

## **ABSTRACT**

BLACK, TIFFANY ELYSE. *Extralegal and English: the Robin Hood Legend and Increasing National Identity in the Middling Sorts of Late Medieval England*. (Under the direction of Dr. Julie Mell.)

Evidence for the legendary hero Robin Hood exists from at least the thirteenth century in England; however, throughout the long fifteenth century, a great efflorescence of Robin Hood materials appears. Village games, plays, and written ballads became increasingly popular during this period and were some of the first secular writings to be published when the printing press arrived in England at the close of the fifteenth century. While there were many different Robin Hoods, a common theme did exist. The legend was inextricably linked to the English legal system and relied upon the pervasive nature of the law in late medieval English society for its popularity. Through examination of the early printed ballads and culture of the village plays and games, it can be seen that Robin Hood was a hero shaped for and by the propertied middling sorts through the lens of legality. As this group gained means following the collapse of the manor in the second half of the fourteenth century, they were able to begin to shape a new popular culture for themselves independent of aristocratic chivalric culture. This paper argues that the Robin Hood legend exemplified this new popular culture based in legality and created out of a growing need for some sort of English identity.

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Extralegal and English: the Robin Hood Legend and Increasing National Identity in the  
Middling Sorts of Late Medieval England

by  
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A thesis submitted to the Graduate Faculty of  
North Carolina State University  
in partial fulfillment of the  
requirements for the degree of  
Master of Arts

History

Raleigh, North Carolina

2012

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## **BIOGRAPHY**

T. Elyse Black was born in San Jose, California and spent the first ten years of her life growing up along the Central Coast of California. She subsequently moved around the country before finally settling in North Carolina for her higher education. There she earned a bachelor degree in Hospitality Management with minor concentrations in French and Business Administration from the University of North Carolina Greensboro. After working in the private aviation industry for a year following graduation, she decided to return to the University of North Carolina Greensboro where she earned another bachelor degree in History. There she completed her final paper on the relationship between Henry II and Dermot MacMurrough during the Norman Conquest of Ireland under the direction of Anne Barton. This inspired her to pursue a master degree in Medieval History at North Carolina State University. In her spare time, T. Elyse Black enjoys writing poetry and spending time with her husband Lee, son Jack, and pet beagle Thumper.

## **ACKNOWLEDGMENTS**

I cannot possibly ever express my gratitude to those who have helped make this paper possible, but I will try to go some way in thanking them by mentioning them here. First, I am tremendously grateful to Dr. Julie Mell for being an advisor, teacher, and friend. She has a degree of patience and understanding with her students that I can only hope to one day emulate. Second, I offer incredible thanks to my wonderful husband Lee, who made many sacrifices and gave of himself in any way he could in order to help me complete my research. Third, I would like to thank my parents who were not always so subtle or gentle in their encouragement to complete my education, but who offered me the tough motivation I sometimes needed. Finally, I would like to thank my son Jack. He has inspired me everyday with his innocence, joy, and curiosity.

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## INTRODUCTION

Quite often one thinks of Robin Hood as a fictional product of Victorian sentimentality or perhaps more frequently, as a quasi-historical product of the high Middle Ages contemporary with Richard the Lionheart; however, few realize that his origins are in fact more at home in the later medieval period where the legend experienced an increase in popularity. This period was marked by great political and social change in England, but there was also a sense of continuity with the past. For every upheaval, there was a cultural response designed to adapt to the changes and familiarize them. The fourteenth and fifteenth centuries also saw a greater use of the vernacular and a growing emphasis on being English. This was possible due to the increasing separation of England from its continental rivals and an increasing need for the middling sorts to justify and maintain their place in English society. Robin Hood was a cultural phenomenon which enabled this process.<sup>1</sup> The legend was clearly not the only work of popular culture in what I propose as the long fifteenth century, but it does serve as a very useful representation for examining the growth of Englishness.

One of the earliest works printed on England's new printing presses at the turn of the sixteenth century was a ballad titled *A Lytell Geste of Robin Hode*. Printing furthered the popularity of a legend which had been gaining momentum throughout the prior century. The legend had been gaining momentum through village plays and games as well as shorter ballads detailing the adventures of the hero Robin Hood. Through an examination of these

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<sup>1</sup> The use of Robin Hood as a symbol of nationalism is typically reserved for discussions beginning in Victorian England when a push for a unified Englishness amidst a growing and diverse empire called upon figures such as King Arthur and Robin Hood. I argue that Robin Hood was seen as emblematic of Englishness much earlier and evolved along with English society.

early rhymes, plays and games, and later printed ballads this thesis explores why a hero who flouted authority, was pious, and worked for his own economic gain could appeal to a large and diverse audience. I argue he belonged specifically to the rising middling sorts of late medieval England. His Englishness made him a hero of popular culture while his malleable personality made him the ideal representative for new sensibilities taking hold for a burgeoning section of society. Therefore, in this paper I will argue that the legend of Robin Hood's popularity experienced an efflorescence in the fifteenth and early sixteenth centuries because the character appealed to the increasing middling sorts, and exemplified an Englishness which made him accessible to audiences beyond those creating and promulgating the legend.

### **Historical Background**

In order to examine rising national sentiment in England in the later Middle Ages, I feel it is more useful to designate a time period which I will call the long fifteenth century than to rely on traditional periodization. This century stretches roughly from the 1360s until 1509 when Henry VIII ascended to the throne. One could argue that Henry VIII was still a medieval king, but by the second decade of the sixteenth century, cultural and political changes were beginning to take place in England which would launch it into the early modern era.

On one end, the long fifteenth century is marked by the Black Death. Beginning in 1349, the Black Death swept through England and utterly devastated the population.

Somewhere between 2.1 and 3.75 million died by the end of the fourteenth century.<sup>2</sup> In the wake of such devastation, society naturally changed. As the worst of the plague subsided and Edward III began legislating some of the new societal changes, the 1360s mark a useful point of beginning for the long fifteenth century. That decade marked the beginning of an increase in wages due to a lower supply of labour as well as, according to Eamon Duffy, a harnessing of the morbidity of the plague into religious practices emphasizing “virtue and sociability in this world.”<sup>3</sup> Thus, the late fourteenth century and early fifteenth century saw both a great deal of sorrow as well as new opportunities for those who would take advantage of the altered social, political, economic, religious, and cultural landscapes of England.

The Battle of Agincourt in October 1415 was a highlight of this time. Celebrated in songs such as the Agincourt Carol and through royal proclamations, this great victory of the English over the more numerous French in the Hundred Years War is one of the great moments of Englishness.<sup>4</sup> Some semblance of unity was achieved in the celebrations of this

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<sup>2</sup> Lander, J.R. *Government and Community: England, 1450-1509* (Cambridge: Harvard University Press, 1980), 10.

<sup>3</sup> Duffy, Eamon. *The Stripping of the Altars: Traditional Religion in England 1400-1580* (New Haven: Yale University Press, 1992), 303.

<sup>4</sup> The Agincourt Carol is often considered one of the great secular carols of medieval England. Below is a modern English transcription from the Middle English in *A Middle English Anthology*, Ann S. Haskell, ed. (Garden City, NY: Anchor Books, 1969), 352-353.

*Deo gracias anglia,  
Redde pro Victoria.*

Our king went forth to Normandy,  
With grace and might of chivalry;  
There God for him wrought marvellously,  
Wherefore England may call and cry,  
*Deo gracias!*

He set a siege, the sooth for to say,  
To Harfleur town with royal array;  
That town he won and made afraid,  
That France shall rue til Doomsday,

Then forsooth that knight comely,  
In Agincourt field he fought manly;  
Through grace of God most mighty,  
He had both the field and the victory.  
*Deo gracias!*

There dukes and earls, lord and baron  
Were take and slain, and that well soon  
And some were led into London,  
With joy and mirth and great renown.  
*Deo gracias!*

No gracious God, he save our king,

victory over a common enemy. Further aiding the significance of the victory was that it had been won largely due to the use of the English longbow.

The unity afforded by a common external enemy did not last long, however, as England struggled through the 1450s. That decade saw the final defeat of the English in France at the Battle of Castillon in 1453 and the beginning of the Wars of the Roses only two years later. While the total time of active campaigning between the houses of Lancaster and York was only about a year, the unrest in the countryside among petty nobles who used the instability to their advantage and the general drain of war socially, made the period from 1455 to 1485 one of uncertainty.<sup>5</sup> To make matters worse, the Yorkists frequently sought the assistance of England's recent enemies, the French. The Wars ended when Henry VII, with support from Charles VIII of France, defeated Richard III at Bosworth.<sup>6</sup>

Henry VII's reign and new dynasty were not entirely secure with the defeat of Richard III. Yorkist pretenders to the throne threatened Henry in the early years of his reign and he was faced with royal coffers drained by war and political intrigue. Henry maintained many of the advisors and practices of Edward IV however, and it is this persistence of earlier practices that kept Henry VII in the medieval period. The seeds of the Renaissance had begun to drift into England during Henry VII's reign, but humanism and the cooperation

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*Deo gracias!*

Then went our king with all his host  
Through France, for all the French boast,  
He spared no dread of least nor most,  
Til he come to Agincourt coast,

*Deo gracias!*

<sup>5</sup> Guy, John. *Tudor England* (Oxford: Oxford University Press, 1988), 1-2.

<sup>6</sup> Guy, 3.

His people and all his well-wishers;  
Give him good life and good ending,  
That we with mirth now safely sing,  
*Deo gracias!*

(though not always willingly) with Parliament which we associate with the beginning of early modern England do not appear until Henry VIII assumed the throne in 1509.

The Robin Hood legend also began to change after 1509. As medieval notions of Englishness gave way to more complex ideas in the face of Protestantism, increased reliance on Parliament, the cultural boom of the Elizabethan period, and eventually the turmoil of the English Civil War of the seventeenth century, the legend and even the basic character of Robin Hood evolved to fit the needs of English society. And so, it is in the historical context of the long fifteenth century (1360-1509) that we must examine the medieval material of the Robin Hood legend in order to understand what it may have meant to its authors and audience.

### **The Material of the Legend**

As Robin Hood gained popularity in the long fifteenth century, the materials which constituted the Robin Hood legend became as diverse as the many versions of Robin Hood parading throughout them. From simple unscripted games attested to only in passing to the far more formalized printed editions of the *Gest of Robin Hood*, people of the late middle ages infused the outlaw hero into nearly every available form of popular medium. The main categories under which these various manifestations can be grouped chronologically are: the simple rhyme, plays and games, and the ballad. These categories contain diversity as well, but they are useful for understanding the breadth of popular culture infiltrated by the Robin Hood legend over the course of three centuries.

Robin Hood's earliest appearances in the cultural record are in the fleeting mentions he receives in the margins of manuscripts or as a simple rhyme craftily hidden in a chronicle. There are of course, the brief fourteenth century references to him in things such as the work of Chaucer or most notably, in *Piers Plowman*, but the marginal and chronicle mentions of the early fifteenth century can more easily be linked to the beginning of the legend's explosion in popularity.<sup>7</sup> Both of these present incidences of the use of rhymes. Thomas Ohlgren points to Andrew of Wyntoun's *Orygynale Cronykil* and two early manuscript margins as examples of these early rhymes. The manuscript margins are significant since they demonstrate knowledge of the legend amongst educated clerics studying in scriptoria who may or may not have gone on to become monks and priests.<sup>8</sup> These rhymes are not detailed or long, but they show some of the earliest trademarks of the legend in a form similar to what would become standard in the printed ballads. These early mentions of the legend are significant when they are examined in context. They point to a growing interest in the legend, and it is generally agreed that the increasing number of these rhymes is relatively indicative of the growth of the legend's spread geographically and demographically.

