

NAVIGATING NORMATIVE BOOKS

IT IS TEMPTING to imagine all medieval manuscripts as trans or queer products. If we understand queer as a broad category indicating deviation from a set of normative values, it is easy to begin noticing such deviations in manuscripts. Manuscript transmission, for instance, is defined, according to Bernard Cerquiglini, by its variation, resulting in “l’excès joyeux (joyful excess[es]).”¹ Cerquiglini’s celebration of the joy of the variant manuscript text, chimes with the concept of *jouissance* in Continental theory, which registers transgressive and unregulated (excessive) pleasure. Meanwhile, for Lachmannian stemmatics (as I return to in Chapter 3) the variant transgresses the normative bounds of the authorial text. Such excesses (joyous, transgressive, or otherwise), might strike Susan Sontag as camp: “exaggerated,” “attenuated,” “outrageous,” “playful,” “slight[ing] content” in favour of style, and crucially for Sontag, “unintentional” and “naïve.”² Eve Kosofsky Sedgwick, in her consideration of reparative reading, understands classic camp performance as including, “the ‘over’-attachment to fragmentary, marginal, waste, or leftover products.”³ Certainly, manuscript culture can be and do all of these things: are all manuscripts a campy field of gender play?

Every manuscript is handmade and so necessarily distinct from every other. Curator and theorist Jeanne Vaccaro connects “transgender corporealities to labor and the politics of the handmade” in order to reclaim trans identity production as processual and embodied, and “counter biomedical and psychological discourses that pathologize non-normative transgender transitions, and the body’s dependence on external technologies.”⁴ For Vaccaro, the trans experience is a handmade experience in a constant state of *becoming* through “affective, textured and dimensional labor.”⁵ In her approach to visible handmadeness and handicraft in queer and trans

1 Cerquiglini, *Éloge de la variante*, 55–69; trans. Wing, *In Praise of the Variant*, 33–45.

2 Sontag, “Notes on ‘Camp.’”

3 Sedgwick, “Paranoid Reading,” 28.

4 Vaccaro, “Felt Matters,” 254.

5 Vaccaro, “Felt Matters,” 255.

art, then, Vaccaro looks to “materializ[e] alternative...affective economies and networks of relationality.”⁶ Such commitments also echo the remit of book history, which Robert Darnton defines as the analysis of the “communications circuit that runs from the author to the publisher...the printer, the shipper, the bookseller, and the reader...Book history concerns each phase of this process and the process as a whole, in all its variations over space and time and in all its relations with other systems, economic, social, political, and cultural, in the surrounding environment.”⁷ The dual focus on material and process in trans studies, then, certainly offers up areas of commonality for scholars of manuscript production and consumption.

Such commonalities are promising, but—to adapt a question posed in the acknowledgements of Daniel Wakelin’s 2014 book *Scribal Correction and Literary Craft*—how do we know what is queer?⁸ In a period when there was no alternative to the handwritten text, how do we measure queerness? To decide that everything is queer or disruptive—*unusual*, in Wakelin’s words—is to decide that nothing is. Moreover, Lucy Allen-Goss points out, to do so constructs “a reverse-teleology of technologies,” that associates the medieval with postmodern sensibilities and every subsequent technology with greater social restriction and normativity: an anachronistic inversion of the political nostalgia described in the previous chapter.⁹ Perhaps, as Allen-Goss’s observation alludes, what we are responding to is the apparent queerness of manuscript materiality when viewed from the relatively text-rich present. Compared to the uniformity and the reach of print and digital text, the manuscript appears singular, aberrant, even dissident. But this says more about our orientation toward the object (and, as shown in the previous chapter, more about manuscript studies’ disciplinary orientation) than it does about the objects themselves. As Sara Ahmed explains, an object is made queer when it is not oriented towards its normative function, is dislocated or turned away from what is usual.¹⁰ What Wakelin notices, then, when he questions our framing of what is “usual” in manuscript culture, is a need to reorient our relationship to our objects in order to identify their participation in the construction of normativity.

6 Vaccaro, “Felt Matters,” 257.

7 Darnton, “What is the History of Books?” 67.

8 Wakelin, *Scribal Correction*, xi: Wakelin writes that his book was prompted by the question, “How do you know what is usual?”

