

Marriage Disputes in



Medieval England

FREDERIK PEDERSEN

Marriage Disputes In Medieval England

Alastair Minnis



Marriage Disputes In Medieval England:

Marriage Disputes in Medieval England Frederik Pedersen, 2000-01-01 Most information about medieval life comes from the records of the church courts of the province of York which date from the 14th century This work investigates cases involving a range of disputes including sex consent and violence *Marriage Disputes in Medieval England* Frederik Pedersen, 2000-11-01 Intimate details about the personal lives of medieval people are frustratingly rare We seldom know what the men and women of the middle ages thought about marriage let alone about sex The records of the church courts of the province of York mainly dating from the fourteenth century provides a welcome light on private family life and on individual reactions to it They include a wide range of fascinating cases involving disputes about the validity of marriage consent sex marital violence impotence and property disputes They also show how widely the laws of marriage were both known and accepted *Marriage Disputes in Medieval England* offers a remarkable insight into personal life in the middle ages

Marriage Litigation in Medieval England Helmholz, R. H. Helmholz, 2007-03-26 This book tells one part of the long history of the institution of marriage Questions concerning the formation and annulment of marriage came under the exclusive jurisdiction of the church courts during the Middle Ages Drawing on unpublished records of these courts Professor Helmholz describes the practical side of matrimonial jurisdiction and relates it to his outline of the formal law of marriage He investigates the nature of the cases heard the procedure used the people involved and changes over the period covered all of which add to what is known about marriage and legal practice in medieval England The concluding assessment of canonical jurisdiction over marriage suggests that the application of the law was more successful than is usually thought

Franciscan Organisation in the Mendicant Context Michael J. P. Robson, Jens Röhrkasten, 2010 Emanating from the tradition of the Italian hermit communities the Franciscans developed organisational structures already early in their history allowing them to offer pastoral care on a wide scale This process of transition led firstly to constitutional structures as defined in the order's early legislation but it also occurred within relationship networks at different levels in the context of Church and papacy within the different European regions and before the background of the emerging Canon Law The term organisation has been given a wide definition in the articles published in this volume They offer a survey of general issues related to the structuring and running of religious orders as well as a number of case studies Comparisons with other mendicant orders offer an analysis of the issues in a wider context *Marriage Litigation in Medieval England* Richard Henry Helmholz, 1970 **Law and Kinship in Thirteenth-Century England** Sam Worby, 2015 First comprehensive survey of how kinship rules were discussed and applied in medieval England Two separate legal jurisdictions concerned with family relations held sway in England during the high middle ages canon law and common law In thirteenth and fourteenth century Europe kinship rules dominated the lives of laymen and laywomen They determined whom they might marry decided in the canon law courts and they determined from whom they might inherit decided in the common law courts This book seeks to

uncover the association between the two exploring the ways in which the two legal systems shared ideas about family relationship where the one jurisdiction the common law was concerned about ties of consanguinity and where the other canon law was concerned to add to the kinship mix ties of affinity It also demonstrates how the theories of kinship were practically applied in the courtrooms of medieval England SAM WORBY is a civil servant and independent scholar

Romance's Rival Talia Schaffer, 2016-01-05 *Romance's Rival* argues that the central plot of the most important genre of the nineteenth century the marriage plot novel means something quite different from what we thought In Victorian novels women may marry for erotic desire but they might instead insist on familiar marriage marrying trustworthy companions who can offer them socially rich lives and futures of meaningful work *Romance's Rival* shows how familiar marriage expresses ideas of female subjectivity dating back through the seventeenth century while romantic marriage felt like a new risky idea Undertaking a major rereading of the rise of the novel tradition from Richardson through the twentieth century Talia Schaffer rethinks what the novel meant if one tracks familiar marriage virtues This alternative perspective offers new readings of major texts Austen the Brontës Eliot Trollope but it also foregrounds women's popular fiction Yonge Oliphant Craik Broughton Offering a feminist perspective that reads the marriage plot from the woman's point of view Schaffer inquires why a female character might legitimately wish to marry for something other than passion For the past half century scholars have valorized desire individuality and autonomy in the way we read novels *Romance's Rival* asks us to look at the other side to validate the yearning for work family company or social power as legitimate reasons for women's marital choices in Victorian fiction Comprehensive in its knowledge of several generations of scholarship on the novel *Romance's Rival* convinces us to re-examine assumptions about the nature and function of marriage and the role of the novel in helping us not simply imagine marriage but also process changing ideas about what it might look like and how it might serve people

