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Private Matters: The Place of Privacy in English Legal Records, Romances, and Letters, 1300-1500

Christine Kozikowski

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Christine E. Kozikowski

Candidate

Department of English Language and Literature

Department

This dissertation is approved, and it is acceptable in quality and form for publication:

Approved by the Dissertation Committee:

Dr. Anita Obermeier, Chairperson

Dr. Helen Damico

Dr. Timothy Graham

Dr. Michael Hanly

**Private Matters:
The Place of Privacy in English Legal Records,
Romances, and Letters, 1300-1500**

by

Christine Kozikowski

**B.A., English and French, Rosemont College, 2000
M.A., Medieval Studies, Western Michigan University, 2006
Ph.D., English, University of New Mexico, 2013**

DISSERTATION

**Submitted in Partial Fulfillment of the
Requirements for the Degree of**

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**PRIVATE MATTERS:
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ABSTRACT

As a result of the growth of cities and the rise of a merchant class in later medieval England, the desire for privacy began to emerge alongside an increase in personal consciousness. In my dissertation, I examine the place of privacy in fourteenth- and fifteenth-century England by juxtaposing elements of the private such as access, intimacy, and withdrawal in historical documents such as court records and marriage customs against canonical literature including, but not only, Chaucer's *Troilus and Criseyde*, *Sir Gawain and the Green Knight*, and Malory's *Le Morte Darthur*. My study explains the dynamics between privacy and place in urban property, romance beds, marriage, and widowhood by utilizing a theoretical framework developed by modern geographers; expanding on their ideas, I consider how the locative, the material, and the social influenced people's notions of privacy, and how the literature reflects those ideals. In these narratives, the way that people react to expectations of place, both geographical and social, simultaneously suggests a self-conscious political positioning and a rejection of the dominant ideology that determined proper behavior. In my research, I put court records, romances, and letters in conversation with one another to analyze an unexplored discourse on medieval privacy. My dissertation reshapes our understanding of medieval place, space, and identity and redefines the historical narrative by identifying privacy and individuality as cultural elements of the late Middle Ages.

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INTRODUCTION

EXPLORING MEDIEVAL NOTIONS OF PRIVACY

Place is as requisite as the air we breathe,
the ground on which we stand, the bodies we have.

We are surrounded by places.

We walk over them and through them.

We live in places, relate to others in them, die in them.

Nothing we do is unplaced. How could it be otherwise?

How could we fail to recognize this primal fact?

Edward Casey, from *The Fate of Place*¹

Unless the idea of place is brought specifically to their attention, people often overlook how it controls and determines both their behavior and relationships with others. Place is, as Edward Casey asserts, an integral aspect of culture, simultaneously creating and being created by it. Through place, the locative, the material, and the social become interconnected, and nowhere is this clearer than in examinations of the private and the public in England in the late Middle Ages. Individuals' understanding of the characteristics of the private shift in accordance with their relationships to property, location, or social status, and this is reflected in both historical documents and literary texts.

In my examination of privacy in late medieval England, I explore how the idea of what was private and what was not varied in relation to both physical and social places for each gender. My study seeks to explain the dynamics between the private and place in certain areas of society such as urban property, beds, marriage, and widowhood by utilizing a theoretical framework developed by the modern geographers Tim Cresswell, Michel de Certeau, and Henri Lefebvre. I expand their ideas to consider the locative, the material, and the social, and how derivatives like (dis)place, (mis)place, (re)place, or being placed in narratives reveal people's

¹ Casey, *Fate of Place: A Philosophical History* (Berkeley: University of California Press, 1997), ix.

notions of privacy. I set the prefixes in parentheses to suggest the double meaning of *place* in its theoretical sense in combination with the full sense of the word, or both/and. In this study, the terms, “the private” and “privacy” refer to situational characteristics or qualities that have various meanings under the wide umbrella concept that makes up privacy. The following case recorded in the rolls of the London Assize of Nuisance illustrates the interconnectivity of notions of the private and place upon which I begin my argument.

In London in 1376, William de Pountefreyt was summoned to court by his neighbors, William and Felicia Chaloner, because he allowed the wall separating their properties to fall into disrepair.² The crumbling wall created multiple problems for the Chaloners; it allowed men and animals to trespass into their yard, to steal their fruit, to ruin their garden, and to see them and their servants while they were inside their house. These complaints reveal concerns critical to the

² London Metropolitan Archives, CLA/040/02/001, m. 37:

Willelmus Pountefreyt civis ⁊ pelliparius Londonie summonitus fuit ad respondendum Willelmo Chaloner et Felicie uxoris eius de placito assise nocumenti ⁊ cetera. Et unde queruntur quod cum iidem Willelmus Chaloner et Felicia ut de iure ipsius Felicie habeant unum tenementum vocatum Euershammesyn cum gardinis ⁊ aliis pertinentiis suis contigiis tenemento et gardino predicto Willelmo Pountefreyt in parochia sancti Dunstani in Fletestrete in suburbio Londonie in vico vocato Faytereslane intus que gardina fuit unus murus terreus ex parte orientali gardini predictorum Willelmo Chaloner et Felicie continens in longitudine centum et viginti pedes qui quidem murus modo confractus ⁊ dirutus est per quod homines ⁊ animalia in gardinum ipsorum Willelmi Chaloner et Felicie uxoris sue ingrediuntur et herbagia et alia in eodem gardino crescencia calcant et consumunt ⁊ fructus in eodem crescentes asportant; ⁊ secreta ipsorum Willelmi Chaloner et Felicie uxoris eius et seruientum suorum ibidem vident per defectum facture et reparationis muri predicti. Quem quidem murum idem Willelmus Pountefreyt facere tenetur secundum consuetudinem civitatis Londonie eo quod idem murus stetit super fundum ipsorum Willelmi Chaloner ⁊ Felicie. ⁊ eundem murum permittit sic fractum ⁊ ubique apertum ad nocumentum ipsorum Willelmi Chaloner ⁊ Felicie uxoris eius ⁊ contra consuetudinem civitatis predictae ⁊ cetera. Et petunt quod facto inde visu per maiorem et Aldermannos prout moris est fiat eis quod secundum consuetudinem civitatis predictae fore viderunt faciendum ⁊ cetera. Et vicarii videlicet Johannes Haddele et Willelmus Neuport alias testati fuerunt quod predictus Willelmus Pountefreyt summonitus fuit per Ricardum Stacy et Henricum Traynel essendus hic ad respondendum super premissis qui quidem Willelmus Pountefreyt habuit inde diem ad hunc diem et ipse modo solempniter vocatus non venit set facit defaultam. Ideo procedatur ad assisam per eius defaultam secundum consuetudinem civitatis predictae ⁊ cetera. Et super hoc facto inde visu per maiorem ⁊ Aldermannos ⁊ cetera. Et quia per eorum visum manifeste apparet quod predictus murus super solum predictorum Willelmi Chaloner et Felicie uxoris eius longitudinis centum et viginti pedum integre fuit constructus ⁊ stans. Et quod pertinet ad prefatum Willelmus Pountefreyt predictum murum in omnibus facere ⁊ reparare ⁊ cetera. Ideo consideratum est quod prefatus Willelmus Pountefreyt faciat ibidem unum murum terreum longitudinis centum et viginti pedum infra quadraginta dies tunc proximos sequentes. Alioquin vicarii hoc fieri faciant sumptibus ipsius Willelmi Pountefreyt. Et nichilominus tunc ab eo capiant xl s. pro contemptu ⁊ cetera. Et super hoc preceptum est vicariis quod premuniant prefatum Willelmum Pountefreyt quod reparare facit murum predictum infra quadraginta dies tunc proximos futuros periculo supradicto ⁊ cetera.

construction of place, as well as notions of public and private. The walls that surrounded the Chaloners' property, although disintegrating, created a physical boundary that separated personal space from common space and inside from outside. By complaining about the people who entered into their property improperly, the Chaloners dictated who, where, and what activities were proper to that place. The court's ruling, that William de Pountefreyt was required to repair the wall, upheld the Chaloners' demarcation of space and their claim that it was private. Therefore, they had the right to determine what people, activities, and level of invasion was acceptable for their household.

The issues prompted by this case demonstrate the complex relationship between privacy and place. First, the case illustrates the expectations associated with the physical place itself. As a household, it is marked by physical boundaries as well as by the activities that occur within them; its construction and function as a living space necessitates rules for behavior by both insiders, or inhabitants, and outsiders. To the Chaloners and their servants, a private freehold is their right. While this case, and many others contained in the records of the nuisance assize, does not indicate what activities were considered private, they do offer methods that can be used to understand how the concept of privacy developed during the late English Middle Ages in other areas. Comparing the ideal behavior for certain aspects of medieval society with their textual representations will allow me to map characteristics of privacy. Hence, the court case detailing the dispute between William de Pountefreyt and William and Felicia Chaloner defines privacy as predominantly controlling access, and then secondarily as individualism and intimacy. Beyond court cases that revolve around neighborly disagreements, Middle English literary texts, including but not limited to *Sir Gawain and the Green Knight*, Malory's *Le Morte Darthur*, Chaucer's *Troilus and Criseyde* and *The Wife of Bath's Prologue and Tale*, and the Middle

English Loathly Lady tales; historical letters by the Pastons; and moralistic texts like Caxton's translation of *The Book of the Knight of the Tower* all demonstrate different elements of privacy including controlling access, intimacy, withdrawal, or personhood in various levels of importance. In these narratives, the way that people react to social and spatial expectations simultaneously suggests an increase in personal, individual consciousness and a rejection of the dominant ideology that determines proper behavior.

In previous scholarship, the concept of the private in the Middle Ages has been linked with domesticity and femininity and the public with everything outside of the home and masculine. This binary is detailed in Georges Duby's work on medieval private life in *A History of Private Life: Revelations of the Medieval World*, which he bases on feudal society in twelfth- and thirteenth-century France. Although Duby does not intend to define privacy, he asserts that it "remained constant throughout the ages . . . namely, there are acts, individuals, and objects by law not subject to public authority."³ This statement is certainly true, but within his gendered paradigm of private life, it limits the acts, individuals, or objects as masculine. Choosing instead to explore private life in terms of power relations, Duby argues, "The zone of private life is apparently that of domestic space, circumscribed by walls . . . contained within an enclosure, a protected zone, much like a fortress under siege."⁴ Private life is domestic space, but it is also public space; while it can be gendered to the degree that Duby posits, those lines do also blur.

Although Duby's study opened a much-needed avenue of discussion in the study of the Middle Ages, his emphasis on medieval women as aspects of the private instead of having their own privacy is limiting. Suggesting that women's place was only within the innermost recesses of the home—in the bed and bedchamber—and subject to their husbands' will reveals the

³ Duby, "Private Power, Public Power," in *A History of Private Life*, 6.

⁴ *Ibid.*, 7, 6.

influence of eighteenth- and nineteenth-century social ideology, which encouraged middle- and upper-class women to contain themselves within the domestic realm.⁵ This application of modern gendered privacy to medieval privacy and domesticity forces anachronistic textual readings: women's agency extended outside of the domestic realm and into the world of law, business, or war.⁶ Lastly, Duby's study focuses on the domestic culture of the manorial society of twelfth- and thirteenth-century France, and his conclusions cannot be applied directly to similar social situations of fourteenth- and fifteenth-century England. Regardless of the drawbacks of Duby's argument, his ideas on privacy have formed the basis for various discussions of the private in recent years.⁷

Recent archeological, anthropological, and social studies by Judith Bennett, Felicity Riddy, Maryanne Kowaleski, P. J. P. Goldberg, and Shannon McSheffrey, amongst others, have illustrated the limitations of linking privacy and private life with domesticity and femininity by arguing that women's places in late medieval England included sites of work, travel, and other activities in the public sphere. Kowaleski and Goldberg suggest, "The ideology of separate

⁵ The domestic sphere has been frequently considered the epitome of private space, stemming from eighteenth- and nineteenth-century gender ideology that segregated women from the public realm. See Maryanne Kowaleski and P. J. P. Goldberg, eds., *Medieval Domesticity: Home, Housing and Household in Medieval England* (Cambridge: Cambridge University Press, 2008); Michael McKeon, *The Secret History of Domesticity: Public, Private, and the Division of Knowledge* (Baltimore: Johns Hopkins University Press, 2005); Cordelia Beattie and Anna Maslakovic, "Introduction—Locating the Household: Public, Private, and the Social Construction of Gender and Space," in *The Medieval Household in Christian Europe, c. 850-c. 1550: Managing Power, Wealth, and the Body*, ed. Cordelia Beattie, Anna Maslakovic, and Sarah Rees Jones (Turnhout: Brepols, 2003), 1-8; Stacy Gillis and Joanne Hollows, eds., *Feminism, Domesticity and Popular Culture* (New York: Routledge, 2009); on women and enclosure, see Fran Lloyd and Catherine O'Brien, eds., *Secret Spaces, Forbidden Places* (New York: Berghahn Books, 2000).

⁶ Duby's approach has been much criticized lately, see Shannon McSheffrey, "Place, Space, and Situation," 960-61; see also Felicity Riddy, "Looking Closely: Authority and Intimacy in the Late Medieval Urban Home," in *Gendering the Master Narrative: Women and Power in the Middle Ages*, 212-28, esp. 214-15; Riddy comments, "I find it hard to accept . . . Duby's line of argument seems to collude with ancient and medieval ideologies by drawing the public-private divide in such a way as to contain women within the home, at the same time representing their sway over the dark realm of the chamber in terms that suggests they are a kind of collective Morgan la Fée," 215.

⁷ For examples of criticism utilizing Duby's argument, see A. C. Spearing, "Public and Private Spaces in *Sir Gawain and the Green Knight*," *Arthuriana* 4, no. 2 (Summer 1994): 138-45; *The Medieval Poet as Voyeur: Looking and Listening in Medieval Love-Narratives* (Cambridge: Cambridge University Press, 1993); Peter Goodall, "Being Alone in Chaucer," *Chaucer Review* 27, no. 1 (1992): 1-15. Goodall uses a narrow definition of privacy as being alone; Karma Lochrie, in *Covert Operations*, discusses secrecy as privacy, relating women and women's activities to secrecy, 135-39.

spheres, of woman's place within the home, of the domestic as antithetical to the world of work, colours our understanding of a comparatively recent past. What we all too easily lose sight of is the fact that ideologies represent ideas and that social practice may be more complex."⁸ I would add that the boundaries that separate these places in the Middle Ages were significantly different from the eighteenth and nineteenth centuries and now. Contending that medieval women inhabited a wider sphere than the home allows the private to be defined by place—material and social—as opposed to only enclosure; place has a more expansive application than enclosure. Furthermore, the elements of privacy such as withdrawal, controlling access, intimacy, or personhood do not occur only within the domestic sphere.

Although my examination of privacy considers some aspects of domesticity like personal living space and beds, it also encompasses social ideals outside of domestic space such as the place of private marriage and widowhood. Additionally, associating women with privacy and domesticity suggests that those places or ideals were not accessible to men, and certainly men were in beds, homes, and other places. While much of my argument pertains to women, I do not ignore men's relationships with privacy and place. Indeed, Jane Grenville aptly states that "Straightforward equations between material culture and social status are notoriously unreliable: one-to-one attributions of 'female space' and 'male space' are simplistic and open to challenge, on both theoretical and methodological grounds."⁹ As I show in the following chapters, places themselves are not gendered, but society's expectations shift for the men and women within them. Women were not just an extension of men's private lives but desired or rejected privacy in their own right as agents of their own futures.

⁸ Goldberg and Kowaleski, "Introduction: Medieval Domesticity: Home, Housing and Household," in *Medieval Domesticity*, 3.

⁹ Grenville, "Houses and Households in Late Medieval England," in *Medieval Women: Texts and Contexts*, 311.

Beyond Duby, other examinations of privacy in the Middle Ages attribute its development to changes in the concept of personal space, advances in architecture, or the growth of the economy. Pieter Spierenburg accredits a rise in the desire for privacy to increased shame and embarrassment over bodily functions; he contends that when death, insanity, and violent punishment shifted from the public sphere to the private, family life and relationships made the same move. Spierenburg states that people began to develop a general “need for secluded spaces” alongside an increased interest in “deviant” sexualities.¹⁰ LeRoy Dresbeck and Derek Bell, on the other hand, ascribe increasing demands for privacy to architectural developments, particularly the chimney, which allowed the construction of smaller, more intimate rooms. Dresbeck states that “The connection between warmth, comfort, and privacy applied to people in all levels of the economic and social scale.”¹¹ Hence, privacy was not so much a need as it was a natural result of the subdivision of space. For Diana Webb, privacy developed simultaneously with the rising middle class, who had more freedom to pursue intellectual learning and utilize space for individual desires. While noting the relationship of gender and class to privacy, she posits:

There was surely never a time when individuals, families, or groups did not claim the right to withdraw from public scrutiny into a space of their own. That right, and indeed the power so to withdraw, was not equally or universally available; it could be affected by numerous variables, including affluence and social or political position. Partly for these reasons, the inclination to seek privacy (or even

¹⁰ Spierenburg, *The Broken Spell*, 259.

¹¹ Dresbeck, “The Chimney and Social Change in Medieval England,” 25.

think of it) was doubtless less common than it is in many western societies, but it was clearly far from unknown.¹²

Thus for Webb, privacy is not so much physical places but activities. She differentiates solitude from privacy as being alone in contemplation as opposed to just being alone, and suggests that the medieval understanding of privacy is not very different from some modern ideas in that it can be understood as out of public view.

My approach to medieval notions of the private derives predominantly from theories developed by modern geographers, particularly Tim Cresswell, whose consideration of place in *In Place/Out of Place* utilizes a two-step process of placement and resistance. Although medievalists have used modern geography to analyze urban signage, theatrical space, sacred space, and other aspects of medieval culture, this theoretical approach has never been applied to mapping elements of privacy; my dissertation is the first such study.¹³ Additionally, most theoretical applications are based on the work of Henri Lefebvre who integrates space and place through Marxist ideologies—work and production—whereas my work focuses on the dynamic between privacy and place in order to discover the cultural contexts that supported elements of the private. Through the concept of place, I am not limiting myself to a single prescriptive definition of privacy but analyze its multi-faceted meanings and functions in late medieval England; indeed a single unifying definition would be too narrow a way to explore the varied characteristics in a society that did not see privacy as part of a national, collective identity. My

¹² Webb, *Privacy and Solitude in the Middle Ages*, ix.

¹³ For medieval treatments of space and place, see Barbara A. Hanawalt and Michal Kobińska, eds., *Medieval Practices of Space*, *Medieval Cultures* 23 (Minneapolis: University of Minnesota Press, 2000); Harald Kleinschmidt, *Understanding the Middle Ages: The Transformation of Ideas and Attitudes in the Medieval World* (Woodbridge: Boydell Press, 2000), 33-61; Dick Harrison, *Medieval Space: The Extent of Microspatial Knowledge in Western Europe during the Middle Ages* (Lund: Lund University Press, 1996); Wendy Davies, Guy Halsall, and Andrew Reynolds, eds., *People and Space in the Middle Ages, 300-1300* (Turnhout: Brepols, 2006); Jacques Le Goff, *The Medieval Imagination*, trans. Arthur Goldhammer (Chicago: University of Chicago Press, 1988), 65-82.

work contributes more directly to the work of Cresswell, situating his theories within medieval life, literature, and culture.

My methodology incorporates a similar two-step process of placement and resistance. Socio-historical documents in the form of laws, letters, religious texts, and even literary texts establish the rules of acceptable behavior in property, beds, marriages, and widowhood. Figures within these narratives rebel against society's expectations for them, demonstrating elements of the private in various contexts. Place provides a referent through which examinations of the past and the present can occur. Cresswell explains that "Meaning is invoked in space through the practice of people who act according to their interpretations of space, which, in turn gives their actions meaning. This is a flawed process that changes over time. Any given set of interpretations of space can be and have been overthrown historically."¹⁴ In this way, the preconceived notion of privacy can be dismantled through time and place. These statements underscore the way that my method of mapping the private is different; by placing literature in conversation with socio-historical documents, I show how place matters through the way that fourteenth-century English society reacted or rebelled against the commonplace rules or values of various abstract or physical places. In essence, I look at the way that the social structure informs place, and how it reveals or constructs elements of the private. My examination considers behaviors that were considered "out of place" in that they do not belong, are wrong, or are improper to determine the inverse, what was proper—in other words, politics of inclusion and exclusion and their relations to privacy. This study does not claim to be exhaustive or even definitive, but it tries to provoke further inquiry into the nature of privacy in the Middle Ages.

Modern geographers, through what they call "historical imagination," examine place, time, and space in order to understand thought and action at a particular time and place in

¹⁴ Cresswell, *In Place/Out of Place*, 17.

history.¹⁵ At all times and in all moments, place surrounds us in various ways—concretely, abstractly, and ideologically. According to Edward Casey, “we are immersed in it and could not do without it. To be at all—to exist in any way—is to be somewhere, and to be somewhere is to be in some kind of place.”¹⁶ Place is physical, material, geographical; it is location. Yet it is more than that, for place is also social positioning and behavior, and it is unconsciously a part of culture, or how people understand the world around them.

Because place is not just geographic location but a compounded relationship between the material world and social behavior, it is politically charged, reflecting the tensions between ideal and practice. Michel de Certeau posits that,

A place (*lieu*) is the order (of whatever kind) in accord with which elements are distributed in relationships of coexistence. It thus excludes the possibility of two things being in the same location (*place*). The law of the proper rules in the place: the elements taken into consideration are beside one another, each situated in its own “proper” and distinct location, a location it defines. A place is thus an instantaneous configuration of positions. It implies an indication of stability.¹⁷

De Certeau’s claim to stability in place demands attention to the rules of propriety and rejects multiplicity of meaning; he suggests that place is singular and only one thing may inhabit a place at once. Like de Certeau, Cresswell considers place to be more than space, a concept that includes both properness and belonging. The idea of belonging suggests acceptable behavior in

¹⁵ For further discussion on modern geographies, which encompasses both place and space, see Edward W. Soja, *Seeking Spatial Justice* (Minneapolis: University of Minnesota Press, 2010); Edward W. Soja, *Postmodern Geographies: The Reassertion of Space in Critical Social Theory* (London: Verso, 1989); Henri Lefebvre, *The Production of Space*, trans. Donald Nicholson-Smith (Oxford: Blackwell, 1991); Edward S. Casey, *The Fate of Place: A Philosophical History* (Berkeley: University of California Press, 1997); Edward S. Casey, *Getting Back into Place: Toward a Renewed Understanding of the Place-World* (Bloomington: Indiana University Press, 1993).

¹⁶ Casey, *Fate of Place*, ix. Casey analyzes the theoretical history of place beginning with the place of the cosmos and the creation of the world. He discusses the concept of place, its transition to space during antiquity, and the return to place in the nineteenth and twentieth centuries.

¹⁷ De Certeau, *The Practice of Everyday Life*, 117.

that everything and everyone has a place, and all places have rules that are determined by a dominant group or ideology to guide or direct the people and activities within them. For example, church is a physical place of worship and sacredness, whose leaders and thinkers determined that prayer and devotion are proper behavior for those who enter it; simultaneously, a church symbolizes Christianity, including its tenets and traditions. For any place, the dominant ideology can be variously political, religious, or moral depending on the situation; likewise, the expectations for behavior often change for gender. These rules are a part of the creation of culture and they designate what behavior is right and what is wrong for all places, and the transgression of these rules demonstrates boundaries, identity, and the establishment of personal agency. Therefore, the transgression of rules or expectations illustrates what is proper behavior.

Although de Certeau maintains that place is fixed and static, I contend that it is fluid and dynamic, with multiple layers of coded meanings that can be read differently by different people. In other words, a London tenement can be a home, a workshop, or a meeting place, and each place encompasses different expectations and different behaviors. In the same way that a London tenement can be both a home and a workshop, it can also be public and private; it is public due to its nature as a shop but yet private in that there is a clear separation of who is permitted to enter and who is not. Likewise Bertilak in *Sir Gawain and the Green Knight* defines the bed as a place of rest and sleep for Gawain while his wife uses it as a proving ground for courtesy and identity. Therefore, I argue that places in fourteenth-century England are not public *or* private but often public *and* private depending on whose interest is served. Place, particularly in terms of the public and private, is a constant negotiation of culture.

Situating place through location and social contexts not only demonstrates proper behavior but also resistance to dominant ideals. The manners though which people behave “out

of place,”¹⁸ or rebel against social expectations, simultaneously produces culture and illustrates the search for identity, or personhood. Cresswell states that the “moment of transgression marks a shift from the unspoken unquestioned power of place over the taken for granted behavior to an official orthodoxy concerning that which is proper as opposed to what is not proper.”¹⁹ In this way, the normative values of a place are solidified by the resistance to them. For example, Chaucer’s *Wife of Bath* behaves out of place as a widow because she rejects any expectation that she should stay at home, pray for the soul of her dead husband, and marry no more. Likewise, Margery Paston rejects an arranged marriage for a love match and a clandestine marriage, while Margery Kempe weeps and wails her devotion to Christ regardless of anyone who suggests she do otherwise. These medieval examples of literary characters and real people behaving out of place demonstrate the proper place for women contextually as they assert their individual desires through their rejection of being placed. Beyond literary narratives, similar examples appear in the records of people taking their neighbors to court for invading their space.

Often used interchangeably, space and place have highly debated theoretical differences. Space is abstract, and is not absolutely bound by any specific place; it overlaps itself and contains multiple layers. Moreover, space lacks the connection with geography. For the purpose of this study, I define space in accordance with de Certeau’s concept. He theorizes that,

in relation to place, space is like the word when it is spoken, that is, when it is caught in the ambiguity of an actualization, transformed into a term dependent upon many different conventions, situated as the act of a present (or of a time), modified by the transformations caused by successive contexts. In

¹⁸ Cresswell, *In Place/Out of Place*, 6.

¹⁹ *Ibid.*, 10.

contradistinction to the place, it has thus none of the univocity or stability of ‘proper.’²⁰

In other words, space is created and defined through context, is flexible, and lacks the implication of proper or improper behavior. It exists cooperatively with place. For example, a bed is a specific place, but the space within has multiple designations: intimate space, sleeping space, relaxing or conversing space; hence, place determines space. Throughout this study, the term *space* will denote the abstract spatial values that are ascribed to a particular place, while *place* will convey the combined meaning stemming from the locative, material, and social. The distinction between space and place, I realize, is more complicated than I have described here; however, as my dissertation is not about place versus space in the later English Middle Ages, I do not want to complicate my argument with the theoretical differences analyzed by sociologists and modern geographers; therefore, this general difference will suffice for my argument.²¹

In order to link medieval notions of privacy to Cresswell’s theory of place, first I need to place the concept of privacy within its historical and modern contexts. Looking at the word linguistically reveals its cultural properties. The term *private* is derived from its Latin root, *prīvātus*, meaning “a particular person or persons, of or relating to a private person, not holding public office, belonging as private property, peculiar to oneself, special, individual, person who holds no public office, private person, member of the public, individual.”²² This definition reveals how important the notion of place is to privacy. It stresses the importance of the State over the individual during the Roman period, and therefore indicating acceptable behavior; it further sets itself up as the opposite of public. From Roman antiquity through the Middle Ages, *prīvātus* gained a variety of additional meanings: close, intimate, confidential; a close friend;

²⁰ De Certeau, *The Practice of Everyday Life*, 117.

²¹ See note 15 on modern geographies for various considerations of space and place.

²² “privacy,” *Oxford English Dictionary*, accessed 30 May 2012, <http://www.oed.com/view/Entry/151601>.

private property; a latrine; and a privy seal.²³ Again, many of these meanings, in addition to place, suggest cultural context. In Middle English, the term *private* was not used until the last five years of the fourteenth century, first in illustrating the separation between people of religious orders and secular folk, and then designating “restricted” space or activities, and finally as a personal designation.²⁴ As a noun, *privacy* did not appear in its recognizable form until the sixteenth century.

The word most commonly used in Middle English was *privete* (noun) or *prive* (adjective), meaning “Privacy, secrecy, concealment; discretion.” Its definition also gained certain negative attributes: “stealthy, furtive, treacherous.”²⁵ During this time it lost its close association with the relationship between the State and the individual as seen in its Latin meaning; it is from this shift in meaning that our modern concept is derived.

These, however, are etymological and linguistic definitions; modern scholars who consider privacy craft their own definitions and associations, each relative to his or her own particular focus and subject, and each different. The variation of modern definitions illustrates the complex nature of privacy; furthermore, it provokes questions directed to the antecedents of our modern ideals. Sociologists Joseph Berman and Robert Lilienfeld contend that “privacy is socially defined boundaries of the self” wherein people express their individualism.²⁶ They argue that people consider themselves unique in how they express themselves and in what they keep out of the public, self-determination equaling identity. Stanley I. Benn and G. F. Gaus consider the conceptual difference between “publicness” and “privateness,” which they define in terms of access in four main categories: physical access, access to activities or intercourse, access to

²³ “privacy,” *Oxford English Dictionary*, accessed 30 May 2012, <http://www.oed.com/view/Entry/151601>.

²⁴ *Ibid.*

²⁵ “privete,” *Middle English Dictionary*, accessed 30 May 2012, <http://quod.lib.umich.edu/cgi/m/mec/med-idx?type=id&id=MED34728>.

²⁶ Berman and Lilienfeld, *Between Public and Private*, viii.

information, and access to resources.²⁷ They maintain that publicness and privateness differ from publicity and privacy in that the latter relates to the dissemination of information.²⁸ Similarly, sociologist Christena Nippert-Eng states that, as an ideal, privacy is “relative inaccessibility”; it is a “typical endpoint of a continuum” where publicity is at the other end.²⁹ She studies “how people make sense of secrecy and secrets, and the private and the public.”³⁰ In his anthropological study, Barrington J. Moore, Jr. describes privacy as “refusing access by other persons in specified situations, and as private rights against holders of authority or other members of the same society.”³¹ He suggests that controlling privacy is about controlling desires.³² Philosopher Sissela Bok defines it as the “condition of being protected from unwanted access by others, . . . to control one’s personal domain.”³³ Jon L. Mills argues that the private is “constructed and negotiated by the public.”³⁴ Daniel J. Solove contends that privacy is “plural.”³⁵ The wide ranges of definitions included are representative of the field of privacy studies as a whole: discursive, contextual, and disparate; although these are all true definitions, they are not all always true in every situation.

As I show in the following chapters, the medieval concept of privacy derives from how certain of its elements appear in English society as opposed to an all-encompassing, complete definition of privacy. To that end, Solove’s contention is most accurate for this study: privacy is “not defined by looking for a common denominator in all things we view under the rubric of

²⁷ Benn and Gaus, *Public and Private in Social Life*, 7.

²⁸ *Ibid.*, 3.

²⁹ Nippert-Eng, *Islands of Privacy*, 5, 4.

³⁰ *Ibid.*, 4.

³¹ Moore, *Privacy*, ix.

³² *Ibid.*, 40-41.

³³ Bok, *Secrets*, 10-11.

³⁴ Mills, *Privacy: The Lost Right*, xix.

³⁵ Solove, *Understanding Privacy*, 40.

privacy . . . Privacy is not one thing but a cluster of many distinct yet related things.”³⁶

Characteristics of medieval privacy are influenced by politics of inclusion and exclusion, intimacy and personal desire, agency and identity that stem from place.

I begin my exploration of privacy and place from a legal perspective. In Chapter One, “Drawing a Line: The Legal Context of Privacy in Fourteenth- and Fifteenth-Century English Places,” I consider court records of cases that focus on property nuisance claims in order to understand different boundaries that people drew. This chapter situates privacy within the context of fourteenth- and fifteenth-century London, examining the medieval use and demarcation of personal space, and focusing particularly on the legalities of place through the fourteenth- and fifteenth-century Nuisance Assizes. The cases provide an important window into city residents’ conception of privacy through access. They were created to deal with issues of city living: ditch-digging and placement, pools, cesspits, hedges, walls, privies, and windows. These cases are particularly significant because they reveal an expectation of privacy and individuality that is not class-dependent, but place-dependent. The cases that deal mostly with personal space refer to the freehold and the invasion of that space by outside, and often noxious, forces. Tenants took their neighbors to court for invading their home with rotten privy smells, foul water from a cesspit, or for building on their property. These records demonstrate how medieval Londoners considered their property a private place in which they had a legal right to not be impinged upon from the outside world, whether by someone’s gaze or another person’s property. Interspersed throughout my explorations of legal property rights are analyses of Chaucer’s *Troilus and Criseyde* and *The Squire of Low Degree*; I apply a similar theoretical approach to these texts in order to explore how place and privacy function in literary representations.

³⁶ Solove, *Understanding Privacy*, 40.

From the boundaries of property, I move to the place of the romance bed in Chapter Two, “Pillow Talk: Intimate Beds in Middle English Romance.” Historically, the bed is a place of great intimacy and even greater vulnerability, and the transgression of these characteristics often leads to consequences for identity and reputation. When invading forces make public private places in *Sir Gawain and the Green Knight*, *Sir Gawain and the Carle of Carlisle*, *Le Morte Darthur*, and the *Erle of Toulouse*, the bed becomes a testing ground for its occupants, where men must perform to their chivalrous identities and women must negotiate men’s expectations of chastity. As a private place, the bed becomes an extension of public desires and outsiders’ agendas.

Chapter Three, “Inverse Privacy and Negotiating Marriage: Loathly Ladies and Margery Paston,” examines how place and privacy demonstrate identity and individuality through marriage. As one of the most important social functions in the later Middle Ages, proper marriage was a public event, from the banns to the reading of the marriage contract at the church doors. Those who resisted this formula had either nefarious purposes or individualistic desires. I compare literary representations of marriage that appear in the Middle English Loathly Lady tales by Gower, Chaucer, and an anonymous author with the private marriage that plays out in the Paston letters between Margery Paston and Richard Calle, the family’s bailiff, in order to demonstrate how women rejected or used privacy to attain their own desires. Margery loses the goodwill of her family and friends as she swears that her marriage was legal and binding. She flouts her family tradition as well as social expectations to pursue love over alliances. Clandestine marriage in literature is often less detailed; its frequency, however, illustrates its problematic nature for civil and religious authorities.

The other side of marriage, particularly for many women in the fourteenth and fifteenth centuries, was widowhood. Chapter Four, “Chaucer’s Widows: (Dis)Placed, (Mis)Placed, and (Re)Placed,” explores the conflicted place of widowhood through patristic writing, court cases, and literature. Expected to remain out of the public view, widows such as Chaucer’s Criseyde and Alison, the Wife of Bath, depict women whose social places have shifted due to the death of their husbands. Their approaches to life reject moralistic expectations for women as they each make choices that reflect their individual desires. Criseyde and Alison are examined against Geoffrey de la Tour Landry’s virtuous widows in *The Book of the Knight of the Tower* in order to consider the place of widows in relation to public life and private life.

Chapter Five “Private Matters: Individualism, Gender, and Devotion” concludes my exploration of place and privacy. I discuss the further implications for studying various elements of privacy in the Middle Ages such as their relationship with individualism, which I associate with a medieval discourse. In addition to individualism, I consider what privacy means for gender studies and women in particular. Lastly, I apply a similar theoretical frame to models of medieval Christianity in order to illustrate ways in which this study can contribute to understanding other aspects of medieval culture.

The theoretical approach of using literature to understand history and history to explicate literature has been questioned by critics. Danielle Regnier-Bohler, for example, cautions against using literature to understand medieval life as it was lived; she argues that “the representation of places and communities is governed by literary codes, and the intimate secrets that appear to yield themselves are actually subservient to metaphor.”³⁷ I disagree with this statement; I believe the representation of places was governed by cultural context. For Regnier-Bohler, fictional literature was “not a portrait of private life as it was actually lived, but a compendium of private

³⁷ Regnier-Bohler, “Imagining the Self,” in *A History of Private Life*, 313.

difficulties and tensions, pertaining to both communal life and the status of the individual.”³⁸ Her perspective is limited as she disregards the place of literature in relation to history; but literature contextualizes history and reveals significant social issues pertaining to place, time, and people. A. C. Spearing contends that “The symbolism of spaces is metonymic rather than metaphoric; halls are really halls, chambers are really chambers, beds are really beds but they carry charges of associative meaning derived from their real functions in medieval households.”³⁹ I see the place of literature as a necessary element of our understanding of history, and thus my approach is New Historicist and therefore my methodology combines both literary and socio-historical examinations of place.

Like the examination by Georges Duby, my study of privacy “hinges on place,”⁴⁰ and throughout these chapters I demonstrate the complex relationship between privacy and place in England in the late Middle Ages. The particular places that I focus on in this dissertation, such as urban property, beds, marriage, and widowhood, are politicized and dynamic, constantly forming and reforming themselves in relation to various cultural situations. I examine the boundaries of privacy in medieval London housing, the contested site of the romance bed, private marriage as a place of rebellion, and transgressive widowhood because these topics were significant and defining aspects of medieval society. To illustrate the relationship between place and behavior, not only do I draw examples from different contexts, but I also pull them from different textual genres. Each of the texts that I have chosen, canonical and non-canonical, provides an important facet to understanding how place and privacy operate together in medieval England. Placing romances in conversation with laws, and letters in conversation with romances provokes new conclusions about the characteristics and function of privacy and how it influences personal

³⁸ Ibid., 318.

³⁹ Spearing, *The Medieval Poet as a Voyeur*, 18.

⁴⁰ Duby, “Private Power, Public Power,” in *A History of Private Life*, 7.

identity. Using theories of modern geography, textual readings of laws, romances, and letters, my dissertation follows a clear progression from physical to abstract and socially constructed places, as I begin my analysis in medieval London and end with widowhood; while my focus is not specifically gendered, the texts that I include are highly gendered, which influences the way that men and women access the private and their identities.

CHAPTER ONE

DRAWING A LINE: THE LEGAL CONTEXT OF PRIVACY IN FOURTEENTH- AND FIFTEENTH-CENTURY ENGLISH PLACES

The urban environment of London in the fourteenth and fifteenth centuries generated a mixture of spaces, places, and expectations for its denizens. Teeming with life and humanity, urban centers in England grew in population and prosperity as the manorial system waned and the merchant class, or middle class, expanded through increased economic and social opportunities. The migration to cities placed more people in daily contact with one another than ever before, necessitating the creation and demarcation of places for worship, business, celebration, and other community activities. Private spaces vied for their own places against the infringing public. In her article on the construction of medieval urban spaces, Vanessa Harding contends that, “In physical terms alone, late medieval European cities were honey-combed with a multiplicity of private spaces that confronted the public.”¹ Although much of the business of living took place in the public eye, people’s demands for privacy in and around urban households revealed growing desires to control access to themselves. These demands were assessed and addressed by judges against the Assize of Nuisance, which regulated standards of city living. An analysis of litigants’ pleas illustrates that complaints regarding transgressions of boundaries by people, animals, or objects demonstrate elements of exclusion and inclusion, suggesting the desire for the separation between self and other, inside and outside, and proper and improper. In addition to spatial politics, these cases have relevance for examining Middle English texts such as Chaucer’s *Troilus and*

¹ Harding, “Space, Property, and Propriety in Urban England,” 549-50.

Criseyde and the anonymously authored *The Squire of Low Degree*, where watching and listening reveal infringements of privacy, and they have never been analyzed critically together. An examination of the records from the London Assize of Nuisance establishes a legal precedent and definition of privacy as controlling access based upon the violation of property walls and windows by people, animals, or objects, while the interspersed analyses of *Troilus and Criseyde* and *The Squire of Low Degree* reflect the developing notions of privacy found in the nuisance assizes.

When late medieval Londoners had disagreements with their neighbors that needed mediation, they took their complaints to court to be resolved according to the Assize of Nuisance. The court's purpose in these types of cases was to rule on property and living issues that ranged from neglect, intrusive behaviors, or noxious odors to other invasive annoyances. By extension, the assize upheld the exclusive boundaries of personal space while simultaneously supporting individuals' rights to privacy. Records relating to the Assize of Nuisance survive in only three rolls, and include judgments made between 1301 and 1431.² The earliest known record of a decision from the Assize of Nuisance occurred in a plea of 1290 to 1291, where a brief reference was made to its judgment in 1326.³ Scattered claims appear after 1431 in the Rolls of the Common Pleas, but not with any regularity. Whether distinct rolls preceding 1301 or after 1431 existed at one time or the pleas were enfolded into another legal outlet is unable to be determined by what remains. The rolls that have survived, however, include nearly seven hundred records that describe disputes between neighbors.

² The rolls are labeled as Miscellaneous DD, FF, and II but are now listed in the archive as CLA/040/02/001-003.

³ See CLA/040/02/001 m. 38(d)-39, *de Burgh v. de Refham*.

Introduced in the same twelfth-century constitution as novel disseisin and considered a variation of that writ twenty years later by Glanvill, nuisance laws protected property and property owners from potentially harmful and irritating intrusions.⁴ Nuisance pleas were recorded using the words “ad nocumentum liberi tenementi sui” that is, “to the nuisance (or the annoyance) of his freehold,” and John Baker defines nuisances as “such unlawful conduct as causes annoyance or disturbance rather than direct physical harm.”⁵ Nuisance laws originated as a part of Roman law, and they have extended forward into modern legal practices.⁶

The judgments from the medieval Nuisance Assizes have been somewhat sparsely examined on their own except by Janet Loengard in the late 1970s, who considered the nuisance “a stepchild of the law,”⁷ and Diane Shaw in the mid-1990s, who argued that the assizes demonstrate the transition from private space to bodily privacy. The assizes are mentioned briefly in Vanessa Harding’s analysis of the demarcation of urban space and by Shannon McSheffrey in her examination of private marriages in London. More often however, they are referenced in legal histories such as Baker’s volume on legal

⁴ The Assize of Novel Disseisin was established by the Assize of Clarendon under Henry II in 1166 to rule on dispossessions; in other words, if a tenant was dispossessed of his or her lands and could prove ownership by deed or title, the assize would restore property to the original holder. The exact relationship between the Assize of Novel Disseisin and the Assize of Nuisance cannot be determined from existing documents; see Fredrick Pollock and F. W. Maitland: “there has been all along an ‘assize of nuisance,’ which is a supplement for the novel disseisin,” 53, in *The History of English Law Before the Time of Edward I*, vol. 2 (Cambridge: Cambridge University Press, 1895). Janet Loengard’s unpublished dissertation analyzes the Assize of Novel Disseisin and the development of the Assize of Nuisance from its beginnings; see “Free Tenements and Bad Neighbors: The Assizes of Novel Disseisin and Nuisance in the King’s Courts Before the Statute of Merton (1236),” Ph.D. Diss., Columbia University, 1970.

⁵ Baker, *English Legal History*, 350. Cf. Janet Loengard, “The Assize of Nuisance: Origins of an Action at Common Law,” *Cambridge Law Journal* 37 (1978): 144-66; F. H. Newark, “The Boundaries of Nuisance,” *Law Quarterly Review* 65 (1949): 480-90; Philip Booth, “The Control of Discretion: Planning and the Common Law,” *Planning Theory* 6, no. 2 (2007): 127-45.

⁶ For further discussions of modern nuisances, see J. R. Spencer, “Public Nuisance: A Critical Interpretation,” *Cambridge Law Journal* 48, vol.1 (1989): 55-84; Maria Lee, “What Is A Private Nuisance?” *The Law Quarterly Review* 119 (2003): 298-365.

⁷ Loengard, *Free Tenements and Bad Neighbors*, 160.

history or F. W. Maitland's work on English Common Law. These under-acknowledged legal records reveal concerns about living conditions, personal space, and boundaries in London and potentially throughout England, that when applied to literary texts, provoke new avenues of understanding place and privacy. To clarify, my dissertation is the first critical work to utilize the assize pleas to elucidate literature, and while literary texts do not exactly reflect the urban spatial politics described in the court cases, they significantly reveal the tensions that arise from living closely with others and the resultant infringements of privacy.

Understanding property disputes in London demands an analysis of legal documents and court records; Charles Burroughs, discussing the Italian legislative process, argues that laws created spaces and in order to understand anything about medieval spaces, the legal framework that shaped the usage of spaces must first be examined.⁸ The laws that created the standards for the conditions of city living were established in the Assize of Buildings—a precursor to the Assize of Nuisance. Concerned with maintaining peace, city officials, as early as the eleventh century, regulated various facets of city living from building codes to shared spaces. During the reign of Richard I in 1189, several disastrous fires prompted the first mayor of London, Henry Fitz-Elwyne, to create the Assize of Buildings, which listed a detailed and thorough set of rules standardizing building construction and the handling of property disputes:

In the 1,189th year of the Lord, namely in the first year of the reign of the illustrious King Richard, when the Mayor of London was Henry Son of Elwyn, who was the first Mayor of London provision and ordinance was

⁸ Burroughs, "Spaces of Arbitration and the Organization of Space in Late Medieval Italian Cities," in *Medieval Practices of Space*, 64.

made by the more discreet men of the city, to pacify quarrels that sometimes arise among neighbors in the city about fences built or to be built between their lands and other things; in such a way that according to what was then provided and ordained, such quarrels should be pacified. [Anno Domini millesimo c^o lxxxix^{mo}, videlicet, primo anno regni illustris Regis Ricardi, tunc Majore Londoniarum Henrico filio Elwyni, qui fuit primus Major Londoniarum—provisum fuit et ordinatum per discretiores viros civitatis, ad contentiones pacificandas, quæ quondoque oriuntur inter vicinos in civitate super claustris inter terras eorum factis vel faciendis, et rebus aliis; ita quod, secundum tunc provisum et ordinatum fuit, debent tales contentiones pacificari.]⁹

The Assize of Buildings established the rules by which London homeowners were expected to maintain their properties and respect their neighbors. Particular aspects of living conditions regulated by the assize included ditch-digging, waterways, leaky cesspits and gutters, deteriorating or misplaced walls, trash removal, and the placement of windows and doors. The Assize of Buildings also fixed the process through which litigants would make their pleas in court, stating that sessions would be held every three weeks, attended by the mayor, and twelve aldermen, and supported by a variety of carpenters, masons, and builders. During each sitting, these men would listen to

⁹ *Liber Albus*, 319. The Assize of Buildings, or the *Assisa de Edificiis*, has been included in various compilations with only minor discrepancies, see *Liber de Antiquis Legibus*, ff. 45-48; *Letter Book C*, ff. 13v-15; and *Liber Albus*, ff. 210v-212v. See also the introduction of Chew and Kellaway, *London Assize of Nuisance*, ix-xi, for dating and a description of the variations between the three versions. All Latin translations of the cases from the *Liber Albus* and Assize of Nuisance in this chapter are my own with the much-appreciated help of Dr. Timothy Graham.

complaints and then view properties to evaluate each case individually before finally ruling.¹⁰

The specifications for urban housing illustrate the control of the ruling ideology on cultural norms. Standardizing building codes created expectations based upon propriety; people whose properties did not rise to these standards were warned and then disciplined by the court through fines or loss of land. Although the building codes were meant to reduce disagreements between neighbors, the court records recorded in the rolls of the London Assize of Nuisance illuminate disgruntled interpersonal relationships that spanned years, encompassing the public sphere and extending to strangers and animals. Breaches of city customs demanded that the ideological values of right and wrong had to be continuously reproduced and defended. Tim Cresswell asserts:

It is hard to tell what is considered normal without the example of something abnormal. Transgression, and the reaction to it, underlines those values that are considered correct and appropriate. By studying the margins of what is allowed we come to understand more about the center—the core—of what is considered right and proper. Transgression is also important in itself as an example of possible tactics for resistance to established norms. No hegemonic structure is ever complete, and it is always important to study the ways in which hegemonies are contested in everyday life. Perhaps most important for this project, transgression (literally, “crossing a boundary”) is often defined in geographical terms. Geography, then, can tell us a lot about transgression, and transgression,

¹⁰ For more details on court processes in medieval England, see Robert L. Henry, *Contracts in the Local Courts of Medieval England* (London: Longmans Green, 1926).

conversely, provides valuable insights into the way places affect behavior and ideology.¹¹

Between the Assize of Buildings that set the standards for city living and the Assize of Nuisance that elucidated the transgressions against the enjoyment of property, normative expectations for location and behavior were formed. The location was the home or the household, which naturally constructed politics of inclusion and exclusion, while the transgression of building standards reflected commonly held spatial values.

Urban housing, particularly for the less well-off and rising middle class, often required diverse individuals to share close quarters, which caused conflicts between neighbors. A single building with multiple stories could be broken into as many owners as stories while also containing businesses on the street level. The records name these buildings as *domus*, house, or *tenementum*, tenement, which refers to inheritable property—also known as fee simple. The court dealt most often with people’s homes. The make-up of the late medieval household was, as Felicity Riddy and others contend, “neither fixed nor stable.”¹² In the fourteenth and fifteenth centuries, the household did not have the modern connotation of living arrangements for a nuclear family, but instead included a combination of any the following: family members, personal servants, apprentices, or a cohort (either monks or nuns) who variously lived, worked, or prayed

¹¹ Cresswell, *In Place/Out of Place*, 210.

¹² Riddy et al., “The Concept of the Household in Later Medieval England,” 116. For an excellent discussion of the household in England in the Later Middle Ages, see Sarah Rees Jones et al., “The Later Medieval English Urban Household,” *History Compass* 5, no. 1 (2007): 112-58, esp. Felicity Riddy et al., “The Concept of the Household in Later Medieval England,” 116-21, and Jeremy Goldberg, “The Demography of the Household,” 124-26. For considerations of medieval domesticity, see Kowaleski and Goldberg, *Medieval Domesticity: Home, Housing and Household in Medieval England*. Several articles in this anthology consider bourgeois housing, the background of which helps to contextualize the assize litigants, as many of them are tradesmen, potentially part of the growing bourgeois class. In particular, cf. Felicity Riddy, “Burgeis’ Domesticity in Late-Medieval England,” 14-36; Sarah Rees Jones, “Building Domesticity in the City,” 66-92; P. J. P. Goldberg, “The Fashioning of Bourgeois Domesticity in Later Medieval England,” 142-44.

together in the same place. Jeremy Goldberg states, “In practice such households regularly have other shared characteristics, not least ties of kinship or work, but all members of the household need not be related.”¹³ The multiplicity of functions that made up urban households inherently brought the public into conflict with the private, and provides a way of understanding the space inside, while the pleas brought before the Assize of Nuisance suggest the legal defense of property boundaries justified a right to privacy and exclusivity.

Shannon McSheffrey argues that a sharp dichotomy between private homes and public streets is an anachronistic division that derives from the same nineteenth-century ideals that Duby used to equate femininity and domesticity with privacy. While her larger concern of employing an inaccurate definition of privacy is certainly applicable, I disagree with her immediate conclusion that late medieval individuals living in London “lacked the conceptual framework to articulate this desire specifically as a right.”¹⁴ The cases demonstrate beyond a doubt that medieval Londoners possessed the conceptual framework to articulate the desire as a right. Faced with transgressions against their properties, medieval Londoners went to court and successfully demanded their right to exclude people from accessing property.

The explorations of the cases judged against the Assize of Nuisance provide a relevant context for a brief analysis of the public and the private in the urban places in Chaucer’s *Troilus and Criseyde*. Throughout the tragic romance, Chaucer incorporates a subtle discourse on social space through speech, action, and geography.¹⁵ Often

¹³ Goldberg, “The Demography of the Household,” 124.

¹⁴ McSheffrey, “Space, Place, and Situation,” 989.

