


identity, but also as a vehicle for their ambitions and mobility. The emphasis in this volume on the educational dimension of travel is probably sufficient to preserve its role as a distinct 'life stage' within the upbringing of elite men (and women), but it is evident that European travel was not necessarily a once-and-for-all rite of passage performed only by young adults. In this sense, if gentility was constantly in the making, travel could be regarded as something that contributed to this endeavour across the life course, rather than at one specific moment.

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A. Winroth and J. Wei (eds.), *The Cambridge history of medieval canon law*

(Cambridge: Cambridge University Press, 2022). Pages xx + 617 + figures 12 + maps 2 + tables 1. £140 hardback. \$180.00 eBook.

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This long-awaited volume bears the fruits of research by twenty-eight scholars of medieval canon law, three of whom are now deceased but made significant contributions to the field over the years (Peter Landau, Andreas Meyer, and Elizabeth Makowski). Anders Winroth and his student, John Wei, reconceived what a history of medieval canon law should contain, including chapters devoted to key sources, canonical collections, and canonistic thinkers (the usual subject matter of past histories) but also including topical chapters oriented to themes within canon law (e.g., procedure, benefices, penance, crimes, just war, excommunication) as well as other key aspects of medieval legal culture (e.g., manuscripts, legal education). The first part treats the history of canon law chronologically, giving overviews of late antiquity, the early Middle Ages, the tenth century and reform era, and the high and then later Middle Ages. Also included are chapters on canon law in the eastern churches and the Roman law revival of the twelfth century.

Winroth and Wei express two main aims for the volume: (1) to provide historians with an introduction to 'the basic history, sources, and doctrines of canon law so that they can appreciate how canon law relates to their own interests and include canon law in their scholarly repertoire' (p. 6); and (2) to indicate, even to experts, some new trends in the field by scholars who have made new discoveries or engaged in a reevaluation of the material. The volume is largely successful on both fronts and contains some absolute gems of scholarship and interpretation. This review can in no way survey all of the contents of each of the thirty chapters, plus bibliography and index, but I will highlight some of the excellent features, especially

those that relate more directly to the social history of law, and note a few weaknesses.

Much source material for medieval canon law consists of documentary sources such as collections of ecclesiastical canons, pedagogical genres representing the study and teaching of these sources, and learned treatises on particular issues of canon law. What all historians gain from the chapters of this volume is a comprehensive overview of those sources, across different time periods, with the result that one reaches a fuller awareness of the breadth and influence of this material for medieval society as a whole. Particular scholars, such as Wolfgang P. Müller, Sara McDougall, and Anthony Perron, highlight the connection to social structures and change and to law as practiced in various local communities as well as at the papal curia. Müller contributes two chapters to the volume, speaking first (chapter 5) to the 'reinvention' of canon law in the twelfth century, evident in phenomena like the jettisoning of ordeals and development of procedural laws of evidence and necessitated in part by a commercial revolution and urbanisation. His other chapter (chapter 17) speaks to procedures of the medieval justice system in the Church, one that was the official procedure addressed by jurists and practiced in church courts and one that was likely the more frequent way medieval people encountered justice in local communities in a matrix of local ecclesiastical authorities, respected townspeople, and peers who denounced their neighbours, calling them to penance. McDougall (chapter 24) speaks of marriage law and practice; her wealth of research in ecclesiastical court records gives her solid ground to stand on in assessing the impact that canonistic thought on marriage exercised on people of the period. Overall, she asserts the 'generally passive character' of ecclesiastical courts – contrary to common perception, the medieval Church had no interest in intervening proactively into every marriage and usually responded only to complaints or suits brought by one of the spouses or by a third party. Her chapter points to important sources, such as officiality records within individual dioceses or the records of the Apostolic Penitentiary, that can provide quantitative data about the number and kinds of cases that were actually litigated regarding marriage. Perron (chapter 15) surveys the local actors in the system, from clerics who studied canon law and brought their learning to bear on local cases to papal judges delegate who acted as representatives of the pope in judging individual cases. His chapter highlights the intersection of universal norms with local custom and of centralised authority with local personnel and regional synods.

Among the social and economic history of law and legal institutions, laws concerning funds, salaries, and property would seem to be essential, and Winroth and Wei are to be commended for ensuring that these topics are covered. The chapter by Charles de Miramon will strike many scholars as too abstract, but that chapter is followed by a dense but concrete contribution by Meyer (chapter 19). He explains complex terminology of proprietary churches, tithes, fees, benefices, and prebends, noting the chronological development over the Middle Ages. Taking these chapters together, scholars should achieve a basic understanding of rules and mechanisms for how the Church and its individual office-holders were financially supported.

The volume as a whole suffers from some redundancies of treatment (e.g., on legal genres and on decretals of the late twelfth century), some overly basic chapters (e.g., by Norman Tanner on councils), and some chapters that are too limited in

scope (e.g., by Makowski on religious orders, where the chapter really only summarises her earlier scholarship on cloistered nuns). Nevertheless, the editors have done a tremendous service to medievalists and legal historians by designing a volume that addresses medieval canon law from multiple perspectives and includes expert discussions of key topics, alongside sources, that represent well the breadth, complexity, and contemporary and long-term impact of canon law.

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Leonard, A. B., *London marine insurance 1438–1824*

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The back cover describes this as ‘the first comprehensive history of marine insurance transacted in London’, and indeed the temporal scope is impressive. Leonard writes with narrative flair and covers a lot of ground in these four chapters.

The first chapter describes the introduction of the marine insurance business to London by Italian merchants during the fifteenth and sixteenth centuries, forcefully arguing that the customary rules of the Law Merchant (the effectiveness and even the very existence of which has been questioned by some scholars) provided a flexible framework for governance and dispute resolution that enabled the market to flourish.

The subsequent chapters focus on three critical episodes during which market participants changed, or attempted to change, the rules. Each of these ‘interventions’ arose, Leonard argues, from conflicts between ‘insiders’ – market participants who were well established and connected within the market – and ‘outsiders’, new to the market, who refused to follow the existing ‘rules of the game’. Leonard is at pains to distinguish his insider/outsider framework from the collectivist/individualist distinction used by other authors, but ultimately arrives at a similar destination. For ‘insiders’ (or collectivists) governance and dispute resolution rely on reputation mechanisms and trust, which can only be sustained within a stable group. To successfully transact with strangers (‘outsiders’), more formal and impersonal (individualist) governance mechanisms are required. The categorisation of individuals at times seems rather arbitrary. In effect, an ‘outsider’ is anyone who does not play by the (insiders’) rules. So, for example, a broker who engages in fraud is thereby revealed to be an outsider by definition, whereas one who transacts honestly presumably remains an insider.