

Papal Jurisprudence, 385–1234

Why did bishops turn to the papacy for advice in late Antiquity? And what does the reception of these decretals reveal about the legal and religious culture of the mid-thirteenth century? This interpretative volume seeks to explain the first decretal age of late antiquity, placing the increased demand for papal jurisprudence – long before it exerted its influence through religious fear – within its social broad context. D. L. d'Avray then traces the reception of this jurisprudence through to the mid-thirteenth century, and the post-Gratian decretal age. Along the way he explores the role of Charlemagne and 'Pseudo-Isidore', which included many genuine early decretals alongside forged ones. Similarities between the Latin world c. 400 and c. 1200 thus help explain parallels between the two decretal ages. This book also analyses decretals from both ages in chapters on pagan marriages, clerics in minor orders, and episcopal elections. For both ages the relation between canon law and other religious genres is elucidated, demonstrating many fascinating parallels and connections.

D. L. d'Avray is Professor Emeritus of History at University College London. He has published widely on medieval preaching, death and kingship, marriage, rationalities, and the papacy. His previous publications include the companion volume of texts, *Papal Jurisprudence c. 400: Sources of the Canon Law Tradition* (Cambridge University Press, 2019); *Papacy, Monarchy and Marriage, 860–1600* (Cambridge University Press, 2015); and *Dissolving Royal Marriages: A Documentary History, 860–1600* (Cambridge University Press, 2014). He has been Fellow of the British Academy since 2005 and Corresponding Fellow of the Medieval Academy of America since 2016.

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*Social Origins and Medieval Reception of
Canon Law*

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To J.C.W.

Contents

<i>Acknowledgements</i>	<i>page</i> ix
<i>List of Abbreviations</i>	x
<i>Sigla</i>	xi
Introduction	1
1 Transformations and Long-Term Explanations	3
2 The Christian Roman Empire, c. 400	21
3 c. 400: Practical Complexities and Uncertainties	35
4 c. 400: Uncertainty about Grace	47
5 Papal Rulings and Ritual	56
6 Hierarchies	65
7 Clerical Status and Monks	74
8 Returning Heretics	87
9 Pelagianism and the Papacy	96
10 Leo I	106
11 Post-Imperial Syntheses	120
12 Early Papal Laws in the Barbarian West	134
13 Carolingian Culture and Its Legacy	150
14 1050–1150	169
15 Theology and Law	189
16 c. 400 and c. 1200: Complexity, Conversion, and <i>Bigamia</i>	204
17 Clerics in Minor Orders	215
18 Choosing Bishops	228
	vii

viii	Contents	
	Overall Conclusions	239
	<i>Appendix A Leo I</i>	242
	<i>Appendix B Gelasius I</i>	267
	<i>Appendix C Gloss II (Johannes Teutonicus and Bartholomaeus Brixiensis) on Gratian and the Liber Extra</i>	273
	<i>Appendix D Conceptual Sources</i>	300
	<i>Select Bibliography</i>	302
	<i>Index</i>	313

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Abbreviations

<i>Dionysiana</i>	The second edition of the canon law collection by Dionysius Exiguus, and the only one with surviving papal decretals.
Friedberg, <i>Corpus</i>	E. [Aemilius] Friedberg, <i>Corpus Iuris Canonici</i> , 2 vols. (Leipzig, 1932).
Gloss I	The ‘ordinary [i.e. standard] gloss’ on Gratian’s <i>Decretum</i> by Johannes Teutonicus.
Gloss II	Bartholomaeus Brixienensis’s updated version of the ordinary gloss on Gratian’s <i>Decretum</i> .
J ³ .	P. Jaffé, ed., <i>Regesta Pontificum Romanorum</i> , 3rd ed., i, ed. N. Herbers, M. Schütz, et al. (Göttingen, 2016). It will be followed by an = sign and the number of the second edition of Jaffé, as in J ³ .691=303. In the Appendices I give the numbers of all three Jaffé editions.
Justinian	Justinian, <i>Corpus Iuris Civilis</i> , Horace Cardon edition, 6 vols. (Lyons, 1604).
ODCC	F. L. Cross and E. A. Livingstone, eds., <i>Oxford Dictionary of the Christian Church</i> , 3rd ed., revised (Oxford, 2005).
P ⁷ c. 400	D. L. d’Avray, <i>Papal Jurisprudence c. 400: Sources of the Canon Law Tradition</i> (Cambridge, 2019). ¹
PL	J. P. Migne, <i>Patrologia Latina</i> (using the online edition). (Note: when a <i>Patrologia Latina</i> volume’s reading is noted in the critical apparatus, the volume number follows immediately after PL to make a siglum, as in PL130.)

¹ Generally I give references to both the English and the Latin, except when quoting verbatim from the English, when I only give a page reference to the Latin also when the reader might want to form an independent view.

Sigla

<i>Db</i>	MS Vatican City, Biblioteca Apostolica Vaticana Vat. Lat. 5845
<i>Edn</i>	Rome, 1582 edition of Gratian with ordinary gloss
<i>R1478</i>	Rome, 1478 edition of Gratian with ordinary gloss
<i>S1471</i>	Strasbourg, 1471 edition of Gratian with ordinary gloss
<i>V1</i>	MS Vatican City, Biblioteca Apostolica Vaticana Pal. Lat. 626
<i>V2</i>	MS Vatican City, Biblioteca Apostolica Vaticana Vat. Lat. 1369
<i>VTeut</i>	MS Vatican City, Biblioteca Apostolica Vaticana Vat. Lat. 1367