¹⁵ Significant work has also been done on Chaucer’s depiction of the private in texts including *The Miller’s Tale* and *The Knight’s Tale*. Extending the range of Chaucer’s use of public and private to his other poetic

considered a representation of medieval London, Troy in Middle English texts illustrates a similar conflict between public and private based upon place. The tradition of Troy representing London, called Troynovant, was in use long before Chaucer and continued after him; it carried an identity of a noble foundation, but also hints of vice and downfall.¹⁶

In the latter half of the fourteenth century, England was facing great and continued social upheaval and unrest. The country was recovering from the Black Death, which shifted population centers and altered labor relations. Additionally, the Great Rising of 1381 created further havoc among England's citizenry; the situation during the 1380s was tumultuous at best. London was teeming with nobility, merchants, laborers, craftsmen, and the poor. The growth of the city allowed for the demarcation of space for a variety of uses; tenement housing grew for merchants who sold goods on the bottom floors and from store-fronts, living above or behind their businesses. Churches had space

works seems to show that he definitely was aware of situations that should be or were considered private. Most often scholars focus on how physical space of place or body influences abstract ideas of privacy. For more information on this topic, see Valerie J. Allen, "Broken Air," *Exemplaria* 16, no. 2 (2004): 305-22; E. D. Blodgett, "Chaucerian *Pryvetee* and the Opposition to Time," *Speculum* 51, no. 3 (1976): 477-93; Joshua R. Eyler and John P. Sexton, "Once More to the Grove: A Note on Symbolic Space in the Knight's Tale," *Chaucer Review* 40, no. 4 (2006): 433-39; H. Marshall Leicester, Jr., "Of Fire in the Dark: Public and Private Feminism in the Wife of Bath's Tale," *Women's Studies* 11 (1984): 157-78; William F. Woods, "Private and Public Space in the Miller's Tale," *Chaucer Review* 29, no. 2 (1994): 166-78. Perhaps the most addressed topic has been the relationship between privacy, domesticity, and *fabliaux*. For further detail see Gila Aloni, "Extimacy in the Miller's Tale," *Chaucer Review* 41, no. 2 (2006): 164-84; Louise M. Bishop, "'Of Goddes pryvetee nor of his wif': Confusion of Orifices in Chaucer's Miller's Tale," *Texas Studies in Literature and Language* 44, no. 3 (2002): 231-46; Thomas J. Farrell, "Privacy and the Boundaries of Fabliau in the Miller's Tale," *English Literary History* 56, no. 4 (Winter 1989): 773-95.

¹⁶ For comparison of Chaucer's Troy to fourteenth-century London, see J. P. McCall and G. Rudisill, "The Parliament of 1386 and Chaucer's Trojan Parliament," *Journal of English and Germanic Philology* 58 (1959): 276-88; Marion Turner, "*Troilus and Criseyde* and the 'Treasonous Aldermen' of 1382: Tales of the City in Late Fourteenth-Century London," *Studies in the Age of Chaucer* 25 (2003): 225-57; D. W. Robertson, "The Concept of Courtly Love as an Impediment to the Understanding of Medieval Texts," in *The Meaning of Courtly Love*, ed. F. X. Newman (New York: State University of New York Press, 1968), 1-19. More broadly, London was linked to Troy as Troynovant as early as Geoffrey of Monmouth's *History of the Kings of England*; see Sylvia Federico, *New Troy: Fantasies of Empire in the Late Middle Ages* (Minneapolis: University of Minnesota Press, 2003); C. D. Benson, *The History of Troy in Middle English Literature* (Woodbridge: D. S. Brewer, 1980); and Malcolm Hebron, *The Medieval Siege: Theme and Image in Middle English Romance* (Oxford: Clarendon Press, 1997), specifically 91-111.

for the faithful to come and worship; they walked down public thoroughfares in parade. Marketplaces grew with the increased flow of craftsmen to the city. But as much as public space was marked, so too was the private space. As a member of the bourgeois and holding a position at court, Chaucer was a first-hand witness to continued changes in the city. In Troynovant, echoes of the Great Rising and the havoc of the invading English labor force are suggested in the destruction of Troy by the Greeks. A bustling city in the midst of war, Troy itself is a study of place through the public and the private in parades, temples, meetings, houses, interior rooms, introspective thoughts, and even bedrooms.¹⁷

Chaucer develops spaces in Troy through the movements of his characters from one place to another in what A. C. Spearing describes as “material realism.”¹⁸ The action moves clearly from house to street, from upstairs to downstairs, in and out of bedrooms, and from inside the walls of Troy to outside in the Greek camp mapping out the city and the inhabitants’ movements. After introducing Troilus and Criseyde and setting the stage for the “double sorwe,”¹⁹ Chaucer places Troy as a besieged city:

Yt is wel wist how that the Grekes stronge

In armes with a thousand shippes wente

¹⁷ For studies on the public and private in *Troilus and Criseyde*, see Steven R. Guthrie, “Chivalry and Privacy in *Troilus and Criseyde* and *La Chastelaine de Vergy*,” *Chaucer Review* 34, no. 2 (1999): 150-73; Stephen Knight, *Geoffrey Chaucer* (Oxford: Blackwell, 1986), 32-65; Josephine A. Koster, “*Privitee, Habitus, and Proximity: Conduct and Domestic Space in Chaucer’s Troilus and Criseyde*,” *Essays in Medieval Studies* 24 (2007): 79-91; Alastair Minnis and Eric J. Johnson, “Chaucer’s Criseyde and Feminine Fear,” in *Medieval Women: Texts and Contexts in Late Medieval Britain*, 199-216; A. C. Spearing, *The Medieval Poet as Voyeur: Looking and Listening in Medieval Love-Narratives*, 120-39; Sarah Stanbury, “Women’s Letters and Private Space in Chaucer,” *Exemplaria* 6, no. 2 (1994): 271-85.

¹⁸ Spearing, *Chaucer: Troilus and Criseyde*, 55.

¹⁹ Chaucer, *Troilus and Criseyde*, in *The Riverside Chaucer*, 1.1. All subsequent references to Chaucer’s poetry will be from the *Riverside* 3rd edition. All subsequent references to *Troilus and Criseyde* will be cited as *T&C*.

To Troiewardes, and the cite longe

Assegeden, neigh ten er they stente.²⁰

Although the walls give Troy an appearance of security, the ten-year threat of the Greeks outside the city walls looms over every interaction, discoloring true levity or real relaxation. The urban rhythms of daily activities, of visiting the temple and having dinners with companions, continue even though a war is going on. Like London, Troy exemplifies people's desire to control access on the city level, room level, and personal level, a literary example of exclusivity.

A large percentage of the values that the court asserted through its judgments were principles of inclusion and exclusion. On the surface, the court was concerned with irritants that were particularly invasive or annoying, and prohibited the enjoyment or development of personal property. However, their less obvious goal was to maintain the separation between inside and outside, or the private and the public. The majority of cases that complained about access focused on visual or aural invasions from those who were outside the property, while significantly less litigants protested property invasions in the form of people and animals trespassing in a garden or yard; other concerns regarding access concentrated on intrusions from inanimate objects, like leaning walls or rainwater from a neighbor's gutter that caused property destruction. Using the standards in the Assize of Buildings, the court endorsed tenants' rights to exclude outsiders through the regulation of boundaries, and therefore defining privacy in this context as controlling access.

Of the seven hundred court cases heard between 1301 and 1431, twenty percent or one hundred and forty cases demonstrated anxieties concerned with visual access.

²⁰ *T&C*, 1.57-60.

Judgments on visual access regulated the desire to see while implying anxieties of being seen. People were concerned with being seen in a number of ways, including a view from inside of a tenement through a window, from one property to another through crumbling walls, by their neighbors, and by strangers—anyone looking inside from outside. As a characteristic of privacy, controlling access does not indicate complete solitude, but instead offers the ability to choose who has access. While windows played a large role in visual access, pleas also ruled on being seen through ruinous walls, apertures, or other structural openings.

In what seems to be the opening salvo of a tense exchange beginning in 1302 and spanning several years, the following disagreement between two neighbors is an example of the type of visual invasion that is so common throughout the rolls:

Michael de Tullesan was summoned to answer to Salomon le Cotiller for the plea at the assize. Whereby he complains that the fence of the house of the said Michael in the parish of St Mildred in London is broken, in such a way that his tenants are able to see within his courtyard and to see his private affairs, and water falling from the said house inundates his said courtyard, and reaches his trees and herbs there unjustly and to his loss, etc. And he offers this, etc. And Michael comes and agrees to do those things that he lawfully ought to do, etc. And a day of judgment was given to them fifteen days hence unless in the meantime they are able to reach agreement, etc. And afterwards they reached agreement, etc.

[Michael de Tullesan summonitus fuit ad respondendum Salomoni le Coteler de placito assise. Et unde queritur quod claustrum domus dicti

Michaelis in parrochia sancte mildride in Londonio frangitur ita quod tenentes sui respectum habere possint infra curiam suam 7 secreta sua videre 7 aqua cadens de dicta domo dictam curiam suam inundat arbores 7 herbas suas ibidem subiungit iniuste ad dampnum suum 7 cetera. 7 hoc offert 7 cetera. Et Michael uenit 7 concedit facere ea que de iure facere debet 7 cetera. Et datus est eis dies de iudicamento suo audiendo ad quindenam nisi interim concordare possint 7 cetera. Et postea concordati sunt 7 cetera.]²¹

In addition to the water that damages his property, le Cotiller complains about being watched by his neighbor's tenants. His fears may be real or perceived but even the potential of being seen reflects anxiety, limits his behavior, and demands correction. Although nowhere in any of the assizes does it state explicitly that watching people is improper behavior, the consistent court rulings on the side of the plaintiffs implicitly communicate that value.

Used to describe what was seen, the term employed in this case and throughout the rolls is *secreta*. Although no plea offers a clear-cut meaning of *secreta*, it can be understood as contextually based, the knowledge of which is exclusive. Based upon a few complaints, McSheffrey posits that these *secreta* are acts of a personal, bodily nature; however, the records do not support this exclusive conclusion, and further explication of what *secreta* represented in these cases would be helpful for modern scholars.

Nevertheless, le Cotiller's opposition to his *secreta* being a known entity indicates exclusivity but does not imply secret. In her monograph on medieval secrecy, Karma Lochrie concludes that "the secret and the private were more synonymous" because "in

²¹ CLA/040/02/001, m. 3.

the Middle Ages the association of the secret with the divine mystery and Christian subjectivity . . . renders medieval privacy something more covert and charged.”²² While a closer relationship between secret and private might have been true, even within Lochrie’s definition delineation between the two exists. Within the household, accepted members, both those who lived there and those who may have visited, are allowed a different sort of access unseen in these litigations. Therefore, in my translations, I have chosen to translate the term as “private affairs.” In Middle English, the word *secreta* is defined as that which is kept confidential, something not for common knowledge, or something private, while the Latin definition denotes it as separate or secret in addition to private.²³ These definitions reinforce my contention that medieval Londoners had a legal and conceptual frame for privacy; they clearly understood the boundaries of prescribed personal space and did not hesitate to use the court system to claim their legal rights. The edited calendar by Chewing and Kellaway defines *secreta* as “private business,” while McSheffrey, on the other hand, translates *secreta* as “intimate affairs.”²⁴ She suggests using “intimate” as opposed to “private” because “late-medieval English people did feel that some things were intimate and should properly be kept so.”²⁵ Her use of intimate is semantic and mitigating because intimacy is a characteristic of privacy, or according to some, the definition of privacy. Diane Shaw, on the other hand, uses the translation by Chewing and Kellaway and therefore her perspective is based upon their language.

The disagreement brought to the assize in 1302 represents the beginning of the litigation between de Tullesan and le Cotiller in the rolls of the Assize of Nuisance. The

²² Lochrie, *Covert Operations*, 136.

²³ *secreta*, in *Middle English Dictionary*, accessed 19 October 2012, <http://quod.lib.umich.edu/m/med/>.

²⁴ McSheffrey, “Space, Place, and Situation,” 988.

²⁵ *Ibid.*,” 988.

information that survives in these records offers no other descriptions of the relationship before le Cotiller summoned his neighbor to court, but it does indicate common knowledge about an individual's legal rights. Salomon le Cotiller obviously knew the legal process and he knew the law. He also featured in a case in 1306 in which no resolution was ever reached, and additionally he was one of the aldermen who judged cases against the assize during the same years that he pursued his own litigation.

In the twelfth-century Assize of Buildings, city customs asserted that a householder did not have a right to a view, but that it was an inheritable value, deeded and passed along with the physical property. The assize states:

[I]f any person shall have windows looking upon his neighbor's land, even if he has been in possession of the view from the aforementioned windows for a long time, and even if his predecessors were in possession of the aforementioned windows, nevertheless, his neighbor may rightly block the view from those windows by building opposite those windows, or by placing on his own land as it seems expedient to him; unless that person who has the windows can show any document by which that neighbor may not obstruct the view from those windows.

[Item, si quis habuerit fenestras versus terram vicini sui, licet fuerit in seisinā de visu prædictarum fenestrarum per longum tempus, et etiam si prædecessores sui fuerint in seisinā de prædictis fenestris, tamen bene potest vicinus suus visum illarum fenestrarum obturare, ædificando ex opposito illarum fenestrarum, vel ponendo ibidem super terram suam propriam, sicut melius viderit sibi expedire; nisi ille qui habet fenestras,

possit ostendere aliquod scriptum per quod ille vicinus non poterit visum
fenestrarum illarum occupare.^{26]}

Looking from one's windows onto a neighbor's property is not explicitly stated as improper, but implicitly a neighbor can build whatever he or she wants to block a view, suggesting that the act of watching another is a violation of city custom and privacy. Thus windows were not for looking into or out of—unless the view was accompanied by a deed—but for allowing light in.²⁷ At least fourteen cases were judged on who had the right to light or who had the right to build, such as the case of Walter Doget, who, in 1370, successfully argued for his right to the light and a view into the chapel of St. Leonard, East Cheap, which had been deeded to his heirs and himself.²⁸

While the court regulated people's visual access through crumbling walls and attempted to forbid the act of watching or being watched, the standards for window placement were not clarified until 1316 in a plea between John Sodyngton and Hugo Garton, when Hugo's windows were ordered to be no less than sixteen feet above ground if they faced in the direction of someone else's property. Utilizing similar language as the Assize of Buildings, the judgment reads:

²⁶ Riley, *Liber Albus*, 324.

²⁷ Margaret Wood in *The English Mediaeval House* discusses the architectural developments of windows from the twelfth to the fifteenth centuries; glass windows gained in popularity during that period, becoming less expensive over time, see 345-64. The following cases rule on the right to a view: CLA/040/02/001, m. 5, le Chaplain and le Benere v. de Foleham; m. 8, le Barber v. le Mareschall; m. 43, Aubrey v. Pountoyse and Castelacre; m. 46, Goldchep v. Beauflur; m. 49 (d), Aubrey v. Heyron and de Armenters; m. 55, Aleyn v. de Stansfeld, de Hacford, and de Bury; m. 55(d), de Stansfeld and de Hacford v. Alyen.

²⁸ See CLA/040/02/002, m. 27. The Law of Ancient Light provides easement for windows to allow natural light into the building or room. See CLA/040/02/001, m. 22(d), de Waltham v. le Tailleur; m. 33, de Berkyngge v. atte More; m. 43, Aubrey v. Pountoyse and Castelacre; m. 46, Goldchep v. Beauflur; m. 48, de Keselyngbury v. de Bromyerd; m. 52(d), le Waleys v. de Wetheresfeld; m. 55, Aleyn v. de Stansfeld, de Hacford, and de Bury; m. 55(d), de Stansfeld and de Hacford v. Alyen; m. 57, de Brandon v. de Farndon; m. 62(d), Peverel v. atte Vigne; m. 64, B— v. de Basyngge; CLA/040/02/002, m. 27, de la Launde, Hervyll, Ivory, Boydon, Lyndewyk, Spicer, Bronnesbury, atte Beche, atte Suyte, Gylet v. Doget; CLA/040/02/003, m. 7, Accon v. Asshecomb; m. 11(d), Curteys v. Hethingham and Sargere; m. 14(d), Grendon v. Burne, Gamboun, Merlyn.

. . . it was decided by the mayor and aldermen that the previously mentioned Hugo is to have all of the aforesaid windows and apertures stopped up in such a way that he does not have any there toward the freehold of the aforesaid John unless they are made distant from the ground by a height of sixteen feet, etc.

[. . . consideratum est per maiorem et aldermannos quod prefatus Hugo opturare faciat omnes fenestras et aperturas predictas ita quod aliquas ibidem non habeat erga liberum tenementum predicti Johannis nisi facte sunt distantes a terra per allitudinem sexdecim pedum et cetera.]²⁹

Any window facing property, unless deeded, was subject to these rules, and later cases began to reference distances between land and window as opposed to directions.

Architectural artifacts suggest that windows that overlooked shared or public space had no equal height requirement. Such a great height certainly made controlling access to oneself significantly simpler—both visual and physical access. The opening lines of Chaucer's *Tale of Melibee* imply that windows set this high were not uncommon:

Upon a day bifel that he for his desport is went into the feeldes hym to
 pleye./ His wyf and eek his doghter hath he left inwith his hous, of which
 the dores weren faste yshette./ Thre of his olde foes han it espyed, and
 setten laddres to the walles of his hous, and by wyndowes been entred,/ and
 betten his wyf, and wounded his doghter with fyve mortal woundes in
 fyve sondry places—³⁰

²⁹ CLA/040/02/001, m. 28.

³⁰ Chaucer, *Tale of Melibee*, 968-72.

The references to the doors and windows denote the desire to control access to home, property, and family. Melibee's enemies could not easily break into his home from the ground level, but instead needed to ascend ladders to the upper-level windows for entry.

Although the statement in the Assize of Buildings does not indicate who is accountable for the view or windows, cases from the rolls of the Assize of Nuisance place the responsibility on the owner of the ill-placed windows. In fact, no more than simply the existence of windows overlooking someone else's land is needed to prompt legal action, such as this 1301 to 1302 case between Richard de Chigwell and the offenders, Geoffrey de Conduit and Imanya de Brauncastre:

Geoffrey de Conduit and Imanya de Brauncastre were summoned by Richard de Chigwell to answer for the plea at the assize. Whereby he complains that the rainwater of the houses of the aforementioned Geoffrey and Imanya falls upon his land. And they also have windows and apertures in the direction of his land (in the parish of St. Peter Wood Street and St. Matthew Friday Street, London) unjustly to his loss, etc. And Geoffrey and Imanya came and Geoffrey says that they have no tenement in the aforementioned except a freehold by the law of England and that is the fief and right of a certain Philip, son of John le Bailiff without whom the aforesaid tenants cannot bring anything to judgment, etc. And he requests his help, etc., and it is granted to him etc. And he was told to have the aforementioned Philip here on the finding following Friday following the feast of St. Hilary, etc. And the same day was given to the aforesaid Richard and Imanya, etc.

[Galfridus de Conduitu 7 Imanya de Brauncestre summoniti fuerunt ad respondendum Ricardo de Chigwelle de placito assise 7 unde queritur quod aqua domorum predictorum Galfridi 7 Imanye cadit super terram suam. Habent etiam fenestras et foramina versus terram suam in parochia sancti Petri de Wodestrete et sancti Mathei de Fridaystrete Londonie iniuste ad dampnum suum 7 cetera. Et Galfridus 7 Imanya venerunt et Galfridus dicit quod nichil habent in predictis tenementum nisi liberum tenementum per legem Anglie 7 quod feodum 7 ius est cuiusdam Philippi filii Johannis le Baillif sine quo non potest quicquam tenentes predicti in iudicamentum deducere 7 cetera. 7 petit eius auxilium 7 cetera 7 conceditur ei 7 cetera. 7 dictum est ei quod habeat hic predictum Philippum, die veneris proxima post festum sancti hillarii 7 cetera. Et idem dies datus est predictis Ricardo 7 Imanye 7 cetera.]³¹

Not only does the rainwater invade de Chigwell's property improperly, but both of his neighbors also have windows that overlook his property and thus impede his ability to control access to himself. This case also offers an example of responsibility—Geoffrey de Conduit and Imanya de Brauncastre do not own their tenements, and therefore they are not liable. Unlike some of the other cases, this record does not state explicitly that de Chigwell is being watched, the term *versus* or “in the direction of,” legitimatizes his fears. From behind the window, the viewer can remain hidden while the object never

³¹ CLA/040/02/001, m. 2.

knows if someone is watching.³² In her monograph on modern urban privacy, Christena Nippert-Eng describes the lure of windows:

[People] are remarkably sensitive to one simple fact about windows: people love to look through them—in either direction. When we are inside our homes, we are drawn to looking outside for a whole host of reasons When we're outside, we're equally drawn to looking through windows whether by accident, because of nosiness, or again, due to simple security and safety issues in the neighborhood.³³

Although her assessment of humans' fascination with windows focuses on modern culture, the cases brought against the assize indicate that medieval watching interests were not so different. Curiosity, fear, desire, and even location invite the act of looking.

Although *Troilus and Criseyde* is placed in a classical context, the city itself reflects the spatial practices and construction of medieval London through houses, streets, and domestic scenes. In the cases adjudicated against the assize, people were concerned about violations of their privacy through poorly placed windows; however, windows with a view onto public property were not problematic. Chaucer frequently frames scenes through windows, although his windows are for looking out of, not for looking into; in addition to Criseyde, Palamon and Arcite in *The Knight's Tale* watch Emelye from their prison window, and both Alisoun and Nicholas mock Absolon through the shot window in *The Miller's Tale*.³⁴

³² For medieval theories of looking, see Suzanne Conklin Akbari, *Seeing through the Veil: Optical Theory and Medieval Allegory* (Toronto: University of Toronto Press, 2004).

³³ Nippert-Eng, *Islands of Privacy*, 226.

³⁴ Chaucer frequently uses windows to frame significant scenes; for a discussion of the window in *The Knight's Tale*, see Zaixin Zhang, "Medieval Visual Arts and the Barred Window in Chaucer's *The Knight's Tale*," *English Language Notes* 28 (1991): 10-17; for the window in the *Miller's Tale*, see P. Brown, "'Shot wyndowe' from the 'Miller's Tale' (I.3358 and I.3695): An Open and Shut case?: A Contextual Linguistic

The initial relationship between Troilus and Criseyde reflects an inversion of the complaints in the assize in that it depicts looking and hearing outside from the inside as opposed to looking and hearing inside from the outside. In the second book, after Pandarus suggests that Criseyde consider Troilus's affections, she spies on Troilus from her window. From inside her closet, Criseyde hears the crowd as "men criden in the strete,"³⁵ and Troilus's progression through the town is publicized by happy Trojans:

"A, go we se! Cast up the yates wyde!
 For thorwgh this strete he moot to paleys ride;

 For the other wey is the noon
 Of Dardanus, there opyn is the cheyne."
 With that he com and al his folk anoon
 An esy pas rydyng, in routes tweyne.³⁶

Not only does the crowd announce his approach, but they also call out his directions so that everyone can come and see the hero. Doubly hidden, Criseyde watches him from the protected and solitary space of her closet. It is not enough for the Trojans to know that Troilus has returned successfully, but they must see him; he is the connection between their day-to-day activities and the war outside the walls:

So like a man of armes and a knyght
 He was to seen, fulfilled of heigh prowesse,
 For bothe he hadde a body and a myght

Re-Examination of Window Definitions in the 'Canterbury Tales' of Geoffrey Chaucer," *Medium Aevum* 69, no. 1 (2000): 96-103.

³⁵ *T&C*, 2.612.

³⁶ *Ibid.*, 2.615-20.

To don that thing as well as hardyness;
 And eek to seen him in his gere hym dress,
 So fresshe, so yong, so weldy semed he,
 It was an heven upon hym for to see.³⁷

So important is the emphasis on seeing Troilus that the narrator repeats the verb three times in seven lines. His beauty, strength, and martial prowess suggest power while his position as a prince of Troy demonstrates his place as a public figure. The repetition of the various verb forms of “see” also reinforces the power of Criseyde’s gaze from the window; furthermore, her reaction, “Who yaf me drynk?”,³⁸ implies that Criseyde shares the narrator’s admiration of Troilus. Elizabeth A. Dobbs, in her examination of the windows in *Troilus and Criseyde*, argues that Chaucer links windows to the lovers’ affair. She suggests, “Since he cannot provide us with real windows to look through, Chaucer instead draws our attention to the limitation involved in the experience by creating a semi-blindness in characters, and audience, specifically when windows seem to be open.”³⁹ Windows, both fictional and real, limit visual exchanges between people, offering only one-sided surveillance.

Outside of blocking windows, constructing a wall was another way to control access and promote privacy; walls are a natural deterrent because they offer protection from physical access and block visual invasions. The crafters of the Assize of Buildings were well aware of the effects of wall placement in the close living quarters of the urban environment, and the building codes reflect the significant function of walls in their rules and codifications. Most importantly, the assize specifies the size of the wall: “and thus by

³⁷ Ibid., 2.631-37.

³⁸ Ibid., 2.651.

³⁹ Dobbs, “Seeing Through Windows in Chaucer’s ‘Troilus,’” 417.

common custom they will build a stone wall between one another, three feet thick and sixteen feet high” [“et sic communi custu construent murum lapidem inter se, spissitudinis trium pedem et altitudinis sexdecim pedum”],⁴⁰ and its placement between properties. A wall of this size would not be easily scaled, and yet through disrepair walls allowed people entry in twenty-two cases between 1301 and 1431.⁴¹

The most obvious reason for this type of invasion was the disrepair of these boundaries; a stone wall of this great size was expensive to build—although the cost was shared by neighboring households—and difficult to maintain. Walls could fall into ruin for any number of reasons, including not only the passage of time, but also the removal of the materials to be used in other construction. However these walls came to ruin, they allowed outsiders in the form of men, dogs, and even chickens to intrude on people and destroy property. The next recorded dispute between Michael de Tullesan and Salomon le Cotiller occurred in 1304 and demonstrates the provocations of a ruinous wall:

Michael de Tullesan was summoned to answer to Salomon le Cotiller for the plea at the assize. Whereby he complains that the wall of the house of the same Michael is split apart and broken and hanging over the land of that same Salomon in such a way that dogs and other animals enter his garden and tread and trample upon the things growing there and do many other evil things to him to the nuisance and damage of his freehold in the parish of St. Mildred

⁴⁰ Riley, *Liber Albus*, 321.

⁴¹ See also CLA/040/02/001, m. 6(d), Fink v. de Euere, le Cotiller v. Tholosan; m. 24(d), Prior of Holy Trinity v. Wastel, de Bocton, de Grascherche; m. 32(d), de Neusom v. Dean of St. Paul; m. 36 de Gisors v. Prior of Holy Trinity; m. 37, de Hemenhale v. de Haverling; m. 41(d), Prior of Austin Friars v. le Mareschal; m. 65, de Causton v. de Wyndsore; m. 71, de Aston v. Warender; m. 72, de Secheford v. Prior of St. Mary Without Bisshoppesgate; CLA/040/02/002, m. 6, Abbot of Circestre v. Lestraunge; m. 12, de Honylane v. Hore; m. 26, Abbot of Rewley v. Salesbury; m. 32(d), de Neweham v. Herland; m. 34, de Crumpton v. Savage; m. 37, Chaloner v. Pountefreyt; CLA/040/02/003, m. 1(d), Sprotburgh v. Ingelbright; m. 5, Bohun v. Paries; m. 7, Moot v. Waklee; m. 11, Frank v. de Haryngton, de Morisby, del Garth, Romondby, Skirwith.

Poultry in London, etc. And he offers this, etc. And Michael comes and that nuisance is so plain that he cannot deny it, etc. And he shows nothing on his own account, nor does he know how to say anything by which the declaration of the assize should be delayed, etc. And the parties were asked by the assize if they wish to enclose themselves with stone according to the assize, and the aforesaid Michael comes and says that he does not want to enclose himself according to the assize neither separately nor in common, etc. And Salomon says that he is prepared to make the enclosure jointly or separately by himself, following the consideration of the assize, etc. Therefore it is agreed that the aforesaid Michael is to find land of the width of three feet from his own land and that the previously mentioned Salomon is to build up a stone wall three feet wide and sixteen feet high and that the wall is and will remain common for building to them and their heirs, etc.

[Michael de Tholosan summonitus fuit ad respondendum Salomoni le Cotiller de placito assise 7 unde queritur quod paries domus eiusdem Michaelis est dirupta 7 fracta 7 pendens ultra terram ipsius Salamonis ita quod canes et alia animalia herbarium suum ingrediuntur et crescencia ibidem calcant et subpeditant et multa alia mala ei faciunt ad nocumentum liberi tenementi sui in parochia sancte Mildride in peletria Londonie et dampnum suum 7 cetera. Et hoc offert 7 cetera. Et Michael venit et nocumentum illud ita manifestum est quod illud dedicere non potest 7 cetera. 7 nichil pro se ostendit nec aliquid dicere sciat per quod veredictum assise retardari debet 7 cetera. Et partes ab assisa requisiti, si per assisam se claudere velint de petra, et predictus Michael

venit 7 dicit quod non uult claudere per assisam per se diuisim nec in communi
 7 cetera. Et Salamon dicit quod paratus est facere clausturam in communi uel
 separatim per se, secundum considerationem assise 7 cetera. Ideo constitutum
 est quod predictus Michael inueniat terram latitudinis trium pedum de terra sua
 propria 7 quod prefatus Salamon supraedificat murum lapideum spissitudinis
 trium pedum 7 altitudinis xvi pedum 7 quod mura sit 7 remaneat ipsis 7
 heredibus suis communis ad supraedificandum 7 cetera.]⁴²

The disrepair of the wall made it possible for trespassers to ignore the separation that the wall provides and to transgress against the value of exclusion that is both city custom and social expectation. In addition to their physical invasions, these outsiders also destroyed property and discomforted le Cotiller in a place where he expected to control the access of who entered and what occurred there. In the modern association of the home with privacy, Daniel Solove posits that it is “currently understood as a place where individuals retreat to find peace of mind, cultivate intimate relationships, and engage in personal activities of self-development”; however, the assize cases do not point toward these concepts in medieval London housing.⁴³ What is shared between the medieval and the modern is the importance of access. In the latest dispute between de Cotiller and de Tullesan, the assize ruled that de Tullesan would forfeit three feet of land to his neighbor, who was willing and able to repair the wall according to city customs, and they would continue to share ownership and responsibility into the future. The case between these neighbors not only depicts one of the situations that helped establish a contextual

⁴² CLA/040/02/001, m. 6(d).

⁴³ Solove, *Understanding Privacy*, 59.

definition of privacy as controlling access, but it is also representative of the other twenty-one cases in its formulaic recitation.

The different disputes between le Cotiller and de Tullesan also illustrate how problems of this nature can have long-lasting effects. The ruined and broken wall was bothering le Cotiller for four years—for four years, the people who lived in de Tullesan’s property were potentially looking inside his household, and every time it rained, his grass and his trees were flooded. Four years of discord between neighbors is a long time, and the time spent between cases suggests that although the court could resolve a situation verbally and legally, its ability to enforce the resolution was not absolute. Indeed, the case between John Sodyngton and Hugo Garton references an assize that had been previously brought against Hugo and ignored. Other cases were often even more involved than these, with litigants returning to court three or more times over the years with a growing list of defendants.⁴⁴ Further, property invasions were not confined to personal residences but also included religious properties; abbots, abbesses, priors, parsons, and deans all took advantage of the court system to demand and maintain control over their land, gardens, houses, and churches.⁴⁵

⁴⁴ For example, Isabel Luter engaged in litigation with 5 of her neighbors, all of whom had windows, openings, and towers that allowed them to see her private affairs and the private affairs of her servants, see CLA/040/02/001, m. 54 and m. 54(d).

⁴⁵ CLA/040/02/001, m. 3(d):

Decanus 7 Capitulum sancti martini magni Londonie et magister Robertus de Staundone clericus 7 Willelmus de Hottoheshathere summoniti fuerunt ad respondendum fratri Henrico de Suttone Gardiano Ordinis fratrum minorum Londonie et fratribus suis in placito assise. Et unde queruntur quod dicti Decanus et Capitulum magister Robertus et Willelmus habent claustrum suam ruinosam 7 prostratam Gardino ipsorum fratrum coniunctam per quam fructus 7 herbe sue asportantur 7 deprimuntur 7 alia mala enormia non modica eis inferuntur 7 cetera. Et quam claustrum dicti Decanus et Capitulum Robertus et Willelmus cum per ipsos fratres inde sepius fuerunt requisiti in toto et in parte iniuste reparare dederunt 7 adhuc dederunt ad dampnum suum 7 cetera. Et hoc offerunt 7 cetera. Et Decanus venit per Charletum de Sayssello attornatum suum. Et Capitulum per Johannem de Witham Egidium de Garderoba canonicos et alios vicarios venit 7 defendit vim 7 iniuriam quando 7 cetera. Et dicunt quod terra illa de qua dicti fratres queruntur data fuit deo 7 ecclesie sancti martini predictae 7 decano et capitulo ibidem deo seruientibus in

The act of watching, of surveillance, is by nature covert and purposeful, and it violates personal space, making public what would be private. The knowledge of being watched inhibits an individual's choices and actions. In this sense private does not mean secret, but personal, intimate, and exclusive—in other words, not public. It can be particularly invasive and divisive because of its unknown qualities. The fear of being watched reveals a power differential as the object has no control over its perceived image, while the viewer acts as the agent. Denying the gaze its object reverses the agent and control of access. Nippert-Eng argues that as humans, we are programmed to watch others: “This is what our species does. We look—wherever we can, whenever we can, and at whomever and whatever we can.”⁴⁶ The cases judged by the assize demonstrate that Nippert-Eng's statement was just as true in the Middle Ages as it is today.

puram 7 perpetuam elemosinam per quondam Reges Anglie progenitores Regis nunc sine quo non possunt dictam terram in iudicamentum deducere. 7 petunt quod assisa nullum faciat iudicamentum in preiudicium liberi tenementi dei ecclesie decani 7 capituli predictorum 7 cetera. Et Robertus de Stanndone venit et defendit vim ut supra. Et dicit quod Willelmus de Hottohesathere de quo dicti fratres queruntur mortuus est. Profert tamen quamdam cartam per quam liquet expresse quod liberum tenementum feodum 7 ius tenementi de quo fratres queruntur est mere ipsius Roberti 7 cetera. Et petit idem Robertus quod assisa non faciat iudicamentum in preiudicium liberi tenementi sui 7 cetera. Et frater Henricus et alii fratres dicunt quod non petunt ius liberi tenementi ipsorum Decani Capituli 7 magistri Roberti 7 cetera. Sed petunt quod per assisam deducantur ad reficiendam claustram suam secundum legem 7 consuetudinem Civitatis ita quod inde eis malum ulterius non eueniat 7 cetera. Et petunt iudicamentum assise 7 cetera. Et quia Decanus et Capitulum 7 magister Robertus factum non ostendunt per quod dicti frater henricus et alii fratres dictam claustram sine sumptibus reparare debeant 7 cetera. Nec dicti frater henricus et alii fratres aliquod factum non ostendunt per quod dicti Decanus et Capitulum 7 magister Robertus sumptibus suis debeant dictam claustram reparare. Ideo constitutum est quod si dicte partes velint de lapide claustram construere in communi quod illam construant super terram communem suam et communibus sumptibus 7 quod murus communis remaneat partibus 7 cetera. Vel quod una pars terram inueniat reliqua uero pars murum lapideum construat sumptibus suis propriis 7 murus partibus communis remaneat 7 cetera. Et quod uno modo uel alio qualiter partes per se concordauerint de claustra predicta facienda quod ipsam dicte partes perficiant infra xl dies proximo sequentes 7 cetera. Et si una pars uel alia dictam claustram illam partem sibi inde contingentem infra dictos xl dies debito modo non perfecerit dictum est vicissim quod illam facere ut predictum est sumptibus partis renitentis 7 cetera. Et nichilominus ab ipsa capiat xl s pro contemptu 7 cetera. Salua utrique parti accione de terra sua acquirenda que de iure ei competi 7 cetera.

⁴⁶ Nippert-Eng, *Islands of Privacy*, 226.

As the cases in the rolls advance from 1301 to 1431, the records demonstrate increased regulations pertaining to visual access, with earlier cases only mentioning windows or apertures overlooking a neighbor's property, while later records protest against height or placement. The plaintiffs not only complained that outsiders could see in, but began to refer more often to their own private affairs and the private affairs of their servants as well as specific window height. The increased details can be attributed to people's expanding legal responsibilities in the community, as Anthony Musson argues, as well as to the person who was transcribing being more specific about the details of the case.⁴⁷ Between 1301 and 1399, six hundred and forty-two cases were considered. The number of records diminishes substantially after 1400 to only twenty-one cases. The vast number of pleas occurring over one hundred years substantiates that access to self and property were important regulations, but nothing clearly indicates why no other rolls exist. Other major events occurring between 1301 and 1399—the plague, the Great Rising—do not seem to have affected the number or the type of cases. A correlation can potentially be made with the ascension of Henry IV to the throne, but no evidence proves this concretely.

Controlling who watches and how they watch was only part of determining access and establishing privacy; people were also concerned about being overheard. Although not as commonly brought to the assize, at least three pleas link eavesdropping with being seen and trespassing.⁴⁸ Overhearing also seems to lack the negative implications of subjectivity and object associated with seeing. In 1356, John and Beatrice Barton brought

⁴⁷ See Musson, *Medieval Law in Context*, 6.

⁴⁸ CLA/040/02/001, m. 72, Barton v. Prior of Holy Cross Near Tower; CLA/040/02/002, m. 7(d) Sleford v. Soty, Baronet; CLA/040/02/003, m. 7, Moot v. Wakelee.

a case at the assize against the prior of the Brothers of the Order of the Holy Cross beside the Tower for a door that allowed his servants both aural and visual access to them:

Whereby they complain that since they themselves have and hold a garden in the parish of Saint Olave by the aforesaid Tower, by the grant of the mayor and of the community of the city of London, for the term of their life and of whichever one of them lives longer, next to the wall of the garden of the aforementioned prior in the aforementioned parish; the aforementioned prior has in the same wall a door opening in the direction of the garden of the aforementioned John and Beatrice through which the servants of the aforementioned prior enter into their garden and trample in every direction the grass and other things growing in the same garden, and they see and hear the private affairs of the same John and Beatrice to their great nuisance and against the customs of the City, etc.

[Et unde queruntur quod cum ipsi habeant ⁊ teneant unum gardinum in parochiam sancti Olavi iuxta Turrim predictam ex dimissione maioris ⁊ communitatis civitatis Londonie ad terminum vite eorundem ⁊ alterius eorum diucius viuentis iuxta murum gardini predicti prioris in parochia predicta predictus prior habet in eodem muro unum hostium apertum versus gardinum predictorum Iohannis et Beatricis per quod seruientes predicti prioris gardinum ipsorum intrant et herbagia et alia in eodem gardino crescencia undique calcant et secreta eorundem Iohannis ⁊

Beatricis ibidem vident et audiunt ad magnum nocumentum ipsorum
Iohannis 7 Beatricis et contra consuetudines Civitatis 7 cetera.]⁴⁹

Just as the assize included no explicit statement about looking, it also lacked any explicit rejection of eavesdropping. Furthermore, nothing in the Assize of Buildings offers any statute or custom that suggests overhearing to be problematic. This record, like the other two cases that complain about being heard, links being heard with being seen, possibly reinforcing the actions as transgressive and invasive behavior.

Overhearing in literature is often used as a plot device to advance the action. A significantly later text than Chaucer's *Troilus and Criseyde*, the mid-fifteenth century text of *The Squire of Low Degree* demonstrates the tensions of being seen and heard.⁵⁰ The anonymous author of the romance utilizes eavesdropping by crafting situations where characters overhear others both accidentally and on purpose. Although the setting of *The Squire of Low Degree* does not depict an urban living situation, it does portray people living in close quarters in which access, both visual and aural, problematizes relationships.

In order to advance the romance between the less-suitable squire and the king's daughter, the squire cries his lover's complaint in the garden, a place of pseudo-privacy, and "Ryght even under her chambre wyndowe."⁵¹ The author relates the location of each character in relation to the window, which is the focal point of the scene. The squire's placement under his lady's window is perhaps less accidental than it seems; while the

⁴⁹ CLA/040/02/001, m. 72.

⁵⁰ The romance survives in full in a 1560 print edition by William Copeland. For a discussion of dating, see Erik Kooper, introduction to *The Squire of Low Degree* in *Sentimental and Humorous Romances* (Kalamazoo: Medieval Institute Publications, 2006), 127-34.

⁵¹ *The Squire of Low Degree*, in *Sentimental and Humorous Romances*, 65.

decision to cry in a garden is a common trope in romances, his location under the window of his love interest is suspect as he must know that she can hear him:

And as he made thys ruffull chere,
 He sowned downe in that arbere.
 That lady herde his mournyng all,
 Ryght under the chambre wall,
 In her oryall there she was,
 Closed well with royall glas.
 Fulfilled it was with ymagery;
 Every wyndowe by and by
 On eche syde had there a gynne,
 Sperde with many a dyvers pynne.
 Anone that lady, fayre and fre,
 Undyd a pynne of yveré,
 And wyd the windowes she open set,
 The sunne shone in at her closet.
 In that arber fayre and gaye
 She sawe where that squyre lay.⁵²

Her presence in the window at this private moment is necessary; how else would she know of his affections? The window provides a location where she can see but not be seen and hear but not be heard, hidden by the decorated glass, but able to open the window. The term *oriel* is defined as a recessed window or private space, a point well

⁵² Ibid., 89-104.

made by Spearing in his monograph on voyeurism in Middle English romances.⁵³

Although her invasion of his privacy suggests a more intimate, indirect conversation than any invasive behavior, her hidden position reveals intentional surveillance and eavesdropping, alluding to a much more conflicted reading. The squire is under the window as if asking to be heard, and while she positions herself to see and hear him from a secluded place.

Situations like this provoke questions of solitude and the existence of privacy. Spearing argues that “the capacity of medieval romance to deal with private life depends on the availability of private spaces, and the possibility of spying depends on the penetrability of these spaces.”⁵⁴ As seen from the cases judged according to the Assize of Nuisance, spying by seeing or hearing was unacceptable, particularly from a hidden position, while private affairs, things not public, are legitimized. Invading these spaces is always possible, but it is the implicit negative value that is assigned to these actions that indicates their impropriety.

This small sampling of cases from the rolls of the Assize of Nuisance demonstrates that legal recourse was available for people whose property boundaries were trespassed physically, visually, or aurally; further, these violations define privacy contextually as controlling access both to one’s property as well as one’s person. Finally, they established that the household, which included courtyards, gardens, tenants, and servants, was a place of privacy not open to outsiders. Overall, I contend that the violations pled in front of the assize could be classified as attempts to control or limit access to the self; this included the various ways in which people understood their

⁵³ Spearing, *The Medieval Poet as Voyeur*, 179.

⁵⁴ *Ibid.*, 178.

identity to include land, buildings, and body; thus regulating access demonstrates individuality. Sociologists Joseph Bensman and Robert Lilienfield, however, claim that the medieval

individual caught in a relatively intense social network of a decentralized manorial system, did not—to the best of our knowledge—develop resources necessary to have a strong, conscious sense of himself . . . The sense of individuation, the knowledge by the individual that he was a person apart, separate from his society and able to make independent judgments of both himself and his society, began to emerge only in the Renaissance and during the Reformation.⁵⁵

These assize cases are proof to the contrary; they offer examples of men and women who see themselves, and their comfort, as something apart from the needs of society.

Furthermore, romance texts, visionary writing, and socio-historical documents where men and women seek to attain their desires all exhibit people making choices independent of society. Establishing boundaries that denied access asserts identity, while individual desires often led to transgressions.⁵⁶ Transgressions, on the other hand, attest to social norms and expected behavior.

While the legal system was available to solve disputes for people, an individual's ability to access it was affected by gender and wealth. Free men had the most access, while women's usage of the court system varied, depending on the case and their marital status. These standards set by the assize were only applicable to the owner of the

⁵⁵ Bensman and Lilienfield, *Between Public and Private*, 29.

⁵⁶ Judith Bennett does not see evidence “advancing either medieval individualism or medieval sexuality,” in *Women in the Medieval English Countryside*, 177, but she attributes that to the equal importance of the household and all the duties associated with the household to both the husband and wife.

freehold, such as the case instigated by Richard de Chigwell against Geoffrey de Conduit and Imanya de Brauncastre. In the situation that a tenant was not the property owner, any decision was postponed until he or she was present. People who were very poor and moved around frequently, keeping no permanent sleeping space, could not take advantage of the assize; these homeless people often built small closets into ramshackle walls or vacant lots, in which they could store items or even sleep. In fact it was most likely these individuals who unlawfully entered, stole fruit, or destroyed gardens. Therefore, the litigants had to have at least some financial solvency to own a place to live.

Scholars have suggested that the courts were a public venue for men with little room for women, who could only utilize public services as widows or unmarried women. Karma Lochrie, for example, contends that the legal status of married women as *femmes covertes*, literally translated as “secret” women or “hidden” women, prevented them establishing an identity outside of marriage. She argues that “Women *become* covered in marriage, thereby losing their agency.”⁵⁷ In late medieval England when a woman married, her husband gained possession over all of her goods and properties, and she had no recourse if her husband chose to dispose of her land or goods. If married women could not own property, then they would be prohibited from bringing an assize against someone by themselves, and the only women who could bring an assize were women who were not yet married or widows. A married woman would only be able to avail herself of the legal system jointly with her husband—this sort of joint litigation frequently appears in the assize cases, where the husband is listed first and then the wife, noted as *uxor*. For example, in the complaint by William and Felicia Chaloner against William de

⁵⁷ Lochrie, *Covert Operations*, 142.

Pountefreyt, the property in dispute is “by right of the same Felicia” [“ut de iure ipsius Felicie”].⁵⁸ Essentially, the fee simple belongs to Felicia but she and her husband litigate together. While Musson acknowledges that women’s coverture limited their legal status and activities, he argues that married women could take part in public service as jurors on cases regarding impotency or pregnancy, and that they also retained rights over their dower. He concludes that women were not completely restricted from the legal process, giving them more agency than Lochrie.⁵⁹

In the cases brought to the Assize of Nuisance, the majority of litigants were men; however, 364 women participated in court at some level. Of those 364 women, 222 were listed jointly with their husbands, and only forty were described as widows. Fifteen women were noted as daughters, and six women were described as part of a religious order, either as a prioress or an abbess. Only one woman was noted to be of the nobility, Joan Bohun, Countess of Hereford. The marital statuses of the remaining forty women were not indicated. Therefore, out of 364 women, sixty-one were unmarried, and forty-one are currently unknown—I have included the countess in the unspecified category as she is only described through social status. The fifteen daughters were most likely young women who had yet to marry, and were most likely still under the protection of their fathers. In her research on marriage in London, McSheffrey suggests that young, unmarried women often traveled to larger cities to work, and while there contracted their own marriages.⁶⁰ By qualifying these women’s status as “daughter of,” I understand them to be unmarried and still under their father’s protection, or life-cycle singlewomen. My

⁵⁸ CLA/040/02/002, m. 37

⁵⁹ Musson, *Medieval Law in Context*, 86-87.

⁶⁰ See Shannon McSheffrey, *Marriage, Sex, and Civic Culture in Late Medieval London* (Philadelphia: University of Pennsylvania Press, 2006).

examination of the cases judged against the Assize of Nuisance supports the conclusion that widows had more freedom to access public services in society, a conclusion I expand in my fourth chapter. In the cases argued in the assize, widows encompassed the second greatest participation of women by a sizable number. Even if the women whose marital statuses are unknown were added to the number of widows, the result would show the number of widows to be less than half of the women who litigate with their husbands.

In her seminal study, *Women in the Medieval English Countryside*, Judith Bennett examines the lives of rural women from Brigstock before the plague in 1348. Bennett's research shows that widows were the most active type of women in the community because they regained their legal options when they became widows. She concluded that about half of all of the widows were active participants in public life, or court life, and suggests that the widows who did not participate could have been unable to because of age or because they were too poor.⁶¹ She notes, however, that her study focuses only on one place and manorial court system, and while it suggests a broad model of gender relations, more work on other courts needs to be done to establish definitive conclusions. Bennett's research corroborates my conclusions from the rolls of the Assize of Nuisance.

Beyond considerations of gender, the cases judged against the Assize of Nuisance demonstrate that the rising middle class or merchant class utilized this court most often. Although only a portion of the cases mention the trade or social position of the litigants, at least sixty-nine trades are represented, including tailors, vintners, drapers, bakers, fishmongers, and artisans. Of the aristocracy, in addition to the countess, an earl, several "chevaliers" and a squire appear. Susan Reynolds suggests that "conflicts between merchants, and craftsmen, masters and journeymen" have often indicated a "hardening of

⁶¹ Bennett, *Medieval English Countryside*, 172-76.

class divisions.”⁶² It is quite possible that because of the mixed living and working conditions, trade-related disputes could have bled into arguments about boundaries and properties. The rolls offer examples of people concerned about the local baker’s poorly constructed chimney causing a fire or the smoke and noise of an armorer’s forge lessening the value of adjacent properties.⁶³ While the Assize of Buildings was not concerned with noise and property value, it did address the potential for fire.⁶⁴ The litigants from the highest social class are William de Ufford, Earl of Suffolk, who complains about property destruction through water disposal, and the Countess of Hereford, Joan Bohun, who complains that her neighbor can see the private business of her servants; both use lawyers to make their pleas.⁶⁵ Many other litigants were city officials or aldermen who were simultaneously suing and adjudicating, such as Salomon le Cotiller and Hugo Garton. On the other hand, the court system was probably little used by the impoverished who lacked fee simple, the cost, the awareness of such a venue for their complaints, or accessibility since sessions were only held monthly.

While the bulk of records from the Assize of Nuisance focus on disputes of private property and elements of the private, some also rule on public spaces. Several cases focus on free entry and right of way. In 1375 Adam and Margaret Francis complain that their neighbors have built a stile on a path of free passage:

⁶² Reynolds, *Introduction to the History of English Towns*, 161.

⁶³ CLA/040/02/001, m. 14(d) Master John de Silverstone v. Commonality; CLA/040/02/002, m. 1(d) Stacy and Crokhorn v. Moryce.

⁶⁴ The *Liber Albus* reads:

Item, qe nulle home ne femme face fourne ne fourneux, ne chymene southegette ou serrond; ne terraille ou feu soit fait pur payn faire ou cervoise, ou viand acquire, joust parroye, latys, ou bord, en haut nen solere, ne aillours, par quoi mesaventure de feu purra legerement sourder. Et si ascun tile y soit, qe lez scowageours le facent tantost remove ou debruser; pur qoy faire, lez scowageours averont iiii deniers pur chescun tile nusance issint remoez ou debrusez, 333.

⁶⁵ See CLA/040/02/002, m. 29 de Ufford v. Tornegold; CLA/040/02/003, m. 5. Bohun v. Paries, Bohun v. Badby.

Thomas, parson of the church of Saint Michael de Basseyshawe of London, William Willesdone, and John Sandone parishioners of that same church are summoned to respond to Adam Francis and his wife Margaret with regard to a plea at the assize of nuisance, etc. Whereby they complain that since the same Adam and Margaret have a tenement within the cemetery of the aforementioned church, to which tenement all of the tenants of the same have had their way from a time whereof memory does not exist, from the royal court to the same tenement and from the aforementioned tenement to the royal way, with servants, horses, carts and all of their cargo with all manner of merchandise and their things; until the same Thomas, William, and John had built there a certain stile across the aforesaid way, impeding the same Adam and Margaret from their said way to the aforesaid tenement to the annoyance of the freehold of the said Adam and Margaret and against the custom of the aforesaid City, etc. And he asks that when a visual inspection has been conducted by the mayor and aldermen as is customary, let it be done unto them what they see should be done according to the customs of the aforesaid City, etc. And the agents, namely John Hadley and William Newport, have testified on another occasion that the aforesaid Thomas, William, and John were summoned by John Hoke and Robert Coges, to be here to respond to the aforementioned things and they had a day for this, and on this day, etc. And having been called solemnly, they did not come but defaulted. Therefore, let one proceed to the assize by their default. And when a visual inspection of the matter had been conducted by the mayor and aldermen, etc. And because by

their visual inspection it is clearly apparent that the aforesaid stile was raised and made to the annoyance of the freehold of the same Adam and Margaret, etc. Therefore, it was decided that the aforesaid Thomas, William, and John are to remove the aforesaid nuisance within the forty days next following.