In comparison with these early rhymes, the plays and games leave even scantier evidence in terms of scripts or instructions. Secondary references abound to these productions in the archives, but very few scripts remain. The most famous of these is the supposed script traced to the Paston family. It is housed currently in Trinity College Library

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<sup>7</sup> Thomas Ohlgren, *Robin Hood: The Early Poems, 1465-1560: Texts, Contexts, and Ideology* (Newark: University of Delaware Press, 2007), 17. Ohlgren refers here to the rhyme in Andrew of Wyntoun's *Orygynale Cronykil* as published in *Robin Hood and Other Outlaw Tales*, ed. Stephen Knight and Thomas Ohlgren (Kalamazoo: Medieval Institute Publications, 1997), 24.

<sup>8</sup> Ohlgren, *The Early Poems, 1465-1560*, 18-19. Ohlgren argues that the scribbled rhymes in the Lincoln Cathedral manuscripts were the result of a student supposedly bored with his Latin studies.

and has been connected by various scholars to Sir John Paston prior to 1475.<sup>9</sup> This is important because it gives a case study for who may have sponsored these sorts of theatrical events. The plays were most likely part of seasonal games or feast day festivities sponsored by wealthy families such as the Pastons but would have been performed by and enjoyed by their household. Beyond the Paston manor, these plays and games would have taken place in villages across the north of England and later in the period, in the many neighbourhoods of London.

Thomas Ohlgren has given the most detailed account to date of the early printed ballads, especially the numerous versions of the *Gest of Robin Hood*. His dating of the first printed version of the *Gest* to around 1495 is supported by type-face dating as well as other secondary evidence frequently overlooked by those who had previously attempted to date the material.<sup>10</sup> Ohlgren provides valuable dating information as well as a concordance for all of the three major early printed versions. These are the Richard Pynson version, the “Lettersnijder” version, and the Wynkyn de Worde version with the de Worde version being the only complete extant copy and all of the texts dating from prior to 1515.<sup>11</sup>

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<sup>9</sup> “Robyn Hod and the Shryff off Notyngham (Introduction),” in *Robin Hood and Other Outlaw Tales*, ed. Stephen Knight and Thomas Ohlgren (Kalamazoo: Medieval Institute Publications, 1997), p. 269. The reverse of the manuscript with the “script” gives an accounting of John Sterndalle’s income in 1475-76 and is linked to Exeter.

<sup>10</sup> Thomas Ohlgren, *Robin Hood: The Early Poems, 1465-1560: Texts, Contexts, and Ideology* (Newark: University of Delaware Press, 2007), 98. The *Gest* does not exist as a manuscript but was reprinted in several editions during the sixteenth and seventeenth centuries with the earliest editions being printed by Jan van Doesbroch in Antwerp sometime in the first decade of the sixteenth century and by Wynkyn de Worde whose printings date from around the same time or possibly earlier. A collation of these two early printings (van Doesbroch and de Worde) was created by literary scholar and Robin Hood expert Stephen Knight and is the version used for the purposes of this essay as it represents the most complete version of the *Gest*.

<sup>11</sup> Ohlgren, *The Early Poems: 1465-1560*, 99. The de Worde version is typically the version of the *Gest of Robin Hood* used for reprinting in modern contexts; however, some editors choose the “Lettersnijder” version and supplement it with material from the de Worde text. This model was originally used by Robin Hood scholars Child and Dobson and Taylor, and it was used again in Stephen Knight’s edition of the ballad in *Robin Hood and Other Outlaw Tales* (1997).

No actual texts of what could be called ballad material survive from earlier than the fifteenth century when *Robin Hood and the Monk* was first recorded.<sup>12</sup> Stephen Knight gives the date of *Robin Hood and the Monk* as c. 1450 and states that it survives in The Cambridge manuscript as well as partially in *The Bagford Ballads*.<sup>13</sup> Thomas Ohlgren performs an in-depth examination of the Cambridge manuscript Ff5.48 and notes that it includes a collection of religious and secular works, most of which are in English with the exception of two devotional documents.<sup>14</sup> This suggests English was becoming increasingly dominant even among the more educated of society. Ohlgren also notes that the unprofessional nature of the collection and scribal work within the collection can be taken as a sign that the manuscript was compiled by its owner for private use.<sup>15</sup> This private owner is identified as Gilbert Pilkington, a non-noble cleric who likely used the works for sermons.<sup>16</sup>

Pilkington's ownership is surprising for several reasons. He is a cleric used to reading in Latin, yet most of the works are in English and *Robin Hood and the Monk* appears to be anti-clerical on the surface. On a basic level, this helps to demonstrate the increasing importance of the vernacular in the fifteenth century. Perhaps more complicated is the relationship between a cleric and a ballad which portrays Robin Hood as decidedly in opposition to a monk. This is the clearest evidence we have of the sort of interests being represented in the early legend.

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<sup>12</sup> Stephen Knight and Thomas Ohlgren, eds., "General Introduction." In *Robin Hood and Other Outlaw Tales* (Kalamazoo, Michigan: Medieval Institute Publications, 1997), 7.

<sup>13</sup> Knight and Ohlgren, 31.

<sup>14</sup> Thomas Ohlgren, *Robin Hood: The Early Poems, 1465-1560: Texts, Contexts, and Ideology* (Newark: University of Delaware Press, 2007), 31.

<sup>15</sup> Ohlgren, 31.

<sup>16</sup> Ohlgren, 39.

By the end of the fifteenth century, the Robin Hood plays were an important part of celebrations taking place on Whitsunday. These celebrations were cooperative efforts between religious and civic authorities to raise money for their various projects.<sup>17</sup> As part of a large congregation of people from varying levels of society, these plays are often seen as a place where frustrations with authority could be vented; however, these occasions were meant to be celebrations and one must be careful not to read too much of an air of the carnivalesque into what was essentially entertainment. According to scholar Lawrence Clopper, ‘It is much more likely that the average English person would have seen Robin Hood or the George, a dragon or the Margaret, or a boy bishop than a saint play.’<sup>18</sup> These plays were popular entertainment in a very real sense.

Besides being enjoyed by a large swath of the population, these plays were part of civic involvement. As with religious plays of the time period, guilds and wealthy landowners often helped to fund the performance, recruit the actors, and provide wardrobe.<sup>19</sup> It was a cooperative effort of the citizenry in a given parish, but it was organized by those with money and power. Rather than using Robin Hood to appease the peasantry through the acting out of anti-authoritarian grievances, it seems more likely that the plays were funded by those who saw corruption surrounding them and standing between them and the fount of true justice, the king. These guilds and landowners were concerned about self-preservation amid hostilities from those below and above, but they were also acutely aware of the danger corruption in government posed to their long-term existence. By helping to put on the Robin

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<sup>17</sup> Ohlgren, 56.

<sup>18</sup> Lawrence M. Clopper, *Drama, Play, and Game: English Festive Culture in the Medieval and Early Modern Period* (Chicago: The University of Chicago Press, 2001), 135.

<sup>19</sup> Eamon Duffy, *The Stripping of the Altars: Traditional Religion in England 1400-1580* (New Haven: Yale University Press, 2005), 67.

Hood plays, the guilds and landowners broadcast their concerns to a wider audience who may or may not have been persuaded. These people were also concerned with beginning to form a national identity. They were often those who had gained their wealth through the losses of others during the Hundred Years' War and Wars of the Roses, so they could begin to see the value of national unity to economic prosperity. By supporting plays which were accessible to all members of society, they were supporting a cohesive force which was common to the entire Isle of Britain and at the same time unique to it.

*A Lytell Geste of Robin Hode* was the first printed material in the Robin Hood legend and it began the process of standardizing the legend for those who were literate. It was the first long poem which included aspects of previous rhymes and plays while creating a singular personality for Robin Hood's character. This consolidation and its wider distribution by printing allowed a certain character to be known and then considered a standard by which later broadsheet ballads could draw. What resulted from this was an outlaw increasingly distinctly English and quite conscious of middling sort concerns. Robin Hood was transformed from a key participant in English genres to in a sense, becoming his own English genre.

The importance of this first of the printed ballads lies foremost in that it was widely read by the emerging affluent and literate middling sorts. Stephen Knight states that the poem was 'in considerable demand among the literate classes..., who patronized the newly established presses in London and Edinburgh,' and the earliest surviving manuscripts likely

belonged to members of the increasingly literate mercantile classes.<sup>20</sup> An introduction at the beginning of the ballad is addressed to these readers and asks them to consider Robin Hood as someone they might identify with in some way. The unknown balladeer asks them to ‘lithe and listen’ as he tells them of a character who while not noble, still commanded respect among his peers, was proud, pious, and quick-witted.<sup>21</sup> Where the plays had been available to all, this new printed form gave Robin Hood some exclusivity.

As the Robin Hood legend took on different shapes over time, it reflected the changing desires of its audience. From short ballads in private collections to printed ballads available for wider consumption, the legend maintained its central themes in order to appeal to an audience increasingly aware of their place in the world as English and their place in society as neither peasant nor noble. Scholars have in the past linked this awareness with a growing anti-authoritarian sentiment, and it is necessary to evaluate this scholarship in order to understand why it fails to address important themes of the legend.

### **The Historical Debate Over Origins and Audience**

Previous historical study of the Robin Hood legend has been taken up both by literary historians and social historians. These scholars have attempted to explain the legend largely as an outgrowth of peasant rebellion against the nobility with the carnivalesque aspects of the tale being used as evidence of the legend serving as a tension release valve for opposition to

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<sup>20</sup> Stephen Knight, *Robin Hood: A Complete Study of the English Outlaw* (Oxford: Blackwell Publishers, 1994), 71.

<sup>21</sup> “Here begynneth a lytell geste of Robyn Hode,” (Amsterdam: Theatrum Orbis Terrarum Ltd., 1970), A.ii. Originally published by Wynkyn de Worde, Fleet Street, London prior to 1519.

authority. This class-based argument has persisted in spite of new theories suggesting the growth of the legend may have not simply been a response to peasant frustrations.

The most notable scholarship on the Robin Hood legend has centred on a debate between Rodney Howard Hilton, James Clarke Holt, and Maurice Keen in issues of *Past and Present* between 1958 and 1961. Rodney Howard Hilton was a Marxist historian who began the debate in 1958 by arguing quite vehemently that the Robin Hood legend was a result of anti-authoritarian sentiments and the inherent conflict and violence present in late medieval society.<sup>22</sup> Hilton tied the legend closely to the Peasants' Revolt of 1381 and argued that the economic and social grievances of the late fourteenth century were obvious in the earlier Robin Hood ballads.<sup>23</sup> The later ballads, broadsheets, and plays were not addressed, and Hilton deals rather awkwardly with the question of a yeoman's status in late medieval England. He claims that in spite of references to free men in the ballads, it was more wishful thinking on the part of those who were in fact servile rather than any actual freedom being exercised.<sup>24</sup> This wishful thinking is also further expressed by the relationship between Robin and his men where a social contract emerges due to shared outlawry and democratically-obtained authority by Robin.<sup>25</sup> Knight later built on this argument and expanded Hilton's ideas regarding anti-authoritarianism, but within the *Past and Present* debate, there were historians who disagreed with Hilton.

