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# Missing the Mark

Chaucer's *Man of Law's Tale*

*Gabriella Schwartz*

A history of identifications wreaths the conversations surrounding *The Man of Law's Tale*. Characters are dissected and pulled apart in a menagerie of analysis and evidence that attempts to pull together the meaning of their representation. Within this menagerie, the identification of a group of outliers who experience forms of discrimination floats around the discourse. The Man of Law engages in this act of othering in his narration of the Tale, categorizing women as exotic or dangerous while following the titular character Custance in her travels across Geoffrey Chaucer's known world—from Rome to Syria to Northumberland. The ramifications of this othering of women are often explored within the Tale by literary critics, but rarely does this analysis bleed over into reality and its harmful effects thereon. Performative language, introduced by J. L. Austin and expanded upon by Jacques Derrida, allows literature to be viewed in terms of the way it imprints back onto reality. As the name implies, performative language is language that performs an action. Sentences are often seen as relaying or describing information, but Austin makes the categorization that

certain sentences, when said, are a type of action in themselves. He labels these “performatives” (Austin 5–6). Austin’s performatives allow a glimpse into what the Tale offers outside of itself, especially as it relates to the status of othered women. Regardless, literary critics often view this discriminatory othering as a necessary practice of the Tale, referring to it in terms of positive othering rather than recognizing Chaucer’s work as a repetition of false prejudices.

This view, “positive othering” takes the elements of othering found within the Tale and introduces a new lens for looking at it—that is, seeing the ways othering functions as a strategy for critique. Elizabeth Robertson, for example, posits that “Constance’s apparently passive submissiveness is more complex than it seems . . . She inspires extreme and often irrational violence in others, but she herself is neither an instigator nor a perpetrator of that violence” (161). Chaucer others Custance in terms of her passivity, juxtaposed with violence in religion, thus creating a strong case for an alternative nonviolent approach. The Tale, then, becomes a carefully hidden critique on the inherent violence of religion during Chaucer’s time. In similar hindsight, Keiko Hamaguchi writes, “Chaucer may have been trying to change contemporary attitudes and to soften prejudices by representing Custance sympathetically, as someone whose plight resembles that of real foreign women in England” (439). Promoting this sense of sympathy may be Chaucer’s way of portraying an indirect critique of xenophobic behaviors by encouraging sympathy toward Custance’s plight as an outcast. Jill Mann, also lending her voice to this discourse, claims that passivity is Custance’s power over suffering—a means of conquering. In this light, the passive role into which Custance is othered is not a means of subjecting her to men by showcasing her differences from men; rather, “Woman’s subjection to ‘mannes governance’ thus becomes in this tale a paradigm of the human condition. Woman’s ‘thraldom’ to man is replicated in man’s ‘thraldom’ to God” (547). Each of these critics seem to engage with the logic that Chaucer must utilize discriminatory othering as an effective strategy to critique elements he introduces in the Tale. This logic twists discriminatory othering so it may be viewed in terms of its positivity rather than its negativity; however, these assertions come at the expense of the Tale’s lead female character, introducing the contradiction of critiquing one discriminatory system by reinstating another.

In the following paper, I seek to rectify that contradiction by engaging in a multilayered analysis, applying the lenses of intersectionality and performative language to *The Man of Law's Tale*. Previous critics have not openly applied an intersectional lens, given that intersectionality as a term is fairly new, but many seem to appeal to this sense of layered experience—those social and political identifications that create interlocking forms of oppression. Robertson refers to it as a type of “elvishness” in which Custance is merely an esoteric system of interwoven differences that construct her as a highly intangible being (178). Cord Whitaker also acknowledges that the Tale engages in the act of othering through a matrix of religion, gender, and class, but he does not outright use the intersectional term to define this observable matrix (1). Patel’s definition of intersectionality, then, in addition to a textual analysis of the Tale, will demonstrate the existing parallelism between the women of the Tale and the twenty-first-century women in the United Kingdom. The women in the Tale are categorized similarly to their United Kingdom counterparts but are othered specifically into exotic and dangerous categories. The concept of the performative will then be applied to this intersectional analysis, revealing how the literature imprints onto reality through the use of codified repetition. Patel indicates the means by which reality imprints onto the Tale, and the performative indicates the means by which the Tale imprints back onto reality. The two, when taken in tandem, indicate the mechanisms that cement the work as not a critique of the discrimination of intersectional women, but rather a cyclical perpetuation of that discrimination.