Otherwise, the agents are to cause this to be done at the cost of the same Thomas, William, and John. And nonetheless they are to take forty shillings from him for contempt, etc. And on top of this, the agents are ordered to admonish the aforesaid Thomas, William, and John that they are to remove the said stile within the forty days next following, on pain, etc.

[Thomas parsona ecclesie sancti michaelis de Bassyeshawe Londonie Willelmus Willesdone 7 Johannes Sandone parrochiani dicte ecclesie summoniti fuerunt ad respondendum Ade Fraunceys 7 Margarete uxori eius de placito assise nocumenti 7 cetera. Et unde queruntur quod cum iidem Adam 7 Margareta habeant unum tenementum infra cimiterium ecclesie predicte ad quod tenementum omnes tenentes eiusdem et tempore cuius contrarie memoria non existit habuerunt viam suam a vico regio usque idem tenementum 7 a tenemento predicto usque in viam regiam cum servientibus equis caretis 7 omni cariagio suo cum omnimodis mercandizis 7 rebus suis quousque iidem Thomas Willelmus 7 Johannes levaverunt ibidem unam scalam ex transverso vie predicte impediendam dictos Adam 7 Margaretam de dicta via sua ad tenementum predictum ad nocumentum liberi tenementi dictorum Ade 7 Margarete 7 contra conseutudinem civitatis predicte 7 cetera. Et petit quod facto inde visu per maiorem 7 Aldermannos prout moris est fiat eis quod

secundum consuetudinem civitatis fore viderunt faciendum 7 cetera. Et vicarii videlicet Johannes Haddele 7 Willelmus Neuport alias testati fuerunt quod prediciti Thomas Willelmus 7 Johannes summoniti fuerunt per Johannem Hoke 7 Robertus Coges essendi hic ad respondendum super premissis 7 habuerunt diem hic ad hunc diem 7 cetera. Et modo solempniter vocati non venerunt sed faciunt defaultam. Ideo procedatur ad assisam per eorum defaultam. Et super hoc facto inde visu per maiorem 7 Aldermannos 7 cetera. Et quia per eorum visum manifeste apparet quod predicta scamera leuata 7 facta fuit ad nocumentum liberi tenementi eorundem Ade 7 Margarete 7 cetera. Ideo consideratum est quod predicti Thomas Willelmus 7 Johannes ammoveant nocumentum predictum infra xl dies proximos sequentes. Alioquin vicarii hoc fieri faciant sumptibus eorundem Thome Willelmi 7 Johannis. Et nichilominus tunc capiant xl s. pro contemptu 7 cetera. Et super hoc preceptum est vicariis quod premuniant predictos Thomam Willelmum 7 Johannem quod dictam scameram ammoveant infra xl dies tunc proximos futuros periculo 7 cetera.]⁶⁶

The path that is held in common is public space, fully accessible to all. Creating a stile hinders traffic and imposes one individual's desire upon the group, and limits the path's common usage. Likewise in 1357, William and Margery Stacy and William Crokhorn were summoned to court because they erected a workshop on a public street, impeding traffic and infringing on public space.⁶⁷ The path and the street are public places; they are

⁶⁶ CLA/040/02/002, m. 36.

⁶⁷ CLA/040/02/002, m. 1d. The plea reads:

Willelmus Stacy 7 Margeria uxor eius 7 Willelmus Crokhorn summoniti fuerunt ad respondendum Thome Moryce communi seruienti Civitatis Londonie de placito assise nocumenti. Et unde idem Thomas qui pro communitate predicta 7 se ipso queritur dicit quod predicti Willelmus Margeria et Willelmus leuauerunt quandam fabricam in parochia sancti Michaelis de Wodestrete in Civitate predicta in communi via, per quod omnes homines ibidem habitantes 7 gentes communis populi per viam illam

outside of walls, inclusive, and fully accessible to anyone. This case and others like it that addresses the invasion of the public by elements of the private further demonstrate the very clear separation between household and street.

In *Troilus and Criseyde*, Chaucer plays with the boundary between house and street and public and private as the love affair between Troilus and Criseyde progresses. Because Criseyde demands that their affair remain private, they cannot publicly show their love, and the public street and public reception by the townspeople clash with the intimate exchange of gazes when he returns to town:

And whan that he com ridyng into town,

transientes grauitur impediuntur, et communis via per fabricam predictam nimis artatur ad nocumentum communitatis predicte 7 cetera. Et predictus Thomas petit pro eadem communitate quod facto inde visu per maiorem et Aldermannos fiat quod de iure 7 secundum consuetudinem Civitatis predicte fuerit faciendum. Et vicarii testantur quod predicti Willelmus Margeria 7 Willelmus summoniti sunt per Johannem de Boxtun 7 Ricardum Hanyper 7 cetera. Et predicti Willelmus Margeria 7 Willelmus non venerunt. Ideo per eorum defaltam procedatur ad assisam 7 cetera. Et facto inde visu per maiorem 7 Aldermannos prout moris est secundum consuetudinem Civitatis 7 cetera, maior 7 Aldermanni plenius volunt consuli de iudicio inde reddendo dederunt diem prefato Thome Moryce qui pro communitate sequitur usque diem veneris proximum ante festum Assumpcionis beate Marie virginis tunc proximum futurum 7 cetera. Postea ad assisas de nocumento captas coram prefatis maiore 7 Aldermannis die veneris proximo ante festum Assumpcionis beate marie virginis anno xxxi^o, ad quem diem predicti maior 7 Aldermanni venerunt ac predictus Thomas Moryce qui pro communitate Civitatis predicto sequitur venit et petit quod predicti maior 7 Aldermanni reddant iudicium pro communitate predicta de nocumento predicto. Et predicti maior 7 Aldermanni ad plenioram informacionem de nocumento predicto habendo preceperunt Simoni de Worstede Aldermanno Warde de Crepulgate in qua Warda predictum nocumentum esse supponitur, quod predictus Aldermannus accedat ad predictam fabricam et per sacramentum proborum hominum eiusdem Warde diligenter inquireat si predicta fabrica que ibidem iam de nouo leuatur sit ad nocumentum communis populi necne, et quid inde fecerit, certificet hic prefatis maiori 7 Aldermannis die veneris proximo ante festum Decollacionis sancti Johannis Baptiste proximum futurum 7 cetera, et idem dies datus est prefato Thome Moryce 7 cetera. Postea ad assisas de nocumento captas coram prefatis maiore 7 Aldermannis die veneris proximo ante festum Decollacionis sancti Johannis Baptiste anno xxxi^o supradicto predictus Simon de Worstede Aldermannus certificauit hic in camera Guildhalde Londonie quod ipse die martis proximo ante festum Decollacionis sancti Johannis Baptiste anno xxxi^o supradicto per sacramentum proborum 7 legalium hominum de visum de Wodestrete diligenter cepit inquisitionem per sacramentum Johannis de Kent, haneper, Walteri Broke, Johannis Broun, Petri de Fikeldem, Willelmi de Coupere, Nicholai de Harresfeld, Reginaldi Pyxlee, Willelmi de Aston, Gilberti Spencer, Ricardi Lacer, aurifabri, Johannis Smityng 7 Galfredi Whyte. Per quorum sacramentum inuenit quod predicta fabrica que leuatur in via de Wodestrete est quoddam graue nocumentum omnibus hominibus per viam illam transeuntibus 7 hominibus ibidem habitantibus. Ideo consideratum est per maiorem 7 Aldermannos quod nocumentum predictum amoueatur. Et preceptum est Willelmo de Treyngam seruienti _____ quod primum Willelmum Stacy 7 Margeriam uxorem eius 7 Willelmum Cronkhorn quod amouere faciant nocumentum predictum infra quadraginta dies, alioquin vicarius hoc fieri faciat ad custagia ipsorum Willelmi Margerie 7 Willelmi et nichilominus capiant ab ipsis xl s pro contemptu.

Ful ofte his lady from her wyndow down,
 As fressh as faukoun comen out of muwe,
 Ful redy was him goodly to saluwe.⁶⁸

In this exchange, the boundaries of public and private become blurred, and the street becomes a place of private communication that only those with the appropriate knowledge can read. Although I disagree with McSheffrey's rejection of the firm separation between private household and public street regarding the court cases, her assessment applies to this situation. Because places can take on more than one meaning, the street can also be a private place for lovers' exchanges. Vanessa Harding posits:

The interface between public and private was by no means a decisive cleavage: There was a continuum from one to the other, and an area of interaction between the two. Public and private were constantly pushing into one another. Private uses invaded the public space, and the public interest restrained private owners' freedom to act on, and modify, the space they considered their own.⁶⁹

Troilus and Criseyde certainly make their own private spaces within both of their very public lives. Private letters, visits, and looks establish space as private although it may be more obviously public, such as in the bedchamber of the palace or during the exchange of Criseyde for Antenor.

Although the pleas up to this point have focused on court cases from London, records from courts outside of the capital suggest a similar regard for the relationship between property and privacy. One of the most significant sources supporting this

⁶⁸ *T&C*, 3.1782-85.

⁶⁹ Harding, "Space, Property, and Propriety in Urban England," 550.

assertion derives from the *Novae Narrationes*. Originally called *Narrationes*, from the Latin, *narratio*, meaning story or narration, this text contains legal exempla and was used to instruct new lawyers on the correct forms for presenting various types of cases in court. S. F. C. Milsom comments that,

For the professional lawyer, or those aspiring to be such, they must then have been of the first importance; but they did not remain so. As the emphasis of litigation shifted from counting to pleading, the contents of these books ceased to represent the principal skill of the bar, and became instead necessary background knowledge.⁷⁰

Novae Narrationes were written first in Anglo-Norman and survived in three closely related manuscript groups named A, B, and C. Version B contains more exempla than A, and the cases in C are more detailed than B, but all groups were circulating in England in the fourteenth century.⁷¹ Included in the B group of *Novae Narrationes* is the following formula for recording a case on window placement and privacy:

For the blocking up etc. of doors and windows constructed to the harm etc. Wrongfully [B.] does not cause to be stopped up according to the usages of the vill of L. eight of his windows and three of his doors, constructed to the detriment of [A.'s] free tenement in the same vill. And wrongfully because where as their houses adjoin, there are the windows and the doors opposite [A.'s] house, and through these windows [B.] can see [A.'s] private affairs, and through these doors [B.] can enter into [A.'s] court, and so it is harmful to [A.'s] free tenement. [A.] has since come to [B.]

⁷⁰ Milsom, "Legal Introduction" in *Novae Narrationes*, xxvi.

⁷¹ See Elsie Shanks, "General Introduction," x-xi, and S. F. C. Milsom, "Legal Introduction," xxvii, for more details regarding manuscript transmission of versions A, B, and C.

often and asked him to stop up etc. and his etc., [but] he would not stop them up and still will not, wrongfully and to [A.'s] damages etc.

[De hostijs et fenestris constructis ad nocumentum etc obstruendis etc.

Atort ne lui fet estoper solom les vsages de la ville de L. .viiij. de ces fenestres et .iiij. de ces huis leuuz anussanz a sun franc tenement en mesme la ville. Et pur ceo atort qe la ou lour mesons sunt ioignanz ensamble la sunt les fenestres et les huis encontre sa meson et par mi ces fenestres puet vere ces priuetez et par mi ces huis entrer en sa Court, et issint anussant a sun franc tenement. Il ad puis venu a lui souent et lui ad prie qil estopat etc. et ces etc. il estoper les ne voleit ne vncore ne voet atort et ces damages etc.]⁷²

This formula offers several common elements that are parallel to the cases argued in London. Although the number of windows is not important, A.'s argument that B. has a view to his or her *priuetez* matches the pleas brought to the assize that complain about seeing people's *secreta*. The *Anglo-Norman Dictionary* defines this word as “private, personal matter,” “domestic affair, private life,” “private room, quarters,” “secret,” and “intimacy.”⁷³ All of these five definitions suggest that privacy can be understood in this context as controlling access, and when considered against the definition of *secreta* in the London cases, give them expanded dimensions.

While the related exemplum from group C of the *Novae Narrationes* does not focus on privacy, it offers a decision on the proper use of windows for light, a complaint that is also similar to cases heard in the assize:

⁷² Shanks, ed. and trans., *Novae Narrationes*, B149, 85-86.

⁷³ “Priveté,” *Anglo-Norman Dictionary*, accessed 1 June 2012, <http://www.anglo-norman.net>.

House Wrongfully Erected

Wrongfully and without judgment he has erected a house in N. to the detriment of his free tenement in the same vill since the first crossing of king Henry, grandfather etc. to Gascony. And wrongful, because, whereas, this same John has erected a house in the same vill, there has this same Robert erected a house which so overhangs the house of this same John that all the rain which falls on the house of the aforesaid Robert runs down on the house of this same John, so that this same John cannot keep his house water-tight; *or* it rots his beams; *or as follows*: so near to the house of this same and so high above his windows that no light can enter through his windows; *or as follows*: and besides this whereas one roofing used to last without being mended for seven years, now by reason of the flooding he must repair it every year, wrongfully and to his damages etc.

[De domo iniuste

Atort et sanz iugement ad leue vne meson en N. anusant a son frank tenement en mesme la ville puis le primer passage le Roi H., ael etc. en mesme la velle, lad cely R. leue vne meson si pendant outre la meson mesme cesti Johan qe tote la pluie qe chiet sur la meson lavandit Robert descent sur tenir estaunche. Vel: enpurist son merin. Vel sic: si pres a la meson mesme cesti Johan et si haut outre ses fenestres qe nule lumere ne poet par ses fenestres entrer. Vel sic: et estre ceo la ou vne couerture sanz

amendement soleit suffire .vij. anz ore par encheson de cele deguter il
souent redresser chescun an atort et a ses damages etc.]]⁷⁴

As a circulated teaching tool, the appearance of these records indicates that privacy—concerns about windows, and visual access—were issues that were not restricted to London. Furthermore, the exemplum from the B group in *Novae Narrationes* echoes a similar case that had occurred in Ludlow in 1302. Elsie Shanks, the translator and editor of the critical edition of the *Novae Narrationes*, argues that the Ludlow case was the basis of the exemplum.⁷⁵ Thus these two examples, in addition to the fairly developed nuisance cases found in court rolls from Northampton in the late twelfth century, and Ipswich, Waterford, and Bury in the thirteenth and fourteenth centuries, support the conclusion that a legal context for privacy was also found in other urban areas.⁷⁶ Aron Gurevich suggests that as cities developed, the distinctions between urban and rural grew: “I take the late medieval upsurge of the urban class, whose economic practice and whose style and rhythm of life marked them off from the way of life of the rural classes of medieval society . . . It is in this period that the categories of time and space began to be

⁷⁴ Shanks, ed. and trans., *Novae Narrationes*, C108, 203.

⁷⁵ *Ibid.*, *Novae Narrationes*, B149. See note 8. For the case in Ludlow, see Alfred J. Horwood, ed. and trans., *Yearbooks of the Reign of King Edward the First* 30 (London: Longman, Green, Longman, Roberts, and Green, 1863), 23. The case reads almost the same, using nearly the same language:

Showeth to you, J. de Rutton, that Henry le Forbizor, &c. tortiously does not stop up according to the customs of the towne of Lodelowe, three windows and two doors, which are opened to the annoyance of his freehold in the said town; and tortiously for this, that whereas their houses adjoin each other, the windows and doors are opened in the house of H., so that by the doors he can go into the house of the aforesaid John, and through the windows he can see his domestic affairs [la vile de Lodelowe, treis fenestres e deus hus qe sont aperillez a nusance a son fraunk tenement en meisme la vile, e pur ceo atort, qe la ou lour mesonz sont joygnanz ensemble, la sont les fenestres e hus put il issir en la meson lavandit Jon, e par my ces fenestres put il ver ces privetez, e issi nusance, &c.]

Horwood glosses *privetez* as “domestic affairs” as opposed to private affairs, a small but significant distinction.

⁷⁶ See *Borough Customs*, vol. 1, 245-51, which includes excerpts from nuisance cases in Northampton, London, Ipswich, Waterford, Bury, and Fordwich.

transformed, to lose their traditional content.”⁷⁷ Both economics and daily practices created material places and varying social expectations. Although nuisances were not only judged in city courts, the cases I have found for smaller or more rural courts reference nuisances as neighborly disputes regarding clogged waterways or diverted ditches; I have yet to find a case concerning windows or privacy in a more rural area, probably because greater distances separated houses.

From my examination of the assizes, I offer several conclusions. First, the Assize of Nuisance drew boundary lines that separated the private space of the household from public places in urban centers by walls, blocked windows, and other ideological values. It established criteria of who could enter based on values of exclusion and inclusion. Outsiders who entered wrongly or destroyed property rejected the rules delineated by the Assizes of Buildings and Nuisance. Second, the assizes provided a legal framework for anyone who owned a freehold to demand that their privacy and boundaries be upheld, and the judgments that people who violated boundaries through sensory means, either aurally or visually, were out of place. Third and finally, both women and men could demand privacy by bringing an assize against their neighbors, although they had to have the funds, ownership, and deed to do so. Married women litigated jointly with their husbands, while singlewomen had to sue or defend themselves on their own behalf; both groups occasionally retained lawyers. Thus the cases brought to the assizes defined privacy in relation to household boundaries in accordance with city custom.

While Chaucer demonstrates in *Troilus and Criseyde* that the public and the private in places are constantly in negotiation and the *Squire of Low Degree* exemplifies the problems associated with eavesdropping, the nuisance cases suggest that boundaries

⁷⁷ Gurevich, *Categories of Medieval Culture*, 34.

of property were more private than public. The Assize of Nuisance established a definition of privacy in terms of controlling access to property and to self; however, this same definition cannot be the overarching notion for understanding how private places were created and defined throughout English culture in the later Middle Ages. Wendy Davies suggests that “A population’s economic and cultural relationships to the space it utilized are central to any understanding of pre-industrial societies.”⁷⁸ In this way, the creation and establishment of privacy was (and is) subjective, and therefore dependent on context and culture. Each realm has its own set of rules—the household, the bed, marriage, widowhood—and thus its own place.

⁷⁸ Davies, “Introduction: Community Definition and Community Formation in the Early Middle Ages—Some Questions,” in *People and Space in the Middle Ages 300-1300*, 1-2.

CHAPTER TWO

PILLOW TALK: INTIMATE BEDS IN MIDDLE ENGLISH ROMANCES

While the windows, walls, and streets of London in chapter one legitimize controlling access to oneself through legal means, behaviors associated with beds draw meaning from the motives of the occupants and the responses of the public. Without the ruling body of the courts to establish them, the ideals and conflicting practices are displayed through art, artifact, and text. The physical placement of beds in locations separated from the general public implies controlled access and provokes a sense of intimacy while the intense interest in what occurs within them renders them public. Beds exemplify plurality of place in that they have multiple associated meanings, such as Tim Cresswell explains in *In Place/Out of Place*. He theorizes that “Places have more than one meaning. Some meanings are complementary and fit neatly on top of each other. Other meanings seem to be incompatible—to be awkward and displaced—if they are located with other meanings.”¹ The beds that appear in Middle English romances garner meaning from their occupants and from the activities that occur within them. The behavior of the occupants and the publicity of encounter are the result of their expected place in society and their physical place in bed, which becomes more significant for the people than the beds themselves. Although they are not gendered spaces, the behavior of the people in bed is coded through gender, creating a politically charged negotiation between place and privacy. Therefore, in this chapter, I first analyze representations of beds in art and historical artifact in order to explore the dynamic between place and privacy in terms of intimacy in the beds of *Sir Gawain and the Green Knight* (SGGK), *Sir Gawain and the Carle of Carlisle*, Malory’s *Le Morte Darthur*, and

¹ Cresswell, *In Place/Out of Place*, 59.

the anonymously authored *Erle of Toulouse*; the beds are places of conflict and trial that reveal gendered notions of identity, reputation, and courtesy.

Before discussing their literary representations, it is necessary to contextualize the place of beds in medieval society. Just as the tenements in the first chapter were a mixture of living and work space, public and private space, the confines of the bed also presented a mixture of spaces. From romances to religious texts, marginalia or sculpture, beds appear as places of rest and sleep; they are the prescribed locations of sex, conception, birth, and death, of dreams, and sometimes of violence. They variously symbolize family, domesticity, love, courtesy, safety, or sex. Sometimes located in the chamber, sometimes in the hall, or occasionally found in a forest, beds provoke a sense of vulnerability and intimacy through the removal of garments or armor. Also similar to the discussion in Chapter One, the notion of intimacy is rooted in controlling or limiting access; it is a dimension of privacy based on relationships between people that encompass love, trust, or caring. Defining an interaction as intimate necessitates an exploration of the motives of the individuals involved, and indeed, not all relationships are intimate. Essential to this concept is the sharing of information: an individual conveys certain information to another person or group in confidence, as opposed to all information with all people. The separation of bed from general access encourages intimacy within it.

According to Georges Duby, the bed was the center of the domestic sphere during the twelfth and thirteenth centuries: “By nature the bedroom was nuptial, conjugal. At its center stood the bed, the blessed bed to which newlyweds were led on their wedding night and the place where heirs came into the world. The bed was the family womb, the most private part of the residence.”² For Duby, the bed epitomizes the center of medieval family life and the realm of female space. Artistic and historical records indicate that while the bedchamber or the solar

² Duby, “Aristocratic Households,” 62-63.

might have been a shared place with servants sleeping in trundle beds or pallets and sleep space for other family members, the bed itself was more personal and individual. In the homes of more wealthy individuals, beds were curtained or behind screens, allowing greater separation between their occupants and other people who may have been in the room. Taller and more elaborate beds reflected the owner's social status.³ But was the bed as private a place as Duby proclaims?

Margaret Wood suggests that it was less so when she refers to the "Great Bed of Ware" used at the White Hart Inn, which slept up to fifteen people, measuring at 10 feet 9 inches, stating that it "cannot have been the exaggeration it appears today."⁴ This bed, in particular, exemplifies the plurality of place in the way that innkeepers and their customers perceived the bed differently. Furthermore, it does not offer a sense of intimacy. A bed at an inn, as this implies, could be equated to income, and not a place for formative relationships; a bed in someone's home more likely evokes intimacy as opposed to profit. Therefore, the function of one bed cannot represent all beds.

The early fourteenth-century Middle English romance, *Bevis of Hampton*, illustrates social practice in regards to room and bed occupancies, particularly in relation to sex. In the midst of her adventure, the converted Saracen princess and heroine, Josian, is captured and forced into marriage with a knight named Miles, who attempts to validate the union by inviting the aristocracy from the surrounding lands. According to fourteenth-century ecclesiastical courts, Josian's refusal should render the marriage void, a discussion I continue in Chapter Three. After

³ Ormrod, "In Bed with Joan of Kent," in *Medieval Women: Texts and Contexts*, 280. See also the beds belonging to the Paston family, discussed in H. S. Bennett, *The Pastons and Their England*, 92-93.

⁴ Wood, *English Mediaeval House*, 67.

the feast, Miles orders Josian to be brought to bed, and he follows her with a large party of wedding guests;⁵ however, Josian requests that everyone be sent away:

“Ich bidde thee at the ferste frome,
 That man ne wimman her in come;
 Belok hem thar-oute for love o me,
 That no man se our privité!
 Wimmen beth schamfast in dede
 And namliche maidenés,” sche sede.
 That erl seide a wolde faine.
 A drof out bothe knight and swaine,
 Levedies, maidenés, and grome,
 That non ne moste ther-in come,
 And schette the dore with the keie.⁶

The witnesses appear to be quite the crowd, comprising members of the aristocracy, commoners, and the young and old. How much these observers could have seen even had they remained is questionable because the bed has “covertine on raile tre” or curtains that were hung on rails.⁷

Although Josian requests that everyone depart the room for her own ends, her reasons and Miles’ easy acquiescence implies that an audience was not essential. She plays upon the stereotype of feminine shyness in her manipulation of Miles. Like the Old Testament figure of Judith, Josian entices and kills to avoid the enemy’s embrace, but unlike Judith, Josian becomes trapped in the

⁵ The editors of the TEAMS edition of *Bevis of Hampton* suggest that public observation of consummation was “not unusual”; see Ronald B. Herzman, Graham Drake, and Eve Salisbury, eds., *Bevis of Hampton*, in *Four Romances of England*, note to line 3187. The only support they offer, however, refers to the definition of marriage in terms of consent versus consummation.

⁶ *Bevis of Hampton*, in *Four Romances of England*, 3197-207.

⁷ *Ibid.*, 3217.

bed and room. The expected behavior in this situation is placid and demure acceptance, but through the rejection and subsequent murder of Miles, Josian transgresses against traditional gender roles by using violence to save her virginity, and even her marital noncompliance cannot save her from judgment. This bed exemplifies the way in which place encompasses multiple meanings, from Josian's rebellion against marriage and passivity, to the bed's shift from marriage bed to murder bed, while simultaneously moving from public to private and back to public.

Architectural artifacts further reflect the dynamic between place and privacy associated with medieval beds. Floor plans of a variety of medieval houses demonstrate that physical location of beds depended on the wealth of their owners. Houses could be as small as one shared room for the poorest peasants or as large as the multi-apartmented Palace at Sheen, and beds were located in either the only room or the innermost chamber.⁸ Chaucer's *Reeve's Tale* exemplifies how this dynamic plays out in a single shared room in a farcical fabliau, where a miller's family of four share sleeping quarters with their guests:

And in his owene chambre hem made a bed,
 With sheetes and with chalons faire yspred
 Noght from his owene bed ten foot or twelve.
 His doghter hadde a bed, al by hirselve,
 Right in the same chambre by and by.

⁸ For general background on medieval housing and people's possessions, see Christopher Dyer, *Standards of Living in the Middle Ages: Social Change in England c.1200-1520* (Cambridge: Cambridge University Press, 1989); for background on peasant housing, see N. W. Alcock, "The Medieval Peasant at Home," in *The Medieval Household in Christian Europe, c.850-1550*, ed. Cordelia Beattie, Anna Maslakovic, Sarah Rees Jones, 449-68; Christopher Dyer, "English Peasant Buildings in the Later Middle Ages," *Medieval Archeology* 30 (1986): 19-45; R. K. Field, "Worcester Peasant Buildings, Household Goods and Farming Equipment in the Later Middle Ages," *Medieval Archeology* 9 (1965):105-45.

It myghte be no bet, and cause why?

Ther was no roumer herberwe in the place.⁹

The spatial dynamics are integral to the actions and noises creating the low humor of the piece while close quarters and emphasis on a single room enhance the intimacies between guest and family. The darkness of the night evokes a sense of privacy that aids the clerks' nocturnal bed-hopping, and the morning light renders public the egregiously insulting behavior. The place of the miller, his wife, daughter, and the clerks are established in the beginning of the fabliau through the reeve's description of their characters and material situations with the spatial dynamics to demonstrate the intersection of public and private. Although shared space, the miller's house is private, including only those he allows inside; the inverse is true of his beds, which are private and individual, as they (un)intentionally become public.

Beginning in the thirteenth century and increasingly throughout the fourteenth century, the hall as a center of domestic importance began to fade while more activities occurred in private chambers, which suggests shifting boundaries between self (or family) and other (or outsider); the hall was still used for ceremonial functions, but it lost its day-to-day centrality. Wood states that by the fifteenth century, houses had more rooms for people to sleep in, allowing for more private rooms, but other scholars have proposed earlier dates for shifting domestic spaces. LeRoy Dresbeck suggests that the transition from hall to chamber occurred throughout all social classes and attributes it to the growing use of chimneys as a more efficient and effective heating method. He contends that "The ability to afford the new devices and the influence of traditionalism in building construction were certainly considerable factors in assessing the extension of the use of heating devices. Yet, the widespread adoption of the

⁹ Chaucer, *The Reeve's Tale*, 4139-45.

chimney indicates the central hearth was giving way to the advantages of the new system.”¹⁰

Advancing architectural technologies used to heat multiple, smaller areas allowed for more solitary sleeping, bathing, eating, or the ability to take care of other bodily functions away from the eyes of others; therefore, the concept of privacy, in this situation, developed from the opportunity to control access to oneself and offered individuals more chances to create intimacy.

William Langland in *Piers Plowman* criticizes the shift from public to private and hall to chamber when he chastises the nobility for retreating from the hall to eat their meals privately.¹¹

Christopher Dyer argues that although a movement “towards greater privacy in houses has been identified in the late medieval and early modern period,” aristocratic houses had been built with private apartments since the twelfth century.¹² He suggests that an increased household size as well as a desire for the separation of the family from the servants or other members of the household influenced this domestic move. The *Liberate Rolls*, for example, mention the division of multiple withdrawing rooms in the thirteenth century.¹³ Chris Given-Wilson, however, cautions against “overstressing” the desire for privacy; he argues that “a consequence of the lord’s preference for his chamber was that the chamber became a less private place.”¹⁴ Given-Wilson’s concern is valid if privacy is only understood as being completely alone. While the chamber might have become a more public place, it would only be public to those who were allowed into that space; it did not assume the openness and commonality that typically characterized the hall.

¹⁰ Dresbeck, “The Chimney and Social Change in Medieval England,” 25.

¹¹ Langland, *Piers Plowman, B-text*, ll., 98-103.

¹² Dyer, *An Age of Transition*, 52.

¹³ Dresbeck, “The Chimney and Social Change in Medieval England,” 23-24.

¹⁴ Given-Wilson, *Royal Household and the King’s Affinity*, 29. Architectural evidence reveals that halls remained important throughout the fifteenth century, cf. J. Grenville, *Medieval Housing* (London: Leicester University Press, 1997); Margaret Wood, *Mediaeval Housing* (London: Phoenix House, 1965); John Schofield, *Medieval London Houses* (New Haven: Yale University Press, 2003). For more information about home and hall in late medieval architecture, see Anthony Emery, “Late-Medieval Houses as an Expression of Social Status,” *Historical Research* 78, no. 200 (2005): 140-61.

The divisions of hall and chamber usages are reflected throughout Middle English romances, where the hall presents shared ceremonial space and the chamber offers select isolation for conversation. In *The Squire of Low Degree*, the squire speaks with his love in the relative seclusion of her chambers but goes “in the hall / Among the lordes both great and small” to speak with the king;¹⁵ likewise in Arthurian romances, Arthur judges and responds to grievances in the public hall, while lovers plan assignations in isolated chambers. A more appropriate reflection of the domestic divisions of the fourteenth century appears in Chaucer’s *Troilus and Criseyde*. Not only do the streets of Troy reflect the city of London, as I discuss in Chapter One, but the architectural design of the interior of houses does as well. The make-up of Pandarus’s house, for example, has been the object of intense debate. Critics such as Barbara Nolan, Saul Brody, and H. M. Smyser use rooms, houses, streets, and palaces to arrive at a more complete understanding of Chaucer’s concept of space.¹⁶ Smyser, in one of the first articles on the floor plan of Pandarus’s palace, argues that there are rooms within houses and palaces that are private rooms—closets, solars, inner stairs, and hall fireplaces—but a general lack of privacy overall: “Solitude is decidedly the exception, the presence of retainers is the rule.”¹⁷ On the other hand, I assert that an understanding of architecture elucidates how Pandarus controls the access to Criseyde in his manipulation of their relationship. In the strangely intimate and yet voyeuristic scene in the bedchamber, Pandarus tells Criseyde that Troilus, “thorough a goter, by a pryve” has entered the house;¹⁸ secret entrance assures Criseyde the privacy of the encounter. The poet recounts that her ladies sleep in an exterior chamber while Pandarus’s location remains

¹⁵ *The Squire of Low Degree*, in *Sentimental and Humorous Romances*, 310-11.

¹⁶ For full arguments on the layout of Pandarus’s palace, see Saul N. Brody, “Making a Play for Criseyde: The Staging of Pandarus’s House in Chaucer’s *Troilus and Criseyde*,” *Speculum* 73, no. 1 (1998): 115-40; Barbara Nolan, “Chaucer’s Poetics of Dwelling,” in *Chaucer and the City*, ed. Ardis Butterfield (Cambridge: D. S. Brewer, 2006), 57-75; H. M. Smyser, “The Domestic Background of *Troilus and Criseyde*,” *Speculum* 31, no. 2 (1956): 297-315.

¹⁷ Smyser, “Domestic Background,” 311.

¹⁸ *T&C*, 3.787-88.

unaccounted for. Criseyde is literally enclosed within layers of publicness, and the only outside access is through the trapdoor. Brody, on the other hand, contends:

Certainly it would ensure greater privacy than a window would, and for that reason it certainly helps reassure Criseyde and thus makes possible the erotically charged scene that follows. Criseyde's concern from the outset has been to insure that her reputation in Troy—already tenuous because of her father's betrayal of the city—not be further compromised. . . . Thus, when her uncle and her would-be lover arrive in the room where she sleeps by means of the trap door, they enter a space that has become for the night, for all that anyone else knows, a strictly private space that protects both decorum and the woman.¹⁹

Because of her position as a widow and the daughter of a traitor, Criseyde must maintain her reputation and the public's good will, a discussion I continue in Chapter Four. Establishing the locative details of where Troilus, Pandarus, and Criseyde are during the night of the engineered sexual encounter demonstrates the negotiation of public and private and its relationship with place. Pandarus's manipulation of the layers of publicness creates a pocket of privacy for the lovers, inaccessible to outsiders, but his motives and mysterious location render him part of intimacies while the poet's description of the encounter publicizes it. *Troilus and Criseyde* offers a potentially more realistic depiction of fourteenth-century shared space for more wealthy individuals as opposed to *The Miller's Tale*. From this example, beds can also be understood in terms of permissible access; while they were perhaps not always private in the sense that one was completely alone, they were not public space, to be shared by all.

Historical textual evidence of beds characterizing the material, the physical, and the prescribed behavior of the occupants appears within the description of the Great Rising of 1381

¹⁹ Brody, "Making a Play for Criseyde," 129.

in London in the chronicles authored by Thomas Walsingham and Jean Froissart respectively.²⁰ Although each chronicle focuses on different aspects of the destructive mob's advance through London, both authors note the invasion of the bed and bedchamber of the king's mother, Joan of Kent. Walsingham's version in the *Chronica Maiora* comments on the behavior of the men towards the nobility, literally bringing the public masses into a private place:

For who would ever have believed that not just peasants but the lowest of them and not several of them together but individuals on their own would have dared with their worthless staves to force a way into the bedroom of the king or of his mother . . . And besides all this, several of them, who, as I have said, had gone on their own into the various rooms, had the effrontery to sit and lie on the bed of the kind joking merrily, with one or two even asking the king's mother for a kiss.²¹

[Nam quis unquam credidisset, non solum rusticos sed rusticorum abjectissimos, non plures, sed singulos, audere thalamum Regis, vel matris eius, cum baculis subintrare vilissimis . . . Et cum hæc omnia facerent, et, ut diximus, plerique soli in cameras concessissent, et sedendo, jacendo, jacando, super lectum Regis insolescerent; et insuper, matrem Regis ad oscula invitarent quidam.]²²

Walsingham distinguishes these invasive acts as individually motivated as opposed to derived from a mob mentality, twice repeating that each man made his choice alone, which emphasizes the incivility and impropriety of the invaders and the horror of the insult. The description of these men laughing and joking on the king's bed, asking for kisses from his mother further adds to their (mis)placed behavior, as if by the worthless staves and the kisses they are mocking the

²⁰ There is debate over whether this episode ever occurred as some chronicles do not include it or place Joan of Kent in another location altogether. See W. M. Ormrod, "In Bed with Joan of Kent: The King's Mother and the Peasants' Revolt," in *Medieval Women*, 277-78.

²¹ Walsingham, *Chronica Maiora*, 125.

²² Walsingham, *Historia Anglicana*, vol. 1, 459.

sexual intimacy that occurs there. If the king is the highest authority in the land, then this invasion the innermost chamber and place where he is most vulnerable reinforces their rebellion against him. W. M. Ormrod comments, “The King’s state bed was an item of furniture closely associated with the iconography of sovereignty.”²³

Froissart’s account of this same invasion lacks the suggestive sexuality and descriptive behavior of the invading men; instead he focuses on the reaction of the king’s mother, which demonstrates a gendered and aristocratic bias:

They entered the room of the Princess of Wales, the King’s mother and cut her bed to pieces. The princess fainted from shock, and was carried by her attendants down to the river where she was taken by boat to the King’s Wardrobe: she remained there, half dead from shock, for the rest of that day and the next night, till the King came to comfort her.²⁴

Froissart’s impression of Joan of Kent’s response to the invasion of her bed-chamber and the destruction of her bed reveal disgust based upon class consciousness. The men lack all manners, while Joan of Kent’s reaction is practically a stereotypical fit of vapors. Although Froissart’s entire description is tinged by his aristocratic perspective, this event exemplifies the relationship between place and privacy. Both Froissart’s and Walsingham’s descriptions illustrate the transgression of culturally held values of kingship and gender.

In addition to architectural and textual representations, artistic depictions of beds further illuminate behaviors and practices associated with social and material ideals. They offer pictorial support for textual descriptions as well as provide visual context. According to Alison Stones,

²³ Ormrod, “In Bed with Joan of Kent,” in *Medieval Women*, 281.

²⁴ Froissart, *Chronicles*, bk. 2, sec. 75.

images of beds emerged in religious and liturgical texts before they appeared in secular texts.²⁵

On the other side of the spectrum of life is love and sexual intimacy, where beds were the proper location for conception and birth.



Figure 1: Nature Multiplying the Species in *Le Roman de la Rose*²⁶

Because of their physical separation from the general public, beds offered a place for intimacy and seclusion for lovers. The lack of transparency for what occurred in any one person's bed, the inherently private nature of intimate activities, caused anxiety among ecclesiastical authorities. Social norms set by religious leaders marked the bed as a problematic place beset by unregulated sexual desires. Shannon McSheffrey contends that many activities that would have taken place in the bed were “issues of public, and not just private, import” for medieval officials,²⁷ and the church was particularly concerned about what occurred within the bed, as well as the regulation of those activities. As the locus for sexual intimacy, the church had a vested interest in the occupants' activities.²⁸ Penitentials determined specific times and situations during which

²⁵ See Alison Stones, “Sacred and Profane Art: Secular and Liturgical Book Illumination in the Thirteenth Century,” in *The Epic in Medieval Society: Aesthetic and Moral Values*, ed. Harald Scholler (Tübingen: Niemeyer, 1977): 100-12.

²⁶ Bodleian Library, MS. e Mus. 65, fol. 124v.

²⁷ McSheffrey, “Place, Space, and Situation,” 961.

²⁸ Brundage, *Law, Sex, and Christian Society*, 348-69.

married couples were allowed to engage in sexual intercourse.²⁹ Using confession to make public admissions of deviancy, priests often asked questions designed for guilt.³⁰ These images only represent a small number of medieval depictions of beds, but they serve to illustrate some of the properties and functions that beds had.

Beds were not just for sexual activities; they were also places for rest. Living in monasteries, nuns and monks were not exempt from fears of deviancy influenced by beds; they were cautioned against sinful dreams, laziness, and impropriety. Their sleeping arrangements were often multiple bunks in dormitories so that the occupants did not have the opportunity to engage in sinful behavior. The Benedictine Rule established the concern for proper behavior by ruling that while each person should get his or her own bed, everyone should all sleep together in the same room if possible, and if not, in groups of at least ten or twenty with someone to regulate them. They should also leave a candle burning at night, and they should always sleep fully clothed. The darkness evokes a sense of solitude and intimacy that could promote improper feelings or actions, and potentially allowed immoral behavior to occur. Additionally, the rule stated that younger monks or nuns should not have beds next to each other, but next to their older, more experienced brothers or sisters.³¹ This arrangement placed nuns and monks in

²⁹ Brundage, *Law, Sex, and Christian Society*, 154-69.

³⁰ Confession is one of the ways through which we can understand what people considered private. The church needed to regulate medieval Christian behavior, and there was no more efficient way to discover what people did in private than to create an equally private space for them to make public their wrongdoings. Jean Gerson, for example, devoted treatises such as *De arte audiendi confessiones* and *De confessione mollitei*, in *Oeuvres complètes*, ed. Palémon Glorieux (Paris: Desclée, 1960-73), to helping priests ferret out sexual deviancy. Thus by bringing the private into the public, the church could determine the individual's sinfulness. On secrecy in the Middle Ages, Karma Lochrie posits that "The discourse of confession established a site of privacy in the depths of the Christian subject, and devoted itself to the refinement of the task of interrogating and publicizing the site. The private sphere so carved out by confessional interrogation and presumption of human sinfulness was also the sphere of the secret, the hidden, the deliberately covert," in *Covert Operations*, 135. Dyan Eliot concurs in *Fallen Bodies: Pollution, Sexuality, and Demonology in the Middle Ages* (Philadelphia: University of Pennsylvania Press, 1999): "The confessional, as window into the internal forum, was the home of the hidden, the private, the intentional," 78.

³¹ See Benedict of Nursia, *Benedicti Regula*, Chapter XXII: Quomodo Dormiant Monachi.

Singuli per singula lecta dormiant. Lectisternia pro modo conversationis secundum dispensationem abbae si accipiant. Si potest fieri, omnes in uno loco dormiant; sin autem multitudo non sinit deni aut viceni cum

company, and therefore under public scrutiny at all times; it implies that any deviant behavior would be seen as a deterrent from sin from observers.

In religious imagery, beds are pictured predominantly as sickbeds and deathbeds to remind people of their faith. After the plague swept across Europe, an increased interest in living well in order to die well infused the population; the fifteenth-century text, *Ars Moriendi*, was essentially a handbook for how to die well.³² Although deathbed scenes were common before the fifteenth century, the addition of a text devoted to the tradition added to the intensity of the culture. The following image is located in a manuscript containing various poems of Thomas Hoccleve, including “To lerne to die,” and John Lydgate’s *The Dance of Death*, texts that were a part of the *ars moriendi* tradition.³³



Figure 2: Death as a Skeleton³⁴

senioribus qui super eos solliciti sint pausent. Candela iugiter in eadem cella ardeat usque mane. Vestiti dormiant et cincti cingulis aut funibus, ut cultellos suos ad latus suum non habeant dum dormiunt, ne forte per somnum vulnerent dormientem; et ut parati sint monachi semper et, facto signo, absque mora surgentes, festinent invicem se praevenire ad opus Dei cum omni tamen gravitate et modestia. Adulescentiores fratres iuxta se non habent lectos sed permixti cum senioribus. Surgentes vero ad opus Dei invicem se moderate cohortentur propter somnulentorum excusationes.

³² For further details on *Ars Moriendi*, see Angela Ranson, “Recantations and the *Ars Moriendi* in Reformation England,” *Past Imperfect* 16 (2010): 35-65.

³³ See Steven Rozenski, Jr., “‘Your Ensauample and Your Mirour’: Hoccleve’s Amplification of the Imagery and Intimacy of Henry Suso’s *Ars Moriendi*,” *Parergon* 25, no. 2 (2008): 1-16.

³⁴ Bodleian Library, MS. Selden Supra 53, f. 118r.

A dying or already dead man lies in bed, prayed over by a religious figure as death appears as a skeleton; this image is a simple but effective reminder of morality and mortality, reinforcing the words of text that accompany it. In sickness or death, the bed itself is a solitary place even though other people may be near it. An image from a late fifteenth-century Book of Hours depicts a more elaborate but similar deathbed scene:



Figure 3: Deathbed Scene³⁵

Framed by architectural elements and people, the bed is the most prominent feature in this image. Religious men and various other folk ring one side of the bed in prayer, while on the other side a woman, presumably the dead man's widow, kneels at the bedside praying for his soul. Floating above the recently deceased man, his spirit is snatched away from the devil, who hides behind a curtain, and is pushed toward heaven. The rich appointment of the room suggests the dead man's wealth while his praying wife exhibits the piety expected of widows. Many

³⁵ Bodleian Library, MS. Liturg. 41, f. 147r.

images like this survive that indicate that the bed was a common place of death while simultaneously expressing proper behavior of the living.

Aside from a place to die, beds also function as places for prayer. In the following image from a fifteenth-century Augustinian breviary, St. Anne reads in bed.



Figure 4: St. Anne Reading in Bed³⁶

The bed fills most of the space in the historiated initial while St. Anne, who is larger than anyone else in the frame, sits upon it; in the foreground a servant bathes the infant Virgin. Her identity as the mother of the Virgin suggests that she is most likely reading a devotional text. Her physical placement and the domesticity of the bathing scene express intimacy between mother and child even though she herself does not do the washing but reads instead. The discussion of reading as a

³⁶ Bodleian Library, MS. Canon. Liturg. 388, f. 371v.

public or private activity has seen a significant amount of scholarly attention over the last several decades.³⁷ Private reading traditionally has been defined as reading alone, where private equals alone or complete solitude; however, if privacy can be defined also as exclusivity, then regardless of whether St. Anne is reading silently, she is reading privately. Her separation from the rest of society is reinforced by the two people placed outside the initial looking in. This image, therefore, portrays the bed as a place of solitude where reading can be appropriate behavior.

In literature, beds have held a place of prominence in the conflict between private and public. Their physical locations as distanced from common or shared space by walls, curtains, doors, or trees reinforces their nature as private even as the resultant behavior of their occupants makes public the activities that occur within. Karin Lerchner's excellent study considers the history of beds throughout literature; like their artistic representations, she categorizes them into several genres including the king's bed, the deathbed, the lover's bed, and then further divides them into subgenres with various symbolic functions.³⁸ From its purpose in *The Odyssey* as the surety that Odysseus is truly Penelope's husband to the deathbed of Holofernes at the hand of Judith in the Old Testament, beds simultaneously reveal and conceal cultural tensions. In medieval literature, they define characters—Hrothgar in *Beowulf*, for example, returns in the mornings to the hall from the women's chambers, which hints at his weakness as a leader—or suggest spatial referents—such as my previous discussion of the configuration of the bed, pallet,

³⁷ Joyce Colman in her monograph, *Public Reading and the Reading Public in Late Medieval England and France* (Cambridge: Cambridge University Press, 2005), argues for a popularity of public reading that contradicts the more commonly held notions of the emergence of private reading in the fourteenth century. For arguments on private reading, see Paul Saenger, "Silent Reading: Its Impact on Late Medieval Script and Society," *Viator* 13 (1982): 367-414, and *Space Between Words: The Origins of Silent Reading* (Stanford: Stanford University Press, 1997); on reading as performativity see Jessica Brantley, *Reading in the Wilderness: Private Devotion and Public Performance in Late Medieval England* (Chicago: University of Chicago Press, 2007).

³⁸ See Karin Lerchner, *Lectulus floridus: zur Bedeutung des Bettes in Literatur und Handschriftenillustration des Mittelalters*, *Pictura et Poesis*, 6. (Cologne: Bhlau Verlag, 1993).

cradle in *The Reeve's Tale*, which reinforces the farcical nature of the fabliau as well as shared living space. In *Troilus and Criseyde*, almost all of the meaningful events take place in or around beds with conflicting levels of privacy. Further, beds are repeatedly defined as private and intimate, such as by the wife of the *Ménagier de Paris*, who beseeches her husband to instruct her in proper behavior not in front of strangers but when they are alone in bed, and by Bertilak who tells Gawain that he may rest there in peace and comfort. This makes the invasion of the public mob into the bed of Richard II's mother all the more shocking in the chronicles of the Great Rising by Walsingham and Froissart. This list of beds in literature is by no means exhaustive, but it offers a small demonstration of how beds add spatial and cultural meaning to texts.

Like historical beds, beds that appear in Middle English romances are encoded with multiple meanings, including self-discovery, adventure, romance, or death and often act as a gendered place of conflict for knights and ladies, driving various plots to their conclusions. Like the other beds, the proper behavior of its occupants is determined by social proprieties and influenced by gender; however, the behavior of its occupants suggests that they understand it to be a place of intimacy, seclusion, or isolation, though its function as a plot device necessitates the publicity of what occurs within it. Because of their location in fiction, romance beds blur the lines between private and public, and their meanings are layered on top of each other. For example, the thirteenth-century Middle English version of *Havelok the Dane* exemplifies the multilayered meaning associated with beds. Havelok, who has been displaced from his aristocratic identity, is mistaken as a commoner and married to a woman who has been similarly orphaned. Asleep in their marriage bed, his mouth opens, revealing a glowing light that shines from within. This light is an unconscious reflection of his nobility, honesty, and goodness, which leads to the reclamation of his patrimony; from the confines of the bed, the light is a signal of his

identity. Meanwhile, the Loathly Ladies that I discuss in Chapter Three reward their husbands with beauty and fidelity that is both public and private after the men give them sovereignty. In Gower's *Tale of Florent* and the anonymous *Weddyng of Sir Gawen and Dame Ragnell*, each lady indicates a clear demarcation between public and private through the offer of beauty either during the day or at night, but not both. Gower's lady simply states, "Wher he wol have hire such on nyht, / Or elles upon daies lyht, / For he schal noght have bothe tuo,"³⁹ which implies that the bed is private. Ragnelle, on the other hand, offers a more specific delineation:

Wheder ye wolle have me fayre on nyghtes
 And as foulle on days to alle men sightes,
 Or els to have me fayre on days
 And on nyghtes on the fowlyst wyfe.⁴⁰

The separation between public and private is reinforced when Ragnelle mentions witnesses; her day time will be spent in public in the view of anyone, while at night, Gawain is the only witness to her appearance. In both of these texts the bed assumes a place of importance in the gendered relationships between the ladies and their husbands, where the men must choose between the beauty in public or in the privacy of the bed. Unlike Gower or the *Weddyng*-author, Chaucer does not use the bed as the line between public and private but between beauty and fidelity in the *Wife of Bath's Tale*.

In Arthurian romances, beds often appear as testing grounds, named the Perilous or Adventure Bed, where knights such as Lancelot, Gawain, Percival, or Gareth must prove their virtues by resisting temptation, avoiding flaming spears, or asking the proper questions.⁴¹

³⁹ *Confessio Amantis*, 1.1811-13.

⁴⁰ *Weddyng of Sir Gawen and Dame Ragnell* in *Sources and Analogues of Chaucer's Canterbury Tales*, 559-62.

⁴¹ Chrétien de Troyes uses this plot device in *Lancelot, or The Knight of the Cart* and *Percival* to test knights' worthiness.

Although the physical place of the bed shifts from chamber to hall to forest, it becomes more than just a place to sleep or rest to the men and women who place themselves there. As the intimate nature of the bed is transgressed through improper behavior, the negotiation between public and private creates tensions that illustrate character, identity, and reputation, or essentially, place.⁴² For male heroes in *Sir Gawain and the Green Knight* (*SGGK*), *Sir Gawain and the Carle of Carlisle*, and “The Tale of Sir Gareth,” beds become public sites of testing that reveal courtesy and reputation; for women such as Dame Beulybon in *The Erle of Toulouse* and Guinevere and Morgause in Malory’s *Morte Darthur*, the bed signals virtue publicly, their own or that of a close male relation. The geographical locations of beds in halls and chambers add to the sense of transgression fostered by destruction of intimacy.

The Arthurian text that demonstrates most clearly the dynamic between place and privacy in relation to the bed is *Sir Gawain and the Green Knight* (*SGGK*). As one of the canonical Middle English texts, *SGGK* has been well critiqued by a number of scholars, but not to include it here would be a lacuna; furthermore, it serves as a baseline through which to examine *Sir Gawain and the Carle of Carlisle*.⁴³ The confusion about how to understand the bed in *SGGK* is the result of the manipulation of it as an intimate place by the host, his wife, and ultimately, Morgan le Fay. Positioned at the heart of the narrative and encompassing almost half of the entire tale, its centrality emphasizes the significance of the action that takes place there. Often

⁴² For criticism on beds in medieval romances, see Stacey L. Hahn, “The Enigmatic Contours of the Bed in Yale 229,” *Essays on the ‘Lancelot’ of Yale 229* (Turnhout: Brepols, 2007); Christopher R. Clason, “Deception in the Boudoir: Gottfried’s *Tristan* and ‘Lying’ in Bed,” *Journal of English and Germanic Philology* 103, no. 3 (2004): 277-96; Virginie Greene, “The Bed and the Boat: Illustrations of the Demoiselle d’Escalot’s Story in Illuminated Manuscripts of ‘La Mort Artu,’” *Arthuriana* 12, no. 4 (Winter 2002), 50-73.

