

Stephan Kuttner

*Studies in the History
of Medieval Canon Law*

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Studies In The History Of Medieval Canon Law Collected Studies Series

**Morimichi Watanabe, Edited by Gerald
Christianson**



Studies In The History Of Medieval Canon Law Collected Studies Series:

New Discourses in Medieval Canon Law Research, 2019-04-09 New Discourses in Medieval Canon Law Research offers a new narrative for medieval canon law history which avoids the pitfall of teleological explanations by taking seriously the multiplicity of legal development in the Middle Ages and the divergent interests of the actors involved The contributors address the still dominant master narrative mainly developed by Paul Fournier and enshrined in his magisterial *Histoire de collections canoniques* They present new research on pre Gratian canon collection Gratian's *Decretum* decretal collections but also hagiography theology and narrative sources challenging the standard account a separate chapter is devoted to Fournier's model and its genesis New Discourses thus brings together specialized research and broader questions of who to write the history of church law in the Middle Ages Contributors are Greta Austin Katheleen G Cushing Stephan Dusil Tatsushi Genka John S Ott Christof Rolker Danica Summerlin Andreas Thier and John C Wei

Studies in the History of Medieval Canon Law Stephan Kuttner, 1990 This fourth selection of articles by Professor Kuttner complements the volumes previously published by Variorum Its subject is the history of the Church law of the Middle Ages and the manner in which it has been studied One group of articles is particularly concerned with the broader implications of medieval law with its role in the history of doctrines and ideas other sections focus on the history of the Glossators in modern research and on the canonists of the period following the Decretals of Pope Gregory IX the *Glossa Ordinaria* and the works of St Raymond of Peafort and Johannes Andreae form specific areas of interest As in the previous volumes there is an extensive section of *Retractiones* recording the results of further research and assiduously detailing and commenting upon work done in the field since the articles were first published To facilitate access to all this material important indexes have also been provided Cette quatrieme collection d'articles du Professeur Kuttner complte les volumes prablement publi s par Variorum Elle a pour sujet l'histoire du droit l'Eglise au Moyen Age et la mani re dont il a t tudie Un des groupes d'articles traite en particulier des implications plus larges medieval et de son r le dans l'histoire doctrines et des id es D'autres se concentrent sur l'histoire des Glossateurs au travers de la recherche moderne et sur les canonistes de la p riode suivant les d cr tales du pape Gr goire IX les *Glossa Ordinaria* et les travaux de St Raymond de Penafort et de Johannes Andreae constituent des passages d'interet sp cifiques De m ame que dans les volumes pr c dentes il existe une importante section de *Retractiones* ou sont enregistres les r sultats de recherches suppl mentaires et ou y sont faits un compte rendu assidueusement d taille ainsi que des commentaires sur le travail accompli dans la domaine en question depuis la premi re publication des articles Afin de faciliter

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.

The Cambridge History of Medieval Canon Law Anders Winroth, John C. Wei, 2022-01-27 Canon law touched nearly every aspect of medieval society including many issues we now think of as purely secular. It regulated marriages, oaths, usury, sorcery, heresy, university life, penance, just war, court procedure and Christian relations with religious minorities. Canon law also regulated the clergy and the Church, one of the most important institutions in the Middle Ages. This Cambridge History offers a comprehensive survey of canon law both chronologically and thematically. Written by an international team of scholars, it explores in non-technical language how it operated in the daily life of people and in the great political events of the time. The volume demonstrates that medieval canon law holds a unique position in the legal history of Europe. Indeed, the influence of medieval canon law, which was at the forefront of introducing and defining concepts such as equity, rationality, office and positive law, has been enormous, long lasting and remarkably diverse.