## Pragna Patel and Intersectionality

In her United Nations presentation, Pragna Patel discusses the concept of intersectionality and its urgent need to be implemented in discussions related to equality. She describes intersectionality as “captur[ing] both the structural and dynamic consequences of the interaction between two or more forms of discrimination or systems of subordination” (Patel). The term explains that discrimination does not only pertain to one instance or one identification, but multiple. Purposefully categorizing women

to ignore their intersectional status presents instances of forced identity assimilation, replacing their complex identities with simplified and contained substitutions. This behavior indicates how women are frequently organized into categories that do not accurately represent their identities, and yet they are expected to maintain such categorizations with quiet acceptance. There are two instances in particular that Patel highlights in her statement which I will also apply to the Tale.

The first example is that of Asian women who come to the United Kingdom as foreign brides. In this capacity, many are subjected to forms of domestic abuse. However, according to the 'one year rule' and other such programs, they are denied the protection needed to escape such marriages. Instead, they are required by law to remain in the marriage for at least one year before they can seek divorce and remain in the country. These women face deportation should the marriage be terminated earlier for whatever reason (Patel). This matter, though most notably concerning gender in regard to domestic abuse, is also a racial matter where it concerns immigration and the risk of deportation. Such a junction creates the compounded nature of intersectional discrimination. The women in these circumstances must don a passive, quiet acceptance in response to their suffering, as there are no means of escaping the present system they occupy—a system that ignores the intersectional nature of their plight.

The second example Patel introduces is that of the challenges faced by the multicultural model. This approach often categorizes multiple minority communities into strictly homogenous cultures, disregarding the multitude of identities, and therefore the multitude of intersectional situations, in which minority individuals find themselves. Patel further recognizes that those who come to power in these particular models are often self-appointed men who have a set of expectations for the people they supposedly represent. This expectation is one of religious and cultural conformity—more precisely, conservative religious and cultural conformity (Patel). Again, just as is seen with the example provided by Asian women, those who face the multicultural model find themselves stripped of voice and assimilated into a homogenized identity of quiet passivity in which they are to weather suffering while another individual speaks for them. The multicultural model, however, also reveals that this assimilation is composed of the religious and cultural ideals the self-appointed leader has decided upon and is not representative of the intersectional quality of the community they represent.

# Application of Patel to the Tale

The womens' identities in *The Man of Law's Tale* bear a striking, albeit unfortunate, resemblance to these aforementioned intersectional situations. As the narrator, the Man of Law's presence permeates the story. He becomes a self-appointed 'leader' through his descriptive choices, categorizing the women based on the way he perceives them. This is most apparent in his narrative breaks—sections where the story halts in order for the Man of Law to relay his thoughts. Among the first of these instances is Custance's departure from Rome to Syria in which she becomes the young bride of the Sultan to assure his conversion to the Christian faith:

I trowe at Troye, whan Pirrus brak the wal  
 Or Ylion brende, at Thebes the cite,  
 N'at Rome for the harm thurgh Hannibal,  
 That Romayns hath venquissed tymes thre,  
 Nas herd swich tendre weping for pitee  
 As in the chambre was for hir departing;  
 Bot forth she moot, where-so she wepe or singe. (Chaucer 288–294)

The Man of Law uses a litany of historical figures in comparison to Custance as if to say that it is her inevitable fate to be taken away, much like it is the inevitable fate of these historical figures to enact their historical events. But associating these historical figures with Custance implies an innate sense of heroism accompanying her solemn duty as a faithful servant to Christianity. She will be remembered for her gallant deeds in the same way the figures she has been placed beside are remembered for theirs—memorialized in the tears of those who recognize her harrowing yet unavoidable journey. However, this heroism is only reserved for Custance. In another narrative break, the Man of Law exemplifies the villainy of the Sultanesse after relaying her plan to avoid conversion by overthrowing the Sultan and placing Custance on a rudderless ship, sending her out to sea:

O sowdanesse, rote of iniquitee!

