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Pope Benedict XVI receives the two latest volumes of the Monumenta Iuris Canonici from two of the editors, Waltraud Kozur and Peter Landau.

Read more about the editions on page 2.

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WORK IN PROGRESS

Editions of the *Summa* on the *Decretum* and the *Summa quaestionum* of Magister Honorius, as well as of the '*Summa Lipsiensis*'.

The overall project has the purpose to make the three most significant *Summae* on the *Decretum* – witnesses to early twelfth-century canonistic activity in England and France – accessible for scholarly research. Specifically, it will deal with two works of magister Honorius of Kent: the *Summa* on the *Decretum* '*De iure canonico tractaturus*' and the *Summa quaestionum* '*De questionibus decretalibus tractaturi*' as well as with the anonymous *Summa* '*Omnis qui iuste iudicat*', the so-called '*Summa Lipsiensis*'.

The works to be edited are among the most important products of the French and Anglo-Norman canonistic schools. Together with law schools in Provence and in the Rhineland, these schools mark the origins of European jurisprudence outside Italy. Research on the Anglo-Norman school was especially carried out by Stephan Kuttner (1907-1996), Gérard Fransen (1915-1995) and Rudolf Weigand (1929-1998). Since then Peter Landau continued with studies on the Anglo-Norman and Rhineland schools; he also identified the little known canonist *Rodoicus Modicipassus* as the author of the *Summa Lipsiensis* (P. Landau, *Rodoicus Modicipassus – author of the Summa Lipsiensis?* ZRG Kan. Abt. 92 [2006] 340-354).

Volumes of c. 500 pages each have been projected. Each volume contains a preface with a summary in German, English, French, Spanish and Italian, a description of those manuscripts which transmit the text edited in the volume, plates of the manuscripts as well as indices covering the content of each volume (Bible, *Decretum* of Burchard of Worms, *Decretum* of Gratian, papal decretals ('*extravagantes*'), Roman law, sigla, glosses. The indices of the complete work will be published together with the final volumes of the text. The editions will be part of the *Monumenta Iuris Canonici*, series A.

Already published have been in 2004 *Pars Prima* with *Causa* 1 of the *Summa* on the *Decretum* of Honorius (Magistri Honorii *Summa* '*De iure canonico tractaturus*', tom. I, edd. R. Weigand †, P. Landau, W. Kozur, with the collaboration of S. Haering, K. Miethaner-Vent, M. Petzolt (MIC, Ser. A, vol. 5) Città del Vaticano 2004), in 2007 *Pars Prima* of the

Summa Lipsiensis (*Summa* '*Omnis qui iuste iudicat*' sive *Lipsiensis*, tom. I, edd. R. Weigand †, P. Landau, W. Kozur, with the collaboration of S. Haering, K. Miethaner-Vent, M. Petzolt (MIC, Ser. A., vol. 7/1), Città del Vaticano 2007); vols. II and III of the *Summa* on the *Decretum* (*Causae* 2-36 and volume of indices) are in the hands of the printer in Rome. K.W. Nörr called the teacher of law Honorius the most astute representative of the skilled Anglo-Norman school (K.W. Nörr, *Zur Stellung des Richters im gelehrten Prozess der Frühzeit: Iudex secundum allegata non secundum conscientiam iudicat* [Münchener Universitätschriften, Reihe der Juristischen Fakultät vol. 2, München 1967, p.44). With the publication of his *Summa quaestionum* '*De questionibus decretalibus tractaturi*' the complete works of Honorius will be available.

The edition of the three works will encompass altogether ten volumes: the volumes listed above will be followed by the *Summa quaestionum* of Honorius in two volumes (text and indices volumes) and by four additional volumes of the *Summa Lipsiensis*.

