



Ecclesiastical History Society  
Summer Conference

# The Church and the Law

24-26 July 2018

University of Cambridge

Plenary Speakers:

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Proposals of 200 words to be sent to [ehseditorial@gmail.com](mailto:ehseditorial@gmail.com) by 31 Dec 2017 (early applications) or 31 March 2018 via the form at [www.history.ac.uk/ehsoc](http://www.history.ac.uk/ehsoc) @EcclesHistSoc

This theme addresses the legal issues and legal consequences underlying relations between secular and religious authorities in the context of the Christian church, from its earliest emergence within Roman Palestine as a persecuted minority sect through to the period when it became legally recognised within the Roman empire, its many institutional manifestations in East and West throughout the middle ages, the reconfigurations associated with the Reformation and Counter-Reformation, the legal and constitutional complications (such as in Reformation England or Calvin's Geneva), and the variable consequences of so-called secularisation thereafter. On many occasions in recent years, moreover, we have been confronted with contemporary discrepancies, contradictions, and even rejection of secular laws, modern social mores or social attitudes. What were the legal consequences and implications of the Reformation, (including the confiscation and restitution of property), of the French wars of religion; the French Revolution; the political transformations of the nineteenth and twentieth centuries? Are there particular influences on the formation of ecclesiastical law (the Bible, Roman law, national law codes)? The engagement of secular and religious authorities with the law and what that law actually comprised (Roman law, canon law, national laws, state and royal edicts) are further issues to be addressed. This is also a theme that requires the examination of the formation of bodies of law and how and why it became recognised as law. The formation of canon law is a case in point. There is also the problem of definition. How early, for example, can a 'code of canon law' be defined, and what are the processes by which opinion and conciliar decision became perceived as 'law'? What light does the transmission and reception of 'canon law' throw on such questions?

Delegates are encouraged to range widely within the theme. Possible case studies might include:

- court cases
- legal challenges to authority
- discussions of legal culture and legal practice
- legally orchestrated clashes between secular and ecclesiastical law
- legal documents of many kinds

Papers might address questions such as:

- When did church law and civil law come into conflict?
- When is heresy an offence against the state?
- Religious dissent and the law
- Censorship law and the church
- How does secular law incorporate or legislate for the church?
- What are the constitutional peculiarities of particular churches or ecclesiastical institutions?
- How did missionaries (and the rulers of the regions concerned) in conversion contexts in various parts of the world throughout Christian history cope with the clash between what they thought of as law and required social relations, and the laws they encountered in the societies into which they were inserting the Christian church and faith?
- What influence does secular governance exert on ecclesiastical governance, administration and legal records?
- Conversely, what influence does the church exert on the conduct of legal practice and the formation of legal culture, definition of criminal acts or the role of punishment?
- What influence does the church exert over such legal and social fundamentals as property ownership, inheritance, marriage practice and legitimacy?

Further, what new interpretations and perspectives has recent scholarship thrown into relief? Case studies related to this broad question may also of course be about particular individuals who were instrumental in the formation or interpretation of the law of or for the church, or even particular scholars - medieval, early modern, or modern - who have been crucial in compiling, interpreting or elucidating law in an ecclesiastical context.