Virago, thou Semyram the secounde!  
O serpent under femininitee,  
Lyke to the serpent depe in helle y-bounde! (358–361)

The Man of Law exposes the Sultanness's negative qualities through this narration even though the actions of both Custance and the Sultanness demonstrate devotion to their respective religions; Custance agrees to marry the Sultan on the condition that he converts to Christianity and the identity that accompanies it, while the Sultanness rejects conversion to maintain her Muslim identity and heritage. However, in each attempt to preserve her religion, the Man of Law brands the Sultanness as a wicked creature while he sees Custance as praiseworthy. The Sultanness, unlike Custance, does not yield to the model of Christianity set forth by the Man of Law. In retaliation, he slanders the very nature of her character. This same style of narrative break used to express villainy emerges in another appearance for Donegild. Like the Sultanness, Donegild refuses to yield to the Christian influence that Custance's character represents. Instead, she also attempts to dispose of Custance by setting her adrift at sea. The Man of Law's predicted response, of course, is to describe her in terms of her villainy:

O Donegild, I ne have noon English Digne  
Unto thy malice and thy tirannye,  
And therefore to the feend I thee resigne.  
Let him endyten of thy traitorye.  
Fy, mannish, fy! (798–782)

These narrative breaks indicate that the Tale possesses instances of a self-appointed leader defining the identities of women for them, aligning with the information the multicultural model divulges. As shown with Custance, the Sultanness, and Donegild, there emerge two categorizations into which the Man of Law organizes women based on these descriptions.

The first of these categorizations can be identified as the exotic other. The exotic other is interpreted to be the highly desired, ideal form of the other for the Man of Law. This is manifested in the heroines of the Tale: good, righteous women. Custance is the prime example, distinguished from men because of her submissiveness and passive acceptance to their

active force upon her life: the Sultan “hath caught so gret pleasance / to han hir [Custance’s] figure in his remembrance” (Chaucer 186–187), that he demands Custance’s hand in marriage to fulfill his desire. In return, it is not Custance herself who decides whether or not she will marry the Sultan, but her father, who uses this opportunity to convert the Sultan and his people as, “No Cristen prince wolde fayn / Wedden his child under oure lawes swete / That us were taught by mahoun, our prophete” (222–224). This behavior is precisely what marks her as ideal or desirable to the Man of Law—her willing acceptance to ‘ben under mannes governance” (287). The female, in this case, transforms into something foreign through her passivity and submissiveness, becoming highly contrasted against the male counterpart in the process. But these qualities, rather than being seen as inherently negative, instead create a desirable association with the woman, and her artificialized foreignness is twisted into a type of exoticism. Thus, the exotic other is both a foreign and ideal thing. But much like the multicultural model given by Patel, Custance—and other exotic others—do not begin as such. They had to be shaped.

One of Chaucer’s source materials for the Tale derives from Nicholas Trevet’s *Of the Noble Lady Constance*. Although sharing the same central character and story of Custance, they describe her in dissimilar ways. Trevet’s Custance is intelligent, having been “. . . taught the Christian faith and instructed by learned masters in the seven sciences, which are logic, physics, morals, astronomy, geometry, music, and optics” (13–15). In contrast, the Man of Law emphasizes that

In hir is heigh beautee without pryde  
 Yowth without grenehede or folye.  
 To alle hir werkes vertu is hir gyde.  
 Humblesse hath slayn in hir al tirannye,  
 She is mirour of alle curteisye.

Hir herte is verray chambre of holiness (Chaucer 162–167)

This new identity of beauty, youth, virtue, humility, courtesy, and holiness imposed by the Man of Law disregards Trevet’s Custance’s intelligence, indicating a deliberate choice to erase such characteristics—those characteristics that would suggest Custance could think for herself.