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<sup>22</sup> R.H. Hilton, "The Origins of Robin Hood," in *Peasants, Knights and Heretics: Studies in Medieval English Social History*, ed. R.H. Hilton (Cambridge: Cambridge University Press, 1976), 226-227. Originally published in *Past and Present* no. 14, November 1958.

<sup>23</sup> Hilton, "The Origins of Robin Hood," 232.

<sup>24</sup> Hilton, "The Origins of Robin Hood," 228.

<sup>25</sup> Hilton, "The Origins of Robin Hood," 229.

James Clarke Holt argued that the Robin Hood ballads were a literature of the gentry and put forth several reasons why the legend's early manifestations should be viewed as resistance against corruption rather than a peasant discontent with landlords.<sup>26</sup> Holt frequently argued directly against Dr. R.H. Hilton and picked apart Hilton's argument even down to the smallest detail. He makes the basic geographical argument that the ballads were largely a phenomenon of northern England while the peasant revolts were focused mainly in the south; additionally, he sees no evidence for sympathies with villeins or serfs.<sup>27</sup> The basic geographical argument also leads Holt to evidence which supports his claims about the ballads being focused on a protest against corruption. He notes that northern England was plagued by misgovernment along with and often resulting from border and baronial warfare.<sup>28</sup> Holt also attacks Hilton's theory that the legend was an expression of outrage against landlords. According to Holt, there is no evidence in the early ballads to show that landlords were viewed harshly and claims that "any attack on landlords in the fourteenth century would have to embrace the landed gentry," which the early ballads do not do.<sup>29</sup> Furthermore, the supposed landlords mentioned in the ballads and put forth as targets by Dr. Hilton are shown rather to be disliked for corruptness such as a bishop's usury rather than due to their status as oppressive landlords.<sup>30</sup> Holt also argues that the themes of the forest and the sheriff were not indicative of a desire to escape established authority but were instead

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<sup>26</sup> J.C. Holt, "The Origins and Audience of the Ballads of Robin Hood," in *Peasants, Knights and Heretics: Studies in Medieval English Social History*, ed. R.H. Hilton (Cambridge: Cambridge University Press, 1976), 237. Originally published in *Past and Present* no. 18, November 1960.

<sup>27</sup> Holt, "The Origins and Audience," 237-238.

<sup>28</sup> Holt, "The Origins and Audience," 238.

<sup>29</sup> Holt, "The Origins and Audience," 243.

<sup>30</sup> Holt, "The Origins and Audience," 243.

universal themes focused on society-wide dislike for the king's forests and a general view of sheriffs as corrupt self-serving officials.<sup>31</sup>

The timeframe for the origin of the legend is also contested by Holt. He argues that based on mentions of the legend outside of the ballads as well as the themes present in the ballads that the legend must have a thirteenth rather than fourteenth century origin.<sup>32</sup> Holt also briefly mentions the concern with hospitality and formalities present especially in the *Gest of Robin Hood*.<sup>33</sup> This is of great significance to the argument presented in this paper, especially as it was taken up by Thomas Ohlgren; however, Maurice Keen also formed an important part of the *Past and Present* debate since his paper initially supports Hilton but was then retracted in 1976 in favour of Holt's argument.<sup>34</sup>

Maurice Keen's paper published in *Past and Present* served as a rebuttal of Holt's argument in defence of R.H. Hilton's argument for peasant discontent. In taking into consideration both arguments, Keen puts forth the theory that Robin Hood was anti-authoritarian and more specifically, anti-corruption and that these two attributes were complementary rather than oppositional vis-à-vis Holt.<sup>35</sup> He states that "the commons had no animus against social rank as such: what they resented was the lordship of unjust men and their corrupt practices."<sup>36</sup> This sounds very much like Holt's argument and returns only to Hilton in that these complaints necessarily came from a disgruntled peasant audience. Any

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<sup>31</sup> Holt, "The Origins and Audience," 244. Holt goes on to note the genteel nature of the poaching of which Robin partakes. He argues that Robin's game is not game which would have been poached by desperate peasants (p. 245).

<sup>32</sup> Holt, "The Origins and Audience," 253.

<sup>33</sup> Holt, "The Origins and Audience," 249.

<sup>34</sup> Maurice Keen, "Robin Hood – Peasant or Gentleman?" in *Peasants, Knights and Heretics: Studies in Medieval English Social History*, ed. R.H. Hilton (Cambridge: Cambridge University Press, 1976), 266.

<sup>35</sup> Keen, "Peasant or Gentleman?," 258. Original paper published in *Past and Present* no. 19, April 1961.

<sup>36</sup> Keen, "Peasant or Gentleman?," 261.

refusal to acknowledge the knightly classes as oppressors in the early ballads was a result of “respect” and not “empathy” by the balladeers according to Keen.<sup>37</sup> Therefore, the knightly classes were not spared due to any part they may have played in the origination of the legend but only because they were not seen as the immediate perpetrators of the greatest injustices against the peasantry. Perhaps it was the difficulty in reconciling Hilton’s argument with his own counterarguments against Holt which caused Keen to retract his opinions in favour of Holt’s in 1976; in fact, in his retraction, Keen abandons Dr. Hilton altogether in acknowledging that “attempts to relate the Robin Hood story to the social pressures of the period of the Peasants’ Revolt will [not] stand up to scrutiny.”<sup>38</sup> It is interesting that in light of this debate and Dr. Keen’s retraction that Stephen Knight argued in favour of Hilton’s theories and that the origins in peasant discontent proposed by Hilton would continue to heavily influence Robin Hood scholarship up to the present.

Stephen Knight, one of the foremost modern scholars on Robin Hood, is a literary historian whose work has shaped much of the current Robin Hood debate. Knight acknowledges the wide range of roles Robin Hood could play over the long history of the legend in his comprehensive book, *Robin Hood: A Complete Study of the English Outlaw*. His argument is still tied closely to issues of authority however, and he argues for an origin in power struggles in which Robin can stand for any group in conflict with another group holding authority.<sup>39</sup> This implies a conflict between peasants and the nobility in the earlier legends but becomes more difficult to define in the later ballads and especially Anthony

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<sup>37</sup> Keen, “Peasant or Gentleman?,” 258.

<sup>38</sup> Keen, “Peasant or Gentleman?,” 266.

<sup>39</sup> Stephen Knight, *Robin Hood: A Complete Study of the English Outlaw* (Oxford: Blackwell Publishers, 1994), 5.

Munday's play, *The Downfall of Robert, Earl Huntington* when Robin becomes a member of the nobility.<sup>40</sup> This complex shift in the legend is explained by Knight as a manifestation of Elizabethan fears regarding the maintenance of power by the nobility in light of increasing power within the middling-sort class of stewards and clerks.<sup>41</sup> Whether this entirely explains the dramatic shift in the legend is unclear and Knight is right to note that the play had little impact at the time it was published and performed.<sup>42</sup> The earlier ballads are easier to define for Knight and in his opinion frequently focus on resistance to established authority as well as a small-scale democracy in which Robin becomes emblematic of valid authority obtained through consent by his band.<sup>43</sup>

Historian Anthony James Pollard complicates the class-based argument in his book *Imagining Robin Hood: The Late-Medieval Stories in Historical Context* by arguing that the stories were meant for different audiences.<sup>44</sup> While this argument is maintained throughout the book, Pollard does not see it as being in conflict with a general sense of peasant discontent being present in the legend. He states that the ruling classes used class-based restrictions in the late fourteenth century to “construct a national code of social control”

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<sup>40</sup> Anthony Munday, “The dovnfall of Robert, Earle of Huntington, afterward called Robin Hood of merrie Sherwodde with his loue to chaste Matilda, the Lord Fitzwaters daughter, afterwarde his faire Maide Marian. Acted by the Right Honourable, the Earle of Notingham, Lord high Admirall of England, his seruants” (London: R. Bradock for William Leake, 1601).

<sup>41</sup> Knight, *Robin Hood: A Complete Study*, 123.

<sup>42</sup> Knight, *Robin Hood: A Complete Study*, 122.

<sup>43</sup> Knight, *Robin Hood: A Complete Study*, 4-5. Knight states that “Robin is consistently accepted as the leader of the band by consensus, not birth or violence,” and he sees this as a sign that Robin’s “recurrent resistance to sheriff or abbot refuses to accept coercive power as a basis for protecting those who are less than powerful.” Whether or not Robin’s resistance to authority makes him expressly a defender of those less powerful will be disputed later in this essay.

<sup>44</sup> A.J. Pollard, *Imagining Robin Hood: The Late-Medieval Stories In Historical Context* (London: Routledge, 2004), 8.

following the social turmoil created by the Black Death.<sup>45</sup> Against these social controls, the emerging merchant and wealthy non-noble landowning classes began to create their own opposition and as feudalism collapsed, they became the new targets for the oppressed lower classes' dissatisfaction.<sup>46</sup> This evolution of society created multiple versions of the Robin Hood legend for multiple audiences who perhaps without even changing much within the actual story could see it as tending to their own expressive needs. Two important ideas are also noted by Pollard which had not been taken up by previous historians or Stephen Knight but which became an underlying theme for Knight's colleague Thomas Ohlgren. The first was that a growing "capitalist economy" in fifteenth century England allowed for an improved standard of living and leisure time for the emerging middling-sorts, and the second was that from 1450 through 1550, these middling sorts became concerned with what was historic and what the past meant for the present.<sup>47</sup>

Thomas Ohlgren's treatment of these two themes in his book *Robin Hood: The Early Poems, 1465-1560: Texts, Contexts, and Ideology* is based around his investigation of the provenance of the earliest Robin Hood texts and his discovery that many of them did in fact have ties to the so-called middling-sorts. However, Ohlgren also seems to agree with Pollard and Knight in their assertion that the fluid nature of the legend allowed it to be adapted for a diffuse audience.<sup>48</sup> These conflicting assumptions plague the remainder of the book and it is perhaps only resolved in the way that Ohlgren focuses the importance of the ballads on their

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<sup>45</sup> Pollard, *Imagining Robin Hood*, 19.

<sup>46</sup> Pollard, *Imagining Robin Hood*, 20-22. Pollard also questions the notion of whether England ever had a true peasantry in the way most historians define such a group of people; although, the question is not satisfyingly resolved, nor does it necessarily need to be resolved for the purposes of Pollard's argument.

<sup>47</sup> Pollard, *Imagining Robin Hood*, 24-25, 16.

