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Jan K. Bulman, *The Court Book of Mende and the Secular Lordship of the Bishop: Recollecting the Past in Thirteenth-Century Gévaudan*. Toronto and Buffalo: University of Toronto Press, 2008. xiv + 179 pp. Map, tables, notes, glossary, bibliography, and index. \$52.00 U.S. (cl.). ISBN 978-0-8020-9337-0.

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This book makes valuable contributions to the history of the twelfth and thirteenth centuries through the close study of a unique set of documents concerning the bishops of Mende, a small city in the mountains of south-central France. At the center of Bulman's story is the "court book" of Mende, a register that records contemporary summaries of about 276 legal cases heard before the episcopal court of Mende between 1268 and 1271. These dates make this the earliest surviving register to record more or less continuous runs of episcopal court cases anywhere in Latin Europe. Two other court books survive from the neighboring diocese of Le Puy-en-Velay from almost the same period (1270-84), but otherwise the Mende court book precedes other surviving episcopal court registers by about a century.

The precocious institutional development that seems to lie behind the production of this court book is particularly surprising because of its geographical provenance. Although Mende lies only about 110 kilometers (70 miles) as the crow flies north of Montpellier, the diocese of Mende and the essentially congruent medieval county of Gévaudan were part of a poor, sparsely populated, "backwater...frontier zone" between Languedoc and the Auvergne (p. 15). Corresponding closely to the modern département of Lozère, this region is cut off from lower Languedoc by the Cévennes Mountains. The diocese of Mende forms part of the archdiocese of Bourges and gained in prestige when the famous canonist Guillaume Durand the Elder became its bishop (1285-96). It is unknown why this papal favorite, who hailed from a small town near Béziers on Languedoc's coastal plain, ended his career in Mende (p. 71). But after his episcopacy Mende went on to produce a series of prominent ecclesiastics, beginning with his own nephew and namesake, Guillaume Durand the Younger, who succeeded him as bishop (1296-1330). This second Durand is the key to Bulman's account because he probably wrote an anonymous, originally untitled legal brief now known as the *Mémoire relatif au paréage*, which drew on the court book of 1268-71 to defend the bishop of Mende's secular lordship against royal encroachment. This work likely dated back to the period leading up to a compromise reached in 1307 in the Parlement of Paris, which established a *paréage*, an arrangement to share lordship, between the two parties (p. 5). Yet whatever luster the two Durands would later add to their episcopal seat, they obviously had nothing to do with the creation of the court book itself.

Bulman draws on the court book, the *Mémoire*, and a variety of other sources to create a generally persuasive account both of the bishops' struggles to defend their lordship and of their concomitant elaboration of a unique set of documents. She achieves this by carefully studying texts within the context of their production and use by the bishops, which in the case of the court book amounts to a thorough dissection of this register's codicology, scripts, contents, organization, purpose, and later usage. Most of the sources she surveys were also used by Guillaume Durand the Younger for his *Mémoire*, and in a sense her book is an extended analysis of the ways in which Durand created a "useable past" or "active historical memory" from these materials (pp. 5, 13).

The narrowly episcopal provenance and tendentious character of many of these sources, however, imparts an air of tautology or circularity to her overall argument that their significance lies in their role in establishing and defending episcopal lordship. It is true that most of the texts Bulman considers showcase and were intended to buttress episcopal rights. Nor does she err in asserting that texts can play a role in the exercise of power by demonstrating a lord's judicial authority or by legitimating claims through the shaping of historical memory. Thus she argues that the court book's preservation and organization of judicial records buttressed episcopal power by "institutionalizing authority and law;" in a more literate society, "control of the archives was the linchpin of political power" (p. 4). Yet in order to show the practical results of textual production one must fill in the social, political, and cultural context within which textual strategies are deployed. The problem here is that Bulman supplies relatively little of such a wider context. It is hard to tell, however, whether this derives more from the thinness of the non-episcopal documentation or from an overly narrow focus on her part.

Along with an introduction and conclusion, the book is divided into four chapters. In chapter one, Bulman sketches the obscure early history of the Gévaudan through the twelfth century. After the native line of counts died out in the early eleventh century, the (probably mostly nominal) overlordship of the county passed successively to the counts of Toulouse, the counts of Barcelona, and, in 1172, the kings of Aragon. Within the county, the bishops were apparently overshadowed by the viscounts of Gévaudan, who held a number of castles, as well as by other local baronial families. The bishop's leadership of a local peace movement likely did not elevate him much above these competitors (pp. 17-20).