9 Allen-Goss, “Technologies of Touch.”

10 Ahmed, *Queer Phenomenology*, esp. 157–79.

of parameters. In *Immaterial Texts in Late Medieval England* (2022), Wakelin develops this idea in relation to scribal practice. For the people involved in making the book, he shows, the material quirks that accompanied the handmade text were subsidiary to their expectations of normative books. Such differences could be overlooked—holes could be patched, lines of text rerouted, bindings resewn in a myriad of contingent forms—as long as the end product did not diverge too substantially from its makers' *idea* of what a text and its status within a book should be.¹²

Of course, some manuscripts are different: experimental in form, format, or copying practice. To take an English example, the late twelfth-century manuscript of the *Orrmulum* (Figure 2)—an unfinished translation of the gospels into English made by an Augustinian canon called Orm—is highly unconventional. Thought to be an autograph draft destined for recopying, Orm makes use of pieces of offcut parchment that vary substantially in size. The text is written in double columns, but the writing area is not boxed or ruled and Orm's cramped hand fills all the available space on each page. Famously, Orm employs his own idiosyncratic (though surprisingly regular) spelling system, which introduced double consonants before every short vowel. Laura Ashe has argued that Orm should be seen not as a marginal outlier, but as “an original thinker: a man seriously engaged with the developing theology of his time, profoundly concerned with the structures of society and community, and...focused on the needs and difficulties of laypeople.” Nevertheless, Orm's approach to these questions, she finds, “stands in precocious isolation” from other—slightly later and certainly more censorious—works of English theology.¹³

Orm's approach might set him apart from other clerical writers of his time, and his manuscript is certainly materially and linguistically non-normative (at least by the standards of what survives to us today). However, his subject matter, translations of and homilies on the Gospels, is not. The vast majority of English manuscripts that survive to us are not the English-language poetry and prose at the heart of Wakelin's books. They are Latinate liturgical manuscripts and legal documents. These manuscripts are part of an ecosystem of written material that participated in the setting and regulating of societal norms: specifically, the enforced cisheterosexuality and patrilineality of medieval church and social life. Michael Clanchy has shown that, in England after the Norman Conquest, these structures were

12 Wakelin, *Immaterial Texts*.

13 Ashe, “Originality of the *Orrmulum*,” 37.

increasingly regulated through the written word. Across the twelfth and into the thirteenth century, bureaucratic writing increased at every level of society. Henry II's chancery was "capable of producing by hand hundreds of writs per week," and books on estate management recommended the keeping of lists, inventories, and records of yields to assist in the day-to-day and year-to-year management of village estates.¹⁴ It is likely, Clanchy concludes, that by the 1300s the written word played some role in regulating the lived routines of almost everyone, whether literate or not.

Most prominently, for my purposes here, the narrativizing force of the medieval book means that on the rare occasions that a trans person—broadly conceived—enters the written record, that record is often a hostile one. That is, whether the record is literary or documentary, the trans person is there as a result of controls on, and/or to police the boundaries of, normative gender expression. In this chapter, I revisit the case of Eleanor Rykener, a trans woman picked up by authorities in London in 1395, having been caught participating in paid sex with a man named John Britby behind a market stall on a small street south of Cheapside. I analyze the way the court scribe mediates Rykener's testimony, co-opting her voice on behalf of the court in an effort to police cisheterosexist gender norms. This mediation forces us to reconsider recent scholarship focussed on reclaiming Rykener's voice as a window into medieval trans agency. However, I build on such accounts to demonstrate Rykener's tactical interactions with the legal record. In particular, her use of a performative repertoire inside and outside of the court room that reorients hostile material records in the service of gender affirmation. Rykener's practice, I suggest, presents one of a range of tactics that allowed trans people to navigate cisheterosexist power structures through the material affordances of the normative book.

In the Courtroom with Eleanor Rykener

Undecimo die Decembris anno regni regis Ricardi secundi decimo octavo, ducti fuerunt hic coram Johanne Fressh maiore et aldermannis civitatis Londoniensis Johannes Britby de comitate Eboracum et Johannes Rykener, se Elianoram nominans veste muliebri detectus. Qui die dominica ultimo preterita per quosdam dicte civitatis ministros noctanter inter horas octavam et nonam super quoddam stallum in venella vocata Sopereslane inventi fuerunt iacentes, illud vitium detestabile, nephandum, et ignominiosum committentes.

14 Clanchy, *Memory to the Written Record*, 69 and 48–53.

Pro seperali examinatione coram dictis maiore et aldermannis super premissa fienda et audienda etcetera. Qui quidem Johannes Britby inde allocutus fatebatur quod ipse per vicum regium de Chepe die dominica inter horas supradictas transiens, dictum Johannem Rykener vestitu muliebri ornatum, ipsumque mulierem fore suspicantem fuerat assecutus, petens ab eo, tanquam a muliere, si cum ea libidinose agere possit. Qui ab eo argentum pro labore suo petens sibi consentiebat, invicem transeuntes ad illud compendium usque stallum predictum. Ipsi tamen tunc ibidem per ministros predictos in eorum maleficiis detestabilibus capti fuerunt, carcere vero mancipati hucusque, etcetera. Et predictus Johannes Rykener in veste muliebri hic adductus de materia predicta allocutus cognovit se fecisse in omnibus prout idem Johannes Britby superius fatebatur etcetera.