Hermengild follows in similar footsteps to Custance's identity reorganization. She is the exotic other who finds religious and culturally-infused norms and conformities imposed upon her. A Pagan woman who converts to Christianity, she transforms from "Dame Hermengild, constablesse of that place" (Chaucer 539) into a "doghter of his [Jesus Christ's] chirche" (567). She symbolically accepts the identity Custance offers through her conversion, disregarding her prior religious identity in favor of the new religious identity associated with the exotic other's ideal traits: beauty, youth, virtue, humility, courtesy, and holiness. Hermengild subjects herself to not only the will of God but also the predisposed identity of exotic others that the Man of Law enforces through the guise of religion.

Sheila Delany rightly analyzes that these women are "to be seen not as a woman at all but rather as an emblem," or merely a conglomeration of virtues (1). Delany notes this as a positive mold after which both men and women are to model themselves, but her view fails to take into account that this mold strips women of all identity except those characteristics the Man of Law deigns to keep in his re-creation of what he believes is the ideal woman. Delany is right only insofar as she refers to this series of characterizations as a mold, but this mold is merely that of a newly organized, homogenized identity, not necessarily something to model oneself after.

As foils to exotic others like Custance and Hermengild, the Sultanness and Donegild instead become dangerous others: those women who refuse assimilation into the predisposed models Patel describes and actively work despite them. When faced with the possibility of having to forcibly convert from Islam to Christianity, the Sultanness declares "The lyfe shal rather out of my body sterte / than Makometes lawe out of myn herte!" (Chaucer 335–336). This preference for death over breaking Mohammed's Law sees her sending Custance off on a rudderless boat, and it is from this boat that Custance arrives in Northumberland. There, Donegild may not refuse assimilation on account of her religion like the Sultanness, but she does refuse assimilation on account of Custance herself, calling her "[s]o strange a creature" (700). What incites her to action, however, is her son's decision to marry Custance. She views this as a "despit," or an insult, believing "hir cursed herte brast atwo" should she allow Custance—and what she represents—to remain in Northumberland (699, 697). These women, the Sultanness and Donegild, become the antithesis of the Man of Law's idealized women. They are not the heroines but the villains, highly resistant to assimilation and therefore

dangerous others. Although the Sultanness refuses assimilation on account of religion and Donegild on account of Custance's character, both refusals are tied to the nature of Custance. Both, in some way, reject the identity Custance represents and reject being brought into it. This tension is largely what causes these women to take on the villainous role against Custance to protect their identities, only being able to do so through their manipulation of power. This is a "mannish" behavior that becomes the second reason for their identification as dangerous others.

Though the women in the Tale form a central part of the action, they possess little in the means of being able to operate systems of power directly. Men, on the other hand, are the only gendered individuals in the Tale who wield legitimate power, connecting intent to action: the sultan's desire to "love hir whyl his lyf may dure" brings Custance to Syria. It is "by judgement of Alla hastily" that Custance is saved from trial, and it is God himself that is the active force of power keeping Custance safe, as there is "No wight but God" to save her during times of duress (Chaucer 189, 688, 476). Just as Custance relies on these male figures, so does Hermengild who wields what she refers to as "The wil of Crist" (566). She recognizes this power as not her own, but as the name suggests, Christ's. Furthermore, Hermengild "wex affrayed" of this newfound power, aware of the possibility that should she reveal herself to be Christian by relying on it, her Pagan husband might have her slain (563). In these instances, Custance and Hermengild yield to the male figures of the Tale in faith and fear, once again aligning themselves under the status of exotic others in which they are passive creatures to men.

The Sultanness and Donegild, on the other hand, are well-associated with their ability to engage in secrecy to actively manipulate power from men. As dangerous others, they do not fit the model identified by Patel and established by the Man of Law, weathering the happenings of life with passivity or adhering to a self-proclaimed leader. Instead, they take power for themselves. These women disrupt the paradigm, adding to their "dangerous" status. Susan Schibanoff analyzes this situation in terms of "rhetorical proximity," in which the similarities between two supposedly different people are seen as a means of promoting hostility between them and not commonality (571). In the Tale, the Sultanness uses her son's council to overthrow him and to dispose of Custance at the same time. In response, the Man of Law describes her as "Virago, thou Semyram the secounde! / O serpent under femininitee. . ." (Chaucer 359-360). Virago, meaning a

masculine or shrewish woman, and Semyram, referring to Queen Semiramis of Assyria who was said to have gained royal power and legitimacy by impersonating her son, draw masculine comparisons to the Sultanness as she seizes power—something over which the Man of Law believes she is not meant to have direct control. Likewise, Donegild engages in acts of trickery to gain power. After hearing the news of Custance’s pregnancy, she intercepts and forges letters meant for her son, Alla, to drive the two apart. As a result, The Man of Law describes her with:

