historical context. The use of historiography as a teaching tool is clearly related to the illustrative story method examined above, in that both methods allow the author to explain the legal issue in an imaginative space that is removed from the tangible present. The author also establishes himself as the authority on the

¹⁵ Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 44, clause 1368, p. 489; "S'il avient qu'uns hons achate l'eritage a son parent, le quel eritage il peust ravoir par la bourse se aucuns estranges l'eust achet , cil qui est plus prochains parens du vendeur que l'acheteres le puet rescourre, et plus loingtains non. Et s'il est de cel meisme degr  de lignage, i partira il? Je di que non, car il ne convient pas que l'en soit marcheans pour autrui se l'en ne puet dire: 'Je sui plus prochiens'" (*Coutumes de Clermont en Beauvaisis*, ed. Salmon ii, p. 194-5)

past, demonstrating that his role as “teacher of law” perhaps necessitates knowledge of history. This clarification echoes the characterization of other teachers of law as they are depicted in literature, even in literature with minimal French influence. *Njal’s Saga*, a product of medieval Iceland, describes the feud surrounding the saga’s eponymous legal expert. The narrator, when explaining Njal’s expertise in the law, emphasizes that Njal is “able to see far into the future and remember far into the past”.¹⁶ This comparison will be explored further in the conclusion to this thesis.

Beaumanoir reaches into the past to explain to his audience the various conditions of persons, namely, “des gentius hommes”, “des frans hommes de poosté”, and “des sers”, which translates as gentlemen, free commoners, and serfs.¹⁷ Beaumanoir also explains that man’s original state was one of freedom. As the population grew, problematic tensions arose, from which the contemporary systems of government and society developed:

Although there are several conditions of men now, it is true that in the beginning they were all free and with the same freedom, for everyone knows we are all descended from one father and mother. But when the people began to grow in numbers, and wars and ill will began to arise through pride and envy, which was greater than it should be and still is, the community of people, those who wanted to live in peace, saw that they could not live in peace if each one thought he was as great a lord as everyone else, and they chose a king and made him lord over them and gave him the power to punish them for their offenses, to give them orders and make laws; and so that he could protect the people from their enemies, and bad administrators, they sought out among themselves those who were the most beautiful, the strongest, and the wisest, and gave them lordship over themselves to help them to remain in peace and to help the king, and they would be his vassals to protect him.¹⁸

¹⁶ “hógværr ok drenglyndr, langsynn ok langmínnigr” (*Brennu-Njáls Saga*, ed. Sveinsson, p. 57); *Njal’s Saga*, trans. Cook, p. 35.

¹⁷ *Coutumes de Clermont en Beauvaisis*, ed. Salmon ii, p. 234.

¹⁸ Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 45, clause 1453, p. 519; “Comment que pluseur estat de gens soient maintenant, voirs est qu’au commencement tuit furent franc et d’une meisme franchise, car chascuns set que nous descendismes tuit d’un pere et d’une mere. Mes quant li pueples commença a croistre et guerres et mautalent furent commencié par orgueil et par envie, qui plus regnoit lors et fet encore que mestiers ne fust, la communetés du pueple, cil qui avoient talent de vivre en pes, regarderent qu’il ne pourroient vivre en pes tant comme chascuns cuideroit ester aussi grans sires l’uns comme l’autres: si eslurent roi et le firent seigneur d’aus et li donnerent le pouoir d’aus justicier de leur mesfès, de fere commandemens et establissemens seur aus; et pour ce qu’il peust le pueple garantir contre les anemis et les mauvès justiciers, il regarderent entre aus ceus qui estoit plus bel, plus fort et plus sage, et leur donnerent seignourie seur aus en tel maniere qu’il aidassent a aus tenir en pes et qu’il aideroit au roi, et seroient si sougiet pour aus aidier a garantir” (*Coutumes de Clermont en Beauvaisis*, ed. Salmon ii, p. 235).

Contemporary issues are portrayed as part of a continuum of human history. Beaumanoir's description is shot through with recognizable Biblical imagery of creation. Beaumanoir's reference to an idyllic "beginning" with "one father and mother" clearly refers to Genesis Chapter 2. The sway toward "war and ill will", "pride and envy" recalls man's fall from Eden and refers to the seven deadly sins.

This historiographical approach allows Beaumanoir to portray the contemporary lordship system as resulting from a series of communal, self-protective measures. It represents an impetus to return to a pre-lapsarian world. The choice to be governed by the wisest and best and to prop up that system through protective vassalage is an attempt to limit the damage of original sin. By creating such historiography, Beaumanoir couches the system of lordship and kingship in the collective will and action of "the community of people", which is diametrically opposed to those who suffer with "pride and envy".¹⁹

Beaumanoir, again looking backward, uses this same rhetorical device to explain how the institution of serfdom developed. He first couches his explanation in terms of norms of a subject's duty to his lord, citing a legal penalty associated with royal summons: "the penalty attached to the summons was that those who did not come, unless they had a good reason, were to remain forever serfs, they are their heirs".²⁰ Beaumanoir then provides his historiographical explanation for current status law, citing clerical corruption as a cause for serfdom:

The second reason many became serfs is that in past times, many devoted themselves to the saints, in great piety, along with their property and their heirs, and paid what they had promised in their hearts. And the financial officers of the churches wrote down what they could force them to admit, and thus they took profit from them and have always subsequently taken profit from them, more and more because of the wickedness which has grown in them more than it should have, so that what was originally done in good faith and piety has turned to the loss and ruin of the heirs.²¹

¹⁹ Beaumanoir's use of the term "communauté du peuple" could perhaps be related or referential to the term "*communitas regni*", used frequently in 13th- century English sources.

²⁰ Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 45, clause 1438, p. 513; "l'en i metoit tele peine a la semonse fere que cil qui demouroient sans resnable cause demouroient serf a tous jours, aus et leur oirs; et par ceste cause en est il mout" (*Coutumes de Clermont en Beauvaisis*, ed. Salmon ii, p. 227).

²¹ Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 45, clause 1438, p. 513; "La seconde cause par laquelle il est mout de sers, si est pour ce que, ou tans ça en arriere, par grant devocion mout se donnoient, aus et leur oirs et leur choses, as sains et as saintes et paioient ce qu'il avoient proposé en leur cuers. Et les redevances qu'il paioient li receveur des biens des eglises metoient en escrit et ce

The authorial tone here is noticeably bitter, perhaps a reflection of what Akehurst claims to be the author's opposition to the institution of serfdom,²² or thinly veiled anti-clericalism or anti-monasticism. Indeed, Beaumanoir goes on to say, a few clauses later, "it is a great act of charity for the lord to remove them from servility and to give them freedom, for it is a great evil when any Christian is in the condition of a serf".²³ This interjection of subjective opinion adds to the characterization of the teacher of law as also a keeper of moral codes.

Beaumanoir also turns his gaze to Roman law, incorporating a discussion on the *jus naturale* on freedom. This echoes what we will see in *Bracton's* discussion of natural law and *jus gentium*. He comments: "[i]n all these ways people become serfs, for according to natural law everyone is free; but this natural freedom is ended by the acquisitions mentioned above".²⁴ Beaumanoir then marries his commentary on Roman law with a discussion of contemporary French custom. He states that outside of the county of Clermont, there exist different methods of becoming a serf which are illegal in Clermont. For instance, if freemen who "are not of gentle birth" move to land under a lord's jurisdiction, they automatically become that lord's serfs after residency of a year and a day.²⁵ This recalls a notion that runs through several of the *coutumiers*: that serfs are somehow fundamentally attached to the land that they inhabit. This is closely interwoven with their being under the *potestas* of the lord of that land.

In addition to speculating on the origins of serfdom, Beaumanoir expounds on the provenance of those whom he calls "gentius hommes". Beaumanoir looks back into the past to explain that the gentlemen are descended from those who were

qu'il pouoient trere de leur connoissance, et ainis usuoient sur aus et ont tous jours puis usé plus et plus par la malice qui est creue plus en aus que mestiers ne fust, si que ce qui premierement fut fet par cause de bonne foi et par devocion est tourné au damage et en la vilenie des oirs" (*Coutumes de Clermont en Beauvaisis*, ed. Salmon ii, p. 227).

²² Akehurst states that Beaumanoir is "plainly against the institution of serfdom... On the other hand, he warns of the problems involved for those who might try to free their serfs" (Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, p. xxii).

²³ Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 45, clause 1453, p. 519; "nous pouons entendre que grant aumosne fet li sires qui les oste de servitude et les met en franchise, car c'est grans maus quant nus crestiens est de serve condicion" (*Coutumes de Clermont en Beauvaisis*, ed. Salmon ii, p. 236).

²⁴ Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 45, clause 1438, p. 513; "Par toutes ces choses sont servitudes venues avant, car selonc le droit naturel chascuns est frans; mes cele naturele franchise est corrompue par les acquisitions dessus dites" (*Coutumes de Clermont en Beauvaisis*, ed. Salmon ii, p. 227).

²⁵ Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 45, clause 1438, p. 513; "uns frans hons qui n'est pas gentius hons de lignage" (*Coutumes de Clermont en Beauvaisis*, ed. Salmon ii, p. 227).

originally chosen to advise the first king (clause 1453, above), whom the author describes as “the most beautiful, the strongest, and the wisest”.²⁶ Beaumanoir distinguishes between the “gentius hommes” and those who are “franc sans gentillece”,²⁷ explaining the distinction in historical terms. Those who are “free but not gentle” descend from the men who chose the first group of nobles to advise and protect that first monarch.²⁸ One need not possess gentility, it seems, to discern those who do. Once again, we see that Beaumanoir perceives his historiography as an important tool for drawing out minute distinctions of terms of legal status. He expands on this distinction between free men and noble men, clarifying that “not all free persons are gentlemen; instead there is a great difference between gentlemen and free commoners, for we call gentlemen those who come from a free lineage”.²⁹ We will explore the relationship between lineage and gentility in more depth in the following section.

The *coutumiers* and the English legal texts contain various complex formulas whereby the mingling of the father’s and mother’s lineages and statuses produces children of varying conditions. Beaumanoir engages with this issue using, once again, the rhetorical technique of the illustrative story. In this case, he does not, however, make use of the exploits of the familiar Pierre and Jehan. Rather, he refers to a story that he apparently “has heard” from an unnamed source. Although this resonates with the practice of referring to local custom, the provenance of which is also unspecified, this technique is crucially different in that it bases its authority on oral transmission and hearsay. Beaumanoir also makes use of the general practice of exposition to set the stage for the oral story and to explain its legal context. The oral story is then used, in turn, to bolster the validity and explain the nuances of the laws that have been explicated.

The recording of oral stories and the reliance on oral transmission occurs in the context of Beaumanoir’s discussion of knighthood. Indeed, the use of the phrase “has heard” might not have signalled to a contemporary audience that Beaumanoir’s

²⁶ Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 45, clause 1453, p. 519; “ceus qui estoient plus bel, plus fort et plus sage” (*Coutumes de Clermont en Beauvaisis*, ed. Salmon ii, p. 235).

²⁷ *Coutumes de Clermont en Beauvaisis*, ed. Salmon ii, p. 236.

²⁸ Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 45, clause 1453, p. 519.

²⁹ Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 45, clause 1451, p. 518; “Mes tuit li franc ne sont pas gentil homme; ainçois a grant diserece entre les gentius hommes et les autres frans homme de poosté, car l’en apele gentius hommes ceus qui sont estret de france lignie” (*Coutumes de Clermont en Beauvaisis*, ed. Salmon ii, p. 234).

story is one he has, in fact, heard. Even if Beaumanoir is not directly referring to an oral source, by opening his anecdote in this way, Beaumanoir echoes literary custom. By this period, it is a long-standing literary device to open a story by referring to an oral source to which the author has been privy. In this way, Beaumanoir alludes to this device and aligns himself with contemporary storytelling norms.

Beaumanoir prescribes that the condition of gentility passes to the children through their fathers: “et ceste gentillece si est toujours raportee de par les peres, et non pas de par les meres”.³⁰ It is important to note here that historians and translators obscure the meaning of the vernacular text. Akehurst, one of the most respected scholars of Old French and Anglo-Norman, translates the phrase above as “this gentle *blood* comes down through the fathers, and not through the mothers” (emphasis added).³¹ The vernacular text never frames the discussion in terms of blood. This emphasis on blood as the transmitting agent detracts from a clear understanding of the medieval conception of how traits and status are passed from parent to child.

Beaumanoir makes it clear that *gentillece* passes through the father. The text explains that for commoners, their freedom, a quality separate to *gentillece*, comes to them through their mothers: “Mes autrement est de la franchise des hommes de poosté, car ce qu’il ont de franchise vient de par leur meres,—est quiconques nest de franchises mere, il est frans”.³² One of the most significant impacts of these codes is the effect it has on the institution of knighthood. Beaumanoir clarifies that “no one, however gentle he is through his mother, can be a knight if he is not gentle through his father, unless the king grants him special permission”.³³ A child is also ineligible for knighthood if his mother is a serf: “[i]t is true that servitude passes through the mother, for all children of a servile mother are serfs, even if the father is free. Even if the father was a knight and married a serf, all children he had by her would be serfs”.³⁴ It is apparent that the mother’s status, as a serf, precludes her son from participating in the institution of knighthood. The mother’s serfdom overrules or

³⁰ *Coutumes de Clermont en Beauvaisis*, ed. Salmon ii, p. 234.

³¹ Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 45, clause 1451, p. 518.

³² *Coutumes de Clermont en Beauvaisis*, ed. Salmon ii, p. 234.

³³ Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 45, clause 1451, p. 518; “et il apert, car nus, combien qu’il soit gentius hons de par la mere, s’il n’est gentius hons de par le pere, ne puet estre chevaliers se li rois ne li fet especial grace” (*Coutumes de Clermont en Beauvaisis*, ed. Salmon ii, p. 234).

³⁴ Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 45, clause 1434, p. 511; “Vours est que servitude vient de par les meres, car tuit li enfant que cele porte qui est serve, sont serf, tout soit il ainsi que li peres soit frans hons. Neis se li peres estoit chevaliers et il espousoit une serve, si seroient tuit li enfant serf qu’il avroit de li” (*Coutumes de Clermont en Beauvaisis*, ed. Salmon ii, p. 224).

invalidates any *gentillece* that passed, or would have passed, from the father. Beaumanoir goes on to explain the issue in terms of French custom:

...it is the custom in the kingdom of France that those who are gentlemen through their fathers, even if their mother is a commoner [*vilaine*], can be knights, provided she be not a serf, for then it could not be, as is said above. When the mother is a gentlewoman, and the father is not a gentleman, the children cannot be knights; nevertheless, the children do not lose all their condition of gentlemen, but are treated as gentleman personally, and they can hold fiefs, which commoners cannot do. And in this case you can see that the *fullest condition of being gentle* passes from the father, and servitude comes from mothers who are serfs. And it also follows that when a man who is a serf takes a wife who is free, all the children are free; and by this you can understand what is said above.³⁵
(emphasis added)

Several things become apparent in the above passage. Here, a distinction develops between the condition of gentility and the eligibility for knighthood. There also seems to be the potential for variation in the degree(s) of gentility that directly relates to eligibility for knighthood. The distinct roles of men and women in the condition of their children are fleshed out, as well. Women seem to be the purveyors of *franchise* (freedom) but not *gentillece*. Although a woman may possess *gentillece*, she is incapable of passing it on. Men, it seems, are uniquely able to transmit *gentillece* to their offspring.

