

men and women. The court cases presented deal with spousal abuse, rape, and uxoricide. These themes connect to those of the previous chapter, in that the protection of law was extended to women who were considered “respectable,” and this reinforced established ideas of “worthy” versus “unworthy” women.

In conclusion, in *The Measure of Woman*, Kelleher draws a vivid picture of mostly, but not exclusively, Christian women at court confronting the complexities of the legal contemporary system. They do not appear as passive victims, but show real agency and initiative working within the boundaries of the written law. This led to a double and paradoxical effect that constitutes the most relevant conclusion of this interesting and valuable study: although the documentary evidence shows women’s agency and their ability to develop sophisticated litigation strategies to their own advantage, while doing so, they tended to reinforce the models and stereotypes created for them by the patriarchal legal and social system. Altogether, Kelleher’s book builds a very convincing argument for women playing a significant part in the formation of the gendered legal culture that became so important in defining their own lives. As such, this is a most welcome and relevant book, particularly valuable to historians interested in gender and the law, not only in the Crown of Aragon and Iberia, but in Europe and the Mediterranean.

Núria Silleras-Fernández

University of Colorado at Boulder

Thomas N. Bisson, *The Crisis of the Twelfth Century: Power, Lordship, and the Origins of European Government*, Princeton: Princeton University Press, 2008. Pp. 720. \$ 55.00 cloth (ISBN 978-0-691-13708-7); \$24.95 paper (ISBN 978-0-691-14795-6).
doi:10.1017/S0738248011000162

Thomas Bisson’s book takes on a big problem: how to account for the relatively sophisticated governance that historians associate with the thirteenth century. Where did it come from? The easy answer is the political practices associated with the very long twelfth century (basically, the years from 1000 to 1230). Partly archive-based, especially those sections dealing with his specialties, Aragon and southern France, and partly grounded in the vast secondary literature and printed primary sources on the twelfth century, Bisson’s book is in many ways the culmination of his career. *Crisis* is not just a study. It is an emotional meditation on lordship, in particular the predatory lordship that Bisson associates with the twelfth century.

Readers of this journal should be fascinated by the following argument: admitting that the word “crisis” is mushy when used by humanists and social

scientists (if not physicians), Bisson sets out to show that a break in continuities occurs in the twelfth century. People who claimed superiority over other people were often brutal long before this time. But the twelfth century saw an increase in the number of people who claimed the right to exercise power over other people and who actually exercised it brutally. Occasionally—and Bisson uses the famous Catalonian case—these predatory lords declared their right to be brutal. They turned unrighteousness (the bad customs they conceded they were operating under) into a legal regime. The Catalonian case, of course, is almost unique in the legalization of brutality, but other lords indulged similar practices, as if they also had the legal right to do so. Such regimes, military by nature and castle-based in fact, fail the test of government, as ancients and moderns, including Bisson, understand government, because they were selfish to the point of ignoring notions of the common good. Political accountability—in all its meanings—was impossible in such regimes. True, the older ideals were preserved among a few thinkers, but they had little or no effect in daily life.

Saving one of his best stories for the very end of the book, Bisson describes one such regime in action (581). It is implied in the story of a “poor villager named Durand,” who, years after the incident, explained how a local personage who possessed some minor delegated authority “had bullied him so badly that he [Durand] had felt compelled to flee; and that as he tried to go away,” the man “intimidated him by forcing excrement in his mouth.” The savagery continued, despite Durand’s protests, until “on bended knees” the poor peasant publicly conceded, “You can do it, as lord . . . of the village.”

Durand’s victimization is known because something had changed by the mid-thirteenth century when he told his story before agents of the French crown. Government had come into existence. Men like the official who mistreated Durand became accountable to an administration that was concerned for the public welfare. How and why had this change come about? What relieved the crisis of the twelfth century?

Even after 600 pages, it is not clear. Take “accountability”, a word that Bisson frequently uses. (Others he uses, such as “politicization” would serve equally well to make the point.) What Bisson shows is that accountability predated the rise (perhaps, triumph) of the medieval state in the thirteenth century, but its semantic field was smaller and was not being extended to the public good. If one lord demanded accountability of a dependent, it was solely in the former’s self-interest. If the dependent could persuade the lord that he had served his interest, there was a modicum of peace that prevailed. Peace was good, but peace was not policy. The violence that followed upon dependents’ failure to persuade lords that they did their bidding adequately was so pervasive that it represented the normal state of affairs.

Fitful reactions against the violence and the predation came and went—there was no straight line of development to the medieval state. The church, in part through the peace movement of the eleventh century, may have played the most

“progressive” role (my choice of words), but it was an ambivalent set of institutions itself that tried to avoid confrontations rather than challenge predatory lords. Men bearing hoary titles, like king and count, once closely tied to public welfare, were almost as predatory as their castellan counterparts. But probably it was with the kings and counts and the intellectuals who kept the old ideas alive that the revival of the state has to be associated. Or, at least this is how I understand Bisson’s argument. The institutional underpinnings of the revival probably included greater attention to subordinates’ fiscal accountability. Only then could one even entertain the idea of “wrongful taking,” let alone bribery (corruption). To some extent, the occasional meetings that took place between kings and representatives of the different orders of society were an additional institutional pillar of state-building, although again they could undermine as much as sustain the administrative and policy developments that would produce the medieval state.

There remains a very significant problem. The twelfth century is widely regarded as the great age for the growth of schools, culminating in the founding of the earliest universities. It was a great age of neo-Latinist manneristic poetry, neo-Platonic philosophy, and scholastic logic. It was *the* age of the great vernacular *chansons de geste*. To the twelfth century we owe the birth of the gothic style and the enormous proliferation of churches—parish churches, cathedrals, and monastic churches—surely the most substantial outlay of fiscal resources for religious culture, as a proportion of gross domestic product, that the West has ever seen. And none of this would have been possible without sustained and significant economic growth. Indeed, only with such growth is the twelfth century’s experience of the meteoric rise of towns, markets, and trading infrastructure (roads and bridges, for example) imaginable. Presumably, predatory lordship should have been lethal for these developments. Bisson hints at the problem (580), but cannot—or chooses not to—answer it. He is to be commended, however, for so effectively setting the agenda for future historians who must try.

William Chester Jordan
Princeton University

Dennis R. Klinck, *Conscience, Equity and the Court of Chancery in Early Modern England*, Surrey: Ashgate Publishing, 2010. Pp. 328. \$124.95 (ISBN 978-0-7546-6774-2).

doi:10.1017/S0738248011000174

Dennis Klinck’s study reevaluates the long-assumed dichotomy between the medieval Court of Chancery as an operation of conscience, and the early-modern Court as one of equity. He suggests that conscience as the basis of equity remained an elusive concept, and certainly a difficult operative element, through