authorities, while they participated far more in national government decision making via their contacts in Parliament. In other words, the JPs could hardly be described as "a bureaucracy increasingly cut adrift from their state."

If there is an underdeveloped side to this otherwise admirably researched and argued book, it is the reasons why dissatisfaction with the French system of local justice grew as the eighteenth century proceeded—not only, or even principally, among litigants, but also among the judiciary itself. The author argues that customary property law—to which the bailiwick courts were, considerations of equity aside, beholden—no longer met the requirements of a changing economy. But just how economic changes engendered this dissatisfaction is not made clear, nor is it explained why dissatisfaction was directed not only against obsolete legal codes but also against the judicial system that upheld them. Why the judiciary itself became willing to jettison a system that had worked so much in its favor remains especially obscure. Was it because serving as adjudicators of local property disputes for some reason no longer conferred the same indirect benefits bailiwick judges had previously enjoyed in addition to, and in a sense, as compensation for, their offices' modest formal emoluments? These are matters that deserve further exploration, and when and if they are, this splendid and important revision of the "absolutist" thesis, which all Old Regime institutional historians need to read and ponder, will undoubtedly provide a major point of departure.

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Anne Lefebvre-Teillard, *Autour de l'enfant: Du droit canonique et romain médiéval au Code Civil de 1804,* Leiden: Brill, 2008. Pp. xiv + 386. $191.00 (ISBN 978-9-004-16937-1).
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The legal history of children is in its infancy. For the historian of legal doctrine, the problem with children is finding them. Save for the question of the legal capacity of minors, doctrinal writers in the West do not treat children as a separate legal category—children must be sought over a wide range of legal topics. For the historian of practice, children can sometimes be seen in the court records, but they are rarely the main topic of litigation. It is, for example, striking how many divorce and separation cases in the late medieval and early modern ecclesiastical courts do not mention children at all, or mention them only in passing. Social historians have been interested in children for some time, but what legal historians have produced for them has not been very helpful.

Granted the state of the literature, anything by a distinguished legal historian on the topic of children is welcome, particularly when it is written by the leading historian of the law of persons in France today, one whose competence covers both doctrine and practice, canon law and secular law, from the Middle Ages to the Code Napoléon. What Anne Lefebvre-Teillard has given us is a collection of twenty-one articles, all, with one exception, previously published. This is quite useful in its own right, since the articles are not easily available elsewhere.

But there is more to this book than just a collection of articles. The key, I would suggest, lies in the title. *Autour de l'enfant* is not "On Children" but "Around Children." One can, if one wishes, imagine the topics of the twenty-one articles swirling around the winsome little boy whose portrait by Jan de Bray (1654) adorns the cover of the book.

So what are the legal topics that surround the child over this long period? Three articles concern marriage and procreation. I was particularly taken by a beautifully written piece on motherhood in the thirteenth-century canonists. (Somewhat surprisingly, they were in favor of it.)

Five articles concern the relationship between children and the law of persons, the closest that Western law came to having a law of children, properly speaking. One concerns the question of when a child becomes a juridical person, a massively confused story to which Lefebvre-Teillard brings considerable clarity. Two concern the naming of a child, one about canonic conceptions (which are intimately related to baptism) and the other about those introduced by the radical secularization of the Code Napoléon. One article concerns the *ius sanguinis*, the ultimate triumph in the Code Napoléon of the doctrine that one's citizenship is dependent on the citizenship of one's father, not where one was born. The final article in this group is a nice summary of the rules about the legal responsibility of children for their acts in classical canon law (roughly 1140 to 1350).

The remainder of the book is divided into two large parts. Eight articles concern establishing the paternity of children. Seven deal with the remarkable canonic concept of legitimation by subsequent matrimony. Thus, all of them concern the legal relationship of children to their parents and the problem of illegitimate birth.

The legal history in these articles is doctrinal, but it is doctrinal history informed by records of practice, in the examination of which Lefebvre-Teillard has been a pioneer. The doctrinal moves that Lefebvre-Teillard traces are connected to the major movements in French intellectual and political history, particularly in the *ancien régime*. She also, however, has a nice sense of what goes on when lawyers are talking to one another. "What the devil," she asks bluntly, "is a bigamous clerk doing in the *Lectura* of Hostiensis on the decretal . . . devoted to the question of legitimation by subsequent matrimony?" (343) (Answer: The question is whether subsequent

matrimony can make a virgin out of the woman whom the cleric corrupted and then married—Is he eligible for promotion to higher orders as one who has been married only *cum unica et virgine*?)

Those who are seeking the origins of such modern concepts as "the rights of children" or "the best interests of the child" will not find them here. Because premodern Western law did not conceive of children as a separate legal topic, we do not find any elaborated themes or policies concerning them. The harsh consequences of their parents' sin were visited on illegitimate children for centuries. And yet, the ebb and flow of the doctrines and practices concerning paternity and legitimation by subsequent matrimony suggest that at least in some periods there were those who sought to mitigate these harsh consequences, and occasionally they say that that is what they are trying to do. The absorption by the secular courts in the early modern period of actions that had previously been in the ecclesiastical courts did not, at least initially, bring much change in doctrine. Ultimately, however, whether because the concerns of the state were not the same as those of the church or because of a hardening of sentiment that may be associated with Jansenism, the results were less favorable to children (and to their unmarried mothers) than seem to have prevailed in previous centuries.

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Jane E. Calvert, *Quaker Constitutionalism and the Political Thought of John Dickinson,* New York: Cambridge University Press, 2009. Pp. xiv + 382. $99 (ISBN 978-0-521-88436-5).
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This is an important book, but it is blemished by the author's exclusion of key evidence and concepts. Following passage of the Townshend Acts in England, John Dickinson (1732–1808) wrote *Letters from a Pennsylvania Farmer* and galvanized a movement that resulted in the American Revolution. Yet in 1776, he refused to sign the Declaration of Independence. Jane Calvert transforms this enigmatic narrative into a revelation: Dickinson's decisions followed Quaker political thought, explicitly what Calvert calls Quaker Constitutionalism, which she identifies and delineates as a major, if forgotten, body of American political thought and practice. Calvert argues that partly through Dickinson, the United States Constitution was, and continues to be, beneficially shaped by Quaker political precepts.

Her major contribution—and a valuable one it is—is her delineation of Quaker Constitutionalism. Calvert argues that there was really no distinction between the ideas and practices of Quaker politics and the Quaker