

Cambridge University Press

978-1-107-40456-4 - Authority and Power: Studies on Medieval Law and Government Presented  
to Walter Ullmann on his Seventieth Birthday

Edited by Brian Tierney and Peter Linehan

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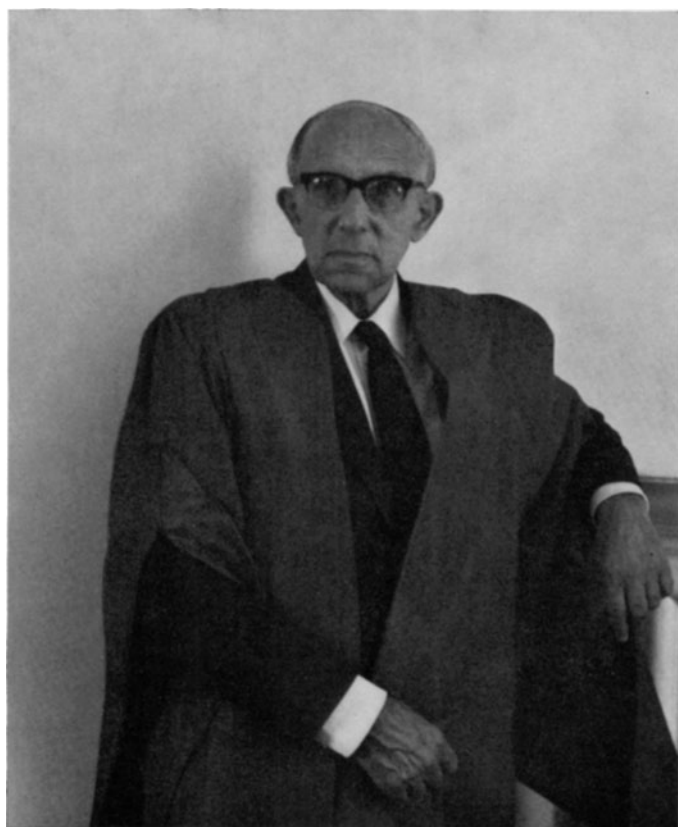
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WALTER ULLMANN

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STUDIES ON  
MEDIEVAL LAW AND GOVERNMENT  
PRESENTED TO WALTER ULLMANN ON  
HIS SEVENTIETH BIRTHDAY

EDITED BY  
BRIAN TIERNEY AND PETER LINEHAN

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## FOREWORD

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Walter Ullmann first captivated a Cambridge audience with his Frederick William Maitland Memorial Lectures delivered in the Lent Term of 1948. For the next thirty years he stimulated, guided and instructed a whole generation of Cambridge undergraduates and research students. During those same years he was engaged in producing his own numerous and weighty contributions to medieval scholarship.

It will not seem surprising perhaps (if we recall the unhappy state of international affairs forty years ago) that Austria should have given to England a major scholar. But it does seem noteworthy that, as a result, Cambridge should have acquired a historian who has given a new depth and significance to a specifically Cambridge tradition of scholarship. Maitland himself, the greatest of legal historians, long ago called for a renewed study of medieval Roman and canon law in England. 'An educated Englishman may read and enjoy what Dante or Marsiglio has written. An English scholar may face Aquinas or Ockham or even the repellent Wycliff. But Baldus and Bartolus, Innocentius and Johannes Andreae, them he has not been taught to tackle, and they are not to be tackled by the untaught.' Walter Ullmann is the teacher who taught us to tackle them. Again, it was Maitland who wrote, 'In the Middle Ages the church was a state', and his disciple, Figgis, who put the point more emphatically: 'in the Middle Ages the church was the state'. Walter Ullmann's work can be seen as a richly rewarding inquiry into all the implications of these statements. His writings are exceptionally broad in range and varied in detail, but they have a common centre – the study of the medieval Church perceived as an organisation of government. In the work of so gifted a scholar this study has led on to endless new insights into the structure and development of Western institutions.

Our purpose here is not to explain in detail the importance and

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originality of Walter Ullmann's writings. The Bibliography at the end of the volume will serve that purpose better than could any words of ours. Rather we want to express our gratitude to a great teacher and kind friend whose love of his work and tireless zest in pursuing it have provided such an inspiring example for his pupils. Every research student will remember 'supervisions' that went on for hours, the passing of time forgotten by student and (we think) teacher alike, in the hunt for some fascinating truth, the true meaning of a difficult text, perhaps, or the true significance of a complex argument.

