

# **Law as Profession and Practice in Medieval Europe**

**Essays in Honor of James A. Brundage**

*Edited by*

**Kenneth Pennington and Melodie Harris Eichbauer**



# Law As Profession And Practice In Medieval Europe

**James Titterton**



## **Law As Profession And Practice In Medieval Europe:**

**Law as Profession and Practice in Medieval Europe** Kenneth Pennington, Melodie Harris Eichbauer, 2011 This volume brings together a set of papers by international scholars distinguished in their own right in honor of James Brundage. Each contribution corresponds to an important focus of Brundage's own work. The connection between the development of medieval legal thought and constitutional ideas is the theme that marks the first section while the second centres on the growth of the legal profession. The following papers explore the intersection of law and marriage and finally the influence of legal thinking on the crusading movement. *Law as Profession and Practice in Medieval Europe* Kenneth Pennington, Melodie Harris Eichbauer, 2011

**Studying Late Medieval History** Cindy Wood, 2016-05-20 Studying Late Medieval History is an accessible introduction for undergraduate history students wishing to understand the major topics of late medieval history. Examining the period from 1300-1550, this introductory guide offers an overview of 250 years of transformation which saw technology, borders and ruling dynasties across the continent change. The book focuses on ten key themes to explain what happened, who the important personalities were and the significance of these events in shaping medieval Europe. Each chapter is a thematic essay which looks at the central topics covered at undergraduate level including the Church, the monarchy, nobility, parliaments, justice, women, children, warfare and chivalry. The chapters are supported by a detailed evaluation of the key events students need to know and a guide to further reading for each topic. Studying Late Medieval History will be essential reading for all those beginning their studies of the late medieval period.

Theorizing Legal Personhood in Late Medieval England, 2015-06-24 Theorizing Legal Personhood in Late Medieval England is a collection of eleven essays that explore what might be distinctly medieval and particularly English about legal personhood vis-à-vis the jurisdictional pluralism of late medieval England. Spanning the mid-thirteenth to the mid-sixteenth centuries, the essays in this volume draw on common law, statute law, canon law and natural law in order to investigate emerging and shifting definitions of personhood at the confluence of legal and literary imaginations. These essays contribute new insights into the workings of specific literary texts and provide us with a better grasp of the cultural work of legal argument within the histories of ethics of the self and of Eurocentrism. Contributors are Valerie Allen, Candace Barrington, Conrad van Dijk, Toy Fung, Tung Helen Hickey, Andrew Hope, Jana Mathews, Anthony Musson, Eve Salisbury, Jamie Taylor and R. F. Yeager.

**A Cultural History of Genocide in the Middle Ages** Melodie H. Eichbauer, 2023-05-04 The period covered by this volume, roughly 800-1400, considers genocidal massacres and actions within the context of the pre-modern state, a time when the term genocide did not yet exist. In considering rhetoric, discrimination and political and legal marginalization that impacted the lives of particular peoples, the volume takes as its premise that genocidal practices and massacres can occur when social dynamism and political change challenge the identity of a community. The case studies analysed in the individual chapters implicitly or explicitly draw upon the frameworks of comparative genocide scholars to explore genocidal massacres in the

Middle Ages as localized phenomenon even if these isolated outbursts do not graph onto the modern definition of genocide perfectly Each contribution considers genocide as caused by settling national religious and ethnic differences genocide as designed to enforce or fulfil an ideology and genocide as designed to colonize Collectively the essays move beyond the number of people killed to consider the steps taken against a people to erase them from the social and cultural fabric of society It is hoped that this volume encourages us to think both about the legal structures of genocide but also about how the term can be more inclusive and expansive

**Rebellion in Medieval Europe, C. 1000-C. 1500** Adrian Jobson, Harriet Kersey, Gordon McKelvie, 2025-04 Essays exploring the dynamics of rebellion across Europe from Sweden and Slovakia to the Iberian Peninsula and Hungary over five centuries Rebellion was a fundamental part of the political ecosystem of the Middle Ages Medieval Europe witnessed numerous instances of noble rebellion popular protest and communal resistance against political authority However most scholarship has focused on the causes and or life cycle of the most famous individual movements such as the Barons War in England the Hussites in Bohemia and the Burgundian Armagnac conflict in France and there has been relatively little comparative analysis of political protest across both time and national borders Where it exists it tends to favour a thematic approach and be narrowly focused in terms of geographical coverage Conversely this book breaks new ground in its wide geographical and chronological range from twelfth century Sicily to late fifteenth century Ireland exploring the various forms that active resistance could take Its essays offer fresh perspectives on rebellion as a political act its theoretical justifications the role of language and propaganda the royal counter responses that it provoked and its ramifications both personal and communal Together they shine a new light on the complex interrelationship between legal authority violence and politics and significantly enhance our understanding of rebellion during this period ke Its essays offer fresh perspectives on rebellion as a political act its theoretical justifications the role of language and propaganda the royal counter responses that it provoked and its ramifications both personal and communal Together they shine a new light on the complex interrelationship between legal authority violence and politics and significantly enhance our understanding of rebellion during this period ke Its essays offer fresh perspectives on rebellion as a political act its theoretical justifications the role of language and propaganda the royal counter responses that it provoked and its ramifications both personal and communal Together they shine a new light on the complex interrelationship between legal authority violence and politics and significantly enhance our understanding of rebellion during this period