Under Bishop Aldebert III (1151-87) several sources attest to greater episcopal authority, including two narratives written by him or in his entourage: a brief chronicle relating his efforts to secure lordship in the Gévaudan, and a hagiographical account of the discovery of the tomb of Saint Privat, a fourth-century martyred bishop and the diocese's patron saint. These texts suggest that Aldebert expanded his authority by purchasing secular rights from other lords, by defeating a baronial rebellion, and by invoking the miraculous assistance of Saint Privat (pp. 20-7). More ambivalent support for episcopal lordship derives from a third text, which was called the "Golden Bull" because of a golden seal reportedly attached to the lost original charter. In this grant of 1161 King Louis VII records that Aldebert became the first bishop of Mende to swear fealty to the King of France, and that in return he granted Aldebert all jurisdiction and authority in the bishopric and all of the "regalia" pertaining to the crown. The precise meaning of this vaguely-worded grant is, however, unclear, especially in view of the count of Barcelona's overlordship of the Gévaudan. Yet Aldebert and his successors interpreted it as confirming their right to a lordship that approached sovereignty. Thus Bulman is undoubtedly right to argue that Aldebert appealed to distant royal authority as a tactic in his struggle against local opponents (pp. 22-5, 78-9).

The second chapter follows the tumultuous fortunes of episcopal lordship from the end of the twelfth to the mid-thirteenth century. Under Guillaume de Peyre (1187-1222), the bishop's lordship reached its apogee, albeit at the cost of continued warfare. Some of the best evidence of de Peyre's lordship comes from testimony for an inquest conducted in 1270 for a suit in the Parlement of Paris. Confusingly, however, Bulman usually quotes the witnesses' depositions from Durand the Younger's later *Mémoire*, which as she notes selected evidence that favored the bishops. As this testimony potentially offers independent corroboration of episcopal authority, its precise textual sources should have been made clearer. In any case, these depositions and other sources describe de Peyre as leading the peace militia, extracting oaths from barons, levying a peace tax, minting money, defending public roads, and exercising appellate jurisdiction within the county (pp. 28-31).

The outside world, however, increasingly impinged on this semi-autonomous region. The early phases of the Albigensian Crusade gave the bishops control over lands taken from the counts of Toulouse and

the kings of Aragon, notwithstanding the continued objections of these princes' heirs. Baronial unrest also persisted, even after the Treaty of Paris of 1229 transferred many of the above princes' claims to King Louis VIII, who effectively became overlord of the Gévaudan. Unable to overcome baronial resistance, Bishop Étienne de Brioude (1223-47) took the fateful step of appealing to royal agents for help, who thereafter steadily eroded episcopal authority. His successor, Odilon de Mercoeur (1247-74), attempted to reverse this trend by insisting on the episcopal court's jurisdiction. In 1269 de Mercoeur brought a suit before the Parlement of Paris to end interference with his right to "all temporal authority and jurisdiction" over "all civil and criminal cases," including those that involved baronial fiefs. He claimed that episcopal secular lordship (*majus dominium*) had existed "time out of mind" and that it had been confirmed by the Golden Bull of 1161 and by his own exercise of judicial rights (pp. 31-42).

In the third chapter, Bulman turns to her central text, the Mende court book of 1268-71. She contrasts it to most earlier and contemporary documentary registers, which record either correspondence and administrative documents, like those of the popes or the kings of France, or charters attesting to property titles, like the cartularies compiled by monasteries, cathedral chapters, and, though she overlooks them, lay princes.[1] As Bulman notes, there are closer parallels with the so-called *Olim* registers, which summarize the Parlement of Paris's decisions and inquests beginning in 1254. But compared to the Mende court book, the *Olim* are less comprehensive, selecting only the most important cases and summarizing them more briefly. English episcopal registers date from the early thirteenth century, but they focus on financial and other clerical business rather than on cases heard before the bishop's court. Most episcopal courts began to enregister their cases only from the mid-fourteenth century. By far most similar to the Mende court book are the two registers of ca. 1270-84 from Le Puy in nearby Auvergne, which in fact reflect mutual scribal influence (pp. 47-52).