Medieval Councils, Decretals and Collections of Canon Law Stephan Kuttner, 2024-10-28 First published in 1980 but then out of print for several years, this collection together with *The History of Ideas and Doctrines of Canon Law in the Middle Ages* presents a series of fundamental articles by the acknowledged master of medieval canon law studies. For this second edition, they have been provided with extensive sections of new notes and references, and the detailed indexes have been wholly revised and expanded. The volumes therefore now constitute essential works of reference for all those interested in the study of the medieval Church and its law. Ces deux collections tout d'abord publiées en 1980 mais actuellement hors d'impression depuis plusieurs années, présentent une série de textes fondamentaux du droit canon médiéval. Pour cette seconde édition, elles ont été enrichies de sections importantes de nouvelles notes et références et les index détaillés ont été entièrement révisés et approfondis. De ce fait, ces ouvrages constituent aujourd'hui des travaux essentiels de référence pour tous ceux intéressés par l'étude de l'Eglise médiévale et de son droit.

The History of Courts and Procedure in Medieval Canon Law Wilfried Hartmann, Kenneth Pennington, 2016-09-09 By the end of the thirteenth century, court procedure in continental Europe, in secular and ecclesiastical courts, shared many characteristics. As the academic jurists of the *Ius commune* began to excavate the norms of procedure from Justinian's great codification of law and then to expound them in the classroom and in their writings, they shaped the structure of ecclesiastical courts and

secular courts as well. These essays also illuminate striking differences in the sources that we find in different parts of Europe. In northern Europe the archives are rich but do not always provide the details we need to understand a particular case. In Italy and Southern France the documentation is more detailed than in other parts of Europe but here too the historical records do not answer every question we might pose to them. In Spain detailed documentation is strangely lacking if not altogether absent. Iberian conciliar canons and tracts on procedure tell us much about practice in Spanish courts. As these essays demonstrate, scholars who want to peer into the medieval courtroom must also read letters, papal decretals, chronicles, conciliar canons and consilia to provide a nuanced and complete picture of what happened in medieval trials. This volume will give sophisticated guidance to all readers with an interest in European law and courts. **Nicholas of Cusa - A**

Companion to his Life and his Times Morimichi Watanabe, Edited by Gerald Christianson, 2016-05-06. This work is a guide to the life, thought and activities of Nicholas of Cusa, 1401-1464, the great fifteenth-century philosopher, theologian, jurist, author of mystical and ecclesiastical treatises, cardinal and reformer. It is intended not only for advanced scholars but also for beginners and those simply curious about a man who has been called one of the greatest Germans of the fifteenth century and a medieval thinker for the modern age. The book provides a series of detailed but readable essays on ideas, persons and places, a work developed over the course of nearly three decades. First it contains articles on the important events and concepts that affected Cusanus, philosophical, religious, intellectual and political. Then it turns to his precursors and contemporaries, both friendly and critical. These include philosophers, theologians, politicians and canon lawyers. And third, the book follows the footsteps of the man from Bues and examines various sites where he lived, studied or visited. Because the author has also visited many of these sites, he can contribute personal observations to enliven the journey. To add to the book's usefulness as a resource and reference tool, each entry is followed by a bibliography containing both recent and older works. The purpose of the volume is to gain a greater appreciation of Cusanus and his legacy by striving for a total view of his thought and experience instead of narrowly focusing on specific philosophical, theological or intellectual ideas or certain periods of his activities in isolation from other facets of this compelling figure. **Master of Penance** Arrai A. Larson, 2014.

Originally presented as the author's thesis, doctoral, Catholic University of America, 2010, under title *Gratian's Tractatus de penitentia: a textual study and intellectual history*. *The Use of Canon Law in Ecclesiastical Administration, 1000-1234*, 2018-11-05. *The Use of Canon Law in Ecclesiastical Administration, 1000-1234* explores the integration of canon law within administration and society in the central Middle Ages. Grounded in the careers of ecclesiastical administrators, each essay serves as a case study that couples law with social, political or intellectual developments. Together the essays seek to integrate the textual analysis necessary to understand the evolution and transmission of the legal tradition into the broader study of twelfth-century ecclesiastical government and practice. The essays therefore both place law into the wider developments of the long twelfth century but also highlight points of continuity throughout the period. Contributors are Greta