**European Legal History** Randall Lesaffer, 2009-06-25 This historical introduction to the civil law tradition considers the political and cultural context of Europe s legal history from its Roman roots Political diplomatic and constitutional

developments are discussed and the impacts of major cultural movements such as scholasticism humanism the Enlightenment and Romanticism on law and jurisprudence are highlighted

**Papal Overlordship and European Princes, 1000-1270** Benedict Wiedemann, 2022 Papal Overlordship and European Princes 1000 1270 offers a new perspective on the political history of the central Middle Ages by focusing on the alliances between popes and rulers who claimed a special relationship with the successor of St Peter Rather than seeing these relationships as attempts by the popes to assert their lordship and monarchy over the entire world as many past narratives have this study asks what rulers got out of these relationships what they meant and how they were constructed Papal government in fact much pre modern government in general was based around replying to petitions Thus rulers and subjects by entering into a relationship with the pope were able to petition Rome and have their requests approved and given the sanction of papal authority Papal power was enlisted in the causes of petitioners All of these relationships between the popes and the kings of England Aragon Sicily Hungary Portugal and a myriad of further polities have at one time or another been called feudal a word that explains little or nothing about the nature and expectations of the alliance The second strand of this study examines how these relationships were constructed and how words and concepts circulated Eventually terms like fief and vassal and ideas about deposition of vassal kings were introduced into the political discourse around papal authority over their kings It always remained the case however that rulers sought out papal overlordship because of the opportunity it gave them to adopt and adapt papal power for their own purposes

**Gender and Authority in the Late Medieval Church** Ian Forrest, 2025-06-15 Gender and Authority in the Late Medieval Church asks a deceptively simple question How did the governance of the medieval institutional church remain exclusively male despite plentiful evidence of women being as capable and devout as men The remarkable endurance of an all male clergy is an important element of medieval church government one that is frequently taken for granted in the historiography and is connected to another overlooked feature of episcopal authority the strategies that bishops used to secure the compliance of a relatively autonomous clergy As Ian Forrest shows bishops kept their clergy in check through normative standards of masculinity that necessarily disqualified women from leadership roles Everywhere in the medieval church were women who had the capacity the resources and often the ambition to take part in governance from abbesses to priests servants mothers sisters and unofficial wives Bringing together evidence of female activity at the margins of the institutional church Forrest argues that the male monopoly on formal power was haunted by female capability and aspiration at every turn Drawing on case studies from the English diocesan clergy between the mid thirteenth and early sixteenth centuries he explores how women s involvement in governance was rendered unthinkable through the very discursive strategies that bishops used to control their male clergy In doing so Gender and Authority in the Late Medieval Church tells an integrated history that explains how both the exclusion of women and the inclusion of men underpin a rigidly gendered system of religious governance

*A Day in a Working Life* Gary Westfahl, 2015-04-21 Ideal for high school and

college students studying history through the everyday lives of men and women this book offers intriguing information about the jobs that people have held from ancient times to the 21st century This unique book provides detailed studies of more than 300 occupations as they were practiced in 21 historical time periods ranging from prehistory to the present day Each profession is examined in a compelling essay that is specifically written to inform readers about career choices in different times and cultures and is accompanied by a bibliography of additional sources of information sidebars that relate historical issues to present day concerns as well as related historical documents Readers of this work will learn what each profession entailed or entails on a daily basis how one gained entry to the vocation training methods and typical compensation levels for the job The book provides sufficient specific detail to convey a comprehensive understanding of the experiences benefits and downsides of a given profession Selected accompanying documents further bring history to life by offering honest testimonies from people who actually worked in these occupations or interacted with those in that field

