

HISTORY OF MEDIEVAL CANON LAW

*Edited by Wilfried Hartmann and  
Kenneth Pennington*

**The History of Medieval Canon  
Law in the Classical Period,  
1140–1234**

*From Gratian to the Decretals of Pope Gregory IX*

# The History Of Medieval Canon Law In The Classical Period 1140 1234

**Scott C. Dulebohn**



## **The History Of Medieval Canon Law In The Classical Period 1140 1234:**

**The History of Medieval Canon Law in the Classical Period, 1140-1234** Wilfried Hartmann, Kenneth Pennington, 2008 This latest volume in the ongoing History of Medieval Canon Law series covers the period from Gratian's initial teaching of canon law during the 1120s to just before the promulgation of the Decretals of Pope Gregory IX in 1234

**The History of Byzantine and Eastern Canon Law to 1500** Wilfried Hartmann, Kenneth Pennington, 2012-02-27 Intro Contents Acknowledgments Abbreviations 1 The Formation of Ecclesiastical Law in the Early Church 2 Sources of the Greek Canon Law to the Quinisext Council 691 2 Councils and Church Fathers 3 Byzantine Canon Law to 1100 4 Byzantine Canon Law from the Twelfth to the Fifteenth Centuries 5 Sources of Canon Law in the Eastern Churches Index of Councils and Synods General Index

***A Companion to the Medieval Papacy*** Atria Larson, Keith Sisson, 2016-04-08 A Companion to the Medieval Papacy brings together an international group of experts on various aspects of the medieval papacy Each chapter provides an up to date introduction to and scholarly interpretation of topics of crucial importance to the development of the papacy's thinking about its place in the medieval world and of its institutional structures Topics covered include the Papal States the Gregorian Reform papal artistic self representation hierocratic theory canon law decretals councils legates and judges delegate the apostolic camera chancery penitentiary and Rota relations with Constantinople crusades missions The volume includes an introductory chapter by Thomas F X Noble on the historiographical challenges of writing medieval papal history Contributors are Sandro Carocci Atria A Larson Andrew Louth Jehangir Malegam Andreas Meyer Harald Müller Thomas F X Noble Francesca Pomarici Rebecca Rist Kirsi Salonen Felicitas Schmieder Keith Sisson Danica Summerlin and Stefan Wei

**Yale Law Journal: Volume 121, Number 2 - November 2011** Yale Law Journal, 2011-12-02 The issue features articles on new ideas in enforcing international law and on the role of incentives and disincentives under the idea of limited government Contributors include the noted scholars Oona Hathaway Scott J Shapiro Benjamin Ewing and Douglas A Kysar The issue also features student contributions on sentencing guidelines and the historical argument for Presidential war powers Contents for the Nov 2011 issue number 2 include Outcasting Enforcement in Domestic and International Law by Oona Hathaway Scott J Shapiro Prods and Pleas Limited Government in an Era of Unlimited Harm by Benjamin Ewing Douglas A Kysar Note Baseline Framing in Sentencing by Daniel M Isaacs Comment The Anti Federalists and Presidential War Powers by Cameron O Kistler

**The Oxford Handbook of Criminal Law** Markus D Dubber, Tatjana Hörnle, 2014-11-27 The Oxford Handbook of Criminal Law reflects the continued transformation of criminal law into a global discipline providing scholars with a comprehensive international resource a common point of entry into cutting edge contemporary research and a snapshot of the state and scope of the field To this end the Handbook takes a broad approach to its subject matter disciplinarily geographically and systematically Its contributors include current and future research leaders representing a variety of legal systems methodologies areas of expertise and research agendas The Handbook is

divided into four parts Approaches Methods I Systems Methods II Aspects Issues III and Contexts Comparisons IV Part I includes essays exploring various methodological approaches to criminal law such as criminology feminist studies and history Part II provides an overview of systems or models of criminal law laying the foundation for further inquiry into specific conceptions of criminal law as well as for comparative analysis such as Islamic Marxist and military law Part III covers the three aspects of the penal process the definition of norms and principles of liability substantive criminal law along with a less detailed treatment of the imposition of norms criminal procedure and the infliction of sanctions prison law Contributors consider the basic topics traditionally addressed in scholarship on the general and special parts of the substantive criminal law such as jurisdiction mens rea justifications and excuses Part IV places criminal law in context both domestically and transnationally by exploring the contrasts between criminal law and other species of law and state power and by investigating criminal law's place in the projects of comparative law transnational and international law