<sup>48</sup> Thomas Ohlgren, *Robin Hood: The Early Poems, 1465-1560: Texts, Contexts, and Ideology* (Newark: University of Delaware Press, 2007), 183.

contemporary owners rather than on the broader origins of the legend. This detailed study of each of the early texts and their owners is very important in understanding the way the legend moved in late medieval England. Ohlgren makes certain claims about the appeal of a given ballad within the tradition to its owner at the time, but he still falls short of making a broad interpretation as to the legend as a whole and its place within society other than to rely upon the “diffuse audience” theory.<sup>49</sup>

What most of this scholarship does not specifically address is that regardless of its intent, the Robin Hood legend was very much a part of English popular culture and not a product of the nobility. Peter Burke offers a working definition of culture in his book, *Popular Culture in Early Modern Europe*. Burke defines culture as ‘a system of shared meanings, attitudes and values, and the symbolic forms (performances, artifacts) in which they are expressed or embodied,’ and he goes on to define popular culture negatively as ‘unofficial culture, the culture of the non-elite.’<sup>50</sup> He further complicates this definition by demonstrating that popular culture was not uniform in any given place at any given time due to the heterogeneous nature of those people below the elite in society; however, this helps to resolve the issues of diffuse audiences and mixed intents in previous Robin Hood scholarship.<sup>51</sup> It does create some conflict with the model put forth by Eamon Duffy in which popular culture is diffuse throughout all levels of society. I argue that only in taking both definitions of popular culture can we reach something more closely resembling reality. Elite culture could not belong to everyone else because it was international and based in court, but the culture created below the nobility moved between segments of society. This

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<sup>49</sup> Ohlgren, *The Early Poems, 1465-1560*, 183.

<sup>50</sup> Peter Burke, *Popular Culture in Early Modern Europe* (New York: New York University Press, 1978), xi.

<sup>51</sup> Burke, 22.

explains why the Robin Hood legend operated so well within communities and was able to become so popular.

Therefore, while most of the evidence from the Robin Hood materials of the fifteenth and early sixteenth centuries shows a main focus on issues concerning the middling sorts, as an artefact existing within popular culture, the legend was subject to influences and pressures from other groups. A diverse audience may have heard the legend and been able to make its own interpretations as to its meaning, but its primary creators as far as can be deduced from printing evidence and ownership of early manuscripts was the middling sort. This definition reconciles Hilton's theory of peasant discontent with the findings of Holt and the mixed conclusions made by Ohlgren in spite of the fact that Burke himself later associates the Robin Hood legend with rebellion against authority channelled through the 'evil counsellors' of the king.<sup>52</sup>

### **'ROBIN HOOD AND THE MONK': THE ENGLISH OUTLAW**

"Robin Hood and the Monk" is one of the earliest surviving ballads in the Robin Hood tradition. It is a seemingly simple story with plenty of swashbuckling action, trickery, and a happy ending for the outlaw; however, the details of the story reveal something more complex. Through an examination of these details, I argue that it struck a chord with the English people who both produced and consumed it by appealing to their expanding knowledge of the law. This knowledge included the slippery concept of outlawry. Nearly anyone who would have read or heard this ballad in the fourteenth or fifteenth centuries

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<sup>52</sup> Burke, 154.

could have recognized the legal undertones of the ballad, especially the rising middling sorts who had a deep vested interest in existing law and emerging precedents.

### **Dating the Action**

To understand these legal undertones, it is important to attach a date to the ballad. The text is preserved in Cambridge University manuscript Ff.5.48, and Stephen Knight dates it to sometime after 1450.<sup>53</sup> Thomas Ohlgren dates the text to around 1465 based on textual analysis and his finding that the surviving manuscript originally belonged to a Gilbert Pilkington who was ordained in that year.<sup>54</sup> The action of the ballad however, more likely dates to a time one hundred years earlier and the surviving manuscript is probably the result of an oral tradition committed to writing.

In the ballad, the monk seeks the sheriff for Robin's capture. Following 1461, a statute abolished the jurisdictional powers of the sheriffs and required them to hand over indictments to the justices of the peace.<sup>55</sup> Furthermore, according to common law any freeholder responding to the hue and cry could have killed Robin Hood prior to 1329; therefore, the action is probably set sometime between 1329 and 1461. To narrow the date further, it is generally accepted that the phrase 'oure cumly kyng' refers to either Edward III or Edward IV. Based on the dates of the aforementioned legislation, the king must then be

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<sup>53</sup> Stephen Knight, "Introduction." In *Robin Hood and Other Outlaw Tales*, Stephen Knight and Thomas Ohlgren, eds. (Kalamazoo: Medieval Institute Publications, 1997), 31.

<sup>54</sup> Thomas Ohlgren, *Robin Hood: The Early Poems, 1465-1560: Texts, Contexts, and Ideology* (Newark: University of Delaware Press, 2007), 40.

<sup>55</sup> Lander, J.R. *Government and Community: England, 1450-1509* (Cambridge: Harvard University Press, 1980), 35. See also, Helen M. Jewell. *English Local Administration in the Middle Ages* (New York: Barnes & Noble Books, 1972), 145. Though the justices of the peace began gaining power much earlier and were able to determine felonies and trespasses at peace commissions in 1329 – though this was reversed and not restored until 1350 and was then "applicable except between 1364 and 1368 and between 1382 and 1389" (Jewell, 145.)

Edward III (it is doubtful in any case that it referred to any of the mostly unpopular monarchs between them).<sup>56</sup> This places the story in the mid-fourteenth century.

### **Proposed Purposes of the Ballad**

Discovering the initial purpose of the text also aids in understanding its meaning. Stephen Knight holds that the ballad with Robin's devotion to the Virgin Mary and the emphasis on cash as a corruptive force was a fantasy for a time and place when the natural world functioned without the rapidly growing cash economies of late medieval England.<sup>57</sup> The textual analysis done by Thomas Ohlgren argues for a different value for the original text. He holds that the manuscript was produced by Gilbert Pilkington for his own personal use and that while seemingly anti-clerical in nature, the ballad was actually a useful didactic tool for a village priest.<sup>58</sup> While this offers an excellent explanation for why a recently ordained priest would go through the trouble of writing out himself or copying the ballad, it does not address how it might have been received by the congregation or Pilkington's other possible uses for the manuscript. More important than memories of an imagined time or the specific use of the manuscript for a single owner is the meaning the ballad would have held for those who originally produced it.

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<sup>56</sup> See also an argument in favor of the dating for Edward III in Thomas H. Ohlgren, "Edwardus redivivus in a 'Gest of Robyn Hode,'" in *The Journal of English and Germanic Philology*, 99:1 (2000), 1-28.

<sup>57</sup> Stephen Knight, "Introduction." In *Robin Hood and Other Outlaw Tales*, Stephen Knight and Thomas Ohlgren, eds. (Kalamazoo: Medieval Institute Publications, 1997), 32, 34. Knight cites the similarities between Robin's devotion to Mary and other medieval 'miracles of the virgin' as a link to a previous medieval tradition, and he notes that the gambling which takes place in the ballad is indicative "of a 'natural' economy under threat by some early form of cash nexus" (34).

<sup>58</sup> Thomas Ohlgren, *Robin Hood: The Early Poems, 1465-1560: Texts, Contexts, and Ideology* (Newark: University of Delaware Press, 2007), 29, 31.

Since it can be said that the ballad likely originated from an oral tradition (or possibly even lost written tradition) based in the mid-fourteenth century, it is more useful to turn towards the concerns pertinent to that time. With the coming of the Black Plague in 1348 and the Hundred Years' War with France, there was much to be concerned about. The king, Edward III, used legislation to maintain law and order in light of these trials and it is this concern for justice which takes center stage in "Robin Hood and the Monk." I posit that the mechanism of outlawry became symbolic of the transitional nature of the law at that time in England. As England began to separate itself from France during and following the Hundred Years' War, England found ways to distinguish itself as English and the legal system was one of the most useful ways of identifying differences with the Continent.

### **Narrative Summary**

The narrative of the ballad emplots the English legal system, and outlawry more specifically, in a tale of piety, murder, trickery, and feral revelry. It begins on Whitsunday in a glade in what is presumably Sherwood Forest. The sun is shining, the forest is verdant with summer growth, and it would seem Robin's band of outlaws is simply enjoying their leisure time. Little John is quite content and attempts to cheer up the apparently brooding Robin. Robin then reveals the source of his sadness to be his inability to enter town for mass on a solemnity; he bemoans the fact that it has been more than two weeks since he last attended mass. In spite of his outlaw status, Robin decides to go to Nottingham without protection after having a row with Little John over a shooting match. Robin had been defeated by Little John; and as a sore loser, he had struck his most loyal comrade. Once in Nottingham, the

outlaw is discovered in the church by a monk whom he had robbed previously and the monk immediately raises the hue and cry to the sheriff in order to have Robin arrested. Robin is eventually captured after the sheriff's men storm the church, and Little John finds out. John kills the monk as he is travelling to the king with Robin's warrant, deceives the king into giving him his seal, and returns to free Robin from prison. The sheriff and the king are both fooled and the outlaws return to the forest to celebrate.<sup>59</sup> It is an adventure that could easily be enjoyed simply for its exciting action and quick dialogue which complete in a neat narrative arc, but there are a few themes which would have hit exceptionally close to home for many of those hearing the tale.

#### **'The King's Felon': Why was Robin an Outlaw?**

Outlawry is the most obvious theme of the ballad. Robin and his men are outlaws and the conflict which is to be resolved in the narrative is directly related to their outlawry. While outlawry existed elsewhere in Europe at the time, the institution had been refined and become a central part of the legal system in England. An analysis of the ballad from a legal perspective seems counterintuitive when speaking about it appealing to large groups of people who were still for the most part illiterate; however, medieval England was a litigious place, and most people had experience with the basic workings of the English courts.<sup>60</sup> The

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<sup>59</sup> "Robin Hood and the Monk," in *Robin Hood and Other Outlaw Tales*, Stephen Knight and Thomas Ohlgren, eds. (Kalamazoo: Medieval Institute Publications, 1997), 37-48.

<sup>60</sup> Those who were literate were even more acutely aware of the relationship between literature and law. John A. Alford notes that the Inns of Court had become a great centre of literary activity by the mid-sixteenth century and that there would have been a good deal of mutual familiarity (John A. Alford, "Literature and Law in Medieval England." In *PMLA* 92:5 [1977], 941). This is obvious from the scores of references to Robin Hood or Robin Hood-type characters in a myriad of forms in legal documents as a criminal archetype. Frequently, this is the only part of the relationship between the law and Robin Hood which is examined however, and the other half of the relationship in which the law lends to the legend is often overlooked.

uniqueness of the English institution of outlawry and the general understanding of the legal system by the majority of the English population means that despite their criminal nature, Robin and his men were identifiable as distinctly English characters

Audiences of the ballad are not told initially why Robin has been outlawed, but it is clear that he is a fugitive of the law from his reservations regarding his trip into Nottingham. This information is likely left to develop naturally later in the narrative because it is relatively unimportant compared to Robin's status as an outlaw itself. Becoming an outlaw in medieval England was no easy task though it must have been somewhat common based on the number of outlaw ballads from the medieval period.<sup>61</sup>

In order to become an outlaw, an Englishman had to first be accused of a crime.<sup>62</sup> This crime was for the most part to be a felony which included by the early thirteenth century, murder, homicide, arson, robbery, rape, maiming, wounding, burglary, and larceny.<sup>63</sup> The accused felon was by the fourteenth century primarily ordered before the court by indictment. He was ordered to appear before the county court and if he failed to appear, he was exacted or interrogated at four successive county courts. If the indicted felon

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<sup>61</sup> Other fictional or quasi-historical outlaws popular in the medieval period include Hereward the Wake, Clim of the Clough, William of Cloudesley, and Fouke Fitz Waryn. Factual outlaw gangs were also well-known in the fourteenth and fifteenth centuries, the most notorious of which being the Folville and Cotterel Gangs who operated something akin to a medieval crime syndicate in the midlands and north of England in the fourteenth century.

