

H-France Review Vol. 4 (October 2004), No. 104

Thelma Fenster and Daniel Lord Smail, Eds., *Fama: The Politics of Talk and Reputation in Medieval Europe*. Ithaca and London: Cornell University Press, 2003. vii + 227 pp. Figures, selected bibliography, and index. \$49.96 (hb). ISBN 0-8014-3939-6; \$19.95 (pb). ISBN 0-8014-8857-5.

Review by Susan J. Dudash, Utah State University.

Much scholarly discussion has addressed honor, gossip, and repute. That talk itself plays an important role in the transmission of knowledge is rarely disputed. Until the publication of this erudite collection of essays, however, the conversation had yet to broach a seemingly slippery yet fundamental topic: the significance of talk and reputation as they converged in the legal and literary treatises of medieval Europe.

In a model of interdisciplinary exchange, the editors, noted literary and legal history scholars Thelma Fenster and Daniel Lord Smail, offer a well-conceived volume replete with original scholarship by some of the best scholars in their fields. The collection emerged from a conference held at Fordham University in 2000 and ranges in scope from English literary and religious texts, French political treatises and (auto)biographies, Italian and Spanish legal records, to contemporary German legal treatises and iconography spanning the medieval era, with an emphasis on the twelfth to fifteenth centuries. As an attempt to understand the history of the medieval attitude toward talk, the tome will be of inestimable value to the specialist reader and requisite reading for anyone interested in the history of medieval mentalities and the import of *fama*, talk, and reputation in the early modern world.

Fama, according to the editors, intersected with terms like honor, shame, status, and witnessing, and glossed the essential nexus of performance, talk, reputation, and speech regulation (p. 2). *Fama* thus defied classification, crossing the boundaries of literary, legal, religious, and secular worlds, like many of the articles in this volume. More specifically, the essays attempt to illuminate the significance of *fama* to one's social standing, legal status, and even national memory, as well as what might be construed as the more positive side of gossip as an arbiter of legal and social relationships. Not unlike today, as the authors show, *fama* could be measurable, and one could curry one's *fama*; conversely, it could be lost in one fell swoop, to one's ruin. After exploring the various nuances of the term in relation to rumor or gossip (as opposed to the broader social category of talk), the editors survey the import of the concept in medieval French literature in general and the literary corpus of Christine de Pizan in particular.

"Part One: *Fama* and the Law" juxtaposes different readings of the Italian legal code with contemporary practices in the German judicial system. Chris Wickham's essay on twelfth-century Tuscan law surveys the use of *publica fama* (public fame) in contemporary legal proceedings, particularly in relation to the establishment of property rights. What was known collectively by the inhabitants of a given area--because it had been talked about openly--could be useful proof of ownership in court. In fact, talking about ownership worked in tandem with a sort of ritualistic performance in which one claimed possession; such talk and performance were regarded as visual, public acts, which could reinforce documentary evidence. This type of cultural memory was also prone to abuse and manipulation, as Wickham demonstrates. And as today, judges often had to distinguish between competing versions of the story and the number and quality of witnesses.

Thomas Kuehn takes up the thread of Wickham's analysis to discuss the transformation of *publica fama* (as akin to common knowledge) into a brand *fama* that was unique to the fifteenth-century Florentine courts of law. There, *fama* took on a unique legal status: "On the one hand, courts and jurists treated reputation and gossip as nonprofessional and resisted or limited their scope accordingly. On the other, common talk, properly disciplined, was one basis of proof and status" (p. 29). Kuehn argues that *bona fama* (good name) and *infamia* (bad reputation, tied to infamy) determined the offices that one could hold, whether one could testify in a court of law, and one's

social standing, and so was often linked to a person's moral fortitude. In Tuscany, *fama* became a determining factor in inheritance cases, reinforcing other forms of evidence.

Madeline H. Caviness and Charles G. Nelson's provocative essay links gender, iconography, authority, and *fama* in an illustrated version of the fourteenth-century German *Sachsenspiegel* (*Saxon Mirror*). Female speech is clearly proscribed; this message is reinforced by visual representations of speech acts, depicted as hand gestures, which, although created after the written text, establish the authority and tone of the text. The authors compellingly illustrate the gesture's import as universal medieval code to a newly literate society in which oral exchange still dominated the practice of law. Cases center on birth, marriage gifts, and inheritance to underscore the misogynist nature of the legal system from which women were barred, almost without exception. Even in the case of rape, for instance, a woman had to initiate the "hue and cry" to produce witnesses to corroborate her claims--to create, in effect, the proper talk for the case to be admissible in court. The authors reveal how in the German legal code, women were bridled, male speech was validated, and *fama* was controlled by men. Several figures and a helpful key of hand gestures complement this detailed study.

"Part Two: *Fama* and Reputation" centers on French customary law, the shaping of royal and national history in France, and the burden of *infamia* in the Spanish legal record. F. R. P. Akehurst, the preeminent scholar of French customary law, surveys French legal practices concerning *fama* in the latter half of the thirteenth century with brio. Akehurst's analysis draws from the *Coutumes de Beauvaisis*, *Etablissements de Saint Louis*, and *Conseil a un ami* in their application to a person (reputation), a fact (notoriety), or a problem (proof by a witness) (p. 93). Illuminating how the French legal system was moving toward heavier reliance on written evidence, the study profitably contrasts the differences between literary or legal texts and actual practice while making medieval French customary law relevant for our own times.

