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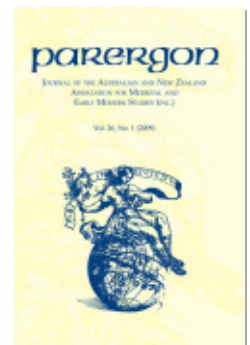
*The Medieval Origins of the Legal Profession: Canonists,
Civilians, and Courts (review)*

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choose to live chastely, in reward for which the thegn is admitted to the heavenly company, Blanton makes much of the fact that the wife ‘does not warrant a position in the saint’s celestial company simply because she did not become a nun’ (p. 119). This, however, is not stated by Ælfric, who simply omits the wife from his account. This is unsurprising, given that, as Blanton points out, Ælfric is trying to deliver a particular message to his male target audience.

Space does not permit a similarly detailed comment on the final three chapters here. It is probably worth mentioning, though, that there are methodological issues with the survey of material objects in the final chapter. Insufficient consideration is given to accidents of survival and recording, and while these are referred to in passing, they almost certainly mean that the tentative conclusions drawn in the course of the discussion are flawed.

The book is an interesting enough account of the changing perspectives and purposes of those who depicted Æthelthryth over the course of some thousand years. It certainly reflects wide-ranging research amongst primary texts, secondary sources and material objects, and for that reason is worth reading. The exhaustive list of material objects relating to Æthelthryth appended to the book is similarly valuable, although more extensive annotation would have rendered it considerably more so.

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Brundage, James A., *The Medieval Origins of the Legal Profession: Canonists, Civilians, and Courts*, Chicago, University of Chicago Press, 2008; cloth; pp. xvii, 492; 5 b/w illustrations; R.R.P. US\$49.00; ISBN 9780226077598.

James A. Brundage maps the development of the legal profession as the institutions of Roman law are rediscovered in Western Europe from the early twelfth century to the mid-thirteenth century. He argues that Roman law and its institutions were eroded during the Barbarian invasions of the early sixth century, but when they were rediscovered in the twelfth century, a recognizably modern legal profession developed and flourished. Brundage carefully illustrates this process by examining how the law was written down, how the courts worked throughout this period, the development of

legal education and professional ethics, and by describing the various roles found in the legal profession such as advocates, proctors, judges, and notaries.

The opening chapter begins with an account of the structure and institutions of the Roman legal system. Setting the tone for chapters concerned with the medieval development of the legal profession, Brundage demonstrates that the law in Rome followed a path of democratization. The beginnings of a Roman legal tradition are based in the religious institutions of the early Roman Republic. Knowledge of the law was confined to the college of pontiffs acting under an archaic procedural system known as the *legis actiones* (p. 11). The chapter examines how the law escaped from its initial religious confines to become available to any Roman citizen who was able to pay for the services of an advocate to represent their case in the courts. The process occurred as the law was written down in a form that was accessible to those outside the college of pontiffs, leading to the development of advocates, legal education, legal ethics, and highly sophisticated legal procedures. This path is followed up to the sixth century and concludes with an examination of the beginnings of canon law.

The next chapters show how Roman law and its institutions were seemingly lost and then rediscovered in the medieval period. Brundage says that although Roman legal procedures and codes did not survive the Barbarian invasions that forced the schools of law to close (pp. 59-60) he acknowledges that canon law continued to develop within the church. Even so, there was no recognizable legal profession following the collapse of Rome. The rediscovery of the legal profession in the twelfth and thirteenth centuries follows the same route as the discussion of the development and democratization of Roman law and institutions in the first chapter.

As a law school began to emerge in Bologna, there was a need to write down what was known about the law in textbooks, and legal teachers turned to Roman sources to complete this task (pp. 81-9). These early developments foreshadowed Gratian's *Decretals*, which provided a written platform so that the law could be studied and applied. Thus, as shown in the first chapter, the basic step towards a legal profession was to have a body of written laws. Moving onto other aspects of the developing legal profession, Brundage's examination of legal education, procedure, ethics and the various roles found in the legal profession provides the reader with a detailed picture of the medieval legal system that can seem remarkably modern.

The structure Brundage has adopted, of returning to the same subjects (education, procedure, ethics, and the roles of various legal practitioners) in each of the eras discussed, gives the reader the opportunity to take each particular aspect of the legal profession and follow its development from the early Roman Republic to the late medieval period.

This is a book that will have appeal for a generalist reader looking for a broad-spectrum understanding of the subject as well as a more specialist reader whose specific interests lie in one of the aspects of the legal profession. Brundage's style is easy to read and his descriptions of what actually occurred in the legal faculties or in the courtrooms of the period are entertaining. This is a book that will appeal, and be of great value, to anyone who is beginning their research in legal history. Not only does it provide a comprehensive understanding of the subject, it also extensively lists both the primary and secondary sources available on the subject. This is a significant work that will assist researchers and students for many years.

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Butler, Todd, *Imagination and Politics in Seventeenth-Century England*, Aldershot, Ashgate, 2008; hardcover; pp. x, 200; 5 b/w illustrations; R.R.P. £55.00; ISBN 9780754658832.

This is an original contribution to the crowded scholarly field that investigates intellectual history and the scholarly and artistic circles of seventeenth-century England. While Todd Butler's title refers to the seventeenth century in general, much of his text in fact relates to the Caroline period. He is largely concerned with manifestations of imaginative capacity during this time, especially as shown in the court masques and political crises of the era. His approach throughout is strongly multi-disciplinary, drawing on constitutional history, literature, scientific discourse and other seventeenth-century approaches to the imagination.

The author's originality stands out in his interpretation of the Civil Wars. He broadens familiar scholarly conceptions of a clash between King and Parliament into a reading of the Civil Wars as a cognitive process and an assessment of the very real political power which resided in imaginative capacities.