<sup>62</sup> English women were not considered outlaws but were treated essentially the same. Outlawry was beginning to be extended to civil defendants as well in the thirteenth century, especially in civil cases of trespass or debt, but the process was the same (see Sir William Holdsworth, *A History of English Law*, vol. III [London: Methuen & Co Ltd, Sweet and Maxwell Ltd.], 606-607).

<sup>63</sup> Stewart, Susan, "Outlawry as an Instrument of Justice in the Thirteenth Century," in John C. Appleby and Paul Dalton, eds. *Outlaws in Medieval and Early Modern England: Crime, Government and Society, c. 1066-1600* (Burlington, VT: Ashgate Publishing Company, 2009), 40.

failed to appear at all four of these later courts, he was at last declared an outlaw.<sup>64</sup> This meant that several months could pass and that an indictment had to be returned to the court with absolute accuracy each of the five times followed by an entirely accurate return of outlawry before a felon was formally outlawed. Even the slightest deviation in wording or error in dating could void an indictment and force the process to begin anew.<sup>65</sup> Alternatively, the felon could be erroneously outlawed due to the indictment being presented in a county too distant from his residence for him to receive timely news of it or the indictment could be for a different person of a similar or the same name, and the outlaw was then forced to obtain a royal writ returning him to the king's peace. This was only if he was not captured and his outlawry was not found valid by the court before his receipt of the royal writ since such a verdict by the court before a pardon would result in virtually instant death by hanging.<sup>66</sup> Following Edward III's legislation of 1329 preventing outlaws from being killed upon apprehension, it was still only a small matter of proving the captive's outlawry before he was hanged. This undoubtedly prevented a great many innocent men from being killed by vigilante townspeople, but it was only a small concession to an otherwise terminal condition.

For the purposes of "Robin Hood and the Monk," this means that Robin had likely been outside the law for some time. The audience discovers that Robin's presumed reason

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<sup>64</sup> Pollock, Sir Frederick and Frederic William Maitland. *The History of English Law: Before the Time of Edward I*, vol. II (Cambridge: Cambridge University Press, 1898), 581. See also Ralph B. Pugh, "Early Registers of English Outlaws." In *The American Journal of Legal History* 27:4 (1983), 319 for the courts in which outlawry could originate.

<sup>65</sup> Holdsworth, 604-605.

<sup>66</sup> Pollock and Maitland, 581-582.

for having the hue and cry raised against him in Nottingham is the robbing of one hundred pounds from the monk of the abbey there.<sup>67</sup>

This traytur name is Robyn Hode,  
Under the grene wode lynde;  
He robbyt me onys of a hundred pound,  
Hit shalle never out of my mynde.<sup>68</sup>

As many Englishmen accused of felonies, Robin likely would have found fleeing into the forest a much better option than a potential trial in which he would be facing a churchman without being given any opportunity to defend himself. While it involved sacrificing all his property and becoming a fugitive, there was always the hope of an eventual pardon from the king or of simply eluding arrest for the rest of his days. Especially following the decree of 1329, being an outlaw came to mean simply a “criminal at large” rather than the bearer of the wolf’s head, to be hunted down like an animal and killed.<sup>69</sup> So, Robin went on the lam. The reader can likely assume he was guilty since the area of Nottingham seems to be his residence and he seems to be well aware of his condition at the beginning of the ballad when he laments his inability to attend mass.

Robin has apparently committed the felony of robbery and probably even more heinously, in the sacred realm of a royal forest against a cleric; he has avoided five county courts calling for his indictment of which all must have been accurately conveyed; and finally, he is aware of his situation as an outlaw and is seeking no remedy other than to hide

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<sup>67</sup> Ibid, 40.

<sup>68</sup> “Robin Hood and the Monk,” in Stephen Knight and Thomas Ohlgren, eds. *Robin Hood and Other Outlaw Tales* (Kalamazoo: Medieval Institute Publications, 1997), 40. A note by the editor in regards to the monk’s raising of the hue and cry states that the monk has violated the ancient privilege of sanctuary by reporting Robin to the sheriff; however, the source cited refers to felons not already tried or outlawed. As an outlaw, Robin had forfeited his right to sanctuary and could be captured by the sheriff.

<sup>69</sup> Stewart, 54. For the metaphor of the outlaw bearing the wolf’s head, see Bracton, vol. II, 354.

in the forest.<sup>70</sup> Why is it then that after only two weeks of being officially outlawed, Robin feels secure asking only Little John to accompany him into Nottingham to attend mass at the church where his supposed victim was a monk? Robin says,

“Hit is a fourtnet and more,” seid he,  
“Syn I my Savyour see”<sup>71</sup>

It may never be possible to determine whether Robin knew the monk would be at the church when he attended mass, but if the monk was able to recognize him, Robin would likely have recognized the monk and should have fled. As an outlaw, Robin did not have the protection of sanctuary and the monk was within his rights to raise the hue and cry against him to the sheriff.<sup>72</sup>

The boldness of Robin in this instance may have resounded with audiences of the fourteenth century. Papal authority at the time resided in Avignon in France and while remaining pious in his attempt to attend mass, Robin’s brazen challenge of the monk is a challenge of possible foreign influence. As a cleric, the monk’s first allegiance was to the papacy (much to the chagrin of the English kings), and the monk was therefore identified with the French popes. During a time when England was frequently at war with France and was continuing its efforts to distance itself from its Norman roots, Robin’s affront on the monk may have been cheered as a challenge to French influence in England. The monk is

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<sup>70</sup> “Under the grene wode lynde” is a reference to a forest and as there was a royal forest near Nottingham, it is quite possible that was the location of the crime.

<sup>71</sup> “Robin Hood and the Monk,” 37.

<sup>72</sup> “Outlaws were by definition excluded [from sanctuary], as they had no protection under the law.” Being outside of the law necessarily meant forfeiture of the law’s protections such as sanctuary. Gregory-Abbott, Candace, “Sacred Outlaws: Outlawry and the Medieval Church,” in John C. Appleby and Paul Dalton, eds. *Outlaws in Medieval and Early Modern England: Crime, Government and Society, c. 1066-1600* (Burlington, VT: Ashgate Publishing Company, 2009), 87.

able to gain the upper hand however since the sheriff's men are successful in apprehending Robin. He is sent to jail to await the confirmation of his outlawry.

Nottingham's villainous sheriff is not so villainous in "Robin Hood and the Monk" as he appears in later Robin Hood ballads, especially the *Gest*. The sheriff simply fulfills his duties by hearing the monk's raising of the hue and cry and then apprehending the outlaw. It was his job to detain the felon until his outlawry was confirmed and then to dispense justice according to the law.<sup>73</sup> There is nothing in "Robin Hood and the Monk" which points to the sheriff being hated as he is in later ballads either. He is inevitably tricked by Little John just as the king is, but he is neither brutally murdered or publicly humiliated as he is in the *Gest* or "Robin Hood and the Potter," respectively. The sheriff is simply a mechanism for moving the narrative forward and provides the setup for the exciting action of Robin's jail-break. This turns the attention of the audience away from the sheriff and back to the monk who is brutally murdered not by Robin, but by Little John.

The monk is travelling from Nottingham to the king in order to obtain a warrant confirming Robin's outlawry when Little John and Much ambush him near Much's uncle's house. They claim Robin Hood had robbed them of twenty marks and ask the monk if he has any news of the outlaw's capture. The monk quite proudly proclaims that he was the one responsible for Robin's capture and was on his way to seal his fate with the king. Little John and Much offer to go with the monk but after some distance, they pull both the monk and his page off of their horses and kill them both. Following upon the notion that the monk represents foreign influence, it is appropriate that the outlaws stop the monk from influencing

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<sup>73</sup> Gorski, Richard, "Justices and Injustice? England's Local Officials in the Later Middle Ages," in John C. Appleby and Paul Dalton, eds. *Outlaws in Medieval and Early Modern England: Crime, Government and Society, c. 1066-1600* (Burlington, VT: Ashgate Publishing Company, 2009), 61.

the true fount of justice, the king. The outlaws continue on to the king where they become yeomen of the crown, are granted a reward, and are given a letter of the privy seal to take back to the sheriff.<sup>74</sup> This particular letter is an instance of the privy seal being granted to the outlaw for safe conduct.

He gaf John the seel in hand,  
The sheref for to bere,  
To bring Robyn hym to,  
And no man do hym dere.<sup>75</sup>

The king seems fascinated with Robin Hood and has a previous knowledge of the outlaw; he wants Robin brought to him alive and in one piece. When the sheriff receives the letter from the king delivered by Little John, he also rewards the outlaws with a feast. After the sheriff falls asleep, Little John and Much kill the jail guard and free Robin. They then flee to the forest presumably still with the letter from the king giving Robin safe travel. Upon realizing that he had been victim of a rouse, the king says, “I gaf hem grith (gave him leave or safe passage)...Thorowout all mery Inglond.”<sup>76</sup> He admires the outlaw however because of the loyalty of his men, and it is fitting since martial prowess and feudal loyalty would have been very important to Edward III.<sup>77</sup> Robin is presumably thenceforth free to continue roaming the English forests with his merry band, but does being an outlaw make Robin more English?

As an outlaw, he certainly is an atypical character for most literary traditions, but there is no evidence earlier in the ballad that he is overly important or special. Prior to the king’s request to see Robin because “Ther was never yoman in mery Inglond I longut so sore

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<sup>74</sup> For the text of this action, see “Robin Hood and the Monk,” 41-48.

<sup>75</sup> “Robin Hood and the Monk,” 44.

<sup>76</sup> “Robin Hood and the Monk,” 47.

<sup>77</sup> With the constant threat of noble rebellion and the war with France, Edward III had need of loyal men and those who could fight courageously.

to se,”<sup>78</sup> there is no reason to believe Robin is anything more than a common robber wanted in Nottingham for relieving a monk of one hundred pounds. The English people’s relationship to their legal system was an important one. It pervaded life for most people and especially for the rising middling sorts who were becoming more involved in village life.<sup>79</sup> These people were serving as jurors, sheriffs, and other civil servants and whether or not they could read the manuscript, they had the legal knowledge and access to public readings of the ballad which allowed them to see something of themselves in Robin Hood. Robin fought symbolically in Nottingham against foreign influence.<sup>80</sup> His men’s use of the legal system in their favor, albeit by a slight twisting of the law, was a further triumph for the English system. It is likely few Englishmen would have admitted it, but it was the outlawry of Robin Hood which in fact helped him to be more English.

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<sup>78</sup> “Robin Hood and the Monk,” 44.

<sup>79</sup> Brief mention is made of Robin Hood’s appeal to middling sorts concerns in an article regarding the plays in the Robin Hood tradition. J.M. Steadman, Jr. states, “He voices many of the feelings of the middle classes: their hatred of a corrupt and greedy clergy, their disregard of unjust laws, their sympathy with the poor, and their admiration of bravery, skill, and fair play. There are no elements of romance in these early ballads, no giants, distressed damsels, lost relatives, or noble queens; they are heroic, not romantic, in spirit.” J.M. Steadman, Jr. “The Dramatization of the Robin Hood Ballads.” In *Modern Philology* 17:1 (1919), 14.