**Papal Letters in the Early Middle Ages** Detlev Jasper, Horst Fuhrmann, 2001 An examination of the transmission and spread of papal documents in the Latin West between the 4th and 9th centuries These documents which were collected from the 5th century onwards became the basis of canon law The second part of the volume discusses the prevalence of forged decretals which were attributed to the earliest popes

Clerical Continence in Twelfth-Century England and Byzantium Maroula Perisanidi, 2018-07-06 Why did the medieval West condemn clerical marriage as an abomination while the Byzantine Church affirmed its sanctifying nature This book brings together ecclesiastical legal social and cultural history in order to examine how Byzantine and Western medieval ecclesiastics made sense of their different rules of clerical continence Western ecclesiastics condemned clerical marriage for three key reasons married clerics could alienate ecclesiastical property for the sake of their families they could secure careers in the Church for their sons restricting ecclesiastical positions and lands to specific families and they could pollute the sacred by officiating after having had sex with their wives A comparative study shows that these offending risk factors were absent in twelfth century Byzantium clerics below the episcopate did not have enough access to ecclesiastical resources to put the Church at financial risk clerical dynasties were understood within a wider frame of valued friendship networks and sex within clerical marriage was never called impure in canon law as there was little drive to use pollution discourses to separate clergy and laity These facts are symptomatic of a much wider difference between West and East impinging on ideas about social order moral authority and reform

**Canon Law in the Age of Reforms (c. 1000 to c. 1150)** Christof Rolker, 2023-09-29 This monograph addresses the history of canon law in Western Europe between ca 1000 and ca 1150 specifically the collections compiled and the councils held in that time The main part consists of an analysis of all major collections taking into account their formal and material sources the social and political context of their origin the manuscript transmission and their reception more generally As most collections are not available in reliable editions a considerable part of the discussion involves the analysis of medieval manuscripts Specialized

research is available for many but not all these works but tends to be scattered across miscellaneous publications in English German French Italian and Spanish one purpose of the book is thus to provide relatively uniform up to date accounts of all major collections of the period At the same time the book argues that the collections are much more directly influenced by the social milieu from which they emerged and that more groups were involved in the development of high medieval canon law than it has previously been thought In particular the book seeks to replace the still widely held belief that the development of canon law in the century before Gratian's *Decretum* ca 1140 was largely driven by the Reform papacy Instead it is crucial to take into account the contribution of bishops monks and other groups with often conflicting interests Put briefly local needs and conflicts played a considerably more important role than central papal reform on which older scholarship has largely focused

**The Oxford Handbook of European Legal History** Heikki Pihlajamäki, Markus D. Dubber, Mark Godfrey, 2018-07-04 European law including both civil law and common law has gone through several major phases of expansion in the world European legal history thus also is a history of legal transplants and cultural borrowings which national legal histories as products of nineteenth century historicism have until recently largely left unconsidered The Handbook of European Legal History supplies its readers with an overview of the different phases of European legal history in the light of today's state of the art research by offering cutting edge views on research questions currently emerging in international discussions The Handbook takes a broad approach to its subject matter both nationally and systemically Unlike traditional European legal histories which tend to concentrate on heartlands of Europe notably Italy and Germany the Europe of the Handbook is more versatile and nuanced taking into consideration the legal developments in Europe's geographical fringes such as Scandinavia and Eastern Europe The Handbook covers all major time periods from the ancient Greek law to the twenty first century Contributors include acknowledged leaders in the field as well as rising talents representing a wide range of legal systems methodologies areas of expertise and research agendas

