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Studien zur europäischen Rechtsgeschichte

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intensifying hostility to Jewish competition. Scholars will have to make up their minds about Dr. Zuckerman's presentation of the later medieval evidence, in preference to the undeniable implications of contemporary works. His book deserves the careful perusal that he begs for it, as a bold adventure in an uncharted field. In the last resort, however, acceptance of his thesis, as the author concludes, would mean that most of the major sources for ninth-century history have been drastically distorted.

University of Glasgow

PATRICK WORMALD

In *Transport and Communication in Early Medieval Europe, A.D. 500-1100* (Newton Abbot: David and Charles, 1971. £3.75), Professor Albert C. Leighton introduces historians to a variety of technological problems. Some of them they will have met before in the works of Lynn White and others, but it is none the less useful to have those which concern transport discussed together. Professor Leighton has rather more to say about the problems of land transport (which include horseshoes, stirrups, whipple-trees and wheelbarrows) than of water transport, though in both cases the brevity of his disquisition leaves the reader with supplementary questions unanswered. On the wider aspects of transport and communication, it is a pity that he did not make a more determined effort to establish which roads, which rivers, which passes and which ports were actually used in each century. In an age when the greatest obstacle to circulation was the prevalence of brigandage and piracy, one would have expected transport to have been concentrated on certain routes which were relatively safe and could provide travellers with food and shelter. If we could identify them with certainty, it would be easier to see the technological problems which they posed and when they were surmounted.

University of Birmingham

R. H. C. DAVIS

Studien zur europäischen Rechtsgeschichte, edited by Dr. Walter Wilhelm (Frankfurt on Main: Klostermann, 1972. 56.50 DM), is a collection of sixteen scholarly essays presented to Professor Helmut Coing upon his sixtieth birthday by his colleagues at the Max Planck Institute for European Legal History in Frankfurt (which he founded and organized). The purpose of this institution is to study and make known the civil and canon law of western Europe from 1100 to the present and these essays perfectly demonstrate its scope and scholarship. They include papers on a wide range of subjects, of which the English historian may find the most interesting Dr. Horn's article on Duck's treatise *De Usu et Auctoritate Juris Civilis* . . ., which was written in 1648 and first published in 1653. Duck was one of the leading civil lawyers in England in the 1640s, and his book was written as a defence of the use in England of the continental civil law, which was based on Roman law. It was used in the ecclesiastical and admiralty courts, and its practice was restricted to the members of Doctors' Commons. This business was much coveted by the common lawyers of the four Inns of Court. However, Dr. Horn has shown here the international importance of Duck's treatise. Of the other papers, by far the most original approach to legal history is shown in that of Dr.

Wolf on evidence of legal history in atlases. The other essays are of uniform high quality, and they make significant contributions in the realm of legal history over a very wide period of time. This superb offering is an entirely appropriate gesture to the scholarly Professor Coing.

Schley, Virginia

WILLIAM HAMILTON BRYSON

The triennial gatherings at La Mendola which during the past thirteen years have discussed some part of Christian society in relation to the religious and social changes of the late eleventh and early twelfth centuries have deservedly attracted widespread attention through their published proceedings. In 1959 the subject was the regular canons, in 1962 the hermits, in 1965 the laity and in 1968 the monks. The proceedings of the 1968 gathering – the last of the present series – are printed in *Il monachesimo e la riforma ecclesiastica (1049–1122)* (Milan: Società Editrice Vita e Pensiero, 1971. 10,000 l.). They reflect the present state of scholarship, and probably also the truth of the matter, in that no simple or overall thesis emerges to sum up the role of monasticism. The contributors concentrate upon particular problems, regions and groups; they tend to insist upon the ambivalence of monastic attitudes to popes, kings and bishops, and vice versa. Perhaps the studies of most general interest are those of the monks in their political and economic surroundings. English medievalists will especially welcome C. N. L. Brooke's important paper on the contrasting attitudes of the Anglo-Norman kings as founders and patrons of monasteries. On the economic side, G. Constable makes a thorough inquiry into the scale and dangers of the possession by monasteries of churches and *spiritualia* and why it was so hard to reform: like tithes it represented 'a valuable type of revenue, particularly in a period of rising prices. [The monks] knew this very well and justified it as best they could.' G. Duby offers a stimulating consideration of the effects of monastic needs upon the French rural economy. It is disappointing that as regards the papacy and the monastic order there is only a reprint of J. Wollasch's fine essay from the Tellenbach *Festschrift* about the election of Pope Nicholas II; but O. Capitani's examination of imperial charters for Tuscan and Lombard monasteries also brings out the growth of papal activity. Many studies are concerned with such special problems or aspects of monasticism. R. Manselli compares the Carthusian and the Cistercian answers to the 'monastic crisis' of the period. G. Tabacco stresses the frequency of collaboration between bishops and monasteries. R. Grégoire and M. Mollat respectively investigate monastic poverty as practised within the monastery and in relation to society outside. A. Dimier catalogues the building projects of the time; G. G. Meersseman considers the monks' theological outlook; and J. Leclercq analyses the forms of monastic historiography. R. Kottje provides a particularly revealing contrast of monastic libraries and culture in the circles of Hirsau, imperial monasticism and Cluny. There are also several useful studies of particular monasteries: Monte Cassino (R. Grégoire), Fruttuaria (G. Penco), Camaldoli (W. Kurze) and Mogilno (J. Plocha); while J. Kloczowski surveys monastic life in Poland and Bohemia. The opening and concluding addresses, by C. D. Fonseca and P. Zerbi, survey recent scholarship in