⁴³ Significant scholarly work has been done on *SGGK*; for a sampling of criticism, see J. A. Burrow, *A Reading of Sir Gawain and the Green Knight* (London: Routledge & Kegan Paul, 1965); A. C. Spearing, *The Gawain-Poet: A Critical Study* (Cambridge: Cambridge University Press, 1970), 171-236; Larry D. Benson, *Art and Tradition in Sir Gawain and the Green Knight* (New Brunswick: Rutgers University Press, 1965); Jill Mann, “Price and Value in *Sir Gawain and the Green Knight*,” *Essays in Criticism* 36 (1986): 294-318; and David Aers, *Community, Gender, and Individual Identity: English Writing 1360–1430* (London, 1988), 153-78.

called the Bed Test, the Temptation Scenes, the Sexual Temptation, and part of the Exchange of Gifts, the bed scenes serve as a point of intersection between public, private, identity, and performance through which the romance sends its message.⁴⁴ Ad Putter suggests that the bed scenes “humanize the hero, implicating him in an intricate plot that tests and strains his commitments to the promises and to contracts he has entered into.”⁴⁵ The confined assumed intimacy between Gawain and Lady Bertilak in bed contrasts with Gawain’s public courtesies to Lord Bertilak, and both work to remind the hero of the chivalric code to which he has pledged himself.

Playing on the social expectation of the bed as a place for solitude and sleep, Bertilak begins his manipulation of Gawain by maneuvering him into remaining at Hautedesert. Offering an exchange, Bertilak draws him into an essentially legal pact that displaces Gawain from the rest of Hautedesert and from the knightly activity of the hunt. The host himself defines the bed as a place to sleep and relax:

“For 3e haf trauayled,” quop þe tulk, “towen fro ferre,
 And syþen waked me wyth, 3e arn not wel waryst
 Nauþer of sostnaunce ne of slepe, soþly I knowe;
 3e schal lenge in your lofte, and lyze in your ese
 To-morn quyle þe messequyle, and to mete wende
 When 3e wyl, wyth my wyf, þat wyth yow schal sitte
 And comfort yow with compayny, til I to cort torne.”⁴⁶

⁴⁴ For source studies on the Beheading Game or the Bed Test, see Elisabeth Brewer, *Sir Gawain and the Green Knight: Sources and Analogues* (Woodbridge: D.S. Brewer, 1992); and for the Bed Test specifically, see Ad Putter, *Sir Gawain and the Green Knight and French Arthurian Romance*, 100-48.

⁴⁵ Putter, *Sir Gawain and the Green Knight and French Arthurian Romance*, 3.

⁴⁶ *SGGK*, 1095-99.

From this exchange, Bertilak emphasizes Gawain's separation. He is to remain in his bedchamber sleeping, resting, and relaxing away from the shared community space until mass; this establishes the illusory value and expectations that Gawain should understand. As a part of his machinations, Bertilak's language offers a conflicting sense of when his wife will join Gawain: after mass while he eats or earlier as he lies resting.

In three parallel scenes, Gawain's position in bed signals his inability to understand the nuanced speech of his host. While Bertilak and his men ride freely through the forest, hunting their prey—deer, boar, and fox—Lady Bertilak hunts Gawain, who is cornered in bed and by his reputation as a courteous knight. The quiet intimacy of the bed is juxtaposed against the violent and far-ranging hunts of the other knights, highlighting the conflict between private and public.⁴⁷ The elaborate detail of forest and geographic range of the hunt “represent an uncontested male dominance and control over the natural world,” while emphasizing how the bed confines Gawain.⁴⁸

In the first scene, the poet utilizes the language of the hunt, offering a comparison of Gawain as the target of the lady just as deer are the target of the men. The level of detail describing each layer that separates Gawain from the outside world forms a “highly cinematic” perspective,⁴⁹ and these layers represent material, physical boundaries between the private places

⁴⁷ *SGGK* is often read as a poem of various levels of enclosure, from the many chimneys that Gawain sees on his approach to the movement of activities from room to room. Cf. Edward Wilson, *The Gawain-Poet* (Leiden: Brill, 1976), 123; A. C. Spearing, in “Public and Private Spaces in *Sir Gawain and the Green Knight*,” describes Gawain's first day at Hautedesert as “spatial volatility, of an interpenetration of public and private spaces corresponding to the un-Camelot-like blurring of the boundary between masculine and feminine spheres,” 142. Jill Mann considers the enclosure of Gawain into his armor in “Courtly Aesthetics and Courtly Ethics in *Sir Gawain and the Green Knight*,” *Studies in the Age of Chaucer* 31 (2009): 231-65, 246; and Sarah Stanbury, “Space and Visual Hermeneutics in the ‘Gawain’-Poet,” *Chaucer Review* 21, no. 4 (Spring 1987): 476-89.

⁴⁸ Batt, “Gawain's Antifeminist Rant, the Pentangle, and Narrative Space,” 127. Scholars have attempted to locate the forest and castle of Hautedesert, see Alfred L. Kellogg, *Chaucer, Langland, and Arthur: Essays in Middle English Literature* (New Brunswick: Rutgers University Press, 1972), 6-10; and M. W. Thompson, “The Green Knight's Castle,” in *Studies in Medieval History Presented to R. Allen Brown*, ed. Christopher Harper-Bill, C. J. Holdsworth, and Janet L. Nelson (Woodbridge: Boydell & Brewer, 1989), 317-25.

⁴⁹ Spearing, “Public and Private Spaces in *Sir Gawain and the Green Knight*,” 143.

and public places that separate Gawain from seemingly masculine activities and from the rest of Hautedesert:

Pus laykez þis lorde by lynde-wodez euez
 And Gawayn þe god mon in gay bed lygez,
 Lurkkez quyl þe daylyȝ lemed on þe woves,
 Vnder couertour ful clere, cortyned aboute.
 And as in slomeryng he slode, selȝhe herde
 A littel dyn at his dor and derfly vpon
 And he heuvez vp his hed out of the þe cloþes
 A corner of þe cortyn he caȝt vp a lyttel,
 And waytez warly þiderwarde quat hit be myȝt.⁵⁰

Asleep behind the closed door of his chamber, he is separated from society and the activities that define him. The language equates the bed with confinement as the layers of segregation build inward from the closed door of the room to the closed curtains, and finally to the covers that form a nest around his head and wrap around his body. Lochrie argues that these boundaries create a confessional structure, where Gawain must reveal the secret parts of himself in order to later be absolved of his lack of chivalry, but I contend that the boundaries reinforce his expectations of solitude and privacy while they further (dis)place him from his reputation. In other words, in bed he is both displaced and placed in relation to his reputation. This description of Gawain establishes his passivity, which becomes the focus of the following exchanges.⁵¹

Bertilak's wife enters Gawain's room as the aggressor and transgressor. Her position as the one of the higher-ranking noble ladies commands respect and gives her power. In the

⁵⁰ *SGGK*, 1178-86.

⁵¹ Lochrie, *Covert Operations*, 42-48.

bedroom, she functions the same way as the Green Knight does in Arthur's court, challenging Gawain's identity as the most courteous knight just as the Green Knight challenges idyllic assumption of Arthur's court. Her entrance into the room underlines her role as challenger, and the language illustrates her complicity in manipulating Gawain. The language that defines her movements as "dernely" and "stylle" also reinforces Gawain's perception of the bed as a place of solitude; as she "stel to his bedde" and "Kest vp þe cortyn and creped withinne," her unwanted, unrequested entrance transgresses against the boundaries that separate Gawain from the world outside.⁵² The poet implies that her actions were improper through her near lie, "Ȝe ar a sleeper vnslyȝe, þat mon may slyde hider,"⁵³ as if she had not just quietly, softly, and secretly snuck through his bedchamber door, through the closed curtains, and onto the bed. The image in the manuscript that accompanies the text reinforces the sense of intimacy that Bertilak had advanced to Gawain.



Figure 5: Lady Bertilak and Gawain⁵⁴

⁵² *SGGK*, 1188, 1191.

⁵³ *Ibid.*, 1209.

⁵⁴ BL, Cotton Nero A. x, f. 129.

While the image does not portray the scene exactly as the poet describes it, it nevertheless suggests a similar reading. Gawain is bound tightly in his covers from his shoulders down and not even his arms are free, indicating his powerlessness; in contrast, the lady stands beside the bed, reaching out to his face. Her position above Gawain depicts her authority. Both image and text imply that the bed is a place of intimacy and that the lady's entrance is both an assault and a transgression. The artist portrays Gawain's separation from public though very clearly marked boundaries of bed, blanket, lady, and curtain, where the lady is the most dangerous thing of all.

Reflecting nineteenth-century gender divisions, Duby and other scholars, such as A. C. Spearing, argue that the chamber is feminine space, and Gawain's entrapment there feminizes him.⁵⁵ Likewise, Christine Chism has labeled Lady Bertilak's penetration of chamber and bed a reverse rape, where she is a masculine force and Gawain, trapped and helpless, is feminine.⁵⁶ Lady Bertilak's assault on Gawain is neither masculine nor denotes any particular agency; her role is complicity within the greater scheme. From Gawain's perspective, however, her power is absolute, as she opens the door, parts the curtains, and sits on top of the blankets, further confining him with: "Now ar ze tan astyt! Bot true vus may schape, / I schal bynde yow in your bedde—pat be ze trayst."⁵⁷ While this may seem like a playful statement, the inclusion of the words *trap* and *bind* suggest violence and aggression, and her refusal of his request to rise, to dress, and to greet her properly demonstrates her authority over him. The poet describes her

⁵⁵ Duby, "Private Power, Public Power," in *A History of Private Life*, 62. Duby describes areas within the French aristocratic house as masculine, such as the hall, while the chamber he denotes as feminine. He separates these spaces by arguing that the women did not have a public social role, thus had no place in the hall, only entering it on ceremonial occasions. Since women did not belong in the hall, their place was the chamber, the more private room in the house, and beyond that, their place was in bed. Scholars such as Peter Goodall, in "Being Alone in Chaucer," and Spearing in "Public and Private Spaces," use Duby's hall/masculine and chamber/feminine binary.

⁵⁶ See Christine Chism, *Alliterative Revivals*, 66-154. Rape is certainly a personal invasion, and can be understood as an invasion of privacy in the sense of bodily privacy. I choose not to discuss rape in this chapter, even though it would fit, because rape does not always occur in bed; it can occur anywhere. For a further discussion of rape in romance texts, see Eve Salisbury, "Chaucer's 'Wife,' the Law, and the Middle English Breton Lays," in *Domestic Violence in Medieval Texts*, ed. Eve Salisbury et al. (Gainesville: University Press of Florida, 2002), 73-93.

⁵⁷ *SGGK*, 1210-11.

physical position in the exact inverse of how Gawain initially appears; their separation from the rest of Hautedesert is reinforced by her comment that they are “bot oure one,”⁵⁸ which indicates that she controls access. Harvey De Roo contends that the lady’s anonymity gives her power over Gawain by placing “our hero in his dilemma of courtesy, chastity, and loyalty, leading him to play his dangerous game in the bedroom, and at last forcing him to choose which Gawain he is.”⁵⁹ Although he may be trapped, Gawain’s behavior compromises his reputation, not his position in bed.

Beyond confining him physically, Lady Bertilak entraps her victim through his expectations.⁶⁰ Catherine Batt contends that “The interviews between Gawain and the Lady of the Castle isolate Gawain’s ‘courtesy,’ but also beg questions as to how one defines this virtue, when its context shifts between social and private spaces.”⁶¹ Gawain begins with one expectation, but when its meaning changes, his expectations must also change. In essence, conflicted spatial meanings lead to conflicted behavior, such as Lady Bertilak’s comment suggests:

“For I wene wel, iwysse, Sir Wowen ze are,
 bat alle þe worlde worchipez; quereso ze ride,

⁵⁸ Ibid., 1230.

⁵⁹ De Roo, “What’s in a Name,” 242.

⁶⁰ Much scholarship has been written about Gawain’s reputation. Cf. Harvey De Roo, “What’s in A Name: Power Dynamics in ‘Sir Gawain and the Green Knight,’” *Chaucer Review* 31, no. 3 (1997): 232-55; Bartlett Jere Whiting, “Gawain: His Reputation, His Courtesy and His Appearance in Chaucer’s Squire’s Tale,” *Mediaeval Studies* 9 (1947): 189-234; Phillip C. Boardman, “Middle English Arthurian Romance: the Repetition and Reputation of Gawain,” in *Gawain: A Casebook*, 255-72; Wendy Clein, *Concepts of Chivalry in Sir Gawain and the Green Knight* (Norman: Pilgrim Books, 1987); W. R. J. Barron, *Trawthe and Treason: The Sin of Gawain Reconsidered: A Thematic Study of Sir Gawain and the Green Knight* (Manchester: Manchester University Press, 1980); Bonnie Wheeler, “Parataxis and Malory: The Case of Sir Gawain’s Reputation,” *Arthurian Literature* 12 (1993): 109-32. For criticism on courtesy and *SGGK*, see Jonathan Nicholls, *The Matter of Courtesy: Medieval Courtesy Books and the Gawain-Poet* (Woodbridge: Boydell, 1985).

⁶¹ Batt, “Gawain’s Antifeminist Rant, the Pentangle, and Narrative Space,” 130.

Your honour, your hendelayk is hendely prayed
 With lordez, wyth ladyes, with alle þat lyf bere.”⁶²

Throughout the text, Gawain is constantly referred to by his reputation as one of the most courteous and courtly knights in the land, a quality missing from the morning encounter. When the lady names him, she negates his perceived (dis)placement by reminding him of his famed courtesy; Gawain must come to understand that performance in bed is just as necessary to his identity as performance in the hunt. However, spatial politics continue to influence his perception, and he does not see the subtle test before him.

In keeping with the verbal play, Gawain initially attempts to deflect the public identity that Lady Bertilak ascribes to him. Influenced by his perceived (dis)placement, he responds that he is unworthy of such praise, “Þaʒ I be not now he þat ʒe of speken—”⁶³ and “I wot wel myseluen.”⁶⁴ Through these words he rejects her placement, which begs the question that if he is not *now* who she says that he is, then who is he at this moment, and more, *when* is he the Gawain that Lady Bertilak refers to? Furthermore, by stating that *he* knows himself, he suggests that *she* does not. Assuming the role of “Gawain” necessitates the performance of his identity, and furthermore implies that identity should not be dependent on location. Likewise, Spearing argues that Gawain’s *faux pas* was that he did not read the space correctly and bring his public values into private space;⁶⁵ the bed is no longer a place to relax but a site determined by identity politics.

The next parallel scene intensifies the hunt for both Lord and Lady Bertilak. Gawain’s wakeful state illustrates his preparedness. Although he and the lady speak gaily at first, it is only

⁶² *SGGK*, 1126-29.

⁶³ *Ibid.*, 1242.

⁶⁴ *Ibid.*, 1244.

⁶⁵ Spearing, “Public and Private Spaces in *Sir Gawain and the Green Knight*,” 143.

a prelude to the topic of identity, and her meaning could not be clearer: Gawain not only has to claim his identity, but he has to live it. The main thrust of her argument comes when she asks Gawain why he does not live by the code that he supposedly endorses:

“I woled wyt at yow, wyze,” þat worþy þer sayde,
 “And yow wrathed not þerwyth, what were þe skylle
 Þat so zong and so zepe as ze at þis tyme,
 So cortayse, so knyztly, as ze ar knowen oute—
 And of alle cheualry to chose, þe chef þyng alosed
 Is þe lel layk of luf, þe lettrure of armes;
 For to telle of þis teuelyng of þis trwe knyztez,
 Hit is þe tytelet token and tyxt of her werkkez,
 How ledes for her lele luf hor lyuez han auntered,
 Endured for her drury dulful stoundez,
 And after wenged with her walour and voyded her care,
 And brozt blysse into boure with bountees hor awen—
 And ze ar knyzt comlokest kynd of your elde,
 Your worde and your worchip walkez ayquere,
 And I haf seten by yourself here sere twyes,
 Ȝet herde I neuer of your hed helde no wordez
 Þat euer longed to luf, lasse ne more;
 And ze, þat ar so cortays and coynt of your hetes,
 Oghe to a ȝonke þynk ȝern to schewe

And teche sum tokenez of trweluf craftes.

Why! ar ze lewed, þat alle þe los weldez.”⁶⁶

From this perspective, she implies that non-performative space does not exist and that chivalry and honor must be imbedded in one’s character. The lesson suggests that multiple meanings of place never alter one’s identity. Whether one is interrupted in bed or on the battlefield, a knight should always know how to respond and should be able to read places accurately. Gawain obviously knows how to perform; he knows his reputation. Batt contends:

The locus of the bedroom has had an unsettling effect on one’s notions of the limits and implications of courtesy and its related language. The issues raised regarding the status and plurality of the ‘cortays’ register have not been resolved, and courtesy has emerged not as a ‘fixed’ virtue, but as something socially and pragmatically defined. Operating on the level of a comedy of manners, the scenes suggest propriety may be rather arbitrarily defined.⁶⁷

In other words, the proper behavior associated with any particular place is defined by the ruling ideology, and for Gawain, the ideology is courtesy and Lord and Lady Bertilak serve as the reminders and the enforcers. The relationship between behavior and place is more ideological—as a knight of Arthur’s court, Gawain should always be courteous, no matter where he is or how other people may violate social expectations.

In the morning of the final bed test, Lady Bertilak challenges Gawain through beauty and desire. Her blazon oozes sexuality and temptation: her hair is down; her neck and shoulders are naked; and she wears only a fur pelt. Here in this intimate enclosure, the public reputation of

⁶⁶ *SGGK*, 1508-28.

⁶⁷ Batt, “Gawain’s Antifeminist Rant, the Pentangle, and Narrative Space,” 134.

Gawain is at war with his identity. In the end, Gawain makes the moral decision to choose his courtesy over his reputation as a lover:

He cared for his cortaysye, lest crapaun he were,
 And more for his meschef ȝif he schulde make synne,
 And be traytor to þat tolke þat þat telde aȝt.
 “God schylde,” quop þe schalk, “þat schal not befall!”⁶⁸

His identity as a knight of the Virgin and his lack of desire to repay his host’s courtesy with betrayal allows him to reject sin over romantic courtesy. Even though they are far from prying eyes, Gawain spurns the sexual advances of Lady Bertilak, a move very unlike his French counterpart.⁶⁹ While he might have overcome the temptation of her, she offers him something else that he cannot reject: the girdle. Not as alluring as the lady or as rich as the ring, the girdle offers him a chance at life with a price. The lady shifts the focus from love to survival, suggesting that *thanatos* is stronger than *eros*. However, she qualifies the gift, demanding that it remain a secret between them. Mann comments that Gawain “assumes that this action can be *hidden*, unaware that it is as available to the lord’s gaze as his rejection of the lady’s advances.”⁷⁰ Throughout his stay, Gawain remains unaware of any behind the scenes maneuvering, and he continues to assume that all that has occurred in the bed is private, save the kisses that he transfers to Bertilak at night.

⁶⁸ SGGK, 1173-76.

⁶⁹ Compare with Gawain’s liaisons in *Le Chevalier à l’Épée* (dated between the twelfth and thirteenth centuries), the prose *Lancelot*, or nearly any other French romance with Gawain where he is the romantic aggressor. Gawain is always ready for sexual encounters with ladies, and more often than not they remind him of the courtesy he owes their fathers, brothers, husbands, and so on. For example, in *Le Chevalier à l’Épée*, the daughter stops Gawain before sex and warns him about the sword that protects her from knights who act improperly. Gawain, however, disregards the threat and almost gets impaled. His main concern is his reputation as a lover—what people would think if they found out he was in bed with a beautiful woman and did not have sex with her—not his courtesy, see *Le Chevalier à l’Épée*, ed. E. C. Armstrong (Baltimore, 1900). More similar to the *Carle*, in *Hunbaut*, Gawain kisses his host’s daughter more times than he is allowed and is dismissed by her father, who is then counseled that Gawain did in fact behave correctly, see *Hunbaut*, ed. J. Stürzinger and H. Breuer (Dresden, 1914).

⁷⁰ Mann, “Courtly Aesthetics,” 256.

The manipulations and perceived intimacy between Gawain and the lady is revealed when he meets the Green Knight at the chapel. The Green Knight discloses that not only does he know all that occurred between Gawain and his wife, but that he was the instigator. He explains:

“For hit is my wede þat þou werez, þat ilke wouen girdel,
 Myn owen wyf hit þe weued, I wot wel for soþe.
 Now know I wel þy cosses, and þy costes als,
 And þe wowyng of my wyf: I wrozt hit myseluen.
 I sende hir to asay þe.”⁷¹

This is the crux of the poem as well as our understanding of the private nature of bed, identity, and reputation. Everything from the (dis)placement and invasion of privacy to the test was planned by Bertilak at the behest of Morgan le Fay. At no time was the bed ever truly private, as the events of each morning were part of a grand plan and retold to Bertilak in the evening by his wife; all intimacy was an illusion and therefore not true intimacy at all. Furthermore, Morgan le Fay’s involvement counters the notion that a woman’s place is in the bedroom; her influence ranges from places—bedroom, to Hautedesert, to Arthur’s court—to people—Gawain, Bertilak, Bertilak’s lady, and even Arthur. Randy P. Schiff suggests that Morgan le Fay’s scope reflects the regional power of widows in the Northwest Midlands: “Morgan possesses region-wide authority, the wider sphere of which is marked by her sending Bertilak to unsettle Arthur’s distant, Southern court. The extent of Morgan’s sway is doubly mapped out by Gawain’s journey to and from Hautedesert.”⁷² This reading of Morgan also supports the argument that I make about Chaucer’s widows in Chapter Four.

⁷¹ *SGGK*, 2358-62.

⁷² Schiff, *Alliterative Fantasy*, 93.

The revelations at the Green Chapel demand the assessment of the boundaries of privacy and identity; in a place where Gawain is alone and vulnerable, his reputation and his identity are called into question. Karma Lochrie states that “The alternation and alienation of public and private of *chamber* and *hall*, of *gay bed* and *forest*—produces a distressing split in the coherence of the public code of chivalry.”⁷³ I additionally assert that it illustrates the dynamic between place and privacy through which the inhabitants derive their identity. Derek Pearsall comments that “*Gawain* is a poem in which things are happening with an uncanny reality.”⁷⁴ Public affairs (dis)place private ones, simultaneously placing and displacing them, and in this case, Duby’s sensational comparison of privacy to a “fortress under siege” is right: in bed and held captive, Gawain is under siege, and his personal space and his individuality are challenged.⁷⁵ He has no control over his personal information or over access to himself, only the decision to be himself. Gawain’s expectations, supported by Bertilak, do suggest that beds were understood as private; however, *SGGK* offers a depiction of a bed that is neither public or private nor public and private but always public.

In comparison to *SGGK*, the beds in *Sir Gawain and the Carle of Carlisle* never appear as part of any conflict between public and private even as the Carle uses them to remind Gawain of his place, or of his identity. Likewise the poem offers a less sophisticated Beheading Game and Bed Test with no exchange of gifts or Morgan le Fay.⁷⁶ While the story is focused on courtesy and reputation, it demonstrates a restoration of the social order through Gawain’s successful tests; the beds provide a place for political negotiations. Arnold Sanders suggests that

⁷³ Lochrie, *Covert Operations*, 46.

⁷⁴ Pearsall, “Sir Gawain and the Green Knight: An Essay in Enigma,” 253.

⁷⁵ Duby, “Private Power, Public Power,” in *A History of Privacy*, 6.

⁷⁶ Other Gawain romances similar to *SGGK* include *The Greene Knight*, *The Turke and Sir Gawain*, and *The Carle of Carlisle*; see Thomas Hahn, ed., *Sir Gawain: Eleven Romances and Tales* (Kalamazoo: Medieval Institute Publications, 1995). In these texts, the details may differ but certain elements, such as the centrality of the bed to Gawain and the importance of courtesy, remain the same. See Elisabeth Brewer, ed., ‘*Sir Gawain and the Green Knight*’: *Sources and Analogues* (Woodbridge: D. S. Brewer, 1992).

“The testing games of ‘Gawain’-romances depend on the secrets of identity and the rules of courtesy that are not articulated to the protagonist and the audience until after the revelation scene.”⁷⁷ Initially not much is known about the Carle except for his rudeness, his wealth, and his physical strength; however, by the end of the text his transformation reveals that the tests were not only for Gawain’s courtesy but they serve to restore the Carle to his previous place within Arthur’s realm.

Thus the chivalry of Arthur’s knights is again called into question and the overarching trial is one of class and power dynamics; Gawain’s behavior is placed in direct contrast to the courtesy, or lack of courtesy, of his companions Kay and Bishop Baldwin. Phillip C. Boardman suggests that Kay and Gawain “represent aspects of Arthur himself.”⁷⁸ The Carle first tests Gawain in the public hall of his court, before bringing him to the more private chamber for further testing. Kay and Bishop Baldwin are both found to be incapable of true courtesy or shame and no longer need any testing; Gawain’s abilities to live up to his reputation determine how Arthur’s values will be gauged.

Unlike *SGGK*, the *Carle* does not emphasize enclosure, but it does give a sense of spatiality of a late fourteenth-century estate, with a great hall, separate sleeping chambers, private entrances, and corridors. Action takes place in various rooms and sections of the Carle’s estate, which emphasize the conflict between the Carle’s rudeness and his power. After Gawain successfully passes two tests, courtesy to the Carle’s pony and courtesy at dinner, the Carle uses his daughter to re-educate his visitors about chivalry: “Furst sche harpyd, and seethe songe / of love and Artorrus armus amonge, / How they togedor mett.”⁷⁹ It is ironic and slightly comic

⁷⁷ Sanders, “Sir Gareth and the ‘Fair Unknown’: Malory’s Use of the Gawain Romances,” 37.

⁷⁸ Boardman, “Middle English Arthurian Romance,” in *Gawain: A Casebook*, 259.

⁷⁹ *Sir Gawain and the Carle of Carlisle*, in *Sir Gawain*, 434-36.

that she must remind Arthur's knights of their reputation by singing them songs of their own deeds, but her songs offer a subtle reminder to Gawain before his last test.

In this bed test, there is neither privacy nor the illusion of privacy for anyone as the Carle remains beside the bed throughout his test; the machinations of the host are certainly less than subtle here when he explains the rules of the encounter:

They bade Syr Gawen go to bede,
 Wytt clothe of golde so feyr sprede,
 That was so feyr and bryght.
 When the bede was made wytt wynn,
 The Carle bade his oun Lady go in,
 That lovfesom was of syghte.
 A squyer came wytt a prevey far
 And he unarmyde Gawen ther;
 Schaply he was undyght.
 The Carle seyde, "Syr Gawene,
 Go take my wyfe in thi armus tweyne
 And kys her in my syghte."⁸⁰

Lacking the moral complexity of *SGGK*, this Gawain does not overly consider the courtesy due to his host and to his host's wife. Gawain's testing is overt, public, and simple: all he has to do is kiss the Carle's wife within his sight. His disrobing and disarming represent elements of his identity. Although Sanders argues that "These physical tests of chastity offer access to forbidden women who are controlled by the women's male relatives," Gawain's access is exceedingly

⁸⁰ Ibid., 445-56.

limited with the Carle standing watch.⁸¹ While reminiscent of the amorous nature of the French Gawain, this Gawain utilizes none of the “luf-talking” that is also a part of courtesy. Public and private intersect in this scene through the publicity of faked sex act with the Carle as a direct eyewitness. Moreover, Gawain illustrates no qualms about the appropriateness of the Carle’s suggestion or being observed, for he “toke the Carle goode hede.”⁸² In fact, in his zealously to comply with the Carle’s demand for performance, Gawain oversteps the boundaries that he has set, and attempts to initiate further intimacies, or “have doun the prevey far,” only to be halted by the Carle: “Whoo ther! / That game I the forbede!”⁸³

Although Gawain is not nearly as well behaved as he should have been, he does do what the Carle asks him to do, thus allowing the Carle sovereignty in his own house. The Carle then rewards him for his behavior by giving his daughter to Gawain for the night:

“Thow schalt have wonn to so bryght
 Schall play wytt the all this nyghte
 Tyll tomorrowe daye.”
 To his doughtter chambur he went full ryght,
 And bade her aryse and go to the knyght,
 And wern hyme nott to playe.
 Sche dorst not agenst his byddyngge doun,
 But to Gawen sche cam full sone
 And style doun be hyme laye.

“Now, Gawen,” quod the Carle, “holst the well payde?”

⁸¹ Sanders, “Sir Gareth and the ‘Fair Unknown’: Malory’s Use of the Gawain Romances,” 39.

⁸² *Sir Gawain and the Carle of Carlisle*, in *Sir Gawain*, 465.

⁸³ *Ibid.*, 466, 467-68.

“Ye, for Gode, lorde,” he sayde,
 “Ryght well as I myghte!”
 “Nowe,” quod the Carle, “I woll to chambur go;
 My blessynge I geyfe yow bouthe to,
 And play togedor all this nyght.”⁸⁴

The offer of the daughter as payment for a job well done demonstrates that she is as much a pawn to the Carle as his wife; they are both nameless, property, and public commodities. Arnold Sanders suggests that the Carle’s daughter is a “reward for erotic self-discipline,”⁸⁵ but Gawain demonstrates no self-discipline. He needs the Carle to discipline him. On the other hand, Auvo Kurvinen suggests that the Carle’s offer of his daughter is another test, but to what end?⁸⁶ They marry with no hesitation. While the daughter’s bed does not become public *per se*, her body, her sexuality, and her virginity do.

The bed tests in *Carle* offer an interesting contrast to those in *SGGK*. While the bed becomes a public place in the *Carle*, it does so not to teach Gawain, and hence Arthur, a lesson but to restore the Carle to his place in Arthur’s realm. It is not a place defined for rest, but where politics are played out. The poor manners of Kay and Bishop Baldwin contrast with the “carllus corttesy,”⁸⁷ while Gawain only needs an education in sexual restraint. Therefore, as Boardman argues, this romance becomes no longer about Gawain himself, but what he represents: it is meaning that is being made manifest in the reputation of Gawain.⁸⁸

In comparison to *Sir Gawain and the Green Knight* and *Sir Gawain and the Carle of Carlisle*, the bed scenes in Malory’s “Tale of Sir Gareth” from *Le Morte Darthur* (1485) also

⁸⁴ Ibid., 472-86.

⁸⁵ Sanders, “Sir Gareth and the ‘Fair Unknown’: Malory’s Use of the Gawain Romances,” 39.

⁸⁶ Kurvinen, *Sir Gawain and the Carle of Carlisle*, 99.

⁸⁷ *Sir Gawain and the Carle of Carlisle*, in *Sir Gawain*, 278.

⁸⁸ Boardman, “Middle English Arthurian Romance,” in *Gawain: A Casebook*, 260.

demonstrate political negotiations that stem from issues of identity. Each of the encounters centers on either attempted or enacted sexual intimacies that end unsuccessfully. Dating approximately a century later than the *Green Knight* and eighty-five years after the *Carle*, “Gareth” is considered Malory’s “most puzzling production,” a “tale of transformations and shifting liaisons,”⁸⁹ and potentially one of Malory’s most original compositions.⁹⁰ While one of the overall meanings of the text suggests the importance of place through reputation and social stability, Sir Gareth’s attempted love-making transforms the bed and the hall into sites of contested privacy.

In “Gareth” the hero, a fair unknown nicknamed Beaumains by Kay, seeks his place and his name in the Arthurian world.⁹¹ He enters Arthur’s court, requesting three gifts: meat and drink for a year, to be knighted by Lancelot, and to undertake the quest on behalf of Lyonet. Karen Cherewatuk comments that “Generic expectation dictates that the fair unknown must depart from Arthur’s court in order to prove both his manhood and his noble blood”;⁹² therefore, he must go into the world. Throughout their journey, Lyonet constantly and publicly berates Gareth, calling him a kitchen knave, merciless, or a coward—all names unsuitable for a knight of

⁸⁹ Vinaver, “The Tale of Sir Gareth of Orkney,” in “Commentary,” in *Le Morte Darthur*, 1427; Wright, “On the Genesis of Malory’s Gareth,” 580.

⁹⁰ “Gareth’s” literary origins have been well considered by scholars, and break into three fairly traditional lines; on the division see Dhira Mahoney, “Malory’s Tale of Sir Gareth and the Comedy of Class,” *Arthurian Yearbook* 1 (1991): 165-81. For scholarship debating a French or English source, see Robert W. Ackerman, “‘The Tale of Gareth’ and the Unity of *Le Morte D’Arthur*” in *Philological Essays: Studies in Old and Middle English Language and Literature in Honor of Herbert Dean Merritt*, ed. James L. Rosier (The Hague: Mouton, 1970), 196-203; R. H. Wilson, “The Fair Unknown in Malory,” *PMLA* 58, vol. 1 (1943): 2-21; Thomas L. Wright, “On the Genesis of Malory’s ‘Gareth,’” *Speculum* 57 (1982): 569-82; P. J. C. Field, “The Source of Malory’s Tale of Gareth” in *Aspects of Malory*, ed. Toshiyuki Takamiya and Derek Brewer (Woodbridge: Boydell & Brewer, 1981), 57-70; for “Gareth” as an original composition, see Wilfred W. Guerin, “The Tale of Gareth: The Chivalric Flowering,” in *Malory’s Originality*, ed. R. M. Lumiansky (Baltimore: Johns Hopkins University Press, 1964), 106; for scholarship on “Gareth” as an adaptation, see Larry D. Benson, *Malory’s Morte Darthur* (Cambridge: Harvard University Press, 1976), 97-98; Sanders, “Sir Gareth and the ‘Fair Unknown’: Malory’s Use of the Gawain Romances,” *Arthuriana* 16, no. 1 (2006): 34-46; and for its relationship to folk tales, see D. Thomas Hanks, Jr., “The Rhetoric of the Folk Fairy in Sir Thomas Malory’s ‘Tale of Sir Gareth,’” *Arthuriana* 13, no. 3 (2003): 52-67.

⁹¹ For the importance of names in Malory, see Andrew Lynch, “Good Name and Narrative in Malory,” *Nottingham Medieval Studies* 34 (1990): 141-51.

⁹² Cherewatuk, “Pledging Troth in Malory’s ‘Tale of Sir Gareth,’” 23.

Arthur's court. After passing his first bed test and defeating the Red Knight, the Green Knight, the Black Knight, and the Blue Knight, brothers all, Gareth liberates the damsel in distress, Lyonesse, and they fall in love regardless of the comedic interruptions to their sexual encounters.⁹³ His success in these encounters reflects his successful attainment of his identity.

When Gareth meets Lyonesse, his desire for her overrides his common sense, effectively causing him to reject social customs that demand marriage before sexual intimacies. Malory's description of their feelings implies that the power of passion can overcome any reason, for "they brente both in hoote love that they were accorded to abate their lustys secretly."⁹⁴ Both Gareth and Lyonesse accede to their baser nature, transgressing against propriety. Malory further suggests that youth can be equated with passion and a lack of restraint, which results in an initial rejection of one's place, such as Gareth demonstrates when he disregards his reputation as a knight and the inappropriateness of the hall as a place for a sexual encounter with a lady.

Unlike Gawain in *SGGK* or the *Carle*, Gareth chooses not to sleep in a private bedchamber but a public one. He "wolde go no farther than the halle, for in such placis, he seyde, was conveyaunte for an arraunte knyght to take reste in."⁹⁵ Considered perhaps the most public space in a castle or estate, the hall is also a place for feasting and ceremonies, where the lord judges public courts, and where visitors are welcomed. The material surroundings and the social customs attributed to it establish the hall as a proper place for a knight errant to sleep; these same qualities make it unsuitable for sexual intimacies with one's lover:

⁹³ Gareth's bed test at the castle of Sir Persauntis is similar to the bed test in the *Carle of Carlisle*. Persauntis instructs his daughter to offer herself to Gareth, who rejects her: "Sir," she seyde, "I am sir Persauntis daughter, that by the commaundemente of my fadir I am com hydir." "Be ye a pusell or a wyff?" "Sir," she seyde, "I am a clene maydyn." "God deffende me," seyde he, "that ever I sholde defoyle you to do sir Persaunte suche a shame. Therefore I pray you, fayre damesell, aryse oute of this bedde, or other ellyse I woll," 7.193. Gareth considers Persauntis unchivalrous to have suggested such an action, and tells the lady that only shameful knights would do "dysworship," 7.193 even if it was desired by her father.

⁹⁴ Malory, *Le Morte Darthur*, 7.332.

⁹⁵ *Ibid.*, 7.332.

And so there was ordayned grete cowchis and thereon fethir beddis, and there he leyde hym down to slepe. And within a whyle came Dame Lyonesse, wrapped in a mantell furred with ermyne, and leyde hir downe by the sydys of sir Gareth, and therewithall he began to clyppe hir and to kysse hir. And therewithall he loked before hym and sawe an armed knyght with many lyghtes aboute hym, and this knyght had a longe gysarne in his honde and made grymme countenaunce to smyte hym.⁹⁶

The couches and feather beds directly contradict the sense of intimacy normally indicated when lovers wish to engage in any sort of sex act. Furthermore, the public nature of the hall leaves them open to interruptions and invasion, a notion that never crosses the lovers' minds until Gareth is attacked at the command of Lyonet. In this situation, she is the only one who contrives to follow social customs, and protects the "worship" of the lady and knight. Cherewatuk argues that "Working against the couple's private desire, Lynette labors to affirm public honor for Gareth, her sister, and both families. Her magic is the conduit for ushering these hot and hasty young people into proper marriage."⁹⁷ Lyonet's awareness of place as identity, location, and custom illustrates society's ideological values; her maneuverings to uphold them reinforce their significance within the Arthurian ideal.

Gareth's misreading of the hall as private results in a public wound in his thigh. Arnold Sanders considers the blows by Lyonet's henchman to be an expression of the beheading game, while Francis describes it as "an image of ruptured virginity."⁹⁸ On the other hand, Cherewatuk posits that the wound is a signifier of "sexual impropriety and perhaps even dishonor for a hero

⁹⁶ Malory, *Le Morte Darthur*, 7.332.

⁹⁷ Cherewatuk, "Pledging Troth in Malory's 'Tale of Sir Gareth,'" 33.

⁹⁸ Francis, "Reading Malory's Bloody Bedrooms," in *Arthurian Literature*, 5.

who has only recently proven himself.”⁹⁹ The placement of the wound in the thigh implies impotence or emasculation; Gareth cannot consummate his relationship and his wound becomes a public sign of his inability to both fight and make love, thus a metaphorical castration. The blood that he sheds further publicizes the transgression pushing him farther from a chivalric identity. The dichotomy between hall and chamber is reinforced by Gareth and Lyonesse in the second ill-fated, ill-arranged encounter. Their desires “were so hoote in brennyng love,”¹⁰⁰ and continued to overpower their understanding of place via intimacy or identity. Although Gareth “leyde his armour and his swerde nygh his beddis syde,” endeavoring to mitigate his vulnerability, the wound ruptures again.¹⁰¹ The blood on the bed suggests sexual improprieties while the wound becomes a further indicator of performance, in terms of both prowess in arms and physical love.

Although the hall functions as a central ceremonial place in *Le Morte Darthur*, Gareth attempts to change its meaning and the acceptable behavior associated with it. The lovers’ desire creates intimacy that displaces the public momentarily, and the bed tests illustrate anxieties associated with uncontrollable desires and the transgression of socially held ideological values. In “The Tale of Gareth” the bed functions as the locus of identity that is both public and private. It demonstrates the intersection of the public through reputation, identity, and location, and the private through intimacy, regardless of its physical placement. Furthermore for both Gawain and Gareth, it is politically charged place in terms of sovereignty, leadership, and courtesy. On the other hand, beds of women often suffer intrusions by outsiders, but in many cases, beds become a place where men enact their desires on women; they become a testing ground for women’s

⁹⁹ Sanders, “Sir Gareth and the ‘Fair Unknown’: Malory’s Use of the Gawain Romances,” 40; Cherewatuk, “Pledging Troth in Malory’s ‘Tale of Sir Gareth,’” 32.

¹⁰⁰ Malory, *Le Morte Darthur*, 7.335.

¹⁰¹ *Ibid.*

honor and virtue as to how they relate to their sexuality and their chastity.¹⁰² The invasions of the beds of Dame Beulybon, Morgause, and Guinevere are enacted by men who have something to prove: they transgress the expectations of privacy, and make public the intimate space of the bed.

Women are often accused of treachery in their beds, from infanticide to affairs, and rescued by honorable knights. In the early-fourteenth-century romance, *The Erle of Toulouse*, Dame Beulybon, who illustrates the voice of reason, is set up as an adulteress by two knights who have proclaimed their love to her. As wife to the emperor, she is an advisor to him such as Dame Prudence is to Melibee in Chaucer's *Tale of Melibee*, counseling him how to rule wisely. Nancy B. Black contends that stories of women like Dame Beulybon offer a positive depiction of women even though they "project an image of women that lies between the two extreme views so often mentioned in cultural histories of the Middle Ages—glorification onto immaterial abstraction (the virgin) and vilification as the personifier of lust (the whore)."¹⁰³ Dame Beulybon's charity likens her to the Virgin while slander defines her as the whore. While she sleeps in bed, the men dupe a young carver into removing his clothes and hiding in her room, and gather witnesses to expose her:

To ther chaumbur can they goo
 And armyd them full ryght;
 Lordys owte of bedde can they calle
 And badde arme them, grete and smalle:
 "Anone that ye were dyght,

¹⁰² Similar tales featuring the motif of the Woman Accused of Adultery, the Calumniated Queen, or the Innocent Wife Persecuted Unjustly include Chaucer's *Man of Law's Tale*, Gower's *Tale of Constance*, and *Sir Tryamour*. For work on this motif, see Margaret Schlauch, *Chaucer's Constance and Accused Queens* (New York: New York University Press, 1927); Nancy B. Black, *Medieval Narratives of Accused Queens* (Gainesville: University Press of Florida, 2003); Juliette Wood, "The Calumniated Wife in Medieval Welsh Literature," *Cambridge Medieval Celtic Studies* 10 (1985): 25-38.

¹⁰³ Black, *Medieval Narratives of Accused Queens*, 8.

And helpe to take a false traytoure
 That wyth my lady in hur bowre
 Hath playde hym all thys nyght.”

Sone they were armyd everychone;
 And wyth these traytours can they gone,
 The lordys that there wore.
 To the Emperes chaumber they cam ryght
 Wyth torchys and wyth swerdys bryght
 Brennyng them before.
 Behynde the curtayne they wente;
 The yonge knyght, verrament,
 Nakyd founde they thore.
 That oon thefe wyth a swerde of were
 Thorow the body he can hym bere,
 That worde spake he no more.¹⁰⁴

This scene demonstrates the function of the bed in determining virtue as well as elements necessary for its exposure. Although Dame Beulybon may be alone in bed and asleep, the discovery of a naked man in her bedchamber immediately suggests sexual improprieties. He is quickly killed and can offer her no defense, but his very position, intended or not, indicates transgression against culturally held values of chastity. The attackers gather witnesses to observe and therefore prove her treachery in a mock-legalistic manner, saying, “Thy dedys we have

¹⁰⁴ *The Erle of Toulouse*, in *Sentimental and Humorous Romances*, 759-78.

aspyedd!";¹⁰⁵ the witnesses are specified as men, "Lordys" in particular. They slander Dame Beulybon, calling her "false hore," and label her a traitor.¹⁰⁶

As a woman with authority, Dame Beulybon's perceived lack of chastity immediately negates power that she may have. The witnesses' intrusion into her bedchamber imply greater acceptance of their actions than hers, potentially indicating that a woman's bedchamber and bed are never truly public when her virtue is in question. Thus Dame Beulybon's bed is associated with chastity and virtue, and while her words reveal her understanding of her bed as private—"Sche seyde, 'Benedycyté!' / Syrs, what men be yee?"¹⁰⁷—the men, including her husband, consider its regulation a matter of public scrutiny. Furthermore, the initial reaction of the emperor to her supposed dishonor is self-centered: "Hath sche done me thys dyshonoure? / And y lovyd hur so wele!"¹⁰⁸ as opposed to questioning why she dishonored herself by engaging in adulterous behavior. In the end, Dame Beulybon's acquittal reflects as much on the good judgment of the emperor as her ingrained goodness.

Women's beds in Arthurian romance, on the other hand, are politicized places where public and private intersect to comment on the virtue and honor of the knights of Arthur's realm. Christina Francis argues that "The systems in place to check virginity validated society's anxiety over chastity and, at the same time, turned the bedroom into a public space where women were on trial."¹⁰⁹ For Morgause and Guinevere in Malory's *Morte*, their beds become a place where masculine desires are enacted for political maneuvering; the women's reputations are derived from their activities in their respective beds although not for their own ends.

¹⁰⁵ Ibid., 785.

¹⁰⁶ Ibid., 784.

¹⁰⁷ Ibid., 782-83.

¹⁰⁸ Ibid., 861-62.

¹⁰⁹ Francis, "Reading Malory's Bloody Bedrooms," in *Arthurian Literature*, 2.

Malory's Morgause is a complex character often blamed for the downfall of Arthur's court through her complicity in the incestuous relationship with Arthur and the birth of their son, Mordred.¹¹⁰ Throughout *Le Morte*, she demonstrates treachery and duplicity towards Arthur, while championing her many sons, who include Gareth, Gawain, and Gaheris among others, who are also not always honorable knights. Her character is dubious at best, and her association with the son of her alleged husband's killer enrages her children.

Morgause's bed becomes the place where her life choices intersect with the desires of her children, and the bed that she shares with Lamorak becomes marked as a public place through her son, Gaheris:

Therof was ware sir Gaherys, and rode afor the same nyght, and wayted upon sir Lamerok. And than he sy where he cam rydyngge all armed, and where he alyght and tyed his horse to a prevay postren, and so he wente unto a parler and unarmed hym. And than he wente unto the quenys bed, and she made of hym passyngge grete joy, and he of her agayne, for ayther lovid other passyngge sore.

So whan Sir Gaherys sawe his tyme he cam to there beddis syde all armed, wyth his swerde naked, and suddaynly he gate his modir by the heyre and strake of her hede.¹¹¹

At this moment, Morgause considers the bed a private place, not for rest but for love and sex; she certainly does not see it as a place that has any influence over outsiders. Lamorak obviously considers it private as well, indicated through his disarming in another room before entering the bed. In the eyes of Morgause's family, the affair is anathema and although the couple attempts to

¹¹⁰ For commentary on the various depictions of Morgause from medieval to modern literature, see Raymond H. Thompson, "Morgause of Orkney, Queen of Air and Darkness," *Quondam et Futurus* 3, no. 1 (Spring 1993): 1-13; and Carolyne Larrington, *King Arthur's Enchantresses: Morgan and Her Sisters in Arthurian Tradition* (London: Tauris, 2006).

¹¹¹ Malory, *Le Morte Darthur*, 10.612.

keep their affair secret, Gaheris lies in wait for them and murders his mother as a punishment. Morgause's blood in the bed suggests her sexual improprieties, just as Gareth's bloody thigh wound suggested his.

By murdering Morgause in her bed, Gaheris has turned the bed from private and intimate into a public place, violating the expectations of the lovers. In doing so, he has also violated his Pentecostal oath to Arthur, in which he promised that as a Knight of the Round Table, he would protect women. Lamorak's response to Gaheris serves as a reminder of his place as one of Arthur's knights: "A, sir Gaheris, knyght of the Table Rounde, fowle and evyll have ye done, and to you grete shame! Alas why have ye slain youre modir that bare you? For with more ryght ye shulde have slayne me."¹¹² Lamorak's accusation places the blame rightly onto Gaheris instead of on Morgause as Gaheris has done. Furthermore, he asks a legitimate question—why choose Morgause over him? The Orkney brothers have been stalking Lamorak for some time because they erroneously believe he killed their father; they consider Morgause's association with Lamorak a betrayal to her family, her husband, and to their very misguided sense of honor.

On the other hand, Dorsey Armstrong suggests, "When seen through the lens of Morgause, the idealized patriarchal order of the chivalric community is revealed to be undone by its refusal to recognize that the exchange of women on which its structure depends may be threatened by those very objects of transaction, should they resist their identity construction as commodities to be exchanged."¹¹³ For Armstrong, this exchange is more about Morgause's transgression than Gaheris's rejection of his oath. She further argues, "Morgause's behavior clearly poses a greater threat to the social order than does Lamorak's. . . . Indeed Gaheris's act is

¹¹² Ibid., 10.612.

¹¹³ Dorsey Armstrong, "Malory's Morgause," in *On Arthurian Women*, 150.

an attempt to rescue the threatened social order, but it comes far too late.”¹¹⁴ I disagree that Gaheris is attempting to reassert the proper social order, but instead, Gaheris uses his mother as a scapegoat for his own moral failures, which are exemplified when he says, “and thou to ly by oure modir is to mucche shame for us to suffir”—this is what threatens the social order.¹¹⁵

Instead of being ashamed of the murder of his mother, Gaheris sees shame in engaging in a fight with an undressed, unarmed knight. He states, “but bycause thou arte naked I am ashamed to sle the. But wyte thou well, in what place I may gete the, I woll sle the! And now us my modir quytte of the, for she shal never shame her chyldryn.”¹¹⁶ Thus the place of the bed has much to do with Gaheris’s refusal to fight and his misguided sense of honor. If they met in the forest, Lamorak would undoubtedly be armed and prepared for the challenge, but naked in all ways he is severely disadvantaged. Gaheris’s complete disregard for his mother except as an extension of his honor suggests that he fears the power of a woman’s sexuality. Francis, on the other hand, posits that his “actions respond more to Morgause’s relationship to him as a mother than to her status as a woman,” which implies potential Oedipal overtones.¹¹⁷

While Morgause’s bedroom activities signify familial dishonor, Guinevere’s bed reveals the crises of honor destroying Arthur’s kingdom.¹¹⁸ At the end of *Le Morte Darthur*, Guinevere is trapped in Mellyagaunce’s castle when Lancelot comes to rescue her. Based upon Chrétien de Troyes’s *Le Chevalier de la Charette*, Lancelot comes to her window at night and their desire to be together is so great that he rips the bars off her window, wounding his hands and subsequently

¹¹⁴ Ibid., 157.

¹¹⁵ Malory, *Le Morte Darthur*, 10.612.

¹¹⁶ Ibid.

¹¹⁷ Francis, “Reading Malory’s Bloody Bedrooms,” in *Arthurian Literature*, 17.

¹¹⁸ For a sample of the scholarship on Guinevere in Malory’s *Morte*, see Kenneth Hodges, “Guinevere’s Politics in Malory’s *Morte*,” *Journal of English and Germanic Philology* 104, no. 1 (2005): 54-79; E. Kay Harris, “Evidence against Lancelot and Guinevere in Malory’s *Morte Darthur*: Treason by Imagination,” *Exemplaria* 7, no. 1 (Spring 1995): 179-208; D. Thomas Hanks, Jr., “Malory, the Mort[e]s, and the Confrontation in Guinevere’s Chamber” in *Sir Thomas Malory: Views and Re-Views*, ed. D. Thomas Hanks, Jr. (New York: AMS, 1992), 78-90.

getting blood all over her bed.¹¹⁹ After he leaves in the morning, the bloodstains left behind on the sheets and on Guinevere signal that she was not alone, while suggesting sexual improprieties. Under the guise of worry, Mellyagaunce wakes a sleeping Guinevere and accuses her of adultery.

