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Kane, Bronach C. *Popular Memory and Gender in Medieval England: Men, Women, and Testimony in the Church Courts, c.1200-1500, Gender in the Middle Ages*. Woodbridge, UK: Boydell & Brewer, 2019. pp. vii, 301. £60.00 (hardback). ISBN: 781-7-8327-352-2 (hardback).

- Reviewed by:
- **E. Amanda McVitty**
- Massey University
- e.a.mcvitty@massey.ac.nz

In this absorbing and important study, Bronach C. Kane marshals an impressive array of theoretical approaches and methodologies to examine how gender shaped the ways non-elite lay men and women perceived and used the past to construct and validate the testimony they presented in England's ecclesiastical courts. Treating themes including individual and collective memory; memory and trauma; and speech and silence, it tackles enduring questions about the nature of memory and testimony in medieval legal culture but its methods and findings have far wider implications. It will appeal to scholars working across many disciplinary fields including those interested in the relationship between gender ideology and social practice; "history from below" and non-elite experiences of legal culture; memory studies; the history of emotions; orality, literacy, and authority; and the overlapping influences of custom, canon law and common law in medieval England.

At the heart of the study is the extensive archive of cause papers from the archiepiscopal jurisdiction of York, along with records of cases sent to Canterbury on appeal and suits initiated in that jurisdiction. These records, rich with witness accounts of social practice, cultural norms, and everyday life, have provided the raw material for much previous historical study, with a particular focus on marriage and defamation cases. However, Kane brings new perspectives and many fresh insights by exploring what these records reveal about intersections between gender and memory amongst people of non-gentry or non-noble status. The book incorporates ample coverage of disputes involving marriage contracts, adultery, illegitimacy, and impotence, where one could expect considerations of gender and sexual identity to be prominent. However, it also successfully demonstrates the critical role of gender in structuring the types of legal disputes where gender is often assumed to be absent

or to be an entirely neutral factor, such as cases involving tithes, land use, and parochial rights.

Kane declares a central aim of the book is to foreground women's encounters with the legal system. Nevertheless, this is truly "gender history" rather than simply "women's history." The author examines in detail non-elite women's knowledge of and experiences in the ecclesiastical justice system and the extent to which they conformed to, subverted, or reinforced the patriarchal norms on which that system was based; as well as canvassing learned clerical views of inherent feminine intellectual and moral weakness that helped to condition the reception of women's testimony. However, she is equally attentive to men's experiences and to the ways the law both reflected and helped to shape a range of masculinities inflected by class, socio-economic status, age, occupation and other dimensions of identity. As she shows, men--particularly those who were economically or socially marginal--could fall afoul of the patriarchal structures of legal knowledge and practice just as women could.

Importantly, this study does not treat court records and related canon law principles and procedures in isolation, as is sometimes the case with more traditional legal histories. Rather, nuanced analysis of individual cases is deeply anchored within broader theological, pastoral, intellectual, and literary traditions, as well as within the wider currents of socio-economic, political, and legal change between the thirteenth and fifteenth centuries. After an introduction that deftly sets out the theoretical framework and provides a clear description of how the church courts worked, chapter 1 details the relationship between legal theory and quotidian legal practice; and explains the profound interconnections between spiritual confession, pastoral education of the laity, and the inquisitorial procedures of the church courts. Noting that "[m]emory constituted a central 'modality' of medieval culture" (27), this chapter foregrounds the increasingly important place of memory in both confessional theology and canon law, and in turn its relationship to changing notions of legal proof in the courtroom.

Chapter 2 on "Gender, Narrative, and Testimony" addresses perceptions of the authority of witness accounts that were anchored in individual and social memories of childbirth, marriage, and sexual and romantic encounters. An intriguing comparison reveals that the types of mnemonic narratives men and women produced in court were shaped by patriarchal patterns of witness selection, but also by social factors such as a "masculine youth subculture" in which men countered women's claims of marriage contracts or paternity through testimonies that "constructed collective male pasts" (59). This chapter also provides a valuable examination of how legal perceptions of the authority of women's memories were imbricated with cultural suspicions about women's "gossip" and the inherent unreliability of feminine speech, especially when it issued from the mouths of low-status or "masterless" women.

Chapters 3 and 4 on "Bodily Practices" and "Sexuality and Generation" explore memories of physical experiences and embodied emotions as forms of legal proof, generating valuable insights into non-elite memorial practices that existed beyond and sometimes contested written evidence. Chapter 3 discusses legal cases that turned on memories physical labour; tasks, experiences, and objects associated with

particular trades; and the practices of daily life. Chapter 4 then turns to the reproductive body as a site of memory with cases involving sexuality and childbirth. Kane's compelling readings of material culture expose the corporeality of memory in legal contexts, as clothing and everyday objects were transformed "into repositories for active and emotional histories" (83). Particularly poignant, and disturbing, are women's accounts of domestic abuse, where painfully detailed memories of torn or missing clothing "signified the disciplinary forces of patriarchal control over female bodies and dress" (96). Together, these two chapters highlight gendered patterns that shaped legal narratives: women primarily remembered embodied experiences of childbirth and of male violence, whereas men's narratives were constructed through their memories of injuries incurred during work or travel.

Chapter 5 builds satisfyingly on chapter 4, turning to cases involving marriage, kinship and widowhood that foreground the cultural role of women as repositories of family and community memory. The deployment of genealogies in legal disputes--especially over land and inheritance rights but also over heraldic entitlements--has most often been studied in relation to gentry and aristocratic families. However, Kane provides important insights into the ways histories of non-elite families were orally recounted and contested in the church courts. Noting that "these [non-elite] genealogies were intended to record not the descent of land, but relations between kin," she convincingly argues that the evidence of oral genealogies recalled by non-elite women in church courts qualifies the dominant historical position--based on disputes over land and dower--that genealogies became increasingly patrilineal and agnatic in the later Middle Ages. Across these chapters, the author draws out subtle but significant gendered distinctions between 'memory' and 'recollection' that illuminate how and why women's memories of particular types of events might be considered more or less authoritative in legal contexts than men's memories. Here, as elsewhere in the book, Kane avoids simple asymmetric masculine/feminine binaries and instead demonstrates that in some contexts (childbirth, reproduction), women's memories were more authoritative than men's but that even in cases where men's memories were privileged (such as tithes and land rights), women's testimonies based in custom and family memory could still be accepted as authoritative.

Chapters 6 and 7 offer a stimulating investigation of the complex intersections between orality, literacy, custom, and memory in legal culture. Here, dimensions of space, place, mobility and temporality are incorporated to examine case records in which the physical environment and aspects of the landscape provide key touchpoints in witness testimonies. Drawing on the concept of aurality to examine the ways women and non-elite men engaged with literate practices, Kane finds that for those of non-elite status, "memories of custom could...function as a significant source of women's agency and authority" (174). Significantly, in their testimonies non-elite men and women did not only draw on memories of custom; the legal records also reveal extensive local knowledge of both canon and common law.

Overall, this book is a deeply satisfying account of gender, memory, subjectivity, and agency that will reward scholars interested in legal records from diverse disciplinary perspectives. Through nuanced and compelling readings of the evidence, Kane reveals ordinary women and men remembering, using, and manipulating the past to navigate their encounters with the ecclesiastical justice system, experiencing the law

as "not simply a site of domination, but instead a field in which subaltern people could, in some respects, contest the terms of their own subordination" (29).

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