Some of the earliest examples of medieval canon law are penitentials—texts enumerating the sins a confessor might encounter among laypeople or other clergy and suggesting means of reconciliation. Often they gave advice on matters of secular law as well, offering judgments on the proper way to contract a marriage or on the treatment of slaves. This book argues that their importance to more general legal-historical questions, long suspected by historians but rarely explored, is most evident in an important (and often misunderstood) subgroup of the penitentials: those composed in Old English. Though based on Latin sources— principally those attributed to Theodore, Archbishop of Canterbury (d. 690) and Halitgar of Cambrai (d. 831)—these texts recast them into new ordinances meant to better suit the needs of English laypeople. The Old English penitentials thus witness to how one early medieval polity established a tradition of written vernacular law.

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The Old English Penitentials
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STEFAN JURASINSKI

The College at Brockport, State University of New York
To the memory of my father, Eugene Jurasinski (1929–2009)
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Law,” in Capital and Corporal Punishment in Anglo-Saxon England, ed. Jay Paul Gates and Nicole Marafioti (Rochester, NY: Boydell and Brewer, 2014), pp. 74–91. Translations from foreign languages are my own unless otherwise indicated; the original language is given only for quotations from primary texts. Where translations are not in dispute and cannot reasonably be improved upon, I quote those given by the editors of standard editions, my having done so indicated by “ed. and transl.” in the citation. I regret very much that Rob Meens’s Penance in Medieval Europe: 600–1200 appeared just as work on this book was ending, which will explain its absence from the bibliography.

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