

Despite being a feat of scholarship, the book is not without shortcomings. It is very disappointing that often there are no transcriptions of the related passages in the archival documents, on which Geltner's facts and arguments are based. The only content of the endnotes are the simple references to the archival material. Perhaps, this was an editorial decision and not Geltner's own choice, but the absence of transcriptions prevents the reader from verifying Geltner's conclusions and from examining the language and terminology of the medieval prison records. A great opportunity is therefore missed, as it is extremely difficult and/or unlikely for many readers to consult the original records in the archives.

In the second appendix, Geltner gives some examples of prison-related poetry with the Italian text and English translation juxtaposed. It is not clear who did the English translations, as some of them are puzzling. Ariosto is translated as Aristotle (113), which is quite odd and requires some convincing argumentation. One would rather naturally think of Ludovico Ariosto, the author of *Orlando Furioso*, which has quite a few references to prison life. (If it is indeed Ariosto, the poem must date from the sixteenth century instead of fourteenth, and its author cannot be Dino di Tura.)

The medieval Italian communes are quite fascinating with their extensive criminal law, as Trevor Dean has shown remarkably well. Geltner's study of prisons confirms this degree of sophistication, unmatched anywhere else in Europe, and also reminds us of the sheer amount of surviving material in the Italian archives whose study will continue to revise our understanding of the Middle Ages.

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Jeremy Hayhoe, *Enlightened Feudalism: Seigneurial Justice and Village Society in Eighteenth-Century Northern Burgundy*, Rochester, N.Y.: University of Rochester Press, 2008. Pp. 309. \$80.00 (ISBN: 978-1-58046-271-6).

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The subtitle rather than the unexplained title captures the subject of this study of fourteen Burgundian seigneurial justices. Jeremy Hayhoe masters the intricacies of rural life and legal practices and navigates skillfully a plethora of archives in order to argue that "seigneurial courts were true venues of local justice that allowed villagers to police themselves by providing the coercion that was sometimes required to enforce communal norms" (x). In doing so, he contributes admirably to the literature on old regime justice, the debate on the nature of seigneurial courts, and the field of Burgundian social history.

Part I explores the role of seigneurial justice in village life, commencing with a study of the institution's geography and personnel. Hayhoe finds that jurisdictions were "not as confused as many people think" (16) and that most judicial officers possessed legal training and competence. Chapter 2 demonstrates that lords' courts played an instrumental role in the effective maintenance of seigneurialism, including the odious rights of *mainmorte* and *corvée*. Next, Hayhoe focuses on the enforcement of norms regarding honor, property, and agricultural practices in probate affairs, police matters (mostly farming offenses, or *mésus*), and minor criminal cases. He characterizes seigneurial courts as "active, interventionist, and overall a positive force in the northern Burgundian countryside" (95). Chapter 4 studies civil disputes to shed light on the sources of village conflict and how disputes reached resolution through informal channels or formal litigation. Although villagers often sought private arrangements, most plaintiffs litigated in seigneurial courts because the system "met their needs relatively well" (124).

Part II treats institutional changes from the 1750s to the 1780s. Hayhoe finds that reforms implemented by the Parlement of Dijon, which called for annual assizes and summary procedure for farming torts, rendered seigneurial justice faster and cheaper for specific affairs. Next, Hayhoe rejects scholars' contention that provincial intendants augmented their authority over village affairs at the expense of lords. Instead, he uncovers an intensification of seigneurialism, as lords sued three times more villagers in their courts in the 1780s than they had in the 1750s. Peasants' motivations for revolt in 1789 were fueled by this exercise of lordly authority, but the impulse to revolt "was probably moderated by the lords continued provision of a useful, even essential service" (193). Finally, Hayhoe concludes from an analysis of the *cahiers de doléances* that Burgundian villagers condemned the courts' enforcement of an illegitimate seigneurial regime while simultaneously expressing a "need to keep seigneurial justice" (198) for its appreciated regulatory and dispute settlement roles.

Enlightened Feudalism engages primarily in two scholarly debates, the first of which relates to Tocqueville's portrayal of a feudal regime, including seigneurial justices, undermined by the encroachment of royal centralization. Hayhoe's research demonstrates convincingly that in northern Burgundy seigneurial justice was neither moribund nor shunned by villagers as the imposition of an urban legal culture; rather, it was an active institution located at the intersection of the seigneurie, the state, and rural villages. This argument rests heavily on the Burgundian context, where a strong seigneurial regime gave lords incentives to maintain the viability of their courts, and so raises the issue of representativeness confronting most regional studies.

Second, Hayhoe challenges the negative depiction of the institution by other historians while asserting that "seigneurial justice worked relatively well in late eighteenth-century northern Burgundy" (161). This assertion remains

plausible though reliant upon the qualifier “relatively.” The institution potentially functioned better than in other provinces due to factors specific to Burgundy in the case of assizes and summary procedure or stemming from the proximity of Dijon, which fostered the parlement’s oversight of courts and provided personnel. In addition, for certain cases it was probably “relatively popular” (x) compared to more distant and expensive royal justice. Similarly, seigneurial justice might have improved after the procedural reform of 1773, prior to which date “*mésus* cases were ruinously expensive and slow” (149).

Keeping focus on the “relative” efficiency of seigneurial courts allows for an alternative reading of Hayhoe’s evidence from the Burgundian *cahiers*, none of which apparently provides qualitative evidence in praise of a popular institution. If the majority of *cahiers* envisioned the preservation rather than abolition of seigneurial justice, they did so in the context of calling for significant legal reforms that exposed shortcomings of royal and seigneurial courts. Taking only the two most frequent complaints—that justice was too distant (mentioned in forty-four *cahiers*) and that lords oppressed villagers in these courts (forty-two *cahiers*)—it seems that Burgundians advocated for the reform of both the feudal and dispute-resolution sides of seigneurial justice even as they insisted on the maintenance of some form of local courts. Whether or not revolutionaries satisfied Burgundians’ demands concerning justice is, as Hayhoe acknowledges, an open question outside the purview of his commendable book.

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Zoë A. Schneider, *The King’s Bench: Bailiwick Magistrates and Local Governance in Normandy, 1670–1740*, Rochester, N.Y.: University of Rochester Press, 2008. Pp. 326. \$75.00 (ISBN: 978-1-580-46292-1).
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If in *The Old Regime and the French Revolution*, Alexis de Tocqueville sought to demonstrate how the French monarchy had destroyed self-government in France through the imposition of “absolutism,” he had to allow that judicial institutions retained considerable autonomy from the crown because venality protected magistrates from removal and because magistrates had been willing to forgo advancement in the judicial hierarchy. Recent historians have further chipped away at the notion of an omnibus “absolutist” state, casting doubt on the adequacy of even such loose terms as the “administrative monarchy” to describe a government in which many public functions were in effect privately owned and the crown’s ability to police many of its own officials was sharply