<sup>80</sup> For an argument in favour of the uniqueness of English law see Sir Frederick Pollock and Frederic William Maitland. *The History of English Law: Before the Time of Edward I*, vol. I (Cambridge: Cambridge University Press, 1898). “English law was by this time recognized as distinctively English, and Englishmen were proud of it. From time to time rumours went round that the king’s detestable favourites were going to introduce foreign novelties from Poitou or Savoy. In a case for which no English precedent could be found our king’s court refused to follow foreign, presumably French, precedents. But the main contrast to English law was to be found in the *leges et canones*. Bracton, having probably taken some Italian legist at his word, entertained the belief that in almost all countries the *leges scriptae* prevailed, and that only England was ruled by unwritten law and custom. This was a mistake, for the Roman jurisprudence was but slowly penetrating into northern France and had hardly touched German; but it served to make a great contrast more emphatic: England was not governed by the *leges scriptae*. All men know how at the Merton parliament the assembled barons declared with one voice that they would not change the laws of England. Perhaps we do well to treat this as an outburst of nationality and conservatism. English law is to be maintained because it is English, for as to the specific question then at issue, namely, whether bastards should be legitimated by the marriage of their parents, we should hardly have suspected our barons of having a strong and unanimous opinion on so arguable point” (188-189).

## **THE ROBIN HOOD PLAYS AND GAMES: PLAYING ‘ENGLISH’**

### **Debates on the May Games**

Many scholars agree that performance was important to the legend. Stephen Knight notes this fact in his book *Robin Hood: A Complete Study of the English Outlaw* and decries scholarship’s overreliance on the textual aspects of the legend. He argues that the plays and games should instead be called ‘play-games’ in order to grasp the convolution of theatre and amusement in this part of the tradition.<sup>81</sup> This issue of semantics seems to complicate the issue however, as theatre and amusements are nearly always considered one in the same. Whether plays, games, or play-games, Knight’s assessment of current scholarship on these plays is a valid one since it is clear that for many, the link with the May Games is paramount to understanding this entire genre within the legend.

Several scholars rely on the theory that the legend was absorbed into the May Games due to similar themes and even naming practices; however, few recent scholars have dealt with the genre at all in any great depth. Even Ohlgren, Knight, and Pollard are far more concerned with the ballad tradition, and one must look to the first half of the last century to find a serious analysis of the dramatization of the legend. Some of the earliest work was done by J.M. Steadman, Jr. who argued that “A little more stress on the action that accompanied the singing of the ballad, an additional development of the mimetic tendency at the expense of the songlike qualities, was all that was required to transform the ballad into a

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<sup>81</sup> Knight, *Robin Hood*, 98-99.

drama.”<sup>82</sup> Therefore, it is easy to see how the ballads and rhymes of the early legend could have become easily integrated into May Games.

W.E. Simeone also places a great deal of emphasis upon the ties between Robin Hood plays and the May Games. Simeone argues that without Robin Hood’s association with the May Games, the legend might not have evolved or even survived into the present day. This poses many of the same problems as Steadman’s argument, especially in regard to his theories on the inclusion of Friar Tuck and Maid Marian into the legend. He does present some evidence for the evolution of the ballad being somewhat reliant on the plays, but it is difficult without precise dating to say which came first as the ballad may have just as well influenced the plays.

Only A.J. Pollard breaks from the standard view of the plays momentarily in his book *Imagining Robin Hood: The Late Medieval Stories in Historical Context*. He mentions briefly the oft-overlooked instance of a supposed Robin Hood play in the Paston Papers and this suggests the possibility that the plays may have been performed outside of the May Games such as at the Inns of Court.<sup>83</sup> The view Pollard takes of the purpose of the plays however, is much more standard with an argument similar to Stephen Knight and his vision of an anti-authoritarian Robin Hood, albeit with a bit of room for a more diffuse audience than Knight envisioned. Pollard’s argument allows for a wide-ranging audience of many different socio-economic standings which is necessary to understand the impact the plays would have had.

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<sup>82</sup> J.M. Steadman, Jr. “The Dramatization of the Robin Hood Ballads.” In *Modern Philology* 17:1 (1919), 10.

<sup>83</sup> A.J. Pollard. *Imagining Robin Hood: the Late Medieval Stories in Historical Context* (London: Routledge, 2004), 12.

### **The Nature of the Plays and Games**

Beyond the literary swashbuckling of the Robin Hood ballads, there is evidence that the legend was put into action in a much more theatrical way beginning in the fifteenth century.<sup>84</sup> The plays and games of the Robin Hood legend were public displays of the invasive nature of the character into everyday English lives. These performances were often associated with religious festivals, particularly Whitsunday, but they allowed the audience to gain benefits far beyond religious education or even the satisfaction of overturning conventional authority safely and momentarily.<sup>85</sup> Scholarship on these activities has tended to focus on this latter idea with an emphasis on the carnivalesque and a desire to see Robin as the constant figure of forest freedom in an otherwise oppressed society.

Whitsunday and the May Games were an important marker of the beginning of spring for medieval English people. The May Games were tied to celebrations of fertility and the hopes of a good year while Whitsunday, or Pentecost as it is known outside of Britain, was naturally more religious in tenor. This period surrounding the beginning of spring was therefore a time of rebirth in all respects – the rebirth of agriculture and the rebirth of the spirit. In order to celebrate, various games and parochial events were organized throughout this time. Work was halted for the week following Whitsunday, Whitsuntide, and these celebrations and holidays were a time for the gathering of English people to their local

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<sup>84</sup> Singman, Jeffrey L. *Robin Hood: the Shaping of the Legend* (Westport, CT: Greenwood Press, 1998), 62. “The earliest reference to a Robin Hood game occurs only half a century after the allusion to the outlaw hero in *Piers Plowman* and falls towards the beginning of the period from which the legend is well attested. It appears in the Exeter Receivers’ Rolls for 1426-1427, where we find the following entry: *Dato lusoribus ludentibus lusum Robyn Hood, xx d.*”

<sup>85</sup> Stephen Knight. *Robin Hood: A Complete Study of the English Outlaw* (Oxford: Blackwell Publishers, 1994), 100.

parish.<sup>86</sup> It was a time of religious and community unity, though it would be too broad an assumption to say national unity. The traditions surrounding these gatherings did take on a particular English flavor however, as Robin Hood was introduced and the Morris dance became a more standardized tradition towards the end of the fifteenth century.<sup>87</sup> Just as Robin came out of the forest and into the village, so to did English people come from their lands into the village, and the performance of Robin Hood plays and games added to the legend's pervasiveness in English life.

### **The Performative Rôle of the Legend**

In the warm sun of early summer, the character of Robin Hood became a more visible part of the community. English celebrations of Whitsunday included documented Robin Hood plays or games as early as the third decade of the fifteenth century.<sup>88</sup> The earliest extant play is a brief theatrical sketch in Trinity College MS R.2.64 dating from sometime before 1475, and it gives a reasonable indication of what many of the earlier fifteenth century plays must have been like.<sup>89</sup> It is fair to call it merely a sketch since it contains no stage directions, dialogue indications, or descriptions of the characters; only the necessary dialogue is included for actors who would then presumably improvise the action as they saw fit. In fact, the play could be performed with as few as two or three actors if the situation deemed it necessary. The wicked sheriff of Nottingham begins to take on his more recognizable and

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<sup>86</sup> Homans, George C. *English Villagers of the Thirteenth Century*, 2<sup>nd</sup> ed. (New York: Russell and Russell, 1991), 369.

<sup>87</sup> Forrest, John and Michael Heaney. "Charting Early Morris," in *Folk Music Journal* 6:2 (1991), 169.

<sup>88</sup> Knight and Ohlgren, 269. The plays and games are often found documented indirectly via accounting records.

<sup>89</sup> "Robyn Hod and the Shryff off Notyngham (Introduction)," in *Robin Hood and Other Outlaw Tales*, ed. Stephen Knight and Thomas Ohlgren (Kalamazoo: Medieval Institute Publications, 1997), p. 269.

villainous role but without any explanation for his animosity towards Robin other than Robin's killing of the knightly bounty hunter sent to find him. This may suggest that ballads and rhymes already circulating by the time of the play would have provided such cultural context for the observers of the play. Further evidence for borrowing from a standard Robin Hood narrative is the idea of Robin's men coming to his rescue after Robin has found himself in prison alone.

Because of its brevity, it is best to simply produce a transcription of the play than to attempt to summarize its somewhat disjointed plot.

<p>Sir Sheriff, for thy sake, I will give thee gold and fee Robin Hood fair and free with the shot I will Have at the target. Let us cast the stone Let us cast the wooden axle sir knight you have a fall. A curse on thee I blow my horn. let us fight to the death Now I have the mastery here This knight's clothes will I wear well meet, fellow men Robin Hood and his men Set on foot with goodwill Behold well Friar Tuck Yield you sirs to the sheriff. Now we are bound all the same Come thou forth thou false outlaw. Now alas what shall we do? Open the gates fast now</p>	<p>Robin Hood will I take. This behest thou promise me. Under this tree shot we. All thy lusts to fulfil. And I cleave the stick. I grant well by Saint John. half a foot before thee. and I, Robin, shall pay you back it were better to be unborn. he that flee, God give him misfortune. Off I smite this sorry neck And in my hood his head will bear. What hearest though of good Robin? with the sheriff are taken. And the sheriff will we kill how he doth his bow pluck Or else shall your bows crack. Friar Tuck this is no game. Thou shall be hanged and drawn. We must go to the prison And let these thieves go in.<sup>90</sup></p>
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<sup>90</sup> Below is a transcription by Knight and Ohlgren from Cambridge, Trinity College MS R.2.64, c.1475.

<p>"Syr sheryffe for thy sake I wyll the gyffe golde and fee Robyn hode ffayre and fre with the shote y wyll Have at the pryke. late vs caste the stone</p>	<p>Robyn hode wull y take. This be heste P<sup>u</sup>holde me. vndre this lynde shote we. Alle thy lustes to full fyll. And y cleue the styke. I grūnte well be seynt Iohn.</p>
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From what can be seen in these few lines, the play is essentially a story of Robin being hunted, caught due to his over-confidence, and then being rescued by his band of merry men. It is not entirely different from the narrative of “Robin Hood and the Monk.” J.M. Steadman argues that the plays were almost entirely based on known ballad themes.<sup>91</sup> These understood narrative elements allowed viewers to fill in a large amount of context without much dialogue being required between staged fights. The script might even be considered more of a staged tournament than a work of theatre where the spectators expected to see a showing of strength and ability between the actors in spite of the outcome already being understood. Robin could not win forthwith since it would cheat the audience; instead, he had to be captured in order to allow for the truly exciting part of the performance, the multi-actor battle. This is probably fairly indicative of how other village games and plays involving Robin Hood would have occurred and these plays and games would have filled England every May.