**Deception in Medieval Warfare** James Titterton, 2022 First full length study of the use and perception of deceit in medieval warfare Deception and trickery are a universal feature of warfare from the Trojan horse to the inflatable tanks of the Second World War The wars of the Central Middle Ages c 1000 1320 were no exception This book looks at the various tricks reported in medieval chronicles from the Normans feigning flight at the battle of Hastings 1066 to draw the English off Senlac Hill to the Turks who infiltrated the Frankish camp at the Field of Blood 1119 disguised as bird sellers to the Scottish camp followers descending on the field of Bannockburn 1314 waving laundry as banners to mimic a division of soldiers This study also considers what contemporary society thought about deception on the battlefield was it a legitimate way to fight Was cunning considered an admirable quality in a warrior Were the culturally and religious other thought to be more deceitful in war than Western Europeans Through a detailed analysis of vocabulary and narrative devices this book reveals a society with a profound moral ambivalence towards military deception in which authors were able to celebrate a warrior s cunning while simultaneously condemning their enemies for similar acts of deceit It also includes an appendix cataloguing over four hundred incidents of military deception as recorded in contemporary chronicle narratives

**The Hundred Years War Revisited** Anne Curry, 2019-08-24 The conflict between England and France in the 14th and 15th centuries never ceases to fascinate This stimulating edited collection inspired by the Problems in Focus volume originally published in 1971 provides a fresh and accessible insight into the key aspects of The Hundred Years War With chapters written by leading experts in the field based on new methodologies and recent advances in scholarship this book places the Anglo French wars into a range of wider contexts such as politics the home front the church and chivalry Adopting a sustained comparative approach with attention paid to both England and France The Hundred Years War Revisited provides a clear and comprehensive synthesis of the major trends in research on the Hundred Years War Concise and thought provoking this is essential reading for undergraduate and postgraduate students of medieval history

**The Medieval Origins of the Legal Profession** James A.

Brundage,2024-05-31 In the aftermath of sixth century barbarian invasions the legal profession that had grown and flourished during the Roman Empire vanished Nonetheless professional lawyers suddenly reappeared in Western Europe seven hundred years later during the 1230s when church councils and public authorities began to impose a body of ethical obligations on those who practiced law James Brundage s *The Medieval Origins of the Legal Profession* traces the history of legal practice from its genesis in ancient Rome to its rebirth in the early Middle Ages and eventual resurgence in the courts of the medieval church By the end of the eleventh century Brundage argues renewed interest in Roman law combined with the rise of canon law of the Western church to trigger a series of consolidations in the profession New legal procedures emerged and formal training for proctors and advocates became necessary in order to practice law in the reorganized church courts Brundage demonstrates that many features that characterize legal advocacy today were already in place by 1250 as lawyers trained in Roman and canon law became professionals in every sense of the term A sweeping examination of the centuries long power struggle between local courts and the Christian church secular rule and religious edict *The Medieval Origins of the Legal Profession* will be a resource for the professional and the student alike *The Underground Wealth of Nations* Jeannette Graulau,2019-10-08

Silver mining was a capitalist business long before the supposed origin of modern capitalism Hundreds of years before a sixteenth century crisis in European agriculture led to the origins of capital investment and finance the silver mining industry exhibited many of the features of modern capitalism Silver mines were large scale businesses that demanded large investments and steady cash flow achieved by spreading that risk through fungible shares and creating legal structures to protect entrepreneurs from financial disaster Jeannette Graulau argues that mining preceded agriculture as the first true capitalist enterprise of the modern world **Transregnal Kingship in the Thirteenth**

**Century** Jörg Peltzer,Nicholas Vincent,2025-08-15 *Transregnal Kingship in the Thirteenth Century* explores a wide spread European phenomenon rulership over multiple kingdoms or a kingdom in combination with major non royal lordships elsewhere Perceptions of royal authority and kingly sovereignty changed significantly during the thirteenth century and as the role played by kingdoms as sovereign polities was strengthened the framework for transregnal kingship shifted This volumes investigates the consequences examining the theory perception and administrative practices of transregnal kingship Intended to provide a coherent picture that itself may facilitate comparisons the work focuses on four distinct but significantly intertwined polities The Empire France The Angevin Empire and the Papacy Despite its frequent occurrence transregnal kingship played a relatively small role in contemporary political thought and transregnal practice took a great variety of forms showing rulers and the ruled adapting to circumstance rather than pursuing any pre conceived grand strategy Meanwhile the ruler s frequent physical absence provoked the creation of multiple forms of vice regal power In the Empire it also led to an increased use of arbitration as a means to solve disputes at regional level Finally an analysis of architecture and the built environment suggests that such things exhibit a fascinating combination of the political and the