Lancelot emphasizes the privacy and sanctity of the bed, particularly of the queen's bed as she is sleeping inside of it, by using Arthur as the measure of all that is proper and courteous. He does not justify Mellyagaunce's accusations, but instead chastises his behavior:

“Now truly,” seyde sir Launcelot, “ye ded nat youre parte, nor knyghtly, to touche a quenys bed whyle hit was drawyn, and she lyyng therein. And I daresay,” seyde syr Launcelot, “my lorde kynge Arthur hymselff wolde nat have displayed hir curtaynes, she beyng within her bed, onles that hit had pleased hym to have layne hym downe by her. And therefore sir Mellyagaunce, ye have done unworshypfully and shamefully to youreselff.”¹²⁰

This circle of privacy only includes the curtained bed and not the whole room since Guinevere “wolde nat suffir her wounded knyghtes to be fro her, but that they were layde in wythdraughtes by hur chambir, uppon beddis and paylattes.”¹²¹ Thus at night her bedchamber is full of knights and probably servants, who either did not see or hear the lovers or are keeping silent.

Mellyagaunce and Lancelot both utilize the queen's bed for their own purposes of reputation.

Lancelot attempts to divert the blame from her and transfer it to Mellyagaunce, while

Mellyagaunce sees it as a way to ruin Arthur's court although he does not succeed. Therefore

¹¹⁹ Malory adapts this section from Chrétien de Troyes, *Le Chevalier de la Charette*, and makes several changes to it. Instead of Guinevere's wounded knights in her room, a wounded Kay sleeps near her bedside. Malory removes the conversation between Lancelot and Guinevere as well as Meleagant's father from the scene. Instead he uses Lancelot to chastise Mellyagaunce for his behavior; thus instead of this bed scene being about Lancelot, Guinevere, and treason as it is in *Le Chevalier de la Charette*, it becomes about Lancelot, Mellyagaunce, Arthur, and proper behavior.

¹²⁰ Malory, *Le Morte Darthur*, 19.1130.

¹²¹ *Ibid.*, 19.1133.

both men have (dis)placed Guinevere from the bed by enacting their wills upon it and her.

Mellyagaunce is warned by Lancelot, “‘beware what ye do’ seyde sir Launcelot, ‘for and ye say so and wyll preve hit, hit woll be takyn at youre handys.’”¹²²

At the end of *Le Morte Darthur*, the Orkney brothers again (dis)place the privacy of the bed to enact their vengeance, only this time it is Guinevere’s bed. Out of hatred for the queen and Lancelot, the brothers Aggravain and Mordred tell King Arthur of the affair between Lancelot and Guinevere, forcing him to resolve the issue. Arthur then demands that they catch the lovers together before he will act. Aggravain and Mordred arrange the circumstances that will bring their affair to the attention of the public. Contrary to the deeds of the Orkney brothers, Malory suggests that there are some things that should be private:

And whether they were abed other at other maner or desportis, me lyste mencion,
for love that tyme was nat as love ys nowadayes.

But thus as they were togydir, there cam sir Aggravayne and sir Mordred wyth
twelve knyghts with them of the Rounde Table. And they seyde with grete cryyng
and scaryng voyce,

“Thou traytoure, sir Launcelot, now ar thou takyn!”

And thus they cryed with lowde voyce, that all the courte myght hyre hit.¹²³

Malory’s vagueness on the activities of Lancelot and Guinevere contrast with both the *Stanzaic Morte* and *the Mort le Roi Artu*, which both include much more specific details about kissing and being in bed, while Malory refuses to describe it. Beverly Kennedy suggests that Malory’s comment, added to the descriptions of the lovers’ other interactions, demonstrates that they were,

¹²² Ibid., 19.1133.

¹²³ Ibid., 20.1165.

at this moment, innocent of any sexual improprieties.¹²⁴ Through their actions, however, Aggravain and Mordred have “destroyed and myscheved, and the noble felyshyp of the Rounde Table . . . disarbeled.”¹²⁵ While it may seem like the relationship between Lancelot and Guinevere destroyed the fellowship, as long as their actions were private everyone could exist in status quo. As soon as Aggravain and Mordred made public their relationship to Arthur, as Gawain and Gareth well knew, it was the beginning of the end. By raising the hue and cry, Aggravain and Mordred made Arthur’s actions unavoidable.

Thus comparing bed scenes that can be considered male-focused in *SGGK*, *Sir Gawain and the Carle of Carlisle*, and the “Tale of Sir Gareth” with bed scenes from *The Erle of Toulouse* and throughout Malory’s *Le Morte Darthur* where women are the focus, illustrates how private and public spaces overlap each other to form contested relationships that are clearly in flux; the concept of place as material and social elucidates behavioral decisions and characters’ understanding of public and private. In her discussion of Malory, Francis contends that “Male bodies, to a certain extent, subordinate women’s bodies in the bedroom.”¹²⁶ Individuals who transgress against the notion of privacy in these texts use the bed as a testing ground; the tests that men in beds experience remind them of their reputations while the tests that women undergo relate to men’s reputations more than their own virtue. The beds of Morgause and Guinevere serve as an exemplum for many of Malory’s ladies’ beds. Equally important is the notion that private spaces still require performativity; in these texts the hall becomes a private place and the bedchamber and bed a public place that the characters must negotiate. In the end, Henri Lefebvre is only partially correct in that space is produced from what occurs within—it also is the identification of space, especially that which is found in the language of the *aventure*, that

¹²⁴ Kennedy, “Malory’s Guinevere: A ‘Trew Lover,’” 25.

¹²⁵ Malory, *Le Morte Darthur*, 20.1162.

¹²⁶ Francis, “Reading Malory’s Bloody Bedrooms,” in *Arthurian Literature*, 18.

unconsciously reveals the abstract and shifting nature of the public and the private in the Middle Ages, and particularly in beds. While the private bed becomes a public place where men's and women's reputations are tested or established, the place of marriage in public suggests social order and legitimacy, as I discuss in the next chapter.

CHAPTER THREE

INVERSE PRIVACY AND NEGOTIATING MARRIAGE: LOATHLY LADIES AND MARGERY PASTON

As do property and beds, marriage presents a different dimension of the dynamic between place and privacy in the late Middle Ages. Forming the bedrock of medieval society, marriage played a significant part in property exchange, wealth, status, personal relationships, and kinship ties.¹ As such, the establishment and practice of its ideological values were tantamount to the continuation of culture. Its societal significance demanded formalized and publicized rituals set by civil and religious authorities that, when transgressed against, disrupted social structures. Rebellion against the process or its publicity revealed individualistic self-determination and the desire to control personal information. Fictional texts, such as the Middle English Loathly Lady tales, and historical documents like the Paston letters broadly document society's knowledge of the marital process while simultaneously revealing anxieties regarding transgressive marriage. My objectives in this chapter are threefold: first, I contextualize the place of marriage in England in the late Middle Ages, in particular transgressive marriages; next, I analyze the three Middle English versions of the Loathly Lady tale by Gower, Chaucer, and the anonymous author of *The Weddyng of Sir Gawen and Dame Ragnell*, which represent varying degrees of knowledge of the marital process; finally, I explore the contract and marriage between Margery Paston and Richard Calle recorded in the Paston letters. In accomplishing these objectives, I demonstrate that an examination of the interaction between place and privacy in marriage in these various

¹ Much work has been done on marriage and marriage law in the Middle Ages. For a sampling, see D. L. d'Avray, *Medieval Marriage: Symbolism and Society* (Oxford: Oxford University Press, 2008); Christopher N. L. Brooke, *The Medieval Idea of Marriage* (Oxford: Oxford University Press, 2002); Constance M. Rousseau and Joel T. Rosenthal, eds., *Women, Marriage, and Family in Medieval Christendom: Essays in Memory of Michael M. Sheehan, C. S. B.* (Kalamazoo: Medieval Institute Publications, 1998); Shannon McSheffrey, *Love and Marriage in Late Medieval London* (Kalamazoo: Medieval Institute Publications, 1995); Georges Duby, *Medieval Marriage: Two Models from Twelfth-Century France* (Baltimore: Johns Hopkins University Press, 1991); Conor McCarthy, *Marriage in Medieval England* (Woodbridge: Boydell, 2004); James Brundage, *Law, Sex and Christian Society in Medieval Europe* (Chicago: University of Chicago Press, 1987). For scholarship detailing marriage litigation, see Frederik Pedersen, *Marriage Disputes in Medieval England* (London: Hambledon, 2000); Richard H. Helmholz, *Marriage Litigation in Medieval England* (London: Cambridge University Press, 1974).

texts establishes a different sense of privacy based upon controlling personal information and individualistic self-determination; furthermore, marriages that deviate from social expectations often reveal a desire for female agency and independence.

As one of the main social institutions in the Middle Ages, marriage was a central concern to both ecclesiastical and secular authorities. Interested in codifying marriage, religious officials debated and finally determined what constituted marriage. During the early Middle Ages, two different traditions of marriage co-existed: consent and consummation, or consent only, following the Roman tradition, which included the agreement of the couple as well as parents or guardians. Gratian, the twelfth-century canonist, argued in the *Decretum* that marriage was a two-step process beginning with the couple's consent, followed by consummation. He specified that only the couple's agreement to marry mattered, not the consent of family or any other allegiance.² Later in the twelfth century, Peter Lombard (1095-1160), however, argued that marriage was defined only by the consent of the couple stated in the present tense and that consummation did not create marriage.³

Influenced by both Gratian and Peter Lombard, the twelfth-century Pope Alexander III (1159-81) developed the criteria that determined marriage in the decretal *Veniens ad nos* addressed to Bishop John of Norwich, establishing the ideal. Alexander describes a scenario where a man has contracted marriage with two women and explains which marriage is legitimate.⁴ Charles Donahue, Jr. describes Alexander's decisions as innovative:

² See McCarthy, *Marriage in Medieval England*, 21-22.

³ For further discussion on Peter Lombard's marriage theory, see Thomas M. Finn, "Sex and Marriage in the Sentences of Peter Lombard," *Theological Studies* 72 (2011): 41-69.

⁴ McCarthy, *Marriage in Medieval England*, 24; Brundage, *Law, Sex and Christian Society in Medieval Europe*, 333-34. Brandy Schnautz Johnson, in "The Making of Marriage in Thirteenth Century England," suggests *Veniens ad nos* was written to the bishop of either Norwich or Pavia, 275.

To say that the Alexandrine rules were new with Alexander is not to imply that he created them out of nothing. His authorities, however, were sufficiently conflicting that he was not compelled by precedent to adopt the rules he did, nor did he completely adopt the theory of any one of his authorities, but rather chose elements from a number of them. In short, he was faced with a situation in which he could choose, and he chose to innovate.⁵

On the other hand, Brandy Schnautz Johnson allows that Alexander's decree contained "a certain degree of foresight for the importance he placed on the need for the freely-given consent of both parties in a marriage."⁶ In *Veniens ad nos*, Alexander decreed that a marriage would be binding under two conditions: the first condition was through present consent, *per verba de presenti*, between the couple who would be married, and the second was by exchanging future consent, *per verba de futuro*, or becoming betrothed, followed by sexual consummation. Moreover and most importantly for this study, the pope stated that these exchanges did not require a witness or solemnizing to be valid, although such undertakings were not recommended or approved by the church.

Pope Alexander's decrees opened the floodgates to allow unions that were neither public nor solemnized by the church; these unions, known as clandestine or private marriages, although permitted, transgressed against the ideological values through which the church attempted to regulate her parishioners but implied individualistic self-determination. In order to reduce the number of clandestine marriages, they were denounced and discussed in thirty different statutes and canons in England between 1200 and 1342, and continued to be debated by religious authorities throughout Europe over the following centuries until they were finally outlawed in

⁵ Donahue, "The Policy of Alexander the Third's Consent Theory of Marriage," 253.

⁶ Johnson, "The Making of Marriage in Thirteenth Century England," 270.

the *Tametsi* at the Council of Trent in the sixteenth century.⁷ Brundage suggests that “Alexander III’s marriage decretals reflected a dawning consciousness of the importance of individual choice, coupled with a new awareness of marriage as a personal relationship.”⁸ This desire for self-determination, or personhood, is a facet of privacy that can be understood as a person’s right to make decisions regarding his or her own life, such as in the case of Margery Paston.

Regardless of what the pope intended, undertaking a marriage was generally not something that men or women did on an individual level; family members, friends, religious figures, and even the couple involved had opinions about the union. For members of the gentry, marriage involved land, property, wealth, and social ties, which all had to be considered. Even the merchant and lower classes were interested in what each person would bring to the union, even though their contracts were nowhere near as grand as was the aristocracy’s.⁹ Binding a man and woman to each other could have long-lasting effects on future generations, and engaging in a union thoughtlessly or without the proper ritual resulted in unpleasant consequences.

After religious authorities defined legitimate marriage, they established the actual process of marrying. By the late Middle Ages, marriage customs had become a fairly formulaic ritual undertaken in a number of steps set forth by synodal statutes.¹⁰ First, the couple would promise

⁷ Sheehan, “Marriage and Family in English Conciliar and Synodal Legislation,” in *Marriage, Family, and Law in Medieval Europe*, 77-86. Clandestine marriage in England was not outlawed until the Marriage Act of 1753, and was a frequent topic of Renaissance plays such as *The Duchess of Malfi* by John Webster and Shakespeare’s *Romeo and Juliet*.

⁸ Brundage, *Law, Sex and Christian Society in Medieval Europe*, 333.

⁹ For a brief history of marriage practices amongst the English lower classes from early to later Middle Ages, see Michael Sheehan, “Theory and Practice: Marriage of the Unfree and the Poor in Medieval Society,” in *Marriage, Family, and Law in Medieval Europe: Collected Studies*, ed. James Farge, 211-46 (Toronto: University of Toronto Press, 1996); for more specific details about hypothetical women in different strata of society, see Sheehan, “The Wife of Bath and Her Four Sisters: Reflections on a Woman’s Life in the Age of Chaucer,” in *Marriage, Family, and Law in Medieval Europe*, 177-98.

¹⁰ See F. M. Powicke and C. R. Cheney, *Councils & Synods: With Other Documents Relating to the English Church* (Oxford: Clarendon Press, 1982), statutes 1 Salisbury 84 (1217 x 1219) on contracting a marriage; 2 Salisbury 23 (1238 x 1244) on consent leading to clandestine marriage; and 1 Salisbury 85 (1217 x 1219) on the prohibition and prevention of clandestine marriage save by special authority. For a discussion of these rules and more, see McCarthy, *Marriage in Medieval England*, 26-50.

to marry each other in the future tense (the betrothal), and then the banns would be called for three consecutive weeks. The banns had a dual purpose; first they publicized the marriage, and second, they encouraged any potential problems with the union to come to light. If there were no impediments, the couple would then consent to each other in the present tense in front of witnesses, and finally the marriage would be solemnized by a priest in church. Following this established ritual allowed all community members to take part in the union, reinforcing the social values of acceptable behavior; the public nature of most of the process ensured its regulation and continuation.

Although the ideal place of marriages in geographical terms in late medieval England was church-blessed and in public, their actual locations varied between church-blessed, in front of witnesses, or most problematically, in private. In this context, private could mean without any witnesses at all or with certain chosen witnesses. Couples often did not follow the prescribed order to the letter, and any marriage that diverged from this form was considered improper by the church. Like the previous discussions of property and beds, medieval marriage also demonstrates multiplicity of meaning through the geographical location of the pre-contract and contract against the official, authoritative ritual of marriage set forth by ecclesiastical and secular authorities. As Tim Cresswell argues, “Places are neither totally material nor completely mental; they are combinations of the material and mental and cannot be reduced to either.”¹¹ Arguments for literary representations of clandestine marriages are drawn from key words and abstractions in texts such as Chaucer’s *Legend of Good Women*, and *Troilus and Criseyde*, and the “The Tale of Gareth” in Malory’s *Morte Darthur*.¹²

¹¹ Cresswell, *In Place/Out of Place*, 13.

¹² Henry Ansgar Kelly and John Maguire both argue that the relationship between Troilus and Criseyde is in fact a clandestine marriage, which would have rendered their affair acceptable in the eyes of medieval Christians. See Henry Ansgar Kelly, “Clandestine Marriage and Chaucer's Troilus,” *Viator* 4 (1973): 435-57; John Maguire, “The

Current scholarship on clandestine marriages supports this range of meaning. James A. Brundage, one of the foremost experts on medieval Christian thought, lists six types of clandestine marriage including secret marriage; marriage with no or few witnesses present; marriage not solemnized; marriage between underage individuals, people already married, or who have taken religious vows; marriage during an interdict; and marriage not announced by banns.¹³ While these are prohibited, they all (except for the marriage between minors, already-married persons, or those in religious orders) constitute a legal, valid, and binding marriage. Martin Ingram more simply comments, “Any union which involved substantial deviation from the prescribed regulations was irregular and referred to as clandestine,” while Michael Sheehan contends that, “The term ‘clandestine’ includes a bewildering variety of forms for exchanging consent, and rather hard questions have to be asked of the accepted notion of a solemn marriage.”¹⁴ On the other hand, Shannon McSheffrey argues that “historians misunderstand the nature of marriage contracts made outside churches in fifteenth-century England when they label unions ‘clandestine’” and instead she declares them to be “extra-ecclesiastical.”¹⁵ Through her research in the London consistory courts, McSheffrey has found that the term “clandestine” was rarely used in the context of marriage and suggests that critics consider clandestine to mean secret and tawdry instead of improper or illicit; the term clandestine in modern usage certainly has the negative connotation of something that is covert or furtive, but her argument pertains to

Clandestine Marriage of Troilus and Criseyde,” *Chaucer Review* 8, no. 4 (Spring 1974): 262-78; Henry Ansgar Kelly, *Love and Marriage in the Age of Chaucer* (Ithaca: Cornell University Press, 1975). For a refutation of this argument, see Derek Brewer, Review of *Love and Marriage in the Age of Chaucer*, *Review of English Studies* 28, no. 110 (May 1977), 194-97. For the argument for clandestine marriage in “the Tale of Gareth,” see Dhira Mahoney, “Malory’s Tale of Sir Gareth and the Comedy of Class,” *Arthurian Yearbook* 1 (1991): 165-81, specifically, p. 180; and Karen Cherewatuk, “Pledging Troth in Malory’s ‘Tale of Sir Gareth,’” *The Journal of English and Germanic Philology* 101, no. 1 (2002): 19-40.

¹³ Brundage, *Law, Sex, and Christian Society*, 440-41.

¹⁴ Ingram, “Spousal Litigation in England, 1350-1640,” in *Marriage and Society*, 39; Sheehan, “The Formation and the Stability of Marriage in Fourteenth-Century England,” in *Marriage, Family, and Law in Medieval Europe*, 47.

¹⁵ McSheffrey, “Place, Space, and Situation,” 961, 970.

cases in London, and so her conclusion reflects the location of her study.¹⁶ In spite of the negative connotation of the term, I will continue to use the common label of clandestine or private throughout this chapter; Brundage's descriptions of the unions do not necessarily imply such an adverse meaning even though improper and illicit contracts fill court records.

Regardless of McSheffrey's position on the dramatization of the term clandestine, marriages that were improperly, illicitly, or secretly conducted were problematic because of the individuals' rejection, well-intentioned or not, of social ideology. Scholars generally agree that these unions were "the single largest concern" of the ecclesiastical legislation.¹⁷ Considered to be one of the most litigated aspects of marriage, clandestine marriages occurred at least half as many times as public and proper marriages from the thirteenth to the sixteenth centuries. Research conducted by Michael Sheehan on the consistory courts of Ely reveals that one quarter of all of the cases centered on marriage, and of that one quarter, ninety percent focused on clandestine marriage.¹⁸ A comparable study on the consistory courts of Rochester by Henry Ansgar Kelly reveals similar numbers: twenty-nine percent of the cases focused on marriage, and eighty-eight percent of those involved clandestine marriages.¹⁹ Although the numbers are similar, the judgments determined by these courts were not, as the penalties in Rochester were much more harsh than those in Ely.

Clandestine marriages were problematic for both ecclesiastical and secular authorities because of their negative ramifications: they allowed easy separation, denial, and dishonesty. Religious leaders spoke out against clandestine marriages for multiple reasons, including, but not

¹⁶ McSheffrey, "Place, Space, and Situation," 961.

¹⁷ See McCarthy, *Marriage in Medieval England*, 27-29; Donahue, "The Policy of Alexander the Third's Consent Theory of Marriage," 251-81; Johnson, "The Making of Marriage in Thirteenth-Century England," 271-303; Helmholz, *Marriage Litigation*, 25-73.

¹⁸ Sheehan, "The Formation and Stability of Marriage in Fourteenth-Century England," 234, 250.

¹⁹ Kelly, *Love and Marriage in the Age of Chaucer*, 169.

limited to, premarital sex, immoral behavior of men who promised marriage and defaulted, and the possibility of bigamy. In England, church officials tried to limit clandestine marriage by regulating its treatment by parish priests, vicars, and rectors, who all dealt differently with it. In his commission for reforming the clergy written in 1455, Archbishop Bouchier of Canterbury (1454-86) describes the evils of clandestine marriage:

Whilst others, in like manner, men and women, under very ill-considered and mistaken influence, contract marriage clandestinely; whence it comes to pass that all sufficient proof failing in this behalf, and thus marrying perchance under the influence of a spirit of contradiction, and by the procurement of some enemy, they repudiate such contract although lawfully valid, yet lacking proper proof of such lawfulness, and hasten to second vows when they cannot lawfully, and contract illicit concubinage, and procreate bastard and adulterine children of the same.²⁰

Litigation typically focused on the enforcement of marriage by one of the parties, and the burden of proof rested on the individual who claimed marriage. Sometimes a couple had at least one witness to their contract, but just as often there were none. In the case of no witnesses, proving the marriage could be difficult. James A. Brundage contends that these unions “seriously undermined the stability of marriage,” and that they “furnished an enormous scope for misunderstanding and confusion, deliberate or fortuitous, where one party believed that s/he was married to another person who believed s/he was not married.”²¹ More cases describe women attempting to enforce marriages than men, and many of these cases then led to the admission of bigamy. It was fairly common to find marriage partners from nearby towns, and marital status was not always common knowledge.

²⁰ “Archbishop Bouchier’s Commission for Reforming the Clergy, AD 1455,” in *Documents Illustrative of English Church History*, 143.

²¹ Brundage, *Law, Sex, and Christian Society*, 336.

Similar to religious authorities, secular officials also established rules for marriage in an attempt to reduce social and legal dilemmas. The consequences for contracting clandestine unions, in particular, could cause exceedingly problematic civil cases. As in canon law, these unions were accepted as legal and binding if mutual consent was given; however, in marriages contracted privately with few or no witnesses or in any other improper manner, the woman could not claim her dower legally. Henry de Bracton (1210-68), the twelfth-century English jurist, instituted law in *De Legibus et Consuetudinibus Angliae*:

When? Before the marriage, at the beginning of the marriage. Where? In the face of the church and at the church door. A constitution of dower made on the death bed or in a private chamber is invalid, [or elsewhere when the marriage is clandestine, for if secret nuptials are sufficient for heirs with respect to succession, they will never suffice to provide dower for wives,] and it therefore must be made publicly and with a ceremony at the church door. Where there is no marriage at all, there is no dower, and thus it appears conversely that where there is a marriage there is a dower, which is true if the marriage is contracted in the face of the church.²²

[Quando? Et sciendum quod ante desponsationem in initio contractus. Ubi? Et sciendum quod in facie ecclesiae et ad ostium ecclesiae. Non enim valet constitutio facta in lecto mortali vel in camera, vel alibi ubi clandestina fuerint coniugia, quia si non valeant clandestina coniugia heredibus quoad successionem, numquam valebunt uxoribus quoad dotis exactionem. Oportet igitur quod constitutio dotis sit facta publice, et cum solemnitate ad ostium ecclesiae: et ubi nullum omnino

²² Bracton, *De Legibus et Consuetudinibus Angliae*, 266.

matrimonium, ibi nulla dos. Igitur videtur a contrario sensu ubi matrimonium, ibi dos, quod quidem verum est si matrimonium in facie ecclesiæ contrahatur.]

For civil authorities, legitimate contracts were an economic issue rather than a moral problem; inheritances and dowers had significant meaning for one's family and dependents. A court record from 1254 in the *Inquisitione Post Mortem* further illustrates this problem:

He [William] solemnly espoused at the church door one Alice, and they lived together as husband and wife for sixteen years and had several children . . . Afterwards came one Joan . . . and claimed the said William as her husband in the court Christian by a promise given to her, and the intention having been proved it was so adjudged, and divorce from the said Alice solemnly pronounced, and so it has remained for a year and more. But as the said Joan was never solemnly espoused at the church door, the jury doubt whether her son or the son of the said Alice is the heir; if neither, then Robert de Cardunville, brother of the said William is the heir.²³

This situation offers no good solution. Alice had lived with a man she thought was her husband for sixteen years only to be divorced, and potentially neither her living child nor Joan's son could inherit their father's property. On the other hand, Chaucer's Wife of Bath legitimizes her marriages through their geographic place: "Housbondes at chirche dore I have had fyve,"²⁴ which asserts her legal sovereignty over property through civil law even while she argues doctrine about remarriage and women's agency, a topic that I discuss further in the next chapter.

Attempting to avoid any future problems associated with claiming a dower, many couples contracted their marriages privately first, and then solemnized them publicly at a later date, with

²³ Rothwell, ed., *English Historical Documents*, vol. 3, no. 200.

²⁴ *Wife of Bath's Prologue*, 6.

the couple sometimes living apart until the church blessing.²⁵ This, however, did not completely eradicate all problems for dowers or inheritances. In Wakefield in 1286, a younger son took his first-born brother to court over their inheritance:

J. says R. ought not to be heir because he was born before the marriage solemnized at the church door (*ad hostium ecclesie*), but after the plighting of troth privately between them. R., the elder brother, says it is the custom on the lord's land in these parts for the elder brother, born after trothplight to be heir. (The jury say) that by custom of the district (*patria*) R. ought to be the heir though born before marriage.²⁶

In this case, the couple married clandestinely, through private troth, and then solemnized their marriage publicly at a later date. The younger brother, however, contests the legality of his elder's inheritance, implying his brother's illegitimacy. The case offers multiple interpretations: potentially, the couple consented to future marriage and then engaged in sexual intercourse, rendering them legitimately married; or possibly, they promised marriage to each other in the present tense, but did not have it solemnized by the church or contracted at the church door until after the birth of their first child. Each of these scenarios is a possibility, and they demonstrate the reasons that church and state prohibited clandestine marriages. Economics, acceptable behavior, and fear lie at the heart of the issues regarding clandestine marriages.

When Bracton established the proper place of marriage, he also determined the improper place for contracting a marriage: unions that occurred in bed or in bedrooms were unacceptable places. McSheffrey comments, "Bedchamber contracts raised too many questions about the porous boundaries between premarital sexuality and the kind of fornication that could never lead

²⁵ Cf. Helmholtz, *Marriage Litigation*, 29-30; Henry Ansgar Kelly, "Clandestine Marriage and Chaucer's *Troilus*," 442; and McSheffrey, "Place, Space, and Situation," 971-75.

²⁶ Bateson, ed., *Borough Customs*, 2.135-36.

to marriage,²⁷ which may certainly be true; however, I assert that the conflicted meaning of the bed that I discuss in Chapter Two also adds to its objectionable status. When Cresswell argues, “The geographical setting of actions plays a central role in defining our judgment of whether actions are good or bad,” the bedroom’s location apart from shared space yet partially public and partially private deviated from what was normative in this context.²⁸

Chaucer illustrates the problematic nature of a bedroom marriage in *The Clerk’s Tale*, where Walter contracts his marriage with Griselda in the bedroom of her home. Although Walter speaks to Griselda’s father first, the two are alone when they agree to the arrangement, an arrangement that hinges on her acquiescence to his demands while asking for none of her own:

“It liketh to youre fader and to me
 That I yow wedde, and eek it may so stonde,
 As I suppose, ye wol that it so be.”
 . . .
 She seyde, “Lord, undigne and unworthy
 Am I to thilke honour that ye me beede,
 But as ye wole yourself, right so wol I.
 And heere I swere that nevere willyngly,
 In werk ne thocht, I nyl yow disobeye,
 For to be deed, though me were looth to deye.”²⁹

His offer and her consent are all that are required for Walter to leave the house and announce, “This is my wyf,” to the townspeople.³⁰ However, when he ends their marriage, Griselda is

²⁷ McSheffrey, “Place, Space, and Situation,” 977.

²⁸ Cresswell, *In Place/Out of Place*, 9.

²⁹ *The Clerk’s Tale*, 345-64.

³⁰ *Ibid.*, 367.

essentially widowed; she takes no dower when she returns to her father's house, only the clothes on her back. The dubious nature of the marriage is reinforced by the comments made by Griselda's father "For out of doute this olde pour man / Was evere in suspect of hir mariage," suspecting that Walter would reject her because of her "estaat so lowe."³¹

This brief contextualization of medieval marriage in England demonstrates its importance to concrete social structures, such as the church and state, dowers, or inheritances, and abstract concepts of belonging, identity, and propriety. Ideology demands that marriages take place in the public sphere in order to avoid problems of legitimacy while private marriages can signal independence, whether or not they were undertaken in good faith. Records in the form of statutes, court cases, literature, and personal correspondence reflect the awareness that people had about the place of marriage in society, and the role that it played in their lives.

Literary representations often transformed marital practices into abstraction, focusing more on the relationship between marriage and society than on the ritual itself. Middle English romances, particularly, exemplify its social significance; marriage in these texts signifies a restored social order, the reclamation of patrimony, romantic love, or/and the success of the quest. In texts such as the late thirteenth-century romance *King Horn* or the fourteenth-century *Bevis of Hampton*, marriage takes place at the end of the story with barely more detail than a comment that the hero and heroine marry and that they live, as the fairy tales say, happily ever after.³² In these romances and others like them, the knight's adventures are the textual focus but marriage is essential. Changes to classical stories, such as the tale of Orpheus by Ovid or Virgil, whose Middle English hero in *Sir Orfeo* reunites with his wife, express cultural marital values.

³¹ Ibid., 904-5, 909.

³² Cf. the wedding scenes in *Bevis of Hampton*, in *Four Romances of England*, 4564-66; *King Horn*, in *Four Romances of England*, 1531-34; *Floris and Blancheflour*, in *Sentimental and Humorous Romances*, 1186-89; *The Squire of Low Degree*, in *Sentimental and Humorous Romances*, 1115-20; and *Sir Degaré* in *The Middle English Breton Lays*, 1190-1201. All descriptions of these weddings are short, public, and mark the end of the story.

Arthurian romances, on the other hand, depict marriage as a disruption to the homosocial bonds created by fellowship, chivalry, and fealty, illustrated by the role that Guinevere plays in the disintegration of the Round Table fellowship and the death of Dame Ragnelle after only five years of marriage.³³

At most, the description of marriages in romances expresses the values of publicity and consummation but consent can be problematic. In *Havelok the Dane*, Goldeboru is married to Havelok against her wishes, in a public and solemnized service:

Sho was adrad for he so thrette,
 And durste nouth the spusing lette;
 But they hire likede swithe ille,
 Sho thouthe it was Godes wille –
 . . .
 He weren spused fayre and well,
 The messe he dede, everi del
 That fel to spusing, an god clek –
 The erchebishop uth of Yerk,
 That kam to the parlement,
 Als God him havede thider sent.³⁴

The poet follows the conditions of marriage set forth by Alexander III—publicity, sanctity, and even works around to consent. Although Goldeboru does not want this marriage, she concedes to it because she believes it to be God’s will. Her public acceptance, along with the other elements

³³ For more on argument, see Maureen Fries, “How Many Roads to Camelot? The Married Knight in Malory’s *Morte Darthur*,” in *Culture and the King*, ed. Martin B. Shichtman and James P. Carley (Albany: State Univ. of New York Press, 1994), 196-207; Dorsey Armstrong, “Gender, Marriage, and Knighthood: Single Ladies in Malory,” in *The Single Woman in Medieval and Early Modern England*, 41-61.

³⁴ *Havelok the Dane*, in *Four Romances of England*, 1164-81.

of marriage, renders the marriage legitimate. On the other hand, consent is missing in the description of the wedding between Josian and Miles, in *Bevis of Hampton*; Miles proclaims, “I schel thee wedde aghenes thee wille,” but gathers witnesses for the ceremony.³⁵ In order to legitimize the union, Miles follows the public wedding celebration with the private bedding, which was discussed in Chapter Two, but Josian thwarts consummation when she murders Miles. Her lack of consent in conjunction with the lack of consummation should render the marriage invalid; Josian defends her actions to the witnesses, stating, “Yerstendai he me wedded with wrong.”³⁶ The forced wedding does not justify Josian’s violent reaction in the eyes of the witnesses, and she is sentenced to death. Both *Havelok* and *Bevis* illustrate social awareness of the conditions that make a marriage. Each text portrays a woman forced into marriage and her active, independent decision that either validates or invalidates her union: Goldeboru decides that her marriage is God’s choice, retaining her noble goodness, while Josian extricates herself, saving her virginity and affirming her adherence to Christian ideals of chastity.

Following a different trajectory, the late-fourteenth-century Loathly Lady tales by Gower and Chaucer and the anonymously authored, fifteenth-century text of *The Weddyng of Sir Gawen and Dame Ragnell* also demonstrate an awareness of marital practices, particularly the elements that legitimize a marriage.³⁷ In these tales, the geographic location of the pre-contract in the forest problematizes the union, rendering its validity questionable, while the supreme ugliness of the ladies challenges the men’s public honor; it takes considerable and increasing efforts on the part of the respective ladies to publicize and validate their respective contracts

³⁵ *Bevis of Hampton*, in *Four Romances of England*, 3169.

³⁶ *Ibid.*, 3253.

³⁷ For details on the Loathly Lady tradition, see G. H. Maynardier, *The Wife of Bath’s Tale: Its Sources and Analogues* (London: Nutt, 1901); for criticism on the Loathly Lady in Middle English texts, see S. Elizabeth Passmore and Susan Carter, eds., *The English “Loathly Lady” Tales: Boundaries, Traditions, Motifs* (Kalamazoo: Medieval Institute Publications, 2007); Carl Lindahl, “The Oral Undertones of Late Medieval Romance,” in *Oral Tradition in the Middle Ages*, ed. W. F. H. Nicolaisen (Binghamton: Medieval and Renaissance Texts and Studies, 1995), 72-75.

from consent to consummation, which suggests their desires to control information about themselves and to determine their own futures.

The earliest of the three Loathly Lady tales appears in Gower's *Confessio Amantis* as the *Tale of Florent*, which focuses on ethics and keeping promises.³⁸ As an element of Gower's social commentary on proper and moral behavior communicated by Genius, the marriage between the Loathly Lady and Florent reveals the importance of an ingrained code of honor that spans both genders and public and private spheres. From the private betrothal to the public marriage and consummation, Gower presents the relationship between marriage, honor, and accountability.

Florent's education begins with his capture; while seeking adventure, he mortally wounds the heir to the governor of the region. At his sentencing, his punishment is deferred for one year "Upon certein condicioun" that he answer the question, "What alle wommen most desire?"³⁹ The grandame, who is the matriarch of the family whose son he has killed, plays upon his honor and courtesy to return in one year by reinforcing the idea of troth: "Al only of his oghne grant, / Thurgh strengthe of verray covenant / Withoute blame of eny wiht."⁴⁰ Her foreknowledge of Florent's character helps her bind him to his promise as well as circumventing and discrediting any advice that he might receive that he break his oath. She commands:

"And over this thou schalt ek swere,
That if thou of the sothe faile,

³⁸ For further discussions on Gower's *Tale of Florent*, see James M. Dean, "The Hag Transformed: 'The Tale of Florent,' Ethical Choice, and Female Desire in Late Medieval England," in *Approaches to Teaching the Poetry of John Gower*, ed. R. F. Yeager and Brian W. Gastle (New York: Modern Language Association of America, 2011), 143-58; Russell A. Peck, "Folklore and Powerful Women in Gower's 'Tale of Florent,'" in *The English 'Loathly Lady' Tales*, 100-45; Walter S. Phelan, "Beyond the Concordance: Semantic and Mythic Structures in Gower's Tale of Florent," *Neophilologus* 61 (1977): 461-78.

³⁹ Gower, *Confessio Amantis*, in *The Complete Works of John Gower*, 1.1458, 1.1480. Henceforth, all references to Gower's works will reference this edition, and the *Tale of Florent* will be cited as *Confessio Amantis*.

⁴⁰ *Confessio Amantis*, 1.1449-51.

Ther schal non other thing availe,
 That thou ne schalt thi deth receive.
 And for men schal thee nocht deceive,
 That thou therof myht ben avised.”⁴¹

Failure to answer the question properly and failure to return both lead to Florent’s death. If Florent returns without the answer, he will literally die; however, if he does not return in one year at all, his honor and worthiness as a knight dies—a figurative death. By combining the oath to the family with his promise to the Loathly Lady, Florent’s actions represent socially appropriate behavior.

Marriage becomes Florent’s secondary focus only after he meets the Loathly Lady. Already aware of Florent and his situation, the lady proposes marriage, which he initially rejects, offering her money, land, or wealth instead. James M. Dean suggests that her appearance “challenges the knight’s social standing and his reputation.”⁴² Her supreme ugliness is a visual affront to his assumed chivalric identity, and hints at inversion of outer beauty and the reflection of inner character. Furthermore, her request reverses the natural order of the betrothal, suggesting emasculation; instead of the man asking the woman, she, and all Loathly Ladies, asks her man, which demonstrates her desire for self-determination. After some consideration, he agrees to her offer, using the format of future consent:

“. . . If that non other chance
 Mai make my deliverance,
 Bot only thilke same speche

⁴¹ *Confessio Amantis*, 1.1462-67.

⁴² Dean, “The Hag Transformed,” in *Approaches to Teaching the Poetry of John Gower*, 146.

Which, as thou seist, thou schalt me teche,
 Have hier myn hond, I schal thee wedde.”
 And thus his trowthe he leith to wedde.⁴³

Through these words, Florent promises marriage provided that certain conditions are met; he has formally and properly betrothed himself to her.⁴⁴ Gower’s application of the proper language to contract a marriage illustrates his knowledge of the common practices; however, he places this second promise between them alone in the forest. A. C. Spearing contends:

It is widely accepted that the landscape of medieval romance is structured by an opposition between the enclosed and open: on the one hand, the cities, courts, and castles from which knights set out to have adventures and to which they usually return when the story ends; on the other hand, the wilderness, often a forest, in which adventures themselves take place. Enclosed settings symbolize the world of human civilization, a realm of society which is also one of constraint.⁴⁵

While Florent himself may symbolize order, civility, troth, and the public sphere, the Loathly Lady alone in the forest signifies wildness, mystery, and the private sphere.⁴⁶

After saving himself by repeating the hag’s answer, Florent is released from one promise only to be bound to another. Gower emphasizes Florent’s commitment to troth and his truth, but he laments his choice. Russell A. Peck contends: “If Florent fails here, he will undefine himself

⁴³ *Confessio Amantis*, 1.1583-88.

⁴⁴ See also Kelly, *Love and Marriage in the Age of Chaucer*, 196-97.

⁴⁵ Spearing, “Public and Private Spaces in *Sir Gawain and the Green Knight*,” 138.

⁴⁶ For more background on the forest in medieval romance, see Corinne J. Saunders, *The Forest of Medieval Romance: Avernus, Broceliande, Arden* (Cambridge: D. S. Brewer, 1993); Simone Pinet, “Walk on the Wild,” *Medieval Encounters* 14, nos. 2-3 (2008), 368-89; for the forest in Arthurian literature, see Jeremy Withers, “Forests, Animals, and Ambushes in the *Alliterative Morte Arthure*,” *Parergon* 27, no. 1 (2010): 85-104; Thea Summerfield, “Edward I, a Magic Spring, and a Merciless Forest: Sources and Resonances in Velthem’s Continuation,” in *“Li premerains vers”*: *Essays in Honor of Keith Busby*, ed. Catherine M. Jones and Logan E. Whalen (Amsterdam: Rodopi, 2011), 463-78; William D. Cole, “Purgatory vs. Eden: Bérout’s Forest and Gottfried’s Cave,” *Germanic Review* 70, no. 1 (Winter 1995): 2-8.

(something only he knows), whereby he would, indeed, destroy himself.”⁴⁷ Although he returns to fulfill his promise, he resists all normative expectations for this situation. The Loathly Lady’s grotesqueness becomes a public representation of his honor; her ugliness provokes his desire to keep her a secret, yet to fulfill the contract she must become public:

Bot as an oule fleth be nyhte
 Out of alle othre briddes syhte,
 Riht so this knyht on daies brode
 In clos him hield, and schop his rode
 On nyhtes time, til the tyde
 That he cam there he wolde abide;
 And prively withoute noise
 He bringth this foule grete Coise
 To his Castell in such a wise
 That noman myhte hire schappe avise,
 Til sche into the chambre cam:⁴⁸

Although Florent keeps his promise, their return to his castle is done in secret and at night when no one will see them and when they will see no one else. Gower connects the secretive nature of their journey, Florent’s unhappiness, and the ugliness of the lady through the image of the owl.⁴⁹ Symbolically, owls were considered dirty, ugly creatures that hid from light. His furtive return to his castle is a transgression against his chivalric identity; romance knights generally do not travel at night. Their journey in the dark keeps their association private while reinforcing the notion

⁴⁷ Peck, “Folklore and Powerful Women in Gower’s ‘Tale of Florent,’” in *The English ‘Loathly Lady’ Tales*, 112.

⁴⁸ *Confessio Amantis*, 1.1727-37.

⁴⁹ See *The Owl and the Nightingale*, ed. John Edwin Wells (Boston: Heath, 1907). See also note 316 in Thomas Hahn, ed., *The Wedding of Sir Gawain and Dame Ragnelle* (Kalamazoo: Medieval Institute Publications, 1995).

that he has something to hide; his actions further problematize their contract, suggesting that he may not fulfill his promise to her.

Upon the arrival of Florent and the Loathly Lady at the castle, their contract becomes public. Florent explains the situation to his counselors, emphasizing the significance of troth. The castle serving-women attempt to mitigate the Loathly Lady's ugliness in a grooming session "as it was that time lawe," but cannot overcome her appearance.⁵⁰ The subsequent marriage occurs at night, which Kelly points out was against Christian laws, but witnessed by the privy counselors.⁵¹ Gower does not indicate that the union was solemnized but moves directly to consummation. Their sexual intimacies are the final step in validating their marriage.

Gower's depiction of marriage represents the social expectations of proper behavior together with the fulfillment of promises. The publication of his oath to the grandame versus the private nature of his pre-contract with the Loathly Lady culminates with the satisfaction of each individual's needs. S. Elizabeth Passmore argues that while Florent makes all the right motions, he does them for the wrong reasons. She states, "he exists as a shell representing conformity to the public code of chivalry rather than to an internal code of honor,"⁵² while on the other hand, Dean contends that "the more important issue in Florent's statement and this moment is the nobility Florent exhibits as he gracefully seeks his wife's decision in the matter. He does not concede his choice to her because there seem to be no good choices."⁵³ If Florent does learn a lesson, it is not until the end when he gives the lady sovereignty over her decision to be beautiful at night or beautiful by day:

⁵⁰ *Confessio Amantis*, 1.1746.

⁵¹ Kelly, *Love and Marriage in the Age of Chaucer*, 196.

⁵² Passmore, "Through the Counsel of a Lady," in *The English 'Loathly Lady' Tales*, 15.

⁵³ Dean, "The Hag Transformed," in *Approaches to Teaching the Poetry of John Gower*, 148.

Thus I grante yow myn hole vois,
 Ches for ous bothen, I you preie;
 As what as evere that ye seie,
 Riht as ye wole so wol I.⁵⁴

Neither of the options that the lady gives to Florent is to his liking and his decision not to choose is what essentially frees the lady from the curse. Florent does not ask that she decide for herself or himself, but for both of them together; in doing so, he unwittingly recognizes her agency and her ability to make decisions on her own. Although Florent begins his betrothal out of place, by the tale's conclusion, all is now in place. Whether or not the marriage was solemnized is not important, as Florent understands the value and reward in keeping promises through his wife's advice and her complete transformation.

In contrast to Gower's *Florent*, Chaucer's slightly later version of the Loathly Lady appearing in *The Wife of Bath's Tale* illustrates a more active attempt to conceal marriage, mastery, and self-determination.⁵⁵ The topic of marriage was certainly of great importance to Chaucer as he returns to it frequently throughout his writing.⁵⁶ The beginning of the *Friar's Tale* demonstrates Chaucer's awareness of legal marriage issues through its pointed reference to clandestine marriage, "contractes and lakke of sacramentz," tried by the archdeacon in his

⁵⁴ *Confessio Amantis*, 1.1828-31.

⁵⁵ Much has been written on the comparison of Gower's *Tale of Florent* and Chaucer's *Wife of Bath's Tale*. See Olga C. M. Fischer, "Gower's Tale of Florent and Chaucer's Wife of Bath's Tale: A Stylistic Comparison," *English Studies* 66, no. 3 (June 1985): 205-26; Marc Glasser, "'He Nedes Moste Hire Wedde': The Forced Marriage in the Wife of Bath's Tale and Its Middle English Analogues," *Neuphilologische Mitteilungen* 85, no. 2 (1984): 239-41; Edward Vasta, "Chaucer, Gower, and the Unknown Minstrel: The Literary Liberation of the Loathly Lady," *Exemplaria* 7, no. 2 (Fall 1995): 395-418; R. F. Yeager, ed., *Chaucer and Gower: Difference, Mutuality, Exchange* (Victoria: English Literary Studies, University of Victoria, 1991).

⁵⁶ George Lyman Kittredge was the first critic to consider the 'marriage group' in *The Canterbury Tales* to be making a unified statement. See George Lyman Kittredge, "Chaucer's Discussion of Marriage," *Modern Philology* 9 (1912): 435-67.

courts.⁵⁷ Like Gower, his depiction of the Loathly Lady's marriage demonstrates his knowledge of the law and fourteenth-century social practices, but unlike Gower, his Loathly Lady fights actively for the enforcement and publicness of her marriage.

The Wife of Bath's Tale focuses on marriage and sovereignty, a theme dear to Alison's heart.⁵⁸ Elizabeth Robertson describes it as "first and foremost a tale about consent, about the necessity of the right to consent to the fate of one's body for the affirmation of the subjectivity whether male or female."⁵⁹ In the *Tale*, an unnamed knight rapes a woman in the forest and Arthur hands him over to the ladies of his court to be judged. Like Florent, the knight-rapist has one year to answer the question, what women want most, or face his death. At the end of his quest, he meets the Loathly Lady who will give him the answer he requires if he swears to give her what she wants. The knight-rapist promises this:

"Plight me thy trouthe heere in myn hand," quod she,
 "The nexte thying that requere thee,
 Thou shalt it do, if it lye in thy myght,

⁵⁷ *The Friar's Tale*, 1308.

⁵⁸ For scholarship on the *Wife of Bath's Tale*, the bibliography is a good place to begin: see Peter G. Beidler and Elizabeth M. Biebel, *Chaucer's Wife of Bath's Prologue and Tale: An Annotated Bibliography, 1900 to 1995* (Toronto: University of Toronto Press, 1998). For a sampling of more recent criticism, see Suzanne Edwards, "The Rhetoric of Rape and the Politics of Gender in the Wife of Bath's Tale and the 1382 Statute of Rapes," *Exemplaria* 23, no. 1 (Spring 2011): 3-26; P. J. C. Field, "What Women Really Want: The Genesis of Chaucer's Wife of Bath's Tale," *Arthurian Literature* 27 (2010): 59-85; Susanne Sara Thomas, "The Problem of Defining 'Sovereynette' in the 'Wife of Bath's Tale,'" *Chaucer Review* 41, no. 1 (2006): 87-97; Tison Pugh, "Squire Jankyn's Legs and Feet: Physiognomy, Social Class, and Fantasy in the Wife of Bath's Prologue and Tale," *Medievalia et Humanistica* 32 (2007): 83-101; Elizabeth Robertson, "'Raptus' and the Poetics of Married Love in Chaucer's Wife of Bath's Tale and James I's Kingis Quair," in *Reading Medieval Culture*, ed. Robert M. Stein and Sandra Pierson Prior (Notre Dame: University of Notre Dame Press, 2005), 302-23; Susan Crane, "Alison's Incapacity and Poetic Instability in the Wife of Bath's Tale," in *Critical Insights: The Canterbury Tales*, ed. Jack Lynch (Ipswich: Salem Press, 2010), 213-27.

⁵⁹ Robertson, "Marriage, Mutual Consent, and the Affirmation of the Female Subject in the Knight's Tale, the Wife of Bath's Tale, and the Franklin's Tale," in *Drama, Narrative and Poetry in the Canterbury Tales*, 185.

And I wol telle it yow er it be nyght.”

“Have heer my trouthe,” quod the knyght, “I grante.”⁶⁰

No mention is made of marriage, only the rash promise that he will give her what she wants if it is in his power. Again, the geographic location of the Loathly Lady is significant as she appears to the knight in the forest; however in this text, the forest, the lady, and the knight all reflect a similar wildness and incivility. The forest lacks the public focus on courtesy that the court has, and the knight’s character matches the lady through his lack of courtliness or *gentillesse*; he shows none of the courtesy or honor of Florent or Gawain. After they pledge their troth in the private forest, they both return to Guinevere’s court. A. C. Spearing contends that while the forest is an open space, it is not a public space like the hall or court; what happens in the forest lacks rules, legitimacy, and thus acceptability in the “true” public realm. He defines private as the opposite of public: “In one sense, whatever is inside the enclosure of a house or a town can be thought of as private space; but in another and more important sense it cannot, because ‘private’ takes its full meaning from its opposition to ‘public.’”⁶¹ Privacy in medieval texts therefore equals incivility, and public is civil and proper. This sort of interpretation is limiting as it stems from anxieties about individualism, in that people’s choices are more self-serving than community serving.

The contract is moved from the private forest to the public court after the knight-rapist acquits himself before the ladies, where the court takes on a double meaning of royal court as well as legal court. In the scene, Chaucer demonstrates his legal knowledge through the interaction between the knight-rapist and the ladies. As soon as the knight answers the question

⁶⁰ *The Wife of Bath’s Tale*, 1009-13.

⁶¹ Spearing, *The Medieval Poet as Voyeur*, 15.

correctly, the Loathly Lady asserts her agency, demanding her due by speaking on her own behalf:

“Mercy,” quod she, “my lady sovereyn lady queene!
 Er that youre court departe, do me right.
 I taughte this answeere unto the knyght;
 For which he plighte me his trouthe there,
 The firste thyng that wolde hym requere
 We wolde it do, if it lay in his myghte.
 Bifore the court thanne preye I thee, sir knyght,”
 Quod she, “that though me take unto thy wyf,
 For wel thou woost that I have kept thy lyf.
 If I seye fals, sey nay, upon thy fey!”⁶²

Averting the potential for a broken oath, the Loathly Lady actively brings the private agreement to the attention of the ladies. The lady demands that the knight fulfill his sworn promise before the court; she demands control over the information of their contract. The knight-rapist’s character is already known to be dubious, and the Loathly Lady’s public demand suggests the potential for his default—had the contract not been made public, he might have broken it. She and the court enforce his promise, and her announcement can be conflated with the announcement of the banns. Not only do her actions show her knowledge of legal customs, but they also suggest that the forest lacks the same legal status of shared, public places. Thus through future consent and public announcement, the knight is bound to the Loathly Lady. Marc Glasser, however, argues that the “pact,” as he labels it, “reveals a heightened sense of forced consent”

⁶² *The Wife of Bath’s Tale*, 1048-57.

because he was not told the parameters of their vow and he did not want to marry her.⁶³

Although Glasser makes a good point about consent, one that Hallissy also agrees with, the knight makes the rash promise with only the single limitation to give her what she wants if it is in his power, and marriage is certainly in his power. I assert that the responsibility for his actions lies with him alone and that the marriage is legitimate.