On March 24, 2010 during the great Wednesday audience of Pope Benedict XVI in St. Peter's Square, Professor Dr. Dr. h.c. mult. Peter Landau (University of München), President of the Stephan-Kuttner-Institute of Medieval Canon Law, München, and Dr. Waltraud Kozur (University of Würzburg) personally presented the Holy Father with a copy each of the *Summa* on the *Decretum* '*De iure canonico tractaturus*' of Magister Honorius and of the so-called *Summa Lipsiensis* '*Omnis qui iuste iudicat*'. These two volumes from among the chief works of medieval canon law from the twelfth century are now for the first time accessible in print. They are two *Summae* on the *Decretum Gratiani* written in England and France, two regions whose canonistic activity has been rarely investigated.

The works will be issued by the Bibliotheca Vaticana within the series *Monumenta Iuris Canonici*. For the first time, the texts furnish proof that medieval canon law and Roman law provided the foundation for our common European legal culture. Among these fundamentals are, e. g. the distinctions between civil and criminal procedure and the principle '*Quod omnes tangit, ab omnibus approbetur,*' (whatever concerns all has to be approved by all), defining the basis of modern democracy, first found by canonists of the twelfth century.



Pope Benedict XVI was keenly interested, in particular regarding the differentiation of *potestas ordinis* and *potestas iurisdictionis* within the Church, first defined in the ‘*Summa Lipsiensis*’. With the publication of the series of the Monumenta Iuris Canonici the Bibliotheca Vaticana provides an absolutely essential contribution to the edition of the chief works of European legal history and thus to the roots of the evolution of European law. The editors are deeply grateful to the Deutsche Forschungsgemeinschaft which has continued over many years since the time of the unforgotten Rudolf Weigand to support the demanding editorial undertaking, last not least also for the continuation of this support during the coming years.

Peter Landau / Waltraud Kozur

ICMAC NEWS

Dear ICMAC members, colleagues and all friends of medieval canon law,

On behalf of the ICMAC Board, I am delighted to announce the results of the recent election to amend the ICMAC membership levels. The motion has passed with some 37% of eligible Life members voting. There were any number of other yes votes from non-eligible members and we thank you for your support and hope you will now renew, reestablish your memberships or simply join ICMAC. There were, I should add, no negative votes. The Board thus feels that we are approved to put this into practice by the Charter, the acclamation at Esztergom and finally by this vote.

In the coming weeks we will be making the practical arrangements for registering new members and receiving membership subscriptions; it is anticipated that there will be a facility for joining via our website. Although I cannot believe that I am writing this,

could I ask individuals please NOT to start sending money and requests to join until such time as we are able to process them in a timely manner. Once the arrangements are in place, we will send a further announcement.

I would like to thank everyone who voted and I look forward to welcoming many new members to ICMAC in the coming weeks.

Kate Cushing
President, ICMAC

RECENT PUBLICATIONS

Martin Bertram, "Dekorierte Handschriften der Dekretalen Gregors IX (Liber Extra) aus der Sicht der Text- und Handschriftenforschung," *Marburger Jahrbuch für Kunstwissenschaft* 35 (2008), S. 31-65.

Patrick Hersperger, *Kirche, Magie und "Aberglaube": "Superstitio" in der Kanonistik des 12. und 13. Jahrhunderts*. Forschungen zur kirchlichen Rechtsgeschichte und zum Kirchenrecht 31. Cologne: Böhlau, 2010. 533 pp. C. €65.

Schwerpunkte bilden Dämonenvorstellungen, die Wahrsagepraktik des Losens, der Glaube an Amulette sowie die Anwendung von »Schadenzauber« in geschlechtlichen Beziehungen. So wird deutlich, wie zunehmend römischrechtliche Konzepte in die von Augustinus geprägte Superstitionenkritik der Kirche eingeflossen sind.

Peter Landau, *Grundlagen und Geschichte des evangelischen Kirchenrechts und des Staatskirchenrechts*. Jus ecclesiasticum 92. Tübingen: Mohr Siebeck, 2010. 476 pp. €69.

Der Band enthält kirchenrechtliche Aufsätze Peter Landaus aus den Jahren 1981–2006.

Mélanges en l'honneur d'Anne Lefebvre-Teillard. Textes réunis par Bernard d'Alteroche, Florence Demoulin-Auzary, Olivier Descamps, Franck Roumy. Paris: Éditions Panthéon-Assas, 2009. 1070 pp. €150.

