

The Collectio Burdegalensis
A Study and Register of an Eleventh-Century
Canon Law Collection

Kriston R. Rennie

The *Collectio Burdegalensis*, originating in late eleventh-century Aquitaine, reveals a great deal about just how deeply church reforming legislation was embedded north of the Alps, and how it travelled there in the first place. By examining when, where, by whom, and how the *Collectio Burdegalensis* was made, this study re-evaluates the collection's place and value among other legal collections of the period, especially its relation to the so-called Poitevin canonistic tradition. It devotes considerable attention to the compiler's use and organisation of legal sources, examining the main texts of both manuscript representations and their associated appendices.

Alongside the study, this book also contains a register of the *Collectio Burdegalensis*, representing for the first time the evidence of both extant manuscript copies (Mss Bordeaux, Bibliothèque municipale 11, fols. 147r–171v and Würzburg, Universitätsbibliothek M.p.j.q. 2, fols. 2v–96r), along with the hitherto uncalendared texts of the appendices to the collection. With this work, scholars will henceforth be able to reconstruct the juridical content of the collection, to cite the canons precisely, and to interpret them securely. It should also allow greater appreciation of the social, ecclesiastical, and legal forces that shaped the history of the late eleventh century.

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For Megan

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This study has its origins in my postdoctoral research at the Pontifical Institute of Mediaeval Studies in Toronto, and in critical and engaging discussions with Professor Joseph Goering. While in the past my work has focused primarily on the roles of papal legates under Pope Gregory VII (1073–85), considering their legal, administrative, and representative functions, I soon discovered that the question of canon law can scarcely be divorced from church reform – that crucial era of ecclesiastical renewal and liberty associated with Gregory and his papal predecessors. My transition from the ecclesiastical and social history of eleventh-century France was thus a natural one, especially considering how involved the reformers were in implementing and disseminating the law. The primary means by which reform became a reality was through legal measures such as councils and papal decrees. It was this law, often pronounced at Rome (or elsewhere) in Lenten and November synods, and sometimes disseminated throughout western Christendom, which eventually found its way into distant Christian provinces like France, only to be copied for posterity into numerous canonical collections of the late eleventh and early twelfth century.

It has taken several arduous years to complete this work. During that time, the following pages have been subject to intense scrutiny. I am sincerely grateful to the anonymous reviewers of this manuscript for their expert advice on improving my arguments and the register. For his reading and correction of my Latin, Alexander Andr e is deserving of both praise and gratitude. Throughout this evolutionary process, Fred Unwalla of the Pontifical Institute of Mediaeval Studies has been extremely helpful and encouraging; I thank him especially for his patience in dealing with a novice “canon lawyer.” My thanks must also extend to Stephen Shapiro, whose copyediting expertise and keen eye for detail has saved me from many mistakes. No one has been more integral to the advancement of this book, however, than Joe Goering. Owing to his encouragement and support (both personal and scholarly) over the past five years, this book has finally reached its target audience. I am eternally indebted to Joe for his genuine fascination with the subject, his endless insight into its historical, legal, and textual materials, his perseverance and belief in both the project’s

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Abbreviations

- 17L *Collection in Seventeen Books*. Berlin, Deutsche Staatsbibliothek zu Berlin – Preussischer Kulturbesitz, Ms Philipps 1778.
- 74T *Diversorum patrum sententie siue Collectio in LXXIV titulos digesta*. Ed. John T. Gilchrist. Monumenta iuris canonici. Corpus collectionum 1. Vatican City: Biblioteca Apostolica Vaticana, 1973; English translation by John T. Gilchrist, *The Collection in Seventy-Four Titles: A Canon Law Manual of the Gregorian Reform*. Mediaeval Sources in Translation 22. Toronto: Pontifical Institute of Mediaeval Studies, 1980.
- B Ms Bordeaux. Bibliothèque municipale, 11.
- BnF Bibliothèque nationale de France
- Burchard Burchard of Worms. *Decretorum libri XX*. Ed. Gérard Fransen and Theo Kölzer. Aalen: Scientia, 1992; alternate text in PL 140:537–1057.
- CCSL Corpus Christianorum: Series latina. Turnhout: Brepols, 1966–.
- CSEL Corpus scriptorum ecclesiasticorum latinorum. Vienna: Hölder–Pichler–Tempusky, 1866–.
- Hugh of Flavigny *Chronicon Hugonis monachi Viridunensis et Divionensis, abbatis Flaviniacensis*. Ed. Georg Heinrich Pertz. MGH Scriptores 8: 280–503. Hanover: Hahn, 1848.
- JL Philippus Jaffé. *Regesta Pontificum Romanorum ad annum 1198*. Ed. S. Loewenfeld, F. Kaltenbrunner, and P. Ewald. 2 vols. Leipzig: Veit, 1885–88; reprinted Graz: Akademische Druck- und Verlagsanstalt, 1956.
- Mansi *Sacrorum Conciliorum nova et amplissima collectio*. Ed. J.D. Mansi. 31 vols. Venice: Zatta, 1759–98; Paris: H. Welter, 1901–27.

- MGH Monumenta Germaniae Historica. Munich: 1826– .
- PL Patrologiae cursus completus: Series latina. Ed. J.-P. Migne. 221 vols. Paris: Migne, 1844–65.
- Pseudo-Isidore *Decretales Pseudo-Isidorianae et capitula Angilramni*. Ed. Paul Hinschius. Leipzig: B. Tauchnitz, 1863; reprinted Aalen: Scientia Verlag, 1963; *Project Pseudoisidor* at <http://www.pseudoisidor.mgh.de/>.
- Reg. *Das Register Gregors VII*. Ed. Erich Caspar. 2 vols. MGH, Epistolae selectae 2. Berlin: Weidmann, 1920–23; English translation by H.E.J. Cowdrey, *The Register of Pope Gregory VII, 1073–1085: An English Translation*. Oxford: Oxford University Press, 2002.
- RHGF Recueil des historiens des Gaules et de la France. Ed. M. Bouquet et al. 24 vols. Paris, 1737–1904.
- W Ms Würzburg. Universitätsbibliothek, M.p.j.q.2.
- X Gregory IX. *Liber extra*. In *Corpus iuris canonici*, ed. Emil Friedberg, vol. 2, 2–927. Leipzig: Bernhard Tauchnitz, 1879; reprinted Graz: Akademische Druck- und Verlagsanstalt, 1959.