

The acts of medieval English bishops, illustrated

The British Academy is publishing a volume of 'Facsimiles of English Episcopal Acta, 1085-1305'. The author, Dr Martin Brett, explains why it is so important to make available images of these administrative documents.

IN 2006 Professor Barrie Dobson FBA, then Chairman of the British Academy's committee on the English Episcopal Acta project, published an article in the *British Academy Review* describing the project's origins, importance and progress.¹ He underlined the importance of the collective expertise of the editors, harnessed through regular meetings supported by the Academy, and how this deepened understanding of documents which do not reveal their full meaning at a first reading. This year the project is publishing a volume that stands outside the main sequence, a collection of facsimiles of 184 charters, out of the two thousand and more which survive as originals. Some photographs of acts, or parts of acts, have been printed in the volumes from the outset, but their format has not often allowed these to be presented at actual size, or ever in great numbers. The new volume includes a larger photographic sample of

episcopal charters than has ever been brought together for any province of the Latin Church in the period.

Single sheets

Globally, only some one in five of the surviving acts in the names of English bishops is preserved as an original, though this generalisation conceals wide differences between dioceses. The archives of Canterbury and Durham are of international importance, while the almost equally wealthy cathedrals of York and Winchester have suffered catastrophic losses over the years. Where so many documents are preserved only in later copies, the originals are the very bedrock of any study, and this for several reasons. The most obvious is that the copies are often preserved in cartularies, collections of the title deeds of a religious house which provided easy

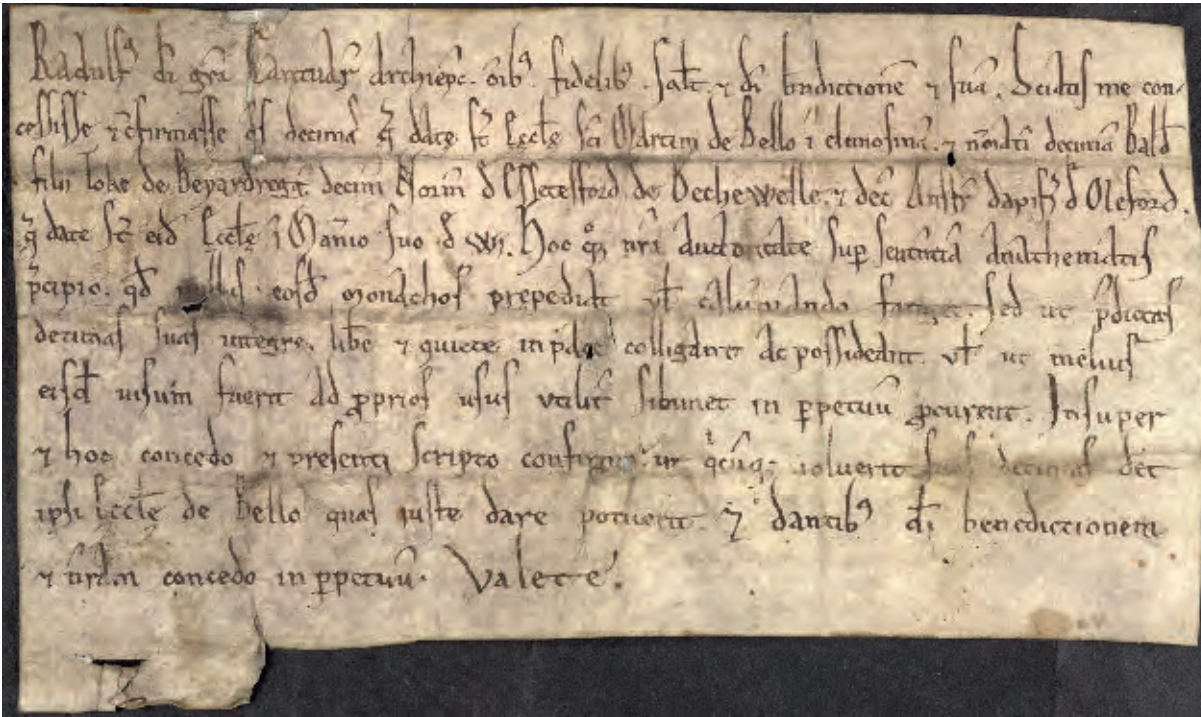


Figure 1. Spurious confirmation of grants of tithes to Battle abbey by Archbishop Ralph of Canterbury, between 1114 and 1122 were it genuine. British Library Harley charter 43 G 18.