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late vs caste the exalter	have a foote be fore the.
syr knight ye haue a falle.	And I the Robyn qwyte shall
Owte on the I blowe myn horne.	hit ware better be vn borne.
lat vs fight at ottraunce	he that fleth god gyfe hym myschaunce.
Now I haue the maystry here	off I smyte this sory swyre
This knyghtys clothis wolle I were	And in my hode his hede woll bere.
welle mete felowe myn	What herst þ <sup>u</sup> of gode Robyn
Robin hode and his menye	w <sup>t</sup> the sheryffe takyn be.
sette on foote w <sup>t</sup> gode wyll	And the sheryffe wull we kyll
Be holde wele ffrere tuke	howe he dothe his bowe pluke
Ȝeld yow syrs to the sheryffe.	Or elles shall yo <sup>r</sup> bowes clyffe.
Now we be bownden alle in same	ffrere [T]uke þis is no game.
Co[m]e þ <sup>u</sup> forth þ <sup>u</sup> fals outlawe.	þ <sup>u</sup> shall [be] hangyde and y drawe.
Now allas what shall we doo	we [m]oste to the prysone goo
Opy[n] the yatis [faste] anon	An[d] la[te] theis thevys ynne gon”

“Robyn Hod and the Shryff off Notyngham,” in *Robin Hood and Other Outlaw Tales*, ed. Stephen Knight and Thomas Ohlgren (Kalamazoo: Medieval Institute Publications, 1997), p. 275.

<sup>91</sup> J.M. Steadman, Jr. “The Dramatization of the Robin Hood Ballads.” In *Modern Philology* 17:1 (1919), 18.

These celebrations were cooperative efforts between religious and civic authorities to raise money for their various projects.<sup>92</sup> As part of a large congregation of people from varying levels of society, these plays are often seen as a place where frustrations with authority could be vented; however, these occasions were meant to be celebrations and one must be careful not to read too much of an air of the carnivalesque into what was essentially entertainment. These plays were popular entertainment in a very real sense.

Besides being enjoyed by a large swath of the population, these plays were part of civic involvement. As with religious plays of the time period, guilds and wealthy landowners often helped to fund the performance, recruit the actors, and provide wardrobe.<sup>93</sup> It was a cooperative effort of the citizenry in a given parish, but it was organized by those with money and power. These people were not always the old nobility in the late fifteenth and early sixteenth centuries. Rather than using Robin Hood to appease the peasantry through the acting out of anti-authoritarian grievances, it seems more likely that the plays were funded by those who saw corruption surrounding them and standing between them and the fount of true justice, the king. These guilds and small landowners were concerned about self-preservation amid hostilities from those below and above, but they were also acutely aware of the danger corruption in government posed to their long-term existence. By helping to put on the Robin Hood plays, they broadcast their concerns to a wider audience who may or may not have been persuaded.

By supporting plays which were accessible to all members of society, the middling sorts were supporting a cohesive force which was common to the entire Isle of Britain and at

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<sup>92</sup> Ohlgren, 56.

<sup>93</sup> Eamon Duffy, *The Stripping of the Altars: Traditional Religion in England 1400-1580* (New Haven: Yale University Press, 2005), 67.

the same time unique to it. In a land notoriously divided along imagined racial lines and more real cultural lines, language becomes an important part of being English. Even with a multitude of regional dialects, the language was still recognizably English so long as one was in England (certainly, there were the exceptions in wider Britain of Wales and Scotland, or even Cornwall). This common language used throughout the Robin Hood tradition formed an important part of a feeling of belonging.<sup>94</sup> It connected people on a fundamental level which is often taken for granted; in a time still so close to internal and external conflict, a common language let the English people know they were still one people.

The village games served a similar function beyond their common language. They were times when the entire village could congregate for a wide variety of purposes. Merchants as well as petty criminals often took advantage of the crowds, and although everyone had different motivations for attendance and different feelings about the revelries taking place around them, they were witness to the same activities. While perception is an immeasurable quality, we can look at the spectacles themselves and the intention behind their production. For the Robin Hood public plays and games, their intended audience is more important than their actual audience. Who was this intended audience? At the risk of being obvious, it should be said that anyone who was expected to attend a village celebration was a member of the intended audience. While this continues previous scholarship's arguments regarding a diffuse audience, when examined more closely, it can be noted that those producing the Robin Hood plays did this intentionally.

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<sup>94</sup> Thorlac Turville-Petre. *England the Nation: Language, Literature, and National Identity, 1290-1340* (Oxford: Clarendon Press, 1996), 19.

In order to express their opinions, these burgesses and small rural landowners happily promulgated the Robin Hood legend in public performance for different purposes for different sectors of their audience. They could regionalize the character's dialogue and even his particular set of grievances against the standard villains (although he had to remain English even in Welsh, Cornish, or Scottish performances), but they had to retain a certain amount of the original narrative and character for the audience to understand without being given a large amount of context. This allowed the producers to make Robin Hood their own and they used this to communicate with their own social status as well as those above and below themselves on the social scale.

For members of their own social status, the message of the Robin Hood performances was clear. It was a display of power, wealth, and most importantly values. As Robin Hood was not a noble but still maintained several noble qualities such as hunting and serving the king directly, it showed that expectations were high for the emerging middling sorts and their place in society and culture. As has been stated, these people were acutely aware of the precariousness of their position in the new emerging order and it was paramount to elevate themselves above their peasant ancestors while not provoking the disdain of the nobility. It was a fine line to walk and at times, it must have failed for certain people, especially as morality plays became more popular towards the end of the fifteenth century and Robin Hood began to be challenged by reformers both Catholic and Protestant.<sup>95</sup> However, even persecution by various religious structures has failed to prevent these plays from coming down to us in the modern era. This may be in large part due to the ritualistic nature of the

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<sup>95</sup> Duffy, 51.

plays. Once they became a part of the Whitsunday festival or it became traditional to perform them in certain households, the legend took on social importance beyond what may have been intended by the original producers.<sup>96</sup>

It is tempting to think that the nobility may have seen the Robin Hood plays as cheap imitations of their court culture and nostalgic views of chivalry, but this was not necessarily so. After all, corruption was bad business for everyone and I would argue, especially so for the nobility. Not only did the nobility suffer from the obvious consequences of corruption such as being the victims of it themselves, they were liable to be held accountable for corruption by anyone in their social status. This is almost a reversal of the argument put forward by Hilton that the legend arose from the peasant classes and their discontent erupting in the Rebellion of 1381.<sup>97</sup> Similar to theories regarding the plays as social pressure valves, this would mean that the plays arose out of desires by the nobility to give the peasants a hero who targeted his violence at only those who were guilty and who maintained some of their noble ideals. The nobility did not however produce these plays. While this argument demonstrates why the plays may have appealed to them, there is no strong evidence to suggest that the nobility purposely staged Robin Hood plays in order to maintain peace. In fact, in instances when the nobility did produce the plays, it was often for their own amusement and was never meant to be public. Even Henry VIII enjoyed the plays in the privacy of his own estates, but this was long after the plays had begun to be produced in

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<sup>96</sup> Pounds, 398.

<sup>97</sup> Holt, 232.

villages under the direction of guilds and landowners.<sup>98</sup> This was after the legend had already begun to filter up.

As for those of lower social status, the easiest and most frequent reading of the appeal of the plays for them is that it was basic entertainment and that it allowed them to feel some sort of justice through Robin's triumphs. It is difficult to understand just how much tenant farmers may have identified with Robin Hood's character. He was a yeoman who in theory would have held some of his own land prior to his outlawry, and he seems to be experienced in the earlier ballads in commercial interests as well as a bourgeois religious devotion that included daily mass. It seems more likely based on a close reading of Robin Hood's character that he was someone to be looked up to as an exemplar. His manners, his loyalty to the king but discrimination against corruption, his bravery, and his leadership make him an excellent model for someone wishing to move up in an increasingly socially mobile England. Even when Robin is punished, it can be viewed as a lesson. In the play fragment mentioned above, Robin is captured almost certainly out of the foolishness of his vainglory – a lesson to be brave but cautious and not to boast of one's accomplishments. Surely, it is this vanity which many of the middling sorts saw as a frequent sin among their peers and they may have viewed it as a means to shame which took a great deal to remedy.

How a small fragment of a play can demonstrate an existing cultural context, a national identity, and the social goals of a particular social status while appealing to all others may require a bit of reading between the lines, but in sufficient historical context it is an accurate assessment of the work's social value. Whether or not the play contributed to later

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<sup>98</sup> Simeone, 270-271.

ballads in the seventeenth and eighteenth centuries is irrelevant since by that time not only had the material with which the plays could be created greatly changed, the very structure of English society had changed in such a manner as to make the pre-Reformation Robin Hood a nostalgic relic. As with most literary and theatrical works, changing social, cultural, and historical contexts changed Robin Hood and its audience's reception of the legend. This is the great appeal of the Robin Hood legend. It is malleable and adaptable, and just as Robin Hood poetry did for Victorian nationalists in the nineteenth century, the Robin Hood play of the fifteenth century served a particular purpose for a particular group while remaining relevant to a broad swath of society. Not all of the legend materials were designed for this broad swath of society however, and the advent of print demonstrates that.

***'A GESTE OF ROBYN HODE': OUTLAWRY GETS EXCLUSIVE AND INCLUSIVE***

*A Gest of Robyn Hode* is the first extant printed Robin Hood ballad, and it is significant that at least one version can be said reasonably to have come from the late fifteenth century. This was a time of transition, acceptance, and most importantly, a time of increasing interest in history and current events. The Wars of the Roses were over and the century most frequently associated with anarchy in traditional historiography of the English medieval period was drawing to a close. Henry VII had been reigning since his defeat of Richard III in 1485 at the Battle of Bosworth Field and while he had not spent a great deal of time on the throne by the first printing of the *Gest*, it was perhaps enough to provide some stability in the lives of its audience. Undoubtedly, their memories were still fresh with noble conflict and most likely even with the English defeat in the Hundred Years' War in 1453;

however, the relative calm brought with Henry VII's ascension to the throne allowed for new pastimes and created the economic stability necessary for the already growing middling sorts to continue to expand their wealth and influence. As the century drew to a close, the English people became increasingly interested in historical narratives, analysis of current events, and literature for leisure, and continental printing presses (printing in English) as well as those beginning to be established in England were ready to meet the demand.

### **The Move to Print**

The rise of printing in England changed culture forever. While oral tradition was still widely used for centuries thereafter, the existence of printed books allowed stories to standardize and be shared in a more uniform way. Printing also opened the way for new ideas and for old ideas to be translated into an increasingly uniform vernacular. In the earliest days of printing of course, there were no standardized spellings or dialects, but through printing, a common consensus began to be reached. Books were not just printed in English but increasingly, in a particular kind of English.

Printing began slowly in England and it did not truly begin to flourish until the reign of Henry VIII. The first man to bring a printing press into England, William Caxton, only printed a little over one hundred items in the period from 1476 to 1491.<sup>99</sup> Since Thomas Ohlgren dates the earliest printed copy of the *Gest* to 1495, it is reasonable to assume that many other books were being produced at that time either. This meant that among the relatively small number of religious printed texts at the time (as compared to after the

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<sup>99</sup> Guy, 78.

Reformation) and the translated histories and legal documents, Robin Hood was chosen as a topic for some printers.

### **The *Gest* in Print**

The *Gest* is often seen to be a compilation piece. Most scholars argue that the various *fyttes* are much older ballads which were woven together by a compiler either before printing or for the purpose of printing.<sup>100</sup> This often leads to the *Gest* being given a date much earlier than any of the other legend material based on the suspected age of its parts. I suggest that to fixate upon the ancient nature of the sources for the *Gest* is to do a great disservice to it.

Regardless of the origins of the ballad's constituent parts, the printed ballad itself was created at the end of the fifteenth century for an early Tudor audience. Being a printed item, it was meant for consumption and making the work appealing to consumers would likely have been important to the printers.

