This paper aims to reveal changes in legal expertise, in particular in legal reasoning, in twelfth-century England. It is concerned with texts, but also with people. The expertise of the *Leges* was also that of men such as Æthelric, the old bishop of Chichester who appeared at Penenden Heath, or of Hervey de Glanvill. The expertise of the book known as *Glanvill* was also the expertise of the justiciar of its time, Hervey’s son Ranulf de Glanvill. I argue that *Glanvill* displays a significant capacity for sustained legal reasoning of a type that we have no grounds to believe existed with regard to secular law in England up to and including the time of Æthelric, of the *Leges*, or of Hervey de Glanvill. This development is not an illusion created by changing evidence; rather, changing evidence is itself a sign of the underlying development. Many scholars have emphasised the difference in form and degree of organization between *Glanvill* and the *Leges*. What I want to explore is the form and degree of reasoning within individual sections of these works, suggesting that these are indicative of changes in the legal world beyond the books themselves. At the same time, I am not arguing that the earlier form of legal expertise disappeared by

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1 I would like to thank members of the conference, and also in particular Hector MacQueen, Paul Brand and Bill Miller, for their comments on the spoken version of this paper. Bruce Brasington gave me advice on canon law and the *Leges*, and Sarah Tullis allowed me to cite her very important unpublished D. Phil. thesis.

2 Note also, e.g., the lack of an earlier chronicle to parallel that of the former royal justice Roger of Howden; *Chronica Rogeri de Houedene*, ed. W. Stubbs, 4 vols. (London, 1868–71).

the end of the twelfth century. Rather it was supplemented and modified by newly developed legal reasoning.

In considering legal expertise, I distinguish between various types of skill and capacity. The following is a rather crude taxonomy of elements that in the twelfth century might be regarded as constituting legal expertise. First there is wisdom, be it of a religious or more general kind. Second, and closely related, is aptitude for making judgments, or talent for reconciling parties. Third there is eloquence and cleverness in pleading. Fourth there is practical legal knowledge, of customs or rules, of proper conduct and ritual, or more generally of what people had done in the past. This might be applied in court, or in other legal situations, for example the negotiation of grants or the drawing up of charters. Fifth there is legal reasoning. Such reasoning might be a matter of constructing an argument for a particular case, perhaps through some application of abstract rules or perhaps simply through presentation of facts in a form charged with legal implications. However, legal reasoning could also take the form of the working out of the inter-relationship and consequences of abstract legal norms, perhaps seeing the norms as part of an ideally consistent intellectual system, certainly requiring the tackling of inconsistencies that cases revealed. It is this last element of legal expertise, the working out of the inter-relationship and consequences of legal norms, that I argue was new in a secular context in the England of the late twelfth century.

Before proceeding, a few more words need to be said about the key sources. *Glanvill*, we may be fairly sure, was written by someone closely associated with the administration of royal justice and was probably intended for royal justices, although it may have come to be used as much by the consumers as the suppliers of royal justice. More difficult

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4 Other skills might be added, for example a knowledge of several languages; see below, n. 89, on legal glossaries.