The legislation of infamy and its ties to property ownership in medieval Spain is the focus of Jeffrey A. Bowman's essay. Tracing the links between the seventh-century *Visigothic Code* and the thirteenth-century *Siete Partidas*, Bowman examines the connection between the legal code and actual litigation of cases involving infamy. Those branded as *infames*--felons, like murderers, perjurers, and rapists, or the disreputable or impure--could neither testify in court nor write wills. Ties between *mala fama* (bad reputation, a social stigma) and *infamia* (infamy, a legal condition) are also explored. As an interesting overview of early legal records' (mis)use of infamy, this study is an important source, though a brief note contrasting the Christian codes with contemporary Muslim law on infamy would have enriched the essay even more.

Lori J. Walters's significant contribution ties literary production into the creation of national memory in France at the dawn of the fifteenth century. As Walters shows, Christine de Pizan corrected not only contemporary conceptions of her own authorial *fama*, but that of Charles V, whose official biography was entrusted to her care. In addressing rumors about their reputations in two biographical texts, *Le Livre des fais et bonnes meurs du roi Charles V le Sage* and *L'advison Cristine*, Christine skillfully rewrites history for generations of readers, refashioning both classical and contemporary sources alike. At the same time, Christine was creating a national French cultural history based on the reputation and memory of its rulers. *Fama* is thus tied into temporal and spiritual realms. Walters's compelling argument, like many of the essays in this volume, should have profound implications for a variety of related fields.

"Part Three: *Fama* and Speech" explores the interplay of *fama* and speech acts in medieval English legal and literary history. Sandy Bardsley's provocative study of "Sins of the Tongue" in post-plague era England demonstrates how those in power attempted to moderate social discord by instituting legislation designed to stem rumor in an increasingly rebellious population. A well-documented and original contribution, it explores the history of crimes such as defamation, rumors, and slander against the aristocracy; dissension among guild ranks; rebellious speech; jangling (chattering too much); barratry (pursuing spurious and wasteful legal cases); cursing (misrepresenting God's nature); scolding (attacking one's *fama* publicly and hence disturbing the peace); and falsely raising the hue and cry. For instance, the prosecution of scolds--75 to 95 percent of whom were women--was a particular post-plague development (pp. 160--61). Bardsley concludes that contemporary discourse concerning scolding and barratry (both secular crimes) and cursing (an offshoot of blasphemy) arose as a response to popular revolts in an attempt to invalidate the voices of the common people.

The significance of talk and its social consequences is also the focus of Richard Horvath's analysis of speech acts as a narrative device in two complementary, late-fourteenth century texts that focus on oral testimony and messengers: the Middle English *Sir Launfal and Athelston*. With a view to speech act theory, Horvath examines contemporary anxieties about the disruptive power of speech acts like slander and lies. The link between oral testimony and written text is likewise underscored. Implicit arguments throughout Horvath's essay raise many provocative questions for further research.

Speech is likewise a key element in the *Book of Margery Kempe*. Through strict adherence to the dictates of fraternal correction (admonition as an act of charity) and pastoral and ecclesiastical rules regarding such correction, Margery is able to negotiate her own *fama* and simultaneously highlight the failings of her detractors, as Edwin D. Craun shows. While successfully rebuking notables like the Archbishop Thomas Arundel of Canterbury for allowing oaths to be sworn in his presence, Craun demonstrates how her detractors deviated from the dictates of proper fraternal correction through improper reproof/rebuke, slander, and chiding (contemptuous and contentious verbal assault). All three worked to the detriment of Kempe's honor (public worth) and *fama* (reputation). In Craun's analysis, charitable versus uncharitable speech acts are contrasted, as are the clerical norms designed to regulate public speech (p. 209).

Fenster and Smail's conclusion opens the floor to suggest that the regulation of speech acts paralleled the growth in the nation-state and contemporary moralists' condemnation of unrestricted talk. Two thematic strands, highlighting women and speech and the attempt by contemporary authors to blur the lines between personal and textual *fama* are suggested, providing fertile ground for future study. The selection, breadth, and design of the collection will make it standard reading in the field of the history of renown, reputation, and memory. The work is on target and most of the essays convincing, well-documented, and of equally high quality. So engaging is the topic, however, that the reader yearns for more studies of *fama* in related fields or geographical areas. A number of intriguing questions also emerge to suggest paths for further research, for which the groundwork is admirably laid here.

While the editors demonstrate admirably how pervasive the concept was to the medieval (and modern) mindset, a few minor additions might have enhanced the work even more. A more overtly geographical or chronological organization could have helped to flesh out the similarities and differences between practices on both sides of the Channel, as well as those in related cultures. Brief overviews of the "Sins of the Tongue" and the biblical genesis of talk and reputation, for example, would have been welcome additions, as would consistent translations of medieval languages throughout the collection for the comparative or generalist reader. Though the collection could easily have followed one, narrow strand such as gender, literature, or a particular nation, the editor's task--to seek understanding of how *fama* shaped and reflected burgeoning conceptions of legal status, social structure, and literary form--is amply met in this wonderful tome. The contributors are in concert with one another, weaving a textual conversation about talk in a collection that is sure to inspire future dialogue and debate about the importance of talk in medieval Europe for years to come.

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- Thelma Fenster and Daniel Lord Smail, "Introduction"

"Part One: Fama and the Law"

- Chris Wickham, "Fama and the Law in Twelfth-Century Tuscany"
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- F. R. P. Akehurst, "Good Name, Reputation, and Notoriety in French Customary Law"
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"Part Three: Fama and Speech"

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- Thelma Fenster and Daniel Lord Smail, "Conclusion"

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H-France Review Vol. 4 (October 2004), No. 104

ISSN 1553-9172