merely fashionable      **Just War Thinkers** Daniel R. Brunstetter, Cian O'Driscoll, 2017-08-09 This volume offers a set of concise and accessible introductions to the seminal figures in the historical development of the just war tradition In what if any circumstances are political communities justified in going to war And what limits should apply to the conduct of any such war The just war tradition is a body of thought that helps us think through these very questions Its core ideas have been subject to fierce debate for over 2 000 years Yet they continue to play a prominent role in how political and military leaders address the challenges posed by the use of force in international society Until now there has been no text that offers concise and accessible introductions to the key figures associated with the tradition Stepping into this breach Just War Thinkers provides a set of clear but detailed essays by leading experts on nineteen seminal thinkers from Cicero to Jeff McMahan This volume challenges the reader to think about how traditions are constituted who is included and excluded and how that is determined and how they serve to enable constrain and indeed channel subsequent thought debate and exchange This book will be of much interest to students of just war tradition and theory ethics and war philosophy security studies and IR

**Medieval Communities and the Mad** Aleksandra Nicole Pfau, 2025-10-01 The concept of madness as a challenge to communities lies at the core of legal sources Medieval Communities and the Mad Narratives of Crime and Mental Illness in Late Medieval France considers how communal networks ranging from the locale to the realm responded to people who were considered mad The madness of individuals played a role in engaging communities with legal mechanisms and proto national identity constructs as petitioners sought the king's mercy as an alternative to local justice The resulting narratives about the mentally ill in late medieval France constructed madness as an inability to live according to communal rules Although such texts defined madness through acts that threatened social bonds those ties were reaffirmed through the medium of the remission letter The composers of the letters presented madness as a communal concern situating the mad within the household where care could be provided Those considered mad were usually not expelled but integrated often through pilgrimage surveillance or chains into their kin and communal relationships      2012 , 2013-03-01 Particularly in the

humanities and social sciences festschrifts are a popular forum for discussion The IJBF provides quick and easy general access to these important resources for scholars and students The festschrifts are located in state and regional libraries and their bibliographic details are recorded Since 1983 more than 659 000 articles from more than 30 500 festschrifts published between 1977 and 2011 have been catalogued      **Lost Letters of Medieval Life** Martha Carlin, David Crouch, 2013-03-05

Everyday life in early thirteenth century England is revealed in vivid detail in this riveting collection of correspondence of people from all classes from peasants and shopkeepers to bishops and earls The documents presented here include letters between masters and servants husbands and wives neighbors and enemies and cover a wide range of topics politics and war going to fairs and going to law attending tournaments and stocking a game park borrowing cash and doing favors for friends investigating adultery and building a windmill While letters by celebrated people have long been known the correspondence



of ordinary people has not survived and has generally been assumed never to have existed in the first place Martha Carlin and David Crouch however have discovered numerous examples of such correspondence hiding in plain sight The letters can be found in manuscripts called formularies the collections of form letters and other model documents that for centuries were used to teach the arts of letter writing and keeping accounts The writing masters and their students who produced these books compiled examples of all the kinds of correspondence that people of means members of the clergy and those who handled their affairs might expect to encounter in their business and personal lives Tucked among the sample letters from popes to bishops and from kings to sheriffs are examples of a much more casual ephemeral kind of correspondence These are the low level letters that evidently were widely exchanged but were often discarded because they were not considered to be of lasting importance Two manuscripts one in the British Library and the other in the Bodleian Library are especially rich in such documents and it is from these collections that Carlin and Crouch have drawn the documents in this volume They are presented here in their first printed edition both in the original Latin and in English translation each document splendidly contextualized in an accompanying essay     The Profession and Practice of Medieval Canon Law James A.

Brundage,2024-10-28 This latest collection of studies by James Brundage deals with the emergence of the profession of canon law and with aspects of its practice in the period from the 12th to the 14th centuries Substantial numbers of lawyers systematically trained in canon law first appeared in Western Europe during the second half of the 12th century and in the 13th they began to dominate the hierarchy of the Western church By 1250 canon law had grown into something more than a profitable occupation it had become a recognizable profession in the strict meaning of the term as it is still used today University law faculties trained aspiring canonists in the mysteries of their craft and put them through intellectually demanding exercises that terminated in a formal examination before they received their degrees Judges in church courts formally admitted them to practice after verifying their educational qualifications and administered prescribed rules of conduct Particular topics are the canonists system of legal ethics the education and training of canon lawyers in university law faculties and some fundamental features of the professional practice of canon law both in medieval Europe and in the crusading states of the Levant

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