

André Gouron

**Droit et coutume
en France aux
XII^e et XIII^e siècles**

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Droit Et Coutume En France Aux Xiie Et Xiiie Siecles

Mireille Mousnier



Droit Et Coutume En France Aux Xiie Et Xiiie Siecles:

Droit et coutume en France aux XIIe et XIIIe siècles André Gouron, 2024-10-28 This third volume by Andr Gouron brings together a widely scattered set of articles on Roman law in medieval France and its influence The first group of papers is concerned with the medieval history of Roman law itself while the two following sections look at how it contributed to the perfectionnement of canon law on the one hand and to the emergence of customary law on the other As the author would see it there are the three aspects of the inexorable advance if not of a science at least of a clear effort towards logical clarification which revolutionised law in the 12th and 13th centuries first in southern Europe but soon in the west and north too At the same time these studies help reveal some of the complex network of intellectual links that underlay these developments

Histoire du droit savant (13e-18e siècle) Robert Feenstra, 2023-07-14 This third selection of articles by Robert Feenstra complements the two previously published continuing his studies of doctrines of private law and of texts related to university teaching from the 13th century into the early modern period In the section on private law some pieces deal with the Middle Ages while others focus on Hugo Grotius Property is again an important topic but this time joined by legal personality foundations and negligence vicarious liability included The studies on the history of texts are mainly concerned with works dating from the 14th and 15th centuries One is devoted to a little known civil law teacher at the University of Orlans and his commentary on a part of the Digest The four others deal with treatises belonging to the so called vulgarisation of the droit savant medieval Roman and Canon law most of these include important contributions to the history of early printing incunabula and post incunabula Cette troisieme selection d'articles de Robert Feenstra complete les deux precedentes elle constitue la suite de ses etudes sur les doctrines de droit prive et sur des textes se rapportant a l'enseignement universitaire du XIIIe jusqu'au XVIIIe siecle Dans la section consacree au droit prive quelques articles s'occupent en premier lieu du moyen age d'autres focalisent sur Hugo Grotius La propriete est de nouveau un sujet important mais elle se trouve en compagnie de la personnalite juridique notamment par rapport aux fondations et de la responsabilite civile y compris la responsabilite du fait d'autrui Les etudes sur l'histoire des textes concernent surtout quelques ouvrages du XIVe et du XVe siecle La premiere est consacree a un professeur de droit civil peu connu de l'universite d'Orleans et son commentaire sur l'une des trois parties du Digeste Les quatre autres s'occupent de traites appartenant a la vulgarisation du droit savant droit romain et droit canonique au moyen age

Ermengard of Narbonne and the World of the Troubadours Fredric L. Cheyette, 2018-08-06 Before France became France its territories included Occitania roughly the present day province of Languedoc The city of Narbonne was a center of Occitanian commerce and culture during the eleventh and twelfth centuries For most of the second half of the twelfth century that city and its environs were ruled by a remarkable woman Ermengard who negotiated her city's way through a maze of everchanging dynastic alliances Fredric L. Cheyette's masterful and beautifully illustrated book is a biography of an extraordinary warrior woman and of a unique vulnerable doomed society Throughout her long reign

viscountess Ermengard roamed Occitania receiving oaths of fidelity negotiating treaties settling disputes among the lords of her lands and camping with her armies before the walls of besieged cities She was born into a world of politics and warfare but from the Mediterranean to the North Sea her name echoed in songs that treated the arts of love The land between the Rhone and the Pyrenees was a delicately balanced world in which honor dispute and the fragile communities of loyalty and family held a stateless society together In Cheyette s prose there rises before us a world we had not imagined in which women were powerful lords moving back and forth across what we now call Spain France and Italy to play the harsh political games essential to the preservation of their realms But the region was also fertile ground for religious practices deemed heretical by the Church The attempt to eradicate them would spawn the Albigensian Crusade which destroyed the cosmopolitan world of Ermengard and the troubadours the world that lives again in this book The Two Latin Cultures and the Foundation of Renaissance Humanism in Medieval Italy Ronald G. Witt,2012-03-19 Traces the intellectual life of Italy where humanism began a century before it influenced the rest of Europe *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 Perpendiculum: Presumptions and Legal Arguments in the 12th Century** David De Concilio,2024-10-21 The *Perpendiculum* or *Summula de presumptionibus* produced in Northern France c 1170 is one of the earliest collections of brocards a literary genre intended to provide legal arguments for disputation in the medieval schools of law Its innovative use of dialectical techniques and its theorization of canon law presumptions have attracted the attention of legal historians raising questions on its origin and milieu This book offers the first comprehensive study of this work with a Latin edition and an English translation of its text shedding new light on the significance of this collection for twelfth century legal teaching and learning **Droit et coutume en France aux XIIe et XIIIe siècles** André Gouron,1985 **Custom, Law, and Monarchy** Marie Seong-Hak

