

The Institute of Medieval Canon Law is an independent, non-sectarian research organization that coordinates the work of an international community of scholars interested in the literature and history of the medieval church law. The Institute was founded in Washington, D.C., in 1955 and today is located at Boalt Hall, the law school of the University of California, Berkeley.

During the last sixty years, scholars have shown that medieval canon law texts and their authors played a major role in the development of the western legal Systems, both English and Continental. The Institute is dedicated to making the ideal of the medieval canonists known to the community of historians and lawyers interested in the history of our legal institutions.

Any educated person recognizes authors such as Peter Abelard and Thomas Aquinas, but the names of Huguccio and Hostiensis are virtually unknown. Yet both of these men, the first working in the late twelfth century and the second in the mid-thirteenth century, had a profound effect on the history of western society and law. Unrecognized as they are today, these lawyers and their contemporaries in the law school at Bologna worked out the theoretical underpinnings of constitutional government, the law of corporations, the legal theory of guilt, and many other fundamental doctrines of western law. They taught the leading statesmen of the medieval church; they were widely read; and their ideas were hotly debated.

But their works are not available to modern scholars. Huguccio's brilliant commentaries exist only in manuscripts scattered throughout Europe. Hostiensis's writings have come down to us in manuscripts and a flawed sixteenth-century edition. The works of many of their highly influential contemporaries have suffered the same neglect. Even the basic Corpus of Canon law, in which the medieval canonists rested their own great works, remains something of a mystery to modern legal scholars. It can only be used in an uneven nineteenth-century edition.

The Institute of Medieval Canon Law has played a major role in recording the legacy of the medieval lawyers through the specialized study of the extant manuscripts and by developing the standards for editions of the medieval legal texts made by scholars in Europe and North America. At the same time, the Institute has stimulated the historical study of the canon law and contrib-

uted greatly to our understanding of the foundations of the European and Anglo-American legal systems. It is the Credo of the Institute and its many collaborators that the establishment of trustworthy texts is the first step in the process of placing the medieval canon law in the context of the history of western society and law.

The Institute serves as the clearing house for scholars engaged in this work. It publishes the annual *Bulletin of Medieval Canon Law*, which carries articles by canonists, manuscripts, and texts as well as a bibliography listing all publications of interest to scholars in the field. In conjunction with the Vatican Library, the Institute also publishes the *Monumenta iuris canonici*, a series devoted to editions and research tools. Since 1958, the Institute has sponsored quadrennial congresses, and the proceedings of these have become works of the highest importance for the progress of medieval legal studies.

The success of the Institute in stimulating work in this area can be gauged by the growth in the number of items listed in the bibliography. The first one, published in 1956, contained 83 items; the bibliography in the 1987 volume contained 563. The majority of these books and articles were written by and for historians of the church and of law, but through the *Bulletin* scholars from many other fields have taken note of them. While it is no surprise that historians of law, politics, society, and eco-

nomics have shown an interest in the writings of the medieval canon lawyers, today one also finds students of medieval art, literature, philology, philosophy, and even city planning studying these authors and visiting the Institute.

The Institute's reputation is demonstrated by the decision of the Vatican Library to entrust the cataloguing of all its medieval canon and Roman law manuscripts to it. The first two of the five volumes of the catalogue have appeared, and the remaining volumes are in press or preparation. In the future the Institute intends to produce catalogues on the model of the Vatican project for the other major depositories of medieval legal manuscripts. The Bibliothèque nationale in Paris, the Staatsbibliothek in Munich, and the British Library in London house the greatest collections. Through this cataloguing, the Institute is identifying those works most worthy of scholarly attention and is providing its collaborators with the materials necessary for the production of authoritative editions.

The Institute has supported all this scholarship and publication with a very modest endowment, depending for the most part on the generosity of foundations here and abroad. For example, the Vatican catalogue received support from the National Endowment for the Humanities and the Mellon Foundation in the United States and from the Thyssen Stiftung, the Volkswagen Stiftung, and the Henkel Stiftung in Germany. In pursuing its goals, the Institute has forged relationships with secular and religious academic institutions, libraries, and scholars from many cultural and religious backgrounds. It has collaborators in eastern Europe, Israel, and Japan as well as in the United States, Canada, and all the western European countries.

The Institute is headed by its president, Stephan Kuttner, emeritus director of the Robbins Collection in Religious Law at the law school at Berkeley. The members of the Board of Directors come from both academic and religious institutions on both sides of the Atlantic. The names of the directors are listed on the back of this brochure.

The future success of the Institute depends on the continuing financial support of foundations and individuals interested in its mission. If you are interested in supporting the work of the Institute, please contact Stephan Kuttner, Institute of Medieval Canon Law, Boalt Hall School of Law, University of California, Berkeley, CA 94720 (Tel. 415-E,42-5081).



Gratian, *Decretum*, Iman Petit (Paris I, 22)