

"Penitential Justice: Crime, Sin, and Church Law in Medieval Germany" (Fellowship von Dr. John Burden an der Herzog August Bibliothek Wolfenbüttel)

Initiative: Postdoctoral Fellowships in den Geisteswissenschaften an Universitäten und Forschungsinstituten in Deutschland und den USA

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"Penitential Justice: Crime, Sin, and Church Law in Medieval Germany" tells the story of how medieval church courts in Germany first began to differentiate crimes from sins in the twelfth century. Although scholars tend to assume that this distinction always existed, this project argues that it is actually difficult to find in surviving legal sources from before the year 1150. Before then, church courts seem to have employed a single procedure for both religious and civic offenses, treating them interchangeably. It was only in the twelfth century that the rediscovery of lost Roman law texts in Italy and the foundation of the first universities at Bologna, Paris, and Oxford enabled medieval jurists to begin to distinguish crimes from sins. This project argues that this divergence of secular and spiritual jurisdictions marks a major turning point in Western European history, setting Europe for the first time on the long path towards the separation of church and state. This project relies upon a great deal of archival research on previously unstudied legal manuscripts held in Germany, Austria, and Switzerland.

Projektbeteiligte

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Reading Burchard s Corrector: Canon Law and Penance in the High Middle Ages