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Nicolas Lombart, ed., *Les Nouveaux Mondes juridiques: Du Moyen Âge au XVIIe siècle*. Paris: Classiques Garnier, 2015. 349 pp. Bibliography and index. 35€ (hb). ISBN 978-2-8124-4594-1.

Review by Christopher Hodson, Brigham Young University.

*Les Nouveaux Mondes juridiques* is nothing if not ambitious. Interdisciplinary to the core, geographically expansive, and eager to flout standards of periodization, this collection takes its readers on a tour through connections between law and literature in an age when legal pluralism swept into and transformed the European political imagination. Early encounters with indigenous American societies, of course, triggered the greatest outburst of thought and theorizing about alternative forms of government, the meaning of life under natural law, just war doctrine in a world of hard-to-interpret legal systems, and the juridical status of non-Christians. But, as Lombart's book demonstrates, these sixteenth-century reflections were rooted in medieval encounters with Islam and the mysterious civilizations of Asia and the Indian Ocean world. Beginning in the late eleventh century with the foundation of Outremer on the eastern shores of the Mediterranean, the problem of legal pluralism not only informed specific strains of European writing on matters juridical, anthropological, and religious, it also formed "une matrice dans la production du texte (qu'il soit ou non de fiction)" (p. 9). In other words, debates over law in an expanding world transcended the particular to shape multiple medieval and early modern genres and modes of thought. Although *Les Nouveaux Mondes juridiques* is, like many such collections, deeply uneven, and although the unifying theme fades in and out of the essays, the book as a whole does make a case for the centrality of legal pluralism to European culture in an era of world-expanding transition.

The book is divided into three sections, the first of which ("Droits observés, droits imaginés: Altérité et pluralité juridiques") provides a handy, if diffuse, introduction to the collection's points of emphasis. In the section's first essay, Mariane O'Doherty wheels through the writings of late medieval travelers and pseudo-travelers on the complex, confusing societies of the Far East. Ranging from an eleventh-century reimagining of Alexander the Great's correspondence with Dindimus, whose subjects lived according to natural law alone on the Ganges River, to John Mandeville's late-medieval musings on the non-Christian legal systems of the Indies, stopping for good measure at the twelfth-century *Letter of Prester John* and Marco Polo's *Dévisement du monde*, O'Doherty's essay offers a fine introduction to many of the volume's most important themes. Chief among them is the notion that for medieval thinkers, the Indian Ocean world (among others) served as an incubator for thought experiments that crystallized European legalities, the distant east functioning as "a space in which alternative systems of law flourish and where their effects can be imaginatively played out" (p. 25).

Marie-Geneviève Grossel's account of Jacques de Vitry and Olivier le Scolastique's struggle to comprehend the failure of the Fifth Crusade--and with it, the collapse of Christian pretensions to rule over the Middle East--likewise reveals the lurking presence of legal diversity in the literary productions of a medieval Christendom in crisis. Alexandra Merle next illuminates sixteenth-century Spanish attempts to defend the policies and person of Charles V by emphasizing the fundamental tyranny of the

Ottoman Empire. Toby Wikström's analysis of Jacques Du Hamel's 1603 French tragedy *Acoubar, ou la loyauté trahie*, by contrast, emphasizes the perceived lawlessness of Spain's New World conquests while hinting at the author's doubts as to the morality of France's own, supposedly more pacific colonial engagements.

The next section ("Droits imposés, droits contestés: vers l'émergence d'un 'droit colonial'") offers a touch more coherence. In his brief and thoughtful essay, Frédéric Tinguely reconsiders the *Requerimiento*, the infamous statement of dominion read aloud by Spanish invaders to uncomprehending indigenous Americans beginning in the 1510s. Situating the *Requerimiento's* persistent "négation du réel" (p. 140) within the long history of *fictio juris*, or legal fictions, Tinguely reflects productively on the juridical ghosts haunting one of colonialism's most disturbing texts. Lingering in the early Iberian empires, Jean-Claude Laborie exposes the tension between two competing legal visions in sixteenth-century Brazil: one espoused by the planters, who saw all natives as potential slaves, and another articulated by the colony's Jesuits, whose mission it was to convert and integrate those same natives into the Portuguese colonial order. Remaining focused on Iberia while glancing at the French case, Jean-Pierre Duteil next charts Reformation-era thought on the postmortem status of the New World's "pagans" who had never known Christ. Perhaps unsurprisingly, early Protestants took a rigid stance on such questions, denying salvation of any kind to those who lived and died without faith, law, or king; steeped in humanism, Catholic missionaries thought more expansively about such matters. Moving decisively north of the Pyrenees, Marie Houllémaré's fine piece examines the French legal vocabulary of exploration, conquest, and settlement, noting the late (ca. 1620s) adoption of the term "colony" not simply from the Latin, but via cross-channel engagement with English legal sources as well.