The physical locations in which these rituals take place reflect the marital process. The potential illegitimacy of the contract in the forest is legitimized by its publicity in court. The knight is more ashamed of her ugly appearance than his prior behavior to the extent that their wedding occurs in private:

For prively he wedded hire on morwe,
 And al day after hidde hym as an owle,
 So wo was hym, his wyf looked so foule.
 Greet was the wo the knyght hadde in his thought,
 Whan he was with his wyf abedde ybrought;
 He walweth and he turneth to and fro.⁶⁴

Like Florent, her grotesque appearance reflects his dubious character. While the court may know of the contract, the wedding itself remains private and the knight creates boundaries between their union and the rest of society as he hides himself like an owl. His association with the owl as a negative force speaks more to his character than her loathliness.⁶⁵ Hallissy suggests that his

⁶³ Glasser, “‘He Nedes Moste Hire Wedde’: The Forced Marriage in the Wife of Bath’s Tale and Its Middle English Analogues,” 240. In contrast to Glasser, Elizabeth Robertson in “Marriage, Mutual Consent, and the Affirmation of the Female Subject in the Knight’s Tale, the Wife of Bath’s Tale, and the Franklin’s Tale,” in *Drama, Narrative and Poetry in the Canterbury Tales*, 175-93, suggests that the marriage between the lady and the knight is meant to be more “egalitarian,” 184.

⁶⁴ *The Wife of Bath’s Tale*, 1080-85.

⁶⁵ In comparison, in *The Weddyng of Sir Gawen and Dame Ragnell*, Ragnelle likens herself to an owl even though she is a lady (316-17).

retreat from consummation further demonstrates his hope “to set the marriage aside.”⁶⁶ However, he does return to her at night, joining her in bed to consummate and validate the marriage, and the idea of sovereignty in marriage comes full circle.

Kathryn Jacobs argues that “private accords . . . indicate that something—either the social institutions or the individuals within them—has failed.”⁶⁷ The failure here is the knight’s lack of understanding of personal choice until he himself is given no choice. While he has more freedom to choose than the woman that he raped, like her he becomes powerless in this situation. Whether or not he truly learns anything when he gives the lady her sovereignty and receives beauty and fidelity is certainly questionable, but less important to this discussion than the lady’s active role legitimizing the marriage. Her active work of publicizing the marriage protects the lady from any confusion or dishonesty; if the knight defaulted on his promise, she would be the one to suffer the consequences, not he as his honor is already tarnished. Thus more than *Florent*, Chaucer’s *Wife of Bath’s Tale* demonstrates the desire for sovereignty, where sovereignty means self-determination. Susanne Sara Thomas concurs, stating, “If the sermon provides the true definition of the key word of the quest, then the *wyf* uses *sovereynetee* to describe a state of self-control. In the end, the *wyf*’s promise of obedience arises from a position of independence and self-government, not from submission to the knight’s authority.”⁶⁸ Olga Fischer argues, “The Wife of Bath is personally very much involved in her tale because it gives substance to her inmost desire. For the Confessor, the tale is only an *exemplum*; it shows the usefulness of obedience in love but no more. The Confessor has no personal interest in any of the characters, only in the moral of the

⁶⁶ Hallissy, *Clean Maids, True Wives, and Steadfast Widows*, 182.

⁶⁷ Jacobs, *Marriage Contracts from Chaucer to the Renaissance Stage*, 54.

⁶⁸ Thomas, “The Problem of Defining ‘Sovereynetee’ in the ‘Wife of Bath’s Tale,’” 96.

tale.”⁶⁹ Like the Wife herself, the Loathly Lady determines the course of her marriage fully independent and in control of her own destiny.

The third Loathly Lady tale, *The Weddyng of Sir Gawen and Dame Ragnell*, illustrates the most specific references to proper marital practices and personal agency.⁷⁰ Placed in the Arthurian court, the focus is on Arthur, Gawain, and their fellowship. While hunting in the forest, Arthur is menaced by Gromer Somer Jour, who demands his life or the answer to the question, “whate wemen love best in feld and town.”⁷¹ Aided by Gawain, both men search for the answer in the space of a year, in opposite directions of the realm. It is Arthur who meets the Loathly Lady in the forest and receives her offer, only she does not want to marry the king—he is married already—she wants Gawain. Although his overlord Arthur cannot simply give Gawain to her in marriage, he states, “Alle lyethe in hym alon,” which reflects both Arthur’s and the poet’s awareness of the rules of marital consent.⁷² Arthur, however, does know that Gawain will consent when asked because of their bond. Although Gawain’s agreement is necessary, the fulfillment of the contract is dependent on Ragnelle saving Arthur’s life.

Betrothal in the *Weddyng* occurs through proxy. Arthur, not Gawain, returns to the forest to deliver Gawain’s agreement to marry, which is contingent on her furnishing the answer that will save Arthur’s life. He says,

“Gawen shalle you wed;

⁶⁹ Fischer, “Gower’s Tale of Florent and Chaucer’s Wife of Bath’s Tale: A Stylistic Comparison,” 205.

⁷⁰ For further criticism on the *Weddyng*, see Mary Leech, “Why Dame Ragnell Had to Die: Feminine Usurpation of Male Authority in ‘The Wedding of Sir Gawain and Dame Ragnell,’” in *The English ‘Loathly Lady’ Tales*, 213-34; Ellen M. Caldwell, “Brains or Beauty: Limited Sovereignty in the Loathly Lady Tales ‘The Wife of Bath’s Tale,’ ‘Thomas of Erceldoune,’ and ‘The Wedding of Sir Gawain and Dame Ragnelle,’” 235-57; Ralph Norris, “Sir Thomas Malory and The Wedding of Sir Gawain and Dame Ragnell,” *Arthuriana* 19, no. 2 (Summer 2009): 82-102; Rebecca A. Davis, “More Evidence for Intertextuality and Humorous Intent in *The Weddyng of Syr Gawen and Dame Ragnell*,” *Chaucer Review* 35, no. 4 (2001): 430-39; John Bugge, “Fertility Myth and Female Sovereignty in ‘The Weddyng of Sir Gawen and Dame Ragnell,’” *Chaucer Review* 39, no. 2 (2004): 198-218.

⁷¹ *Weddyng of Sir Gawen and Dame Ragnell* in *Sources and Analogues of Chaucer’s Canterbury Tales*, 91. Henceforth cited as *Weddyng*.

⁷² *Weddyng*, 293.

So he hathe promysed me my lyf to saue,
 And your desyre nowe shalle ye haue,
 Bothe in bowre and in bed.”⁷³

Arthur’s response to Ragnelle is quite different from Florent’s contract and the knight’s promise, each to his respective Loathly Lady. Arthur makes no mention of a promise to her but instead states that Gawain promises to save Arthur, which therefore allows Ragnelle to achieve her desire. Ragnelle is effectively displaced from contract and Gawain remains separated from the entire process until they all return to court. Attempting to displace her further, Arthur urges her to listen to his counsel about her marriage but she refuses:

“Nay, Sir kyng, nowe wolle I nott soo,
 Openly I wol be weddyd, or I parte the froo,
 Elles shame wolle y haue.
 Ryde before, and I wolle com after,
 Vnto thy courte, Syr kyng Arthoure.
 Of no man I wolle shame;
 Be-thynk you howe I haue sauyd your lyf.
 Therfor withe me nowe shalle ye nott stryfe,
 Ffor and ye do, ye be to blame.”⁷⁴

Although Arthur does not come out and say it, his counsel would not be to her benefit. In fact, Ragnelle’s response averts the potential for a clandestine marriage; she demands a public marriage to Gawain that fulfills the contract she made with Arthur, regaining her authority. The emphasis on an open, public marriage demonstrates her active participation in the enforcement of

⁷³ Ibid., 398-401.

⁷⁴ Ibid., 506-15.

the contract while protecting her from suffering from a broken betrothal. Like the other Loathly Lady tales, this conversation takes place in the forest and befits Arthur's attempt at manipulation, for the "forest is a dangerous, uncivilized liminal space,"⁷⁵ which reflects the corruption in his court.

As Arthur and Ragnelle move from forest to court, they move from private to public and uncivilized to proper, culminating in Gawain's contract with the lady. Although Arthur made a promise in his stead, Gawain reaffirms it: "Ther Sir Gawen to her his trowthe plyghte / In welle and in woo, as he was a true knyghte."⁷⁶ Gawain is all that is civil and proper, fulfilling all of the expectations of true courtesy as a true knight. And he is the only one. Dean suggests that the lady is "a threat to the courtly and chivalric values that Gawain embodies."⁷⁷ In this case, Dame Ragnelle's sublime ugliness reflects the concealed corruption of the court instead of her potential mate. Arthur has already suggested that Gawain not completely honor the contract; it only leaves his queen to suggest a private wedding:

The Queen prayd Dame Ragnelle sekerly.

"To be maryed in the mornyng erly,

As pryvaly as we may."

"Nay," she sayd, "by hevyn kyng,

That wolle I neuere, for no-tyng,

Ffor oughte that ye can saye.

"I wol be weddyd alle openly,

Ffor withe the kyng suche couenaunt made I;

⁷⁵ Bugge, "Fertility Myth and Sovereignty in 'The Weddyng of Sir Gawen and Dame Ragnell,'" 200.

⁷⁶ *Weddyng*, 539-40.

⁷⁷ Dean, "The Hag Transformed," in *Approaches to Teaching the Poetry of John Gower*, 150.

I putt you oute of dowte,
 I wolle nott to churche tylle Highe Masse tyme,
 And in the open halle I wolle dyne,
 In myddys of alle the rowte.”⁷⁸

Utilizing her authority, Ragnelle insists in publicizing the wedding everywhere, which represents the announcement of the bans:

She wold nott be weddyd in no maner,
 Butt there were made a krye in all the shyre,
 Bothe in town and in borowe.”⁷⁹

The more widely she spreads knowledge about the impending marriage, the more difficult it will be for anyone to break the contract. Not only does Ragnelle show that she knows what constitutes a legitimate marriage, but she also knows what unmakes a marriage. While Gawain’s character is not questionable like that of the knight-rapist, Ragnelle’s requirement of a “krye in all the shyre” protects her from everyone’s suggestions for private marriage at court, and is what Susan Carter describes as “something like a sneer at all of Arthur’s chivalry, reduced to her witness”⁸⁰; therefore the dual betrothal coupled with the event’s publicity and consummation renders her union proper and legitimate.

The repetition of the open and public nature of the marriage ceremony demonstrates Ragnelle’s knowledge of the law as well as female power. In the end, Gawain is rewarded for his courtesy by gaining her beauty, which serves as an interesting contrast to her active agency in the marital process because the choice is all about what he desires. Bugge contends that “either choice would be about Gawen, reflecting only the stark polarities of the male ego’s

⁷⁸ *Weddyng*, 569-80.

⁷⁹ *Ibid.*, 557-59.

⁸⁰ Carter, “A Hymenation of Hags,” in *The English ‘Loathly Lady’ Tales*, 90.

construction.”⁸¹ For five years, the couple lives happy lives, in mutual adoration of each other; Gawain remains by her side, eschewing the active life of a knight for her company. Despite their love, or perhaps because of it, Ragnelle dies, leaving Gawain to resume his former life of adventure.

These three analogous texts portray increasing amounts of self-determination and independence by the Loathly Ladies through their public enforcement of their marriages. From Florent who only told his most private, trusted counselors, to the lady’s own announcement in *The Wife of Bath’s Tale* to Guinevere and the court, and finally, to Dame Ragnelle, who “made her redy to church to fare / And alle the states that there ware,”⁸² these characters take an active role in enacting social custom, illustrating their desires to regulate their own destinies. A progression appears inside each of the tales as well, as the setting moves from private, uncivilized, and potentially improper in the woods to public, civilized, and proper inside castle and court. Thus what was out of place then moves into place.

In contrast to the literary representations that depict the avoidance of clandestine marriage, the Paston letters give a unique representation of the personal effects of such a union on an actual gentrified medieval family. Seeking upward social mobility through marriage alliances, expansion of property, and military alliances, the Paston family was concerned with money, and property, and imbued with a sense of class consciousness.⁸³ Their letters, over one thousand in all, between each other, friends, acquaintances, and enemies, portray not only the

⁸¹ Bugge, “Fertility Myth and Sovereignty in ‘The Weddyng of Sir Gawen and Dame Ragnell,’” 205.

⁸² *Weddyng*, 587-88.

⁸³ For further details on the Paston family, see the introduction by Norman Davis, in *Paston Letters and Papers of the Fifteenth Century*, 3 vols. (Oxford: Clarendon Press, 1971-76); Frances and Joseph Gies, *A Medieval Family: The Pastons of Fifteenth-Century England* (New York: HarperCollins Publishers, 1998); Colin Richmond, *The Paston Family in the Fifteenth Century: Fastolf’s Will* (Cambridge: Cambridge University Press, 1996); Roger Virgoe, ed., *Illustrated Letters of the Paston Family: Private Life in the Fifteenth Century* (London: Macmillan, 1989); Diane Watt, trans., *The Paston Women: Selected Letters* (Woodbridge: D. S. Brewer, 2004).

immediate family in its outward struggles, but also its day-to-day concerns regarding the minutiae of life—housekeeping, sending money, and requests for daily-use items.

Although scholars have commented on the lack of “literary quality” of the Paston letters, which range from 1422 through 1509, they are historical texts that illustrate the fifteenth-century English world and the art of letter writing, *ars dictaminis*, of their time. Their qualities of unaffected prose, word choice, and representations of life make them literary texts. Charles Kingsford comments, “But letter-writing as a literary art is a product of an advanced state of culture, which we must not look for in the ordinary correspondence of the fifteenth century, though we may meet with a freshness and spontaneity of statement even in unexpected quarters.”⁸⁴ Although the Paston family letters may not have the high style that characterizes the letters of the twelfth century, they illustrate form, function, and emotion. Jennifer Douglas states, “While literary scholars frequently appear disappointed by the letters of the Paston women because they are pragmatic and not sufficiently literary, for scholars with an interest in archives and record keeping, Margaret Paston’s emphasis on the necessity of creating written evidence and of keeping it safe provides important insights into the personal record-keeping practices of women and families in the late Middle Ages.”⁸⁵ I believe that this type of reading is outdated and misinformed; the literary value in the letters is in the descriptions and the obvious emotion of the sender. Letters, like literature, can inhabit various places and are not tied to a rigid genre application.

Marriage was an essential aspect of the Pastons’ rise to power and a considerable topic in their letters. The patriarch of the family, John I (1421-66), married Margaret Mautby (d. 1484), an heiress to a considerable fortune, and Margaret attempted to arrange profitable matches for

⁸⁴ Kingsford, *English Historical Literature in the Fifteenth Century*, 191.

⁸⁵ Douglas, ““Keep Wysly Your Wrytyngs”: Margaret Paston’s Fifteenth-Century Records,” 30.

her daughters and advise her sons to arrange profitable marriages for themselves.⁸⁶ Scholars suggest the sons, John II (1442-79) and John III (1444-1504), had much more liberty in arranging their marriages than did the two daughters, Anne (b. 1424) and Margery (c. 1428-1479), because the sons' marriages needed to benefit the family in some way.⁸⁷ In a letter to John II, Margaret explains three criteria for a successful marriage. She states,

And also þat ze xuld mary rygth nygth of þe Qwernys blood. Qwat sche ys we are not as certeyn, but yf yt be so þat yowyr lond schuld come a-gayne by þe reason of *your* maryage, and to be sett in rest, at þe reuerence of God for-sake yt nowt yf ze can fynde in *your* harte to loue hyr, so þat sche be suche on as ze can thynke to haue jssv by; or ellys by my trowth I had rathere þat ze neuer maryd in *your* lyffe.⁸⁸

Margaret writes that land is necessary, but so are love and children. Children seem to be the consequence of love, but alliances and land are more important; thus the best marriages are when all of these criteria are present. Ironically, these requirements for marriage seem to be only for her sons, and not for her daughters, particularly the quality of love. Indeed, Margaret went so far as to break up the love match of her daughter Anne and abuse her daughter Elizabeth for refusing a match with a much older man.

Margery Paston's elopement with the family bailiff, Richard Calle, caused an outrage within the family. Several marriage contracts had already been considered on her behalf, and the family was again attempting to make a match when her clandestine marriage was discovered.

The first mention of their marriage appears in a letter from John III to John II in 1469:

⁸⁶ I will use Davis's classification of names: John I (patriarch, married to Margaret Mautby), John II (also known as Sir John Paston, the first son of John I and Margaret), and John III (second son of John I and Margaret).

⁸⁷ See Haskell, "The Paston Women on Marriage in the Fifteenth Century," 466-71; Richmond, "The Pastons Revisited," 26-33.

⁸⁸ *Paston Letters and Papers*, vol. 1, no. 228.

Syr, plesyth it to vnderstynd, that I conceyue, by *your* lettyr whyche þat ye sent me by Jwdé, þat ye haue herd of R. C. labor whyche he makyth by ouyr vngracious sustyrs assent; but wher as they wryet that [they] haue my good wyll ther-in, sauyn*g* *your* reuerence, þey [falsly] lye of it, for they neuer spake to me of þat mater, ner non othyr body in ther name. Louell axyd me onys a qwestyon whedyr þat I vndyrstood how it was betwyx R. C. *and* my suster. I can thnk þat it was by Callys menys, [for] when I axyd hym whedyr C. desyird hym to meue me þat qwestyon or not, he wold haue gotyn it aweye by hummys *and* by hays. But I wold not so be answeyrd; wherfor at þe last he told me þat hys oldest sone desyird hym to spere whedyr þat R. C. wer swyr of hyr or nowt, for he seyde þat he knew a good maryage for hyr. But I wot he lyeid, for he is hole wyth R. Cale in þat mater; wher-for, to þat entent þat he nor they shold pyek no comfort of me, I answerd hym þat and with my fadyr, whom God asoyle, wer a-lyue, *and* had consentyd ther-to, *and* my modyr, *and* ye bothe, he shold neuer haue my good wyll for to make my sustyr to selle kandyll *and* mustard in Framly[n]gham; *and* þus, wythe mor whyche wer to longe to wryet to you, we departyd.⁸⁹

This letter from John III to John II demonstrates the depth of anger felt by Margery's family regarding her choice. Most irritating to John III was that Margery declined to ask anyone's opinion or permission; instead of allowing other people to determine the course of her life, she became an active agent, choosing her own future somewhat similar to the way that Dame Ragnelle arranges her marriage. John III's obvious anger at his sister is manifested in the text through his reference to her as *ungracious*. She is ungracious because she did not allow her family to contract a marriage on her behalf; she is ungracious because she did not allow her

⁸⁹ Ibid., vol. 1, no. 332.

family's needs and desires to outweigh her own agency; and she is ungracious because she has married into a lower social class. John indicates his rejection of the couple and Calle in particular with the remark, "he nor they shold pyek no comfort of me," essentially exiling the couple.

Margery refuses to be put in her place; as Cresswell suggests, place is "something more than a spatial referent. Implied in these terms is a sense of the proper; something or someone *belongs* to one place and not another."⁹⁰ Margery refuses to belong to the place that her family has chosen to be proper for her, regardless of its social station. Her decision to keep her marriage a secret also exemplifies her desire to control her personal information. Gies and Gies describe her union with Calle as "a definite step downward, an impermissible misalliance,"⁹¹ while Anne Haskell posits that "It is also possible that by uneven criteria of judgment, the woman was considered to blame for binding herself to an inferior, while the man was blameless for attempting to marry up in society."⁹² John III rails against his sister but not the family bailiff, who leaves but eventually even comes back to work for the Paston family. John ends the letter with a scathing comment about Calle's family background in trade, commenting that his sister will "selle kandyll *and* mustard in Framly[n]gham," trading her social position for a place in trade. As socially conscious as the Pastons were, Margery's marriage to Calle represented a huge step backward.

Although religious authorities decreed that consent belonged to the couple themselves, the Paston letters demonstrate that family, friends, and clergy were highly involved in marital unions. The idea of consent and familial duty plays a large role in John III's letter. His expression of anger not only reflects his feelings but represents the feelings of the whole family

⁹⁰ Cresswell, *In Place/Out of Place*, 3.

⁹¹ Gies and Gies, *A Medieval Family*, 209.

⁹² Haskell, "The Paston Women on Marriage in the Fifteenth Century," 468.

toward Margery because she did not seek anyone else's consent.⁹³ Alexander III's decretal placed the couple's consent to each other at the center of the marriage, thus displacing the agreement of parents, guardians, or other advisors; traditions reflect canon law. Donahue says regarding marriage in the twelfth century, "At all levels of society, family, and feudal concerns, and at the upper levels of society, political and military concerns as well dictated marriage choice in many instances. There is evidence that the choice of parties, particularly that of the woman, was hardly considered in many marriage dealings,"⁹⁴ but practices had changed by the fifteenth century. Shannon McSheffrey argues that young people living in London in the fifteenth century had much more freedom in choosing a marriage partner. Margery's sister Ann refused a match that was made for her; thus actual practice lay somewhere between no choice and choice.

In order to ascertain the legitimacy of the marriage, both Margery and Richard Calle were interviewed by the bishop and the chancellor. Margaret Paston's letter to John II, in September 1469, detailing the interview indicates the focus of the officials to the specific words that were exchanged between the couple:

On Fryday the Bysschope sent fore here be Asschefeld *and* othere þat arn ryth sory of here demenyng. And þe Bysschop seyde to here ryth pleynly, *and* put here in rememberawns how sche was born, wat kyn *and* frenddys þat sche had, *and* xuld haue mo yf sche were rulyd and gydyd aftyre them; *and* yf sche ded not, wat rebuke *and* schame *and* los yt xuld be to here yf sche were not gydyd be them, *and* cause of foresakyng of here fore any good ore helpe ore kownfort þat sche xuld haue of hem; *and* seyde þat he had hard sey þat sche loued schecheon þat here

⁹³ For more details on consent, see Sheehan, "Choice of Marriage Partners in the Middle Ages: Development and Mode of Application of a Theory of Marriage," in *Marriage, Family, and Law in Medieval Europe*, 87-117; Angeliki E. Laiou, ed., *Consent and Coercion to Sex and Marriage in Ancient and Medieval Societies* (Washington, D. C.: Dumbarton Oaks Research Library and Collection, 1993).

⁹⁴ Donahue, "Canon Law and the Formation of Marriage," 146.

frend were not plesyd wyth þat sche xuld haue, *and* there-fore he bad here be ryth wel a-vysyd how sche ded, *and* seyde he woold undyrstond þe worddys þat sche had seyde to hym, wheythere yt mad matramony ore not. *And* sche reheryd wat sche seyde, *and* seyde yf thoo worddys mad yt not suhere, sche seyde boldly þat sche wold make yt suerhere ore þan sche went thens; fore sche sayde sche thowthe in here conschens sche was bownd, wat euere þe worddys wern. Thes leud worddys gereue me *and* her grandam as myche as alle þe remnawnte. *And* þan þe Bysschop *and* the schawnselere bothe seyde þat there was neythere I nere no frend of hers wold reseyuere. *And* þan Calle was exameynd aparte be hym-sylfe, þan here worddys *and* hys acordyd, *and* the tyme *and* where yt xuld a be don.⁹⁵

It was imperative for the legitimacy of their marriage that Margery and Richard Calle both spoke the proper words to bind themselves together and that they were in agreement. L. R. Poos comments on the power of ecclesiastical judges: “And yet it is likely (though incapable of proof) that it was in this arena, especially in the more local tiers of ecclesiastical jurisdiction, that canon law collided most frequently with the messy reality of most ordinary English men and women's private lives,”⁹⁶ and Margery’s life just became messy. In her deposition, Margery uses the tools of her mother—her words—to resist the social expectations of her family and to determine her life; she controls the information about the marriage. Not only does she state that if her initial words did not make the correct oath, then she would swear using the right words before she went anywhere, a statement Margaret describes as bold. Like her mother, Margery must have been familiar with legal issues of what made a marriage because she responds properly.

⁹⁵ *Paston Letters and Papers*, vol. 1, no. 203.

⁹⁶ Poos, “The Heavy-Handed Marriage Counsellor,” 292.

Margery's response to the bishop demonstrates her awareness of the necessary elements of marriage. She clearly knows that specific words must be said and her intentions are obvious—she is married in her mind and in her heart. Colin Richmond describes this moment and Margery as triumphant:

In this story we cannot help ourselves cheering for Margery. She, the gritty individual, triumphs. Long conditioned by a culture in which the hero or heroine is the individual who vanquishes a collective enemy, we are squarely on the side of Margery and Richard: hero and heroine against the world. Their love overcomes all obstacles. Richard and Margery's victory, the victory of personal love, left others and other sorts of love defeated. . . . The loss was not small, to Margery, to the family, and to the community of which Margery and her family were part.⁹⁷

As romantic as he considers this, and it *is* romantic, Margery's choice has left her displaced from her family and friends, as she is no longer welcome in their homes. In Margaret's letter to John II, she writes: "I scharged my *seruantys* þat sche xuld not be reseyuied in myn hows. I had zeuen here warnyng, sche mythe a be ware afore yf sche had a be *grasyows*. And I sent to on ore ij more þat they xuld not reseyuie here yf sche *cam*."⁹⁸ Margaret cut her daughter off from her family and Margery was not spoken of again in any of the existing letters.⁹⁹ In the face of such strident familial opposition, Martin Ingram argues that most often the individual did not honor the previously conceived contract: "the efficacy of family pressures is hardly surprising given the

⁹⁷ Richmond, "The Pastons Revisited," 34.

⁹⁸ *Paston Letters and Papers*, vol. 1, no. 203.

⁹⁹ Evidence suggests that Margaret and Margery may have reestablished contact in some way as Margaret left a small bequest to Margery and Richard's son in a 1482 copy of her will: "I bequeth to John Calle, sone of Margery my doughter, xx li. whan he cometh to the age of xxiiij yer," *Paston Letters and Papers*, vol. 1, no. 230.

range of sanctions at their disposal, apart from conventional acceptance of their authority.”¹⁰⁰

Margery is one of the few people who did not give in to outside pressure. Like the Loathly Ladies, who actively pursue their futures, Margery exemplifies engagement, independence, and agency over the direction of her life.

Margery’s strength in deciding her future suggests power and authority is equal to her mother. No scholar disagrees about the power and influence wielded by Margaret Paston, and Margery’s defense of her life is just as meaningful. During the extended periods when her husband was away and after his death, Margaret made decisions about property and alliances, taking care of home, hearth, reputation, and children.¹⁰¹ In discussing the place of wives in fifteenth-century England, Haskell compliments the Pastons’ familial structure:

The Pastons’ design of training its males for the law and arranging strong marriages was a sound one. The men lived in London, maintaining law practices well connected with legal circles and members of the court. The women lived on the land, overseeing the operation of the estates and maintaining alert and powerful defense against possible challengers. The wife, therefore, was an absolutely essential and obviously equal partner in an enterprise formally consolidated by marriage.¹⁰²

Her position established her literal place as a landowner and overseer and figuratively as the family matriarch. She has been considered a model of and for aristocratic women in the fifteenth century. Haskell further describes her as an active agent:

¹⁰⁰ Ingram, “Spousal Litigation in English Ecclesiastical Courts c.1350-c.1640,” in *Marriage and Society*, 51.

¹⁰¹ Haskell offers the contrasting opinion that wifehood was constrained and powerless. She argues, “Paradoxically, then, the restricting ideal of marriage, obedience, and chastity could work for women. A considerable amount of liberty within marriage was earned by conformity to the ideal in general, as this ideal kept society’s eyes on center stage, so that reality, on the sidelines, might proceed”; “The Paston Women on Marriage in the Fifteenth Century,” 466.

¹⁰² *Ibid.*, 463.

Letters of the Paston family, dating principally from the fifteenth century, augmented by the Stonor, Cely, and Plumpton correspondence, stand in distinct contrast to the popular notions of well-born medieval women, deduced from such models as romance heroines. For example, Margaret Paston, the most fully represented woman in these collections, and her mother-in-law Agnes, are seen as practical individuals of real economic and social power in their later lives.¹⁰³

While I appreciate Haskell's argument, she makes a false assumption about romance heroines. Aristocratic women in romance texts are abstract representations of all women who face very real challenges of power, agency, and self-determination. As Margaret's daughter, Margery wielded her own power, refusing the place that her family determined for her. She represents more than the romantic triumph that Colin Richmond chalks up to her as an individual who asserted her own will. Furthermore, she rejects her mother's criteria for marriage in the order that Margaret tells her son. She chooses love over anything else.

Thus, Margery's choice for a clandestine marriage offers a significant resistance to the influence and the demands by her family in order to live her own life. Although nothing survives of the description of Margery and Richard Calle's courtship, her bold words to the bishop and chancellor and the love letter from Richard to Margery illustrate the significance of love over more mercenary concerns in deciding a marriage. Moreover, the letter places love decidedly in the private sphere, not to be influenced, used, or contaminated by outsiders. Richard's love letter to Margery represents the most private, most intimate (and most improper from the perspective of her family) emotions as he talks about their marriage and his misery at their separation:

Myn owne lady and mastres, and be-for God very trewe wyff, I wyth herte full sorowefull recomaunde me vnto you as he that can not be mery nor nought

¹⁰³ Ibid., 460.

schalbe tyll it be otherwise wyth vs thenne it is yet; for thys lyff þat we lede nough is nowther plesur to Godde nor to the worlde, concederyng the gret bonde of matrymonye þat is made be-twix vs, and also the greete loue þat hath be, and as I truste yet is, be-twix vs, and as on my parte neuer gretter. Wherfor I beseche Almyghty Godde comfort vs as sone as it plesyth hym, for we þat ought of very ryght to be moost to-gether ar moost asondre; iiij tymes in the yere ar they a-cursid that lette matrymony. It causith many men to deme in hem they haue large consyence in other maters aswele as herin. But what, lady suffre as ye haue do and make you as mery as ye can, for j-wys, lady at the longe wey Gode wolle of hys ryghtwysnes help hys seruautys that meane truly and wold leue accordyng to hes lawys, &c.¹⁰⁴

Calle's references to their marriage illustrate the depth of their commitment to each other, an attachment that, to the Paston family, was transgressive. At the end of the letter, Calle insists that Margery burn the letter so that it remained private and so that their relationship remained hidden. Richmond suggests that Margery might have done so, but considers it more likely that the letter was taken from her after the family discovered their marriage. Her marriage also supports the importance of romantic love as something not just a fiction that appears in a romance tale. Donahue notes that "There is one other objection, however, which seems to be critical: the availability of clandestine marriage permitted persons if they were sufficiently desperate to escape the complex of family, financial, and feudal concerns which surrounded marriage and to enter into a valid marriage without the consent or even knowledge of their families or their

¹⁰⁴ *Paston Letters and Papers*, vol. 2, no. 861.

lords.”¹⁰⁵ Furthermore, by removing the choice of partners from the public realm, their marriage transgressed social expectations.

As one of the central social institutions of the Middle Ages, marriage was a primary focus of law, church, politics, and literature. By decree of the church, people could contract marriages at any time, in any place, with any person provided that they both said the right words. The marriages that were not solemnized by the church often caused as much strife as those that were. People chose to marry clandestinely for a variety of reasons, some nefarious and some positive, causing concern for both religious and civil authorities. Literary representations demonstrate increasing participation by women in the legitimation and publicity of their marriages while nonfiction texts illustrate the social ramifications of clandestine marriages. In the case of Margery Paston, her active resistance exemplifies the desire for self-determination and not to be placed by society or family. Thus a careful analysis of sources indicates that while authorities demanded that the place of marriage be public, individuals defied the rules with varying levels of success, which signify independence. Indeed, the active participation of women in the direction of their futures suggests an equally active determination in the course of their lives as widows.

¹⁰⁵ Donahue, “Canon Law on the Formation of Marriage,” 146.

CHAPTER FOUR

CHAUCER'S WIDOWS: (DIS)PLACED, (MIS)PLACED, AND (RE)PLACED

“Let not the widows be wanderers about, nor fond of dainties, nor gadders from house to house; but let them be like Judith, noted for her seriousness; and like Anna, eminent for her sobriety.”
from *Epistle of Ignatius to the Philadelphians*¹

Widows appear frequently in medieval literature, from fictional stories as main or supporting characters, to conduct exempla. Literary representations illustrate societal expectations for them, as well as their mobility and transgressions. Laurel Amtower refers to widowhood as marginalizing; but instead, I argue that widows exist in a liminal place between agent and object and between public and private.² As liminal figures, they have social mobility that no one else in society has, for they can cross boundaries between public and private spaces and in gender-specific activities as Chaucer's Wife of Bath does. This liminality, however, means that widows do not fit into any single place like Criseyde in *Troilus and Criseyde*, who becomes (dis)placed after the death of her husband and the defection of her father. Although medieval society attempted to define the proper place for these women through conduct literature and sermons, Chaucer's widows demonstrate how they were able to move in and out of place and how they met or transgressed expectations of social space. Representations of widows also exemplify the conflict of secular and religious ideas, the negotiation of reality versus the ideal. In order to understand the literary and historical depictions of these women, it is necessary to situate them through their legal, biblical, and social appearances. Thus I contend that Chaucer's widows, Criseyde and Alison, deviate from the proper place of medieval widows, and reveal social

¹ Ignatius, “Epistle of Ignatius to the Philadelphians,” in *The Ante-Nicene Fathers*, 1.82.

² Amtower, “Chaucer's Sely Widows,” 127.

anxieties about their (dis)placement from marriage by contrasting them with Geoffrey de la Tour Landry's depiction of the ideal widow in the *Book of the Knight of the Tower*.

Some discussion about the way place and privacy apply to widows is necessary. In common modern usage, place denotes location, social position, or conduct; however, inherent in the notion of place is the construction of identity. Place and derivatives like (dis)place, (mis)place, (re)place, or being placed prompt explorations of the effects of the compounded relationship between the material world and social behavior on identity. Separating prefixes of place with parentheses suggests simultaneous theoretical place and the full meaning of the word. Tim Cresswell characterizes place in terms of propriety, which implies a set of rules that designate right and wrong.³ Resisting or transgressing expectations associated with places indicates self-conscious positioning related to identity, and in this chapter, Chaucer's widows resist traditional expectations that advocate their retreat into the private sphere. Although a significant amount of scholarship has been written on widowhood, particularly Chaucer's widows, my approach uses a new theoretical framework of modern geography to explore how these no longer married women construct their identities.

Considered one of the estates of medieval women, widows lived in a social spectrum that was unlike that of any other medieval woman; they were no longer married, but of the once-married category, and thus inhabiting a liminal spectrum.⁴ Sexually experienced, adult, and in command of their futures, their differences from married women or other singlewomen allowed

³ Tim Cresswell, *In Place/Out of Place: Geography, Ideology, and Transgression*, 3.

⁴ The traditional estates of medieval women were virgin, wife, and widow as noted by Jerome in *Against Jovinian*, see Fidel Rädle, "Einige Bemerkungen zur Bewertung der Witwenschaft in der patristischen und frühmittelalterlichen Theologie: Mit ausgewählten Texten," in *Veuves et veuvage dans le haut Moyen Âge*, ed. M. Parris (Paris: Picard, 1993), 21; Hallissy, *Clean Maids, True Wives, Steadfast Widows*, 1-8; for background on medieval women, see Shulamith Shahar, *The Fourth Estate: A History of Women in the Middle Ages*, trans. Chaya Galai (London: Routledge, 2003); Tara Williams, *Inventing Womanhood: Gender and Language in Later Medieval Writing* (Columbus: Ohio State University Press, 2011); for commentary on Chaucer's use of estates satire, see Jill Mann, *Chaucer and Medieval Estates Satire* (Cambridge: Cambridge University Press, 1973), 3-8. See the following footnote for a discussion of the fourth estate of women: singlewomen.

them more relative freedom to move around in society.⁵ I emphasize relative freedom because in a society that often disregarded women and women's experiences, they could never achieve true freedom like their male counterparts; widows, however, had more opportunities than most other women to be in trade, to choose husbands, to litigate, and in essence, to be agents in control of their own lives. Conor McCarthy asserts that widows were "a visible exception to ideologies of female disability,"⁶ while Margaret Hallissy comments that their position is defined by their class and relationship with men.⁷ She maintains, however, that "as a widow, a medieval woman could achieve the greatest living measure of independence possible to a woman in her society."⁸ Caroline M. Barron posits that urban widows living in London were "empowered," purchasing property, initiating business affairs, enjoying a varied social life, and being involved in everything except politics.⁹

Widows who lived in fourteenth- and fifteenth-century England had to negotiate turbulent waters. Frequently considered desirable marriage partners for younger, unlanded sons in the first half of the fourteenth century, these women often lived through an older husband before remarrying a younger man. The economic situation for widows changed drastically after

⁵ Judith M. Bennett and Amy M. Froide in *Singlewomen in the European Past, 1250-1800* (Philadelphia: University of Pennsylvania Press, 1999) differentiate widows from women who never married or lifelong singlewomen because of everything that the marital state represents in society; they further separate out women who will eventually marry, calling them life-cycle singlewomen, and nuns because they are considered brides of Christ, 1-37. Conversely, Laurel Amtower and Dorothea Kehler in *The Single Woman in Medieval and Early Modern England* (Tempe: Arizona Center for Medieval and Renaissance Studies, 2003) do not separate widows from singlewomen but they argue that widows, single women who may marry in the future, spinsters, wage-earners, nuns, the handicapped, unwed mothers, cross dressers, prostitutes, (some) lesbians, and kept women all fall under the designation of "singlewomen," ix. While she sees the benefits to organizing single women, Cordelia Beattie in "A Room of One's Own," in *Medieval Women and the Law* (Woodbridge: Boydell Press, 2000), contends that "many medieval sources do not distinguish between widowed and never been married," 42. According to Maryanne Kowaleski, singlewomen account for a significant portion of the population during the late fourteenth century at approximately thirty percent, see "Singlewomen in Medieval and Early Modern Europe: The Demographic Perspective," in *Singlewomen in the European Past, 1250-1800*, 46; for statistical data in table form, see Table A1, 326.

⁶ McCarthy, "The Position of Widows in the Later Fourteenth Century English Commentary and the Wife of Bath's Prologue," 101.

⁷ Hallissy, *Clean Maids, True Wives, Steadfast Widows*, 5.

⁸ *Ibid.*, 6.

⁹ Barron, "Introduction," *Medieval London Widows*, xiii.

the Plague; they became less of a commodity and were thus freer to claim property and resist remarriage. The number of widows who remained unmarried grew dramatically from the middle of the fourteenth century onward through the fifteenth. Urban widows, particularly in London or York, had a greater opportunity for self-governance than rural widows.¹⁰

Freed from marriage, many widows attempted to claim their dowers. In public marriages, the marriage contract was recited aloud at the church door so that the community could bear witness; in many cases this church-door recitation was the only record of the promises made between wife and husband, although more people throughout society in the fourteenth century began recording a copy of the contract in borough customals. In instances of clandestine marriages not later solemnized, widows were not legally allowed to claim their dowers, perhaps thus reflected by the emphasis on proper marriage seen in the Loathly Lady tales.¹¹ Dowers were dependent on city or rural customs. If a woman had children with her husband, she would get one third of their property or assets for as long as she lived; if the couple was childless, she would get one half. In London, women were also awarded their free-bench, or the place where they lived with their husbands. While legally these dowers were to be assumed freely and uncontested, many widows had to sue for them, sometimes against any heirs, sometimes against tenement holders who laid claim to property rights.¹² Widows fought for their portion of what was promised to them, what was earned during their partnership, and what they were owed.¹³

¹⁰ See Barron, "Introduction," *Medieval London Widows*, xiii-xv.

¹¹ See pp. 88-90 in chapter 3 for Bracton.

¹² Bracton states, "If the dower is to be delivered to her, let the assignment of dower be made her at once, without any difficulty, and let her give nothing for her dower, her *maritagium*, or for her inheritance which her husband and she held on the day that he died" ["*Et si deliberata ei fuerit, statim fiat ei dotis assignatio sine aliqua difficultate, et nihil det pro dote sua vel maritagio vel hereditate sua quam maritus et ipsa tenuerunt die obitus ipsius mariti*"], *De Legibus et Consuetudinibus Angliae*, 275.

¹³ Significant research on women suing for their dower properties has been done in recent years. See Janet Senderowitz Loengard, "*Rationabilis Dos*: Magna Carta and the Widow's 'Fair Share' in the Earlier Thirteenth Century," in *Wife and Widow in Medieval England*, 59-80; Sue Sheridan Walker, "Litigation as Personal Quest: Suing for Dower in the Royal Courts, circa 1272-1350," 81-108; Richard H. Helmholz, "Married Women's Wills in

Although many widows were free to choose whom they would marry and when, others were coerced into weddings or forced to pay fines to remain single. Widows of the rising middle class had more freedom in this decision than women of the upper class or nobility.¹⁴ For some widows, particularly widows with children, remarriage was the best option; for the women who were forced to give up their dower, remarriage was the only option.¹⁵ A very small number of deceased husbands prevented their wives from remarrying upon forfeiture of their dowers in their wills or required them to choose a future husband from a particular group. As a singlewoman, a widow could be fodder for malicious gossip, slander, or even be accused of witchcraft.¹⁶ Even with all of these potential traps, at least half of all widows chose not to remarry.¹⁷

Widowhood could be a social quagmire. No longer regulated by their husbands, sexually experienced, widows could act any way that they chose; they no longer had a specific place in society protected by a father or bound to a husband but potentially had many places. Anxiety regarding their loose morals and uncontained sexuality is reflected in conduct literature and sermons.¹⁸ Canon law was ambiguous on the subject of remarriage, some authorities speaking

Later Medieval England,” 165-82; Barbara A. Hanawalt, “The Widow’s Mite: A Provision for Medieval London Widows,” in *Upon My Husband’s Death*, 21-46.

¹⁴ Some debate exists regarding this topic; Caroline Barron clarifies, “Aristocratic widows were often the possessors of land and, although they were rarely forced to remarry against their will, their freedom to act independently was circumscribed,” xiii.

¹⁵ For a discussion of the factors for a widow’s remarriage, see Judith M. Bennett, *Women in the Medieval English Countryside: Gender and Household in Brigstock before the Plague* (New York: Oxford University Press, 1987), 146-47; Joel T. Rosenthal, “Fifteenth-Century Widows and Widowhood: Bereavement, Reintegration, and Life Choices,” in *Wife and Widow in Medieval England*, 33-58; Barbara A. Hanawalt, “Remarriage as an Option for Urban and Rural Widows in Late Medieval England,” 141-64.

¹⁶ See Olwen Hufton, *The Prospect Before Her: A History of Women in Western Europe, 1500-1800* (New York: Vintage, 1998).

¹⁷ Rosenthal, “Fifteenth-Century Widows and Widowhood,” in *Wife and Widow in Medieval England*, 36-38; Hanawalt, “The Widow’s Mite,” in *Upon My Husband’s Death*, 36. These percentages reflect only what is documented; moreover, the numbers change depending on economics, demographics, and other various factors.

¹⁸ For background on medieval sermons, see G. R. Owst, *Literature and Pulpit in Medieval England: A Neglected Chapter in the History of English Letters and of the English People* (Cambridge: Cambridge University Press, 1933).

against it, some speaking for it.¹⁹ Confusion on this matter stems in part from conflict in the writings of Paul. In 1 Corinthians 7:8, Paul states that it is better for widows, like virgins, to remain chaste; however, if they cannot, then they should marry. As if this is not clear enough, in 1 Corinthians 7:39, Paul states, “A woman is bound by the law as long as her husband liveth; but if her husband die, she is at liberty: let her marry to whom she will; only in the Lord [mulier alligata est quanto tempore vir eius vivit quod si dormierit vir eius liberata est cui vult nubat tantum in Domino]”;²⁰ this statement seems to provide unequivocal permission, not only for remarriage, but for a remarriage blessed by the church. Yet, in the First Epistle to Timothy, Paul states, “Let a widow be chosen of no less than threescore years of age, who hath been the wife of one husband [vidua eligatur non minus sexaginta annorum quae fuerit unius viri uxor],” very clearly a single marriage.²¹ Katherine Clark comments that the medieval concept of how a widow should behave stems from 1 Timothy.²² However, Paul’s suggestion seems only for older widows, aged sixty or more, because he allows young widows to remarry for they are less serious: “And withal being idle they learn to go about from house to house: and are not only idle, but tattlers also, and busybodies, speaking things which they ought not. I will therefore that the younger should marry, bear children, be mistresses of families, give no occasion to the adversary to speak evil” [simul autem et otiosae discut circumire domos non solum otiosae sed et verbosae et curiosae loquentes quae non oportet volo ergo iuveniores nubere filios procreare matres familias esse nullam occasionem dare adversario maledicti gratia].²³ Paul’s commentary

¹⁹ See James A. Brundage, “Widows and Remarriage: Moral Conflicts and Their Resolution in Classical Canon Law,” in *Wife and Widow in Medieval England*, 17-32, and “Widows as Disadvantaged Persons in Medieval Canon Law,” in *Upon My Husband’s Death*, 193-206. Brundage concludes that permission for remarriage depends highly on an individual’s parish priest.

²⁰ 1 Corinthians 7:39, *Douay-Rheims*, accessed March 19, 2012, <http://www.drbo.org/chapter/53007.htm>. All biblical verses, both Latin and translation, are from the Douay-Rheims online.

²¹ 1 Timothy 5:9, accessed March 19, 2012, <http://www.drbo.org/chapter/61005.htm>.

²² Clark, “Purgatory, Punishment, and the Discourse of Holy Widowhood in the High and Later Middle Ages,” 171.

²³ 1 Timothy 5:13-14, accessed March 19, 2012, <http://www.drbo.org/chapter/61005.htm>.

about the desires of young widows versus the serious morality of older widows is reflected in texts by moralists as well as in literary representations.

Religious doctrine concerning widows illustrates anxieties about women's behavior. As early as the first-century Apostolic Fathers, religious writers were ordering widows to behave chastely and keep to themselves in prayer. In his epistle, Polycarp commands that men should

Teach the widows to be discreet as respects to the faith of the Lord, praying continuously for all, being far from all slandering, evil-speaking, false witnessing, love of money, and every kind of evil; knowing that they are the altar of God, that He clearly perceives all things and that nothing is hidden from Him, neither reasonings, nor reflections, nor any of the secret things of the heart.²⁴

Clearly concerned with widows moving freely in society, Polycarp focuses on speech and greed as the most problematic characteristics. His exhortation to keep God in the forefront of their minds further implies that in their thoughts as well as their deeds they harbor ill will or ill intentions. Thus without careful instruction and care, widows have the potential to destroy public opinion or people's reputations.

Ambrose's fourth-century text, "Concerning Widows," suggests more substantial rules for widows to live by. While he acknowledges Paul's commentary on remarriage, he attempts to persuade widows against the necessity of remarriage. He asserts that they need to be virtuous, to be chaste, and to do good deeds. Ambrose, rather untraditionally, does not require his widows to be cloistered away, but offers Deborah as an example of virtue and bravery:

For she showed not only that widows have no need of the help of a man, inasmuch as she, not at all restrained by the weakness of her sex, undertook to perform the duties of a man, and did even more than she had undertaken. And, at

²⁴ Polycarp, "Epistle of Polycarp," in *The Ante-Nicene Fathers*, 1.94.

last, when the Jews were being ruled under the leadership of the judges, because they could not govern them with manly justice, or defend them with manly strength, and so wars broke out on all sides, they chose Deborah, by whose judgment they might be ruled. And so one widow both ruled many thousands of men in peace, and defended them from the enemy. There were many judges in Israel, but no woman before was a judge, as after Joshua there were many judges but none was a prophet. And I think that her judgeship has been narrated, and her deeds described, that women should not be restrained from deeds of valour by the weakness of their sex. A widow, she governs the people; a widow, she leads armies; a widow, she chooses generals; a widow, she determines wars and orders triumphs. So, then, it is not nature which is answerable for the fault or which is liable to weakness. It is not sex, but valour which makes strong.²⁵

[Haec enim docuit non solum viri auxilio viduas non egere, verumetiam viris esse subsidio: quae nec sexus infirmitate revocata, munia virorum obeunda suscepit, et suscepta cumulavit. Denique cum Judaei Judicium regerentur arbitrio, quia virili non poterant vel aequitate regi, vel virtute defendi, bellis hinc inde ardentibus, Debboram sibi cujus regerentur iudicio, cooptarunt. Itaque multa millia virorum una vidua et in pace rexit, et ab hoste defendit. Multi Judices in Israel, sed nulla ante iudex femina: multi Judices post Jesum, sed nullus propheta. Et ideo lectum istius puto esse iudicium, et gesta ejus arbitrari esse descripta; ne mulieres a virtutis officio, muliebris sexus infirmitate revocentur. Vidua populos regit, vidua ducit exercitus, vidua duces eligit, vidua bella disponit, mandat triumphos. Non

²⁵ Ambrose, *Concerning Widows*, in *The Nicene and Post-Nicene Fathers*, 16.8.44.

ergo natura rea est culpae, nec infirmitati obnoxia: strenuos non sexus, sed virtus facit.]²⁶

While Ambrose may still believe that women are the weaker sex, his example of Deborah illustrates the conflicted ideals of widowhood and widow's virtues. Unbound by marriage, Deborah devotes herself to public welfare, living a public life, and is chosen by the judges to lead. She is the very antithesis of the widows that Polycarp and other religious moralists fear.

Moral judgments on medieval widows suggested that they should either retire to the church or hide themselves away in prayer, because an unguarded, unwatched, no-longer-married woman was problematic. The author of the Judith text in *The Middle English Metrical Paraphrase of the Old Testament* (1400-10) negotiates the social complexities caused by Judith's widowhood by essentially ignoring it until the end of the poem. The poet introduces her with the words, "Dame Judyth was a gentyll Jew /and woman wyse whore sho suld wende,"²⁷ and while naming her as "dame" indicates respect, age, and experience, it does not hint at widowhood. It is not until the end of Judith's story, after she has enticed and beheaded Holofernes, that the poet considers her place as a widow as a direct contrast to her war-like actions on behalf of Hebrews:

Then home to hyr hows scho yede,
and pepyll past to ther places sere.
A lades lyfe then con sho led,
and Goddes law lyked hyr ever to lere.
And furth sho weryd hyr wedow wede
bot in soverane sesons of the yere.²⁸

²⁶ Ambrosius Mediolanensis, *De Viduis*, in *Patrologia Latina* 16.8.44, accessed March 16, 2012, <http://pld.chadwyck.co.uk>.

²⁷ "The Story of Judith," in *The Middle English Metrical Paraphrase of the Old Testament*, 1414.1-2.

²⁸ *Ibid.*, 1476.2-6.

The poet's language in this excerpt distinguishes between Judith's actions on behalf of the Hebrews and a lady's place; in other words, home, privacy, and piety denoted by the resumption of widow's weeds oppose public travels, heroism, and doing God's work in the world. Further, now that Judith has returned home, her actions reflect moralists' behavioral expectations for widows:

And of all that sho had in hand
 over honest spence that suld be sped,
 Ther with pore folke sho fed and fand
 and beldyd both to bake and bede.
 Sho occupyed so hyr sted
 in pennance and in prayer
 Fro hyr husband was dede
 a hundred and fyve yere.²⁹

Judith resumes her place as a proper widow through localized charitable acts (since the beheading of Holofernes was more global than local) of feeding and housing the poor while praying for her husband's soul. In medieval literature, Judith then becomes a dual symbol of a woman's duplicity by beguiling Holofernes and of religious piety by doing the work of God and yet praying devoutly for her husband's soul.³⁰ Caring for a husband's soul was a significant and time-consuming job. Hallissy describes the social expectations of widowhood:

The widow's role is to demonstrate grief and to pray for her husband's soul, a practical service for which medieval people were willing to pay enormous sums in the form of mass donations. She must become a living monument to her

²⁹ Ibid., 1477.1-10.