Nurture and Neglect: Childhood in Sixteenth-Century Northern England Loretta A. Dolan, 2016-10-04 *Nurture and Neglect Childhood in Sixteenth Century Northern England* addresses a number of anomalies in the existing historiography surrounding the experience of children in urban and rural communities in sixteenth century northern England In contrast to much recent scholarship that has focused on affective parent child relationships this study directly engages with the question of what sixteenth century society actually constituted as nurture and neglect Whilst many modern historians consider affection and love essential for nurture contemporary ideas of good nurture were consistently framed in terms designed to instil obedience and deference to authority in the child with the best environment in which to do this being the authoritative patriarchal household Using ecclesiastical and secular legal records to form its basis hitherto an untapped resource for children's voices this book tackles important omissions in the historiography including the regional imbalance which has largely ignored the north of England and generalised about the experiences of the whole of the country using only sources from the south and the adult centred nature of the debate in which historians have typically portrayed the child as having

little or no say in their own care and upbringing Nurture and Neglect will be of particular interest to scholars studying the history of childhood and the social history of England in the sixteenth century

Communal Discord, Child Abduction, and Rape in the Later Middle Ages J. Goldberg, 2007-12-25 Did medieval women have the power to choose This is a question at the heart of this book which explores three court cases from Yorkshire in the decades after the Black Death Alice de Rouclif was a child heiress made to marry the illegitimate son of the local abbot and then abducted by her feudal superior Agnes Grantham was a successful businesswoman ambushed and assaulted in a forest whilst on her way to dine with the Master of St Leonard's Hospital Alice Brathwell was a respectable widow who attracted the attentions of a supposedly aristocratic conman These are their stories

Marriage Litigation in the Western Church, 1215–1517 Wolfgang P. Müller, 2021-09-16 Examines how late medieval church courts were used for marriage cases and how this varied dramatically across Europe

The Learned and Lived Law, 2024-10-21 This wide ranging collection of essays reflects the manifold scholarly interests of legal historian Charles Donahue whose former students engage here with questions related to foundational Roman law concepts the impact of the law on women and families in medieval and early modern Europe the intersection of law and religion and the echoes of legal ideas on later developments in American law and in world literature and philosophy From the monks of Metz to the book sellers of colonial Boston from fourteenth century English charters to the writings of Faust these essays invite you to experience law at once learned and lived Contributors are Charles Bartlett Anton Chaevitch Wim Decock Rowan Dorin Sally E Hadden Elizabeth Haluska Rausch Nikitas E Hatzimihail Samantha Kahn Herrick Daniel Jacobs Elizabeth Papp Kamali Amalia D Kessler Saskia Lettmaier Sara McDougall Stuart M McManus Elizabeth W Mellyn Bharath Palle Ryan Rowberry Carol Symes James R Townshend and John Witte Jr

Dissolving Royal Marriages D. L. d'Avray, 2014-07-24 This book offers a chronological and geographical study of royal divorce cases from the Middle Ages through to the Reformation period

Disputes and Settlements John Bossy, Lyndal Roper, 2003-01-30 This collection of essays by British American and French scholars uses the records of the law in Western Europe from the fall of Rome to the nineteenth century in an attempt to outline a social history of the West considered as a history of human relations The primary themes are dispute arbitration and conjugal relations the primary influences considered are feud Christianity and the state The contributions are discussed overall by an anthropologist lawyer Simon Roberts who writes an anthropological introduction and by the editor in a short historical postscript The aim has been to strike a new note in social history by attending more closely to actual people and their actual relations by drawing on the resources of anthropology legal history the history of religious feelings and institutions and of states to illuminate their behaviour and by combining the efforts of scholars representing a diversity of intellectual traditions and a long perspective of human experience

Love, Madness, and Scandal Johanna Luthman, 2017 The life of Frances Coke Villiers Viscountess Purbeck A story of love sex and high drama set against the backdrop of a tumultuous and formative period of English history this is also the story of an

exceptional and courageous rebel against an age in which women were expected to be obedient silent and chaste

The Oxford Handbook of English Law and Literature, 1500-1700 Lorna Hutson, 2017 This Handbook triangulates the disciplines of history legal history and literature to produce a new interdisciplinary framework for the study of early modern England For historians of early modern England turning to legal archives and learning more about legal procedure has seemed increasingly relevant to the project of understanding familial and social relations as well as political institutions state formation and economic change Literary scholars and intellectual historians have also shown how classical forensic rhetoric formed the basis both of the humanist teaching of literary composition poetry and drama and of new legal epistemologies of fact finding and evidence evaluation In addition the post Reformation jurisdictional dominance of the common law produced new ways of drawing the boundaries between private conscience and public accountability This Handbook brings historians literary scholars and legal historians together to build on and challenge these and similar lines of inquiry Chapters in the Handbook consider the following topics in a variety of combinations forensic rhetoric poetics and evidence humanist and legal learning political and professional identities at the Inns of Court poetry drama and visual culture local governance and legal reform equity conscience and religious law legal transformations of social and affective relations property marriage witchcraft contract corporate personhood authorial liability libel censorship press regulation rhetorics of liberty slavery torture and due process nation sovereignty and international law the British archipelago colonialism empire