As we can see, Beaumanoir has, up until this point, relied on third-person exposition. It is at this point that he incorporates his illustrative anecdote into the law book. Notably, he does not mention the source of the story, which could be interpreted in a few ways. Does it imply that the orally transmitted story does not need a named source to be considered authoritative? Or that perhaps the source is not worthy of mention? Or does it suggest that the story is fabricated by Beaumanoir to help to explain the law, and if this were the case, why would he not make use of the heavily litigious, all-purpose pairing of Pierre and Jehan? We can only speculate on

³⁵Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 45, clause 1434, p. 511; “c’est coutume ou roiaume de France que cil qui sont gentil homme de par le pere, tout soit leur mere vilaine, pueent estre chevalier, ce excepté qu’ele ne soit serve, car adonc ne le pourroient il estre, si comme il est dit dessus. Quant la mere est gentius fame et li peres ne l’est pas, li enfant ne pueent estre chevalier; nepourquant li enfant ne perdent pas l’estat de gentillece du tout, ainçois sont demené comme gentil homme du fet de leur cors et pueent bien tenir fief, laquele chose li vilain ne pueent pas tenir. Et en ce cas puet on veoir qu’entiere gentillece vient de par les peres tant seulement, et las servitude vient de par les meres qui sont serves. Et encore apert il pour ce que, quant il avient qu’uns hons est sers et il prent une fame france, tuit li enfant sont franc, et par ce puet l’en veoir ce qui est dit dessus” (*Coutumes de Clermont en Beauvaisis*, ed. Salmon ii, p. 224).

Beaumanoir's motives, and of course, as posited above, he could be using this phrasing to align himself with contemporary writers of romances, *lais*, and epics.

In any case, Beaumanoir examines these complex codes in the context of an example that he "heard someone tell" ("Nous oïmes conter").³⁶ He recounts a case wherein a "gentleman married a serf thinking she was free".³⁷ Eventually, their son came of age and was knighted, and conflict ensued. Beaumanoir, using indirect speech, is careful to highlight the decision-making process of the litigants. He emphasizes how the laws are interpreted in relation to the conflict and then applied:

One of the children, when he came of age, became a knight because he was a gentleman through his father. After he was a knight he was accused of being a serf, and when he learned the truth from his mother, he saw that he could not claim to be free by birth. He chose another argument, for he said he should remain free because his mother was a serf of the lord who had made him a knight: and he could not accuse him of being a serf since he had made him a knight. And the lord replied that when he made him a knight he did not know that he was a serf.³⁸

The royal court rules in favour of the knight, validating the transformative power of the knighting ceremony: "[i]t was judged in the king's court that the knight would remain free because the person who had the right to make him free had made him a knight, for by giving him the freedom of knighthood he took away his serfdom".³⁹ The fact that the young man's rightful lord performed the ceremony of knighthood demonstrates the solidity of the lord-vassal bond. Beaumanoir explains:

...it would have been different if someone other than his lord had made him a knight; for his lord could sue him as a serf who had become free without his permission, and could have him taken back, and he would have had his

³⁶ Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 45, clause 1449, p. 517; *Coutumes de Clermont en Beauvaisis*, ed. Salmon ii, p. 232.

³⁷ Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 45, clause 1449, p. 517; "qu'uns gentius hons espousa une serve et cuidoit qu'ele fust franche" (*Coutumes de Clermont en Beauvaisis*, ed. Salmon ii, p. 233).

³⁸ Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 45, clause 1449, p. 517; "Li uns des enfans, quant il fu en aage, devint chevaliers pour ce qu'il estoit gentius hons de par son pere. Après ce qu'il fu chevaliers, il fu acusés de servitude et il, quant il sot la verité de sa mere, vit bien que par la il ne se pouoit fere frans. Si ala autre voie, car il dist qu'il devoit demourer frans pour ce que sa mere estoit serve a celi qui chevalier le fist: si ne le pouoit accuser de servitude puis qu'il le fist chevalier. Et li sires disoit encontre que quant il le fist chevalier il ne savoit pas qu'il fust sers" (*Coutumes de Clermont en Beauvaisis*, ed. Salmon ii, p. 233)

³⁹ Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 45, clause 1449, p. 517; "Il fu jugié a l'ostel le roi que li chevaliers demourroit frans par la reson de ce que cil qui avoit le pouoir de li franchir le fist chevalier, car en tant comme il li donna franchise de chevalier li osta il la servitude" (*Coutumes de Clermont en Beauvaisis*, ed. Salmon ii, p. 233)

knighthood taken away from him, for he could not be a knight and a serf at the same time, since they are two opposite conditions, one of freedom and the other of serfdom.⁴⁰

We see here that the knighting ceremony allows the natural-born serf to transcend his condition, but the ceremony only remains authoritative and his knighthood irrevocable in the context of the lord–vassal relationship. This passage also shows how Beaumanoir uses the illustrative story technique. He manipulates the premise of the story in order to demonstrate other ways of interpreting the conflict and the law as it should be applied. By illustrating differing contexts, Beaumanoir guides the student through process of interpreting the law.

Beaumanoir’s discussion of personal status and status law is one of the most striking parallels with contemporary literature. Both genres, medieval fiction and Beaumanoir’s legal writing, explore the nature of gentility and knighthood. They do so by exploring the component parts of the ideal knight and gentleman. Beaumanoir, by communicating this exploration in the framework of contemporary storytelling, perhaps nods to current literary culture and practice. Furthermore, his discussion of status, alienation, and redemption contributes to our understanding of the characterization of the ideal teacher of law. Beaumanoir is portrayed as one who can “look far into the past”. Not only is he knowledgeable of history, he is able to interpret history. He can discern from history the origins of the society’s systems and guide his students through it. The emphasis on history and storytelling in this text perhaps suggests that the past was viewed as a respected source of legal authority.

The discussion of personal status in law books takes on a special cast when viewed alongside contemporary literature. Laws and regulations on personal status can perhaps be understood as a foray into the discourse on personhood itself. This relates to contemporary literary discussions on personal and social norms. The law book echoes literary concerns with knighthood, chivalry, and honour. Indeed, as we have seen, several stories self-consciously explore what it means to be a knight. *Li Chevalier as Deus Espees* engages this issue in the ironic context of a woman who takes on knightly duties; *Érec et Énide* and *Le Chevalier au Lion* both explore it in

⁴⁰Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 45, clause 1449, p. 517; “Mes autrement fust se uns autres l’eust fet chevalier que ses sires; car ses sires le peust poursuivre comme son serf qui fust entrés en estat franchise sans son congïe et le reust, et li fust ostés l’estas de chevalerie, car chevaliers et sers ne peust il estre ensemble pour ce que ce sont dui estat contraire, l’un de franchise, l’autre de servitude” (*Coutumes de Clermont en Beauvaisis*, ed. Salmon ii, p. 233).

terms of expectations of chivalric behaviour. Marie de France's *Lanval* explores knighthood from the perspective of an outsider at court, elucidating how being a stranger can affect your ability to gather legal support. Lanval, as a knight from a foreign land, has no network of kinship support. This sets him at a serious disadvantage in the context of the legal dispute, when he can secure no pledges for himself. In this sense, both literature and law are concerned with kinship power networks.

The literary works are seemingly less concerned with both the transmission of serfdom and the legal ramifications of a serf aspiring to knighthood. I have found no literary depictions of someone ascending to knighthood from a lower status. In many ways, the literature insists on the importance of proper lineage. Whenever a fair unknown, raised separately from the court and bearing the markings of barbarianism, becomes a knight, it becomes clear that he has hidden or unknown noble lineage. We have seen this trope at play in *Perceval*, *Aliscans*, and the *Lai d'Haveloc*. The texts suggest that the protagonist's latent noble birthright is the critical qualifier for his inclusion in the institution of knighthood.

Furthermore, Beaumanoir's use of the illustrative story to elucidate legal issues surrounding personal status further echoes contemporary literature in that he is constructing himself, the teacher of law, as the storyteller. This connection between storyteller and teacher further solidifies our understanding of the medieval characterization of the law book's author in general.

Etymology: *Bracton*'s teaching tool

Much as Beaumanoir uses stories and historiographies to illustrate how the laws should be interpreted and applied, *Bracton* seeks to explain honour codes, social rank, and personal status by explaining the philological intricacies of the very words used to designate rank and status. The characterization of the law book author is therefore slightly different in *Bracton*. Beaumanoir and *Bracton* both come across as teachers of law and keepers of the moral code. *Bracton*'s peculiar expertise, however, lies in the nuances of language. Both texts' discussions of norms of elite conduct and status law contribute to the impression that perhaps they are, as writers, interested in codifying these norms. It is important to note here that evidence suggests, as mentioned at the start of this chapter, that *Bracton* does not have a single author.

Therefore, this chapter uses the term “*Bracton*” to refer to the voice that emerges from the text, even though it results from the collective entries of numerous writers. The variety of the contributing writers does not detract from the argument that this text can be studied to demonstrate the characterization of the law book author. “*Bracton*”, as the author-character that elucidates law for his audience, emerges as a fairly cohesive voice. This perhaps suggests that there may have been an ideal of the law book author that the various contributing writers attempted to maintain.

Bracton is specifically interested in elucidating norms of the conduct of lords and vassals. He does so in both the contexts of status law and the lord–vassal bond. For example, *Bracton* explicates the role and significance of the king’s inner circle of retainers:

...Various powerful persons are established under the king, namely, earls, who take the name ‘comites’ from ‘comitatus’, or from ‘societas’, a partnership, who may also be called consuls from counseling, for kings associate such persons with themselves in governing the people of God, investing them with great honour, power and name when they gird them with swords, that is, sword belts.⁴¹

The author continues to engage with language in his explanation of the knight’s belt. This discussion of the symbolic function of the belt also explores knightly honour norms:

Ringae are so called because *renes girant*, because they gird and encircle the loins, hence the phrase, ‘Gird thee with thy sword, etc.’ Belts gird the loins of such that they may guard themselves from the luxury of wantonness, for the wanton and unchaste are abominable before God.⁴²

Bracton situates the authority of his knowledge within the etymological nuances of the language used to describe rank. The author continues in this vein, noting the symbolic import of the sword and illustrating the roles of barons, vavasours, and knights:

[*What the sword signifies*]

⁴¹ *De legibus*, trans. Thorne ii, p. 32; “Item in temporalibus imperatores, reges, et principes in his quæ pertinent ad regnum, et sub eis duces, comites et barones, magnates sive vavasores, et milites, et etiam liberi et villani, et diversæ potestates sub rege constitutæ. Comites videlicet qui a comitatu sive a societate nomen sumpserunt, qui etiam dici possunt consules a consulendo. Reges enim tales sibi associant ad regendum populum consules a consulendo. Reges enim tales sibi associant ad regendum populum potestate et nomine quando concingunt eos gladiis, id est ringis gladiatorum”.

⁴² *De legibus*, trans. Thorne ii, p. 32; “RINGÆ enim dicuntur ex eo quod renes girant, id est circumdant, et unde dicitur, Accingereattingere. gladio tuo etcetera. Et ringæ cingunt renes talium ut custodiant se ab incestu luxuriæ, quia luxuriosi et incestuosi deo sunt abominabiles.”

[for] the sword signifies the defence of the realm and the country. There are other powerful persons under the king who are called barons, that is, ‘*belli robur*,’ the strength of war. Others are called vavasours, men of great dignity. A vavasour cannot be better defined than a vessel selected for strength, that is, ‘*vas sortitum ad valitudinem*.’ Also under the king are knights, that is, persons chosen for the exercising of military duties, that they may fight with the king and those mentioned above and defend the country and the people of God.⁴³

Bracton’s explanation of the signification of the sword and the sword-belt resembles that in the Anglo-Norman lai *Amis e Amilun*. In this lai, the sword is used to symbolize the good knight’s responsibility to resist unchaste activity. As we explored in the previous chapter, due to the physical resemblance of the protagonists, Amis and Amilun are able to switch places. In the process of manipulating a legal loophole, Amis is forced to share a bed with Amilun’s wife, who is none the wiser. Amis sleeps with a naked sword between them on the bed:

Amis remained with the retinue, like its lord and master; and they all thought, without a doubt, he was their rightful lord. And the lady, once she had seen him, certainly thought he was Amilun...When night fell, Amis lay down next to the lady. He placed his naked sword between them, at which she was much astonished. He would not talk to her until morning, when he rose. Every night he behaved in this way until Amilun returned home.⁴⁴

The narrator does not explicitly explain the purpose of the sword. However, when taken alongside *Bracton*’s explanation of the purpose of the sword and sword-belt, the sword could be viewed as a symbol of Amis’s responsibility to resist unchaste contact. This serves as an example of thematic unity between certain literary and legal texts. The thematic unity perhaps points toward the institutionalization of honour norms.

Although *Bracton*’s characterization has less of a storytelling focus than that of Beaumanoir, his discussion of the components of successful knighthood echoes

⁴³ *De legibus*, trans. Thorne ii, pp. 32-33; “GLADIUS autem significat defensionem regni et patriæ. Sunt et alii potentes sub rege, qui barones dicuntur, hoc est robur belli. Sunt etiam alii qui dicuntur vavasores, viri magnæ dignitatis. Vavasor enim nihil melius dici poterit quam vas sortitum ad valetudinem. Sunt etiam sub rege milites, scilicet ad militiam exercendam electi, ut cum rege et supradictis militent, et defendant patriam et populum dei. Sunt etiam sub rege liberi homines et servi et eius potestati subiecti, et omnis quidem sub eo, et ipse sub nullo nisi tantum sub deo.”