*A Companion to the History of the Roman Curia* Donald S. Prudlo, 2025-03-24 The Roman Curia is the oldest extant body of institutional administration in the world Indeed it was the prototype for the development of centralized government in the monarchies of the Middle Ages Further it was the administrative backbone of the first worldwide organization in human history It developed policies laws and procedures that continue to affect the entire world This book offers scholarly contributions from the origins of the Curia to the early modern period Contributors include Barbara Bombi Elena Bonora Bruce Brasington Sandro Carocci Peter D Clarke Maria Teresa Fattori Massimo Carlo Giannini Anthony Lappin Rita Lizzi Testa Rosamond McKitterick Dominic Moreau Bronwen Neil Miles Pattenden Giovanni Pizzorusso Donald Prudlo Kirsi Salonen Cesare Santus and Danica Summerlin

**Foundations of American Criminal Due Process at Trial** Francis R. Herrmann, Brownlow M. Speer, 2025 A combination of media personal experience and education have introduced the average American to their right to a fair trial by jury a protection set out in the Bill of Rights of the American Constitution However the specific rights that set the jury

system up for fair trial procedure have roots far older than the Bill of Rights Foundations of American Criminal Due Process at Trial delves into a subject whose historical horizon includes the pulpit of St Augustine a workshop of ninth century forgers the prosecution of pirates in medieval England and defendants demands for basic safeguards in English common law trials Francis R Herrmann and Brownlow M Speer scrutinize previously overlooked primary sources underline the influence of canon law and classic writings on English law and trace the fundamental protections of accused persons to Judeo Christian principles A text sure to be of interest to practitioners scholars and lay readers Foundations of American Criminal Due Process at Trial anchors American fair trial rights in the geography and chronology of a Western legal tradition that encompasses Rome medieval Europe and England

**Faith, Force and Fiction in Medieval Baptismal Debates** Marcia L. Colish, 2014-05 Drawing on a wide and interdisciplinary range of sources that goes well beyond the writings of theologians and canonists to include liturgical texts and practices the rulings of popes and church councils saints lives chronicles imaginative literature and poetry Faith Fiction and Force in Medieval Baptismal Debates illuminates the emergence and fortunes of these three controversies and the historical contexts that situate their development Each debate has its own story line its own turning points and its own seminal figures whose positions informed its course The thinkers involved in each case were and regarded one another as being members of the orthodox western Christian communion Thus another finding of this book is that Christian orthodoxy in the Middle Ages was able to encompass and accept disagreements both wide and deep on a sacrament seen as fundamental to Christian identity faith and practice

**Spiritual Rationality** Stefan K. Stantchev, 2014-07-17 Spiritual Rationality Papal Embargo as Cultural Practice offers the first book length study of embargo in a pre modern period and provides a unique exploration into the domestic implications of this tool of foreign policy Based on a large and varied body of archival and printed papal and secular sources this inquiry covers Europe and the broader Mediterranean from c 1150 to c 1550 During this time of an increasing papal role within Christian society the church employed restrictions on trade with Muslims pagans heretics schismatics disobedient Catholic communities and individual Jews in order to facilitate papally endorsed warfare against external enemies and to discipline internal foes Various trade bans were originally promulgated as individual responses to specific circumstances These restrictions however were shaped by the premise that sin and the defense of the decorum of the faith and Christendom condoned or even required papal intervention into the lives of the laity and by the text based approach of popes and canonists Papal embargo consequently was not only the sum total of individual trade bans but also a legal and moral discourse that classified exchanges into legitimate and illegitimate ones compelled merchants to distinguish clearly between themselves as Roman Christians and a multitude of others as non Christians and helped order symbolically both the relationships between the two groups and those between church and laity Papal embargo s chief relevance thus lay within Christian society itself where it functioned as an intangible pastoral staff While sixteenth century developments undermined it as a policy tool and a moral discourse alike