Those encounters invariably revealed Walter Ullmann's characteristic concern both for the *minutiae* of the subject and for the broad sweep. His formidable scholarship has illuminated so many aspects of the history of the medieval millennium – the papacy, the universities, canonistics, political theory – that any tribute to him must range widely too – from Visigothic Spain to fifteenth-century Poland. In their shared desire to express their deep affection and regard, his friends and former pupils have returned to topics which they formerly explored under his genial guidance. In seeking to do so they are all too conscious of the lapses and lacunae which their offerings may contain (not least because on this occasion they have not had the benefit of his advice). The collection comes as a present to mark two events – Walter Ullmann's retirement from the Chair of Medieval History in the University of Cambridge in September 1978, and his seventieth birthday in November 1980.

The Editors desire to thank all the contributors for their patient and willing collaboration, and the Syndics and staff of the Cambridge University Press for publishing the volume. They wish also to record their gratitude to Professor Michael Wilks for his original initiative in launching the enterprise.

BRIAN TIERNEY

PETER LINEHAN

ABBREVIATIONS

AC	Archivo de la Catedral
ALKG	<i>Archiv für Literatur und Kirchengeschichte des Mittelalters</i>
BL	British Library, London
BMCL	<i>Bulletin of Medieval Canon Law</i> , n.s.
BN	Bibliothèque Nationale, Paris
CHJ	<i>Cambridge Historical Journal</i>
CHR	<i>Catholic Historical Review</i>
Close Rolls	<i>Close Rolls of the Reign of Henry III</i> (14 vols., Record Publications, London, 1902–38)
CPL	<i>Calendar of Entries in the Papal Registers</i> , I (1198–1304), ed. W. H. Bliss (Record Publications, London, 1893)
CPR	<i>Calendar of Patent Rolls</i> (Record Publications, London, 1901– )
CR	<i>Cambridge Review</i>
CYS	Canterbury and York Society
EHR	<i>English Historical Review</i>
HZ	<i>Historische Zeitschrift</i>
JEH	<i>Journal of Ecclesiastical History</i>
JL	<i>Regesta pontificum Romanorum . . . ad annum 1198</i> , ed. P. Jaffé, 2nd edn S. Löwenfeld, etc. (2 vols., Leipzig, 1885–8)
JTS	<i>Journal of Theological Studies</i>
Ldl	<i>Libelli de lite</i> , ed. MGH (3 vols., Hanover, 1891–7)
LQR	<i>Law Quarterly Review</i>
LRS	Lincoln Record Society
Mansi	J. D. Mansi, <i>Sacrorum conciliorum nova et amplissima collectio</i>
MC	<i>Monumenta conciliorum generalium seculi decimi quinti, Concilium Basiliense, scriptorum</i> , ed. F. Palacky et al. (4 vols., Vienna-Basle 1857–1935)
MGH	Monumenta Germaniae Historica
	Auct. ant.      Auctores antiquissimi
	Capit.      Capitularia
	Conc.      Concilia
	Const.      Constitutiones
	DD      Diplomata
	Epp.      Epistolae
	Epp. sel.      Epistolae selectae

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Abbreviations

MGH	LL	Leges	
	Poetae	Poetae Latini medii aevi	
	Scr. rer. Germ.	Scriptores rerum Germanicarum in usum scholarum	
	SS	Scriptores	
	SS rer. Lang.	Scriptores rerum Langobardicarum et Italicarum saec. VI–X	
	SS rer. Merov.	Scriptores rerum Merovingicarum	
MIÖG	<i>Mitteilungen des Instituts für Österreichische Geschichtsforschung</i>		
NA	<i>Neues Archiv der Gesellschaft für ältere deutsche Geschichtskunde</i>		
OP	<i>Guillelmi de Ockham Opera Politica</i> , I–III (Manchester, 1940– )		
PL	Migne, <i>Patrologia latina</i>		
Potthast	Potthast, <i>Regesta pontificum romanorum</i>		
RBPH	<i>Revue Belge de Philologie et d'Histoire</i>		
RHD	<i>Revue d'Histoire du Droit/Tijdschrift voor Rechtsgeschiedenis</i>		
RHE	<i>Revue d'histoire ecclésiastique</i>		
R.S.	Rolls Series, London		
SCH	<i>Studies in Church History</i>		
ZRG	<i>Zeitschrift der Savigny-Stiftung für Rechtsgeschichte</i>		
	Germ.	Germanistische	} Abteilung
	Kan.	Kanonistische	
	Rom.	Romanistische	