The final section, entitled "Droits négociés, droits intégrés: logiques d'échanges, expansionnisme et 'droit international'" acts as something of a grab-bag, offering up four essays so wide-ranging as to defy categorization. Jean-Frédéric Schaub's punchy think-piece first touches on the historiography linking medieval expansionism with Europeans' early forays into the Atlantic; turning on an interpretive dime, Schaub then makes a plausible (if not fully articulated) case for the centrality of Iberian anti-Semitism, with its laser-focus on heredity and blood-purity, to the development of the racist ideologies that overspread the early modern New World. Treading familiar ground, Éric Thierry charts the meaning of France's sixteenth- and seventeenth-century alliances with Native Americans in the Saint Lawrence Valley—legal relationships which, early French pretensions to dominance notwithstanding, served native ends and promoted native power for much of the colonial period. Moving from the Atlantic to the Mediterranean, Oumelbanine Zhiri next unpacks the convoluted history of Isaac de Razilly's 1631 mission to redeem French captives from the sultanate of Morocco. Captivity and enslavement, Zhiri argues, catalyzed the development of legal relations between France and the powers of North Africa, creating a Mediterranean zone of juridical exchange that shaped Europe's emerging understanding of Islamic culture. And, in the collection's last essay, Grégoire Holtz crafts a convincing argument that seventeenth-century French jurists turned Hugo Grotius's path-breaking treatise on freedom of the seas, *De Mare Liberum*, into a weapon in their kingdom's imperialist arsenal. Appropriated by the Gallic enemies of Grotius's Low Country Protestants, *De Mare Liberum*, writes Holtz, gave Louis XIII's kingdom "une forme juridique à un nouveau type d'expansion," framing commercial engagement with indigenous peoples from the Americas to the East Indies. (p. 263)

Put it this way: if you are someone who believes that the Beatles' idiosyncratic, choppy White Album is superior to the band's relentlessly coherent Sgt. Pepper's Lonely Hearts Club Band, you'll probably find a lot to like about *Les Nouveaux Mondes juridiques*. Indeed, the diversity of subjects and approaches really functions as the collection's argument. Considering the process of "désenclavement" (p. 11) on a global scale, rather than on the level of single empires or nations, certainly exposes points of connection and entanglement that would otherwise remain obscure. Perhaps even more important, the inclusion of medieval perspectives does, as Lombart and Clotilde Jacqueland's introduction suggests, resituate Europe's invasion of the Americas "dans des contextes historiques et intellectuels plus larges," revealing

the deep influence of Middle and Far Eastern exploration on “la pensée occidentale chrétienne au moment d’appréhender, notamment du point de vue de leur définition politico-juridique, ces nouveaux mondes” (p. 11). And in the end, the collection’s interdisciplinary turn provides some moments of clarity, Toby Wikström’s crisp discussion of Du Hamel’s long-ignored French colonial tragedy notable among them.

On the other hand, if you like your historiographical interventions straightforward and your narratives linear, you’ll probably find the book wanting. The introduction leaves much of the interpretive heavy lifting to the reader, glossing over the vibrant historiography on legal pluralism to focus on the collection’s geographical and temporal breadth, and to introduce the individual essays. Moreover, the narrow focus of some of those essays belies the expansive language of the introduction. Indeed, any broader discussions of legal pluralism and its literary echoes simply disappear for stretches; ditto treatment of the interdisciplinary issues. Still, for scholars interested in the intersection of law and literature, and in surveying the wide range of approaches bubbling up out of questions surrounding medieval and early modern juridical encounters, *Les Nouveaux Mondes juridiques* will, I submit, prove a worthwhile read.

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