(On December 11, 18 Richard II, were brought in the presence of John Fressh, Mayor, and the Aldermen of the City of London John Britby of the county of York and John Rykener, calling [herself] Eleanor, having been detected in women's clothing, who were found last Sunday night between the hours of eight and nine by certain officials of the city lying by a certain stall in Soper's Lane committing that detestable, unmentionable, and ignominious vice (sodomy).

In a separate examination held before the Mayor and Aldermen about the occurrence, John Britby confessed that he was passing through the high road of Cheap on Sunday between the above-mentioned hours and accosted [Eleanor] Rykener, dressed up as a woman, thinking [s]he was a woman, asking [her] as he would a woman if he could commit a libidinous act with her. Requesting money for [her] labour, Rykener consented, and they went together to the aforesaid stall to complete the act and were captured there during these detestable wrongdoings by the officials and taken to prison. And [Eleanor] Rykener, brought here in woman's clothing and questioned about this matter, acknowledged [herself] to have done everything just as John Britby had confessed.)¹⁵

On December 11, 1394, Eleanor Rykener and John Britby—the man who was paying her—were brought before the Mayor of the City of London, having been found the previous Sunday evening having sex by a stall on Sopers Lane. Eleanor Rykener was a queer trans woman, living and working in and around London and Oxford at the end of the fourteenth century. She is found “dressed...as a woman,” “calling [herself] Eleanor,” working in feminine-

15 London, The London Archives (formerly Corporation of London Records Office), Plea and Memoranda Roll A34, m. 2; see Boyd and Karras, “*Ut cum muliere*,” 99–116, and Boyd and Karras, 479–85, ed. and trans. 481–85. Pronouns and names updated in square brackets in the English translation to reflect Eleanor’s identity as a trans woman, paragraph breaks mine. See, also, Henningsen, “Calling [Herself] Eleanor.”

coded occupations, and fulfilling the female role in sex, which she claims to have done many times in several geographic locales over a period of years. She has sex with both men and women, including clergy of both genders, both “as a man” and “as...a woman.”

It is not clear why the interrogation, having to do with public sex, accusations of sodomy, and sex work taking place outside of the bounds of Southwark, was held before the civil authorities (the mayor), rather than in a canon court. It is possible, Taylor Cowdery has recently shown, that the case came to the court of the mayor of London due to the details it records about Rykener’s employer, Elizabeth Brouderer, and her involvement in establishing Rykener in the sex trade. The bulk of the business that went through the mayoral court dealt with mercantile and guild disputes, including the management of standards in apprenticeships. Three other disputes recorded in the Plea and Memoranda rolls for this period involved the misconduct of embroiderers and seamstresses with respect to their apprentices.¹⁶ It is not clear that any charges were ever brought in Eleanor and John’s case. If the case was passed to canon authorities, then no records have yet been identified. Perhaps the interrogation that took place at the mayoral court was enough to make an example of them.

In any case, the surviving record of the interrogation in Plea and Memoranda Roll A34, m.2 represents a rare, if heavily mediated, instance of a trans voice in the historic record. Since its rediscovery by Ruth Mazo Karras and David Boyd in 1995, Rykener’s interrogation has most commonly been treated by scholars as a record of male homosexual activity and crossdressing. Gabrielle M. W. Bychowski demonstrates the cissexism (individual, disciplinary, institutional) of this approach, which assumes an historical subject to be cis unless given incontrovertible evidence to the contrary (up to and including the trans subject’s own testimony).¹⁷ Critical re-evaluation by transgender scholars has been crucial in reclaiming Eleanor’s trans voice. However hostile the documentary evidence may be, Bychowski demonstrates that underlying it is a record of Rykener’s own account. Rykener is attributed the verb to say (*dictus/quod*) ten times compared to Britby’s two.¹⁸ Her narrative occupies the bulk of the record and the account given of her life reaches far beyond the activities that she and Britby were picked up for on Soper Lane. Kadin Henningsen has also highlighted the importance

¹⁶ Cowdery, “Apprentice Work.”

¹⁷ Bychowski, “Transgender Turn,” esp. 99–105.

