

of how theological views of worship manifested themselves and how these could change.

In summary, the contents of this volume are rather modestly described in the Introduction as a 'preliminary investigation' (p 1). However, through the quality of research and the depth of analysis that the majority of chapters contain, this particular volume of *Studies in Church History* amounts to an excellent investigation of the wealth of material and of the vast and pertinent scope of the Church and the law. It is a very stimulating collection that exposes and highlights some enduring and important seams which connect the Church and the law, and which are ones that should not be considered as confined to past history.

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## ***Piers Plowman* and the Reinvention of Church Law in the Late Middle Ages**

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William Langland's alliterative and allegorical reformist poetic satire *Piers Plowman* is thought to have been composed between 1370 and 1390 and exists in three main versions. Arvind Thomas' study, based on his doctoral dissertation, focuses on the B- and C-versions. These are conventionally thought to represent successive re-editions of the earlier much shorter A-version and are dated to the years around the 1381 Peasants' Revolt. The C-version may reflect a cautious rewriting intended to distance the poem from Wycliffite or subversive association.

Readers led by the title to expect a study of how the poem led to changes in English legal texts and practice should be cautioned. This is an entirely literary study of *Piers Plowman* couched in close readings of brief passages of Middle English which are largely un glossed. Thomas builds on earlier studies (particularly that of Nicholas Grey) which have identified various canon law and penitential sources, going on to argue that the poet's treatment of these texts and their ideas is 'generative' and constitutes a 'reinvention' or even a 'co-production of canon law' (p 6). Weaving through this, he attends to differences between the B- and C-versions, interpreting these as indicating that the C-version (often disparaged in modern studies as being more prosaic than the B-version) cleaves more closely to canonistic language and concepts.

As a reformist poem, *Piers Plowman* frequently touches upon the practice of confession. This was the main engine in mediaeval Christendom's project of personal and social renovation. Accordingly, Thomas' book is shaped around the fourfold penitential structure of contrition, confession, restitution and satisfaction. In particular, he focuses on the poem's recurrent critique of the ways in which penitents and confessors might wilfully subvert the rite of confession to evade proper contrition, full confession or right restitution.

The earliest evidence of possession of *Piers Plowman* is the will of a cleric, Walter de Brugge (d 1396), which also includes six works of canon law. In his Introduction, Thomas argues that such evidence shows that we should not treat the poem as a form of vernacular downstairs literature. Rather, it was read by and inhabited the world of canon-law-influenced clerics and laymen. Moreover, bridging poetry and law, Thomas describes canon law as a process involving more than the passing on of earlier proscriptions. Since canonists sought to reconcile diverse rulings by applying them to fictional cases, he argues that 'canon law shares a common ground with fictional writings' (p 15). *Piers Plowman*, too, quotes several Latin canonical maxims, applying them to allegorical figures to explicate their significance. Distancing himself from those who suggest that the poem is merely anarchic, rather than productively reformist, Thomas proposes that we treat it and canon law as reflecting 'a shared hermeneutics and the pursuit of a common end' (p 11).

In Chapter 1, canon law proper is only glancingly touched upon. Instead we find an examination of the performative nature of contrition. Thomas mines the thirteenth-century confessional manual of Raymond of Peñafort to argue that confessors were encouraged to take a semiotic approach to confession. They should seek to identify genuine remorse by attending to the presence of bodily 'signs', such as tears. Thomas argues that the poem articulates a critique of friars who skimp on their duty to discern such true contrition. 'Mede' (Money) is depicted inverting the signs of remorse in her mirth-filled, swift confession, and in passing a coin to her confessor. By contrast, 'Contricion' is shown to be short-changed by greedy 'Friar Flattere', who passes him off with a mere 'salve'. In these literary treatments, Thomas argues that we are shown a 'reinvention' of canonical procedures in 'their rhetorical form or dramatic adaptations' (p 62). It is not clear, however, why 'reinvention', as opposed to reformist satire, is the best description.

Chapter 2 offers an extended discussion of usury in the B- and C-texts, setting them against the backdrop of canon law discussion from Gratian's *Decretals* onwards. Thomas describes how canonical thought about usury evolved to include legislation against other forms of 'filthy' profit which might be motivated by a desire for gain. He discusses the way in which canon lawyers hedged their proscriptions by allowing, for example, the factoring in of compensation for risk. Thomas reads these ideas back into the poem, finding evidence

there of canonical ideas about discerning avarice in cases of regrating (resale) and in the pre-payment of labour. He argues that C represents a closer application of these canonical ideas than the B-version of the poem. He concludes by arguing that C develops a ‘reinvention’ of canon law, ‘*finding* within canon law the means of *founding* something new’ by advancing a good model of right social relations based on “‘spiritual usury” (*usura spiritualis*)—a form of usury that the canonists applaud but rarely elaborate’ (p 113, emphasis in original).

