

Introduction: the sacraments in medieval canon law

The twelfth century saw theologians define the sacraments proper apart from other rituals. These rites were supposed to be effective signs, leading the believer to salvation and the conferral of grace by God. The sacraments were identified eventually as seven in number: baptism, confirmation, penance, the Eucharist, holy orders, matrimony, and extreme unction. Some, especially baptism, were shared by all Christians, beginning with infancy. Matrimony was the sacrament only the laity was expected to experience, whereas holy orders defined the priesthood, including the episcopate, as the most important ecclesiastical office. Only priests properly ordained could consecrate the Eucharist or absolve sinners, and only bishops could ordain new priests. Baptism and confirmation, as well as holy orders, were sacraments that could not be repeated. The others, even extreme unction, could be repeated as needed. Penance and reception of the Eucharist were linked, with the one preceding the other at least once a year.¹

The formulation of a systematic idea of seven sacraments was contemporary with the creation of a widely diffused body of canon law taught to generations of students. The most important book in this development was the *Decretum* or *Concordantia discordantium canonum* of Gratian. That collection took shape beginning in the early twelfth century (to c. 1130), and it became the first textbook of canon law in the newly born medieval universities. Gratian tried to bring harmony to more than a millennium of authoritative texts that often did not exactly agree with one another on issues of law and ritual. When the *Decretum* attained its vulgate form, it had three major parts: the *Distinctiones*, a treatise on law; the *Causae*, a set of hypothetical cases, including a tract on penance; and a tract on sacramental law, the *Tractatus de consecratione ecclesiae*. The *Causae* seem to have been the core of the collection in its earliest form. The *De consecratione* probably

¹ This scheme is not found in *Hugonis de Sancto Victore De sacramentis Christiane fidei*, ed. Rainer Berndt (Münster, 2008). It is, however, found in book IV of the *Sentences* of Peter Lombard; see *Magistri Petri Lombardi Parisiensis episcopi Sententiae in IV libris distinctae*, 3rd ed., 2 vols. in 3 (Grottaferrata, 1971–1981) and *The Sentences, 4: The Doctrine of Signs*, trans. Giulio Silano (Toronto, 2010).

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was added later, part of the second major version of the collection. The last changes made included the insertion of additional texts later canonists thought too important to omit, the *paleae* or “chaff.” The *De consecratione*, divided into five distinctions, focused on churches and the central rites performed in them: the Eucharist, the focus of Western sacramental theology, and baptism, the gateway to the other sacraments.²

The *De consecratione* exposed students of canon law to such theological concepts as the Real Presence of Christ in the consecrated Eucharistic elements, bread and watered wine. It also reflected the concern of the Gregorian reformers with simony, the buying and selling of spiritual gifts and rites, as well as their opposition to clerical concubinage and advocacy of papal primacy. Other portions of the *Decretum* dealt with marriage, penance, and the proper conduct of the clergy in all aspects of their calling.³ Gratian also selected canons that set forth the requirements for ordination and the election of bishops. In part these Distinctions 59–61 required a gradual ascent of worthy persons through minor and major orders toward the episcopate. Partially, too, they were intended to prevent the elevation of unworthy persons to bishoprics and the intervention of lay authorities in episcopal elections. Not even the emperor was to intervene except to give his assent, at least according to some texts, while others admitted some imperial role in choosing a pope (D. 62 and 63).

Previously, the law governing sacred rites had occupied only a modest place in collections of canon law, and the Eucharist was mentioned only occasionally.⁴ An increased treatment of sacramental issues, however, can

² The most influential recent book on the complicated evolution of the *Decretum* is Anders Winroth, *The Making of Gratian's Decretum* (Cambridge, 2000). For a brief sketch of Gratian's method and sources, see Peter Landau, “Gratian and the *Decretum Gratiani*,” in *The History of Medieval Canon Law in the Classical Period, 1140–1234: From Gratian to the Decretals of Pope Gregory IX*, ed. Wilfried Hartmann and Kenneth Pennington (Washington, D.C., 2008), 22–54. For an argument that the *De consecratione* is part of Gratian's original project, see John Van Engen, “Observations on *De consecratione*,” in *Proceedings of the Sixth International Congress of Medieval Canon Law, Berkeley, California, 28 July–2 August 1980*, ed. Stephan Kuttner and Kenneth Pennington (Vatican City, 1985), 309–320.