¹⁸ Boyd and Karras, “Interrogation,” 481–82.

of Rykener's voice: by "calling [herself] Eleanor" in this context, he notes, Rykener has "strategically—and perhaps even defiantly—*inscribe[d]* herself into the historical record as a woman."¹⁹ Both scholars reinforce their claims for Rykener's agency in the account by drawing attention to further examples. For instance, she takes on gendered labour, as an embroiderer, a tapster (a barmaid), and a sex worker: all feminine-coded jobs. She dresses herself "in women's clothing." And, when Britby propositions her, Rykener "turn[s] in response," negotiating payment (*argentum*) for her labour (*labore*) before she will consent (*consentum*) to the encounter. Bychowski figures these actions in terms of the "transgender turn," which she defines as a "turn[ing] out toward and speak[ing] back to cisgender people and cisgender versions of history."²⁰ Rykener's negotiation with Britby constitutes a turning back of cis assumptions and power dynamics. Through these actions, Rykener demonstrates her power within the relationship—to consent or not, to seek payment for her labour or not—and her position as a collaborator rather than a sexual object.²¹

Other people also participate in validating Rykener's trans experience. Henningsen employs Jane Ward's theory of "gender labor"—"the affective and bodily efforts invested in giving gender to others...the work of bolstering someone's gender authenticity"—to explain how other people in the record participate in Rykener's gender construction.²² Two women, Elizabeth Brouderer and Anna, taught Rykener how to dress and have sex "in the manner of a woman"; Elizabeth was also the first to call Rykener Eleanor; John Clerk of the Swan Inn employed Rykener as a tapster; and multiple people are named as having sexual intercourse with her "as a woman."²³ These events map variously onto the gendered and gender labour that Henningsen describes, which include the labour of alliance (Brouderer, Anna, John Clerk), the labour of forgetting, and the labour of being "the man" (Rykener's clients). For example, the account opens with John Britby's description of his encounter with Rykener. His multiple assertions that he perceived Rykener was a woman, and approached her as a woman, and spoke to her "as he would a woman," accompanied by his use of the feminine pronoun "ea," help to foreground Rykener's status as "*the woman*" in their interaction. As a presumed cis man, "Britby

19 Henningsen, "Calling [Herself] Eleanor," 251, emphasis mine.

20 Bychowski, "Transgender Turn," 98.

21 Bychowski, "Transgender Turn," 110.

22 Henningsen, "Calling [Herself] Eleanor," 257; see Ward, "Gender Labor," 237.

23 Boyd and Karras, "Interrogation," 483.

supports Eleanor's identity as a woman through 'surface reinforcements' such as pronouns and calling her Eleanor, as well as the 'more complex work of actually participating in the production of [his] partner's gender (through sex acts and roles, through shared gender dynamics, and through the private work of thinking and/or feeling sexual orientation in connection with [her] gender identity).'"²⁴

The preservation of Rykener's voice—not only in the reports of her testimony (*quod/dicus*), but also in her negotiations with Britby, her agreement on location, and her granting of consent—and the agency she displays in her self-presentation, has led scholars to frame her as a co-author of the documentary record, shaping her testimony as an act of ongoing self-fashioning.²⁵ This document is, as Bychowski puts it, "first and foremost a record produced about and by Rykener."²⁶ Recovering Rykener's voice is crucial as a means of "reckoning" with the cissexism of the historical establishment—which insisted on reading Rykener as a homosexual man—and of the record itself, constructed and controlled by the cis men who accused her.²⁷ I am grateful for the work of trans scholars who have taken steps to reclaim Eleanor Rykener's voice from the historical record. I appreciate the significance of such efforts to cross-temporal coalition building, validating trans existence in the face of current political claims of "novelty,"²⁸ and critiquing the construction of cis hegemonies. It is not my intention to undermine such efforts, but to reinforce them—as a book historian—with an interrogation of the role of the material record. However, we cannot let the promise of hearing Rykener speak elide or obscure the reality of cissexism. This record is a hostile one, as are most interactions trans people have had with historical documentation, and alongside celebrating the vivid life that it recalls we should be conscious that it documents an unpleasant and possibly traumatic experience and an attempt to suppress Rykener's humanity.

24 Henningsen, "Calling [Herself] Eleanor," 261, quoting Chess, *Male-to-Female Crossdressing*, 140.

25 Bychowski, "Transgender Turn," 109–10; Henningsen, "Calling [Herself] Eleanor," 251.

26 Bychowski, "Transgender Turn," 106.

27 Bychowski, "Transgender Turn," 110.

28 That is, the idea that trans identities are "new" and thus somehow invalid and evidence of a kind of "social contagion" that must be eradicated: for more, see Heyam, *Before We Were Trans*, 22–26.

Voicing the Hostile Archive

Any voice that Rykener is given in Plea and Memoranda Roll A34 has been heavily mediated by the scribe and the documentary conventions of the (cishetero) legal establishment. Naming Rykener as co-author of the record recognizes the work of self-fashioning it documents, but elides the attempted suppression of Rykener's choice, voice, and ability to self-define. We see these attempts in—among other features—the scribe's privileging of Britby's account over Rykener's; in his unquestioned sexualization of her and, by extension, all women ("as he would a woman"); and in the scribe's (almost) consistent misnaming and misgendering of her.²⁹ It is important that we do not overstate Rykener's power in this legal situation, and thereby make her complicit in her own subjugation.