access to the substance of its often extensive collection. Such volumes are more likely to survive than the fragile sealed single sheets on which they depended, and were much sought after by early collectors such as Cotton, Bodley or even Sir Thomas Phillipps. These copyists were selective in their interests: many saw little point in transcribing such transient features as long lists of witnesses; some abbreviated or simply misread their exemplar; others copied out of habit the conventional formulations in the address or salutation of their own time rather than of the grant itself. A close comparison of any surviving original with its copy is often the only sure guide to the value of these later compilations.

Fakes

More urgently, the sheets themselves offer far more material for analysis than any copy. They can be examined for their script, their *mise-en-page*, their methods of sealing and, when they survive, the seals themselves. There has been a steadily increased understanding as the project has advanced that more of the surviving acts are forgeries than any of us had previously supposed, and their detection depends heavily on the evidence of originals. Concentrated and

expert study of script, particularly by Dr Webber and Michael Gullick, has unmasked a considerable body of such fakes, sometimes among documents which have long been held up as striking monuments of their period.

A convenient example is offered by a charter for Battle abbey in the name of Archbishop Ralph of Canterbury (Figure 1).² If we had only a copy, this would probably have escaped detection. A single formula, *ad proprios usus* (for their own uses), alone is unexpected so early. Since there must be an authentic first occurrence of any such phrase, the incurably suspicious might doubt it, but there would be no proof – indeed there would be some danger that the effort to establish a chronology of the formula would become circular. However, there are a large number of forged charters in the Battle archive, and the script in this case is decisive; it is of the last quarter of the 12th century, fifty years or so after its supposed date. The details of the sealing arrangement are also bizarre, suggesting an imaginative if unconvincing effort to produce an archaic effect. This is a later confection designed to defend the abbey’s right to tithes against church courts demanding ever more insistently that such rights required written episcopal confirmation. In earlier years these

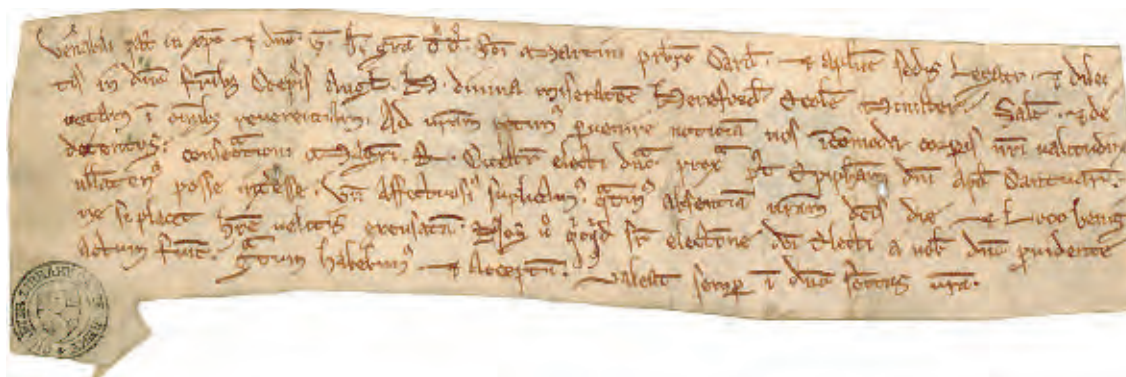


Figure 2. Litterae excusatoriae of Bishop Hugh de Mapenore of Hereford to the legate Guala, December 1217. Canterbury Cathedral archives, DCc/ Chartae antiquae C 110 (1).

formalities had rarely been observed. Such a forgery is inherently of great interest. Here it attests the serious problems long-established houses confronted when challenged by a new generation of skilled advocates trained in the schools of law in Bologna, and increasingly elsewhere too, after 1150. Yet it cannot reveal its significance unless one knows when it was made; purely textual analysis based on a copy would produce only tentative or provisional conclusions.

