B. O'Brien, 'Hearing and seeing, remembering and writing: *From Memory to Written Record* across the Norman conquest'

(Delivered at 'A Colloquium to mark the publication of the 3rd edition of *From Memory to Written Record*, by Michael Clanchy', Weston Room, Maughan Library, Chancery Lane, London WC2A 1LR, Tuesday 14 May 2013).

I would like to first thank Julia Crick for offering me the opportunity to say a few words here today.

I want to start with a word about the reach of *From Memory to Written Record*. Yes, I searched in JSTOR for those citing it. There, I had 548 hits other than reviews. Other speakers will cover the book's extraordinary reach in medieval and historical studies far from England. But I do think it remarkable that this book has been useful far outside the constellation of disciplines that make up Medieval Studies: For instance: Shaping the mind in prehistoric times, *From Memory to Written Record* is there. The bureaucracy in modern Pakistan, *From Memory to Written Record* is there. The formation of colonial Inca archives, *From Memory to Written Record* is there. Copyright cases; and social computing (friending the past!), *From Memory to Written Record* is there.

And its impact on English historiography has been grand; it was in 1979 the first broad study of the phenomenon of literacy in medieval England. As such, it is cited by the majority of works covering the period from 1066 to the fourteenth century.

I won't be talking about any of these things, because they are already well-known by all of you. What I want to talk about instead is what is new, what has been changed. In this, I mean the first chapter, still entitled 'Memories and Myths of the Norman Conquest', which has been completely rewritten and is, I think, the chief justification for the new edition.

Of course, it is well known that some Anglo-Saxon historians took issue with Michael's characterization of the use and extent of writing in England before 1066. They saw a contradiction between their interpretation of the role of literacy and what Michael had concluded. Considering rather judiciously the opinions of those speaking for and against the extensiveness of Anglo-Saxon literacy, Michael had concluded that 'it seems unlikely that England was governed by a bureaucracy using documents in its routine procedures before 1066' (This in the Second Edition, p. 32). Given Michael's assessment of the rise of literacy in institutions in the twelfth century (and here confining himself mainly to the papacy and English royal government), it made sense for him to see it as he did. He saw a rising trajectory of literacy in the twelfth century. And when he compared the number of documents surviving from either side of 1066, it looked as though England had experienced only a slow escalation of literacy before the

use of, and reliance on, writing took off exponentially in the later twelfth and thirteenth centuries.

And, let's face it, the Anglo-Saxon period lent itself to be portrayed this way. The evidence for extensive literacy is equivocal. Making anything more out of the evidence depends on argument, and not just on counting pieces of physical evidence. Michael did not get much help across the great caesura of 1066 from historians or literature scholars, who almost always stayed on their side of the chronological border. And since what happened in the post-conquest period was not really the concern of those doing Anglo-Saxon history, they had no discrepancy to account for. They do not have to pay much attention to what happens after 1066 except for assessing the authenticity of alleged pre-conquest documents existing only in post-conquest copies. They tussle with Anglo-Norman historians for possession of DB as their monument, and by and large they have won. But otherwise, they work within a territory whose border is marked by a political transition.

Those working on 12th-c literacy, however, have to contend with two apparently disparate sets of data: data from the before and the after, that is, the evidence of Anglo-Saxon literacy and of Anglo-Norman and Angevin literacy. How, they asked, had literacy moved from point A to point B. How, for example, can one couple the maximalist view of the English state and the high level of literacy that would have been needed to allow it to function, with the awkward and hesitant moves toward greater literacy during the early 12th century? These two worlds stubbornly refused to link up.

So Michael now has a completely new take on the Anglo-Saxon period and its aftermath. What is it?

In essence, he has found reasons to accept the maximalist view. In the new edition, the argument for pre-conquest literacy begins with law. Among the early Anglo-Saxon kingdoms, English laws spoke to people's status and rights in a language they understood. And as with his overall thesis of the book, government was the key to the initial spread of literacy. As Michael writes, 'writing in English prose had originated as a way of expressing authenticity and directness in legal and administrative contexts'. Much is attributed to Alfred for giving 'priority to English' for his kingdom's literacy. Credit is also given to Alfred for his work, and to subsequent generations of writers for theirs, in broadening still further this literacy into new areas of life—especially religious and moral works for both clergy and literate lay elites. By the 11th century, government ran on the written word, throughout a society familiar with writing and its uses. Although Latin was a language used in a variety of genres, it was English that played the key role, especially in areas resting on a comfortable amount of pragmatic literacy.

