

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*

D. L. d'Avray
University College London



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To J.C.W.

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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 Brixiensis’s updated version of the ordinary gloss on Gratian’s <i>Decretum</i> .
J³ .	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 J³.691=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).
<i>ODCC</i>	F. L. Cross and E. A. Livingstone, eds., <i>Oxford Dictionary of the Christian Church</i> , 3rd ed., revised (Oxford, 2005).
<i>P⁷c.400</i>	D. L. d’Avray, <i>Papal Jurisprudence c. 400: Sources of the Canon Law Tradition</i> (Cambridge, 2019). ¹
<i>PL</i>	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 <i>PL</i> to make a siglum, as in <i>PL130</i> .)

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