Such analysis has been the traditional stuff of diplomatic since the *De re diplomatica* of the great Maurist scholar, Jean Mabillon, in 1681. Once this labour is complete, one can then consider the surviving acts in their own right. Such a corpus contributes to many enquiries: a large body of more-or-less exactly dated examples of script is an irreplaceable resource for the palaeographer and for the historical linguist; a body of scribes dedicated to the service of their bishop can be identified with increasing confidence, giving force and clarity to the history of local administrations, and so on.

Different functions

One approach is less often made explicit, though no one who works with the originals is likely to be unaware of it. The charter as object may cast light on two distinct, even contradictory, aspects of their place in medieval government.

On the one hand, some documents almost always appear only as originals before the appearance of the bishop's registers of correspondence in the course of the 13th century. These are the transitory small change of episcopal government. The narrative sources make clear that bishops, and often others of the clergy, had long conducted a range of transactions: summoning litigants before their court; making a formal excuse for non-attendance at councils or courts; incurring and repaying debts before witnesses; reporting to the king or their colleagues on transactions with others; or appointing proctors to represent them in law suits. In the second half of the 12th century a few examples of such proceedings first begin to appear as written documents in the richer archives. For example, in Figure 2, Bishop Hugh de Mapenore of Hereford excuses himself from attendance at a council summoned by the papal legate Guala in 1217.³ This letter is a vivid physical illustration of the routine use of writing: the parchment is small, the script plain, the content succinct. One may well suspect that such letters had been written earlier – forms for the celebration of church councils derived from the practice of antiquity provided expressly for them – but it is only after 1150 that we can see them in use in England.

At the opposite extreme, a charter is often at the centre, even the climax, of a piece of public theatre, where the participants gather to acknowledge an agreement or attest a grant before a competent authority, often in the presence of a large body of witnesses. In particular, there is ample evidence that such documents were intended for recitation out loud. The reading at York cathedral of the papal privilege freeing Archbishop Thurstan of York from his profession of obedience to Canterbury in 1121 is the high spot of Hugh the Chanter's *History of the archbishops of York* – but much less momentous matters also needed to be known to a wider audience, many illiterate. It became a standard form in the 13th century for a scribe to open his text with the phrase 'Be it known to all who see or hear these letters', and the fact is much older. Some of this oral