Numbers of documents had been a key influence in the second edition's skeptical appraisal of Anglo-Saxon literacy, so how did Michael rethink the numbers? From one direction the fewness of surviving records can be interpreted as an accurate reflection of the actual number of documents in use during a period. But when one learns that Anglo-Saxon England beats the Byzantine empire for surviving administrative documents, then one knows such reasoning is not without its problems. We can look

instead on the surviving documents as representative of classes of records many of which were deemed ephemeral and so were discarded or repurposed.

Michael gives a number of reasons for why he accepts the latter. He tells the story of the recovery of Ely's memoranda on herring, eels, farm animals and the like, all used in book binding by some Tudor nasties. Documents like these, and this is a rare survival of that class, must have rubbed shoulders with peasant farmers in the early 11th century, and this shows us literacy's reach. From another direction, he cites Catherine Cubitt's interpretation of the Old English translation of the *Legend of the Seven Sleepers* that puts lawbooks into the hands and minds of local officials. And I might add that Domesday Book provides a glimpse of the volume of writs expected as a matter of course by juries made up of villagers, but writs which no longer exist, or were not seen, although expected, even then.

What made English vernacular records ephemeral was the fact that the Normans used Latin as their written language of record, partly or mostly by default, since their vernacular's written form in 1066 was not much more than a wisp of an orthographic experiment in 1066. They could find support in the rise of Latin throughout western Europe as a language not just of learning, but also of record. And let us not forget the arrival in England of Lanfranc, a lawyer and an Italian with no patience for a local language when the universal one was available (and was used pretty much everywhere else)—his attitude toward the local language paralleled perhaps his disinclination to support local English saints' cults, when bona fide universal ones were available. And as for the vernacular, one can imagine him thinking (and here I speculate): 'I had to learn French, so why shouldn't the English do it as well? What makes them special?'

And so English was dropped by the government as a language for official records—no policy announced, it just happened. There is almost no evidence for why this happened—leaving us with a number of '**perhapses**': Based solely on timing, the change might have been a response to the uprisings in 1069-70. *Perhaps.* Court proceedings must have seemed strange and inaccessible, conducted as they were orally and in writing in English, and so the change was made. *Perhaps.* Other explanations stress the conflicting ethnicities of rulers and ruled, or the offense to the French speakers of the very barbaric sound of English, or the changed personnel in scriptoria more accustomed, as Normans, to the use of Latin, or the wholesale replacement of higher clergy with Latinate Francophone foreigners, or the neutrality of Latin—a language accessible to all peoples in the kingdom, and a sensible choice for access in that it was equally difficult for everyone. *Perhaps. Perhaps. Perhaps.* Michael offers some of these, but directs our attention to a different process taking place in the decades after the conquest.

He suggests that the chaos of the post-conquest decades meant that decisions on rights and tenures had to be made often based on oral testimony—inquests, of which Domesday was the greatest by many multiples. Whatever the language in which these inquests were conducted—and it was by default if not by choice mostly in English—the results were almost always set down in Latin. This act of translation established Latin

as the language of record, the language to be trusted, but alas, not a language of extensive literacy in England. The clerks of the day, however, made a decision that amounted to a sort of compromise here. They heard or read English evidence and translated that into their Latin bureaucratese. And when they hit words that mattered—the *grithbryces* and *hamsocns*, the *hages* and *heriots*, the *sokemen* and *bordars*, they transliterated these terms, gave them gender and appropriate case endings, which turned them into Latin terms. If you look up these terms in the *Dictionary of Medieval Latin from British Sources*, you will see almost all of the first uses of these as Latin words happened not in the pre-Conquest period, when the words were in common use in speech and in English-language texts, but in the century after the Norman conquest, starting soon after the conquest, and happening most intensively in the three decades after 1086. This Latinizing of English terms shows that the vernacular bore the weight of governance by defining it. So the legal and administrative Latin of the decades after 1066 looked quite different from the Latin done before 1066. This is true not only of Domesday Book's Latin, but of the Latin of almost all the various estate surveys, lawcodes, edicts, legal treatises, and translations of law which follow in its wake. Latin in England underwent an invasion by the English language. Legal and administrative texts fairly bristle with wanton barbarisms.

