

BOOK REVIEWS

MEDIEVAL ECCLESIASTICAL STUDIES IN HONOUR OF DOROTHY M. OWEN, M. J. FRANKLIN and CHRISTOPHER HARPER-BILL (Ed.)
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A Review by Thomas Glyn Watkin

Dorothy Owen retired as Keeper of the Archives at the University of Cambridge in 1987. Having been awarded the degree of Litt.D. by the University in 1985, she was elected Sandars Reader in Bibliography for the academic year 1987–88. The Sandars lectures she gave during that year have been published as *The Medieval Canon Law: Teaching, Literature and Transmission* (Cambridge, 1990), reviewed in this journal by Dr Norman Doe (2 *Ecc.L.J.* 243–244). The current volume is a tribute, offered by colleagues, friends and former pupils, to one who has made a considerable contribution to the study of medieval ecclesiastical administration and canon law, partly through her own work and partly through the help and guidance offered to others over a considerable period of time.

Fittingly, therefore, the work opens with three brief accounts of her work as an archivist at Lincoln, Lambeth and Cambridge, written by Joan Varley, David S. Chambers and C. N. L. Brooke respectively. The verbal portraits admirably complement the photograph of the subject which faces the title page. The book then consists of sixteen essays, ranging over a number of ecclesiastical topics bearing witness to the range of the honorand's interests, before closing with a bibliography of the subject's writings compiled by her husband, Arthur Owen. The essays, somewhat surprisingly, are presented not in any thematic or chronological order, but alphabetically according to the author's surname. This leads to some awkward chronological leaps and shifts of subject matter for one reading the work through from beginning to end.

As one would expect, the contributions are of a uniformly high quality and not all are concerned with ecclesiastical or canon law. Mark Bailey, for instance, opens the collection with a paper on 'The Prior and Convent of Ely and their Management of the Manor of Lakenheath in the Fourteenth Century', an essay which is evocative of the condition of rural England in the century of the Black Death. Rosalind Hill writes of 'Bishop Sutton's Chantry' at Lincoln, while the volume closes with essays by R. N. Swanson on 'Parochialism and Particularism: the Dispute over the Status of Ditchford Friary, Warwickshire, in the Fifteenth Century', Pamela Taylor on 'Boundaries and Margins: Barnet, Finchley and Totteridge' and P. N. R. Zutshi on 'Collective Indulgences from Rome and Avignon in English Collections'. There is also an analysis of 'The Church in the 1279 Hundred Rolls' by Sandra Raban, which is of interest to the general historian of thirteenth-century English law rather than to the canonist in particular.

Within the confines of this review, therefore, and without any disrespect to the foregoing writers, it is intended to focus on the essays which are of more particular interest to the ecclesiastical or canon lawyer. Martin Brett provides an admittedly speculative argument to the effect that the advance of canon law and the growth of litigation in the century before Gratian was part of a collective enterprise which was rooted in the intellectual and social changes transforming Europe at that time rather than a process which was driven from and by central Church authority ('Canon Law and Litigation: the Century before Gratian'). He comments most pertinently that the diffusion of law books in itself was a unifying factor buttressing the sovereign authority of the Popes. C. N. L. Brooke, in 'English Episcopal *Acta* of the

Twelfth and Thirteenth Centuries' illustrates the usefulness of these sources to an understanding of diocesan administration and gives a foretaste of the wealth of information that will be available when the *EEA* project is completed, *circa* 2009.

In 'Bodies in Medieval Northampton: Legatine Intervention in the Twelfth Century', M. J. Franklin uses the legatine *Acta* of Bishop Henry of Blois to examine urban parochial ministry and its connection with the developing canon law. His co-editor, Christopher Harper-Bill, provides a review of the career of 'John of Oxford, Diplomat and Bishop', in a fascinating essay on one who was closely involved on the King's side in the Becket controversy and later elevated to the see of Norwich. John was not only a judge delegate in ecclesiastical matters but also one of the royal justices who participated in the regular eyres introduced by Henry II in 1179. As a bishop he emerges as a systematic implementor of the ecclesiastical legislation aimed at improving the parochial ministry. Ralph Houlbrooke attends to the work of another bishop of Norwich in 'Bishop Nykke's Last Visitation, 1532', an interesting account of the varied diocesan business undertaken by the blind, elderly prelate, believed to be unsympathetic to the King's cause, on the eve of the Reformation. Defamation, testamentary and matrimonial causes all feature in a colourful account, which illustrates excellently the administration and indeed jurisdiction of an English diocese at the end of the Middle Ages.

Archdeacons have been referred to as the bishop's eye. If that is the case, Brian Kemp, in 'Informing the Archdeacon on Ecclesiastical Matters in Twelfth-Century England' is concerned with how they actually came to see matters of interest to them. He draws attention to the information archdeacons gained by witnessing charters, and having copies of charters addressed to them and read out in chapter meetings. He also considers the question of whether twelfth-century archdeacons kept their own central records. David M. Smith is concerned with the bishop's official and the question of whether the *Officialis* had a settled role in the later twelfth and thirteenth centuries. He urges caution in assuming any standard, technical meaning for the title at that time, regarding the archiepiscopate of Boniface of Savoy (1245–1270) as the earliest time at which it is safe to argue for a settled role.

R. L. Storey is concerned with the suspiciously large number of clerics indicted for rape in his 'Malicious Indictments of Clergy in the Fifteenth Century'. The vast majority of clerics so charged were acquitted, and he believes the accusations were a method of dealing with the sexual immorality of clerics by putting them to the inconvenience of presentment and possible imprisonment while awaiting trial. A. K. McHardy, in 'Church Courts and Criminous Clerks in the Later Middle Ages', examines benefit of clergy from the ecclesiastical rather than the secular standpoint in what is a useful corrective to the traditional view of the subject. He considers how clerks were claimed from the secular tribunals, how they were transported to the bishop's gaol and held there, how the intention to release them was proclaimed and the process of purgation. Interestingly, it is suggested that the victim's feelings would be taken into account before a clerk convict was released.

'The Cambridge Canon Law Faculty: Sermons and Addresses' by F. Donald Logan looks at the *arenga* delivered at inceptions, offering rich insights into how canon law was perceived in relation to both theology and civil law. The spiritual supports for a canonical career are illustrated and the use of canon law texts in sermons is very interesting.

The range and depth of this collection of scholarly papers is indeed a fitting tribute to Dorothy Owen's work. Many of the contributions are likely to prove of lasting and considerable worth in those areas of study to which during her professional career she made such a signal contribution. They deserve a wide readership.