³⁰ Owst, *Literature and Pulpit in Medieval England*, 118-19.

husband's memory, dedicating her life to good works and to prayer. . . . Like other women but with more intensity, she is urged to good works such as almsgiving, care of the sick, attentiveness to her parents, visiting leprosaria and the humble cots of the poor. But she should avoid showing herself in public and attending entertainments of any sort, even those with a religious guise. . . .³¹

These expectations developed from the conflicted representations of widows in religious texts and encourage their ideal placement in the private sphere. Regarding pious widows, Clark comments that "the concern for the fate of departed souls was a long-standing assumption of what widows would do."³² These behavioral expectations materialize in Chaucer's *Knight's Tale* in the form of the weeping Theban widows and are reinforced by conduct literature such as the *Book of the Knight of the Tower*.

Historical widows, however, lived somewhere between the moralist placement in private and the feared wanton, wandering and interfering in the public sphere. Margaret Paston (d. 1484), for example, led a life that spanned both public and private spheres.³³ The *de facto* head of the Paston family while her husband was jailed or campaigning, Margaret Paston, as I contend in the previous chapter, became the true head of the family after her husband's death in 1466. Not only did Margaret make strategic military decisions, but she also ran households, raised children, arranged marriages, and prayed for her husband's soul. Joel T. Rosenthal comments

³¹ Hallissy, *Clean Maids, True Wives, Steadfast Widows*, 22.

³² Clark, "Purgatory, Punishment, and the Discourse of Holy Widowhood in the High and Later Middle Ages," 169-70.

³³ For more discussions of Margaret as Paston family matriarch, see Valerie Creelman, "'Ryght Worchefull Mastres': Letters of Request and Servants' Scripting of Margaret Paston's Social Self," *Parergon* 26, no. 1 (2009): 91-113; Alison Spedding, "'I Shalle Send Word in Writing': Lexical Choices and Legal Acumen in the Letters of Margaret Paston," *Medium Aevum* 77, no. 2 (2008): 241-59; Johanna L. Wood, "Text in Context: A Critical Discourse Analysis Approach to Margaret Paston," in *Letter Writing*, ed. Terttu Nevalainen and Sanna-Kaisa Tanskanen (Amsterdam: John Benjamins, 2007), 47-71; Joel T. Rosenthal, *Margaret Paston's Piety* (New York: Palgrave Macmillan, 2010); Robert Bux Bosse, "Female Sexual Behavior in the Late Middle Ages: Ideal and Actual," *Fifteenth-Century Studies* 10 (1984): 15-37.

that Margaret Paston was a “conventional, pious, sober (and feminine) representative of late medieval lay religion.”³⁴ While Margaret was able to cross the boundaries of public and private as a widow, she was never overtly rebellious; her actions indicate familial devotion instead of a struggle against ideology.

On the other hand, Margery Kempe’s (1373-1438) autobiography, *The Book of Margery Kempe*, suggests that she struggled with her status as a widow. Like the Wife of Bath who eschews widowhood, Margery Kempe rejected her place as a widow through white clothing and self-references as a “creatur.” Tara Williams contends,

Despite the coded ways in which she alludes to it, Margery’s widowhood is a crucial element of her character and *Book*. While she may or may not merit the less-flattering names others call her, she certainly deserves the one by which she is not known: widow. She is a widow by the time her *Book* is written and throughout much of the narrative; widowhood is one persistent feature of her complicated identity and her otherwise slippery text.³⁵

Avoiding the stereotypes of a sexually voracious widow, Margery focused on chastity; this, however, did not stop the negative reaction of the authorities to her affective piety. Margery moved about fairly freely in society, and was not relegated to the private sphere of prayer, creating her own place in the world. Thus both Margery and Margaret learned how to navigate

³⁴ Rosenthal, *Margaret Paston’s Piety*, 4.

³⁵ Williams, “‘As thu wer a wedow’: Margery Kempe’s Wifehood and Widowhood,” 346. A vast amount of work has been done on Margery Kempe and for a sampling, see Michael Vandussen, “Betokening Chastity: Margery Kempe’s Sartorial Crisis,” *Forum for Modern Language Studies* 41, no. 3 (July 2005): 275-88; Sandra J. McEntire, ed., *Margery Kempe: A Book of Essays* (New York: Garland, 1992); Marie Nelson, “Why Gost Thu in White?”: A Non-Question Reconsidered as a Genuine Request for Information,” *Papers on Language and Literature* 48, no. 1 (Winter 2012): 101-8; Lynn Staley, *Margery Kempe’s Dissenting Fictions* (University Park: Pennsylvania State University Press, 1994); Christopher Roman, *Domestic Mysticism in Margery Kempe and Dame Julian of Norwich: The Transformation of Christian Spirituality in the Late Middle Ages* (Lewiston, NY: E. Mellen Press, 2005); Tara Williams, “Manipulating Mary: Maternal, Sexual, and Textual Authority in *The Book of Margery Kempe*,” *Modern Philology* 107, no. 4 (May 2010): 528-55; Alysia Kolentzsis, “Telling the Grace That She Felt: Linguistic Strategies in *The Book of Margery Kempe*,” *Exemplaria* 20, no. 3 (Fall 2008): 225-43.

the place of widowhood, refusing to live out the remainder of their days in private piety. They found ways to maneuver around society's expectations for widows, which allow them greater freedoms than many of their married counterparts.

Representations of widows in fourteenth- and fifteenth-century literary texts offer an interesting contrast to their historical and moralized counterparts; these texts indicate that a widow's place in society cannot be defined easily. Although widows dot medieval literature, they rarely play a leading role in romances, which focus on happy unions of lovers. Chaucer's creations of Criseyde and the Wife of Bath defy that tradition, presenting two multi-faceted characters that reflect the complex nature of widowhood and are unlike any other fictional characters. Other widows who appear throughout Chaucer's corpus seem to foster confusion, in that some widows are intrinsically evil while others are morally acceptable. Widows like Domilde or the Sultanness in *The Man of Law's Tale* use their freedom and agency for ill intent, while the "povre wydwe" depicted in *The Nun's Priest's Tale* offers a window into the living conditions, or "symple lyf," of older, unmarried widows of the lower classes.³⁶ Hallissy posits that Chaucer was working within a well-known tradition of ideas of widowhood but that he "shaped, modified, even flouted what everyone assumed to be true about women."³⁷ While I agree with some of Hallissy's argument about Chaucer's suggestions about widows and widowhood, I contend that Chaucer deviated from what moralists and religious authorities assumed to be true about widows rather than society's expectation; both Criseyde and the Wife of Bath move in and out of liminal places so that they may attempt to assert their places.

In a text that seems focused on the play of boundaries between public and private and the significance of place, *Troilus and Criseyde* reveals a departure from other vernacular authors

³⁶ *The Nun's Priest's Tale*, 2821, 2826.

³⁷ Hallissy, *Clean Maids, True Wives, Steadfast Widows*, 2.

through Chaucer's focus on the psychological portrait of Criseyde, who draws on her place in society to illustrate social expectations of widowhood and navigate public and private spaces, actions, and relationships. In her negotiations with the limits of social acceptability, Criseyde reveals the most about privacy and social accountability as she simultaneously seeks to assert herself as an individual while remaining within the boundaries of propriety.³⁸

As a widow and the daughter of a traitor living in Troy, Criseyde is trapped between taking control of her own life and fearing reprisals from her father's defection; she must negotiate her place amongst the inhabitants of the war-torn city as well as society's expectations for her.³⁹ In Chaucer's initial description of her, she is alone, afraid, and lost:

For of hire lif she was ful sore in drede,
 As she that nyste what was best to rede;
 For bothe a widewe was she and alone
 Of any frend to who she dorste hir mone.⁴⁰

Not only does Criseyde fear for her life, but more importantly, she is put out of place. Being out of place implies that her place as a widow has been compromised; therefore, she is displaced and unable to understand her situation. The verb *rede*, defined in the *Middle English Dictionary* as "to read," "to perceive," or "to discern," indicates that she does not know how to read the circumstances in order to judge what to do. Laurel Amtower argues that these lines denote that

³⁸ Much work has been done on Chaucer's adaptation of Boccaccio's *Il Filostrato*, and where relevant, I will point out where Chaucer diverts from Boccaccio's text and for what reasons. For work on Chaucer and Boccaccio, see Michael G. Hanly, *Boccaccio, Beauvais, Chaucer: Troilus and Criseyde: Four Perspectives on Influence* (Norman: Pilgrim Books, 1990); David Wallace, *Chaucer and the Early Writings of Boccaccio* (Woodbridge: D. S. Brewer, 1985); Robert Edwards, *Chaucer and Boccaccio: Antiquity and Modernity* (New York: Palgrave, 2002); Lynn King Morris, *Chaucer Source and Analogue Criticism: A Cross-Referenced Guide* (New York: Garland, 1985); Matthew Giancarlo, "The Structure of Fate and the Devising of History in Chaucer's *Troilus and Criseyde*," *Studies in the Age of Chaucer* 26 (2004): 227-66; Boris Beric, "Boccaccio's *Il Filostrato* and Chaucer's *Troilus and Criseyde*: The Game of Fiction and Actual Life," *Real* 23, no. 2 (1998): 77-90.

³⁹ See Sally Mapstone, "The Origins of Criseyde," in *Medieval Women: Texts and Contexts in Late Medieval Britain*, 131-47, for a discussion on Criseyde's development in medieval texts.

⁴⁰ *T&C*, 1.95-98.

her status as a widow “renders her marginal and vulnerable, unable to act according to her past wont.”⁴¹ But this reading confuses Criseyde’s status as a widow with her position as the daughter of a traitor. Josephine Koster, on the other hand, posits that Criseyde’s *habitus*, or her knowledge of how to behave in her community, stems from her house.⁴² The concept of *habitus* is somewhat similar to Cresswell’s theory of place but it assumes that representations are inherent instead of created or reproduced. Furthermore, I disagree that she conceives of her place through her house; rather she defines it instead through her social position as a widow—in other words, ideologically as opposed to materially.

While her situation as widow may cause her some anxiety, it is her father’s deeds that impede her abilities to read the public and private spaces around her, that put her out of place; without a husband to deflect some of the potential backlash, she bears the burden of any animosity directed at her father. Chaucer explains that she “alday herd at ere / Hire fadres shame, his falseness and tresoun,” causing her confusion and fear.⁴³ Criseyde’s fears are not unjustified. During the twelfth and thirteenth centuries, widows of rebels, thieves, or traitors frequently lost their dowers because of their husbands’ deeds. The law in *Britton*, a compilation of the earliest laws in England that were written in French, states, “the wives of felons . . . shall not hold in dower any tenement assigned by such husbands.”⁴⁴ Criseyde’s situation is slightly different, but Chaucer’s activities at court and knowledge of the law, particularly during the reign of Edward III, make it likely that he would know how the crown treated widows of traitors and thus could

⁴¹ Amtower, “Chaucer’s Sely Widows,” 127.

⁴² See Pierre Bourdieu, *The Field of Cultural Production* (New York: Columbia University Press, 1993); Cresswell, *In Place/Out of Place*, 8-9; and Roberta Gilchrist, *Gender and Archeology* (New York: Routledge, 1999).

⁴³ *T&C*, 1.105-6.

⁴⁴ *Britton*, 2 vols., ed. Francis Morgan Nichols (1865; reprint, Holmes Beach, 1983), I, VI (1:37). See also Cynthia J. Neville, “Widows of War: Edward I and the Women of Scotland during the War of Independence,” in *Wife and Widow in Medieval England*, 109-40. She states that Edward III’s practices in this respect differed very little from those of Edward I. In *Bracton*, however, the law offers an opposing position in that the wife should retain what was hers because her husband was the one at fault, 363-68. Obviously, in this case the customs recorded in *Britton* have superseded *Bracton*. Compare with *Bracton, De Legibus et Consuetudinibus Angliae*, 367-68.

have adapted current events to fit his context. Thus scholars' arguments that Criseyde is a timid or fearful creature look only at her performance, not at the context of her situation.⁴⁵

As upset about the situation as she is, Criseyde, however, does not surrender completely to her emotions, but pleads her case to Hector in order to save herself, her reputation, and her social status. As a widow with no friends, Criseyde is responsible for herself and must speak for herself. While *argue* may be too strong a word for her "pitous vois" and her "tendrelly wepynge," she goes to the highest authority in Troy to help her to read her situation.⁴⁶ Hallissy comments, "Presenting herself thus to Hector, she identifies herself as weak and helpless . . . a pitiful object of charity like the widows in the Old Testament."⁴⁷ But I posit that she is not seeking his charity but to cement her social position. Thus her widowhood is not the problem, nor does it cause her to lack judgment; in fact, it is her place as a widow that allows her to negotiate public space and approach Hector. Furthermore, this scene could be read as a parallel to a fourteenth-century court plea with Hector as one of the aldermen who judge that she is absolved of all crimes and should be treated with honor, "As fer as I may ought enquire or here."⁴⁸ Ironically, this statement has far-reaching implications that are both positive and negative—first, he is *watching out* for her, and second, he is *watching* her. While Criseyde may be relieved to be absolved from her father's crimes, she now has Hector's eyes and ears—his attention—on her whether she wants it or not.

A combination of the watchful attentions of Hector, her liminal status as a widow, and her father's defection to the Greek camp creates within Criseyde a hypersensitive awareness of

⁴⁵ Criseyde's timidity has been considered by a variety of scholars. Hallissy asserts that "Chaucer maintains audience sympathy by associating Criseyde with the idea of the widow as a *persona miserabilis*," 145; while Alastair Minnis and Eric J. Johnson in "Chaucer's Criseyde and Feminine Fear," in *Medieval Women*, locate her fear in dispossession and dread, and as "the reflexive concern for one's personal well-being in moments of difficulty or danger," 204, 199-216.

⁴⁶ *T&C*, 1.111.

⁴⁷ Hallissy, *Clean Maids, True Wives, Steadfast Widows*, 145-46. Kevin Brownlee credits Christine de Pizan with positioning herself similarly as the victim of her circumstances, in "Widowhood, Sexuality, and Gender in Christine de Pizan," *Romantic Review* 86 (1995): 339-53.

⁴⁸ *T&C*, 1.123.

any social implications that may arise from her activities. In her defense, she surrounds herself with servants and attendants as would reflect her honor and speak well of her, in a way opening her private house to the public. Hallissy comments that she “resumes life as a proper widow.”⁴⁹

Criseyde uses her place as a widow to position herself in society, attempting to control or limit the public’s (and Hector’s) access to her person and her activities. One such occasion occurs at the temple, a mandatory social gathering in which public and private intersect. Trojan society notices her:

Nas nevere yet seyn thyng to ben preysed derre,
 Nor under cloude blak so bright a sterre
 As was Criseyde, as folk seyde everichone
 That hir behelded in hir blak wede.
 And yet she stood ful lowe and stille allone,
 Byhinden other folk, in litel brede,
 And neigh the dore, ay undre shames drede
 Simple of atir and debonaire of chere
 With ful assured lokyng and manere.⁵⁰

Despite Criseyde’s placement, her beauty and her widow’s clothing help her to stand out.

Criseyde takes up only a small space and stands in the back because she correctly reads her situation; Hector’s support aside (or maybe because of it), she is cognizant of the tenuousness of her position in Troy. Her physical position expresses fear and avoidance while her gaze implies confidence. The gaze of the Trojans, on the other hand, is both probing and admiring. Hallissy maintains that Criseyde only gives the appearance of proper behavior here because as a widow

⁴⁹ Hallissy, *Clean Maids, True Wives, Steadfast Widows*, 146.

⁵⁰ *T&C*, 1.174-82.

she should have refrained from any entertainments; she cites her position by the door as a “well-known vulgar image of sexual availability” that allows Troilus the opportunity to see her.⁵¹

However, I contend that Criseyde positions herself properly: present but not obvious, visible but not available.

Criseyde’s clothing is a further indication of her place in society. The emphasis on what she wears and where she wears it is a signal of position, availability, wealth, and social status.

Her appearance in the temple allows Trojan society to place her:

She nas nat with the leste of hire stature,
 But alle hire lymes so wel answeyng
 Weren to wommanhod, that creature
 Was nevere lasse mannyssh in semyng;
 And ek the pure wise of hire mevyng
 Shewed wel that men myght in hire gesse
 Honour, estat, an wommanly noblesse.⁵²

In addition to her black weeds, her bearing, and her movement, everything about her outward appearance reveals her social place. Particularly in the fourteenth century, the regulation of dress was strictly enforced by sumptuary laws; wealth and status structured who wore which fibers, jewels, or styles.⁵³ Laura F. Hodges maintains that Chaucer’s initial description of her in her widow’s weeds would have positioned her for a fourteenth-century audience. Hodges states:

⁵¹ Hallissy, *Clean Maids, True Wives, Steadfast Widows*, 147. She suggests that open spaces represent threats to women’s chastity: “The virtuous young maiden, wife, or widow demonstrates and preserves her virtue by living behind walls. Threats to chastity are represented by the house’s apertures – doors, windows, and gates– and even more strongly by the open street or other undefined spaces,” 89.

⁵² *T&C*, 1.281-87.

⁵³ For a discussion of clothing, culture, and place, see Margaret Rose Jaster, “‘Clothing Themselves in Acres’: Apparel and Impoverishment in Medieval and Early Modern England,” *Medieval Clothing and Textiles* 2, ed. Robin Netherton and Gale R. Owen-Crocker (Woodbridge: Boydell, 2006), 91-99; Andrea Denny-Brown, “Rips and Slits: The Torn Garment and the Medieval Self,” in *Clothing Culture, 1350-1650*, ed. Catherine Richardson (Burlington,

the narrator underscores the importance of this costume image and what it signifies: Criseyde's status as a bereaved wife, her prosperous economic status as indicated by the samite and the amplitude of her robe, her state of being alone and vulnerable as well as possibly available for courtship and/marriage, and the lustrous allure of the feminine image for Troilus. Further, and beyond the social, economic and sensual implications of this costume, widow's weeds imply mutability—the instability of Fortune and life.⁵⁴

Her widow's clothing marks her displacement from marriage and her new place in society as a widow. It is a revealing and public statement that simultaneously offers information while limiting access to her body.

Criseyde is conscious of the obvious gaze emanating from both Hector and the Trojan public, the gaze that extends from her clothing to her comportment. So soon after her husband's death and her father's defection, she is unwilling to transgress overtly or to completely resist the social expectations that apply to her. In the first of many of Pandarus's socially inappropriate suggestions, he attempts to place her, trying to convince her to change from widow's weeds into brighter clothing and dance as if she were free: "Do wey youre barbe, and shew youre face bare; / Do wey youre book, rys up, and late us daunce / And lat us don to May som observaunce."⁵⁵

Urging her to appear free and/or available simultaneously suggests that she reject her widowhood and that she thumb her nose at Trojan social expectations, while his reference to

VT: Ashgate, 2004), 223-37; Alan Hunt, "The Governance of Consumption: Sumptuary Laws and Shifting Forms of Regulation," in *The Consumption Reader*, ed. David B. Clarke, Marcus A. Doel, and Kate M. L. Housiaux (London: Routledge, 2003), 62-68.

⁵⁴ Hodges, "Criseyde's 'Widews habit large of samyt broun,'" in *New Perspectives on Criseyde*, 43.

⁵⁵ *T&C*, 2.110-12.

May observances plays on her previous sexual experiences.⁵⁶ Hodges comments that Pandarus considers her “barbe” as “synecdoche for her entire mourning costume.”⁵⁷ The wimple covers her hair and the weeds cover her body, thus limiting access to her sexuality, her body, and herself. Moreover, acting passionately, dancing and changing clothes, associates Criseyde with her father and as a traitor instead of an independent widow.

Unlike her initial confusion after her father’s defection, now Criseyde knows how to judge social spaces, and she rejects his improper suggestion. She states:

“! God forbedel!” quod she. “Be ye mad?
 Is that a widewes lif, so God yow save?
 By God, ye maken me ryght soore adrad!
 Ye ben so wylde, it semeth as ye rave.
 It satte me wel bet ay in a cave
 To bidde and rede on holy seyntes lyves;
 Lat maydens gon to daunce, and yonge wyves.”⁵⁸

Criseyde’s comments echo moralist commentary on widows. While she may utilize the “court system” via Hector, she must observe the proper mourning ritual—as she labels it, the widow’s life—for her deceased husband and leave the place of dancing to other women. Her statement about living in a cave like a saint, such as Mary the Egyptian, reading saints’ lives is an ironic reference to how she must stay cloistered in her house. Yet she does rebel a little against these expectations, reading romances instead of religious texts. Criseyde tells Pandarus that she is “of

⁵⁶ This becomes ironic later in the poem when Criseyde flouts the public standards by engaging in an affair. Perhaps because of the secret nature of the affair, the Trojans accept it, and Criseyde can accept its position outside of society.

⁵⁷ Hodges, “Criseyde’s ‘Widews habit,’” in *New Perspectives on Criseyde*, 43.

⁵⁸ *T&C*, 2.113-19.

the Grekes so fered that I deye,”⁵⁹ intimating that if she does not observe the Trojans’ social necessities, they will indeed send her to the Greek camp to join her father.

Before entering into the affair with Troilus, Criseyde considers her options and her life. She has already been urged by Pandarus to “plese hym fro day to day” and has spied him from her window.⁶⁰ Concerned about her reputation, she must decide if love, if any man, or if Troilus is worth it. In a very telling moment, she plainly states the benefits of widowhood:

“I am myn owene womman, wel at ese —
 I thank it God — as after myn estat,
 Right yong, and stonde unteyd in lusty leese,
 Withouten jalousie or swich debat:
 Shal noon housbonde seyn to me ‘Chek mate’
 For either they ben ful of jalousie,
 Or maisterful, or loven novelrie.”⁶¹

As a widow, Criseyde is answerable to no one else; free to do as she chooses, within reason and propriety. She has money and no controlling husband to tell her what to do. These comments about jealous, domineering, or faithless husbands suggest stereotypical behaviors, and potentially, Criseyde’s dead husband had one of these characteristics. Engaging in an affair necessitates that she decide whether her self-determination, her current place, is worth love: “Allas! Syn I am free, / Sholde I nowe love, and put in jupartie, / My sikernesse, and thrallen libertee?”⁶² Thus when she decides to engage in the affair, she demands control over her love affair with Troilus through its privacy; furthermore, Criseyde respects the social expectations of

⁵⁹ Ibid., 2.124.

⁶⁰ Ibid., 2.479.

⁶¹ Ibid., 2.750-56.

⁶² Ibid., 2.771-73.

her community and performs accordingly. Discussing women's power, Joan Ferrante posits that "Outwardly many accept the role society expects them to play, that of the quiet figure with no public voice, but secretly, they subvert it often to serious effect."⁶³ Although Pandarus pushes and prods both Criseyde and Troilus into the affair, once engaged Criseyde controls the relationship. Further her background as a classical pagan heroine mitigates any moralists' reaction of impropriety.

As a foil to Criseyde, Troilus demonstrates how place affects his identity within the public and private realms; he is a masculine example of the relationship between place and men. In comparison to Criseyde's (dis)placement, Troilus's place is assured and public. As the prince of the town and a hardy warrior, Troilus is a public figure. Unlike Criseyde, he is not at the back of the crowd, but at its forefront, whether he is critiquing the ladies at the temple or parading down the street after returning from battling against the Greeks. At one point during one of the parades, he does "wex a litel reed for shame / When he the peple upon hym herde cryen" from all of the attention that he receives.⁶⁴ Although he may blush, he cannot avoid the public gaze. Even the narrator remarks on the adoration of the public: "And in the town his manere tho forth ay / So goodly way, and gat hym so in grace, / That ecch hym loved that loked on his face;"⁶⁵ his social self simultaneously reminds the Trojans of war and symbolizes martial success. Because Troilus is inherently a public figure while Criseyde is (dis)placed, their places ultimately work against them, driving them toward an ill-fated union.

In addition to her figurative positioning in Trojan society through her general comportment and her dress, Criseyde also depicts the internalization of thoughts, and further,

⁶³ Ferrante, "Public Postures and Private Maneuvers: Roles Medieval Women Play," in *Women and Power in the Middle Ages*, 213.

⁶⁴ *T&C*, 2.645-46.

⁶⁵ *Ibid.*, 1.1076-78.

women's thoughts. Previous to Chaucer's *Criseyde*, medieval examples of internal contemplation came from monastics or philosophers, and rarely heroines in romances or epics. Indeed, Boccaccio's *Il Filostrato* depicts a significantly less introspective Criseida, whose concerns regarding the affair focus on being shamed. Whereas Chaucer's *Criseyde* retreats into a small closet, or private room off of her bedchamber, Boccaccio's Criseida only withdraws to a corner of her room where other people rarely are; Chaucer's employment of an additional room further accentuates *Criseyde*'s desire for privacy as well as what one must do to achieve solitude. Throughout the text, *Criseyde* retires to her own private place to think, read, and write:

And streght into hire chambre gan she gon;
 But of her besynesses this was on —
 Amonges othere thynges, out of drede —
 Ful pryvely this lettre for to rede.⁶⁶

Instead of reading Troilus's letter in front of Pandarus or her ladies, she seeks the solitude of her closet. She returns again and again to her chamber, or her closet, for the most intense introspective moments. These moments of introspection from a woman denote a departure from many other Middle English romance authors from whom we only get action; Chaucer adds detail, creating a richer, more life-like character. *Criseyde*'s realizations of self and knowledge are motivated by assertions of agency, created by her widowhood. Sarah Stanbury argues that in Chaucer, "women's privacy takes on a life of its own as territory of the self, however subject to invasion that space may be. Within the domestic sphere Chaucer's women annex privacy, demanding and spatializing thought in the material form of secret letters. In this alliance between thought, written language, and inhabited space, Chaucer materializes, in however fragile a way,

⁶⁶ *Ibid.*, 2.1173-76.

the privacy of his female subjects as a right to seclusion.”⁶⁷ It is on her own, alone, that she decides her interest in Troilus. Pandarus may lead her there, but the final decision is hers alone. Stephen Knight notes that her “essential being and knowing is inward and private,” and I contend that knowledge grows from her understanding of her place.⁶⁸

Although Criseyde remains in Troy for several years, in the end she becomes a pawn in men’s war, (dis)placed from her home for the unknown; her greatest fear finally manifests itself. By granting the exchange for Antenor, the parliament (dis)places Criseyde, sending her back into her father’s care. In the parliament Hector is the only one who stands up for Criseyde, saying “We usen here no wommen for to selle,”⁶⁹ indicating that he recognizes her sovereignty and that he remembers his initial promise to her. Yet in this moment, Criseyde, whose needs and desires have no place in Trojan society, loses all of the freedom she held so important. The irony, the narrator divulges, is Antenor’s betrayal of Troy in the end. Criseyde’s desire to remain a private individual and to follow most of society’s rule causes her to become an object—the one place she rejected; her independence as a widow now hinders her liberty.

Criseyde’s position in the Greek camp is even more tenuous than it was in Troy initially. Although she might have been returned to her father, she is not safely under his protection—in fact, she has no protection. Her widowhood no longer allows her liberty but encourages danger, and she is as much a pragmatist about her situation as she was in Troy. While much has been made about her choice of Diomedes over Troilus, Criseyde ultimately has no choice. She has been (dis)placed in the worst way, from her own agency.

⁶⁷ Stanbury, “Women’s Letters and Private Space in Chaucer,” 285. For more on women and reading, see Jocelyn Wogan-Browne, “‘Cest livre liseez . . . chescun jour’: Women and Reading c. 1230-1430,” in *Language and Culture in Medieval Britain*, ed. Jocelyn Wogan-Browne et al. (Woodbridge: York Medieval Press, 2009), 239-53.

⁶⁸ Knight, *Geoffrey Chaucer*, 48.

⁶⁹ *T&C*, 4.182.

In comparison to the (dis)placed Criseyde, Alison, the Wife of Bath in *The Canterbury Tales*, is simultaneously (dis)placed and (mis)placed. More unconcerned with society's eye and thus its expectations for her, she engages the discourse about what it means to be a widow and to be a wife. (Dis)placed from her married status by the death of her husband, she does much "wandrynge by the weye" while searching for her next life partner.⁷⁰ Her portrait in the *General Prologue* introduces her as a weaver, a widow, a wife, and a wayfairer, a woman who fits into a variety of places in medieval society. What she says about herself simultaneously reveals the social anxiety centered on women alone, (dis)placed from marriage and husband, and how widows resist the boundaries of place.⁷¹

More so than being (dis)placed, the Wife of Bath is (mis)placed. From her designation as a *wif* to her own perception of herself as a wife, she is wrongly placed and therefore wrongly understood. As a member of the pilgrimage, Chaucer comments that "A good WIF was ther OF biside BATHE,"⁷² labeling her first as a *wif* and then as a weaver. The term *wif* has multiple meanings, which the *Middle English Dictionary* first defines as woman and secondly as wife.⁷³ The first definition positions her as woman—a sexually active woman at that—and the second is who she wants to be, in the place where she would rather see herself, but nowhere does the word *wif* indicate her current position as a widow.⁷⁴ This confusion of labels (mis)places her literally as well as figuratively.

⁷⁰ *General Prologue*, 466.

⁷¹ For other considerations of the Wife of Bath and conduct, see Juliette Dor, "The Wife of Bath's 'Wandrynge by the Weye' and Conduct Literature for Women," in *Drama Narrative and Poetry in the Canterbury Tales*, ed. Wendy Harding (Toulouse: Presses Universitaires du Mirail, 2003), 139-56.

⁷² *General Prologue*, 445.

⁷³ "Wif," *Middle English Dictionary*, accessed 16 March 2012, <http://quod.lib.umich.edu/m/mec/>.

⁷⁴ For a further discussion of *wif*, see Tara Williams, *Inventing Womanhood: Gender and Language in Later Middle English Writing* (Columbus: Ohio State University Press, 2011), 2-30.

Simultaneously, scholars (mis)place the Wife of Bath in their readings of her. She has been called a feminist, a trouble-maker, an “extravagant character,” and the vehicle through which Chaucer comments on fourteenth-century religion.⁷⁵ S. H. Rigby describes the variety of criticism on the Wife of Bath:

Famously, scholars have been divided into two irreconcilable camps. On the one hand are those critics who argue that Chaucer intends us to take seriously the Wife’s defence of women against their clerical detractors. Critics from a variety of otherwise-opposed critical paradigms, ranging from the humanist to the feminist, post-structuralist, and Marxist, have been able to find in the Wife’s arguments a plausible defence of women against the misogamy and misogyny which were so prevalent in medieval culture. . . . On the other hand are those critics, again drawn from a wide variety of theoretical perspectives ranging from patristic criticism to feminism, who argue that the Wife does not provide a

⁷⁵ Dor, “The Wife of Bath’s ‘Wandrynge by the Weye’ and Conduct Literature for Women,” in *Drama Narrative and Poetry in ‘The Canterbury Tales,’* 140. The Wife of Bath is a highly discussed, highly disagreed upon subject, cf. Kenneth J. Oberembt, “Chaucer’s Anti-misogynist Wife of Bath,” *Chaucer Review* 10, no. 4 (1976): 287-302; James Spisak, “Anti-feminism Unbridled: Two Rhetorical Contexts,” *Neuphilologische Mitteilungen* 81 (1980): 152, 156-57, 160; Barbara Gottfried, “Conflict and Relationship, Sovereignty and Survival: Parables of Power in the *Wife of Bath’s Prologue*,” *Chaucer Review* 19, no. 3 (1985): 202-24, specifically, 206-7; Ian Bishop, *The Narrative Art of the Canterbury Tales* (London: J. M. Dent & Sons, 1988), 121-22; Carolyn Dinshaw, *Chaucer’s Sexual Poetics* (Madison: University of Wisconsin Press, 1989), 114-26; Peggy A. Knapp, “Alisoun of Bath and the Reappropriation of Tradition,” *Chaucer Review* 24, no. 1 (1989): 50-51; Ralph Hanna, “*Compilatio* and the Wife of Bath: Latin Backgrounds, Ricardian Texts,” in *Latin and Vernacular: Studies in Late Medieval Texts and Manuscripts*, ed. Alastair J. Minnis (Cambridge: D. S. Brewer, 1989), 5-11; Priscilla Martin, *Chaucer’s Women: Nuns, Wives and Amazons* (Basingstoke: Palgrave Macmillan, 1990), 210-17; Jerry Root, “‘Space to speke’: The Wife of Bath and the Discourse of Confession,” *Chaucer Review* 28, no. 3 (1994): 252-74; Mary Carruthers, “The Wife of Bath and the Painting of Lions,” *PMLA* 94, no. 2 (Winter 1979): 209-22; Beverly Kennedy, “The Variant Passages in the Wife of Bath’s Prologue and the Textual Transmission of the *Canterbury Tales*: The ‘Great Tradition,’” in *Women, the Book and the Worldly*, vol. 2, ed. Lesley Smith and Jane H. M. Taylor (Cambridge: D. S. Brewer, 1995), 85-101; Joyce Coleman, *Public Reading and the Reading Public in Late Medieval England and France*, 166, 185; Warren S. Smith, “The Wife of Bath Debates Jerome,” *Chaucer Review* 32, no. 2 (1997): 129-30, 143; Susanne Sara Thomas, “What the Man of Law Can’t Say: The Buried Legal Argument of the *Wife of Bath’s Prologue*,” *Chaucer Review* 31, no. 3 (1997), 257-71.

refutation of medieval stereotypes of women but is herself meant as the supreme embodiment and confirmation of such stereotypes.⁷⁶

The variety of ways to interpret Alison and her tale seem to speak more to our modern sensibilities than they do to medieval sensibilities and potentially to Chaucer. By studying her prologue in relation to her social context as a widow, however, it becomes easier to understand her, although perhaps not easier to understand what Chaucer intends.

From her first words in the prologue to her tale, the Wife of Bath positions herself contrary to the moralist's view of a proper widow. Experience, she tells us, trumps any written authority, and experience is something she has plenty of. The Wife places herself as an authority by comparing what she has learned by living her life to the message that religious writers send, albeit getting their meanings wrong. Theresa Tinkle comments, "the Wife of Bath's self-interested exegesis recalls the women's position: she too seeks in Scripture only what will legitimate her desire for remarriage, talking back to the authorities who counsel sexual renunciation."⁷⁷ Medieval women who dared to enter into the men's world of knowledge and dialogue were invariably asking for insult. Barrie Ruth Straus explains the anxiety that surrounds the Wife's commentary:

If a woman does enter the serious world of public, masculine discourse, her talk can be trivial at best. Under the guise of knowing her place, the Wife proceeds to transgress it. Entitling herself to speak, she refuses to be constrained as to what she will address. Indeed, she will speak about the entire issue of who may speak and who may not, and on what authority.⁷⁸

⁷⁶ Rigby, "The Wife of Bath, Christine de Pizan, and the Medieval Case for Women," 133-34.

⁷⁷ Tinkle, "Contested Authority: Jerome and the Wife of Bath on I Timothy 2," 268.

⁷⁸ Straus, "The Subversive Discourse of the Wife of Bath: Phallogocentric Discourse and the Imprisonment of Criticism," 529.

Alison understands that a dilemma exists which (dis)places her from holding authority; thus she addresses it and then transcends the dilemma, including herself in the traditionally masculine conversation. In doing so, Alison refuses to be placed—placed as a widow and restricted from (multiple) remarriage, placed in the private, woman’s sphere, and placed as someone who needs to be led.

Alison’s placement of herself as an active, public woman gives her power and agency. As she discusses each of her prior relationships and how she was able to control her husbands, her resistance to medieval ideals of womanhood reveals itself more and more. Tison Pugh asserts that “Alison’s vexed relationship with men—both her husbands and the male pilgrims with whom she travels—lies not merely in their gender but in their participation in and endorsement of heteronormative codes of sexual behaviors.”⁷⁹ Alison repeatedly rejects those norms; the most obvious demonstration is her dismissal of Jankyn’s book of wicked wives, which advances the proper place of women. Theresa Tinkle, on the other hand, claims Alison’s refusal to adhere to acceptable behavior is not problematic because “woman epitomizes disorder; this ‘fact’ at once excuses her unruliness and rationalizes her subordination.”⁸⁰ Therefore, the Wife can transgress her place because of her gender and further because of her lack of a husband. Through this reading, anything that Alison says becomes suspect because of her gender. Pugh also maintains that her status grows through words:

The Wife of Bath gains power both as a member of the story-telling audience and as a teller in her own right through the rhetorical force of genre. By participating in the construction of generic tropes, she privileges certain aspects of fabliau and undermines tropes of romance. Rather than waging her war with predetermined

⁷⁹ Pugh, “Queering Genres, Battering Males,” 117.

⁸⁰ Tinkle, “Contested Authority,” 290.

weapons, ones that would have been fashioned by the male story-tellers prior to her and that would thus ultimately undermine her feminist agenda, she creates new weapons through her aggressive reformulations of romance and fabliau.⁸¹

Thus, it is not only because she transgresses place, it is that she transgresses it through speech. By telling her stories—both her life’s story and her tale—she causes us to question social expectations of people and places, and how those work together.

In addition to her appropriation of language, the Wife’s entire lifestyle contradicts how a moralist suggests that a widow should live. Juliette Dor comments that “some of the rules that she infringes are so conspicuous that, unquestionably, her conduct must have been identified as unacceptable according to established standards.”⁸² She speaks freely and openly about aspects of her life that should remain private, such as her lack of grief at her fourth husband’s funeral or her invitation to Jankyn to become her fifth husband while her fourth was still alive. Rigby contrasts Alison’s lifestyle with the lifestyle not only prescribed but lived by Christine de Pizan: “As a widow too, she systematically contravenes the sorts of behavior recommended to women by didactic writers such as Christine, a writer whose status as a virtuous widow was itself a key element in her own literary self-representation.”⁸³ Alison’s virtues are her earnestness and willingness to create her own place.

Alison’s open desire for sex illustrates another aspect of the social anxiety of widowhood. Sexually active since she was twelve, Alison speaks openly about illicit as well as licit sex. She proclaims,

⁸¹ Pugh, “Queering Genres, Battering Males,” 118-19.

⁸² Dor, “The Wife of Bath’s ‘Wandrynge by the Weye’ and Conduct Literature for Women,” in *Drama Narrative and Poetry in the Canterbury Tales*, 140.

⁸³ Rigby, “The Wife of Bath, Christine de Pizan, and the Medieval Case for Women,” 148.

“Myn housbonde shal it have bothe eve and morwe,
 Whan that hym list come forth and paye his dette.
 An housbonde I wol have — I wol nat lette —
 Which shal be bothe my dettour and my thral,
 And have his tribulacion withal
 Upon his flessch, whil that I am his wyf.⁸⁴

Here Alison demands equality in the bedroom from her husbands. She is happy to give her body willingly and receive her husband’s body willingly as well. But her lust suggests her resistance to the chastity of widowhood, and she reveals her admiration for Jankyn’s legs: “me thoughte he hadde a paire / Of legges and of feet so clene and faire / That al myn herte I yaf unto his hoold.”⁸⁵ Not driven by any practical matters, the Wife of Bath falls in lust or love over a young man’s attractive pair of legs.

Ambrose’s ideal widow includes a comment on age; he says, “the merits of the widow are the duties of old age. For she certainly is the more noble who represses the heat of youth, and the impetuous ardour of youthful age, desiring neither the tenderness of a husband, nor the abundant delights of children, rather than one who, now worn out in body, cold in age, of ripe years, can neither grow warm with pleasures, nor hope for offspring”⁸⁶ [sed quo viduitatis merita stipendia sint senectutis. Nam utique illa praeclarior, quae calorem adolescentiae, et junioris fervescentem edomat aetatis ardorem; nec mariti gratiam, nec uberiora liberorum oblectamenta desiderans: quam quae effeta jam corpore, frigida senectute, matura aevi, nec calere voluptatibus

⁸⁴ *The Wife of Bath’s Prologue*, 152-57.

⁸⁵ *The Wife of Bath’s Prologue*, 597-99.

⁸⁶ Ambrose, *Concerning Widows*, in *The Nicene and Post-Nicene Fathers*, 16.2.9.

potest, nec sperare de partu].⁸⁷ Alison's place is in this category, particularly through her age and her reproductive capabilities. She, however, does not see herself here at all, as her confession demonstrates. Desirous of another husband, full of passion, desire, and "the heat of youth," the wife belongs in another place altogether.

Conduct literature, on the other hand, prescribes a morally acceptable place for widows in society: unmarried but devoted to contemplation and charitable works. Their place was not to be actively in the world or in the public sphere, but to skirt the margins of it, doing only the traditional good deeds. Nancy Armstrong and Leonard Tennenhouse suggest that such information was "used primarily to essentialize women, to fix their natures, and in this way to remove them from the theater of political events that nature has apparently designated for men."⁸⁸ During the fourteenth and fifteenth centuries, much of the conduct literature was written for young men or women to teach them courtesy in and out of marriage. Part of the education for girls and young women included learning proper behavior for widowhood.⁸⁹

Caxton's English translation of Geoffrey de la Tour Landry's *Livre du chevalier de La Tour Landry pour l'enseignement de ses filles* or *The Book of the Knight of the Tower* illustrates good and bad behavior of widows in several exempla.⁹⁰ Translated in 1484 and printed at the

⁸⁷ Ambrosius Mediolanensis, *De Viduis*, in *Patrologia Latina* 16.2.9, accessed 16 March 2012, <http://pld.chadwyck.co.uk>.

⁸⁸ Armstrong and Tennenhouse, "The Literature of Conduct, the Conduct of Literature, and the Politics of Desire," in *The Ideology of Conduct*, 2.

⁸⁹ Medieval conduct literature includes texts such as "How the Goode Wife Taught Hyr Doughter" and "How the Goode Man Taught Hys Sone," which instructed young men and women on their proper behavior in marriage. For a variety of conduct texts including those aforementioned, see Fredrick J. Furnivall, *The Babees Book*, *Aristotle's ABC*, *Urbanitatis*, *Stans Puer ad Mensam*, *The Lytille Childrenes Lytil Boke*, *The Bokes of Nurture of Hugh Rhodes and John Russell*, *Wynkyn de Worde's Book of Kervynge*, *The Booke of Demeanor*, *The Boke of Curtasye*, *Seager's Schoole of Vertue*, etc. etc. with some French and Latin Poems on Like Subjects and Some Forewords on Education in Early England, EETS 32 (London: N. Trübner, 1868, rpt. New York: Greenwood Press, 1969).

⁹⁰ Written for his unmarried daughters in 1371, the manual is a compilation of moral guidelines, through which Geoffrey advises his daughters on society's religious and social expectations of them, or in other words, their place. Not only does it include traditional exempla, but Geoffrey also tells stories about people whom he and the girls would have known, personalizing his advice. For details on Geoffrey's background and the French text, see M.Y. Offord, "Introduction," in *Book of the Knight of the Tower*, xii-xlv. For further discussion on Geoffrey de la Tour

behest of a “noble lady,” the text begins with Caxton’s prologue, stating explicitly that these rules will benefit a woman in all stages of her life: “this book is a special doctryne & techyng by which al yong gentyl wymen specially may lerne to behaue them self virtuously / as wel in their vyrgynyte as in their wedlock & wedowhede.”⁹¹ For most aristocratic women or young women in the rising merchant class, these are their only options.

In back-to-back exempla toward the end of the text, Geoffrey portrays twin virtues and vices using bad and good behavior of widows. In the first exemplum, “How the deuylle tempteth many one of the synne / where as he fyndeth them most wyllyinge and redy to /,” Geoffrey describes a widow’s greed and its results. This woman, a “grete lady” who was “longe tyme in thestate of wedowhede,”⁹² lies on her deathbed only concerned with her treasure. She

made the cheste where as her tresoure was in to be sealed / and had the keye to be brought vnto her whiche she put in a lynen clothe vnder her bak The dethe danne fast vpon her / and she whiche had euer thouzt to her tresour / lyfte vp her hand makynge signe or token / that none shold approche ne come to her back / And thus she dyd stylle / tulle that she deyde and rendryd her sowle oute of her body.⁹³

Instead of praying and contemplating God or salvation, she is completely consumed with thoughts of her treasure that she has locked away, and refuses help but from one other person.

After her death, her daughter discovers at least thirty thousand pounds of gold and treasure

Landry’s manual, see Anne Marie de Gendt, “Autobiography as a Rhetorical Strategy in the *Livre du chevalier de la Tour Landry pour L’Enseignement de ses filles*,” *Mediaevalia* 23 (2002): 61-74; Roberta L. Krueger, “Intergeneric Combination and the Anxiety of Gender in *Le Livre du Chevalier de la Tour Landry pour l’enseignement de ses filles*,” *L’Esprit Créateur* 33, no. 4 (1993): 61-72; Anne Marie de Gendt, *L’art d’éduquer les nobles damoiselles: le Livre du chevalier de la Tour Landry* (Paris: Champion, 2003); Mark Addison Amos, “Violent Heirarchies: Disciplining Women and Merchant Capitalists in *The Book of the Knyght of the Towre*,” in *Caxton’s Trace: Studies in the History of English Printing*, ed. William Kuskin, 69-100 (Notre Dame: University of Notre Dame Press, 2006); Gavin Richardson, “Sex and Secrecy in Medieval Antifeminist Proverbs,” *Proverbium* 22 (2005): 321-36.

⁹¹ Caxton, *Book of the Knight of the Tower*, 3. Henceforth cited as *Knight of the Tower*. Rebecca Barnhouse offers that the lady may be Queen Elizabeth Woodville, widow of Edward IV, who had five unmarried daughters; see *The Book of the Knight of the Tower: Manners for Young Women* (New York: Palgrave Macmillan, 2006).

⁹² *Knight of the Tower*, 179.

⁹³ *Ibid.*, 179-80.

hidden in the chest. Everyone is surprised because the widow “sware & made grete othes to them that she had no money ne syluer” except a single cup and plate;⁹⁴ moreover, she never lent money to those in need, but in fact, borrowed money from her servants. In the end, the daughter takes the money and forgets completely her mother, never offering a mass for her, and thus bad behavior begets more bad behavior.

The moral of the exemplum, however, reiterates exemplary behavior. Unwilling to assume that his daughters understand his meaning, Geoffrey articulates the main points of the lesson. He first explains where the widow behaves wrongly and then delivers his advice. According to Geoffrey, although this widow retreated from the world, she did no good for anyone:

By this ensample may ye knowe how the deuyll is subtyll to tempte the dolke of the synne where he seeth them most entatched/ & soo fast he holdeth them in it/ that they maye not leuve it/ withoute to be thereof Confessyd/ and maketh them his seruantes as he dyd the forsayd lady/ For he dyd so moche that she was subgette and seruante to her gold . . . And therefore my fayre doughters here is a good ensample / that yf it befelle that god of his grace sende yow ony grete good that ye departe largely of hit to the poure folke in the worship of god and for loue of him/ And specially to your poure parentes and neyghbours/ and leue it not to be departed by the hands of your heyres as dyde this lady for whome after her dethe was neuer masse ne none other good done for her.⁹⁵

This widow’s life and death demonstrate multiple moral errors. She has (mis)placed her devotion to God, and (re)placed it with devotion to gold. Because she was not in the right place with the

⁹⁴ Ibid., 180.

⁹⁵ Ibid., 180-81.

right attitude, the widow was tempted and caught in the devil's snare. Ironically, the one thing that she does not want to happen occurs: people discover that she has wealth and take it away. Furthermore, she offers a poor example for her daughter who does nothing to alleviate any of her purgatorial suffering.

Immediately after the story of a greedy widow, Geoffrey contrasts her behavior with a virtuous and charitable widow, saying "I wylle telle yow contrary to this."⁹⁶ Every aspect of this woman's character, from her support of her neighbors to her daily prayers, advocates the socially desirable behavior of a widow; even the title labels the tale as "The example of a good wydowe":

She was of a holy lyf/ moche humble & [m vj] honourable/ as she whiche eury yere kepte and held a Feste vpon Crystemasse day of her neyghbours bothe ferre and nere tyll her halle was ful of them/ She serued and honoured eche one after to his degree/ And specially she bare grete reuerence to the good and trewe wymmen/ and to them whiche had deseruyd to be worshipped . . . Also she wente to the obseque of the poure gentyll wymmen/ and gaf there torches and all suche other luminary as it neded therto/ Her dayly ordenaunce was that she rose erly ynough/ and had euer Freres and two or thre chappellayns whiche sayd matyns before her within her oratorye/ And after she herd a hyghe masse and two lowe/ And said her seruyse full deuoutely/ And after this she wente and arayed her self/ and walked in her gardyn or else aboute her place sayenge her other deuociions & prayers . . . And after dyner yf she wyste and knewe ony seke folke or wymmen in theyr childbedde she went to see and vysyted them/ and made to be brouzt to them of her best mete. . . And after she had herd euensonge/ she wente to her

⁹⁶ Ibid., 181.

souper yf she fasted not . . . and wered the hyre vpon the Wednesday and vpon the fryday.⁹⁷

In this exemplum in particular, Geoffrey speaks from direct experience as the widow is his grandmother, Cecyle of Balleuylle. This paragon of a woman reflects Geoffrey's ideal characteristics as well as those of society. Although she died when he was only ten years old, he states that he has heard only "fayre and prouffytale talking of this good lady."⁹⁸ As society's ideal, she lives a private life consumed with her devotion to God and to charitable works. As a lesson to women, she depicts the negation of sexuality and public interactions that are limited to feeding, clothing, and praying for her neighbors (while wearing a hair shirt at least twice weekly). With exacting detail, Geoffrey fully defines a widow's place and discourages deviation from these expectations; unlike Chaucer's Wife of Bath, Cecyle of Balleuylle is a perfect model of comportment and piety.

Geoffrey's portrait of his grandmother corresponds exactly to the traits that Ambrose proclaims are necessary for perfect widowhood. In his text, *Concerning Widows*, he observes:

You see what sort of person a widow is said to be, the wife of one man, tested also by the progress of age, vigorous in religion, and worn out in body, whose resting-place is the temple, whose conversation is prayer, whose life is fasting, who in the times of day and night by a service of unwearied devotion, though the body acknowledge old age, yet knows no age in her piety. Thus is a widow trained from her youth, thus is she spoken of in her age, who has kept her

⁹⁷ Ibid., 181-82.

⁹⁸ Ibid., 182-83.

widowhood not through the chance of time, nor through weakness of body, but by large-heartedness in virtue.⁹⁹

[Vides qualis vidua praedicetur, unius viri uxor, aetatis quoque jam probata processu, vivida religioni, et effeta jam corpore: cui diversorium in templo, colloquium in prece, vita in jejunio: quae dierum noctiumque temporibus indefessae devotionis obsequio, cum corporis agnosceret senectutem, pietatis tamen nesciret aetatem. Sic instituitur a juventute vidua, sic praedicatur in senectute veterana: quae viduitatem non occasione temporis, non imbecillitate corporis, sed virtutis magnanimitate servaverit.]¹⁰⁰

From the acts of devotion that range from daily prayers, masses, and wearing a hair shirt to fasting through meals, Cecyle of Balleuylle fulfills all of the parameters of not only Ambrose's criteria but most of the other moralists.

Geoffrey organizes the moral of this exemplum identically to his previous model, proffering a reminder and a warning. The list of virtues exemplifies good and honorable qualities while the warning admonishes against wickedness:

she was the most humble and the most good and curtoys lady/ that euer I knew or
wyste in ony countrey/ and that lasse was enuyous and neuer she wold here say
ony euyll of no body/ but excused them/ & prayd to god/ that they myzt amende
them/ and that none was that knewe what hym shold happe/ And thus she blamed
them that spake euyll of other folk And maade them abasshed of that she preued
them so as she dyd/ And thus oughte to doo euery good woman/ and euery good
man at the xample of this good lady/ And knowe ye that it is a noble vertu not to

⁹⁹ Ambrose, *Concerning Widows*, in *The Nicene and Post-Nicene Fathers*, 16.4.22.