These bristles are familiar terms: personal status words like *bordarius, cotarius, lagemannus, thanus, sokemannus.* Property terms like *hida, inlanda, bochelanda, haga, scira, riding, firma, warlanda, hundredum.* Crimes and fines like *forestallum, hamfara, hamsocna, soca, utlaga, legerwita*. Fiscal nouns like *geldum* and verbs such as *geldare* and *hido*. Almost all of these and many more first appear in Domesday Book and other contemporary records. I have seen the phenomenon in the translations of Old English lawcodes (most notably in *Quadripartitus* and the *Instituta Cnuti*) and in 12th-century legal treatises like the *Leges Henrici* and *Leges Edwardi*.

This, Michael says, is what made Domesday Book a book in the common words of the day ('uerba communes' was what Richard fitz Neal said it was)—not so much because of the simplicity of its Latin but because of its inclusion of the vernacular registers of rights, crimes, status, and property.

This was a deliberate practice, a decision made in many places over a couple of decades. Other practices were possible. Consider the very different approach of the late-tenth or early eleventh-century translator of IV Edgar, whose Latin version is now preserved in Corpus Christi College, Cambridge, MS 265.[1]

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[1] First, the Latin must be a translation of the English, because while movement from Old English is possible, movement back is not—there are not sufficient clues in the Latin to show the English it was intending to replicate. The Old English version has all the technicality, while the Latin serves mainly as a crib to the general meaning. Why? Because the translator avoided transliteration, despite the presence in IV Eg of a number of OE terms which would be Latinized after 1066, the translator turned them all here into Latin.

Here are the terms in the English version of IV Edgar, terms which post-conquest scribes were happy to Latinize: *oferhyrnysse, bydelas, teoðunga, þegnas, scyre, laga, wapengetace,* and *cyricsceattas*.[2] None was Latinized; all were replaced by the translator with some Latin lexical equivalent or expression.

Now Michael faced a final obstacle in accepting this analysis of the state of literacy before the conquest: 12th-century writers—writers with royal court and administration connections—who said otherwise. I speak here of the author of the treatise known as *Glanvill* (for simplicity, I will call him Glanvill) and Richard fitz Neal. Glanvill said, as we all know, that England did not have written laws before his day—the 1180s. A patent untruth. He tells a story to give meaning to his present agenda—to extol the authority of his king's words. Others in his day told a different tale. Roger of Howden, his contemporary, and a government official, seems to have pretty good knowledge of these older laws, as do others of the day, if the surviving late twelfth-century copies of these texts can be taken to signify as much. Copies of the *laga Edwardi*—the good old law of 1066-- are common in the 1170s, 1180s, and 1190s. But Glanvill had always been respected as a creator of order in disorder. Maitland says as much, as later did Plucknett. But that had come at a cost to the facts on the ground. Michael sees a number of reasons why Glanvill would make such a claim, none of which is that what Glanvill said was true. So the implication that English law before 1066 was not literate—and hence the corollary that Anglo-Saxon royal government did not use the written word—these can be dismissed.

The other, and I think larger problem, was Richard fitz Neal, Treasurer under Henry II, holder of ecclesiastical offices, including bishop of London (1189-), justice in Eyre in 1179 and 1194, and judge of common pleas. Here is what Richard fitz Neal offered. A picture of chaos restored to order in the late 12th century. A primitive past versus an ordered present. For Fitz Neal, the genesis of this age of improvement was 1066. As Michael observes, 'A belief in the fundamental effects of the Norman conquest permeates the *Dialogue of the Exchequer*.' William I in the *Dialogue*, was not an heir, but a conqueror; England was not inherited so much as it was tamed. How was this done? By military force and the imposition of laws. William brought 'the conquered people under the rule of written law'. As Michael characterizes it, William I was in Richard fitz

