

Witnesses, Neighbors, and Community in Late Medieval Marseille, by Susan Alice McDonough. The New Middle Ages. New York: Palgrave Macmillan, 2013. Pp. xv+234. ISBN: 9780230391994. \$85.00.

IN THE MIDST of a 1406 appeal to overturn a criminal conviction for unlawful kidnapping and theft, a judge at the court in Marseille asked witness for the appellants Ugueta Lombarde to define good *fama*. She answered: "It is when one does good and guards one's honor and lives from one's own [means], and governs oneself well without any help from another" (117). Lombarde's straightforward response, burgeoning with a wealth of insight into cultural norms and expectations, establishes why historians are so eager to plumb the archives of medieval Europe's judicial systems. How else can we gain access to the voices of *real* people articulating such fundamental perspectives about life in a medieval city?

Despite the allure, these same records present just as many dangers as do court records today. While medieval law was not tied to precedent (as are today's courts), the heavy weight of custom and heritage fostered a rigid and inflexible legal environment that led litigants to work around the law by developing legal fictions and pleading strategies. As a result, one can rarely accept at face value anything uttered in a court deposition. Even an assertion of economic standing is suspect. As McDonough explains, when a woman describes herself as poor, in effect she is depicting herself as untrustworthy (in a legal sense). Yet, when she is in court hoping to recoup monies expended in caring for her (now deceased) daughter and grandchildren, presenting oneself as the righteous poor has its advantages. McDonough's deep training in, and love of, the law instills great confidence in the reader. Because she knows that the courts met in the open air adjacent to Marseille's bustling marketplace, she recognizes the value of testimony as spectacle. Her intimate familiarity with the archival sources also offers a sense of closure even though the cases themselves have no surviving sentences. McDonough explains how the marginalia direct us to the judge's concerns and priorities, at the very least furnishing insight into the reception of the suit's narrative, if not its conclusion. McDonough's fine book is a testimony to why social historians need a firm understanding of the law and its records.

McDonough employs witnessing as a vehicle to gain clearer insight into communal structures and relationships in a highly unusual setting. Late medieval Marseille was not your average medieval city: dynastic disputes led to repeated changes in alliances and governance, as well as episodes of pervasive destruction and recovery. In addition, its function as a port city dramatically shaped its values and priorities. Populated primarily by women and old men, Marseille

permitted women to assume leadership roles often denied to them elsewhere in Europe. In this context, what McDonough refers to as the “economy of care” takes center stage, producing the scandalous conflicts that occupy the handful of captivating lawsuits upon which this study is based. That act of witnessing awarded the men and women of Marseille the opportunity to participate in creating and enforcing the moral code by “proclaim[ing] publicly whose behavior met community standards and whose did not” (27).

Organized into five chapters, the book begins with a broad overview of the turbulent history of the city of Marseille and the intricacies of its judicial system. Chapter 2 examines the theory and practice of witnessing and its limitations. Chapters 3 and 4 venture into the economy of care for the elderly and the ill; and chapter 5 highlights the impact of invasion on the mentality and cohesion of Marseille’s inhabitants. Within this structure, McDonough explores many facets of medieval living that have been largely overlooked. For example, while much emphasis has been placed on the importance of the deathbed in terms of the penitential process, McDonough adds a new dimension by explaining its centrality to credit relationships. Surrounded by his family, friends, and creditors, Antoni Filholini’s deathbed speech focused chiefly on a public accounting of his debts, declaring sums he had already repaid, and promising to see the remainder settled after his demise. McDonough also sheds new light on intercultural relationships. While *Judeus* was a popular aspersion for a usurer, witnesses’ descriptions of daily interaction reveal little sense of anti-Semitism as a guiding force in their lives. Cooperation, rather than conflict, seems to have been the norm. Finally, the book provides a new viewpoint on women and gendered roles in society. In Marseille, caring for the sick was not a distinctly feminine activity: Marseille’s men proudly claimed to be nurturing and empathetic. There was also much more to a woman’s honor than her sexual reputation: she was equally concerned about perceptions of honesty and reliability.

In her efforts to bring to light popular values, McDonough occasionally overinterprets the evidence. For example, in the case of Moneta Mede, a mentally disturbed woman held captive in a cousin’s home, McDonough sees a yawning chasm between official and unofficial perceptions of caring for the insane. Certainly, the *sous-viguiier* who initiated the suit was shocked to discover the de la Cortes family kept Moneta tied up in a tiny room for months on end, despite their protests that they did so for her own safety. Moreover, while the de la Cortes claimed she was insane, the *sous-viguiier* vehemently denied their assessment, professing that only a doctor can declare a person mad. On the surface, this clash in ideals seems a likely candidate for an elite/popular divide:

however, this impression is shattered by the discovery of official documentation showing that his superior, the *viguiier*, had approved both the restraints and the safekeeping of her husband's properties, all without an examination from a medical expert. Here, the *sous-viguiier* is less a representative of an intrusive legal system intervening in local affairs, than a man out of touch with the process of caring for the mentally disturbed.

Nevertheless, this engaging and beautifully written book has much to offer. Palgrave Macmillan would do well to contemplate a future paperback publication to make this book accessible to university teachers for class assignment.

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