papal embargo inscribed the notion of the immorality of trade with the enemy into European thought      **St Antoninus of Florence on Trade, Merchants, and Workers** Jason Aaron Brown, 2024-11-30 Saint Antoninus of Florence was a Dominican friar and archbishop of Florence from 1446 to 1459 He composed one of the most comprehensive manuals of moral theology the Summa which has long been counted among the more copious influential and rewarding medieval sources St Antoninus of Florence on Trade Merchants and Workers gives an orientation to the life and teaching of Saint Antoninus focusing on his writings on economic ethics and includes a critical edition of his original Latin text with an English translation The book provides an extensive introduction to his thought situating it in its intellectual and social context and elucidates the development of medieval economic and moral doctrines in law and theology Jason Aaron Brown examines historians arguments about Italian business culture in the wake of the medieval Commercial Revolution and whether this culture can be considered capitalistic He concludes that while Saint Antoninus is surprisingly modern in the economic concepts he deploys his moral teaching on proper means and ends in the marketplace stood against certain nascent capitalistic tendencies in fifteenth century Florence Through examination of the manuscripts this book opens a window into a premodern author s writing process that will be of interest to scholars of medieval manuscripts and literary production

*The Mortgage of the Past* Francis Oakley, 2012-04-24 Francis Oakley continues his magisterial three part history of the emergence of Western political thought during the Middle Ages with this second volume in the series Here Oakley explores kingship from the tenth century to the beginning of the fourteenth showing how under the stresses of religious and cultural development kingship became an increasingly secular institution A masterpiece and the central part of a trilogy that will be a true masterwork Jeffrey Burton Russell University of California Santa Barbara      **Christian Culture and Society in Later Catholic England** , 2024-08-05 This book in memory of F Donald Logan explores different aspects of Christian culture and society in England from the twelfth to the sixteenth century Although this period has traditionally been interpreted in terms of decline and decay this excessively gloomy picture has slowly given way over the last eighty years or so to a more positive view of Christian civilization during these centuries The twenty two studies brought together here seek to build on this ongoing reassessment of Later Catholic England especially in those areas in which Professor Logan himself had done so much to deepen our understanding of Christian English society Contributors are Travis Baker Caroline Barron Nicholas Bennett Barbara Bombi Paul Brand Janet Burton James G Clark Karen Corsano Virginia Davis Charles Donahue Jr Anne J Duggan Joan Greatrex Diana Greenway Michael Haren R H Helmholtz Philippa Hoskin Henry Ansgar Kelly Frederik Pedersen Seymour Phillips Michael J P Robson Jens R hrkasten Jane Sayers R N Swanson Daniel Williman and Patrick Zutshi

**Pastoral Care and Community in Late Medieval Germany** Deeana Copeland Klepper, 2022-12-15 Pastoral Care and Community in Late Medieval Germany explores how local religious culture was constructed in medieval European Christian society through close study of a set of neglected late fourteenth century manuscripts The Mirror of Priests is a pastoral work

written by Albert an Augustinian canon from the Bavarian market town of Diessen to guide local priests in their work with parishioners Multiple versions of the text in Albert s own hand survive and by comparing them Deeana Copeland Klepper shows how ostensibly universal religious ideals and laws were adapted interpreted and repurposed by those given responsibility to implement them thereby crafting distinctive local expressions of Christianity The vision of Christian community that emerges from Albert s pastoral guide is one in which the messiness of ordinary life is evident Albert s imagined parish was marked out by geographic and legal boundaries property and jurisdictional rights tithes and sacramental responsibility as well as symbolic realities By situating the Mirror of Priests within Albert s physical and conceptual spaces Klepper affirms the centrality of the parish and its community for those living under the rubric of Christianity especially outside of large cities Pivoting between the materiality of texts and the sociocultural contexts of an overlooked manuscript tradition Pastoral Care and Community in Late Medieval Germany offers fresh insights into the role of parish priests the pastoral manual genre and late medieval religious life