⁴⁴ *The Birth of Romance*, trans. Weiss, p. 167; “Amis remeint od la meisne,/ Come sire e com avowe./ E quident trestut, saunz errur,/ Ke ceo seit lur dreit seingnur./ E la dame, kant veu l’avoit,/ K’Amilun feuht, bien le quideit...Amis, kant il ennuita,/ Lez la dame se coucha./ S’espeie nue entre eus posa;/ La dame de ceo s’enmerveille./ A la dame ne vout parler/ Deske al matin a son lever./ Chaskune nuit si se contint,/ Deske Amilon a l’ouhtel vint” (*Amis and Amiloun*, ed. Kölbing, pp. 525-44).

literary themes. His focus on language, and his ability to break language down, make him out to be a teacher whose duty it is to explain these nuances to his student. Not only does he explicate these nuances, he also has the interpretive skills to understand the linguistic origins of honour and social norms. *Bracton*'s act of translation both expresses and demands adherence to the honour norms contained within the verbal designators. "Baron" comes from "*belli robur*", he explains, showing us how the ideals of baronage are hidden within the word itself. The same goes for vavasours: '*vas sortitum ad valitudinem*.' He illuminates these nuances for the student, but he does not explain his method. Unlike Beaumanoir, who is concerned with the student's interpretive ability, he does not explain how to interpret and identify the linguistic evidence. He does not illuminate how to identify the critical portion of each word. He thereby designates himself as the authority, the only one that can pull back the curtain and reveal secrets hidden within language.

Statement of a rule and moral stipulations: teaching tools for the conduct of judges and elites in *Bracton* and *Glanvill*

As we will see in the following section, the characterization of the law book author becomes more complex the more sources we consider. The author still comes across as a teacher of law, but it becomes clear that the ideal law teacher must also be an authoritative source of local custom. This authoritativeness on custom is connected with an understanding of morality. This is especially true when explaining the ways of interpreting custom in the most *just* manner; that is, the manner that most embodies the ideals of justice.

Bracton and *Glanvill* consciously engage with norms of honourable kingly conduct. The teaching tools that frame this discussion are exposition of custom and statement of rules. It is in this framing technique that we witness the connection between transmission of custom and moral codes, as well as guidance on the interpretive process. These passages seem to establish the law book author firmly as the authority on ideals of elite conduct as they relate to justice. These passages could represent an institutionalization of norms of royal honour and dispensation of justice.

Bracton expounds upon the nature of kingship and, more broadly, on the king's authority in terms of law and society: "The king has no equal within his realm...The king must not be under man but under God and under the law, because

law makes the king, Let him therefore bestow upon the law what the law bestows upon him, namely, rule and power, for (*sic*) there is no *rex* where will rules rather than *lex*.”⁴⁵ *Bracton* asserts that the king’s primary *raison d’être* is to be the administrator of justice: “To this end is a king made and chosen, that he do justice to all men...The king, since he is the vicar of God on earth, must distinguish *jus* from *injuria*, equity from inequity, that all his subjects may live uprightly, none injure another, and by a just award each be restored to that which is his own.”⁴⁶ Both *Bracton* and *Glanvill* emphasize the need for the king to be wise. This was a common norm with clear resonances of biblical kingship. *Glanvill* specifically calls for the king to be able to discern and select wise men to advise him. *Bracton*’s edicts on wisdom recall Beaumanoir’s codes of judge’s conduct. Both explore the relationship between wisdom and the ability to dispense justice fairly:

...And since it is not only necessary that the king be armed with weapons and laws but [with wisdom], let the king learn wisdom that he may maintain justice, and God will grant wisdom to him, and when he has found it he will be blessed if he holds to it, for there is honour and glory in the speech of the wise and the tongue of the imprudent is its own overthrow; the government of the wise man is stable, and the wise king will judge his people, but if he lacks wisdom he will destroy them, for from a corrupt head corruption descends to the members, and if understanding and virtue do not flourish in the head it follows that the other members cannot perform their functions. A king ought not only to be wise but merciful, his justice tempered with wisdom and mercy.⁴⁷

⁴⁵ *De legibus*, trans. Thorne ii, p. 33; “Parem autem non habet rex in regno suo, quia sic amitteret præceptum, cum par in parem non habeat imperium. Item nec multo fortius superiorem, neque potentiorum habere debet, quia sic esset inferior sibi subiectis, et inferiores pares esse non possunt potentioribus. Ipse autem rex non debet esse sub homine sed sub deo et sub lege, quia lex facit regem. Attribuat igitur rex legi, quod lex attribuit ei, videlicet dominationem et potestatem. Non est enim rex ubi dominatur voluntas et non lex.”

⁴⁶ *De legibus*, trans. Thorne ii, p. 305; “Ad hoc autem creatus est rex et electus, ut iustitiam faciat universis, et ut in eo dominus sedeat, et per ipsum sua iudicia discernat, et quod iuste iudicaverit sustineat et defendat, quia si non esset qui iustitiam faceret pax de facili posset exterminari, et supervacuum esset leges condere et iustitiam facere nisi esset qui leges tueretur. Separare autem debet rex cum sit dei vicarius in terra ius ab iniuria, æquam ab iniquo, ut omnes sibi subiecti honeste vivant et quod nullus alium lædat, et quod unicuique quod suum fuerit recta contributione reddatur.”

⁴⁷ *De legibus*, trans. Thorne ii, pp. 305-06; “Item cum non semper oporteat regem esse armatum armis sed legibus, addiscat rex sapientiam et conservet iustitiam, et deus præbebit illam sibi, et cum illam invenerit beatus erit si tenuerit illam, cum sit honor et gloria in sermone sensati, et lingua imprudentis subversio ipsius, et principatus sensati stabilis, et rex sapiens iudicabit populum suum. Si autem fuerit insipiens perdet illum, quia a capite corrupto descendit corruptio membrorum, et si sensus et vires non vigeant in capite, sequitur quod cetera membra suum non poterunt officium exercere. Non solum autem sapiens esse debet sed misericors, et cum sapientia misericorditer iustus, et licet tutius sit reddere rationem pro misericordia quam pro iudicio.”

The norms above are included in a law book, which itself serves as part of memory keeping for the institution of English law. In that sense, the passage above could represent an institutionalization of norms of kingship, wherein the ability to be guided by wisdom and resist corruption are crucial to the overall functionality of the entire social system. *Glanvill* also codifies this resistance of corruption. The injunctions of the later French *coutumiers* not to allow the perversion of justice for self-serving reasons are perhaps echoes of *Glanvill*: “[in the king’s court] a poor man is not oppressed by the power of his adversary, nor does favour or partiality drive any man away from the threshold of judgment”.⁴⁸ As we can see, *Glanvill*’s prescriptions for appropriate conduct directly relate to the dispensation of justice. Although *Glanvill* does not imagine hypothetical situations to demonstrate how law should be interpreted and applied, as Beaumanoir does, *Glanvill* roots the interpretive process within the bounds of a fixed code of morality. There are a few literary scenes that elucidate these same legal themes. A moment from Chrétien’s *Érec et Énide* resonates with *Glanvill*’s and *Bracton*’s legal stipulations both in tone and in content. The king describes the honour norms that guide his behaviour:

I am the king, and I must not lie nor consent to any villainy or falsity or excess; I must preserve reason and rightness, for a loyal king ought to maintain law, truth, faith, and justice. I would not wish in any way to commit disloyalty or wrong, no more to the weak than to the strong; it is not right that any should complain of me.⁴⁹

In this scene, the king justifies his actions by situating them within statements of fixed rules that dictate a king’s moral code. Unlike Beaumanoir, he does not explore how changing scenarios could affect various possible routes of action.

There are other literary parallels with *Bracton* that also demonstrate thematic commonality. The wording of one of *Bracton*’s edicts resonates, for example, with a scene in *L’Histoire de Guillaume le Maréchal*. *Bracton* states that: “since the heart of a king ought to be in the hand of God, let him, that he be not unbridled, put on the bridle of temperance and the reins of moderation, lest being unbridled, he be drawn

⁴⁸“Ibi etenim pauperem non opprimit aduersarii potentia, nec a liminibus iudiciorum propellit quemquam fauor uel gratia”; *Glanvill*, p. 2.

⁴⁹Chrétien, *Arthurian Romances*, trans. Kibler, p. 59: “Je sui rois, si ne doi mantir,/ ne vilenie consantir,/ ne fauseté ne desmesure;/ reison doit garder et droiture,/ qu’il apartient a leal roi/ que il doit maintenir la loir,/ verité, et foi, et justise./ Je ne voldroie an nule guise/ fere deslëauté ne tort,/ ne plus au foible que au fort;/ n’est droiz que nus de moi se plaingne” (*Érec et Énide*, ed. Roques, ll. 1749-59). For a more nuanced discussion of this passage, see Chapter 3, above.

toward injustice.”⁵⁰ *L’Histoire*’s author recounts an episode wherein the eponymous hero manages to tame an uncontrollable horse: “Tant fu amendez por le serre/ Que en demi acre de terre/ Le tornast il a la reonde/ Comme le plus tender del monde”.⁵¹ As we’ve discussed previously in this thesis, William’s taming of the un-tamable horse is a powerful metaphor for socialization. This passage also recalls the *Raoul* narrator’s admonition against intemperance: “If [Raoul] had not had in him an immoderate streak, there would not have been a better vassal occupying his rightful place; but the outcome of this fault was to prove disastrous—an unbridled man has great difficulty in surviving.”⁵² *Glanvill*’s use of the bridling metaphor represents a slight divergence from rule-based exposition in that it engages with the non-literal field. This difference in tone could be due to its textual placement: this passage is part of the Prologue, the style of which differs from the rest of the text. The bridling metaphor was widely used, and it is likely that this commonality, rather than direct textual influence, is responsible for its inclusion in both genres.

Another matter that bridges both legal and literary texts is the importance of the king’s counsellors in the functioning of the court. As we have seen in previous chapters, literary depictions of kings and lords rely on their counsellors to act as a sort of jury during legal disputes. Kings of romances and epics are often susceptible to the advice of evil counsellors. *Glanvill* codifies the important role of the king’s counsellors:

For truly he does not scorn to be guided by the laws and customs of the realm which had their origin in reason and have long prevailed; and, what is more, he is even guided by those of his subjects most learned in the laws and customs of the realm whom he knows to excel all others in sobriety, wisdom and eloquence, and whom he has found to be most prompt and clear-sighted in deciding cases on the basis of justice and in settling disputes, action now with severity and now with leniency as seems expedient to them.⁵³

⁵⁰*De legibus*, trans. Thorne ii, p. 305: “Licet in iustitia recipienda minimo de regno suo comparetur, et licet omnes potentia præcellat, tamen cum cor regis in manu dei esse debeat, ne sit effrenata frenum apponat temperantiæ et lora moderantiæ, ne cum effrenata sit trahatur ad iniuriam.”

⁵¹“The horse was so improved by this new bridle/ that he could have been ridden around/ in half an acre of land/ as if he were the tamest on earth” (Gregory, *History of William Marshal*, ll. 1299-1302, p. 67).

⁵² *Raoul de Cambrai*, Kay, p. 29.

⁵³ “Legibus namque regni et consuetudinibus de ratione introductis et diu obtenis et, quod laudabilius est, talium uirorum licet subditorum non dedignatur regi consilio, quos morus grauitate in peritia iuris et regni consuetudinibus pertissimos sue sapientie et eloquencie prerogatiua alios nouit præcellere, et ad

Glanvill's prescription echoes Beaumanoir's historiographical explanation of society's stratification (recall that Beaumanoir recounts that "they sought out among themselves those who were the most beautiful, the strongest, and the wisest, and gave them lordship over themselves to help them to remain in peace and to help the king, and they would be his vassals to protect him").⁵⁴ Both Beaumanoir and *Glanvill* refer to the "origins" of current society as based in reason and wisdom. Beaumanoir describes the impetus for societal structure as one of purposeful submission to the wisest among them. *Glanvill*'s passage has a similarly reverent tone when describing the ancient customs that "have long prevailed".

There are numerous examples of these same norms being transmitted in literature. In the *Song of Roland*, for example, King Charles reminds his vassals that they "owe" him counsel: "Cunseilez mei cume mi saive hume,/ Si me guarisez e de mort e de hunte!"⁵⁵ In *Lanval*, on the cusp of a legal dispute with one of his men, the king sends for his counsellors:

The king was very angry and sent for all his men to tell him exactly what to do, so his action would not be unfavorably interpreted. Whether they liked it or not, they obeyed his command and assembled to make a judgment, deciding that a day should be fixed for the trial, but that Lanval should provide his lord with pledges that he would await his judgment and return later to his presence. (*emphasis added*)⁵⁶

The calling of the counsellors to avoid making a poorly received decision recalls the *Établissements*' exhortation to be "an honest judge,/ So that he cannot be contradicted", as we will see.⁵⁷ As much as it is important to receive good advice, it is

causas mediante decidendas et lites dirimendas, nunc seuerius nunc micus agendo prout uiderint expedire, ipsis rerum argumentis comperit cum ratione promptissimos"; *Glanvill*, p. 2.

⁵⁴ See p. 134.

⁵⁵ "Give me the counsel you owe me as my cunning vassals/ And save me from death and shame!"; *Song of Roland*, p. 20-21.

⁵⁶ Marie de France, *Lais*, , ll. 381-94, p. 78; "Li reis fu mut vers li irez;/ Tuz ses hummes ad enveiez/ Pur dire dreit qu'il en deit faire./ Qu'um ne li puisse a mal retraire./ Cil unt sun commandement fait./ U eus seit bel u eus seit lait./ Comunement i sunt alé/ E unt jugé e esgardé/ Que Lanval deit avoir un jur;/ Mes plegges truisse a sun seignur/ Qu'il atendra sun jugement/ E revendra en sun present,/ Si serat la curt esforciee/ Kar n'i ot dunc fors la maisnee".

⁵⁷ *Établissements de Saint Louis*, trans. Akehurst, p. 114; "Droiz dit qu'il soit drois conseilliers./ Droiz dit qu'il soit drois joustisiers./ Si qu'en ne le puisse desdire" (*Établissements de Saint Louis*, ed. Viollet ii, p. 329). It should be noted, however, that Akehurst uses the same English word, "honest", for two different Old French words. In his translation of *Beaumanoir*, Akehurst translates "loiatés" as "honest". In the passage just examined, Akehurst translated "drois" as "honest". Both Godefroy and the Anglo-Norman Dictionary offer a different interpretation of "loiatés", suggesting that it most likely means "loyal". The same dictionaries also translate "drois" as, in the context of legal texts, "right/righteous" or "just".

equally important to be *seen* taking good advice. *Glanvill* and *Bracton* root their prescriptions for kingly conduct within a moral code that directly relates to the administration of justice. Furthermore, the literary examples of transmission of similar norms usually occur within scenes of legal disputes in the king's court. This further emphasizes the connection between norms of kingship and administration of the court. Beaumanoir also stipulates the moral code which judges (*baillis*) must follow when performing their professional duties. As we will see, his mode of transmission echoes that of *Glanvill* and *Bracton*.