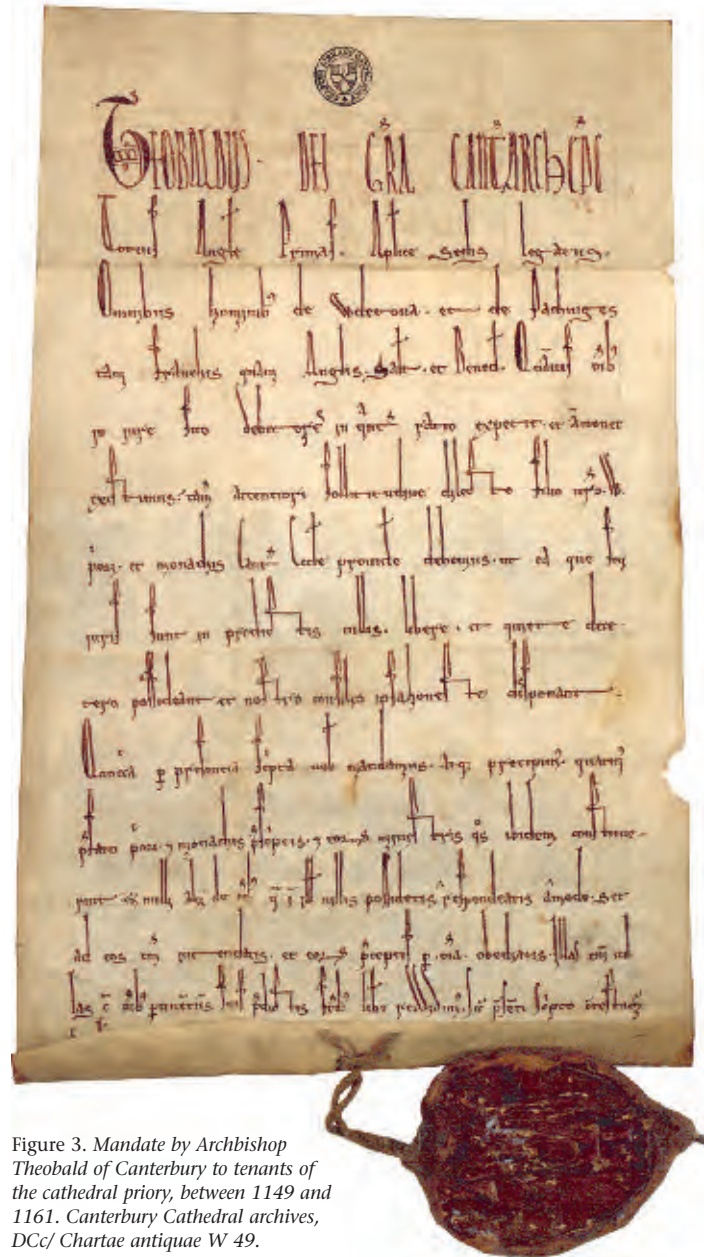


Figure 3. Mandate by Archbishop Theobald of Canterbury to tenants of the cathedral priory, between 1149 and 1161. Canterbury Cathedral archives, DCc/ Chartae antiquae W 49.

context can be recovered in part from the layout of the documents themselves. Neither punctuation nor the use of capital letters in the period bears much relation to modern practice, but most scribes took care to use both. Some common usage is distinctly surprising; 'God' or 'Christ' is hardly ever capitalised, and other proper names most inconsistently, yet 'Seal' or 'Charter' often are. It is easiest to understand the punctuation in particular as a guide to reading aloud. It is even occasionally the case that the meaning depends on these indications of how the text was to be read out. An unusual case is found in one of two originals of a grant by Peter des Roches, bishop of Winchester, to Selborne priory in 1238. The scribe originally used a minimum of punctuation. Later a number of tiny vertical lines were added at points where there is a natural break in the sense, as if this was musical notation. The echo of oral delivery may be faint, but it is certainly present.

Physical aspects

Most of these more formal acts are recorded on a carefully prepared sheet of vellum or parchment, written by a trained scribe, and authenticated by an impression from the bishop's seal matrix. By the end of the 12th century this might well be a masterpiece of the engraver's art, applied with the aid of a seal press of advanced design.

The physical appearance of the document is often itself a statement about the grantor and sometimes the transaction. Figure 3 shows a straightforward instruction by Archbishop Theobald of Canterbury to the tenants on the lands of the cathedral priory to obey the monks as their lords.⁴ In appearance, however, it is a vigorous assertion of the archbishop's dignity. The lay-out is spacious, the elaborate script is imitated from a full-dress papal privilege, the seal (with counterseal) is attached by silk cords. The charter as object lends force to the command it records. Figure 4, though less well-preserved, was once also sealed on cords, rather than the more conventional parchment strip, as the eyelets reveal. It is a grant by Hugh of Balsham of Ely to the prior and canons of Anglesey in 1259.⁵ A hundred years later than Theobald's mandate, it yet employs the rich resources of a skilled scribe to underline the solemnity of the bishop's act.

*

In all these ways the full meaning of original charters of the period can be discerned in their appearance as well as in their content. If the

administrative detritus of the bishop's writing office illustrates the relentless advance of the written record, the solemn acts remind one that the charter long retained qualities which far transcend the mere recitation of the facts it recorded.

Notes

- 1 Barrie Dobson, 'English Episcopal Acta', *British Academy Review*, issue 9 (2006).
- 2 This document is edited and discussed in *English Episcopal Acta, 28, Canterbury 1070-1136*, ed. Martin Brett and Joseph A. Gribbin (2004).
- 3 Printed as Plate LXIIIB in *Facsimiles of English Episcopal Acta, 1085-1305*.
- 4 Printed as Plate XIII in *Facsimiles of English Episcopal Acta, 1085-1305*.
- 5 Printed as Plate XCVIII in *Facsimiles of English Episcopal Acta, 1085-1305*.

Dr Martin Brett is Emeritus Fellow, Robinson College, Cambridge. He is the author of the forthcoming British Academy volume *Facsimiles of English Episcopal Acta, 1085-1305*.

The Academy's main series of *English Episcopal Acta* volumes has now reached Volume 37. For more on all these titles, see www.britac.ac.uk/pubs

Figure 4. Grant by Bishop Hugh of Balsham of Ely to the prior and canons of Anglesey of the church of St Mary at Swaffham, 15 March 1259. The National Archives, PRO (TNA) E326/11108.