³ For Gratian's ideas about the sacraments, see Stanley Chodorow, *Christian Political Theory and Church Politics in the Mid-Twelfth Century. The Ecclesiology of Gratian's Decretum* (Berkeley, 1972), 9–13, 90–95, 113–114; Onyoo Elizabeth Kim, *Law and Criminality in the Middle Ages* (Cheltenham, 2006), 77–128. On the simony issue, including doubts whether the crime vitiated ordination, see Kathleen G. Cushing, *Reform and the Papacy in the Eleventh Century. Spirituality and Social Change* (Manchester, 2005), 95–99, 118, 122. On marriage, see *Marriage Canons from the Decretum of Gratian and the Decretals, Sext, Clementines and Extravagantes*, trans. John T. Noonan, Jr., ed. Augustine Thompson, <http://faculty.cua.edu/Pennington/Canon%20Law/marriagelaw.htm>, accessed on June 27, 2012.

⁴ For example, only scattered references appear in *Decretales pseudo-Isidorianae et capitula Angilramni*, ed. Paul Hinschius (Leipzig: Tauchnitz, 1863; Aalen: Scientia Verlag, 1963).

be traced at least to the work of Regino of Prüm, *Libri duo de synodalibus causis et disciplinis ecclesiasticis*, which he composed in the tenth century for use in pastoral practice. Regino composed his collection with inquiries made by a bishop or his delegate to parish priests during a synod. The opening questions were concerned with the church and its equipment, including the quality of the chalice and paten used in the mass. These and the corporal on which the host would rest at mass were to be kept clean. The questions that followed those on the church were focused on the priest's life and ministry. These questions focused not just on clerical concubinage and other disciplinary issues but also on the performance of rites. The priest was to answer, among other things, how he celebrated mass, at what hour, how he baptized, whether infants died unbaptized, how consecrated hosts were retained for viaticum, and how the sick received anointing and communion.⁵ The priest was expected to know certain exorcisms and blessings by memory or from written texts, and he was to know how to sing. Among the books the pastor was to have was a penitential for hearing confessions.⁶ All of these requirements were backed with texts from older sources, including the *Theodosian Code*, Carolingian capitularies, canons of councils, papal letters, and penitentials.⁷

The most important treatment of ritual law before the Gregorian reform was the *Decretum* of Burchard of Worms, a collection partly based on Regino's text.⁸ Burchard also brought into the collection of canons the tradition of *Libri poenitentiales*, assigning fixed penances for particular offenses, including misuse of the Eucharist for magical purposes and vomiting up the host. A version of this material was added to Burchard's *Decretum* as the *Corrector*, which was intended to guide priests in dealing with penitent sinners.⁹

The Gregorian reform had brought the issue of simony to the fore along with efforts to impose celibacy on the clergy. This was part of an effort to bring values once restricted to the monastery into the public and private spheres of Western Christendom.¹⁰ The reformers relied on canon law to buttress their efforts to eradicate these ills. The collections from this

⁵ *Das Sendhandbuch des Regino von Prüm*, 24–39.

⁶ *Das Sendhandbuch des Regino von Prüm*, 35–38.

⁷ *Das Sendhandbuch des Regino von Prüm*, 4–7.

⁸ Greta Austin, *Shaping Canon Law Around the Year 1000: The Decretum of Burchard of Worms* (Farnham, 2009), 224–227.

⁹ *Medieval Handbooks of Penance: A Translation of the Principal "libri poenitentiales" and Selections from Related Documents*, ed. John T. McNeill and Helena M. Gamer (New York, 1938; New York, 1990), 111, 275. Dropping the host also was punished; see *Medieval Handbooks of Penance*, 278.

¹⁰ Gerd Tellenbach, *Church, State and Christian Society at the Time of the Investiture Contest*, trans. R. F. Bennett (Oxford, 1940; Toronto, 1991).

