

*Cambridge Studies in  
English Legal History*

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**MARRIAGE  
LITIGATION IN  
MEDIEVAL  
ENGLAND**

BY  
R. H. HELMHOLZ

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*Cambridge University Press*

# Marriage Litigation In Medieval England

**William Cornish, Stephen  
Banks, Charles Mitchell, Paul  
Mitchell, Rebecca Probert**

## **Marriage Litigation In Medieval England:**

**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and annulment of marriage came under the exclusive jurisdiction of the church courts during the Middle Ages Drawing on unpublished records of these courts Professor Helmholz describes the practical side of matrimonial jurisdiction and relates it to his outline of the formal law of marriage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 **Marriage Litigation in Medieval England** R. H. Helmholz, 1986 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and annulment of marriage came under the exclusive jurisdiction of the church courts during the Middle Ages Drawing on unpublished records of these courts Professor Helmholz describes the practical side of matrimonial jurisdiction and relates it to his outline of the formal law of marriage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 **Marriage Litigation in Medieval England** Richard H. Helmholz, 1978 Marriage Litigation in Medieval England Richard Henry Helmholz, 1970

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 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 in Medieval England Conor McCarthy, 2004 A survey of attitudes to marriage as represented in medieval legal and literary texts

**Introduction to English Legal History** John Baker, 2019-03-21 Fully revised and updated this classic text provides the authoritative introduction to the history of the English common law The book traces the development of the principal features of English legal institutions and doctrines from Anglo Saxon times to the present and combined with Baker and Milsom's *Sources of Legal History* offers invaluable insights into the development of the common law of persons obligations and property and also of criminal and public law It is an essential reference point for all lawyers historians and students seeking to understand the evolution of English law over a millennium The book provides an introduction to the main characteristics institutions and doctrines of English law over the longer term particularly the evolution of the common law before the extensive statutory changes and regulatory regimes of the last two centuries It explores how legal change was brought about in the common law and how judges and lawyers managed to square evolution with respect for inherited wisdom

**Love, Sex & Marriage in the Middle Ages** Conor McCarthy, 2022-04-20 This updated edition collects an extensive range of evidence for how people in the European Middle Ages thought about the emotional state of love the physical act of sex and the social institution of marriage Included are extracts from literary and theological works medical and legal writings conduct books chronicles and letters These texts discuss married couples who are not having sex and unmarried ones who are We encounter marriages for creating alliances marriages for love and promises of marriage made in the hope of obtaining sex Learned texts discuss the etymology of sexual terms and the medical causes of difficulties in conceiving There are accounts of clandestine marriages sexual violence the madness of love melancholy and much more By drawing on diverse voices and presenting less accessible material this sourcebook provides a nuanced view of how medieval people thought about these subjects and questions the similarities and differences between their perspectives and our own With an expanded range of texts wider geographical scope suggestions for further reading and updated explanatory material to reflect changes in scholarship in over two decades this edition is an invaluable resource for students interested in sexuality gender and relationships in the Middle Ages

Marriage Law and Practice in the Long Eighteenth Century Rebecca Probert, 2009-07-02 This book uses a wide range of primary sources legal literary and demographic to provide a radical reassessment of eighteenth century marriage It disproves the widespread assumption that couples married simply by exchanging consent demonstrating that such exchanges were regarded merely as contracts to marry and that marriage in church was almost universal outside London It shows how the Clandestine Marriages Act of 1753 was primarily intended to prevent clergymen operating out of London's Fleet prison from conducting marriages and that it was successful in so doing It also refutes the idea that the 1753 Act was harsh or strictly interpreted illustrating the courts pragmatic approach Finally it establishes that only a few non Anglicans married according to their own rites before the Act while afterwards most save the exempted Quakers and Jews similarly married in church In short eighteenth century couples complied with whatever the law

required for a valid marriage      **The Rise and Fall of the English Ecclesiastical Courts, 1500-1860** R. B.

Outhwaite, 2006 Tracing the history of growth and then the slow disappearance of English law and social regulation

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Women, Agency and the Law, 1300-1700 Bronach Kane, 2015-10-06 Based on close readings of both public and private documents court records churchwarden accounts depositions diaries letters and pamphlets this collection of essays presents the largely untold story of non elite women and their dealings with the law

Love Sex & Marriage Middle Age Conor McCarthy, 2013-10-28 First published in 2004 Routledge is an imprint of Taylor Francis an informa company      Class and Gender in Early English Literature Britton J. Harwood, Gillian R.

Overing, 1994-05-22 The essays focus on class and gender not only sheds new light on old texts but also stretches the boundaries of the critical modus operandi which is often applied to such literature Women's Studies Network UK Association Newsletter These dramatic new readings of Old and Middle English texts explore the rich theoretical territory at the

intersection of class and gender and highlight the interplay of the critic methodology and the medieval text      **Papacy, Monarchy and Marriage 860-1600** David d'Avray, 2015-03-30 This book surveys royal marriage cases to explore how popes dealt with the marriage problems of kings especially dissolutions and dispensations      **The Western Case for Monogamy over Polygamy** John Witte, Jr, 2015-04-30 For more than 2 500 years the Western tradition has embraced monogamous marriage as an essential institution for the flourishing of men and women parents and children society and the state At the same time polygamy has been considered a serious crime that harms wives and children correlates with sundry other crimes and abuses and threatens good citizenship and political stability The West has thus long punished all manner of plural marriages and denounced the polygamous teachings of selected Jews Muslims Anabaptists Mormons and others John Witte Jr carefully documents the Western case for monogamy over polygamy from antiquity until today He analyzes the historical claims that polygamy is biblical natural and useful alongside modern claims that anti polygamy laws violate personal and religious freedom While giving the pro and con arguments a full hearing Witte concludes that the Western historical case against polygamy remains compelling and urges Western nations to hold the line on monogamy      **Law and Society in England 1750-1950** William Cornish, Stephen Banks, Charles Mitchell, Paul Mitchell, Rebecca Probert, 2019-10-31 Law and Society in England 1750 1950 is an indispensable text for those wishing to study English legal history and to understand the foundations of the modern British state In this new updated edition the authors explore the complex relationship between legal and social change They consider the ways in which those in power themselves imagined and initiated reform and the ways in which they were obliged to respond to demands for change from outside the legal and political classes What emerges is a lively and critical account of the evolution of modern rights and expectations and an engaging study of the formation of contemporary social administrative and legal institutions and ideas and the road that was travelled to create them The book is divided into eight chapters Institutions and Ideas Land Commerce and Industry Labour Relations The Family Poverty and Education Accidents and Crime This extensively referenced analysis of modern social and legal history will be invaluable to students and teachers of English law political science and social history

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