Unto thy malice and thy tyrannye  
.....  
Fy, mannish, fy!—O nay, by God, I lye—  
Fy feendly spirit, for I dar wel telle,  
Though thou heer walke, thy spirit is in helle! (779, 782–784)

Donegild gains power by forging her son’s letters, and the Man of Law defines this action as tyranny. He marks her as a “mannish” or unwomanly woman. Both the Sultanness and Donegild, in associating themselves with types of power—though illegitimate—bring themselves in close alignment to men, usurping power from them. In being so similarly associated through an illegitimate power, the Sultanness and Donegild distance themselves from the idealized, exotic others but come closer to men as they control and take power. They break what it means to be a woman and are brought especially close to what it means to be a man as a result. This proximity ascribes to them the identity of extremely dangerous beings because they blur the carefully constructed lines of categorized gender created by the Man of Law. They directly threaten his established system and, by extension, the Man of Law himself.

## Suppression of the Other

These characteristics allow insight into the dangerous other’s composition. Sheila Delany posits that “So unnatural are Donegild and the Sultanness that they are addressed not simply as bad women, but as not truly women at all: ‘virago,’ ‘serpent under femininity,’ ‘feigned woman,’ ‘mannish,’ ‘feendly spirit’” (68). These are women who are defined as not only dangerous but

as not even existing as women because they do not identify themselves in the way that the Man of Law has prescribed. They are not a collection of goodly virtues, but rather a conglomeration of everything opposed to the Man of Law's depiction of women. Because of their deemed dangerous nature, both the Sultanness and Donegild are killed during the course of the story. They are forced into the silence of the grave because of the danger they pose to the ideal.

The exotic other fares no better. As Patel illustrates with the examples of Asian women and the multicultural model, these women are forced into their own type of silence, and their suffering remains ignored. The Man of Law describes Custance's reactions as diluted and small throughout her own story. When she is married off to the Sultan, the Man of Law only recounts that she "[f]ul pale arist and dresseth hir to wende, / For wel she sheeth there is non other end" (Chaucer 265–266). This behavior continues when she receives the order that she and her son must leave Northumberland. The Man of Law describes her with only "a deedly pale face" (822). But such diction does not make an appearance in Trevet's telling. When married to the Sultan, Trevet's Custance shares the weeping loss with the rest of her people in Rome, but she does not don the pale face (Trevet 67–68). When she must leave Northumberland with her son, Trevet's Custance declares, "May the day never come that the land should be destroyed because of me and that because of me my dear friends should suffer death or harm"; but again, there is no mention of the pale face (344–345). She goes neither silently nor stoically as she is portrayed to have gone in *The Man of Law's Tale*, where the Man of Law has faded out the identity underneath Custance's "pale face." Throughout Custance's trials, this blank face is a reminder of the passive ways in which she accepts and adheres to her suffering quietly. After all, among Custance's very first words are: "Wommen are born to thraldom and penance" (Chaucer 287–288). This statement is precisely what the exotic other comes to represent: the figure passively differentiated from men that is most desirable because of that passivity and quiet acceptance. The emphasis of those qualities as virtues implies that women are to be seen and not heard according to the Man of Law. As mentioned by Patel, such characteristics carry a harmful weight in which women weather unnecessary suffering.

Although Custance is the prime example of this, Hermengild comes to represent these notions as well. Despite Hermengild's assimilation, she is offered no protection by her new identity. The Man of Law relays that "[t]

his knight, thurgh Sathanas temptaciouns / Al softly is to the bed y-go, / And kitte the throte of Hermengild atwo . . ." (Chaucer 598–600). It is the deliberate action of cutting Hermengild's throat, the very part of her that allows her to speak and her last faculty of self-determination, that causes her death. Even after adhering to the passive identity the Man of Law wishes, Hermengild's voice—the notion of her ability to speak for herself—is still a risk to be controlled. Even while submitting and assimilating, there is no respite for the exotic other.

