Melodie H. Eichbauer and Danica Summerlin (eds.), *The Use of Canon Law in Ecclesiastical Administration, 1000 – 1234*, Brill, Leiden, 2018, 292 pp.

For the scholars, canon law sources are employed to describe and explain the greater changes which occurred in the twelfth century, but they also reflect those changes. For scholars of canon law, the questions attached to studying different canonical material provide the framework around the broader narratives just outlined are hung. These include questions of the transmission of texts, the nature and timing of the professionalization of law, the relationship with normative law, the idea that law was a living object and, above all, the evertrichy questions concerning the *Concordia Discordantium Canonum*, otherwise know as the *Decretum Gratiani*, the collection compiled in c. 1140 which, in the eyes of many, changed the study and practice of canon law in the medieval West on a fundamental level.

This volume, edited by Melodie H. Eichbauer[1] and Danica Summerlin[2], explores the interogation of canon law within society in the central Middle Ages. The interes of authors is both in administration, distinct from the

1 Melodie H. Eichbauer is Associate Professor of Medieval History at Florida Gulf Coast University. His doctoral thesis, entitled *From Gratian's Concordia discordantium canonum to Gratian's Decretum: The Evolution from Teaching Text to Comprehensive Code of Canon Law*, supervised by Kenneth Pennington from The Catholic University of America, has been particularly well received in the academic field of canon law. He is also editor of the well-known *Bulletin of Medieval Canon Law*.

2 Danica Summerlin is Proffesor at University of Sheffield. Prior to that, she studied at the universities of Durham and Cambridge, before spending time as a post-doctoral visiting fellow at the Stephan Kuttner Institute for Medieval Canon Law and the Monumenta Germaniae Historica in Munich and most recently as a British Academy Post-doctoral Fellow in the Department of History at University College London. Her teaching and research focus on the legal and religious history of Europe between around 1000 and 1300, and she is particularly interested in the development and deployment of law in the period.

concerns of individuals preoccupied by faith and life, but equally more pragmatic than the heights of intellectual inquiry undertaken in the schools, and in the pervasiveness of canon law in medieval life. Grounded in the careers of ecclesiastical administrators, each essay serves as a case study that couples law with social, political ar intellectual developments in the medieval world. Many of the contributors draw upon the textual analysis necessary to understand canonical collections and texts to then move into broader arenas treated by scholars surveying the periodl between the c. 1020 and c. 1234.

John S. Ott ("Men on the Move: Papal Judges – Delegate in the Province of Reims in the Early Twelfth Century", pp. 27 – 57) puts papal authority into a local context by examining the selection of papal judges – delegate in the province of Reims from c. 1120 to 1160. He find that the same pool of bishops were called upon to resolve disputes and that these judges not only were close allies but also had a familiarity with the area. Ott's essays helpes us rethink the idea of a Rome – centred narrative of legal change and implementation in the first half of the twelfth century.

Mia Münster – Swendsen ("History, Politics and Canon Law: The Resignation of Archbishop Eskil of Lund", pp. 57 – 78), argues that law cannot be divorced from the political climate in which it operates. Using a moment of crisis as a case a study, she focusses on the circumstances surrounding the supposedly voluntary resignation of Archbishop Eskil of Lund (c. 1100 – 1181) and then impact for both canon law and Danish political history.

Melodie H. Eichbauer ("Law in Service of a Community: Property and Tithing Rights in Gratian's *Decretum* and Stephen of Tournai''s *Summa*", pp. 78 – 101), links the difference between Gratian and Stephen of Tournai regarding ecclesiastical property to their respective stations. As Gratian was teaching future diocesan functionaries how to think throught the challenges posed by episcopal responsabilities, he focussed on the impact that prescriptions and tithing rights would have on bishop's authority.

Jason Taliadoros ("Contrasting Approaches among Canon Lawyers on the Twelfth Century Shift from *ius naturale* to Rights", pp. 101 – 124), likewise focusses on the adaptation of formal legal learning by marrying theoretical jurisprudential thinking on subjective rights and permissive natural law found in the decretists commentaries on the first twenty distinctions of Gratian's *Decretum* with how scholar – administrators

applied of deviated from that thinking. Taliadoros study highlights the diversity of approaches for studying canon law and its relevant sources.

Greta Austin ("How the Local Council of Seligenstadt in 1023 drew upon Books of Church Law", pp. 124 – 140), examines the Council of Seligenstadt, held in 1023 south of Mainz and attended by five bishops, including Burchard of Worms, and ten abbots. The twenty canons stemming from this council, which circulated in two recensions, drew both from Burchard's *Decretum* and a farrago made in Freising.

Danica Summerlin ("Hubert Walter's Council of Westminster in 1200 and its use of Alexander III's 1179 Lateran Council", pp. 140 – 161), suggests that the participants at the Council of Westminster (1200) carefully selected the canons of the Third Lateran Council (1179), most relevant for their province given recent events. She thus upends the implicit assumption that a council had authority simply by virtue of its existence, irrespective of its relevant to local custom and practice.

Stephan Dusil ("The Emerging Jurisprudence, the Second Lateran Council of 1139 and the Development of Canonical Impediments", pp. 161 – 182) surmises that sometimes conciliar canons circulated too slowly to be effective and that it was canonical collections which brought about change. Dusil traces how clerical celibacy developed as a legal norm and how it changed as a set of impediments.

William L. North ("Bonizo of Sutri, the *Dicta Bonizonis* and the Development of the Jurisprudence of Canon Law before Gratian", pp. 182 – 213) suggests that Bonizo of Sutri did somenthing similar is with Gratian in his *Liber de Vita Christiana*. Bonizo inserted his own passages to help to clarify his canonical thought and praxis. North argues that Bonizo thus played an important role in the development of canonical jurisprudence that has not been fully recognised.

Kathleen G. Cushing ("Law and Disputation in Eleventh-Century *Libelli de lite*", pp. 213 – 225) focusses in on polemical tracts which, like legal briefs, drew upon the *ars dictamini* to present evidence in favour of a particular position. She uses the polemics within the *libelli* to demonstrate legal knowledge and jurisprudence in action prior to the rise of the university.

Louis I. Hamilton ("We receive the law on Mt. Sinai…when we study the sacred scriptures: Law, Liturgy and Reform in the Exegesis of Bruno of Segni", pp. 225 – 251) rightly draws attention to the slippage between

and exegesis and law. Bruno of Segni may have had a collection such as the *Collection in 74 Titles* when he wrote his *Expositio in Pentateuchum*. Bruno of Segni was both a skilful theologian and a skilful canon lawyer. Theologians worked in law and lawyers were versed in theology.

Bruce C. Brasington ("Postface: The View from 2017", pp. 251 – 264) returns to themes touched upon in the introduction to draw out their implications. He brings the volume full circle by assessing the studys within the current trends of legal scholarship on the philological details of individual collections and manuscripts.

The contributions of this volume examine how canon law was used at the local level, in political situations, at councils and in polemical discord; they examine how canon alw provided pathways for steering and enforcing policy and how it integrated with other intellectual traditions.

In conclusion, *The Use of Canon Law in Ecclesiastical Administration, 1000 – 1234* explores the integration of canon law within administration and society in the central Middle Ages. Grounded in the careers of ecclesiastical administrators, each study serves as a case study that couples law with social, political or intellectual developments. Together, the essays seek to integrate the textual analysis necessary to understand the evolution and transmission of the legal tradition into the broader study of twelfth century ecclesiastical government and practice. The essays therefore both place law into the wider developments of the long twelfth century but also highlight points of continuity throughout the period.

Rev. Traian Nojea, PhD