de *La Correspondance de Théodore de Bèze* que notre auteur a publié en collaboration avec Alain Dufour.

Le premier article de ce recueil, "L'historien et son métier," qui reproduit le texte de la dernière leçon d'Henri Meylan à la Faculté de théologie de l'Université de Lausanne en 1970, revêt le caractère d'un testament intellectuel. Dans cette leçon, il nous apparaît comme un modeste savant qui nous livre en toute simplicité sa vision de l'histoire et de la méthodologie historique. Il définit l'histoire comme "une enquête menée, aussi sérieusement que possible, sur les passé de l'homme et des sociétés humaines." L'historien travaille sur des documents qu'il doit premièrement trouver et par la suite lire correctement aidé principalement par les facultés de l'imagination et du sens critique. L'analyse et la synthèse sont impliquées tout au long du travail historique. La méthode de l'histoire de l'Eglise, que Meylan préfère à celle de l'histoire du christianisme, de l'histoire des dogmes, ou de l'histoire de la pensée chrétienne, est la même que celle de l'histoire profane. L'esprit universel du professeur Meylan remarque "que dans la pratique tout au moins les historiens catholiques ne se distinguent plus guère à cet égard des historiens protestants." En se penchant sur les préjugés ou les présupposés qui peuvent entraver le travail des historiens, Henri Meylan constate que "Tous nous sommes liés à une tradition confessionnelle, aussi bien qu'à un terroir (. . .) Ayant pris parti, il faut se garder de l'esprit partisan et se réjouir de la convergence de jugements portés par des historiens venus d'horizons différents, car c'est le meilleur gage qu'on est sur la bonne voie, dans la quête jamais achevée de la vérité" (pp. 25-26).

J.M. DE BUJANDA, *Université de Sherbrooke*

Henry A. Kelly. *The Matrimonial Trials of Henry VIII*. Stanford, California: Stanford University Press, 1977. Pp. xii, 333. \$15.00.

Another monograph on Henry VIII? The reader would be excused for thinking that J. J. Scarisbrick's study of 1968 and subsequent analyses by Smith, Levine and Elton have exploited all available evidence and have left little room for major progress in our understanding of that king. Yet, Henry Ansgar Kelly's *The Matrimonial Trials of Henry VIII* examines the evidence provided by a series of hitherto neglected or unknown sources: it not only sheds fresh light on the royal matrimonial problems but also carries the reader well beyond the matter at issue to a wider view of the law and jurisprudence of marriage in sixteenth-century Europe.

The author approaches the topic on the two levels suggested by the pun in the title of the volume. On the one hand, he explores the many difficulties of the royal marriages and the way in which Henry's wondrously flexible conscience adjusted to them and, on the other hand, subjects the series of court proceedings used by the king in the process of justifying his conscience to their first complete analysis. It is the sequence of trials before ecclesiastical courts that gives the volume its form.

The Introduction states the problem in a clear and simple way: were Henry's grounds for doubting the validity of his marriage to Catherine of Aragon substantial or were they excuses to "gratify his passion for Anne Boleyn" (p. 1)? Then, in what is surely a parody of the use of the words "justify" and "justification" in a Refor-

mation context, the author sets out to examine the documentation that “not only shows precisely the way in which Henry justified his actions in public and in the court room, but also indicates how he justified them to himself, in the privacy of his own conscience” (p. 2) and, as a preliminary to the analysis to follow, sketches the earlier history of the law and jurisprudence of incest, a subject on which the author’s earlier studies have thrown much light.