Austin Bruce C Brasington Kathleen G Cushing Stephan Dusil Louis I Hamilton Mia Münster Swendsen William L North John S Ott and Jason Taliadoros Law as Profession and Practice in Medieval Europe Kenneth Pennington, Melodie Harris Eichbauer, 2016-04-15 This volume brings together papers by a group of scholars distinguished in their own right in honour of James Brundage The essays are organised into four sections each corresponding to an important focus of Brundage's scholarly work The first section explores the connection between the development of medieval legal and constitutional thought Thomas Izbicki Kenneth Pennington and Charles Reid Jr explore various aspects of the jurisprudence of the *Ius commune* while James Powell Michael Gervers and Nicole Hamonic Olivia Robinson and Elizabeth Makowski examine how that jurisprudence was applied to various medieval institutions Brian Tierney and James Muldoon conclude this section by demonstrating two important points modern ideas of consent in the political sphere and fundamental principles of international law attributed to sixteenth century jurists like Hugo Grotius have deep roots in medieval jurisprudential thought Patrick Zutshi R H Helmholz Peter Landau Marjorie Chibnall and Edward Peters have written essays that augment Brundage's work on the growth of the legal profession and how traces of a legal education began to emerge in many diverse arenas The influence of legal thinking on marriage and sexuality was another aspect of Brundage's broad interests In the third section Richard Kay Charles Donahue Jr and Glenn Olsen explore the intersection of law and marriage and the interplay of legal thought on a central institution of Christian society The contributions of Jonathan Riley Smith and Robert Somerville in the fourth section round out the volume and are devoted to Brundage's path breaking work on medieval law and the crusading movement The volume also includes a comprehensive bibliography of Brundage's work

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Table of Contents Studies In The History Of Medieval Canon Law Collected Studies Series

1. Understanding the eBook Studies In The History Of Medieval Canon Law Collected Studies Series
 - The Rise of Digital Reading Studies In The History Of Medieval Canon Law Collected Studies Series
 - Advantages of eBooks Over Traditional Books
2. Identifying Studies In The History Of Medieval Canon Law Collected Studies Series
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Studies In The History Of Medieval Canon Law Collected Studies Series
 - User-Friendly Interface
4. Exploring eBook Recommendations from Studies In The History Of Medieval Canon Law Collected Studies Series
 - Personalized Recommendations
 - Studies In The History Of Medieval Canon Law Collected Studies Series User Reviews and Ratings
 - Studies In The History Of Medieval Canon Law Collected Studies Series and Bestseller Lists
5. Accessing Studies In The History Of Medieval Canon Law Collected Studies Series Free and Paid eBooks
 - Studies In The History Of Medieval Canon Law Collected Studies Series Public Domain eBooks
 - Studies In The History Of Medieval Canon Law Collected Studies Series eBook Subscription Services
 - Studies In The History Of Medieval Canon Law Collected Studies Series Budget-Friendly Options

6. Navigating Studies In The History Of Medieval Canon Law Collected Studies Series eBook Formats
 - ePub, PDF, MOBI, and More
 - Studies In The History Of Medieval Canon Law Collected Studies Series Compatibility with Devices
 - Studies In The History Of Medieval Canon Law Collected Studies Series Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Studies In The History Of Medieval Canon Law Collected Studies Series
 - Highlighting and Note-Taking Studies In The History Of Medieval Canon Law Collected Studies Series
 - Interactive Elements Studies In The History Of Medieval Canon Law Collected Studies Series
8. Staying Engaged with Studies In The History Of Medieval Canon Law Collected Studies Series
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Studies In The History Of Medieval Canon Law Collected Studies Series
9. Balancing eBooks and Physical Books Studies In The History Of Medieval Canon Law Collected Studies Series
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Studies In The History Of Medieval Canon Law Collected Studies Series
10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
11. Cultivating a Reading Routine Studies In The History Of Medieval Canon Law Collected Studies Series
 - Setting Reading Goals Studies In The History Of Medieval Canon Law Collected Studies Series
 - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of Studies In The History Of Medieval Canon Law Collected Studies Series
 - Fact-Checking eBook Content of Studies In The History Of Medieval Canon Law Collected Studies Series
 - Distinguishing Credible Sources
13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
14. Embracing eBook Trends
 - Integration of Multimedia Elements

- Interactive and Gamified eBooks

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