Evidence for these early Tudor interests can be found throughout the ballad. Robin's outlawry has taken on almost a comical air as the institution of outlawry became increasingly impotent. The parochial piety so often discounted in this period just before the Reformation plays a major role. Finally, the character of Robin Hood even begins to change slightly, perhaps gesturing towards what he would become in later centuries.

### **Narrative Summary**

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<sup>100</sup> Singman, 16.

The ballad begins with Robin seeking a dinner companion. He orders his men to go and find someone on the road, and Little John and Much return with a destitute knight. The knight explains that the source of his sorrow is a debt of four hundred pounds owed to the abbot of Saint Mary's which the knight borrowed in order to pay the fine for killings his son had committed in a jousting tournament. Robin finds the knight to be an honest man and lends him the four hundred pounds; the knight offers the Virgin Mary as his surety (since everything else he owns is already being held by the abbot). The action then moves to St. Mary's in York where the abbot is gloating about confiscating the knight's lands. At the last moment, the knight arrives and after embarrassing the abbot in front of the justice of the peace, he pays his debt. After returning home, the knight raises the money to repay Robin but when he goes to find Robin, he is diverted by a yeoman in need of rescue.

Meanwhile, Little John had gone into the knight's service and upon winning an archery contest, is then recruited into the sheriff's service. After some time enjoying himself under the protection of the sheriff, John finds himself in a row with the sheriff's cook and upon settling a truce, John offers the cook a place among the outlaw gang. The cook accepts, they loot the sheriff, and abscond to the woods. John then finds the sheriff and by promising him the opportunity to stalk a large deer, leads the sheriff into the outlaws' encampment where he is served a feast on his own tableware and then removed of his livery. The sheriff begs to be released or die and Robin allows him to leave on the understanding he will not harm the outlaws. Left companionless for dinner once again, Robin laments the four hundred pounds the knight has not yet repaid. He begins to lose faith in Mary as surety, but the cellarer of St. Mary's is apprehended by the outlaws and robbed of eight hundred pounds. At

last, the knight arrives to repay Robin, but since the debt had already been paid, albeit unwillingly, by the cellarer, Robin gives the knight half of the eight hundred pounds and sends him on his way.

Robin calls upon the knight once again however, when he is discovered during an archery contest staged by the sheriff and after a battle, the outlaws flee to the knight's castle. The sheriff retreats and seeks the king's assistance. Robin and his men escape back into the forest, but the knight is apprehended by the sheriff. When Robin learns of the knight's capture from his wife, he leads a rescue mission which results in the sheriff's death. As befitting his new status, the knight joins the outlaws. They set about poaching the deer in the king's forests which further enrages the king. King Edward (arguably Edward III) spends six months hunting the outlaws without success before disguising himself as an abbot. Naturally, he is captured by the outlaws and upon happily giving them the forty pounds he is carrying; he challenges Robin to a shooting match. Robin is bested and the king is discovered. Edward grants them all a pardon if they promise to give up their outlaw ways.

The outlaws then join Edward at court where Robin quickly spends all of his money. He is deeply unhappy at court and asks permission to return to Barnsdale. Edward gives him leave for a week, but once Robin is back in the forest, he reunites with his outlaws and remains. A brief account of Robin's death is given at the end of the ballad. It occurs many years later at the hands of the Abbess of Kirklees who bleeds the outlaw to death.<sup>101</sup>

Throughout this narrative, the ideas of outlawry, piety, and even an evolving Robin Hood are present.

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<sup>101</sup> A transcription of the printed ballad compiled from the Wynkyn de Worde and Lettersnijder editions is found in Stephen Knight and Thomas Ohlgren, eds. *Robin Hood and Other Outlaw Tales* (Kalamazoo: Medieval Institute Publications, 1997), 90-148.

### **Outlawry, the Church, and Robin Hood**

Outlawry is an especially fascinating aspect of the *Gest*. Not only is Robin Hood portrayed as an outlaw, his outlaw band is expanded and even a knight joins them. In this way, outlawry begins to pass from being a threat which meant a life constantly running from execution to one in which pardon and trickery made it almost insignificant. From the very beginning of the ballad, Robin's outlawry is stated and revered as he is called a "gode yeman" and a "prude outlaw" (good yeoman and proud outlaw).<sup>102</sup> In contrast with "Robin Hood and the Monk" in which Robin is fearful and in hiding, the outlaw of the *Gest* seems more to be the bold king of his forest band. The outlaw has also become discerning in his taste for looted goods as he tells his men:

"Thereof no force," then said Robin;  
 "We shall do well enough;  
 But look ye, do no husband harm,  
 That tilleth with his pough.

"No more ye shall no good yeoman  
 That walketh by green wood thicket,  
 Neither a knight nor a squire  
 That would be a good companion.

These bishops and these archbishops,  
 Ye shall them beat and bind;  
 The high sheriff of Nottingham,  
 Him, hold ye in your mind."<sup>103</sup>

Robin has become the noble outlaw often portrayed in modern retellings of the legend. Interestingly, his animosity is directed at church officials (bishops and archbishops specifically) and the sheriff. By the time of the printing of the *Gest*, the sheriff's role had

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<sup>102</sup> *Gest*, 90.

<sup>103</sup> This is a modern transcription from the version of the *Gest* found in Knight and Ohlgren, *Robin Hood and Other Outlaw Tales*, 91-92.

greatly diminished so perhaps he is standing in for those ancient offices and traditions lingering into the early Tudor era which society, particularly the middling sorts, saw as increasingly irrelevant since they did not fit into the traditional view of society to which these institutions belonged. Given this view of the sheriff, it is easy to see how he and the institution of outlawry may have been viewed by the audience of the *Gest*. They were vestiges of the past which were losing their power and needed to be reformed (or in the sheriff's case, removed).

In spite of the aforementioned disdain for bishops and archbishops, Robin is not opposed to religion. He is in fact quite pious and is particularly devoted to the Virgin Mary. His opposition seems to be towards those in the church who would take advantage of those people he sees as honorable. Just as with the sheriff, it is an issue of corruption and deviating from the main course of their office that gets the church officials in the *Gest* into trouble. This is in line with Eamon Duffy's argument that late medieval England was in fact still deeply Catholic and that the Reformation was achieved only after intense anti-symbolic programs by royal administration.<sup>104</sup> It might also be read as an extension of the view of the Church in "Robin Hood and the Monk." In a time when Englishness was consolidating under the early Tudors, the upper levels of the Church were still connected more with foreign influence. Unlike parochial priests, bishops and archbishops were less accountable to their dioceses than to papal authority. It is not necessary to read this far into Robin's mention of the bishops and archbishops however, as it would be equally sufficient to call them corrupt.

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<sup>104</sup> Duffy, 1.

Corruption was bad for business and the middling sorts increasingly involved in business would have found the abbot of St. Mary's lying and arrogance foolish.

Finally, Robin Hood himself began to evolve in the *Gest*. Now a bold outlaw leader whose life is followed in an almost biographical way by the narrative, Robin liveries a knight, loans money, and even stays briefly at court. He seems almost noble, but not quite. Robin rejects court life, finding it too expensive and wasteful. He is also never a poor peasant. Robin remains in possession of horses, cloth, and weaponry in spite of his inherent landlessness due to being an outlaw. He had become firmly a member of the gentry and his concerns were those of and England moving forward into the sixteenth century.

## **CONCLUSION**

### **Is Robin Hood a Hero?**

It would be naïve to say that Robin Hood as a fictional character was a proto-nationalist hero whose adventures helped bring in a new age of English sentiment in the late medieval period. The issue is in fact far more complicated. Complications arise because there is arguably nothing resembling nationalism in England prior to the seventeenth century at the earliest. And even if there were, it would be impossible to say that Robin Hood was the only figure responsible for this change in sentiment. Rather, it is more accurate to posit something more closely resembling national identity in the long fifteenth century and to take

Robin Hood as an exemplar rather than standing alone.<sup>105</sup> His legend is an exemplar since it covers several types of media while maintaining a relatively stable storyline and theme.

As far as national sentiment is concerned, it is easy to see Englishmen finding pride in their home country and being willing to collectively fight and die for it at the Battle of Agincourt and perhaps even earlier. These men still maintained local allegiances, but they did not see a conflict between fealty to their local lord and fighting for a national cause. Furthermore, from the Battle of Agincourt, this national sentiment is increasingly linked to the use of English vernacular. These men recognized that if they were members of court or clerics, they would be expected to converse in French or Latin respectively, but English increasingly became the common language for mutual understanding amongst all Englishmen. This creates a muddled picture in which there is neither a single answer for the feelings expressed by Englishmen at the time nor a single person who can take credit for initializing these sentiments; however, upon close examination of the exemplar present in the Robin Hood legend, we can begin to gain some understanding of how the English felt in this period of transition from the medieval to the early modern.

The evolution of the Robin Hood legend mirrored the evolution of national sentiment over the course of the long fifteenth century. From a reliance upon legal customs for a unifying force, to community unity, and finally to a linguistic unity furthered by the increasingly literate middling sorts, Robin helps to show the transition from medieval to early modern national sentiment – or perhaps even more broadly, from patriotism to nationalism.

Late medieval life was more complex than authority and peasant, rich and poor, or urban and

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<sup>105</sup> For an argument in favor of patriotism over nationalism, see “Writing Nation: Shaping Identity in Medieval Historical Narratives,” by Raluca L. Radulescu in Peter Brown, ed. *A Companion to Medieval English Language and Culture, c.1350-1500* (Hoboken: Wiley-Blackwell, 2009).

rural. Robin Hood demonstrates this complexity while showing how all of the elements could be unified into a single English outlaw through the common lens of legality.

## EPILOGUE

### The Tudors to the Victorians: Robin Hood as England Beyond the Middle Ages

The Robin Hood legend did not die with the Protestant Reformation. In fact, Robin experienced something of a rebirth with the dawn of the Elizabethan age. Not only was the legend then re-imagined for the stage, Robin became a dispossessed nobleman – the earl of Huntington.<sup>106</sup> We also see the entry of Maid Marian into the legend during this time as well as more of an integration of the Friar Tuck legend. She replaces Robin’s very Catholic devotion to the Virgin Mary. In spite of this censoring, Protestant reformers did try to stamp out the ballads and rhymes as varying forms of residual popery or symbolic of debauchery, but they always resurfaced and became even more popular in the age of the broadsheet following the English Civil War.

Iconic authors of the Romantic Age eventually took up the topic of Robin Hood. Sir Walter Scott’s *Ivanhoe* is probably the most well-known and the one most responsible for perpetuating Robin Hood as an early medieval character, but Alfred Tennyson also took up the task in his play “The Foresters.” As England became, like other European nations, increasingly nationalistic during the nineteenth century, the nostalgic figure of a medieval Robin Hood helped to create a vision of a national hero (along with King Arthur). By this time however, Robin Hood was no longer the outlaw of “Robin Hood and the Monk,” and had become the character most known to modern audiences.

Today, there are still adaptations of the legend being created. Versions of the story in film starring Errol Flynn, Sean Connery, Kevin Costner, Cary Elwes, and most recently,

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<sup>106</sup> Munday, Anthony, “The Downfall of Robert, Earle of Huntington.”

Russell Crowe have typically relied more or less historically on the early medieval idea of Robin Hood. These new adaptations are our own attempts to shape the legend to fulfil a need in today's society. Perhaps we should question what they say about us.

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