The trials provide the core around which each of the four sections of the volume is organized. Part One describes the explicitation of the king’s scruple about his marriage to his brother’s wife, and the first — and irregular — examination of this marriage by Cardinal Wolsey (ch. 1), the simultaneous proceedings whereby the scrupulous monarch obtained papal dispensation for a future marriage to an unidentified spouse (ch. 2), the negotiations at Rome to institute a legatine court that would hear the case in England and bring in a judgment without possibility of appeal (ch. 3), and the proceedings in that court before Cardinals Campeggio and Wolsey until, on 23 July 1529, when both sides had been heard, the former prorogued the case until October (chs. 4-6). Part Two deals with the appeal to Rome, the trial and sentence there. Description of the long process by which the case was brought before the pope, the manipulation of the opinions of canonists and theologians of the European universities and Henry’s threat to withdraw the case from papal jurisdiction (ch. 7) is followed by a careful analysis of the questions of fact and law related to the consummation of the marriage of Catherine and Prince Arthur (ch. 8) and an account of the sentence rendered in March 1534, more than four years after Catherine’s appeal (ch. 9). By that time Henry’s relation to Anne had run its course, Elizabeth was born and the king’s love had begun to cool. Part Three sets out the trials and the trauma of those years. The decision to seek a retrial in England, the king’s clandestine marriage with the pregnant Anne, the very timely death of Archbishop Warham, who held his ground at last on the granting of divorce, and the papal approval of Thomas Cranmer as the new archbishop are set out in proper relationship (ch. 11). The procedure of annulment and ratification of the king’s first and second marriages, and the use of ambassadors, treatises and the headman’s axe to justify them, are described (ch. 12); and the section is completed by a thoughtful analysis of the relationship between Henry and his new archbishop, the conflict and mutual support of their consciences (ch. 13). Part Four presents the proceedings that led to the later annulments of Henry’s marriages to Anne of Cleves and Catherine Howard (chs. 14-15) and discusses the later evolution of marriage law in the English legal systems. The volume is completed by two appendices in which documents crucial to the author’s argument are made available, a bibliography and an index.

Medieval historians of the present generation have come to realize the importance of the relationship between English law and institutions and the general law of the Church. Professor Kelly suggests that the failure to appreciate the consequences of that relationship — a failure to be found both among Tudor historians, who have not mastered the procedures and jurisdiction of ecclesiastical courts, and on the part of historians of canon law, who have paid inadequate attention to the later Middle Ages — has led to serious inadequacies in the analysis of the marriages of Henry VIII and in the understanding of the man himself. These shortcomings are demonstrated by the startling series of omissions in the use of sources by even our most competent scholars. Thus, the three trials of the marriage of Henry and

Catherine held in England left more or less complete official records and some of the *acta* produced for and by the courts. As is well known, there were many references to those trials in tracts of the time and in ambassadors' reports. By and large it is these latter records, records that for all their merits tended to be partisan and all too often were little more than gossip, that have been the historians' main sources. Until the present volume, the records of the courts themselves have not been used to anything like the extent that has been proved to be possible. This point could be developed further, but the matter is best pursued in Professor Kelly's treatment of it. For the moment it is sufficient to underline the magnitude of his contribution to scholarship by bringing this material into the discussion at last.

The result is a compact, difficult but highly instructive volume. The author leads his reader through the stages of the different trials and petitions for dispensation, describing procedures and setting out the canon law on matters not likely to be understood. Sometimes he shows a certain lack of judgment here: a difficult subject is made all the more obscure by a tendency to enter into discussions or add tidbits of information that distract from the main thrust of the work. Be this as it may, as a background to the problems of the king's marriages, the author presents a remarkably full view of the law and jurisprudence touching matrimony in Europe just before the medieval synthesis would receive its first major adjustment in the new laws of different states and the constitutions of the Council of Trent. The network of impediments, kept more or less in equitable balance by the papal power of dispensation, is presented with due subtlety and clarity. It was on the exercise of that power and the debate as to its extent that the king's matter hinged.

Since Kelly focuses so sharply on the matrimonial side of Henry's adult life and its immense consequences for his circle of friends as for the country in general and its foreign policy, the volume produces a foreshortened perspective that might lead to an unbalanced view of the reign as a whole. That is a minor risk, one more than compensated for by the insight into Henry's character that is forthcoming. It is with good reason that the author claims to have shown "not only a consistent concern on the king's part to justify himself before God, but also a remarkable consistency in his views" (p. 276). Of course one may have to conclude that the conscientious king who was capable of such a consummately legalistic and thoroughly inequitable use of courts, evidence and statute-making power was more of a monster than the cynical monarch who would have his way with a pretty woman. As Henry emerges from his many trials, he may well pass into the hands of the psychohistorian.

MICHAEL M. SHEEHAN, *Pontifical Institute of Mediaeval Studies, Toronto*

The Elizabethan Theatre VI: Papers Given at the Sixth International Conference on Elizabethan Theatre Held at the University of Waterloo, Ontario in July 1975, edited and with an introduction by G.R. Hibbard. Toronto: Macmillan of Canada, 1978. Pp. xiii, 161. \$11.95.

This conference, whose papers here appear with a succinct introduction by Professor Hibbard, mainly focussed upon the adult and children's theatres between approxi-