According to Judith Butler, gender is *performative*. It is constructed through the deployment of self-constituting performative *speech acts*. That is, rather than describing an observable phenomenon (a *constative* speech act, e.g., "The apple is red"), the speech acts that produce gender do "not need a material referent to be meaningful," are not measurable, and create the conditions they describe through the act of "doing."³⁰ Butler gives the example of wedding vows ("I do"), which are abstract in themselves, but when said by the appropriate people (prospective spouses) in the appropriate context (a marriage ceremony) create the condition of being married.³¹ Butler demonstrates that gender operates through similar structures. However, unlike the act of marriage, gender must be constantly—and ideally for cis hegemony, consistently—re-enacted, both as a marker of individual identity and in support of the binary gender system. The act of naming is one such performative act: names are not innate or meaningful in themselves, they are chosen (usually by a parent around the time we are born) and become synonymous with one's personhood only through consistent and repeated use. In the UK, the process for changing a name is reflective of the performative nature of the act. All that is needed is a statutory declaration, in which one states that they "absolutely and entirely renounce, relinquish and abandon the use of" the former name

29 See Bychowski, "Transgender Turn," 103–5 for a more expansive unpacking of the cissexism of the historical record.

30 Stryker, "(De)Subjugated Knowledges," 10, with reference to Butler, *Gender Trouble*; Butler, *Bodies that Matter*.

31 See Butler, *Bodies that Matter*, 170.

and “assume, adopt and determine to take and use” the new name.³² Crucially, it is the continued and consistent use of the name that makes the declaration meaningful. So, in “calling [herself]” by a feminine-coded name, and in having others do so also, Rykener participates in the performative structures of womanhood.

However, it would be hard to argue for the performative success of Rykener’s speech as it is described in Plea and Memoranda Roll A34. Rykener’s claims to femininity are narrated by the scribe as a representative of the legal system. First, her words are in the legal Latin of court documentary culture, rather than provided in the English that she probably spoke.³³ Her speech is narrated in the third person (“[She] further said”), replicates documentary linguistic structures that refer to both the commonplaces of the genre and the form of the document (“the above said,” “confessed,” “exercise this vice,” “etcetera”), and fixates on and repeats details of time, place, and person (“for how long and in what places and with what persons”) as directed by the interrogation.³⁴ The scribe consistently misnames and misgenders Eleanor (thirteen of the pronouns used by the scribe are male), with the reflexive construction “se Elianoram nominans (calling [herself] Eleanor)” suggestive of a lack of agreement between Eleanor’s own statement and the perception of others.

Most crucially, in the context it is deployed here—i.e., by the scribe in response to an interrogation after an arrest related to sodomy, prostitution, and gender non-conformity—the narrativized speech no longer functions to assert Rykener’s gender, but to deconstruct or delegitimize it. While the image of Rykener unapologetically telling her story may resonate with a sympathetic audience, this document is designed to witness her failure to satisfactorily perform cisheterosexuality. By denying her womanhood (through the co-opting of her voice), the record suggests she has not succeeded in occupying the feminine role, despite providing details of multiple instances in which she does so. This is not to say that Rykener’s agency is not to be found, or that she had not successfully inhabited her gender up to this point. But, I suggest the invocation of her speech in this context serves a particular ideological purpose: to position her transness as a lie to which she can only confess (“item fatebatur ([She] further confessed)”), and so to

32 This formulation comes directly from the wording of my own, legally binding, statutory declaration.

33 See Clanchy, *Memory to the Written Record*, 209–11.

34 Boyd and Karras, “Interrogation,” 483.

deconstitute her gender and bring it back in line with cissexist standards. Rykener's agency is found where her actions assume a purpose unintended by the scribe (and the institution) reporting her words.

Performative Repertoire as Trans Tactic

In Isaac West's account of the arrest and trial of Debbie Mayne, a trans woman engaged in sex work in and around Pershing Square, Los Angeles in 1955, he documents Mayne's tactics for intervening into the legal record. In Mayne's case, this begins with her decision to get arrested in the first place, which she did on two occasions, both times by approaching a police office and declaring she had entered gendered spaces counter to her sex. The first incident occurred on November 14, when Mayne entered the men's public bathroom dressed as a man. Upon exiting she approached the officer, who she knew, and declared that she had undergone sex-reassignment surgery and intended to present as a woman. She was arrested for "masquerading as a man." On December 6 she returned to Pershing Square and used the women's bathroom. Afterwards she again approached the officer and was then arrested for "masquerading as a woman" and "outraging public decency."³⁵ Mayne's intention in provoking these arrests seems to have been to make her gender a matter of public record and set a precedent for trans recognition under the law. However, the judge who heard her cases (which the prosecutor combined into one hearing), "side stepped the issue of Mayne's legal sex, choosing instead to focus on" the charge of "masquerade." As a result, Mayne's voice and her intention are stripped out of her interaction with the legal record. The documents seem to "offer[...] little more than fragmentary evidence of the legal problems of one transsexual in a historically specific moment."³⁶