The *Coutumes de Beauvaisis*, a hefty and exhaustive tome, chooses the conduct of judges (*baillis*) as its first subject. Given the prolific length of the text, the author's prioritization of this section demonstrates its two-fold importance. It is clearly a lesson that must not be overlooked by the student—one that cannot be skipped over in the several hundred pages that follow. Secondly, perhaps it was important that the law book's author be seen to be articulating these maxims. Indeed, the significant amount of text that Beaumanoir devotes to this lesson contributes to his characterization as an authority on the *bailli's* moral code.

Beaumanoir tells the student that a man who “veut estre loiax baillis et droituriers” must possess these ten “virtues” (“vertus”).⁵⁸ The first virtue is wisdom (“sapience”), which “is and should be the lady and mistress of all the others, for without it the other virtues cannot be controlled”.⁵⁹ The author delineates the rest of the virtues, many of which align with those listed in the verse prologue to the *Customs of Orléans* in the *Établissements de Saint Louis*. There is a notable difference in narratorial self-identification between the two *coutumes*, however. Whereas in the *Customs of Orléans*, the speaker is the voice of the law, in *Beaumanoir*, the author does not assume a role of such lofty import.

Beaumanoir's commands betray concern with Christian virtues such as forgiveness and grace. Beaumanoir decrees that a *bailli* must be “kind and gentle without ill-will”, echoing the *Customs of Orléans*, but that compassion must not extend to dealings with proven criminals, which would mortally endanger “those who

⁵⁸ Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 1, clause 12, p. 14; (*Coutumes de Clermont en Beauvaisis*, ed. Salmon i, p. 17).

⁵⁹ Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 1, clause 12, p. 14; (*Coutumes de Clermont en Beauvaisis*, ed. Salmon i, p. 17).

want to live peaceably”.⁶⁰ The author also preaches the necessity of patience and good memory. If scorned, it can inhibit the ability of the judge to “{memorize} what is said before him in court...since he cannot remember it, he cannot recall it from memory; and without remembering and recalling from memory properly no one should undertake to be a judge”.⁶¹ The judge must also be vigorous (clause 16), generous (clause 17), clever (clause 20), knowledgeable (clause 19), and God-fearing (clause 13). A good *bailli* will be obedient to his lord, save only if his lord’s dictates are immoral and would endanger his soul: “The seventh virtue which a *bailli* should have is obedience to the will of his lord in all his commands, except the commands by which he could lose his soul if he carried them out, for the obedience which he owes should be understood to mean applying law and maintaining honest justice”.⁶² Although wisdom is the “dame et maistresse de toutes les autres”, the final virtue, honesty, is “the one which illuminates all the others”.⁶³ The author explains the connection between honesty and wisdom:

The tenth virtue which a person who undertakes a judge’s office must have is the best of all and without it the others can do nothing, for it is the one which illuminates all the others; it is the one without which nothing is worth anything; it is the one which is so joined with the virtue of wisdom that wisdom can in no way exist without it. And this virtue is called honesty [*loiautés*], for whoever is honest is wise in maintaining honesty; and the sense of the person in whom dishonesty is lodged should not be valued at all.⁶⁴

⁶⁰Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 1, clause 14, pp. 14-15; “il doit estre doz et deboner, sans vilonie et sans rancune”; “met cex qui veulent vivre en pais en peril de mort” (*Coutumes de Clermont en Beauvaisis*, ed. Salmon i, p. 18).

⁶¹Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 1, clause 15, p. 15; “n’a pooir de bien retenir ce qui est propose devant li en jugement; et puisqu’il ne pot bien retenir, il ne le pot bien recorder: et sans bien retenir et sans bien recorder, nul ne se doit entremetre de baillie garder” (*Coutumes de Clermont en Beauvaisis*, ed. Salmon i, p. 19).

⁶²Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 1, clause 18, p. 17; “La septime vertu qui doit estre en bailli, que il obeisse au commandement de son seigneur en toz ses commandemens, exceptés les commandemens par les quix il porroit perdre s’ame s’il les fesoit; car l’obeissance qu’il doit, doit estre entendue à bien fere et en droit garder et en loial justice maintenir” (*Coutumes de Clermont en Beauvaisis*, ed. Salmon i, p. 22).

⁶³Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 1, clause 21, p. 20; (*Coutumes de Clermont en Beauvaisis*, ed. Salmon i, p. 17).

⁶⁴Beaumanoir, *Coutumes de Beauvaisis*, trans. Akehurst, Ch. 1, clause 21, p. 20; “Le dissime vertu qui doit estre en celi qui s’entremet de baillie, si est le mellor de toutes, ne sans li ne poent les autres riens valoir, car c’est cele qui enlumine toutes les autres, c’est cele sans qui riens ne pot valoir, c’est cele qui est conjointe avec la vertue de sapience, que por riens sapience ne pot estre sans sa compaignie: et ceste vertus si est apelée loiatés. Car quiconques est loiaus, il est sage en maintenir loiaté; et por noient doit estre prisies li sens de celi en qui desloiatés est herbegiée” (*Coutumes de Clermont en Beauvaisis*, ed. Salmon i, p. 27).

Beaumanoir seems keen to explain how the ten virtues interact with and relate to each other. This lends a sense of his concern with the student's ability to apply his lessons practically. This concern with practical applicability is echoed in the rest of his work, which, as we have seen, employs hypothetical stories that aid the student's interpretive abilities. His lesson on the ten virtues, however, has a distinctly expository tone. This tone differs from the storytelling approach found elsewhere in his work. His list of moral stipulations echoes the transmissive modes of *Glanvill* and *Bracton*. What's more, the number of Beaumanoir's strictures echoes the Biblical Ten Commandments, tying in with his other Biblical references that we have already explored.

Teaching tools and authorial characterization in the *Établissements de Saint-Louis*

We now move forward to the *Établissements de Saint-Louis* and continue to look at the characterization of the law book author through the lens of norm transmission. It is important to note here that the *Établissements*, being a collection of *coutumes*, do not have a single author. Regardless, in the *coutumes*, we see a general strengthening in the relationship between the authorial roles of "teacher of law" and "keeper of the moral code". The juncture of "teacher" and "moral guide" in the *Établissements* is the discussion of justice; the authors appear more focused on exploring justice as an ideal. In fact, "keeper of the moral code" could perhaps be better understood in these texts as the "keeper of justice".

In the *Customs of Orléans*, the author uses poetry to transmit norms of justice and morality, specifically regarding the conduct of elites who act as administrators of justice. Poetry appears twice in the text; its first appearance is just after the beginning. The *coutumes* open with a brief introduction: "Here begins: On justice, law, and the commandments of the law, and the order of knighthood...and on the punishment of offenders".⁶⁵ The five stanzas of verse that follow concern these same themes. The first two stanzas expound on the nature of law. They speak to the moral code that influences the law, which we might understand as justice. "The law will be the judgment and the lord", the author writes. The passage quickly turns to moralistic

⁶⁵ *Établissements de Saint Louis*, trans. Akehurst, p. 113; "Ci emprès commence De joutise, et de droit, et des commandemens de droit, et de l'office de chevalerie...et de punir malfeitors" (*Établissements de Saint Louis*, ed. Viollet ii, p. 327).

terrain that echoes Biblical edicts: “The law forbids all wickedness./ The law shows every courtesy/ And teaches us to do good things. The law says we should lead a good life”.⁶⁶ The text goes on to say that the law specifically commands that man should not be envious of his neighbours, be kind and speak only on what he knows, and behave in a generally amiable way.⁶⁷ It seems that these edicts address the conduct of all men, not just elites.

In the third stanza, the author turns his attention to knights and to those involved in the dispensation of justice: “The law says, and I am its spokesman (*emparliers*),/ That whoever is a knight/ Must speak ill of no one.”⁶⁸ This statement is vital in our understanding of the characterization of the law book author. This remark is the only one of its kind in these sources. It is the only instance where a narrator describes his relationship with the law. The rarity of such statements means that it is unclear whether other authors conceive of their role in a similar way. It does, however, contribute to our conception of the author of the *Customs of Orléans* as an intermediary between the student and subject matter. It deepens what we have understood in other texts to be the role of “teacher of law”, emphasizing the duty of the law book author to help his students interpret and understand the law.

Norms that we recognize from literature feature prominently in the directives of the *Customs of Orléans*: “The law says that he should be an honest counsellor./ The law says that he should be an honest judge,/ So that he cannot be contradicted.”⁶⁹ This caveat perhaps suggests that a judge needs to be honest not purely for the sake of moral righteousness, but because it will prove more expedient. This reflects a sentiment expressed in most law books: that justice needs to be delivered expeditiously, and that delays are to be avoided. Furthermore, the statement, which comes in the midst of exposition of moral code, injects a bit of consideration for the practicalities of the judge’s profession. The author also diverges slightly from the technique of rote moral exposition, which is familiar from *Glanvill* and *Bracton*,

⁶⁶ *Établissements de Saint Louis*, trans. Akehurst, pp. 113-14; “Droiz en iert jugemens et sire...Droiz deffent toute vilenie./ Droiz monstre toute cortoisie/ Et enseigne tous biens à faire./ Droiz dit qu’en soit de bonne vie” (*Établissements de Saint Louis*, ed. Viollet ii, pp. 328-9).

⁶⁷ *Établissements de Saint Louis*, trans. Akehurst, p. 114.

⁶⁸ *Établissements de Saint Louis*, trans. Akehurst, p. 114; “Droiz dit, et j’en sui emparliers,/ Que quiconques est chevaliers/ Qu’il ne doit de nelui mesdire” (*Établissements de Saint Louis*, ed. Viollet ii, p. 329).

⁶⁹ *Établissements de Saint Louis*, trans. Akehurst, p. 114; “Droiz dit qu’il soit drois conseilliers./ Droiz dit qu’il soit drois joustisiers,/ Si qu’en ne le puisse desdire” (*Établissements de Saint Louis*, ed. Viollet ii, p. 329).

when he tells the student not just what a knight *should* do, but what a knight *should not* do: “The law says that a knight’s honor,/ Is diminished in his jurisdiction/ When he does wrong for a fee./ Instead, he should choose the right/ As far as is in his power, and leave the wrong;/ For this is the noble thing to do.”⁷⁰

The writer then adjusts his focus to the administration of justice. He prescribes codes of behavioural and professional conduct in the context of the exercise of the law. He emphasizes efficient, honest, and productive dispensation of justice:

The law says that a baron
Should give him a swift trial
If a thief is arrested in his lands;
For the sooner he is given a trial,
The sooner he will name his accomplices
When he sees his judge before him.
If it is a thief who does murder,
{Who robs people or breaks into churches,}
He should not be put into prison.
The law says a judge rates his soul too low
Who gives him any other treatment
Than hanging without allowing him to buy his freedom.⁷¹

When poetry next appears in the *Customs of Orléans*, it is again in the context of the honest administration of justice. This is also the last and only occasion that poetry appears outside of the prologue. The author describes the intellectual process of formulating a judgment. He makes specific reference to the internal introspection in which a good judge should engage:

16. On judging honestly your men’s cases; on petitioning in the king’s court; and on appealing immediately without delay.

...And they must give an honest judgment on the actions of the men, and must not judge on the face of things [*selonc la face*], but they must give an honest judgment, and must keep God before their eyes...Nor should they remember

⁷⁰*Établissements de Saint Louis*, trans. Akehurst, p. 114; “Drois dit que trop s’onnor empire/ Chevaliers, là où il est sire,/ Qui por avoir est torsonniers;/ Ains doit à son pooir eslire/ Le droit, et le tort desconfire;/ Car ce appartient à tous princiers” (*Établissements de Saint Louis*, ed. Viollet ii, p. 329). The repetition of the phrase “droit dit” emphasizes the voice of the law.

⁷¹*Établissements de Saint Louis*, trans. Akehurst, p. 114-15; “Droiz dit qu’il affiert à baron,/ S’en prent en sa terre i larron,/ Qu’il en face tantost joutise;/ Que plus tost joutise en fait on,/ Plus tost nomme son compaignon,/ Quant voit devant lui son juise./ Se c’est lerres qui fait murtrise,/ Qui robe gent ou brise eglise,/ L’en ne l’ doit pas metre en prison./ Droiz dit que cil peu s’ame prise/ Qui en fait nulle autre devise,/ Fors que pendre sans raençon” (*Établissements de Saint Louis*, ed. Viollet ii, p. 329-30).

love, or hate, or gift or promise, when it comes to the judgment...[the judge] should speak in this way: “We declare him not guilty [*nos l’asolons*]” or “We condemn him according to the charge that this party made against him, by the honest hearing [*jugement*] we have provided, in a judgment,”

<Which must be given to all
And must not be sold.>⁷²

As we can see, the two lines of verse bring the essential moral truth of the law into sharp focus. They distill the essence of the law and draw attention to the role of justice in the administration of law. Béroul’s *Tristan* deals with similar issues. *Tristan* explores the dangers of having a lord who dispenses justice in the wrong way. King Mark does not administer justice swiftly, as is advised in the *Établissements* and *Beaumanoir*, but hastily, and without offering a fair trial:

All the people of the kingdom cried out: ‘King, you would do them too great a wrong if they were not first brought to trial! Afterwards put them to death’.⁷³

One of the king’s men later advises him to temper his harshness and respect the proper legal process:

You want to burn her without trial, but this is not rightful for the crime has not been proved. It will be a great shame if you burn her.⁷⁴

The use of poetry in the *Établissements* enriches and complicates our understanding of the ideal law book author. The law book author is not simply an expert on the law and an authority on justice; he is also a spokesman and a poet. What’s more, the use of poetry recalls Beaumanoir’s use of literary devices and his characterization as a *conteur*, transgressing while acknowledging the bounds of genre between legal and literary texts.

⁷² *Établissements de Saint Louis*, trans. Akehurst, p. 130-32; “De jugier loiaument les fix des homes et de faire supplication en cort de roi et de appeler tantost sans delai...Et il doivent loiaument jugier les filz des homes, et ne doivent mie jugier selonc la face, mais il doivent rendre loial jugement, et doivent avoir Dieu devant lor iauz...Ne ne doivent avoir remembrance, ne d’amor, ne de haine, ne de don, ne de promesse, quant ce vient au jugement...il doit dire en tel maniere: ‘nos l’asolons’ ou ‘nos le condampnons de la demande que cil faisoit encontre celui, par loial jugement que nos avons fait et par droit,’/ li quieux doit estre à touz renduz et ne doit pas estre venduz” (*Établissements de Saint Louis*, ed. Viollet ii, p. 374-80).

⁷³ Béroul, *Tristan*, trans. Fedrick, p. 67; “Tuit s’escriënt la gent du reigne:/ ‘Rois, trop ferïez lai pechié,/ S’il n’estoient primes jugié;/ Puis les destruit” (Béroul, *Tristan*, ed. Muret, ll. 884-87).