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period vary in their attention to the sacraments. For example, Deusdedit gave them no coherent exposition.¹¹ The *Collection in 74 Titles* added to its texts about simony; another group focused on ordination of clergy, who was to or was not to be ordained. It also gave attention to baptism and confirmation.¹² Anselm of Lucca, however, assembled a whole book in his collection concerned with the sacraments. The book treated the Eucharist and the mass, as well as baptism and confirmation, with a strong emphasis on baptism. Anselm affirmed, by including a text of Augustine of Hippo, that the sacraments effected salvation even if their minister was not a good person.¹³ This book followed a long one on the election, consecration, and powers of bishops with minimal references to the priesthood.¹⁴ Anselm also included a book on matrimony that opened with an affirmation of the contractual nature of a marital union.¹⁵ The collection ended with a brief book on penance and a single canon about the anointing of the sick.¹⁶ The sacraments also received detailed attention in the collections associated with Ivo of Chartres, who had a serious interest in Eucharistic theology.¹⁷

The teaching of canon law at the universities was accompanied by the development of commentaries on Gratian's collection: At first little attention was paid to the *De consecratione*. Some Decretists ignored the texts on the Eucharist and baptism, and others merely glossed them in passing. Only with Rufinus in Italy and the canonists of Cologne would the canon law of the sacraments be developed at length. The Eucharist attained pride of place in the law of the sacraments, as it did in theology and devotional practice. Priestly monopoly on the Eucharist via ordination was affirmed.¹⁸ Eventually transubstantiation became the accepted terminology for explaining the Real Presence of Christ in the Eucharist as effected by the priest's words of consecration. This term was variously

¹¹ *Die Kanonessammlung des Kardinals Deusdedit*, ed. Victor Wolf von Glanvell (Paderborn, 1905; Aalen, 1967).

¹² *The Collection in Seventy-Four Titles: A Canon Law Manual of the Gregorian Reform*, trans. John Gilchrist (Toronto, 1980), 129–157, 160–162, 193–197. On ordinations by heretics, see *Collection in Seventy-Four Titles*, 197.

¹³ Anselm of Lucca, *Collectio canonum una cum collectione minore*, ed. Friedrich Thaner (Innsbruck, 1906–1915; Aalen, 1965), 459–480. Kathleen G. Cushing, *Papacy and Law in the Gregorian Revolution: the Canonistic Work of Anselm of Lucca* (Oxford, 1998).

¹⁴ Anselm of Lucca, *Collectio canonum*, 265–356.

¹⁵ Anselm of Lucca, *Collectio canonum*, 483–506. Megan McLaughlin, *Sex, Gender, and Episcopal Authority in an Age of Reform, 1000–1122* (Cambridge, 2010), 16–49.

¹⁶ Anselm of Lucca, *Collectio canonum*, 511–516.

¹⁷ Christof Rolker, *Canon Law and the Letters of Ivo of Chartres* (Cambridge, 2010), 107–121 esp. 107 no. 113.

¹⁸ Ian Christopher Levy, “The Eucharist and Canon Law in the High Middle Ages,” in *A Companion to the Eucharist in the Middle Ages*, ed. Levy, Gary Macy, and Kristen Van Ausdall (Leiden, 2012), 399–445.

understood, but more spiritual interpretations of the sacrament had little impact on the law. Discussions of communion included a different emphasis, one on membership in the Church shown by receiving communion in one's own parish.¹⁹ Baptism remained the means of membership in the Church and the essential gateway to the other sacraments. Priests were supposed to baptize except in an emergency, and bishops were to confirm the recently baptized.²⁰ Matrimony eventually became part of the sacramental system with consent of the couple emphasized over consummation as the crucial element in the making of a valid marriage.²¹

The canon law of the sacraments continued evolving while the Decretists interpreted Gratian's collected texts. The papacy held four general councils at the Lateran, which legislated for the Western Church on topics ranging from the Trinity to simony to the color of clerical street clothes. The most important of these councils for sacramental issues and clerical discipline was Innocent III's Fourth Lateran Council (1215). The Lateran canons circulated as a group even before being included in systematic collections of canon law. Mostly importantly, they were included in the *Decretals of Gregory IX* or *Liber extra*, edited by the Dominican friar Raymond of Peñafort and addressed by Pope Gregory to Europe's universities in 1234. Thereafter they were the subject of university lectures, and synodal decrees implemented them across all of Europe.²²