One object of West's research into Mayne is to challenge the value of visibility as an outcome of scholarly inquiry. Visibility, he suggests, construed broadly as the materials that make it into the public record for others to see, masks the "dynamic operations of domination and resistance" that shape the legal system. In other words, for trans people, the legal record, as it acts as a record of presence, is already skewed toward oppression—Rykener's voice has already been co-opted by the legal establishment. A focus on visibility, West suggests, citing James Scott, elides "the immense political terrain

35 West, "Mayne's Trans/scripts," 245–46. Debbie Mayne is a pseudonym first used by Meyerowitz, *How Sex Changed*. Archival records related to Mayne are kept at the Kinsey Institute for Research in Sex, Gender, and Reproduction.

36 West, "Mayne's Trans/scripts," 246.

that lies between quiescence and revolt” and the small acts of agency, resistance, and resilience that inhabit it and undergird what happens in the court room.³⁷ Mayne, West observes, did not broach any new legal or medical ground as a result of her interactions with the State, nor did she acquire much long-term celebrity, so the frame of *visibility*, of noticing her presence, functions primarily to extend a very limited list of historic trans people who enter the legal record and provides little information on the richness, complexity, and extent of trans lives.

As a means of moving beyond the invocation of voice as a measure of visibility and an exertion of power within the written record, West employs the model of “performative repertoires.” The term “performative repertoire” describes the suite of tactics that Mayne used to develop and practice agency outside of the moment of legal record and thereby “traverse[...] the discursive circuitries available to her” and circumvent the appropriation of the court.³⁸ Mayne’s repertoires take the form of “embodied practices,” which are used to navigate “logics of recognition and domination” and provide “psychic spaces of resistance.” Practices like provoking her own arrest(s): “Mayne did not wait for the law to find her; rather, by seeking out a confrontation with the law, she pre-empted her inevitable interpellation as a sexual deviant and criminal.”³⁹ West constructs the performative repertoire, as a corollary to Butler’s explanation of constrained agency. “The one who acts,” Butler observes, “acts precisely to the extent that he or she is constituted as an actor, and, hence, operat[es] within a linguistic field of enabling constraints from the outset.”⁴⁰ When speech is constrained or circumscribed by the legal establishment, performative repertoires present a tactic for generating “alternative articulatory pathways in the circuitries of power.”⁴¹

West looks for such tactics within the “hidden transcripts” of Mayne’s personal correspondence and medical record, which he contrasts to the public legal record and press articles. Here he observes her varied communication registers, the way she presents herself within a range of interpersonal scenarios, and other embodied modes of information transmission. These techniques allow Mayne to move beyond the limits placed upon her by the mediating form of the cis legal establishment and its records, which control

37 West, “Mayne’s Trans/scripts,” 246–47, citing Scott, *Arts of Resistance*, 140.

38 West, “Mayne’s Trans/scripts,” 256.

39 West, “Mayne’s Trans/scripts,” 247.

40 Butler, *Excitable Speech*, 16.

41 West, “Mayne’s Trans/scripts,” 250.

how she may be categorized, controlled, and historicized. West figures these “quotidian practices as important sites of identity creation, agency, and politics.”⁴² Here, performative repertoires provide tactics of trans resistance to the subjugation enacted by the normative documents of the legal record, “strategic critical resource[s] in resisting the expansion and sedimentation of legal hegemonies.”⁴³ In so doing, they refuse the courtroom record, drawing in the gestures, expressions, and relationships of a life outside.

For Rykener, no records exist beyond Plea and Memoranda Roll A34, but Henningsen’s analysis of the gendered and gender labour exerted by Rykener and her peers provides a starting point for assessing the performative repertoires that she employs outside of this record. In fact, the record provided by Plea and Memoranda Roll A34 is often pointing outward. Rykener references her travel between places—London, Oxford, Burford, and Beaconsfield—and her relationships with people—Elizabeth Brouderer, Anna, John Clerk, Sir William Foxlee, Brother Michael, and Joan Matthew—who assist in her passage, employment, and self-presentation. Like Mayne, we might suppose that she communicated with these people in different registers, with different objectives in mind. Rykener and Brouderer, for instance, seem to have shared an intimate and caring relationship: Rykener was dressed by Brouderer, was familiar with her daughter, was named by her, and on at least one occasion met with a client in Brouderer’s house. “[G]ender labor,” by Ward’s definition, “is the act of giving gender to others,” which comprises of the “intimate” duties of “witnessing, nurturing, validating, fulfilling, authenticating, special knowing, and secret-keeping.”⁴⁴ According to Rykener’s account, Anna (a sex worker associated with a former servant of Thomas Blount) and Elizabeth Brouderer instigated many firsts (*primo/prius*) in her gender journey, “giving” Rykener gender through naming, dressing, and teaching her to “be ‘the girl.’”⁴⁵