**The Unheard Voice of Law in Bartolomé de Las Casas's Brevísima Relación de la Destrucción de las Indias** David T. Orique, 2021-04-13 The Unheard Voice of Law in Bartolomé de las Casas s Brevísima relación de la destrucción de las Indias reinterprets Las Casas s controversial treatise as a legal document whose legal character is linked to civil and ecclesial genres of the Early Modern and late Renaissance juridical tradition Bartolomé de las Casas proclaimed I have labored to inquire about study and discern the law I have plumbed the depths and have reached the headwaters The Unheard Voice also plumbs the depths of Las Casas s voice of law in his widely read and highly controversial Brevísima relación a legal document published and debated since the 16th century This original reinterpretation of his Very Brief Account uncovers the juridical approach voiced in his defense of the Indigenous peoples of the Americas The Unheard Voice innovatively asserts that the Brevísima relación s legal character is intimately linked to civil and ecclesial genres of the late Renaissance juridical tradition This paradigm shifting book contextualizes the formation of Las Casas s juridical voice in canon law and theology initially as a secular cleric subsequently as a Dominican friar and finally as a diocesan bishop and demonstrates how his experienced juridical voice fought for justice in trans Atlantic debates about Indigenous peoples level of humanity religious freedom enslavement and conquest Reaching the headwaters of Las Casas s hitherto unheard juridical voice of law in the Brevísima relación provides readers with a previously unheard interpretation an appealing voice for readers and students of this powerful Early Modern text that still resonates today The Unheard Voice of Law is a valuable companion text for many in the disciplines of literature history theology law and philosophy who read Bartolomé de las Casas s Very Brief Account and study his life labor and legacy

**The Church at War: The Military Activities of Bishops, Abbots and Other Clergy in England, c. 900-1200** Daniel Gerrard, 2016-10-04 The fighting bishop or abbot is a familiar figure to medievalists and much of what is known of the military organization of England in this period is based on ecclesiastical evidence Unfortunately the fighting cleric has



generally been regarded as merely a baron in clerical dress and has consequently fallen into the gap between military and ecclesiastical history This study addresses three main areas which clergy engaged in military activity in England why and when By what means did they do so And how did others understand and react to these activities The book shows that however vivid such characters as Odo of Bayeux might be in the historical imagination there was no archetypal militant prelate There was enormous variation in the character of the clergy that became involved in warfare their circumstances the means by which they pursued their military objectives and the way in which they were treated by contemporaries and described by chroniclers An appreciation of the individual fighting cleric must be both thematically broad and keenly aware of his context Such individuals cannot therefore be simply slotted into easy categories even or perhaps especially when those categories are informed by contemporary polemic The implications of this study for our understanding of clerical identity are considerable as the easy distinction between clerics acting in a secular or ecclesiastical capacity almost entirely breaks down and the legal structures of the period are shown to be almost as equivocal and idiosyncratic as the literary depictions The implications for military history are equally striking as organisational structures are shown to be more temporary fluid and political than had previously been understood      *The Profession of Ecclesiastical Lawyers* R. H. Helmholz, 2019-05-09

Historians of the English legal profession have written comparatively little about the lawyers who served in the courts of the Church This volume fills a gap it investigates the law by which they were governed and discusses their careers in legal practice Using sources drawn from the Roman and canon laws and also from manuscripts found in local archives R H Helmholz brings together previously published work and new evidence about the professional careers of these men His book covers the careers of many lesser known ecclesiastical lawyers dealing with their education in law their reaction to the coming of the Reformation and their relationship with English common lawyers on the eve of the Civil War Making connections with the European *ius commune* this volume will be of special interest to English and Continental legal historians as well as to students of the relationship between law and religion

## **The History Of Medieval Canon Law In The Classical Period 1140 1234** Book Review: Unveiling the Power of Words

In a world driven by information and connectivity, the energy of words has been more evident than ever. They have the capacity to inspire, provoke, and ignite change. Such could be the essence of the book **The History Of Medieval Canon Law In The Classical Period 1140 1234**, a literary masterpiece that delves deep into the significance of words and their effect on our lives. Published by a renowned author, this captivating work takes readers on a transformative journey, unraveling the secrets and potential behind every word. In this review, we will explore the book's key themes, examine its writing style, and analyze its overall effect on readers.

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