⁷⁴ Béroul, *Tristan*, trans. Fedrick, p. 71-72: “Vos la volez sanz jugement/ Ardoir en feu; ce n’est pas gent,/ Qar cest mesfait ne connoist pas;/ Duel ert, se tu le suen cors ars” (Béroul, *Tristan*, ed. Muret, ll. 1097-1100).

The “teacher of law” in *L’Ancien Coutumier de Champagne*

In *L’Ancien Coutumier de Champagne*, the law book author, as a character, is less intrusive than in our other texts. Subjective judgements on morality are completely absent from the text. Instead, this author seems to root his authority in knowledge of local custom, just as the author of *Glanvill* roots his authority in his knowledge of the custom of the king’s court. As we have seen, several authors refer to custom; it is one of the most common rhetorical techniques. The rhetoric of *L’Ancien Coutumier* is marked by the use of certain repeated, recognizable phrases to gesture toward custom to accredit the legal code; the writer of *L’Ancien Coutumier de Champagne* does so to a fastidious degree.

With only a couple of exceptions, every clause in *L’Ancien Coutumier de Champagne* opens with a variation of the phrase “Il est coustume”. The variations on this opening statement include “Coustume est en Champagne”, “Item il est encore coustume”, “Generalz coustume est en Champagne”, “Encore use len”, and the interesting and somewhat perplexing “use len et len usé”. Current translators and dictionaries do not provide precise or satisfactory definitions of this final phrase. They are particularly delinquent in their lack of a definition for the term “len”. “Len” could be interpreted as a variant spelling of the Old French “long”. This would intimate that the phrase could be a rhetorical refrain with the sense of “it is the longstanding custom/usage”. More literally, it could be translated as “it is the longstanding custom and the custom has been used as such for a long time”.

“Use len et len usé” certainly has more of an almost musical or poetic quality. It should also be noted that it sometimes acts as a clause’s closing statement. The clauses in *L’Ancien Coutumier de Champagne* end in one of two formulaic ways. Either they finish with a variation on the phrase “Ensinc en us’on generalment en Champagne”, or they sign off with case evidence using real figures from local areas, usually either Champagne or Troyes. The case evidence is usually introduced by a variant on the phrase “Ce fu jugié à”.⁷⁵ This phrase is also characteristic of this author’s favoured transmissive mode.

L’Ancien Coutumier de Champagne uses these rhetorical techniques when tackling the issue of marriages among people of varying status. The text first

⁷⁵ *Nouveau Coutumier General*, ed. Bourdot iii.

considers what happens when a noble woman (*noble femme*) marries a common man (*homs de pote*).

The long-standing custom in Champagne is that if a noble woman were to take a villain as a husband, the lord from whom she holds her fief need not take him as his man if he does not wish to. And if the woman has heirs who survive her after her death, they are disinherited, and the lord takes the whole fief into his domain: for the children should follow the worse condition.

Encore use len en Champaigne, que se noble femme home de pote à mari, li sires de qui elle tient de fié ne le prent à home se il ne vult. Et se la damoiselle a hoirs apres son decez, il sont desheritez, & li sires prent tout le fié en son demaine: pour ce que li enfens fuyent la pieur condition.⁷⁶

The lord from whom the noble woman holds her fief has the right to refuse to “take as a man” her common husband. All of her heirs are disinherited, although it is unclear if such disinheritance occurs if the lord does choose to accept the commoner. The text seems to suggest that upon their mother’s death, her lands revert back to the lord. The text does not clarify whether the disinherited “hoirs” are the product of her marriage to the *home de pote*. The *coutumes* explain that this disinheritance occurs because “the children *should be* the worse condition”. Here, the inherited status of the children is not being constructed in the context of male or female transmission. Rather, we see the “worse” condition prevailing over any *gentillece*, regardless of whether the *gentillece* belongs to the mother or the father. What is most striking about this passage is the disinheritance of the children, who are forcibly excluded from the landholding class (although the matter is unclear, the mother probably only loses the fief held from the lord objecting to her marriage).

The author also frequently uses case evidence to support the written law. For example, he describes how if a female serf were to take a free man in marriage, and he died without heirs of his body, she would remain free:

It is the custom in Champagne, that if a female serf takes a free man in marriage, and the free man dies without heirs of his body, that the woman should...become and remain free of any servitude all her life, because of the nobility of the free man whom she took as a husband...as long as she does not take a villein as a husband after the free man’s death. And if she takes a villain as a husband, and he

⁷⁶ *Nouveau Coutumier General*, ed. Bourdot iii, pp. 521-522. There is no English or modern French version of the *Coutumes* available, so this thesis will only consider them in the (rather approachable) Old French, and all translations are mine.

dies before she does, she reverts to a state of servitude, and back into the condition she had left.

Il est coustume en Châpaigne, que se serue femme prent franc homme, & li frans homs se muert senz hoirs de son corps, que la femme emporte toutes manieres d'aumentages, & de franchises, & demeure franche toute sa vie de toute seruitutes, pour la noblesse dou franc homme, qu'elle a eu à mary, & ne reuient, par la coustume qui est telle, en nulle seruitute de Seigneur, se elle ne reprent homme de poote. Et s'il estoit ainsi, qu'elle repreist homme de poote à mary, & it se meuroit deuant lie, elle reuenroit en la seruitute, & en la condicion, dont elle se seroit deuant partie. Ce fu rapporté à Troyes, par le conseil des Maistres tenans les iours, l'an M. cc. III. xx. & xv. par la bouche Florent de Royes, aux Requestes.⁷⁷

Here, the “noblesse dou franc homme” has a sort of transformative power over the woman. This remains even after his death, shielding her from returning to “seruitute de Seigneur”. In this text, “franc” seems to mean “noble”, whereas in other texts, such as *Beaumanoir*, “franc” means free but not necessarily noble. The “noblesse” of her deceased husband does not exert a completely irrevocable force over her status, however. Should she remarry to a “homme de poote”, and should he die before her, she would revert to servitude. It is unclear whether she would remain free during her marriage to the “homme de poote”, with her freedom only ending at the point of his death.

One of the most notable characteristics of the *Coutumes* is the insistence on basing the authority of the written code on judgments from what seem to be “real-life” cases. The case examples in the *Customes of Champagne* are usually introduced by the phrase “C'est assauoir” (“it is to be noted”) or “Item”.⁷⁸ Take the case of Bialutrix de Poisson, of Iainuille, who took “un villain” from the land of Vaucouleur in marriage. The text informs us that “Messr. de Iainuille ot toute la remenance”; essentially, “The lord of Iainuille took all the inheritance”.⁷⁹ The text also corroborates the written code with another case, wherein a nobleman took a common woman. The text tells us that Erars de Tinteville takes a common woman from Doulancourt, and as a result, he was disinherited.

Item Erars de Tinteuille ot la remenance de Corpie, qui ot une damoiselle de Doulancourt, que estoit suers Oudinaut. Et lor ossioit li sires de Iainuille, & lidiz

⁷⁷*Nouveau Coutumier General*, ed. Bourdot iii, p. 544.

⁷⁸ AND < <http://www.anglo-norman.net/cgi-bin/form-s1> >.

⁷⁹ *Nouveau Coutumier General*, ed. Bourdot iii, pp. 521-522.

Erars, à faire droit à la coustume de Champaigne, & il ne l'oserent actendre, & furent desheritez.⁸⁰

The inclusion of case evidence, in addition to corroborating the author's point, also expands our understanding of the ideal "teacher of law". This rhetorical technique could demonstrate an authorial concern with incorporating real examples, perhaps the records of which the student may be able to consult. This emphasis on tangible evidence diverges from Beaumanoir's use of hypothetical situations. Beaumanoir uses imagined figures to demonstrate the different ways law should be interpreted and applied. The *coutumes*, by contrast, supply concrete examples of how the law has already been interpreted and applied.

Conclusion

The use of rhetorical devices to transmit norms of law, conduct, and justice expands our conception of the legal author to include storyteller and even poet. Indeed, contemporary literature seems concerned with many of the same issues as the legal texts, such as legal procedure, elite conduct, and the administration of justice. One piece of literature, when taken in conjunction with the legal dictates on lordly honour seen above, potentially sheds light on how a lord could work within the sanctioned set of lord-vassal honour codes to his benefit. In *Graelent*, one of Marie de France's *lais*, the queen suggests to the king that it might be valuable to retain his vassal in order to prevent the vassal from testifying against him. She counsels the king not to pay Graelent very much so that he cannot leave or take service with another lord: "La Roïne li desturneit,/ Au Roi diseit è conseillait/ Ke nule rien ne li donast/ Por le cunroi qu'il n'en alast:/ Povre le tenist entur lui,/ Qu'il ne péüst servir autrui".⁸¹ Her advice demonstrates how a lord could function within the bounds of legal norms to achieve strategic ends. By studying the thematic crossovers between literature and legal texts, we can gain further insight into how both genres potentially contain templates of behaviour.

Examining the literary mechanics of norm transmission is closely related to the study of the characterization of the authorial voice. The authorial voice is obviously deeply embedded in the issue of transmission. In the context of written

⁸⁰ *Nouveau Coutumier General*, ed. Bourdot iii, pp. 521-522.

⁸¹ Marie de France, *Poésies* i, ll. 147-152; "The Queen turned aside to the King, and said to him and counselled him to give him nothing, no provisions or anything, so that he could not leave and go to serve another lord" (my translation).

sources, the writer could be conceived of as the ultimate transmitter. This examination of authorial voice both connects to our understanding of the paradigms of norm transmission and contributes to the discussion of ideals of instruction and expertise. This is particularly pertinent in our analysis of the legal texts. Due to the very nature of the texts (i.e. purportedly expository and non-narrative in the same way as a romance or epic is narrative), transmissive modes such as direct speech between characters and transmission by example are less readily apparent. The authorial voice is in some ways more closely connected with the voice of the narrator. This is a connection we must make cautiously and dubiously with the law book author and one that we should not, in keeping with scholarly convention, make between the literature narrator and author. Because of this closer affiliation in law books, we can speak about the characterization of the law book author more readily than we can speak about the characterization of the literature author, where we must draw stricter divisive lines between narrator and author. However, just as the fiction author crafts a story with the full arsenal of direct speech, narratorial comment, and transmission by example at his disposal, so the law book author tells the story of the law and its administration using certain methods and devices. This is the locus of the comparison between paradigms of transmission in literature and law.

Both literature and law books can tell us the story of how individuals interact with institutions. In literature, this story is told through depictions of accusations, trials, deliberations, and general courtroom dramas. In law books, this story is told through the transmissive modes examined in the previous chapter. This chapter has sought to demonstrate that law books would benefit from being examined for models of transmission. This examination sheds light on the way authors felt it was appropriate to discuss the imposition of institutional boundaries in society. Two of many manifestations of these institutional boundaries are the regulations on status law and redemption. These regulations restrict participation in certain spheres of society to certain groups. They draw lines between who can and cannot be a knight. They regulate land distribution based on kinship groups, thereby restricting land- and power-holding.

This brings us to a central question of this thesis: are norms, as they are presented in literature, institutionalized? To answer this, we must return to the discussion of institutionalization that we began in the Introduction to this thesis. Institutionalization requires regularity, and regularity requires institutional memory-

keeping. The law book is born out of these requirements. One of the main ways that people interact with institutions is by seeking institutional redress for an issue that affects their lives. In the process of institutional redress, regularity is sought after as a component of justice. We have shown in this chapter that certain norms are contained within the law books. The norms contained in the law books will necessarily be referred to as part of that process of redress. This could therefore point to what might be understood as institutionalization of norms. Norms are not just part of the institutional memory-keeper, but they are referred to as part of a living process of engaging with the institution.

CONCLUSION

This thesis has sought to draw out the relationship between norm content, mode of norm transmission, and the ideals of expertise and instruction. This has involved close readings of several texts to examine the literary mechanics of norm transmission. By analysing moments of norm transmission, this thesis attempted to identify and understand paradigms of norm expression. Paradigms of transmission are developed by considering the relationship between norm content, mode of transmission, and frequency of use.

Some specific paradigms occur frequently throughout the corpus of literature, namely, paradigms of knightly education and of the communication of norms of vassalage. The literature shows an interest in how young noblemen are educated about knighthood. This interest ranges from quite specific norms of armed combat and everyday interactions to broader, more abstract norms of chivalry and honour. The literature shows knightly education occurring most frequently in the form of transmission from older male to younger male, from mother to son, and from foster-father to foster-son. Communication of norms of good vassalage, which could be considered a form of knightly education, consistently occurs on a horizontal plane of exchange, from knight to knight.

This examination of modes and paradigms of transmission fits within one of the more abstract issues that this thesis considers: the notion of students “deriving examples” from written sources as a way of learning, as suggested by the didactic poetry. This means of concept acquisition can be seen not just on a small, inner-textual scale, but also stretches to include the process of medieval students deriving models of behaviour from the reading of literary and legal texts. This also plays into the broad theme suggested by Algazi and White that literature contained templates for social interactions. The fact that law books and literary texts can both be considered teaching tools unites the two genres in a common purpose. This commonality of form and purpose also justifies taking the same close-reading approach to the law books, in order to examine how the legal authors explain various aspects of the law and its administration.

This shared function connects to another broad issue present in both genres this thesis considers: the problem of interpretation. Several texts explore interpretation from a few angles. Firstly, there is the issue of interpretation in the context of concept

acquisition. We can see this at play in a major way in *Perceval* and *Aliscans*. It is also present in almost every textual depiction of a student applying his lessons in a practical context. Secondly, the problem of interpretation is explored in the context of discordant norms. Looking at interpretation in the context of discordant norms adds a deeper layer of nuance to our understanding of the choices made when navigating social and legal systems. Furthermore, this thesis has filled two gaps in existing scholarly literature. Firstly, it has broadened our understanding of the harmonization of conflicting norms, which had previously only been addressed in the context of literary trial scenes. This thesis has expanded that discussion to encompass chivalry, knighthood, the administration of justice, female honour, and the roles of lords and vassals. Secondly, this emphasis on analysis of the *form* of norm transmission, rather than on norm *content*, represents a significant divergence from previous scholarship, which has not considered norms from this perspective.

One way to deepen our understanding of these issues even further is to study the law and literature of medieval Iceland. Icelandic literature serves as a fruitful comparator for a few reasons. The sagas, even more than their French cousins, were engrossed with legal dramas. The heavy focus on legal cases allows for a deeper exploration of ideals of legal expertise than we find in the French texts. This thematically unites the legal texts and literary works, adding nuance to our examination of the law book author. By examining the legal experts in Icelandic sagas, we can enhance our analysis of paradigms of transmission of legal norms. The sagas further connect to the French legal and literary texts in that they convey honour norms and explore both their discordance and harmonization.