In Chapter 3, the author explores *Piers Plowman*’s approach to the restitution of right relationships after confessions of usury and financial corruption. Again, earlier canonical rulings form a backdrop. Thomas discerns a shift between the B- and C-versions. C, he argues, adds to the necessity of contrition an emphasis on restorative action. Setting out a distinction in canon law between a ‘rule’ and a ‘law’ (the former normally emerging merely as a *practical* application of the latter), Thomas contends that C again demonstrates legal creativity by stretching an earlier canonical *rule* about restitution by proposing that it was, in fact, a *law* binding on all clergy, even the Pope himself. He shows that the poem goes beyond contemporary anti-clericalist and reformist texts, which tended to focus their critique on the friars (who might escape regulation and offer quick, easy and anonymous confessions for payment), by applying this ‘law’ to all clergy, regardless of status or office.

Chapter 4 discusses the concept of satisfaction focusing on a specific canonical maxim, *Nullum malum inpunitum . . . nullum bonum irremuneratum* (‘no evil unpunished . . . no good unrewarded’). Thomas argues that the poem promulgates a model of penitential satisfaction which has more in common with much earlier canonical texts. These emphasised corporal penance (such as abstinence from food), rather than the focus on spiritual penance (such as abstinence from vices) found in more contemporary canonical texts. Again, Thomas claims a shift from B- to C-versions in discerning an increased emphasis on the role of confessors to determine the appropriate application of penances according to the spirit of the penitent.

Chapter 5 reflects a close study of a passage common to the B- and C-versions of the poem, a sermon by ‘Patience’ to the penitent ‘Haukyn’. Thomas argues that in the B-text Haukyn is promised the remission of his guilt from original sin by grant of a ‘patente’. The author shows that the image of the patent draws on a (remarkable) late mediaeval lyric convention which likened Christ’s stretched-out body to the skin parchment on which a legal exemption might be inscribed. In the B-version of the poem, absolution is thus construed as an immediate personal contract between Christ and the penitent. The C-version lacks this vivid Christocentric imagery. Instead, absolution is projected onto a future Judgment Day when ‘Holy Church’ is envisaged as appearing before the divine court and providing a ‘chartre’ that retrospectively defends the sinner from his past sinful deeds. Thomas suggests that C is more textual,

canonical and institutionally focused in its treatment of absolution than B. Such a change might reflect a cautious rewrite in C to avoid association with the views of Wycliffe (who was critical of the Church's use of indulgences). Thomas, however, claims that the C-version's approach to penance destabilises the canonical theory of penance by making it uncertain (a future hope, rather than a present reality). Once more, this is seen as a case of 'reinventing' canon law.

The book lacks a conclusion which, considering the density of the previous chapters, is a pity and leaves the work without a final sense of a clear and persuasive argument. A brief epilogue describing Luther's burning of canon law books in 1520 leads to the suggestion that the Reformation brought to a close an epoch in which non-canon-law texts (like *Piers Plowman*) might once have played a role in the formation of the Church's laws. Yet the case that *Piers Plowman* did, in fact, ever contribute to 'co-producing the law' (p 18) remains unproven. Langland's poem clearly expressed a variety of views about canonically regulated practices, including confession. Perhaps we might term these 'reinventions', and they may have influenced readers, but we are presented with no evidence whether, how or with what effect they did so. A legally informed satire, certainly; but to claim that *Piers Plowman* was a 'co-producer' of late mediaeval canon law, on the grounds presented, goes too far.

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### **Libertà religiosa e nazionalità in Francesco Ruffini, con l'edizione di *Sionismo e società delle nazioni* (1919)**

BEATRICE PRIMERANO with preface by DIEGO QUAGLIONI

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Twelve years before refusing, with only a handful of other Italian academics, to pledge fealty to the fascist regime, Francesco Ruffini published a pithy booklet entitled *Sionismo e società delle nazioni* (Bologna, 1919), in which he unequivocally supported the cause of Jewish statehood, which was, at the time, under consideration at the Peace Conference in Paris. Since its first appearance, however, the urgency of Ruffini's call has been mostly neglected by students of his thought. So it is particularly meritorious that, by joining forces with her publisher and her series' editor, Beatrice Primerano has returned the booklet to print in a newly introduced and annotated edition that highlights the critical importance of this work for the history and development of public law in Europe across the nineteenth and early twentieth centuries.