Kim, 2021 Custom Law and Monarchy explores how law evolved in early modern France from an amalgam of customs Roman and canon law royal edicts and judicial decisions to the unified Civil Code of 1804 In exploring the history of this codification of law Marie Seong Hak Kim lays out a new way of understanding French history

The Use of Canon Law in Ecclesiastical Administration, 1000-1234, 2018-11-05 The Use of Canon Law in Ecclesiastical Administration 1000 1234 explores the integration of canon law within administration and society in the central Middle Ages Grounded in the careers of ecclesiastical administrators each essay serves as a case study that couples law with social political or intellectual developments Together the essays seek to integrate the textual analysis necessary to understand the evolution and transmission of the legal tradition into the broader study of twelfth century ecclesiastical government and practice The essays therefore both place law into the wider developments of the long twelfth century but also highlight points of continuity throughout the period Contributors are Greta Austin Bruce C Brasington Kathleen G Cushing Stephan Dusil Louis I Hamilton Mia Münster Swendsen William L North John S Ott and Jason Taliadoros

The Cambridge Constitutional History of the United Kingdom: Volume 2, The Changing Constitution Peter Cane, H. Kumarasingham, 2023-08-17 Featuring contributions from leading scholars of history law and politics this path breaking work traces the development of the United Kingdom's constitution from Anglo Saxon times and explores its role in the creation exercise and control of public power Essays in Volume Two entitled The Changing Constitution examine the development of the constitution from the departure of the Romans up to the present day and beyond Together the two volumes form the first wide ranging history of the constitution to be published for more than 50 years By its cross disciplinary approach taking account of the latest legal political and historical scholarship on the constitution it fills a large gap in the literature of the constitution and in political thought and British history

Aristocratic Women in Medieval France Theodore Evergates, 2010-08-03 Were aristocratic women in medieval France little more than appendages to patrilineal families valued as objects of exchange and necessary only for the production of male heirs Such was the view proposed by the great French historian Georges Duby more than three decades ago and still widely accepted In *Aristocratic Women in Medieval France* another model is put forth women of the landholding elite from countesses down to the wives of ordinary knights had considerable rights and exercised surprising power The authors of the volume offer five case studies of women from the mid eleventh through the thirteenth centuries and from regions as diverse as Blois Chartres Champagne Flanders and Occitania They show not only the diversity of life experiences these women enjoyed but the range of social and political roles open to them The ecclesiastical and secular sources they mine confirm that women were regarded as full members of both their natal and affinal families were never excluded from inheriting and controlling property and did not have their share of family property limited to dowries Women across France exchanged oaths for fiefs and assumed responsibilities for enfeoffed knights As feudal lords they settled disputes involving vassals fortified castles and even led troops into battle *Aristocratic Women in Medieval France* clearly

shows that it is no longer possible to depict well born women as powerless in medieval society Demonstrating the importance of aristocratic women in a period during which they have been too long assumed to have lacked influence it forces us to reframe our understanding of the high Middle Ages

The Medieval Foundations of International Law Dante Fedele, 2021-04-26 Dante Fedele's new work of reference reveals the medieval foundations of international law through a comprehensive study of a key figure of late medieval legal scholarship Baldus de Ubaldis 1327-1400 A student of Bartolus de Sassoferrato Baldus wrote both extensive commentaries on Roman canon and feudal law and thousands of consilia originating from particular cases His writings dealt with numerous issues related to sovereignty territorial jurisdiction diplomacy and war combining a rich conspectus of earlier scholarship with highly creative ideas that exercised a profound influence on later juristic thought The detailed picture of the international law doctrines elaborated by a prominent medieval jurist offered in this study contributes to our understanding of the intellectual archaeology of international law Dr Fedele's monograph will no doubt become a necessary work of reference for any scholar interested in the history of international law Beyond the specific doctrines on particular areas of international law Dr Fedele's study of Baldus shows how in the area of international governance jurists sought to marshal different expressions of normativity

