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Law and the Christian Tradition in Italy Orazio Condorelli, Rafael Domingo, 2020-07-02 Firmly rooted on Roman and canon law, Italian legal culture has had an impressive influence on the civil law tradition from the Middle Ages to present day, and it is rightly regarded as the cradle of the European legal culture. Along with Justinian's compilation, the US Constitution, and the French Civil Code, the Decretum of Master Gratian or the so-called Glossa ordinaria of Accursius are one of the few legal sources that have influenced the entire world for centuries. This volume explores a millennium-long story of law and religion in Italy through a series of twenty-six biographical chapters written by distinguished legal scholars and historians from Italy and around the world. The chapters range from the first Italian civilians and canonists, Irnerius and Gratian in the early twelfth century, to the leading architect of the Second Vatican Council, Pope Paul VI. Between these two bookends, this volume offers notable case studies of familiar civilians like Bartolo, Baldo, and Gentili and familiar canonists like Hostiensis, Panormitanus, and Gasparri but also a number of other jurists in the broadest sense who deserve much more attention especially outside of Italy. This diversity of international and methodological perspectives gives the volume its unique character. The book will be essential reading for academics working in the areas of Legal History, Law and Religion, and Constitutional Law and will appeal to scholars, lawyers, and students interested in the interplay between religion and law in the era of globalization.

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

**Patrimony and Law in Renaissance Italy** Thomas Kuehn,2022-03-03 Family was a central feature of social life in Italian cities. This wide-ranging volume explores patrimony in legal thought and how family property was inherited, managed and shared legally and its central role in Renaissance Italy.

Popes, Canonists and Texts, 1150-1550 Kenneth Pennington, 2024-10-28 Several different approaches to medieval legal history are evident in these articles. The first group uses law to investigate the principles that governed society, whether clearly articulated or not, and to ask how the intellectual structures of the ius commune affected the institutions of government and the presuppositions of the people. The second group of articles illustrates the importance of returning to the manuscript sources of later medieval texts, rather than relying on the early printed editions. In both parts Professor Pennington also focuses on the lives of individual jurists, contending that these provide a key to the understanding of their thought, their position in society, and the connections between the two. One of these articles is published for the first time here, while a number of others have been revised and up-dated for publication. Plusieures approches différentes à l'histoire légale du Moyen Age sont reflétées au travers de ces articles. Le premier groupe se sert de la loi pour explorer les principes qui gouvernaient la société - que ceux-ci soient clairement exprimés ou non - et afin de demander comment les structures intellectuelles de l'ius commune affectaient les institutions gouvernementales et les présuppositions du peuple. Le second groupe illustre l'importance du retour aux sources manuscrites des textes médiévaux tardifs, plutôt que de se fier à des impressions anciennes. Au travers des deux parties du volume, le professeur Pennington se concentre aussi sur la vie de certains juristes, avancant qu'il s'agit là d'une des clefs permettant de comprendre leur pensée, leur place dans la société et le rapport entre ces deux facteurs. Un des articles est publié ici pour la première fois, alors qu'un certain nombre d'autres ont été révisés et mis à jour pour leur réimpression.

Jurists and Jurisprudence in Medieval Italy Osvaldo Cavallar, Julius Kirshner, 2020-10-01 Jurists and Jurisprudence in Medieval Italy is an original collection of texts exemplifying medieval Italian jurisprudence, known as the ius commune. Translated for the first time into English, many of the texts exist only in early printed editions and manuscripts. Featuring commentaries by leading medieval civil law jurists, notably Azo Portius, Accursius, Albertus Gandinus, Bartolus of Sassoferrato, and Baldus de Ubaldis, this book covers a wide range of topics, including how to teach and study law, the production of legal texts, the ethical norms guiding practitioners, civil and criminal procedures, and family matters. The translations, together with context-setting introductions, highlight fundamental legal concepts and practices and the milieu in which jurists operated. They offer entry points for exploring perennial subjects such as the professionalization of lawyers, the tangled relationship between law and morality, the role of gender in the socio-legal order, and the extent to which the ius commune can be considered an autonomous system of law.

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