

Gender, Language, and Law in the Middle Ages

This list consists of a bibliography from feminist criticism that is tailored to the developing field of “literature and law” in the Middle Ages. Many of the texts on this list do not relate specifically to the Middle Ages, but they nonetheless offer useful theoretical models that can be applied to medieval topics.

I have subdivided the list into three main categories, though there is some overlap between them. The first of these, “language and agency,” groups together works that examine how language and other forms of communication relate to agency, from Butlerian performativity to Cixous’ *écriture féminine* to Schor’s gendering of the detail in literature. Texts by Caruth, Johnson, and Joplin address women’s acts of witnessing and the modes of communication that can be leveraged in response to trauma.

The second category, “law and economics,” is a selection of works from feminist legal criticism. Particular attention is given to the commodification and contractualization of female sexuality (e.g. Pateman, Phillips & Taylor, Rubin) and to treatments of women’s legal status within a masculinist state (e.g. Barlett, MacKinnon, Valdes).

The third category takes on “history.” This includes works that discuss “feminist history” from a methodological perspective (Bennett, de Beauvoir, Scott), as well as more particularized studies that exemplify methodologies of feminist history (Davis, Dean, Howell). Several texts focus specifically on late medieval/early Renaissance Italy (Kirshner & Cavallar, Klapisch-Zuber, Kuehn) but all are useful models for thinking about how to write feminist histories of a time before “feminism” existed as such.

These three categories provide a framework to work through some of the crucial issues in doing feminist scholarship of the medieval period. What are the challenges of writing from a 21st-century perspective about misogyny and antifeminism in the Middle Ages, and likewise how can such work help us to better understand misogyny and antifeminism in the present day? How can we reconstruct the cultural nuances of texts and practices that the 21st century would deem misogynistic, without oversimplifying or overstating the degree of women’s oppression? In what ways *were* medieval and early Renaissance women able to exercise agency, whether in historical reality or in the fictive theoretical space of legal codes and literary texts? What exactly is the relationship between codified written law and socio-cultural practice? And how can contemporary feminist theory be applied to pre-feminist texts in a way that acknowledges anachronism but also permits new and productive kinds of reading?

LANGUAGE & AGENCY

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