Clerks and Scriveners:
Legal Literacy and Access to Justice in Late Medieval England

Submitted by Kitrina Lindsay Bevan to the University of Exeter
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ABSTRACT

Provincial town clerks and scriveners have hitherto been a neglected subject in the historiography of the legal profession, yet as this thesis demonstrates, they contributed significantly to medieval England’s legal and scribal culture. Arguing for a new definition of scriveners based on their legal and linguistic literacy, this fresh interpretation differentiates between scriveners, notaries, generic clerks and lawyers and modifies the existing tendency towards classifying scriveners purely on the basis of the work they did and the legal instruments they produced. The study not only rectifies a gap in our knowledge, but reconceptualises our understanding of the lower echelons of the legal profession by examining the work that scriveners did and the role that they played in the local legal administration of medieval England, and by extension, the ways in which they facilitated access to justice on several levels. Focussing primarily on Exeter, Bristol, Bridgwater and Southampton, this research for the first time reveals the identities of some of the many scriveners who worked outside of London and evaluates their activities in provincial England.

In order to achieve this, the thesis considers the extent to which scriveners were an integral part of an urban legal service as members of the provincial secretariat. Underpinning the theoretical framework of this thesis are themes such as literacy, clerical identity and professionalization – all of which are examined through the prism of law, languages and access to justice. Grounded in a palaeographic and diplomatic approach to the manuscript sources, this research has yielded some surprising results regarding the essential role of provincial scriveners within the legal, political and administrative landscape of medieval England. Fundamentally, this thesis offers a new vision of provincial English scriveners and the influence of their work. Set against the backdrop of an increasingly ‘professional’ legal profession, the importance of provincial scriveners as the keepers and creators of legal memory is highlighted along with the impact that this had on the wider legal community of medieval England.
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