¹⁰⁰ Ambrosius Mediolanensis, *De Viduis*, in *Patrologia Latina* 16.4.22, accessed 16 March 2012, <http://pld.chadwyck.co.uk>.

be enuyous/ And not to be loyeful of the damage or scathe of other/ And for certain this good lady sayd/ that whiche auanced of them euylle and dommage of other/ and that mocked theyr neyghbours and other/ And that god shold punysse them or some of theyr nyghe frendes and parentes/ whereof came to them grete shame/ And that I sene ofte befalle/ as the good lady sayd.¹⁰¹

Structurally, Geoffrey presents his daughters a three-part reinforcement of the morals that they take from the story. He first reminds them of his grandmother's virtuous characteristics, her goodness, lack of envy, and her godliness. Next, he speaks directly to them as a parent, addressing them informally as "ye," repeating this information. Finally, he advises them not to behave immorally because God can punish not only them but also their friends and family. Geoffrey underscores his argument by provoking their familial devotion; the temptation to be ungodly could be mitigated by the threat of harming a loved one.

The words of a well-traveled knight, Geoffrey's statement that his grandmother is the best and most courteous woman in any country signifies both experience and authority. While some of his stories are well-known fictions, the portrayal of his grandmother is an excellently placed rhetorical device. As an example of exemplary behavior, Geoffrey's grandmother is a model with whom his daughters can relate more closely than Anne, Queen of France (1461-1522); Cecyle of Balleuylle is a private example—someone that they could know privately—versus a public personage. Therefore, using their great-grandmother as a behavioral standard advances the possibility of achieving this way of life in a very real sense. Geoffrey places a known woman in the role of the good widow, thus reinforcing that these social expectations are real, desirable for men and women alike, and the way that widows should act. The irony in this is that Geoffrey himself married two wealthy widows, increasing his property and wealth both

¹⁰¹ *Knight of the Tower*, 182.

times. He and his wives, however, led fairly virtuous lives, giving charity and taking care of people.¹⁰²

The portraits of these two widows in *The Book of the Knight of the Tower* exhibit the proper place for widows in late medieval society as well as the repercussions of not following the rules. Being greedy, not contemplating God, or even not creating a will are all improper ways to live—ways that could result in repercussions for family and friends; on the other hand, taking care of friends, neighbors, and the poor all while devoting oneself to God is a widow's duty.

Thus this chapter illustrates the various ways that medieval widows appear: (dis)placed from their husbands, (mis)placed in society, or seeking a new place. From their appearance in court records fighting for their dowers to moralist commentary on their behavior, widows are simultaneously being pulled into public space and pushed into private spaces. This movement serves to demonstrate how “Women who moved out of appropriate spaces were suspect” while simultaneously establishing what was deemed proper.¹⁰³ Chaucer's texts depict women who resist or transgress social expectations, while conduct literature advocates moralists' concept of widowhood. Rebecca Hayward suggests that “cultural tensions revealed by the misogynistic stereotype of the widow were caused by conflict between Christian ideology of chaste widowhood, which coincided with masculine fantasies of exclusive possession of a woman, and social pragmatism, which ensured that remarriage was a common phenomenon.”¹⁰⁴ Hayward's reading of the situation works, but it also does not allow for widow's agency. While no representation can tell us exactly how fourteenth- and fifteenth-century widows acted, we can read between the lines of their behavior to understand social anxieties and expectations of their place in public and private spaces.

¹⁰² Barnhouse, *Book of the Knight of the Tower*, 5.

¹⁰³ Hanawalt, “*Of Good and Ill Repute*”: *Gender and Social Control in Medieval England*, xi.

¹⁰⁴ Hayward, “Between the Living and the Dead,” in *Constructions of Widowhood and Virginity*, 222.

CONCLUSION

PRIVATE MATTERS: INDIVIDUALISM, GENDER, AND DEVOTION

This exploration of the dynamic between place and privacy has considered significant elements of medieval society in order to examine the function of privacy in the late Middle Ages in England more closely. Whereas the context of privacy is dependent on the concept of place, place is often dependent on gender. Socially constructed values promote notions of proper behavior that, in turn, promotes the continuation of cultural ideology. Resistance to those values, as I have demonstrated, resituates the discourse of modern privacy into fourteenth- and fifteenth-century English culture as opposed to its traditionally considered beginnings in the sixteenth-century Renaissance.

Whereas many previous discussions of privacy in fourteenth- and fifteenth-century England have been considered through the lens of nineteenth-century gendered domesticity, I have examined areas in medieval society where conflicts between public and private appear, fueled by civil or religious expectations. The particular places that I focus on in this dissertation, such as urban property, beds, marriage, and widowhood, are politicized and dynamic, constantly forming and reforming themselves in relation to various cultural situations. With this framework, there is a potential to reimagine the development and positioning of social classes and genders, as well as social trends that cultivated individuality in order to flourish.

The result of the dynamic between place and privacy offers various ways through which we can understand the function of privacy in late medieval England. First, through the legal debates of the citizens of London, privacy functions as the desire and affirmation by the courts to control access to oneself by determining who is not allowed to see, to hear, or to infringe upon the enjoyment of an individual in his or her property. Attempts by people and literary characters

to control access to themselves also surface in my study of beds; as intimate encounters, perceived or real, the occupants see their interactions in the bed as limited to themselves. Similarly, the practice of marriage evokes the desire to control information—the Loathly Ladies wish to publicize while Margery Paston chooses to conceal—whereas in widowhood, women desire to control their futures and not be forced into reflective contemplation.

Catharine MacKinnon, in the early 1980s, argued that women are an extension of men's privacy, in that they are objects of private designation and ownership, where they themselves never possess privacy.¹ In many ways, this notion is exceedingly relevant to this discussion of place and privacy in later medieval England. Women's place in society was neither the same nor equal to that of men, as I discuss in all of my chapters to varying degrees: utilizing joint legislation, beds as meters of virtue, suffering consequences of clandestine marriages, or being pushed to private contemplation in widowhood. The fundamental point that my examination demonstrates is that although these limitations may have existed, they did not stop all women from maneuvering within the parameters of their place to gain self-determination, and even moving outside of their place as well. These women—real and literary—like Criseyde, Ragnelle, Morgan le Fay, Margery, Anne, and Elizabeth Paston, and Margery Kempe illustrate women out of place, who rebel against the direction that society suggests for them. Their active possession of elements of privacy and their struggle against being someone's private object exemplify the power that medieval women could achieve.

In addition, my research has shown that although many of the literary texts may depict these conflicts in aristocratic settings, historical documents that include court records and letters suggest they occurred in all levels of society, from London tenement owners like the Chalons, with whom I began the introduction, to the Wife of Bath's merchant background, and to the

¹ MacKinnon, "Feminism, Marxism, Method, and the State: Toward Feminist Jurisprudence," 656-57.

socially mobile Pastons. Architectural advances and legal outlets allowed all but the most poor to be a part of this dynamic. Each of these functions of privacy has the ability to work together in certain situations and yet operate on their own in others; this multifaceted meaning of privacy is what makes it so difficult to place. Moreover, the relationship that I see between privacy and place offers new venues for explorations in the use of medieval space, identity, and individualism.

Introduced in the nineteenth century by Jacob Burckhardt, the concept of the individual as a purely Early Modern invention has been critiqued throughout the last several decades by medievalists and Early Modern scholars alike. Burckhardt's claim devalues medieval achievements and movements that influenced centuries that followed. He expounds:

In the Middle Ages both sides of human consciousness—that which was turned within as that which was turned without—lay half dreaming or half awake within a common veil. The veil was woven of faith, illusion, and childish prepossession, through which the world and history were seen clad in strange hues. Man was conscious of himself only as a member of a race, people, party, family, or corporation—only through some general category. In Italy this veil first melted into thin air; . . . man became a spiritual individual, recognized himself as such.²

Burckhardt poses the Renaissance self as one that combined both objective and subjective qualities in order to throw off the veil of unconsciousness while lacking any fear “of being and seeming unlike his neighbors.”³ The group identity permeating medieval society supported and promoted the continuation of unknowing. And yet, as my examination of the dynamic between place and privacy demonstrates, medieval people were not singularly group-oriented. Certainly

² Burckhardt, *The Civilization of the Renaissance in Italy*, 106.

³ *Ibid.*, 107.

all shared many social values but through their transgressions they exemplify personhood or self-determination. Other studies of individualism in the Middle Ages, such as Robert W. Hanning's examination of chivalric romances and Colin Morris's exploration of individualism and humanism between 1080 and 1150, consider its emergence during the twelfth-century Renaissance; both critics see the individual self-functioning in relation to its own desires or personal goals in a similar way as I do.⁴

Although for this study I have chosen to focus on the boundaries of privacy in medieval London housing, the contested site of the romance bed, private marriage as a place of rebellion, and transgressive widowhood, this study has relevance for other defining aspects of medieval society such as religious devotions in various forms. Models of Christianity offered by Julian of Norwich in her *Showings* and in the fourteenth-century anonymous *The Cloud of Unknowing* and *The Book of Privy Counseling* promote privacy through individual contemplation of God yet advocate the denial of the self as part of the world; the motivations suggested by these devotions contrast with *The Book of Margery Kempe*, where Margery desires the meditative, contemplative state, yet cannot relinquish her public persona.

Contemplative devotions occur in a variety of places and through various media such as reading, reflection, and writing. The meditational treatise, *The Cloud of Unknowing*, reminds its readers that reaching a contemplative union with God should be their priority. Attaining such a goal demands an awareness of one's place in relation to God. The *Cloud*-author writes about degrees of separation between people and God, motivating the reader to reach the smallest separation:

⁴ Cf. Robert W. Hanning, *The Individual in Twelfth-Century Romance* (New Haven: Yale University Press, 1977), whose discussion considers the role of the hero in romances, and Colin Morris, *The Discovery of the Individual, 1050-1200* (London: S.P.C.K., 1972) who examines the individual in the context of learning, religion, and literature.

Seest thou nought how lystly and how graciously He hath pulled thee to the thrid degré and maner of leving, the whiche hight Singuleer? In the whiche solitari forme and maner of levying thou maist lerne to lift up the fote of thi love and step towardses that state and degré of levying that is Parfite, and the laste state of alle.⁵

The *Cloud*-author reminds the readers that although many paths lead to God, some are better than others, and private and solitary contemplation is the only way. Margery Kempe, on the other hand, rejects this sort of understanding.

Anchorites such as Julian of Norwich conceive of place and privacy through their withdrawal from the world, fully devoting themselves to prayer and reflection. Their solitude is indicative of elements of privacy, through their limited contact with the public world. Julian, for example, uses writing to make public her visions but not her person. Carmen Brendon Davis, in her text on mysticism, contends:

Richard Rolle, the *Cloud* author, and Julian of Norwich do not separate themselves physically from the space of their material lives when they are “with” God and/or when they are relating their experience of God in their texts for the edification of others. On the contrary, their texts indicate both aspects of physical space have helped facilitate their approach to God and that images and metaphors of physical spaces offer an effective means of describing mystical experience.⁶

Julian uses her anchorhold and her visionary experience to experience God and to relate her story. Although to her the anchorhold is a private place, its access to the outside world in the form of windows and doors hinders complete withdrawal.

⁵ *Cloud of Unknowing*, ch. 1.

⁶ Davis, *Mysticism & Space*, 21.

For Margery Kempe, the relationship between place and privacy and devotion offers many interesting elements. In addition to her rejection of marriage and reclamation of virginity, Margery claims the world from England to the Holy Land as her place; her activities and behavior even reach the awareness of the ecclesiastical authorities who question her place within proper Christianity. Conforming to her own ideas of devotion, Margery rejects her proper place so that she may achieve an awareness of God.

Beginning this study, I was convinced that I would discover a definitive meaning and application of privacy in late medieval England, but the more that I tried to fit under a single overarching definition of privacy, the less any single definition seemed to fit. I was guilty of the very same actions for which I critiqued Georges Duby: attempting to apply a single meaning to a diverse concept. Applying theoretical concepts of place to explore elements of privacy allowed for its meaning to be contextual and to offer an understanding of how gender relates to place and private. Moreover, the elements of privacy that I work with—access, control, intimacy, self-determination—were all concepts that were a part of medieval self-consciousness in various forms. A quick perusal of the *Middle English Dictionary* and the *Oxford English Dictionary* supports this, as I discussed in the introduction. Although often repressed and discouraged by authorities, both men and women used the avenues that were open to them to determine their own futures.

Today, the conflict between public and private places exists in many of the same places that it did in the Middle Ages—in property, beds, marriage, and for certain people. How we look at those places or institutions, however, is certainly different and reflects modern culture. Houses, for example, in Philadelphia are not allowed to have windows that look into or overlook their neighbors' properties, but walls may be made of chain link fence of an undetermined

height; thus it is the secrecy of looking that is now the problem, not the looking at all. Beds remain places of conflicted privacy, but not for tests of courtesy; TV and the internet have made beds, and what occurs in them, part of our daily viewing experience. And while it is no longer so easy to get married, it is also much easier no longer to be married as marriage's position as a foundational aspect of society is shifting. Finally, widowhood for women lacks society's expectation that they will reject marriage and live out their days in contemplation. In the end, places matter, particularly fourteenth- and fifteenth-century places, because they demonstrate the construction of culture in a very real, very relevant manner. Thus to study medieval English places that have private values resituates privacy as part of a historical continuum with its antecedents as part of an earlier culture.

APPENDIX

This appendix includes a selection of court cases tried within the London Assize of Nuisance between 1301 and 1431. The rolls are held in the London Metropolitan Archives, and named Miscellaneous DD (CLA/040/02/001), Miscellaneous FF (CLA/040/02/002), and Miscellaneous II (CLA/040/02/003). The records from the assize contain almost seven hundred pleas; the cases that I have chosen to include here are a sampling from many similar judgments that span the court's activities.

CLA/040/02/001

Miscellaneous DD, m. 2 (1301)

Galfridus de Conditu 7 Imanya de Brauncestre summoniti fuerunt ad respondendum Ricardo de Chigwelle de placito assise 7 unde queritur quod aqua domorum predictorum Galfridi 7 Imanye cadit super terram suam. Habent etiam fenestras et foramina versus terram suam in parochia sancti Petri de Wodestrete et sancti Mathei de Fridaystrete Londonie iniuste ad dampnum suum 7 cetera. Et Galfridus 7 Imanya venerunt et Galfridus dicit quod nichil habent in predictis tenementum nisi liberum tenementum per legem Anglie 7 quod feodum 7 ius est cuiusdam Philippi filii Johannis le Baillif sine quo non potest quicquam tenentes predicti in iudicamentum deducere 7 cetera. 7 petit eius auxilium 7 cetera 7 conceditur ei 7 cetera. 7 dictum est ei quod habeat hic predictum Philippum, die veneris proxima post festum sancti hillarii 7 cetera. Et idem dies datus est predictis Ricardo 7 Imanye 7 cetera.

Geoffrey de Conduit and Imanya de Brauncastre were summoned by Richard de Chigwell to answer for the plea at the assize. Whereby he complains that the rainwater of the houses of the

aforementioned Geoffrey and Imanya falls upon his land. And they also have windows and apertures in the direction of his land (in the parish of St. Peter Wood Street and St. Matthew Friday Street, London) unjustly to his loss, etc. And Geoffrey and Imanya came and Geoffrey says that they have no tenement in the aforementioned except a freehold by the law of England and that is the fief and right of a certain Philip, son of John le Bailiff without whom the aforesaid tenants cannot bring anything to judgment, etc. And he requests his help, etc., and it is granted to him etc. And he was told to have the aforementioned Philip here on the finding following Friday following the feast of St. Hilary, etc. And the same day was given to the aforesaid Richard and Imanya, etc.

Miscellaneous DD, m. 3 (1302)

Michael de Tullesan summonitus fuit ad respondendum Salomoni le Coteler de placito assise. Et unde queritur quod claustrum domus dicti Michaelis in parrochia sancte mildride in Londonio frangitur ita quod tenentes sui respectum habere possint infra curiam suam 7 secreta sua videre 7 aqua cadens de dicta domo dictam curiam suam inundat arbores 7 herbas suas ibidem subiungit iniuste ad dampnum suum 7 cetera. 7 hoc offert 7 cetera. Et Michael uenit 7 concedit facere ea que de iure facere debet 7 cetera. Et datus est eis dies de iudicamento suo audiendo ad quindenam nisi interim concordare possint 7 cetera. Et postea concordati sunt 7 cetera.

Michael de Tullesan was summoned to answer to Salomon le Cotiller for the plea at the assize. Whereby he complains that the fence of the house of the said Michael in the parish of St Mildred in London is broken, in such a way that his tenants are able to see within his courtyard and to see his private affairs, and water falling from the said house inundates his said courtyard, and reaches his trees and herbs there unjustly and to his loss, etc. And he offers this, etc. And Michael comes and

agrees to do those things that he lawfully ought to do, etc. And a day of judgment was given to them fifteen days hence unless in the meantime they are able to reach agreement, etc. And afterwards they reached agreement, etc.

Miscellaneous DD, m. 3(d) (1302)

Decanus 7 Capitulum sancti martini magni Londonie et magister Robertus de Staundonne clericus 7 Willelmus de Hottoheshathere summoniti fuerunt ad respondendum fratri Henrico de Suttone Gardiano Ordinis fratrum minorum Londonie et fratribus suis in placito assise. Et unde queruntur quod dicti Decanus et Capitulum magister Robertus et Willelmus habent clausturam suam ruinosam 7 prostratam Gardino ipsorum fratrum coniunctam per quam fructus 7 herbe sue asportantur 7 deprimuntur 7 alia mala enormia non modica eis inferuntur 7 cetera. Et quam clausturam dicti Decanus et Capitulum Robertus et Willelmus cum per ipsos fratres inde sepius fuerunt requisiti in toto et in parte iniuste reparare dedixerunt 7 adhuc dedicunt ad dampnum suum 7 cetera. Et hoc offerunt 7 cetera. Et Decanus venit per Charletum de Sayssello attorney suum. Et Capitulum per Johannem de Witham Egidium de Garderoba canonicos et alios vicarios venit 7 defendit vim 7 iniuriam quando 7 cetera. Et dicunt quod terra illa de qua dicti fratres queruntur data fuit deo 7 ecclesie sancti martini predicte 7 decano et capitulo ibidem deo seruientibus in puram 7 perpetuam elemosinam per quondam Reges Anglie progenitores Regis nunc sine quo non possunt dictam terram in iudicamentum deducere. 7 petunt quod assisa nullum faciat iudicamentum in preiudicium liberi tenementi dei ecclesie decani 7 capituli predictorum 7 cetera. Et Robertus de Stanndone venit et defendit vim ut supra. Et dicit quod Willelmus de Hottoheshathere de quo dicti fratres queruntur mortuus est. Profert tamen quamdam cartam per quam liquet expresse quod liberum tenementum feodum 7 ius tenementi de quo fratres queruntur

est mere ipsius Roberti 7 cetera. Et petit idem Robertus quod assisa non faciat iudicamentum in preiudicium liberi tenementi sui 7 cetera. Et frater Henricus et alii fratres dicunt quod non petunt ius liberi tenementi ipsorum Decani Capituli 7 magistri Roberti 7 cetera. Sed petunt quod per assisam deducantur ad reficiendam clausturam suam secundum legem 7 consuetudinem Civitatis ita quod inde eis malum ulterius non eueniat 7 cetera. Et petunt iudicamentum assise 7 cetera. Et quia Decanus et Capitulum 7 magister Robertus factum non ostendunt per quod dicti frater henricus et alii fratres dictam clausturam sine sumptibus reparare debeant 7 cetera. Nec dicti frater henricus et alii fratres aliquod factum non ostendunt per quod dicti Decanus et Capitulum 7 magister Robertus sumptibus suis debeant dictam clausturam reparare. Ideo constitutum est quod si dicte partes velint de lapide clausturam construere in communi quod illam construant super terram communem suam et communibus sumptibus 7 quod murus communis remaneat partibus 7 cetera. Vel quod una pars terram inueniat reliqua uero pars murum lapideum construat sumptibus suis propriis 7 murus partibus communis remaneat 7 cetera. Et quod uno modo uel alio uel qualiter partes per se concordauerint de claustura predicta facienda quod ipsam dicte partes perficiant infra xl dies proximo sequentes 7 cetera. Et si una pars uel alia dictam clausturam illam partem sibi inde contingentem infra dictos xl dies debito modo non perfecerit dictum est vicissim quod illam facere ut predictum est sumptibus partis renitentis 7 cetera. Et nichilominus ab ipsa capiat xl s. pro contemptu 7 cetera. Salua utrique parti accione de terra sua acquirenda que de iure ei competi 7 cetera.

The dean and chapter of St. Martin le Grand of London, Master Robert de Staundone, clerk, and William de Hottokeshathere were summoned to answer Friar Henry de Suttone, Warden of the Order of Friars Minor of London, and his brothers for the plea at the assize. Whereby they

complain that the aforesaid dean and chapter, Master Robert, and William have their ruinous and broken down fence adjoining the garden of the friars themselves through which their fruit and plants are removed and trampled down and not a few other enormous evils are inflicted upon them, etc. And since they have frequently been requested by the same friars unjustly to repair the same fence in whole or in part to their loss, the said dean and chapter, Robert, and William have denied and still deny, etc. And they offer this, etc. And the dean comes by Charletus de Sayssello, his attorney. And the chapter comes by John de Witham and Giles of the Wardrobe, canons, and other agents and defends the force and injury when, etc. And they say that that land of which the said friars complain was given to God and to the aforesaid church of Saint Martin and to the dean and chapter serving God in pure and perpetual alms by the former kings of England, the forbearers of the current king, without whom they cannot bring the said land to judgment. And they ask that the assize make no judgment to the prejudice of the aforesaid dean and chapter's freehold of the church of God, etc. And Robert de Staundon comes and defends the force, as above. And he says that William de Hottokeshathere of whom the said friars complain is dead. Nevertheless he produces a record by which it is plainly clear that the freehold, fee and right in the tenement about which the brothers complain is merely of Robert himself. And the same Robert asks that the assize not make judgment to the prejudice of his freehold, etc. And Friar Henry and the other friars say that they are not seeking the right of the freehold of the same dean, chapter, and Master Robert, etc. But they ask that they be brought by the assize to restore their fence according to the law and custom of the City in such a way that no further evil will eventuate to them thereby, etc. And they seek the judgment of the assize, etc. And because the dean, chapter, and Master Robert do not show any deed by which the said Friar Henry and the other friars ought to repair the said fence without expense, etc; nor do the said Friar Henry and

the other friars show any deed by which the said dean, chapter, and Master Robert ought to repair the said fence at their own expense; therefore it is agreed that if the parties should wish to build a stone wall in common, they are to build it on their common ground and at their common expense, and the wall is to remain in common to the parties, etc. Or one party is to find the land but the other party is to build a stone wall at his own expense, and the wall is to remain in common to all parties, etc. And one way or the other, or however the parties might agree with regard to building the aforesaid fence, the said parties are to finish it within the next forty days, etc. And if one party or the other does not complete the part of the fence pertaining to it in the due manner within the said forty days, it is said in turn that it is to do it as said above at the expense of the opposing party. And nevertheless 40 shillings shall be seized from the same party for contempt, etc. Saving to each party any suit concerning the acquisition of its land which is due to it by right, etc.

Miscellaneous DD, m. 6(d) (1304)

Michael de Tholosan summonitus fuit ad respondendum Salomoni le Cotiller de placito assise 7 unde queritur quod paries domus eiusdem Michaelis est dirupta 7 fracta 7 pendens ultra terram ipsius Salamonis ita quod canes et alia animalia herbarium suum ingrediuntur et crescencia ibidem calcant et subpeditant et multa alia mala ei faciunt ad nocumentum liberi tenementi sui in parochia sancte Mildride in peletria Londonie et dampnum suum 7 cetera. Et hoc offert 7 cetera. Et Michael venit et nocumentum illud ita manifestum est quod illud dedicere non potest 7 cetera. 7 nichil pro se ostendit nec aliquid dicere sciat per quod veredictum assise retardari debet 7 cetera. Et partes ab assisa requisiti, si per assisam se claudere velint de petra, et predictus Michael venit 7 dicit quod non uult claudere per assisam per se diuisim nec in communi 7 cetera. Et Salamon dicit quod paratus est facere

claustram in communi uel separatim per se, secundum considerationem assise ⁊ cetera. Ideo constitutum est quod predictus Michael inueniat terram latitudinis trium pedum de terra sua propria ⁊ quod prefatus Salomon supraedificat murum lapideum spissitudinis trium pedum ⁊ altitudinis xvi pedum ⁊ quod mura sit ⁊ remaneat ipsis ⁊ heredibus suis communis ad supraedificandum ⁊ cetera.

Michael de Tullesan was summoned to answer to Salomon le Cotiller for the plea at the assize. Whereby he complains that the wall of the house of the same Michael is split apart and broken and hanging over the land of that same Salomon in such a way that dogs and other animals enter his garden and tread and trample upon the things growing there and do many other evil things to him to the nuisance and damage of his freehold in the parish of St. Mildred Poultry in London, etc. And he offers this, etc. And Michael comes and that nuisance is so plain that he cannot deny it, etc. And he shows nothing on his own account, nor does he know how to say anything by which the declaration of the assize should be delayed, etc. And the parties were asked by the assize if they wish to enclose themselves with stone according to the assize, and the aforesaid Michael comes and says that he does not want to enclose himself according to the assize neither separately nor in common, etc. And Salomon says that he is prepared to make the enclosure jointly or separately by himself, following the consideration of the assize, etc. Therefore it is agreed that the aforesaid Michael is to find land of the width of three feet from his own land and that the previously mentioned Salomon is to build up a stone wall three feet wide and sixteen feet high and that the wall is and will remain common for building to them and their heirs, etc.

Miscellaneous DD, m. 28 (1316)

Magister Johannes de Sodyngton optulit se versus Hugonem Garton in placito assise de nocumento liberi tenementi sui, 7 cetera. Et testatum est per vicarios quod predictus Hugo summonitus fuit essendi ad hunc diem coram maiore 7 aldermannis super terram 7 cetera, ad respondendum predicto Johanni de placito predicto 7 cetera. Et idem Hugo non venit 7 cetera. Ideo procedatur ad assisam per eius defaltam 7 cetera. Et predictus Johannes queritur quod cum ipse habeat quoddam tenementum suum contiguum tenemento 7 domibus predicti Hugonis in parochia sancti petri parui in Bradestrete Londonie 7 cetera, quas quidem domos idem Hugo de novo ibidem nuper edificare fecit, 7 aquam pluvialem exinde distillantem super terram suam propriam aut in regium vicum conducere debuisset iuxta statutum assisarum Civitatis 7 cetera, prefatus Hugo licet sepius in edificando per preceptum maioris ad settam prefati Hugonis prohibitum fuisset seuerundas predicte domus sue ultra terram ipsius Johannis pendentes leuare fecit ita quod terra 7 liberum tenementum predicti Johannis per aquam pluvialem a predicta domo distillantem grauiter inundantur 7 deteriorantur 7 cetera. Et preterea cum secundum statutum assisarum predictarum nemo habere debeat aliquas fenestras vel aperturas in parietibus domus sue versus terram vicini sui ad nocumentum liberi tenementi sui 7 cetera, idem Hugo plures fenestras 7 alias aperturas in pariete domus sue predicte erga terram predicti Johannis licet sepius ei prohibitum fuisset fieri fecit ad dampnum 7 nocumentum liberi tenementi sui 7 cetera. Et petit inde considerationem assise 7 cetera. Et super hoc predicti maior 7 aldermanni per defaltam prefati Hugonis processerunt ad considerationem faciendam secundum statutum assise 7 cetera. Et quia evidenter patet aspectui maioris et aldermannorum quod predicte fenestre et apertura facte sunt ad dampnum et nocumentum liberi tenementi predicti Johannis, et compertum est per recordum quod predictus magister Johannes dum predictus Hugo fuit de cetero in edificando petit inde assisam, consideratum est per maiorem et aldermannos quod prefatus Hugo

opturare faciat omnes fenestras et aperturas predictas ita quod aliquas ibidem non habeat erga liberum tenementum predicti Johannis nisi facte sunt distantes a terra per allitudinem sexdecim pedum et cetera. Et quoad aquam que de domo prefati Hugonis super terram predicti Johannis distillat, consideratum est quod predictus Hugo faciat sibi stillicidium super domum suam propriam ad aquam suam usque in vicum regium vel alibi super terram suam propriam conducendam 7 cetera, 7 hoc infra .xl. dies proximos nunc sequentes 7 cetera, quod nisi fecerit vicarii id fieri faciant sumptibus predicti Hugonis 7 nihilominus sit _____¹ xl. s. Postea venit predictus Magister Johannes 7 queritur quod predictus Hugo nichil hucusque de consideratione supradicta facere curavit per quod petit quod maior precipiat vicentibus ad faciendum id quod per assisam consideratum est 7 cetera. Ideo preceptum est Willelmo de Causton vicario quod considerationem predictam in omnibus sumptibus ipsius Hugonis perficere faciat et ab eo xl. s. pro _____ 7 cetera.²

Master John Sodyngton presented himself against Hugo Garton in a plea at the assize concerning the annoyance of his freehold, etc. And it has been testified through the agents that the aforesaid Hugo was summoned to be here on this day in the presence of the mayor and aldermen about the land, etc., to respond to the aforesaid John concerning the aforesaid plea, etc. And the same Hugo did not come, etc. Therefore, let it proceed to the assize by his default, etc. And the aforesaid John complains that since he himself has a certain tenement adjoining the tenement and the houses of the aforesaid Hugo in the parish of Saint Peter the Little in Bradstreet in London, etc., which houses, indeed, the same Hugo has newly built, and he ought to have conducted the rain water dripping from them either onto his own land or into the royal court, according to the statute of the assize of the City, etc., the aforesaid Hugo although he had often while building been forbidden by the order of the mayor,

¹ The word is unable to be determined here.

² The word is unable to be determined here.

nevertheless had the eaves of his aforesaid house set up hanging over the land of the same John in such a way that the land and the freehold of the aforementioned John is severely inundated and deteriorated by the rainwater dripping down from the aforementioned house, etc. And moreover, since according to the statute of the aforementioned assize no one should have any windows or apertures in his house walls in the direction of the land of his neighbor to the annoyance of his freehold, etc., the same Hugo made many more windows and other apertures in the wall of his aforesaid house towards the land of the aforesaid John to the damage and nuisance of his freehold even though this had formerly been forbidden to him, etc. And he [John] asks for a decision of the assize, etc. Therefore, let the aforesaid mayor and aldermen proceed to making a decision in the absence of the aforementioned Hugo, according to the statute of the assize, etc. And because it is clearly evident to the visual inspection of the mayor and aldermen that the aforesaid windows and apertures are to the damage and nuisance of the freehold of the aforesaid John, and it was found in a record that the aforesaid John, when the aforesaid Hugo was building, sought an assize on this, it was decided by the mayor and aldermen that the previously mentioned Hugo is to have all of the aforesaid windows and apertures stopped up in such a way that he does not have any there toward the freehold of the aforesaid John unless they are made distant from the ground by a height of sixteen feet, etc. And as for the water that drips from the house of the previously mentioned Hugo onto the land of the aforesaid John, it is decided that the aforesaid Hugo is to make a channel for himself on his own land for taking his water to the royal court or onto his own land, etc., and this within the 40 days next following, etc., and if he should not do this, the agents are to cause it to be done at the cost of the aforesaid Hugo and nonetheless, it is _____ 40 shillings. Afterwards the aforesaid Master John comes and complains that the aforesaid Hugo has undertaken to do nothing thus far in regard to the aforesaid decision, whereby he asks that the mayor order the agents to do what was decided by the

assize, etc. Therefore, William de Causton, agent, is ordered to cause the aforesaid decision to be fulfilled at the expense of Hugo himself and to take from him 40 shillings for _____, etc.

Miscellaneous DD, m. 72 (1356)

Prior fratrum Ordinis Sancte Crucis iuxta Turrim Londonie summonitus fuit ad respondendum Johanni de Barton 7 Beatrici uxoris eius de placito assise nocumenti. Et unde queruntur quod cum ipsi habeant 7 teneant unum gardinum in parochiam sancti Olavi iuxta Turrim predictam ex dimissione maioris 7 communitatis civitatis Londonie ad terminum vite eorundem 7 alterius eorum diucius viuentis iuxta murum gardini predicti prioris in parochia predicta predictus prior habet in eodem muro unum hostium apertum versus gardinum predictorum Iohannis et Beatricis per quod seruientes predicti prioris gardinum ipsorum intrant et herbagia et alia in eodem gardino crescencia undique calcant et secreta eorundem Iohannis 7 Beatricis ibidem vident et audiunt ad magnum nocumentum ipsorum Iohannis 7 Beatricis et contra consuetudines Civitatis 7 cetera. Et predicti Iohannes 7 Beatrix petunt quod facto visu de nocumento predicto per maiorem 7 aldermanos fiat eis quod de iure et secundum consuetudines Civitatis fuerit faciendum 7 cetera. Walterus Forester unus vicarius testatur quod predictus prior summonitus est per Johannem atte Walle 7 Johannem Bradem. Et predictus prior non venit. Ideo per eius defaltam procedatur ad assisam 7 cetera.

The prior of the brethren of the Order of the Holy Cross beside the Tower of London was summoned to answer to John de Barton and Beatrice his wife with regard to a plea at the assize of nuisance. Whereby they complain that since they themselves have and hold a garden in the parish of Saint Olave by the aforesaid Tower, by the grant of the mayor and of the community of the city of London, for the term of their life and of whichever one of them lives longer, next to the wall of the garden of

the aforementioned prior in the aforementioned parish; the aforementioned prior has in the same wall a door opening in the direction of the garden of the aforementioned John and Beatrice through which the servants of the aforementioned prior enter into their garden and trample in every direction the grass and other things growing in the same garden, and they see and hear the private affairs of the same John and Beatrice to their great nuisance and against the customs of the City, etc. And the aforementioned John and Beatrice ask that once a visual inspection has been conducted with regard to the same nuisance by the mayor and aldermen, let it be done unto them as should be done by law and according to the customs of the City, etc. Walter Forester, an agent, testifies that the aforementioned prior is summoned by John atte Walle and John Bradem. And the aforesaid prior does not come. By his default let it go to the assize, etc.

CLA/040/02/002

Miscellaneous FF, m. 1(d) (1357)

Willelmus Stacy 7 Margeria uxor eius 7 Willelmus Crokhorn summoniti fuerunt ad respondendum Thome Moryce communi seruienti Civitatis Londonie de placito assise nocumenti. Et unde idem Thomas qui pro communitate predicta 7 se ipso queritur dicit quod predicti Willelmus Margeria et Willelmus leuauerunt quandam fabricam in parochia sancti Michaelis de Wodestrete in Civitate predicta in communi via, per quod omnes homines ibidem habitantes 7 gentes communis populi per viam illam transientes grauiter impediuntur, et communis via per fabricam predictam nimis artatur ad nocumentum communitatis predicte 7 cetera. Et predictus Thomas petit pro eadem communitate quod facto inde visu per maiorem et Aldermannos fiat quod de iure 7 secundum consuetudinem Civitatis predicte fuerit faciendum. Et vicarii testantur quod predicti Willelmus Margeria 7 Willelmus summoniti sunt per Johannem de Boxtton 7 Ricardum Hanyper 7 cetera. Et predicti Willelmus

Margeria ⁊ Willelmus non venerunt. Ideo per eorum defaultam procedatur ad assisam ⁊ cetera. Et facto inde visu per maiorem ⁊ Aldermannos prout moris est secundum consuetudinem Civitatis ⁊ cetera, maior ⁊ Aldermanni plenius volunt consuli de iudicio inde reddendo dederunt diem prefato Thome Moryce qui pro communitate sequitur usque diem veneris proximum ante festum Assumpcionis beate Marie virginis tunc proximum futurum ⁊ cetera. Postea ad assisas de nocumento captas coram prefatis maiore ⁊ Aldermannis die veneris proximo ante festum Assumpcionis beate marie virginis anno xxxi^o, ad quem diem predicti maior ⁊ Aldermanni venerunt ac predictus Thomas Moryce qui pro communitate Civitatis predicto sequitur venit et petit quod predicti maior ⁊ Aldermanni reddant iudicium pro communitate predicta de nocumento predicto. Et predicti maior ⁊ Aldermanni ad pleniorum informacionem de nocumento predicto habendo preceperunt Simoni de Worstede Aldermanno Warde de Crepulgate in qua Warda predictum nocumentum esse supponitur, quod predictus Aldermannus accedat ad predictam fabricam et per sacramentum proborum hominum eiusdem Warde diligenter inquirat si predicta fabrica que ibidem iam de nouo leuatur sit ad nocumentum communis populi necne, et quid inde fecerit, certificet hic prefatis maiori ⁊ Aldermannis die veneris proximo ante festum Decollacionis sancti Johannis Baptiste proximum futurum ⁊ cetera, et idem dies datus est prefato Thome Moryce ⁊ cetera. Postea ad assisas de nocumento captas coram prefatis maiore ⁊ Aldermannis die veneris proximo ante festum Decollacionis sancti Johannis Baptiste anno xxxi^o supradicto predictus Simon de Worstede Aldermannus certificauit hic in camera Guildhal de Londonie quod ipse die martis proximo ante festum Decollacionis sancti Johannis Baptiste anno xxxi^o supradicto per sacramentum proborum ⁊ legalium hominum de visum de Wodestrete diligenter cepit inquisitionem per sacramentum Johannis de Kent, haneper, Walteri Broke, Johannis Broun, Petri de Fikeldem, Willelmi de Coupere, Nicholai de Harresfeld, Reginaldi Pyxlee, Willelmi de Aston, Gilberti Spencer, Ricardi Lacer, aurifabri, Johannis Smitying ⁊ Galfredi

Whyte. Per quorum sacramentum inuenit quod predicta fabrica que leuatur in via deWodestrete est quoddam graue nocumentum omnibus hominibus per viam illam transeuntibus 7 hominibus ibidem habitantibus. Ideo consideratum est per maiorem 7 Aldermannos quod nocumentum predictum amoueat. Et preceptum est Willelmo de Treyngam seruienti _____³ quod primum Willelmum Stacy 7 Margeriam uxorem eius 7 Willelmum Crokhorn quod amouere faciant nocumentum predictum infra quadraginta dies, alioquin vicarius hoc fieri faciat ad custagia ipsorum Willelmi Margerie 7 Willelmi et nichilominus capiant ab ipsis xl s. pro contemptu.

William Stacy and his wife, Margery, and William Crokhorn were summoned to answer to Thomas Morris, common servant of the City of London, with regard to a plea at the assize of nuisance. Whereby the same Thomas complains on behalf of the aforesaid community and himself. He says that the aforesaid William, Margery, and William have raised a certain workshop in the parish of Saint Michael of Wood Street in the aforementioned City in a public street, whereby all men living there, as well as the common people passing by that way, are severely hindered; and the common street is too constricted by the aforesaid workshop, to the nuisance of the aforesaid community, etc. And the aforesaid Thomas asks on behalf of the same community that when a visual inspection has been conducted by the mayor and aldermen, let it be done as should be done by law and according to the customs of the aforesaid City. And the agents testify that the aforesaid William, Margery, and William are summoned by John de Boxtton and Richard, draper, etc. And the aforesaid William, Margery, and William do not come. Therefore, by their default it is to go to the assize, etc. And when a visual inspection had been conducted by the mayor and aldermen as is customary according to the customs of the City, etc., the mayor and aldermen wishing to consult more fully concerning the judgment to be rendered gave a day to the previously mentioned Thomas, who is suing on behalf of

³ Word illegible.

the community on the Friday immediately before the Feast of the Assumption of the Blessed Virgin Mary next following, etc. Afterwards, at the assize of nuisance held in the presence of the aforesaid mayor and aldermen on the Friday next before the Feast of the Assumption of the Blessed Virgin Mary next following in the thirty-first year, on which day the aforesaid mayor and aldermen came and the previously mentioned Thomas Morris, who sues on behalf of the community, comes and asks the aforesaid mayor and aldermen to deliver judgment on behalf of the aforesaid community with regard to the aforesaid nuisance. And the aforesaid mayor and aldermen, in order to have fuller information with regards to the aforesaid nuisance, ordered Simon de Worstede, alderman of the Ward of Cripplegate in which the aforementioned nuisance is supposed to be, to approach the aforesaid workshop and by the oath of honest men of the aforesaid Ward to diligently inquire if the aforesaid workshop that has been newly set up there is to the nuisance of the common people or not; and what he does there in this matter he is to certify here to the aforesaid mayor and aldermen on the Friday before the next Feast of the Decollation of Saint John the Baptist, etc.; and the same day was given to the previously mentioned Thomas Morris, etc. Afterwards at the assize of nuisance held in the presence of the previously mentioned mayor and aldermen the Friday before the Feast of the Decollation of Saint John the Baptist in the aforesaid thirty-first year, the aforesaid Simon de Worstede, alderman, certified here in the chamber of the Guildhall of London on that Tuesday before the Feast of the Decollation of Saint John the Baptist in the aforesaid thirty-first year, by the oath of honest and law-abiding men with regard to the inspection of Wood Street, he diligently began an inquiry by the oath of John of Kent, draper, Walter Brook, John Brown, Peter de Fikeldem, William de Coupere, Nicholas de Harresfeld, Reginald Pyxlee, William de Aston, Gilbert Spencer, Richard Lacer, goldsmith, John Smityng, and Geoffrey Whyte. By their oath he found that the aforesaid workshop that is raised up in the road of Wodestrete is a certain serious nuisance to all men passing

along that road and to men living there. Therefore, it was decided by the mayor and aldermen that the aforesaid nuisance is to be removed. And William of Treyngham, servant _____⁴ is ordered to tell William Stacy and his wife Margery and William Crokhorn that they are to have the aforesaid nuisance removed within forty days, otherwise the agent is to cause this to be done at the expense of the same William, Margery, and William, and nonetheless they are to take forty shillings from them for their contempt.

Miscellaneous FF m. 36 (1375)

Thomas parsona ecclesie sancti michaelis de Bassyeshawe Londonie Willelmus Willesdone 7 Johannes Sandone parrochiani dicte ecclesie summoniti fuerunt ad respondendum Ade Fraunceys 7 Margarete uxori eius de placito assise nocumenti 7 cetera. Et unde queruntur quod cum iidem Adam 7 Margareta habeant unum tenementum infra cimiterium ecclesie predicte ad quod tenementum omnes tenentes eiusdem et tempore cuius contrarie memoria non existit habuerunt viam suam a vico regio usque idem tenementum 7 a tenemento predicto usque in viam regiam cum servientibus equis caretis 7 omni cariagio suo cum omnimodis mercandizis 7 rebus suis quousque iidem Thomas Willelmus 7 Johannes levaverunt ibidem unam scalam ex transverso vie predicte impediendam dictos Adam 7 Margaretam de dicta via sua ad tenementum predictum ad nocumentum liberi tenementi dictorum Ade 7 Margarete 7 contra consuetudinem civitatis predicte 7 cetera. Et petit quod facto inde visu per maiorem 7 Aldermannos prout moris est fiat eis quod secundum consuetudinem civitatis fore viderunt faciendum 7 cetera. Et vicarii videlicet Johannes Haddele 7 Willelmus Neuport alias testati fuerunt quod predicti Thomas Willelmus 7 Johannes summoniti fuerunt per Johannem Hoke 7 Robertus Coge essendi hic ad respondendum super premissis 7 habuerunt diem hic ad hunc diem 7 cetera. Et modo solempniter vocati non venerunt sed faciunt defaltam. Ideo procedatur ad assisam per eorum

⁴ Word illegible.

defaltam. Et super hoc facto inde visu per maiorem 7 Aldermannos 7 cetera. Et quia per eorum visum manifeste apparet quod predicta scamera leuata 7 facta fuit ad nocumentum liberi tenementi eorundem Ade 7 Margarete 7 cetera. Ideo consideratum est quod predicti Thomas Willelmus 7 Johannes ammoveant nocumentum predictum infra xl dies proximos sequentes. Alioquin vicarii hoc fieri faciant sumptibus eorundem Thome Willelmi 7 Johannis. Et nichilominus tunc capiant xl s. pro contemptu 7 cetera. Et super hoc preceptum est vicariis quod premuniant predictos Thomam Willelmum 7 Johannem quod dictam scameram ammoveant infra xl dies tunc proximos futuros periculo 7 cetera.

Thomas, parson of the church of Saint Michael de Basseyshawe of London, William Willeldone, and John Sandone parishioners of that same church are summoned to respond to Adam Francis and his wife Margaret with regard to a plea at the assize of nuisance, etc. Whereby they complain that since the same Adam and Margaret have a tenement within the cemetery of the aforementioned church to which tenement all of the tenants of the same have had their way from a time whereof memory does not exist, from the royal court to the same tenement and from the aforementioned tenement to the royal way, with servants, horses, carts, and all of their cargo with all manner of merchandise and their things, until the same Thomas, William, and John raised a certain stile from across the aforesaid way impeding the same Adam and Margaret from their said way to the aforesaid tenement to the annoyance of the freehold of the said Adam and Margaret and against the custom of the aforesaid City, etc. And he asks that when a visual inspection has been conducted by the mayor and aldermen as is customary, let it be done unto them what they see should be done according to the customs of the aforesaid City, etc. And the agents, namely John Hadley and William Newport, have testified on another occasion that the aforesaid Thomas, William, and John were summoned by John Hoke and

Robert Coges, to be here to respond to the aforementioned things and they had a day for this, and on this day, etc. And having been called solemnly, they did not come but defaulted. Therefore, let one proceed to the assize by their default. And when a visual inspection of the matter had been conducted by the mayor and aldermen, etc. And because by their visual inspection it is clearly apparent that the aforesaid stile was raised and made to the annoyance of the freehold of the same Adam and Margaret, etc. Therefore, it was decided that the aforesaid Thomas, William, and John are to remove the aforesaid nuisance within the forty days next following. Otherwise, the agents are to cause this to be done at the cost of the same Thomas, William, and John. And nonetheless they are to take forty shillings from him for contempt, etc. And on top of this, the agents are ordered to admonish the aforesaid Thomas, William, and John that they are to remove the said stile within the forty days next following, on pain, etc.

Miscellaneous FF, m. 37 (1376)

Willelmus Pountefreyt civis 7 pelliparius Londonie summonitus fuit ad respondendum Willelmo Chaloner et Felicie uxori eius de placito assise nocumenti 7 cetera. Et unde queruntur quod cum iidem Willelmus Chaloner et Felicia ut de iure ipsius Felicie habeant unum tenementum vocatum Euershammesyn cum gardinis 7 aliis pertinentiis suis contiguis tenemento et gardino predicto Willelmo Pountefreyt in parochia sancti Dunstani in Fletestret in suburbio Londonie in vico vocato Faytereslane inter que gardina fuit unus murus terreus ex parte orientali gardini predictorum Willelmi Chaloner et Felicie continens in longitudine centum et viginti pedes qui quidem murus modo confractus 7 dirrutus est per quod homines 7 animalia in gardinum ipsorum Willelmi Chaloner et Felicie uxoris sue ingrediuntur et herbagia et alia in eodem gardino crescencia calcant et consumunt 7 fructus in eodem crescentes asportant; 7 secreta ipsorum Willelmi Chaloner et Felicie uxoris eius et

seruientum suorum ibidem vident pro defectu facture et reparationis muri predicti, quem quidem murum idem Willelmus Pountefreyt facere tenetur secundum consuetudinem civitatis Londonie eo quod idem murus stetit super fundum ipsorum Willelmi Chaloner 7 Felicie, 7 eundem murum permittit sic fractum 7 ubique apertum ad nocumentum ipsorum Willelmi Chaloner 7 Felicie uxoris eius 7 contra consuetudinem civitatis predictae 7 cetera. Et petunt quod facto inde visu per maiorem et Aldermannos prout moris est fiat eis quod secundum consuetudinem civitatis predictae fore viderunt faciendum 7 cetera. Et vicarii videlicet Johannes Haddele et Willelmus Neuport alias testati fuerunt quod predictus Willelmus Pountefreyt summonitus fuit per Ricardum Stacy et Henricum Traynel essendum hic ad respondendum super premissis qui quidem Willelmus Pountefreyt habet inde diem ad hunc diem et ipse modo solempniter vocatus non venit set facit defaultam. Ideo procedatur ad assisam per eius defaultam secundum consuetudinem civitatis predictae 7 cetera. Et super hoc facto inde visu per maiorem 7 Aldermannos 7 cetera. Et quia per eorum visum manifeste apparet quod predictus murus super solum predictorum Willelmi Chaloner et Felicie uxoris eius longitudinis centum et viginti pedum integre fuit constructus 7 stans, et quod pertinet ad prefatum Willelmo Pountefreyt predictum murum in omnibus facere 7 reparare 7 cetera, ideo consideratum est quod prefatus Willelmus Pountefreyt faciat ibidem unum murum terreum longitudinis centum et viginti pedum infra quadraginta dies tunc proximos sequentes. Alioquin vicarii hoc fieri faciant sumptibus ipsius Willelmi Pountefreyt. Et nichilominus tunc ab eo capiant xl s. pro contemptu 7 cetera. Et super hoc preceptum est vicariis quod premuniant prefatum Willelmum Pountefreyt quod reparare facit murum predictum infra quadraginta dies tunc proximos futuros periculo supradicto 7 cetera.

William Pountefreyt, citizen and skinner of London, was summoned to respond to William Chaloner and his wife Felicia with regard to the plea at the assize of nuisance, etc. Whereby they complain that since the same William Chaloner and Felicia by right of the same Felicia, have a tenement called

Evershammesyn with gardens and other appurtenances adjacent to the tenement and garden of the aforesaid William Pountefreyt in the parish of Saint Dunstan on Fleet Street in a suburb of London on the street called Fetter Lane, between which gardens there was an earthen wall on the east side of the garden of the aforesaid William Chaloner and Felicia, being 120 feet long, which wall is now broken and sundered, whereby people and animals enter into the garden of the aforesaid William Chaloner and his wife Felicia and trample on and eat the grass and other things growing in the same garden, and carry off the fruit from the same; and they see the private affairs of the same William Chaloner and his wife Felicia and their servants there because of the defectiveness of the structure and repair of the wall, which wall, indeed, the same William Pountefreyt is obligated to make according to the customs of London, because the same wall stood on the land of the same William Chaloner and Felicia, and he permits the wall to be broken in this way and open everywhere to the nuisance of the same William Chaloner and his wife Felicia and against the customs of the aforesaid City, etc. And they ask that when a visual inspection has been conducted by the mayor and aldermen as is customary, let it be done unto them what they see should be done according to the customs of the aforesaid City, etc. And the agents, namely John Hadly and William Newport, have testified on another occasion that the aforesaid William Pountefreyt was summoned by Richard Stacy and Henry Traynel, to be here to respond to the aforementioned things; and this William Pountefreyt, indeed, had a day for this, and on this day, having been called solemnly, he did not come but defaulted. Therefore, let one proceed to the assize by his default, according to the customs of the aforesaid City, etc. And when a visual inspection of the matter had been conducted by the mayor and aldermen, etc. And because by their visual inspection it is clearly apparent that the aforesaid wall is entirely constructed and stands upon the ground of the aforesaid William Chaloner and his wife Felicia to the length of 120 feet and that it pertains to the aforesaid William Pountefreyt to make and repair the

aforesaid wall in every respect, therefore, it was decided that the previously mentioned William Pountefreyt is to make there an earthen wall of a length of 120 feet within the forty days next following. Otherwise, the agents are to cause this to be done at the cost of William Pountefreyt himself. And nonetheless they are to take forty shillings from him for contempt, etc. And on top of this, the agents are ordered to admonish the previously mentioned William Pountefreyt that he is to repair the aforementioned wall within the forty days next following, on the aforesaid peril, etc.

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