The Lateran canon *Firmiter credimus* (c. 1), which accepted the doctrine of the Trinity taught by Peter Lombard as dogma, included a section about the sacraments. It affirmed the ordained priest's monopoly of the power to consecrate the Eucharist. Also reaffirmed was the saving power of baptism for both children and adult converts.²³ The council accepted the validity of sacramental rites in different languages (c. 9), especially in the Eastern lands acquired during the Crusades. Greek priests, however, were not to rebaptize those that Latin clergy had baptized, nor were they to cleanse altars that the Latin priests supposedly defiled with Eucharists

¹⁹ Gary Macy, "The Dogma of Transubstantiation in the Middle Ages," *Journal of Ecclesiastical History* 45 (1884), 11–51.

²⁰ Thomas M. Izbicki, "Baptism, Confirmation and the Eucharist," in *The Cambridge Companion to Medieval Canon Law*, ed. Anders Winroth and John Wei (forthcoming).

²¹ *Marriage Litigation in Medieval England*, ed. Richard H. Helmholz (London, 1974).

²² *Constitutiones Concilii quarti Lateranensis una cum Commentariis glossatorum*, ed. Antonio García García (Città del Vaticano, 1981). On the impact of Lateran IV, see García García, "The Fourth Lateran Council and the Canonists," in *The History of Medieval Canon Law in the Classical Period, 1140–1234*, 367–378.

²³ *Decrees of the Ecumenical Councils*, 1.230–231.

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using unleavened rather than leavened bread (c. 4).²⁴ The mass was supposed to be celebrated rightly everywhere using appropriate vessels, vestments, and church furnishings (c. 19). The reserved Eucharist for communion of the sick and the holy oils used in baptism and anointing were to be locked up to prevent their theft for use in magical practices (c. 20).²⁵ Most important for the daily practice of religion in parishes was the decree *Omnis utriusque sexus* (c. 21) in which the faithful were required to confess their sins to their own priest before receiving communion once a year at Easter time. This Easter Duty became a crucial part of pastoral care. A good confession was supposed to purify the believer, who might fear damnation from receiving in a state of sin, before the entire congregation received consecrated hosts in an act of parochial solidarity. The text became a bone of contention almost immediately. Friars skilled as confessors were resented by parish priests for ministering to their parishioners, and revenues in the forms of offerings and bequests were lost when devout lay persons chose burial at a church of a mendicant order. This led to arguments over whether the pope could license friars to intrude into pastoral care.²⁶ The Lateran Council also simplified the rules governing marriage, allowing for easier identification of degrees of relationship that truly impeded matrimony. The council, however, emphasized public celebration of nuptials before a priest and penalization of unions contracted secretly.²⁷

General councils said little more about the sacraments until the Council of Vienne met in 1311–1312, issuing decrees that later were incorporated into the *Constitutions of Clement V*, *Constitutiones Clementinae* or *Clementines*. That assembly (c. 1) reaffirmed baptism of infants, saying it was probable that they too, like adults, received an infusion of sanctifying grace in the rite (Clem. 1.1.1 § 3). The council (c. 31) also forbade religious (mostly meaning friars) administering of the sacraments to parishioners without permission of a parish priest except where law or a papal privilege permitted it.

²⁴ *Decrees of the Ecumenical Councils*, 1.239, 235–236.

²⁵ *Decrees of the Ecumenical Councils*, 1.243, 244. On the fear of profanation, see Thomas M. Izbicki, “*Temeraria manus*. Custody of the Eucharist in Medieval Canon Law,” in *Proceedings of the Thirteenth International Congress of Medieval Canon Law. Esztergom, 3–8 August*, ed. Péter Erdő and Szabolcs Anzelm Szuromi (Città del Vaticano, 2010), 539–552.