In taking on feminine-coded work (gendered labour)—not only sex work, but piece work as a seamstress and a tapster—Rykener takes on a culturally recognizable form of female embodiment that would register in the spaces she occupied, the objects she used, and activities she undertook. Her clothing stakes similar claims to culturally sanctioned femininity, and her choice of what to wear, when, and how, as guided by Brouderer, stages a series of negotiations that implicate various forms of embodied cultural

⁴² West, “Mayne’s Trans/scripts,” 256.

⁴³ West, “Mayne’s Trans/scripts,” 249.

⁴⁴ Ward, “Gender Labor,” 240.

⁴⁵ See Ward, “Gender Labor,” 242.

knowledge. We do not know, for example, whether there were certain fashion choices that signalled her willingness to undertake sex work to John Britby. We do know that, after having sex with Phillip, the rector of Theydon Garnon, at Brouderer's house, Rykener "took away two gowns (*togas*)" belonging to Philip. When Philip attempted to negotiate the return of the gowns, Rykener "said that [she] was the wife of a certain man and that if Philip wished to ask for them back [she] would make [her] husband bring suit against him."⁴⁶ Here, Rykener takes on the role—voice, presentation, embodiment, entitlement—of the wronged wife of a powerful man in convincing enough style to warn Philip off. We might imagine the "kind of person" who would make such a threat and see Rykener affecting the Karenesque bearing required to carry it off.

The performance of these embodied social repertoires afforded Rykener modes of resistance that slip the bounds of mediated text and allow us to see past it to other claims of agency. Sometimes those claims enter the courtroom. Having been "detected in women's clothing" at her arrest, it might be considered prudent if, when Rykener appeared for interrogation, she dressed to comply with the legal establishment's preferences. Instead, she is presented "in woman's clothing."⁴⁷ While her choice might be dictated by many considerations and contingencies—was Rykener held in custody or released between arrest and questioning? Was she provided with alternative clothing? Was presenting as feminine an attempt to subvert the charges of sodomy laid against them?—they visibly bring the transfeminine performative repertoire Rykener employs in other aspects of her life into the courtroom in a way that resists the standards the state operates through and the subjugation it enacts.

When faced with a courtroom full of hostile witnesses, Rykener had a range of options available to her. She could have clammed up, given minimal or evasive answers, or denied any further involvement than the sex that she and Britby were engaged in when they were caught. Instead, her testimony is extensive. In sharing the details of her social roles, the multiple feminine registers they occupy, and invoking the gender labour of others to sustain them, she enters her gender into a cissexist record that cannot and will not recognize or give credit to her voice. This decision, made knowingly or not, presents a tactic of resistance. Rykener retains her agency over her presentation, even as her words are co-opted through the workings of the written record.

⁴⁶ Boyd and Karras, "Interrogation," 483.

⁴⁷ Boyd and Karras, "Interrogation," 483.

Material Tactics for the Normative Record

Revisiting the formulations used by Henningsen and Bychowski to describe Rykener's agency over the text refocuses attention on the materiality of the document. The terms "inscrib[ing]" and "co-author[ing]" highlight the document's status as written record, both the product of embodied labour and a claim to material longevity.⁴⁸ *Inscription*, in particular, conjures images of permanence, memorialization in stone, and in one sense of the Latin verb (*inscribo*) branding on skin.⁴⁹ While Plea and Memoranda Roll A34 may be a hostile document, founded on the principal of ensuring conformity with cisheterosexual social and legal expectations, can we see the record of Rykener's embodied performative repertoires that it sustains as a redeployment of the document's material qualities for legitimizing purposes? I suggest that the repertoires indicated by Rykener's testimony, and that give her agency by extending her narrative beyond the subjugated setting of the courtroom, can be extended to—even come to a head in—her use of the record itself.

My claim rests on several observations about the document (Figure 3). First, that the plea and memoranda rolls of the Corporation of London were produced to record pleas and sometimes cases of those called before the mayor's, Staple, and mercantile courts in perpetuity, and took the form of running rolls sometimes spanning several calendar years. The roll on which Rykener's questioning is recorded reports cases from the mayor's court, beginning on November 4, 1394 and running to July 4, 1395—it spans three membranes (recto and dorse), Rykener's case is on membrane 2r. In this material context, the roll is not a working document to be used in the courtroom or in the calculation of duties, but a best copy designed—in theory—to be the object of historical record and given orderly place within the chronology of the workings of the court.⁵⁰ The plea and memoranda rolls of this

⁴⁸ Henningsen, "Calling [Herself] Eleanor," 251, and Bychowski, "Transgender Turn," 110 respectively.