Les Mélanges contiennent cinquante-huit contributions et se présentent comme le miroir scientifique du maître auquel ils sont dédiés. Nombre d'articles contenus dans le présent volume concernent l'histoire du droit romano-canonique du Moyen-Age à l'époque moderne, qu'ils portent sur les

sources, la formation des doctrines et leur diffusion ou les institutions ecclésiastiques. Plusieurs contributions sont également consacrées à l'histoire du droit privé, depuis l'Antiquité jusqu'à l'époque contemporaine, et notamment au droit des personnes et de la famille mais aussi au droit commercial, matière particulièrement chère à la dédicataire. Divers articles, enfin intéressent l'histoire des institutions judiciaires, qui fut son premier terrain d'investigation.

Francesco Reali, ed., *Graziano da Chiuse e la sua opera: Alle origine del diritto comune in Europa*. Pubblicazioni del Centro Studi Magister Gratianus. Chiuse 2009. 248 pp.

A news [article](#) about the publication. – The editor presents weighty arguments for identifying the “Gratianus Clusinus episcopus” who appears in the necrology of the cathedral in Sienna with the author of the Decretum.

Rechtsgeschichte: Zeitschrift des Max-Planck-Instituts für europäische Rechtsgeschichte 16 (2010).

*The latest issue of *Rechtsgeschichte* is a number entirely devoted to the legal history of Latin America. Among the several articles treating canon law, we note Thomas Duve, “Das Konzil als Autorisierungsinstanz: Die Priesterweihe von Mestizen vor dem Dritten Limenser Konzil (1582/83) und die Kommunikation über Recht in der spanischen Monarchie” (pp. 132-153).*

CONFERENCES

On March 3-4, 2010, took place in Rome an international and interdisciplinary workshop dedicated to the miniatures in the manuscripts of the *Decretals* of Gregory IX (*Liber Extra*), organized by Dipartimento di storia e teoria generale del diritto dell'Università degli Studi Roma Tre (Emanuele Conte), Progetto Mosaico, Deutsches Historisches Institut in Rom. A [report](#) from the workshop is available on the internet. Emanuele Conte has kindly offered to publish the 13 papers read at the workshop or at least their summaries on the site of the Dipartimento.

An international conference under the rubric *Law and Archeology in the Early and High Middle Ages*,

AD 400-1200, will be held at the Carlsberg Academy, Copenhagen, 7-8 December 2010. “It is our hope that with an interdisciplinary conference we can generate co-operation between the two disciplines in order to illuminate the ‘legal mentality’ of the period AD 400-1200.” Pre-registration may be made with michelle.garnier@natmus.dk, and information (including the program) may be had from any of the organizers: [Helle Vogt](#), [Mads Kähler Holst](#), and [Lars Jørgensen](#).

The Symposium „*Roman Law, Comparative Law, European Law*” will take place on November 8, 2010 at 2 p.m in the Aula Magna of the Eötvös Loránd University (Egyetem tér 1-3. Budapest). The event is one of the conferences during the „Month of the Hungarian Science.” It is organized by the Section of Economics and Law of the Hungarian Academy of Sciences and the Eötvös Loránd University. At the Symposium will be presented the 15th revised and enlarged version of the textbook of András Földi and Gábor Hamza „*History and Institutes of Roman Law*”.

Both the Stephan Kuttner Institute of Medieval Canon Law and ICMAC will sponsor sessions at the [46th International Congress on Medieval Studies in Kalamazoo](#) (12-15 May, 2011).

The Institute sponsors a session under the title *Letters and the Law: Correspondence and the Application of Church Law in Medieval Society*. The session will contain papers that discuss how the precepts of canon law were communicated, i.e. disseminated, and also further developed by means of official and personal correspondence. [Mary E. Sommar](#), Millersville University, is the organizer of the session and she welcomes submissions of paper proposals.

ICMAC sponsors a session at the same conference under the title *Did the Letter of the Law Matter? Canon Law and Social History*. The session is organized by [Greta Austin](#), University of Puget Sound. She welcomes the submission of paper proposals.