The Oxford Handbook of Medieval Christianity John H. Arnold, 2014-08-21 The Oxford Handbook of Medieval Christianity takes as its subject the beliefs practices and institutions of the Christian Church between 400 and 1500AD It addresses topics ranging from early medieval monasticism to late medieval mysticism from the material wealth of the Church to the spiritual exercises through which certain believers might attempt to improve their souls Each chapter tells a story but seeks also to ask how and why Christianity took particular forms at particular moments in history paying attention to both the spiritual and otherworldly aspects of religion and the material and political contexts in which they were often embedded This Handbook is a landmark academic collection that presents cutting edge interpretive perspectives on medieval religion for a wide academic audience drawing together thirty key scholars in the field from the United States the UK and Europe Notably the Handbook is arranged thematically and focusses on an analytical rather than narrative approach seeking to demonstrate the variety change and complexity of religion throughout this long period and the numerous different ways in which modern scholarship can approach it While providing a very wide ranging view of the subject it also offers an important agenda for further study in the field

Between Betrothal and Bedding Mia Korpiola, 2009-02-23 Swedish medieval marriage formation was a process written down in the secular laws However it started to evolve because of the interaction with the medieval Catholic marriage doctrine which focused on mutual words of consent Although first the canon law of marriage and then Lutheran marriage dogma influenced the Swedish development the perception of marriage as a process consisting of several legal acts

and accompanied by property transfers proved remarkably resilient The pragmatic and rural character of Sweden contributed to this despite pressure from canon and Roman law and attempts at bringing marriage formation under ecclesiastical control Marrying by stages was in itself unremarkable in Europe but the legal foundation and formality make medieval and sixteenth century Sweden a unique case study Family Law and Society in Europe from the Middle Ages to the Contemporary Era Maria Gigliola di Renzo Villata, 2016-08-04 This volume addresses the study of family law and society in Europe from medieval to contemporary ages It examines the topic from a legal and social point of view Furthermore it investigates those aspects of the new family legal history that have not commonly been examined in depth by legal historians The volume provides a new global interpretative key of the development of family law in Europe It presents essays about family and the Christian influence family and criminal law family and civil liability filiation legitimate natural and adopted children and family and children labour law In addition it explores specific topics related to marriage such as the matrimonial property regime from a European comparative perspective and impediments to marriage such as bigamy The book also addresses topics including family society and European juridical science Carnal Knowledge Martin Ingram, 2017-03-10 How was the law used to control sex in Tudor England What were the differences between secular and religious practice This major study reveals that contrary to what historians have often supposed in pre Reformation England both ecclesiastical and secular especially urban courts were already highly active in regulating sex They not only enforced clerical celibacy and sought to combat prostitution but also restrained the pre and extramarital sexual activities of laypeople more generally Initially destabilising the religious and institutional changes of 1530-60 eventually led to important new developments that tightened the regime further There were striking innovations in the use of shaming punishments in provincial towns and experiments in the practice of public penance in the church courts while Bridewell transformed the situation in London Allowing the clergy to marry was a milestone of a different sort Together these changes contributed to a marked shift in the moral climate by 1600 **Fallible Authors** Alastair Minnis, 2013-02-12 Can an outrageously immoral man or a scandalous woman teach morality or lead people to virtue Does personal fallibility devalue one's words and deeds Is it possible to separate the private from the public to segregate individual failing from official function Chaucer addressed these perennial issues through two problematic authority figures the Pardoner and the Wife of Bath The Pardoner dares to assume official roles to which he has no legal claim and for which he is quite unsuited We are faced with the shocking consequences of the belief standard for the time that immorality is not necessarily a bar to effective ministry Even more subversively the Wife of Bath who represents one of the most despised stereotypes in medieval literature the sexually rapacious widow dispenses wisdom of the highest order This innovative book places these fallible authors within the full intellectual context that gave them meaning Alastair Minnis magisterially examines the impact of Aristotelian thought on preaching theory the controversial practice of granting indulgences religious and medical categorizations of deviant bodies theological attempts to

rationalize sex within marriage Wycliffite doctrine that made authority dependent on individual grace and raised the specter of Donatism and heretical speculation concerning the possibility of female teachers Chaucer's Pardoner and Wife of Bath are revealed as interconnected aspects of a single radical experiment wherein the relationship between objective authority and subjective fallibility is confronted as never before

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