⁴⁹ Lewis and Short, *Latin Dictionary*, *inscribo*, sense II.B.3.

⁵⁰ In practice, the survival of the Mayor's Court rolls is sporadic compared to those of the other courts of the Guildhall: on several occasions steps were taken by the City aldermen to encourage the four attorneys of the Mayoral Court to keep their records in the Chamber or in the City Treasury, suggesting that often those records were taken to or kept in private houses. It is also possible that the mayor, like the sheriff, retained at least some of his documents after he retired from office, in case he needed to defend himself against an appeal. The selective use of the plea and memoranda rolls in the late fourteenth century might be the result of scribes copying only what was pertinent from these longer documents before they were released to the mayor.

period contain only the records of the mayor's court that "seemed to the clerks worthy of remembrance either as legal precedents or as illustrations of the rights, privileges, and pre-eminence of the City."⁵¹ The 1394–1395 plea and memoranda rolls, then, unlike the original rolls and other documents of court proceedings, present a curated history of the business of the year. The selection of records included lay out the priorities and values of the court as they reflect those of the wider political establishment—in Rykener's case, the reinforcement of compulsory cisheterosexuality—and assert them as historical truth.

Although the case is longer than some of the other items in the roll, the record of Rykener's questioning conforms visually with the institutional standards of the surrounding entries (compare Figure 3, right). The text is copied as a solid orderly block, in a mixed cursive hand akin to many others used by the scribes of the Guildhall. The Latin is lightly abbreviated, as you might expect of a best copy. The record begins with a note in the margin, marking the start of a new item. The first initial is slightly larger, with some flourishing, and some other majuscules on the top line are extended, but the script overall maintains an even ductus and size throughout. Such features work alongside the institutional context of its production to reproduce the authority of the court across time. They situate Rykener's case within normative documentary standards, in an effort to craft a record that forces institutional conformity.

Debbie Mayne demonstrates, in her correspondence, a repeated concern that her trial was being used as a "test case," with the result that it had a national audience: "This decision," she wrote, "will effect every case in the Country."⁵² In her performative repertoire, as it appears in her "hidden transcripts," West identifies Mayne's active engagement with the legal system and selective deployment of information within the courtroom as a tactic of resistance, an attempt to force legal gender recognition by activating the court's normativizing documentary standards and to build on that recognition among a wider social milieu. Crucially, what Mayne wanted out of this interaction was not a radical departure from normative models. Rather, Mayne wanted incorporation into normative institutional modes; as she expressed it, to "get her operations" and to go about her business without

There was also substantial loss of Guildhall documents in the Great Fire of London: Thomas, ed., *Early Mayor's Court Rolls*, vii–viii.

51 *Early Mayor's Court Rolls*, ed. Thomas, vii.

52 West, "Mayne's Trans/scripts," 255.

harassment from the police.⁵³ Eleanor Rykener's performative repertoire, as expressed in her courtroom testimony, shows (at least in part) a similar drive towards some kinds of normative gender expression. Her participation in feminine-coded work, dress, naming, and relationships represents a taking on of normative—if marginalized—types of womanhood. In choosing to deploy the evidence of these repertoires in the courtroom, Rykener may show an equal awareness of the historicizing and normativizing role of the documentary record. These records were not intended for public consumption, but they were invested in curating a version of the "truth," and the presence of Rykener's testimony within this standardized form, extends this version of truth to the performative gender repertoires she deployed in the courtroom.

Second, I suggest that Rykener's tactical use of the normative record is enhanced by its status as a handwritten document. Such records, despite their standardization, rest on the embodied labour of the scribe and all the contingencies that come with that. Just as Rykener's testimony might be co-opted (as "confession") for cissexist legal purposes, the scribe's embodied labour was susceptible to being subverted and redeployed. As we will see in the next chapter, in handwritten texts, scribal intention is easily redirected, recruited, or collapsed. The reader (and the editor) looks through the work of the scribe toward another, more authoritative, more authorial, voice. This truism is registered by those scholars that have looked to this text as evidence of Rykener's speech. Scribes themselves are fallible, and corrections, like the one apparent in the centre of the record, are more easily and less traceably applied than they would be in paper and print. While Rykener did not have control over the reproduction and redeployment of her voice in the legal record, she could use her curation and presentation of material, including a full and flexible range of performative gender repertoires, as a means of claiming the tools of historicization (and thereby "truth"). Her courtroom performance may not save her speech from the cisheterosexist establishment, but the material record is subject to its own contingencies and the embodied repertoires her testimony calls out to are less easily overwritten. In fact, the materiality of the document affords both the historicization and reclamation of Rykener's trans experience.

53 West, "Mayne's Trans/scripts," 252.