## Performative Language

This suppression of both the exotic and dangerous others is not exclusive to the Tale. As shown by Patel, the reality of intersectional categorization is found imprinted on the literature, but this same literature may imprint back onto reality. Jacques Derrida broadened J. L. Austin's theory of performatives in his essay "Signature Event Context," in which he highlighted the nature of repetition in performatives. As Derrida puts it, "Could a performative utterance succeed if its formulation did not repeat a 'coded' or iterable utterance, in other words, if the formula I pronounce in order to open a meeting, launch a ship or marriage were not identifiable as conforming with an iterable model, if it were not then identifiable in some way as a 'citation?'" (18). That is to say, performatives are backed by codified repetitions in language that create historical and social realities. For a performative to function, it must be previously recognized or tied to some familiar phrasing or statement curated by past repetition. In short, language is codified inasmuch as it can be repeated and recognized from this repetition. A common example of this phenomenon is the phrase, "I do," often exchanged during the wedding vow. The groom or bride may not necessarily complete the marriage vow if he or she were to say something such as "Okay." The situation requires the use of the performative "I do" for the ceremony to be complete.

The existence of performative sentences implies that there are certain types of utterances that do something. In this same way, literature may also "do something" as it brings into reality the ideas and concepts it seeks to discuss. A state of affairs emerges into existence through the very words literature uses. Characters, ideas, and concepts form as a result of the performative action of literature—it is engaged in the act of world-making

through its language. Literature itself, then, has an active role in shaping the world it comes into, bringing things into being. As the Man of Law weaves his story, he quite literally engages in performance to tell this Tale to the other pilgrims. And, for this performance—this Tale—to function, it must rely on codified repetitions of the past. As *The Man of Law's Tale* attempts to bring into reality a critique of discriminatory othering by portraying such discriminatory othering, it merely repeats the historical and social reality it has built itself upon while simultaneously adding to that historical and social reality by repeating it. That repetition fuses with the collective memory of discrimination's meaning, especially as it relates to the intersectional women of the Tale. The Tale reminds itself that discriminatory othering exists while also suspending the concept and looping it endlessly. This pattern begins to inscribe harmful identities on real bodies—real women. They are either passive items or disposable villains. But, again, this only works because of the previous historical and social backing literature builds itself upon. As a result, Derrida theorizes that “the utterance will never be through and through present to itself and to its content” (18). The original intention of the speaker can never be fully realized as, in some respects, they will be overwritten by the historical and social backing that belies their work. If it is true that Chaucer is merely providing a critique, the critique must stand next to the historical and social backing it invokes. It is as much about the intentionality of the work—how this intentionality is accomplished—in addition to the underlying mechanisms of language that may, in fact, work against Chaucer's supposed critique.

## Conclusion: Othering and Performative Language

Many critics have been able to discover commentary that the Tale provides on aspects of positive passivity, religious strength, and racial solidarity, and this analysis is not meant to dissuade us from ever finding positive elements in the Tale. In careful balance, however, it must also be noted that the characters of the Tale, especially the women, are created in categorized identities curated by the Man of Law. The consequences of such behavior devastate intersectional female identities into exoticized or stigmatized

simplicities. And as is seen through Patel's words on intersectionality, such is the unfortunate case for women existing outside the Tale and in reality today. The Tale, then, is stuck in repeating past discrimination while reinstating it—becoming part of that history itself. It constantly reminds us of what seems to be an inescapable existence of suffering rather than suggesting an attainable future free from discrimination. The Tale's intention to critique—as illustrated by Derrida—does not hold, especially when contrasted against the historical, repetitive system it invokes for critique. If anything, the Tale is a reminder of discrimination as a powerful history. This history exists, has existed, and will exist. It is a concept that cannot be critiqued into nonexistence. But perhaps, in light of this understanding, our behaviors can be adjusted. We exist in the careful balance of being able to recognize discrimination as a history, but also being able to act in spite of that history with the very words we use. As we engage systems of discrimination it becomes important to always question: are we truly critiquing, or are we just missing the mark?

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