²⁶ *Decrees of the Ecumenical Councils*, 1.245. R. N. Swanson, *Religion and Devotion in Europe, c. 1215–c. 1515* (Cambridge, 1995), 26, 33. On the mendicant–secular controversy and its theoretical implications, see Decima Douie, *The Conflict Between the Seculars and the Mendicants at the University of Paris in the Thirteenth Century* (London 1954); Yves Congar, “Aspects ecclésiologiques de la querelle entre mendiants et séculiers dans la seconde moitié du XII^e siècle et au début du XIV^e,” *Archives d’histoire doctrinale et Littéraire du Moyen Âge* 28 (1961), 35–151.

²⁷ *Decrees of the Ecumenical Councils*, 1.257–258.

That decree too found its way into the *Clementines* in a section on privileges (Clem. 5.7.1). A decree attributed to the council but probably added to the *Clementines* afterward insisted that baptism had to occur at fonts in churches, not in private homes, except in an emergency (Clem. 3.15.un.). The only other important conciliar decrees on the sacraments before the Reformation theologians challenged medieval sacramental theology and rites were the decrees of union with Eastern Churches issued by the Council of Florence (1438–1445). That assembly affirmed using either leavened or unleavened bread in the Eucharist, as well as the seven sacraments in general.²⁸

Another and more common source of canon law was the decretal letters of the popes of the twelfth and thirteenth centuries. Beginning in the twelfth century, bishops, judges, and other clerics dispatched queries about the law to the popes. Their replies provided clarifications or interpretations of matters of law. These decretals were supplemented on occasion with constitutions intended to provide guidance to the entire Church. These texts were collected, unofficially at first and then officially, until Gregory IX issued his collection. The most important decretals, concerned with the sacraments, were issued by the popes of the early thirteenth century. These found their way into *Compilatio tertia*, *Compilatio quarta*, and *Compilatio quinta* before most were incorporated into the *Liber extra*. Thereafter, additional decretals and constitutions were included in the *Liber Sextus* of Boniface VIII, the *Clementines*, the *Extravagantes of John XXII*, and various other collections of *extravagantes* or additional decrees of the late medieval pontiffs. In the *Extra*, decretals about sacramental matters were added under the titles “On the Celebration of Masses, the Sacrament of the Eucharist and Divine Offices” (*De celebratione missarum, et sacramento eucharistiae et divinis officiis* = X 3.41), “On Baptism and its Effect” (*De baptismo et eius effectu* = X 3.42), and “On the Custody of the Eucharist, Chrism and Other Sacraments” (*De custodia eucharistiae, chrismatis et aliorum sacramentorum* = X 3.44).²⁹

Some decretals focused on the Eucharist. Innocent III’s *Cum Marthae* (3 Comp. 3.33.5 = X 3.41.6) provided proofs that the words of consecration used in the canon of the mass were accepted from Christ by the apostles and their successors. He also said the water in the chalice

²⁸ *Decrees of the Ecumenical Councils*, 1.527 (Greeks), 541 (Armenians), 590 (Maronites).

²⁹ *Canones Sammlungen*, ed. Emil Friedberg (Leipzig, 1897; Graz, 1958); *Quinque Compilationes Antiquae nec non Collectio canonum Lipsiensis*, ed. Friedberg (Leipzig, 1882; Graz, 1956). Innocent III authorized *Compilatio tertia*, and Honorius III authorized *Compilatio quinta*. Titles on the mass and baptism appear in the *Compilatio Romana*; see *Die Dekretalsammlung des Bernardus Compostellanus antiquus*, ed. Heinrich Singer (Wien, 1914), 84–85.

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probably was transmuted (*transmutari*) together with the wine, representing the unity of the faithful with the Father through the Christ.³⁰ Honorius III declared that Latin priests were not to use leavened bread like the Greeks did (5 Comp. 3.24.6 = X 3.41.14). He also approved the practice of elevating the host, requiring the faithful to bow their heads in adoration (5 Comp. 3.24.1 = X 3.41.10).³¹ Later popes had little to say about the Eucharist, except that Clement V extended the feast of Corpus Christi to the entire Church (Clem. 3.16.1). That canon repeated the original decree of Pope Urban IV from 1264 authorizing the celebration of the feast, which seems not to have been widely heeded.³²