Bulman contends persuasively that these court books reveal sophisticated legal expertise. While the scribes who redacted the Mende court book were not apparently trained as notaries, they were familiar with the standard Romano-canonical civil procedures applied by the court's professional judges, ranging from initial petitions by the parties and the appointment of legal representatives, to the redaction of oral testimony and the judge's pronouncement of the final sentence. The court book itself was a fair copy of court documents, one meant to provide a definitive case record (pp. 55-67). Bulman also argues convincingly that the scribes' efforts to group together all procedures and decisions pertaining to each case, and to provide cross-references where needed, reflect a desire to create a searchable archive, one that the bishop could turn to for evidence in his almost exactly contemporaneous legal battle with the crown. As a searchable research tool, the court book bears comparison with the contemporary development in universities of Biblical concordances and alphabetical indices of various kinds (pp. 45-7, 67-9).

Although the subject matter of one-fifth of the 276 cases summarized in the Mende court book cannot be determined, most of the rest concern such secular matters as debts arising from contracts, assaults, thefts, and rights of lordship. In contrast, subject matter more usually viewed as coming under the purview of ecclesiastical courts, such as marriage, testaments, and church property, account only for a small minority of these cases. Bulman ascribes this focus on secular affairs to the bishop's exercise of secular authority (pp. 52-5). Conversely, she contends that the almost contemporary court books of Le Puy focus mostly on ecclesiastical matters because the bishops of Le Puy were less successful in exercising secular lordship (pp. 51-2, 75-6). In making this argument, however, Bulman conflates secular lordship and jurisdiction over civil or property law. In northern France and elsewhere thirteenth-century episcopal courts often heard secular cases, even when the bishop did not exercise secular lordship.[2] While in Mende the bishops' possession of both types of power complicates the issue, their exercise of jurisdiction over contracts, for example, did not necessarily depend on their lordship.

In the fourth chapter, Bulman turns to the episcopacies of the two Durands, and above all to Guillaume Durand the Younger and his *Mémoire* of ca. 1300-7. This substantial text of 207 folia begins with a history of episcopal lordship in the Gévaudan, which is traced back to antiquity through the bishop's association with Saint Privat. Durand cites as evidence confirming this lordship the Golden Bull of 1161 and the more detailed testimony of the inquest of 1270 discussed above. Durand's other main documentary sources were the episcopal courts books, which we now learn were much more numerous than the one which is extant. Durand cites a total of ninety-nine cases, taken from thirty different court books, all probably dating to the last years of de Mercoeur's episcopacy (ca. 1268-74). Of the seventeen cases drawn from the extant court book, whose subject matter can be more fully ascertained, nine concern aspects of secular lordship. In contrast, cases more typical of spiritual jurisdiction are notable by their virtual absence. As Bulman argues, Durand selected his evidence in order to shape a particular version of the past (pp. 77-88). While this chapter shows both that the extant court book was part of a larger archival program and how such material might be put to use, it also whets the appetite for more detailed comparison with the court books of Le Puy and a few late medieval court books of Mende, which are discussed only briefly.

The bishops' efforts to defend their lordship were largely frustrated, because even though the *paréage* agreement of 1307 in some ways treats the bishop and the king as equal partners, it recognizes the overarching sovereignty of the king, to whom all disputed cases had to be appealed (pp. 89-90). Yet as Bulman explains in the conclusion, controversy over the extent of episcopal jurisdiction continued through the fourteenth and fifteenth centuries.

This is a solidly researched and generally well argued book that sharply illuminates the centuries-long struggles of the bishops of Mende to defend their secular lordship, even as they very gradually lost power to an expanding royal government. It is also a fascinating exploration of "one of the earliest examples of the systematic preservation and recall of documents" (p. 95). While in some respects the book would have benefited from a broader approach, the richness of the sources considered and the acuity of Bulman's analysis provide much food for thought.

NOTES

[1] See for example Theodore Evergates, ed., *Littere Baronum: The Earliest Cartulary of the Counts of Champagne* (Buffalo and Toronto: University of Toronto Press, 2003), who at p. 20 refers to similar lay cartularies of Béziers, Montpellier, and Barcelona.

[2] For the massive recourse by laypeople to local consistory courts (or *officialités*), see Anne Terroine and Lucie Fossier, eds., *Un bourgeois parisien du XIIIe siècle. Geoffroy de Saint-Laurent 1245?-1290* (Paris: CNRS, 1992). More generally, see Jean Gaudemet, *Le gouvernement de l'Église à l'époque classique. IIe partie, Le gouvernement local* (Paris: Cujas, 1979), 166-71.

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