Furthermore, medieval France and Iceland had radically different institutional structures. France had a more hierarchical societal and governmental structure, with a tradition of monarchy. Iceland, however, had no tradition of monarchy or government. Its society arguably lacked any institutional framework; it was a rural settlement, independent from Norway until 1262. The economy depended largely on pastured animals. Indeed, the Old Norse word for sheep (fé) is the same word for wealth (fé). There was no formal system of governance. Some of the wealthier farmers might be described as “chieftains”, but this designation is a historical imposition and not reflected in Icelandic language. Despite, or perhaps because of, the lack of formal government, Iceland had a very complex and rigorous legal system. The country was divided into four courts, called the Quarter courts (*fjórðungsdómur*).

The Allthing (*Alþingi*) was a country-wide court that convened every summer. The collection of the laws of medieval Iceland is called the *Grágás*, literally, the Grey Goose Laws.

Regardless of the different institutional structures, both societies produced significant bodies of literature that are concerned with similar themes. By comparing these corpuses of literature, we can perhaps gain insight into how, and whether, the contrasting institutional structures manifest in literary works. This conclusion will briefly consider some textual examples and suggest avenues for future research.

Studying the modes of norm transmission in Icelandic sagas is of particular importance because the sagas themselves express the significance of the mastery of the language of the laws. In saga society, the mastery of legal speech is a crucial component of legal expertise. A few elements of Icelandic vocabulary elucidate this connection between speech and expertise. The Old Norse *mál*, meaning speech, is also used in legal terminology to mean lawsuit. The man who was the closest to what we would understand as a public official in medieval Iceland was called the *lögsogomaðr*, or the Lawspeaker. The *Grágás* defines the role of the *lögsogomaðr* as one bound to speak the laws of the land: “It is prescribed that there shall always be some man in our country who is required to tell the law”:

Sva er en mælt at sa maðr seal vera nockor aualt a lanðe óro er scyldr se til þess
at segia log monnom. oc heitir sa lögsogomaðr.¹

What exactly is entailed in the responsibility of the *lögsogomaðr* (literally, “law-saying man”) to “segia log monnom”? The *Grágás* explains what “telling the law” consists of and, in doing so, makes reference to the role of legal experts:

It is also prescribed that the Lawspeaker shall recite all the sections so extensively that no one knows them much more extensively...And if his knowledge does not stretch so far, then before reciting each section he is to arrange a meeting in the preceding twenty-four hours with five or more legal experts, those from whom he can learn most.²

Although Andrew Dennis, Peter Foote, and Richard Perkins translate *lögmenn* as “legal experts”, the literal translation is simply “law-men”. The existing translation

¹ *Grágás*, p. 116, “lög sögo manz þátr”; *Laws of early Iceland*, trans. Dennis, Foote, and Perkins, p. 187.

² “Þat e roc at logsogo maðr scal sva gerla þátto alla up segia at engi vite eina miclogi gor. En ef honom vinz eigi froþleier til þess. þa scal hann eiga stefno við .v. lögmenn en næsto dogr aðr eða fleire þa er hann ma hellzt geta af aðr hann segi hvern þatt upp.” (*Grágás*, p. 209; *Laws of early Iceland*, trans. Dennis, Foote, and Perkins, p. 188)

probably seeks to impart some of the sense of the passage, which intimates that these *lögmenn* are knowledgeable of the laws. The *lögmenn* would apparently be able to fill in any gaps in the Lawspeaker's memory of the *Grágás*. This passage could perhaps even be interpreted as evidence of a societal division or stratification of people involved in litigation. The emphasis on this other group of *lögmenn*, separate from the *lögsogomaðr*, could suggest that there was a class of people who could be considered legal experts; a group separate from the legal official as well as from ordinary litigants. Indeed, this passage recalls *Glanvill*'s prescription that the king should be "guided by those of his subjects most learned in the laws and customs of the realm".³

The separation of the *lögmenn* from the *lögsogomaðr* is also important in the context of symbolic speech. The *lögsogomaðr* has a role that is distinct from the *lögmenn*, who are utilized in this passage to assist the memory of the *lögsogomaðr*. The separation of these two roles emphasizes the importance of the act of recitation as a distinct and valued ceremony. Even though the *lögmenn* may be more knowledgeable of the laws than the *lögsogomaðr*, it is not their place to recite them. That act is reserved for an official. The act of recitation was taken very seriously; indeed, *Islendingabok* tells us that Grímr Svertingsson had to forfeit his lawspeakership because he became "hoarse" (*hásmæltr*).⁴

The recitation of the laws could have a threefold role: as an act of institutional memory-keeping; as a performance of institutional regularity; and as a ceremony. The fact that the laws are not recited in full each year (rather, they are recited in three parts over the course of three Allthings) could suggest that the laws do not need to be recited *in full* in order to conduct a successful Allthing. This lends weight to the ceremonial import of the recitation. It is clearly not only meant to remind the attendees of the laws, as it does not contain the entirety of the legal code. The *Grágás*, however, does suggest that accuracy in recitation is critical, as evidenced by the following fine: "any man who intrudes on their [*the Lawspeaker and the law-men*] talk without permission is fined three marks." The fact that "that case lies with the Lawspeaker"⁵ suggests that the intrusion is a personal affront to the *lögsogomaðr*. This clause could also suggest that there is a further level of ceremonial importance to the Lawspeaker's meeting with the *lögmenn*.

³ *Glanvill*, p. 2.

⁴ *The Book of the Icelanders*, p. 10; ll. 259-62; See p. 169, below, for further discussion of this passage.

⁵ *Laws of Early Iceland*, trans. Dennis, Foote, and Perkins, p. 188; "oc verðr hverr maðr utlagr iii. Morcom er olofat gengr a mal þeirra. oe (*sic*) a lögsogo maðr soc þa." (*Grágás*, p. 209)

It is clear that speech has a ceremonial and perhaps institutional significance in saga society. So what is the role of direct speech in saga literature? In *Njal's Saga*, direct speech is used to transmit legal strategies. The legal strategies that Njal offers come in the form of advice, recalling the counsel that barons offer their lords in Old French literature. Njal's counsel is extremely valuable, as evidenced by Gunnar's endorsement: "You say something, Njal, since everybody will believe you".⁶ The value of Njal's advice is so great that it becomes almost commodified. Hjalti Skeggjason points out, "He has already paid me, and many others, with his sound advice".⁷

Njal's Saga seems to stress the importance of the mode of norm transmission as much, if not more than, the message being transmitted. The precise effectuation of form is critical. This gestures at the connections between both rhetoric, law, and storytelling. This connection is epitomized in what the law and literature movement theorizes to be the role of the lawyer: the lawyer as legal storyteller. One scene expresses both the need for perfect effectuation of spoken form and the importance of the well-crafted story in legal success. Shortly after Njal is introduced, he is approached by a man named Gunnar, who asks for advice in recovering his kinswoman Unn's property. The advice he receives hinges on Njal's foresight, specifically, his ability to foresee how conversations will transpire. Njal seems to have a prescience for direct speech. The crux of Njal's plan is a spoken exchange between Gunnar and Hrut. The conversation must unfold in a specific way in order for the plan to be successful. In this passage, Njal, exercising both his foresight and his wisdom, describes how the conversation between Hrut and Gunnar will and must proceed:

Hrut will then recite the summons—pay careful attention to every bit of his wording. Then he will ask you to repeat the summons; do so, but do it so badly that no more than every second word is correct. Hrut will laugh and have no suspicions, and he will say that not much was correct in your summons. Blame your companions and say that they distracted you. Then ask Hrut to recite it for you again and to let you recite it after him. He will grant this and recite the summons himself. Recite it after him and say it correctly, and then ask Hrut if the summoning was correct. He will say that no one could fault it. Then say softly,

⁶ *Njal's Saga*, trans. Cook, p. 56; "ok seg þú frá, Njáll...því munu allir trúa" (*Brennu-Njáls Saga*, ed. Sveinsson, p. 90).

⁷ *Njal's Saga*, trans. Cook, p. 198; "Hefir hann áðr selt mér laun ok morgum oðrum í heilræðum sínum" (*Brennu-Njáls Saga*, ed. Sveinsson, p. 296).

but so that your companions could hear, ‘I hereby make this summons in the suit turned over to me by Unn, the daughter of Mord.’⁸

What’s more, the insistence on perfect effectuation of the spoken word recalls Chrétien’s *Perceval*. In that text, special importance is placed on the proper execution of speech, particularly on conversational norms, as we demonstrated in the first chapter of this thesis.⁹

Another parallel with the French sources is the ubiquity of fosterage. In Icelandic saga society, as in the French literature, fosterage is extremely common. The Icelandic literature offers numerous examples of norms being communicated from fosterer to fostered, mirroring the paradigm found in the French sources. A critical difference is the content of the norms being transmitted: in the sagas, the most commonly transmitted norm in the fosterage paradigm is the legal norm. Narratorial comment expresses this relationship in *Njal’s Saga*. Thorhall Asgrimsson is arguably the most skilled lawman in Iceland after Njal’s death. Njal fostered him and trained him in the law: “Thorhall went to Njal’s home and stayed with him for a long time. He loved Njal more than his own father. Njal taught him law so well that he became the greatest lawyer in Iceland.”¹⁰ The narrator qualifies this description slightly as the lawsuit of the Burners vs. the Njalssons approaches: “Thorhall was a vigorous man and resolute in everything. He had learned the law from Njal so well that he was one of the three greatest lawyers in Iceland.”¹¹ The author does not specify what exactly it was that Njal imparted onto Thorhall, beyond that his instruction made Thorhall into an outstanding lawyer. The text perhaps assumes that the Icelandic audience would be automatically cognizant of the legal knowledge Njal would have imparted.

An important nuance of the Icelandic paradigm of transmission of legal knowledge is its occurrence outside of the family unit. Njal chooses his foster-son,

⁸ *Njal’s Saga*, trans. Cook, p. 39; “Þá mun Hrútr stefna, ok skalt þú hyggja at því vandliga, hver atkæði hann hefir. Þá mun Hrútr mæla, at þú skyllir stefna; þú skalt þá stefna, ok skal stefna rangt, svá at eigi sé meir en annat hvert orð rétt. Þá mun Hrútr hlæja, ok mun hann þá ekki gruna þik, en mæla þó, at fátt sé rétt í; þú skalt kenna forunautum þínum, at þeir hafi glapit þik. Þá skalt þú biðja Hrút, at hann mæli fyrir þér, ok biðja, at hann lefði, at þú mælir eptir; hann mun þat leyfa þér ok stefna sjálfir málinu; þú skalt þegar stefna eptir ok mæla þá rétt ok spyrja þá Hrút, hvárt rétt sé stefnt. Hann mun svara, at þat megi eigi ónyta; þá skalt þú mæla lágt, svá at forunautar þínir heyri: ‘Stefni ek handseldri sok Unnar Marðardóttur.’” (*Brennu-Njáls Saga*, ed. Sveinsson, p. 62).

⁹ See Chapter 1 for a more nuanced discussion of this issue.

¹⁰ *Njal’s Saga*, trans. Cook, p. 45; “En eptir veizluna bauð Njáll Þórhalli Ásgrímssyni til fósturs, ok fór hann til hans ok var með honum lengi síðan. Hann unni meira Njáli en foður sínum. Njáll kenndi honum log, svá at hann varð mestr logmaðr á Íslandi” (*Brennu-Njáls Saga*, ed. Sveinsson, p. 74).

¹¹ *Njal’s Saga*, trans. Cook, p. 187; “Þórhallr var roskr maðr ok harðgorr í ollu. Hann hafði numit svá log at Njáli, at hann var inn þriði mestr logmaðr á Íslandi” (*Brennu-Njáls Saga*, ed. Sveinsson, p. 279)

Thorhall, to be his student in the law, even though he has several sons. Njal's judgement, expressed in his choice of Thorhall as the next pre-eminent legal expert, is instrumental in the perpetuation of Icelandic legal regularity. This perhaps suggests that in terms of legal expertise, the judgement of the experts trumps birthright. The full passage of text that introduces Thorhall, part of which was examined above, could support this point. The full passage reads: "Thorhall...had learned the law from Njal so well that he was one of the three greatest lawyers in Iceland. Spring came early that year, and men sowed their grain early."¹² This image of sowing the grain early, situated directly after Thorhall's introduction, emphasizes Njal's foresight. Just as the Icelanders sow their grain early, so Njal plants the seed of a great lawyer in the young Thorhall: the man who will one day avenge his death. Furthermore, the passage recalls *Perceval* yet again, wherein Chrétien uses the grain-sowing metaphor to initiate discourse on Perceval's education.

Non-saga sources can shed some light on the transmission of legal expertise within medieval Icelandic society. Although legal expertise does not seem to be transmitted within family lines in the context of *Njal's Saga*, we have evidence that the office of the Lawspeaker passed within Icelandic families. The *Grágás* prescribe that when a Lawspeaker dies, the process of appointment is not to be directly influenced by familial ties: "a man from the quarter in which he last had his home is to be selected to recite the assembly procedure the following summer. Men are then to appoint a new Lawspeaker and make the decision who it is to be on Friday before suits are published."¹³ In *Íslendingabók*, however, Ari records the known Lawspeakers according to the accounts of Bishop Gizur and other wise men. The knowledge of the holders of the lawspeakership is passed within families from men to men:

The terms of office of all those lawspeakers who came earlier than my memory extends are written down in this book according to his account, and his brother Þórarinn and his father Skeggi and other wise men told him about the terms of those who came earlier than his memory extends, in accordance with what Bjarni

¹² *Njal's Saga*, trans. Cook, p. 187; "Nú vátar snemma um várit, ok færðu menn snemma niðr korn sín" (*Brennu-Njáls Saga*, ed. Sveinsson, p. 279).

¹³ *Laws of early Iceland*, trans. Dennis, Foote, and Perkins, p. 187; "En ef lögsögu manz missir við. þa seal or þeim fiorðungi taca man til at segia þing scop upp ct (*sic*) naesta sumar er hann hafði siðarst heimili í. Menn scolo þa taca ser lögsögu man oc sysla þat fosto dag hverr vera scal aðr sacir sc lystar." (*Grágás*, p. 116).

the Wise, their paternal grandfather, had said, who remembered Þórarinn the lawspeaker and six of his successors.