A few important decretals addressed baptism and confirmation. Alexander III restated the formula for infant baptism and issued a form for conditional baptism when the validity of the rite was uncertain (2 Comp. 5.19.1 = X 3.42.1; 2 Comp. 5.19.2 = X 3.42.2). Innocent III said both water and the right words were required for the sacrament (3 Comp. 3.34.3 = X 3.42.5), and he condemned the belief that infant baptism did not forgive original sin. Innocent also said that infants would grow up in the faith free from the inherited stain of original sin. Adults had to consent to their own baptisms. Non-Christians could not be compelled to convert, but feigning acceptance of the baptismal character obligated acceptance of the faith itself (3 Comp. 3.34.1 = X 3.42.3).³³ Other decretals, most of them issued by Innocent III, were concerned with the right practices of anointing and laying on hands in ordinations (2 Comp. 1.11.un. = X 1.15.un.) and with the rite for ordaining subdeacons (2 Comp. 1.12.un. = X 1.16.1).

There were several decretals concerned with espousal and marriage, making up book IV of the *Gregorian Decretals*. The complications of marital politics of wealthy or politically important families included betrothing even the very young but not always following through with a marriage when another alliance became desirable.³⁴ Consequently, the popes issued many decretals regulating espousal (X 4.1), especially

³⁰ Charles de Miramon, "Innocent III, Huguccio de Ferrare et Hubert de Pirovano: Droit canonique, théologie et philosophie à Bologne dans les années 1180," in *Medieval Church Law and the Origins of the Western Legal Tradition: A Tribute to Kenneth Pennington*, ed. Wolfgang P. Müller and Mary E. Sommar (Washington, D.C., 2006), 320–346.

³¹ Miri Rubin, *Corpus Christ. The Eucharist in Late Medieval Culture* (Cambridge, 1991), 54–72; G. J. C. Snoek, *Medieval Piety from Relics to the Eucharist. A Process of Mutual Interaction* (Leiden, 1995), 47–48, 55.

³² Barbara R. Walters, Vincent J. Corrigan and Peter T. Ricketts, *The Feast of Corpus Christi* (University Park, Pa., 2006).

³³ Innocent denied anyone could baptize himself, even when in danger of death; see 3 Comp. 3.42.2 (= X 3.42.4).

³⁴ Christiane Klapisch-Zuber, *Women, Family and Ritual in Renaissance Italy*, trans. Lydia G. Cochrane (Chicago, 1985), 231–241.

betrothal of very young children (X 4.2). Along with these concerns, which were tied to the consensual theory of matrimony, there remained the many impediments to proceeding with the sacrament, based on god-parent relationships (X 4.11), adoption (X 4.12), consanguinity or blood relationship, and affinity or sexual ties, marital or extramarital, with members of the proposed spouse's family (X 4.13 & 14). With all these concerns about licit marriage were rules on legitimizing illegitimate children (X 4.17),³⁵ also laws about dissolution of marriages on technical grounds (X 4.19).

The promulgation of the *Gregorian Decretals* to the universities opened the way to a fresh discussion of the canon law of the sacraments. The Decretalists of the thirteenth century were creative thinkers about all aspects of the canon law, including the canons governing the sacraments. Of these writers, those most concerned with the sacraments included Johannes Teutonicus, who glossed *Compilatio tertia* and composed the Ordinary Gloss on the *Decretum*, and Bernard of Parma, who compiled the Ordinary Gloss on the *Extra*. Godfrey of Trani and Henricus de Segusio (Hostiensis) wrote commentaries on the titles of the *Extra*, and Hostiensis did an extensive commentary on that entire compilation.³⁶ Later commentaries became addenda to the major writings of these Decretalists, and some canonists ceased commenting on those titles of the *Gregorian Decretals* that were concerned with dogma and sacramental practice. The last canonist to add anything substantive on the sacramental canons was Johannes Andreae in the early fourteenth century.³⁷

The provisions of the canon law about the sacraments, especially new canons, had to be put into practice through local councils and synods. The canon law provided legal language for papal legates, archbishops, and bishops to employ. For example, even before the Fourth Lateran Council met, the canon law and sacramental theology taught in Paris affected the English church. The 1175 Council of Westminster used texts from the *De consecratione* when prohibiting communion by intinction and requiring use of a chalice of gold or silver, not tin, at the mass.³⁸ The *Decretum* also was reflected in one of the canons issued by Hubert Walter, archbishop of Canterbury, in 1200 requiring that the mass be read from a

³⁵ John Russell, *The "Sanatio in radice" before the Council of Trent* (Roma, 1964).