WEB PAGES

CLASMA (Church, Law and Society in the Middle Ages Research Network; see [Novellae 4](#)) now has a [website](#).

The [XIV International Congress of Medieval Canon Law](#) will be held at Saint Michael's College at the University of Toronto on August 5-11, 2012. The [website](#) is being constructed, with a handsome masthead as well as a [Latin version](#). Evax!

Goffredus Tranensis, [Apparatus Decretalium](#), Riproduzione digitale del manoscritto Montecassino 266, a cura di Martin Bertram.

The second part of the „[Signaturenliste der Handschriften der Dekretalen Gregors IX. \(Liber Extra\)](#)“ is now available.

A new blog, [Reading Pseudo-Isidore](#), documents a young scholar's reading of the Pseudo-Isidorian decretals from beginning to end, one decretal at the time. Dr. Eric Knibbs includes many interesting, sometimes acute, observations which come from a fresh engagement with the text. Everyone will benefit from reading this blog, and those who might not have Pseudo-Isidore fresh in their mind will learn much from reading the early blog entries. They lay out, briefly, what is known about Pseudo-Isidore.

Wikipedia has taken on an increasingly important role as a source for information among both students and professors. Articles are of very varying quality, but Dr. Knibbs reveals on his blog (see above) that the entry for [Pseudo-Isidore](#) is excellent and was “assembled in its foundations by Karl Georg Schon,” the editor for the *Monumenta Germaniae Historica* of the Pseudo-Isidorian texts. Knibbs notes that the article “has regressed to the mean, as ignorant editors have added various minor confusions.” This is in general a phenomenon well known from the *Wikipedia*, where the relationship between good information and bad is similar to Gresham's law about good and bad money. (If you do not remember it, why not check [Wikipedia](#)?) At any rate, *Wikipedia* in its infinite wisdom warns about the entry for Pseudo-Isidore that “this article may contain [original research](#)”! Should we be worried?

Other *Wikipedia* texts can be rather poor. We note, for example, that the entry for [Gratian](#) in English is very brief and not very well organized. Paradoxically, the entry for [Gratianus](#) in the Latin *Vicipædia* is much longer and seemingly more helpful. The entry in German is considerably shorter than the more discursive one in [Spanish](#). There is no entry for “Gratien” in the French *Wikipedia*, but a very full one on “[Décret de Gratien](#).” The entry for [그라티아누스](#) in the Korean *Wikipedia* appears to repeat the old ca-

nard that Gratian died in 1158; those digits are all the editor is able to read on that page. Does *Novellae* have any readers who can read Korean and would like to tell us about its contents otherwise?

DISSERTATIONS

Torgeir Landro has written a dissertation on the church law in the Norwegian medieval regional law *Borgartingsloven* (valid in the area around Oslo) at the University of Bergen: *Kristenrett og kyrkjerett: Borgartingskristenretten i eit komparativt perspektiv* (Bergen 2010). The author finds many connections with general canon law, something that scholarship on medieval Scandinavian law often has overlooked. Landro defended the dissertation at a public *disputatio* in Bergen on May 21 with the following opponents. Else Mundal, Bergen; Helle Vogt, Copenhagen; Anders Winroth, New Haven.

AUDITA ODOFREDI

We congratulate **Abigail Firey** for winning an American Council of Learned Societies (ACLS) Digital Innovation Fellowship for her digital project on [Carolingian Canon Law](#) (described in *Novellae* 4). See Kentucky University's [press release](#).

Markus Graulich, S.D.B., has been appointed substitute promoter of justice at the Supreme Tribunal of the Apostolic Signatura. He was previously professor of canon law at the Salesian University in Rome.

FROM THE EDITOR

The editor continues to be most grateful to colleagues who send him news for the *Novellae*. The editorial office will soon (temporarily) move to Beijing, China, but that is no reason not to continue to send news.

SUBSCRIPTIONS

For a (free) subscription to *Novellae: News of Medieval Canon Law*, or to unsubscribe, please contact our Subscription manager, Mr. Jin U. Kim at novellaemcl@gmail.com.

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