At hans sögu er skrifud ævri allra logsögumanna á bók þessi, þeir er váru fyrir vart minni, en honum sagði Þórarinn bróðir hans ok Skeggi faðir þeirra ok fleiri spakir menn til þeirra ævi, er fyrir hans minni váru, at því er Bjarni inn spaki hafði sagt, foðurfaðir þeirra, er mundi Þórarinn logsögumann ok ví. aðra síðan.¹⁴

Ari recounts the passing of the office of the Lawspeaker from Thorkell Máni, the son of Thorsteinn, who was Lawspeaker for fifteen summers. The office then passed to Thorkell's son, Þorgeirr, who held it for seventeen summers:

Þorkell máni, son of Þorsteinsson Ingólfsson, took up the office of lawspeaker after Þórarinn Ragi's brother held it for fifteen summers; then Þorgeirr Þorkelsson of Ljósavatn held it for seventeen summers.

Þorkell máni Þorsteinsson Ingólfssonar tók logsögu eftir Þórarinn Ragabróður ok hafði xv. sumur. Þá hafði Þorgeirr at Ljósavatni Þorkelsson xvii. sumur.¹⁵

Additionally, through an apparently slightly unusual arrangement in which special permission is granted, the Lawspeakership passes from Grímr to his nephew, Skapti:

Grímr Svertingsson at Mosfell took up the office of lawspeaker after Þorgeirr and held it for two summers, but then he got permission for his sister's son, Skapti Þóroddsson, to hold it, because he himself was hoarse.

“Grímr at Mosfelli Svertingsson tók logsögu eftir Þorgeir ok hafði ii. sumur, en þá fekk hann, af því at hann lof til þess, at Skapti Þóroddsson hefði, systursonr hann, af því at hann var hásmæltr sjálf”.¹⁶

The office also passed from Kolbeinn to his nephew Sighvatr. Although there appear to be few direct father-to-son transfers of the Lawspeakership recorded in *Íslendingabók*, familial transfers were evidently not eschewed.

So why did Njal not pass on his aptitude for legal brilliance to his children, or even attempt to instruct them in the discipline of which he was master? The answer perhaps lies in Njal's judgement and foresight, as mentioned above. It also parallels the paradigm of knightly education occurring in the context of fosterage, outside of the father-son relationship, in French sources.

The parent-child relationships in *Njal's Saga* provide another echo of the French sources, both in terms of literary mechanics and characterizations. We see

¹⁴ *The Book of the Icelanders*, p. 11; ll. 314-19.

¹⁵ *The Book of the Icelanders*, p. 7; ll. 153-55.

¹⁶ *The Book of the Icelanders*, p. 10; ll. 259-62.

many complicated and disappointing children throughout the saga. Gunnar's children epitomize both potential outcomes for a child: he has two sons, one good, one hopelessly bad. The children are so diametrically opposed other that they exemplify the problematic and unreliable transmission of aptitudes within family lines. Furthermore, this stark contrast between Gunnar's sons recalls the French literary technique that this thesis demonstrates: that of the juxtaposition of examples of good and bad behaviour. Although this avenue certainly requires further detailed research, we will now show just a few examples of how parent-to-child transmission functioned in sagas.

We have seen that some of the French sources feature scenes of motherly instruction toward her son or to other adult males. Although there is much to be said about this particular paradigm in the Icelandic texts, I will touch upon one especially interesting scene. In *Egil's Saga*, the eponymous character's mother instructs Egil on honour norms. Notably, this instruction happens when Egil is a child, specifically, seven years of age. This is unlike the examples of this paradigm in *Raoul de Cambrai* and *Perceval*, where adolescent and adult males are the recipients of motherly counsel. Egil, playing with other children in a "ball game", comes up short against an older and bigger boy, Grím. In retaliation, Egil sinks an axe into Grím's brain, an act that, it is implied by the narrative, is perhaps an overreaction.

Narratorial comment communicates Egil's parents' reactions to the reader. Indirectly, the reader learns that Egil's father is displeased. Egil's mother, Bera, has a different reaction. She couches her reply in terms of honour norms, stating (again, by indirect speech) that "Egil was of true viking stuff (*víkingsefni*); and...that as soon as he was old enough he should be provided with ships-of-war".¹⁷ Bera redirects her son's violent impulse away from the inappropriate context (a non-violent children's game) into the correct domain. In doing so, she recognizes and encourages adherence to honour norms that will serve him well as a warrior. The scene also recalls *L'Histoire de Guillaume le Maréchal*, specifically, the game played by Stephen and a child William, which, as this thesis argues, foreshadows William's success as a warrior. The use of this paradigm in *Egil's Saga* diverges from the French sources, however, in that narratorial comment, rather than direct speech, is the method of

¹⁷*Egil's Saga*, trans. Jones, p. 99; "en Bera kvad Egil vera víkingsefni ok kvad pat mundu fyrir liggja, þegar hann hefði aldr til, at honum væri fengin herskip" (*Egils saga Skalla-Grimssonar*, ed. Nordal, p. 100).

transmission. An expanded study of this paradigm in Icelandic *fornaldarsögur* would be needed to ascertain which transmissive mode is most frequently used with this paradigm.

Heiðreks saga features a particularly pertinent example of father-to-son instruction that parallels much of what we have examined in the French romances. *Heiðreks saga*, one of the *fornaldarsögur*, tells the tale of Höfund's advice to his son Heidrek. This structure recalls a few episodes in French romance, most clearly, Bademagu's instruction of his wayward son, Meleagant, in Chrétien's *Lancelot*. Christopher Tolkien writes, in his critical edition, that "Much of the central prose section is taken up with the story of how Heidrek disregarded all his father's good advice, and with what result."¹⁸ Heidrek's continuous and blatant rejection of his father's advice is a distorted echo of Perceval, who continuously misapplies the advice of his various teachers. Tolkien suggests that Heidrek's insouciance is not based in a failure of concept of acquisition and interpretation, but, rather, that "Heidrek was testing the validity of his father's advice".¹⁹

The saga's introduction of Heidrek recalls the trope discussed above, that is, of a family having two sons who oppose each other diametrically: "They had two sons; the elder was called Angantýr, and the younger Heidrek...as much good as Angantýr did, so much more mischief than any other man did Heidrek do".²⁰ Notably, the author mentions that Heidrek was sent away to Gizur to be fostered, but does not mention Angantýr being sent away. After a misdeed, Höfund banishes Heidrek. It is only at the urging of the queen Hervör that Höfund does not send Heidrek away empty-handed, instead deigning to bestow upon him some advice. Höfund gives him six pieces of advice, some of which seem tinged with sarcasm. Heidrek picks up on his father's tone, saying "that Höfund had given this advice with evil intent and that he was not obliged to observe it".²¹ Although this statement is made with the significantly weighty baggage of a lifetime of antagonistic relations, it does add nuance to our understanding of norms of advice-giving. Perhaps the intent behind instruction is significant as well.

¹⁸ *The Saga of King Heidrek*, trans. Tolkien, p. xiv.

¹⁹ *The Saga of King Heidrek*, trans. Tolkien, p. xiv.

²⁰ "Þau áttu tvá sonu; hét inn eldri Angantýr, en inn yngri Heiðrekr...En svá mart gott sem hann gerði, þá gerði Heiðrekr engum manni færa þat illt var" (*The Saga of King Heidrek*, trans. Tolkien, p. 21).

²¹ "Heiðrekr sagði at hann hefði við illan hug ráðit, ok kvað sér mundu óskylt at hafa" (*The Saga of King Heidrek*, trans. Tolkien, p. 22).

Some of Höfund's counsel echoes honour norms expressed in the French literature. Counsels one and two, for example, prescribe "that he give no help to a man who has slain his lord" and "second, never to deliver a man who has murdered his fellow".²² The remainder of the counsels seem random at first glance, but have repercussions in terms of the plot. The final piece of advice proves to be particularly pertinent: "never to foster the son of a man more powerful than he is himself".²³ Similar to the instances of father-son transmission in the French sources, the saga uses direct speech to communicate the advice from father to son.

Konung's Skuggsjá, or *The King's Mirror*, is structured as a tome of advice from father to son. Although the text is Norwegian, rather than Icelandic, its relevance in form and content, as well as the frequent travel and contact between Iceland and the Norwegian court, make it valuable for study. Laurence Marcellus Larsen, in his critical edition, states that the "purpose of the work is to provide a certain kind of knowledge which will be of use to young men who are looking forward to a career in the higher professions".²⁴ The instruction in *Konung's Skuggsjá* is couched in direct speech. Larsen explains: "The son asks questions and suggests problems, which the father promptly answers or solves...the dialog (*sic*) was frequently used by didactic writers in the middle ages, and it was the natural form to adopt".²⁵ The impetus for learning springs from the son, a phenomenon that does not often appear in the French sources. The son writes, at the outset of *Konung's Skuggsjá*, "Inasmuch as my father was still living and loved me well, I thought it would be better to seek his counsel than after a slight consideration to reach a decision which might displease him. So I hastened to my father and laid the whole problem before him."²⁶ The son's consideration that it would be best to seek advice while his father "loved him well" echoes Heidrek's repudiation of Höfund's counsel based on Höfund's ill will. This contributes to our understanding of the father-son paradigm, perhaps reinforcing the notion that advice from a loving father is more valuable. Both *Konung's Skuggsjá* and *Heiðreks Saga* would be fruitful avenues for future research, particularly with respect

²² "en þó, er þú biðr þessa, drottnight, þat ræð ek honum it fyrsta ráð, at hann hjálpi aldri þeim manni, er drepit hefir lánardrottin sinn. Þat ræð ek honum anant, at hann gefi þeim manni aldri fríun, er myrðan hefir félaga sinn" (*The Saga of King Heidrek*, trans. Tolkien, p. 22).

²³ "þat it séttá, at hann fóstri aldri gofugra manns barn en hann er sjálfir" (*The Saga of King Heidrek*, trans. Tolkien, p. 22).

²⁴ *The King's Mirror*, trans. Lawson, p. 6.

²⁵ *The King's Mirror*, trans. Lawson, p. 7.

²⁶ *The King's Mirror*, trans. Lawson, p. 73.

to the modes of norm transmission and the processes of concept acquisition and interpretation engaged in by the two sons.

Perhaps the most relevant comparison yet to be explored is that between paradigms of norm transmission in French sources and in the *riddarasögur*. *Riddarasögur*, which literally translates as “the horsemen’s sagas”, is the term given to a group of Old Norse translations of French and Latin romances. The direct source translation provides a rare opportunity to examine the act of cultural interpretation. By examining the differences and similarities between the paradigms of norm transmission in the originals and translation, we could gain new insight into literary technique, educational models, and ideals of expertise.

To return to a theme discussed in our Introduction, how far does Anglo-Norman and Old French literature succeed in “establishing justice and telling stories”?²⁷ Perhaps the question we should be asking is actually: how much is the process of establishing justice tied up in the process of telling stories? If we accept that “Romance...is inseparable from the consciousness of social and political processes in the secular world”,²⁸ then it becomes possible to see in literature the expression of contemporary concerns. The storytellers this thesis has considered, both legal and literary, showcase the instances where the administration of justice is fraught. Literature and law books both express the moments where the proper dispensation of justice is vulnerable to the violent throws of human nature, which often do not align with the ideal of swift and fair administration of the law. What’s more, these moments are often loci of conflicting norms.

So what does this evidence presented by this thesis demonstrate? It shows that there may be indications in the rhetorical fabric of this corpus of literature that reflect the interpretative and edificatory processes in which the medieval reader was engaged. The systematic identification of modes of norm transmission and the subsequent discussion of potential transmissive paradigms, represents a new foray into scholarship that seeks to understand the medieval conception of verse literature and legal writing. Not only does this evidence demonstrate that the medieval poet and legal writer may have consciously used rhetorical devices to signal moments where discordant norms intersect, it also shows that rhetoric may have been conceived of as a tool to harmonize these conflicting norms. Perhaps the exploration of, and the

²⁷ See p. 12.

²⁸ See p. 18.

attempt to reconcile, these normative conflicts is the main concern of Anglo-Norman and Old French literature. The harmonization of discordant norms is, after all, “more likely to be a subject for poetry”.²⁹

²⁹ See pp. 16, 47.

Appendix

List of Literary Texts Considered

- Introduction
 - *Der Welsche Gast*; Middle High German; Thomasîn von Zerclære (ca. 1186-1259)⁵¹⁶
 - *Urbain le Courtois*; first half of 13th century; anonymous poet⁵¹⁷; Anglo-Norman
- Chapter 1
 - *Perceval, ou le conte du grail*; 1180-1190; Chrétien de Troyes; dialectical elements from Champagne area⁵¹⁸.
 - *Aliscans*; between 1160 and 1190⁵¹⁹; anonymous poet; Old French/Picard
- Chapter 2
 - *L'Histoire de Guillaume le Maréchal*; first quarter of 13th century; Jehan; Anglo-Norman
- Chapter 3
 - *Graelent*; 12th century; anonymous poet, previously attributed to Marie de France; Old French
 - *Guingamor*; 12th century; anonymous poet, previously attributed to Marie de France; Old French
 - Marie de France, second half of 12th century, Old French:
 - *Le Fresne*
 - *Yonec*
 - *Laüstic*; perhaps early 1150s⁵²⁰
 - *Milun*
 - *Chevrefoil*
 - *Lanval*
 - *Guigemar*
 - *Eliduc*
 - *Les Dues Amanz*
 - *Bisclavret*; perhaps early 1150s⁵²¹
 - *Chaitivel*
 - *Equitan*; perhaps early 1150s⁵²²
 - *Le Chanson de Roland*; early 12th century; Anglo-Norman
 - *Raoul de Cambrai*; 12th-13th century; Old French
 - *Li Chevaliers as Deus Espees*; around 1250; anonymous poet; Old French
 - *The Romance of Horn*; 1170; French with elements of Anglo-Norman and links to Loire valley and Poitou⁵²³; Thomas
 - *Amis e Amilun*; late 12th century; Anglo-Norman; anonymous poet⁵²⁴

⁵¹⁶ *Der Welsche Gast*, trans. Gibbs and McConnell, p. 1.

⁵¹⁷ Johan Vising, *Anglo-Norman*, p. 63.

⁵¹⁸ Chrétien, *Arthurian Romances*, trans. Kibler, p. 4.

⁵¹⁹ Ferrante, *Four Twelfth-Century Epics*, p. 16.

⁵²⁰ Marie de France, *Lais*, p. 13.

⁵²¹ Marie de France, *Lais*, p. 13.

⁵²² Marie de France, *Lais*, p. 13.

⁵²³ *The Birth of Romance*, trans. Weiss, p. xiii.

⁵²⁴ *The Birth of Romance*, trans. Weiss, p. xxvii.