³⁶ Innocent IV did not write much on the sacraments. For the other early Decretalists, see Kenneth Pennington, "The Decretalists 1190–1234," in *The History of Medieval Canon Law in the Classical Period*, 211–245; James A. Brundage, *Medieval Canon Law* (London, 1995), 56–58.

³⁷ Johannes Andreae is considered the last major canonist of the classical period; see Brundage, *Medieval Canon Law*, 58–59.

³⁸ *Councils & Synods*, 1 pt. 2, 990.

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legible missal. Gratian's influence also was reflected in the phrasing of the canon governing baptism and confirmation, saying the rite could be repeated if there was doubt it had been rightly administered.³⁹

The many synods held across Europe during the century following the Fourth Lateran Council issued decrees, the level of detail varying, to implement the council's disciplinary agenda. Some of these local enactments reused passages from the *Gregorian Decretals* with minimal differences of wording, while other councils paraphrased or summarized the Lateran canons.⁴⁰ Another source for the wording of decrees about the sacraments was synodal legislation from Paris, where many churchmen had studied. Particularly influential were the statutes of Odo of Sully, bishop of Paris (1198–1208), and his successors. His decrees influenced ecclesiastical legislation not just in France but in England and Germany.⁴¹ The Lateran canons and the Paris statutes combined as the major influences on synodal enactments about the sacraments, producing a coherent body of pastoral law across Europe from England to Bohemia and Moravia.⁴² These decrees affected pastoral practice through reading of them at synods and their inclusion in visitation instructions given to archdeacons.⁴³

The Parisian synodal constitutions required that baptism be administered reverently by priests to both infants and adults with no more than three godparents, two of the same sex as the candidate, attending each person who received the sacrament. The constitutions accepted baptism by lay persons in emergencies, but the priest was to inquire whether the right form of words had been used. The baptismal font was to be kept locked up against the use of blessed water in magic, and the holy oils too were to be kept secure.⁴⁴ Odo of Sully and his successors issued regulations requiring priests to remind the faithful about the need to have their children confirmed by the bishop, the only minister of the sacrament,

³⁹ *Councils & Synods*, 1 pt. 2, 1060–1062.

⁴⁰ Pontal, Odette, *Les statuts synodaux* (Turnhout, 1975), 86; *Les sermons et la visite pastorale de Federico Visconti archevêque de Pise (1253–1277)*, ed. Nicole Bériou, Isabelle le Masne de Chermont, Pascale Bourgain, and Marina Innocenti (Roma, 2001), 1080. For example, the Lateran decree on clerical costume was enacted at the local level with small changes; see Thomas M. Izbicki, "Forbidden Colors in the Regulation of Clerical Dress from the Fourth Lateran Council (1215) to the Time of Nicholas of Cusa (d. 1464)," *Medieval Clothing and Textiles* 1 (2005), 105–114.

⁴¹ *Les statuts synodaux Français du XIII^e siècle*, ed. Odette Pontal, 5 vols. (Paris, 1971–2001), 1.51–93; C. R. Cheney, *English Synodalia* (London, 1968), 19, 21, 25, 34, 55–57, 82–84; Paul B. Pixton, *The German Episcopacy and the Implementation of the Decrees of the Fourth Lateran Council, 1216–1245: Watchmen on the Tower* (Leiden, 1995), 83–85.

⁴² For example, a decree from Ferrara urged observing a uniformity of rite (*ritum uniformitatem*) in Mansi 25.903.

⁴³ *Les statuts synodaux français du XIII^e siècle*, 4.6 Table 1.

⁴⁴ *Les statuts synodaux français du XIII^e siècle*, 1.54–57.