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[2] *oferhyrnysse (transgressio), bydelas (precones), teoðunga (decimas), þegnas (cum omni humilitatis subiectione, militantes, principes), scyre (prouincias), laga (lex), wapengetace (hundrode!),* and *cyricsceattas (oblationes).* The only English to appear in the Latin text is just that—unLatinized English references to the hundred, and these were probably the result of an inadvertant moment of code-switching caused by aural transcription—the scribe shifted for a word or two into Old English while writing his Latin text. Chap. 8.1: 'domino ðæs hundredes aperiant' In the OE version, it appears as 'þam hundrodes' (CCCC 265, p. 220, line 5). Chap. 10: 'possideat, 7 þæt hundred reliquam' In the OE version, '7 þæt hundred'. (p. 220, line 10).

Neal's estimation a Roman emperor, bringing order to the barbarians. Domesday Book stood as testament to his imposition of law on the English. All of this Richard had by way of oral tradition—a grand way of saying he heard his uncle say it in such a way that he believed it. From William I's and Henry II's achievements, all good things came; the English and their government and customs were a mere backdrop to all of that. But here, as with Glanvill, it looks as if a developing myth about the Normans had blinkered Richard to the actual evidence available in his own day. And lest you think me overly judgmental, let me say that I don't really set the bar all that high for historical research in the 12th century. We may call the twelfth century an age of the rise of historical awareness in England, but it was merely starting to approximate Herodotus, Livy, and Thucydides, not Ranke or Tout or Maitland. So their founding stories gave cover to the idea that pre-conquest England was a rather beleaguered and illiterate place, and nothing like the very with-it place they lived in. Michael points out that Richard fitz Neal did not have access to all records of the Exchequer or Treasury, that some had been left in the old capitol of Winchester to gather mold. And so Richard tried to make sense of the past, nudged, steered, and herded by the growing myths of the conquest. Michael dismisses, for example, Richard's statement that estate renders were decided by 'decrepit old men with hoary memories', since by his reckoning the English system of taxes and rents was far too complicated for it to have relied principally on remembered words, oral traditions. By setting aside the *Dialogue*'s comments on the conquest, Michael opens the door to seeing a pre-conquest world that ran on written English, which could finally link up comfortably with the twelfth and thirteenth-century worlds of literacy whose portrait he had already drawn.

So now these two worlds combine: a pre-conquest world of extensive vernacular literacy in government and society, a literacy that affected the lives of many if not all of the inhabitants; and a post-conquest muddle, where orality seems equally important, if not more important, than literacy in governance and the courts, but which gradually joined the rising tide of Latin, university-educated clerks, new sciences, and so on. Vernacular literacy did take a dive—simply could not have done otherwise without the stimulus of a government that relied on English writings in order to run. But the vernacular's registers that mattered—the key vocabularies of law, status, property—were drawn into the bureaucratic Latin of royal governance, and so, by this induction, enshrined the vernacular's authority and authenticity within the prestige language of the day, an enshrinement not shared by Anglo-French until later in the twelfth century.

To what end? I think early medievalists will feel less standoffish and will make better use of all of the rest of the book. The new edition in turn will introduce many to the nature of literacy in the vernacular in the early middle ages, a kind of literacy seen rarely outside Ireland and England—[though Roger Wright's arguments, which have had a slow trickling down, would make written Latin representative of the vernacular of proto-French speakers in the Merovingian and early Carolingian worlds.] It will help late medievalists recognize the precocity and peculiarity of England in the age of *Beowulf* and the sealed writ, both now comfortably joined, and to see how this world

was transformed by foreign conquest that brought its own, very different kind of literacy and relationship to the written word.

There are a number of important lessons from this new edition's account: first and foremost, we can see the non-linear development of literacy, and this is non-linear—subject to advance and retreat, in many different tracks all at the same time.

- Better sense of rise of written French in 12th-century England—now provoked or inspired by the use of the English vernacular for all kinds of literature.
- Makes better sense of the levels of forgery seen in the 12th century.

The book in all of its editions will continue to stand as a work of great historical imagination—something Sir Richard Southern said was crucial to doing good work in history, something too often misunderstood nowadays and so richly in abundance in *From Memory to Written Record*.