- *Cligés*; about 1176⁵²⁵; dialectical elements from Champagne area; Chrétien de Troyes
- *Haveloc*; between 1190 and 1220; language “not far removed from Continental French”⁵²⁶; anonymous poet
- *Le Chevalier de la Charrette*; dialectical elements from Champagne area; Chrétien de Troyes; late 1170s⁵²⁷
- *Le Chevalier au Lion*; dialectical elements from Champagne area; Chrétien de Troyes; late 1170s⁵²⁸
- *Érec et Énide*; dialectical elements from Champagne area; Chrétien de Troyes; shortly after 1169⁵²⁹
- *The Romance of Tristan*; 12th century, Anglo-Norman, Bérout
- Conclusion
 - Icelandic works: all written in Old Norse
 - *Njal’s Saga*, late 13th century, anonymous author
 - *Heiðreks saga*, 13th century
 - *Konung’s Skuggsjá*, around 1250
 - *Islendingabok*, 12th century, Ari Þorgilsson
 - *Egil’s Saga*, about 1240, probably Snorri Sturluson

⁵²⁵ Chrétien, *Arthurian Romances*, trans. Kibler, p. 7.

⁵²⁶ *The Birth of Romance*, trans. Weiss, p. xxvii.

⁵²⁷ Chrétien, *Arthurian Romances*, trans. Kibler, p. 9.

⁵²⁸ Chrétien, *Arthurian Romances*, trans. Kibler, p. 9.

⁵²⁹ Chrétien, *Arthurian Romances*, trans. Kibler, p. 6.

Bibliography

Printed primary sources

- Aliscans*, ed. by Claude R gnier, 2 vols (Paris, 1990)
Amis and Amiloun, ed. by Eugen K lbing (Heilbronn, 1884)
B roul, *The Romance of Tristan*, trans. by Alan S. Fedrick (London, 1978)
———, *Tristan*, ed. by Ernest Muret (Paris, 1922)
The Birth of Romance, trans. by Judith Weiss (London, 1992)
Boethius, *Commentarii in librum Aristotelis Peri Hermeneias: Editio Prima*, ed. by Carl Meiser (Leipzig, 1877)
The Book of the Icelanders—The Story of the Conversion, ed. by Anthony Faulkes and Alison Finlay, trans. by Si n Gr nlie (London, 2006)
Bracton Online, < <http://bracton.law.harvard.edu> >
Brennu-Nj ls Saga, ed. by Einar  l. Sveinsson (Reykjav k, 1954)
Li Chevalier as Deus Espees, ed. by Wendelin Foerster (Amsterdam, 1966)
Chr tien de Troyes, *Arthurian Romances*, trans. by W. W. Kibler (London, 1991)
———, *Le Chevalier au Lion (Yvain)*, ed. by Mario Roques (Paris, 1999)
———, *Le Chevalier de la Charrette*, ed. and trans. by Catherine Croizy-Naquet (Paris, 2006)
———, *Clig s*, ed. by Wendelin Foerster (Halle, 1921)
———, * rec et  nide*, ed. by Mario Roques (Paris: 2009)
———, *Le Roman de Perceval ou Le Conte du Graal*, ed. by William Roach, 2nd edn (Geneva, 1959)
Coutumes de Clermont en Beauvaisis, Philippe de Beaumanoir, ed. By Am. Salmon (Paris, 1900)
Egil's Saga: Translated from the Old Icelandic, trans. by Gwyn Jones (Syracuse, N.Y., 1960)
Egils saga Skalla-Gr mssonar, ed. by Sigu dur Nordal (Reykjav k, 1933)
Les  tablissements de Saint Louis, ed. by Paul Viollet, 4 vols (Paris, 1881-1886)
The Etablissements de Saint Louis, Thirteenth-Century Law Texts from Tours, Orl ans, and Paris, Trans. and with an Introduction by F. R. P. Akehurst (Philadelphia, 1996)
Gr g s, ed. by Vilhj lmur Finsen (Copenhagen, 1852)
Guillaume d'Orange: Four Twelfth-Century Epics, trans. by Joan M. Ferrante (New York, 1974)
Guingamor, in *Guingamor, Lanval, Tyolet, le Bisclaveret*, trans. by Jess L. Weston (London, 1900)
L'Histoire de Guillaume le Mar chal, ed. by Paul Meyer, 3 vols (Paris: 1841)
History of William Marshal, ed. by A. J. Holden, trans. by S. Gregory, 3 vols, (London, 2002-2006)
The King's Mirror, trans. by Laurence Marcellus Lawson (New York, 1917)
The Knight of the Two Swords, ed. and trans. by Ross G. Arthur and Noel L. Corbett (Gainesville, 1996)
Le Lai de Guingamor, ed. by Erhard Lommatzsch and Max Leopold Wagner (Berlin, 1922)
Le Lai d'Haveloc, ed. by Alexander Bell (Manchester: 1925)
Laws of early Iceland : Gr g s, the Codex Regius of Gr g s, 2 vols, ed. and trans. by Andrew Dennis, Peter Foote, and Richard Perkins (Winnipeg, 1980-2000)
De legibus et consuetudinibus Angliae: Henricus de Bracton, 4 vols, ed. by George E. Woodbine, trans. by S. E. Thorne (Cambridge, 1968-1977)
Marie de France, *The Lais of Marie de France*, ed. and trans. by Glyn S. Burgess and Keith Busby (London, 2003)

- , *Poésies: poète Anglo-Normand du xiii^e siècle*, ed. and trans. by B. de Roquefort, 2 vols (Paris: 1820-32), i: *Lais* (1832)
- Njal's Saga*, trans. by Robert Cook (London: 2001)
- Nouveau Coutumier General, ou, Corps des Coutumiers Generales et Particulieres de France et des Provinces*, ed. by M. Charles A. Bourdot de Richebourg (Paris: 1700)
- Patent Rolls, I Henry III
- Philippe de Beaumanoir, *The Coutumes de Beauvaisis*, ed. and trans. by F. R. P. Akehurst (Philadelphia, 1992)
- Raoul de Cambrai*, ed. and trans. by Sarah Kay (Oxford, 1992)
- The Romance of Horn*, ed. by Mildred K. Pope (Oxford, 1955)
- The Saga of King Heidrek the Wise*, trans. by Christopher Tolkien (London, 1960)
- The Song of Roland*, ed. and trans. by Gerald J. Brault (University Park, 1978, 1981)
- Thomasin von Zirclaria, *Der Wälsche Gast*, ed. by Heinrich Rückert (Quedlinburg: 1852)
- , *Der Welsche Gast*, trans. by Marion Gibbs and Winder McConnell (Kalamazoo, 2009)
- The Treatise on the Laws and Customs of the Realm of England Commonly Called Glanvill*, Edited with Introduction, Notes, and Translation by G.D.G. Hall

Dictionaries

- Anglo-Norman Dictionary Online* (Aberystwyth, Swansea) <<http://www.anglo-norman.net>>
- Godefroy, Frédéric (1880-1895), *Dictionnaire de l'ancienne langue française et de tous ses dialectes du IX^e au XV^e siècle* (Paris, 1880-1895)
- Hindley, Alan, Langley, Frederick W., and Levy, Brian J., *Old French-English Dictionary* (Cambridge, 2006)
- Oxford English Dictionary Online*, <<http://www.oed.com>>

Secondary sources

- Baron, Jane, "Law, Literature, and the Problems of Interdisciplinarity", *Yale Law Journal*, 108 (1999), 1059-85
- Bennett, Matthew, "Poetry as History? The Roman de Rou of Wace as a Source for the Norman Conquest", *Anglo-Norman Studies*, 5 (1982), 21-39
- Bloch, R. Howard, *Medieval French Literature and Law* (Berkeley, 1977)
- Brooks, Peter, and Paul Gewirtz, eds., *Law's Stories: Narrative and Rhetoric in the Law* (New Haven, 1996)
- Calin, William, *The French Tradition and the Literature of Medieval England* (Toronto, 1994)
- Comaroff, John L. and Roberts, Simon, *Rules and processes: the cultural logic of dispute in an African context*. (Chicago, 1981)
- Crouch, David, *William Marshal: Court, Career, and Chivalry in the Angevin Empire, 1147-1219* (London, 1990)
- Dean, Ruth J., "A Fair Field Needing Folk: Anglo Norman", *PMLA*, 69 (1954), 965-78
- , *Anglo-Norman Literature: A Guide to Texts and Manuscripts* (London, 1999)
- Fish, Stanley, "Working on the Chain Gang: Interpretation in the Law and in Literary Criticism", *Critical Inquiry*, 9 (1982), 201-216.
- Freeman, Michael, and Andrew D. E. Lewis, eds., *Law and Literature*, XX vols (Oxford, 1999)
- Gaunt, Simon, and Sarah Kay, eds., *The Cambridge Companion to Medieval French Literature* (Cambridge, 2009)

- Górecki, Piotr, "A Historian as a Source for Law: Abbot Peter of Henryków and the Invocation of Norms in Medieval Poland, c. 1200-1270", *Law and History Review* (2000), 479-524
- Hogan, Patrick Colm, "On Reading Law as Literature", *College Literature*, 25 (1998), 231-36
- Holmes, Urban Tigner Jr., *A History of Old French Literature from the Origins to 1300* (New York, 1962)
- Hudson, John, *Land, Law, and Lordship in Anglo-Norman England* (Oxford, 1994)
- Hudson, John, and Rodríguez, Ana, eds., *Diverging paths? : The Shapes of Power and Institutions in Medieval Christendom and Islam* (Leiden: 2014)
- Hunt, Tony, *Yvain (Le chevalier au lion)* (London, 1986)
- Kaeuper, Richard W., "Review of *The " Coutumes de Beauvaisis " of Philippe de Beaumanoir*, ed. by F. R. P. Akehurst", *Speculum*, 69 (1994), 741-42
- Karras, Ruth Mazo, Joel Kaye, and E. Ann Matter, eds., *Law and the Illicit in Medieval Europe* (Philadelphia, 2010)
- King, Edmund, "Dispute Settlement in Anglo-Norman England", *Anglo-Norman Studies*, 14 (1992) 115-30
- Kinoshita, Sharon, *Medieval Boundaries: Rethinking Difference in Old French Literature* (Philadelphia, 2006)
- Krueger, Roberta L., "Teach your children well: Medieval conduct guides for youths", in *Medieval Conduct Literature : An Anthology of Vernacular Guides to Behaviour for Youths, with English Translations* (Toronto, 2009), pp. ix-xxxiii
- Legge, M. Dominica, *Anglo-Norman Literature and Its Background* (Oxford: 1963)
- Ménard, Phillipe, "Tenir le chef embronc, croller le chief, tenir la main a la maissele, Trois attitudes de l'ennui dans les chansons de geste du XIIe siècle", in *Société Rencesvals, Quatrième Congrès International, Actes et Mémoires* (Heidelberg, 1969), pp. 145-55.
- Miller, William I., *Bloodtaking and Peacemaking: Feud, Law, and Society in Saga Iceland* (University of Chicago Press, 1990)
- , *"Why is your axe bloody?": A Reading of Njáls saga* (Oxford University Press, 2014)
- Minda, Gary, "Law and Literature at Century's End", *Cardozo Studies in Law and Literature*, 9 (1997), 245-58
- Mitchell, Laurence E., "Understanding Norms", *The University of Toronto Law Journal*, 49 (1999), 177-248
- Orme, Nicholas, "The Culture of Children in Medieval England", *Past & Present*, 148 (1995), 48-88
- Pantazakos, Michael, "Ad Humanitatem Pertinent: A Personal Reflection on the History and Purpose of the Law and Literature Movement", *Cardozo Studies in Law and Literature*, 7 (1995), 31-71
- Paris, Gaston, *Medieval French Literature*, trans. by Hannah Lynch (London, 1903)
- Parsons, Rosamond H., "Anglo-Norman books of courtesy and nurture", *PMLA*, 44 (1929), 383-455
- Peters, Julie Stone, "Law, Literature, and the Vanishing Real: On the Future of an Interdisciplinary Illusion", *Modern Language Association*, 2 (2005), 442-53
- Posner, Richard, *Law and Literature: Revised and Enlarged Edition* (Cambridge, MA, 1998)
- Read, Stephen, "Concepts and Meaning in Medieval Philosophy", in *Intentionality, Cognition, and Mental Representation in Medieval Philosophy*, ed. by Gyula Klima (New York, 2014), pp. 9-28
- Rio, Alice, *Legal Practice and the Written Word in the Early Middle Ages: Frankish Formulae, c. 500-1000* (Cambridge, 2009)

- Rothwell, William, "Anglo-Norman Perspectives", *Modern Language Review*, 70 (1975), 41-49
- Short, Ian, "Patrons and Polyglots: French Literature in Twelfth-Century England", *Anglo-Norman Studies*, 14 (1992), 229-48
- Stein, Robert M., *Reality fictions: romance, history, and governmental authority, 1025-1180* (Notre Dame, 2006)
- Tuten, Belle S., and Tracey L. Billado, eds., *Feud, Violence and Practice: Essays in Medieval Studies in Honor of Stephen D. White* (Burlington, VT, 2010)
- Vance, Eugene, *Mervelous Signals: Poetics and Sign Theory in the Middle Ages* (Lincoln, 1989)
- Vising, Johan, *Anglo-Norman Language and Literature* (London, 1923)
- Ward, Ian, *Law and Literature* (Cambridge, 1995)
- Weisberg, Richard, "The Codification of Western Law and the Poethics of Disclosure", *Cardozo Studies in Law and Literature*, 6 (1994), 157-70
- , "Wigmore and the Law and Literature Movement", *Law and Literature*, 21 (2009), 129-45
- , *Poethics, and Other Strategies of Law and Literature* (New York, 1992)
- West, Robin, *Narrative, Authority, and Law* (Ann Arbor, 1993)
- White, James Boyd, "Law as Rhetoric, Rhetoric as Law: The Arts of Cultural and Communal Life", *The University of Chicago Law Review*, 52 (1985), 684-702.
- , "'Our Meanings Can Never Be the Same': Reflections on Language and Law", *Rhetoric Society Quarterly*, 21 (1991), 68-77
- , *The Legal Imagination: Abridged Edition* (Chicago, 1985)
- White, Stephen D., 'Proposing the Ordeal and Avoiding It: Strategy and Power in Western French Litigation, 1050-1110', in Thomas Bisson (ed.), *Cultures of Power: Lordship, Status and Process in Twelfth-Century Europe* (Philadelphia, 1995), pp. 89-123
- , "Review of *The Etablissements de Saint Louis: Thirteenth-Century Law Texts from Tours, Orléans, and Paris*, ed. by F. R. P. Akehurst", *Speculum*, 74 (1999), 115
- , *Custom, Kinship, and Gifts to Saints* (Chapel Hill, 1988)
- Wigmore, John, "A List of 100 Legal Novels", *Illinois Law Review*, 17 (1922-32), 26-41