Alain Wijffels Foreword *Legal Scholarship and Doctrines of Private Law, 13th-18th centuries* Robert Feenstra, 2024-10-28 The emphasis in this present volume of Professor Feenstra's studies lies on the post medieval development of legal scholarship The opening two studies are concerned with the University of Orleans in the 13th-14th centuries but from there the centre of interest shifts to the early modern Netherlands Two important themes are the teaching of law especially at the legal faculties of Leyden and Franeker and the doctrines of private law especially property contract and succession The figure of Hugo Grotius his sources and his influence dominate these articles

The Mediterranean World of Alfonso II and Peter II of Aragon (1162-1213) E. Jenkins, 2012-08-06 Considering a wide array of sources this book reveals the tenacity with which Alfonso II 1162-1196 and his son Peter II 1196-1213 of the Crown of Aragon forged a tighter Mediterranean regional network and augmented their regional success

Pope Eugenius III (1145-1153) Iben Fonnesberg-Schmidt, 2025-10-01 Elected pope in the wake of a rebellion Eugenius III came to power as a relative unknown during a time of crisis This book examines the controversial developments in papal justice and theological debate during his pontificate his treatment of Cistercian monasteries his relationships with France Spain and Rome his work in the papal states and the crusades It offers a new view of an under appreciated pope and the place of the church in a rapidly changing European society

Comparative Legal History Olivier Moréteau, Aniceto Masferrer, Kjell A. Modéer, The specially commissioned papers in this book lay a solid theoretical foundation for comparative legal history as a distinct academic discipline While facilitating a much needed dialogue between comparatists and legal historians this research handbook examines methodologies in this emerging field and reconsiders legal concepts and institutions like custom civil procedure and codification from a comparative legal history perspective

El jurista Pere Albert i les "Commemoracions" Elisabet Ferran i Planas, 2006 **A Cultural History of Democracy in the Medieval Age** David Napolitano, Kenneth J. Pennington, 2022-12-15

Offering a broad exploration of the cultural history of democracy in the medieval age this volume claims that though not generally associated with the term the Middle Ages deserve to be included in a general history of democracy The term was never widely employed during this period the dominant attitude towards democracy was outright hostility and none of the medieval polities thought of itself as a democracy Despite this this study highlights a wide variety of ideas practices procedures and institutions that although different from their ancient predecessor direct democracy or modern successor liberal representative democracy played a significant role in the history of democracy This volume covers almost 1 000 years and a wide range of territories It deals with different political spheres ecclesiastical and secular and socio political settings courtly urban and rural and examines the phenomenon from the local level up to the universal realm This volume adopts a broad cultural approach and is structured thematically Each chapter takes a theme as its focus sovereignty liberty and the rule of law the common good economic and social democracy religion and the principles of political obligation citizenship and gender ethnicity race and nationalism democratic crises revolutions and civil resistance international relations and the scalability of democracy beyond the limits of a single city These ten themes add up to an extensive synoptic coverage of the subject *La Gascogne toulousaine aux XIIIe-XIIIe siècles* Mireille Mousnier, 1997 **Feudal Society** Marc Bloch, 2014-04-16

Marc Bloch said that his goal in writing Feudal Society was to go beyond the technical study a medievalist would typically write and dismantle a social structure In this outstanding and monumental work which has introduced generations of students and historians to the feudal period Bloch treats feudalism as living breathing force in Western Europe from the ninth to the thirteenth century At its heart lies a magisterial account of relations of lord and vassal and the origins of the nature of the fief brought to life through compelling accounts of the nobility knighthood and chivalry family relations political and legal institutions and the church For Bloch history was a process of constant movement and evolution and he describes throughout the slow process by which feudal societies turned into what would become nation states A tour de force of historical writing Feudal Society is essential reading for anyone interested in both Western Europe s past and present With a new foreword by Geoffrey Koziol

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