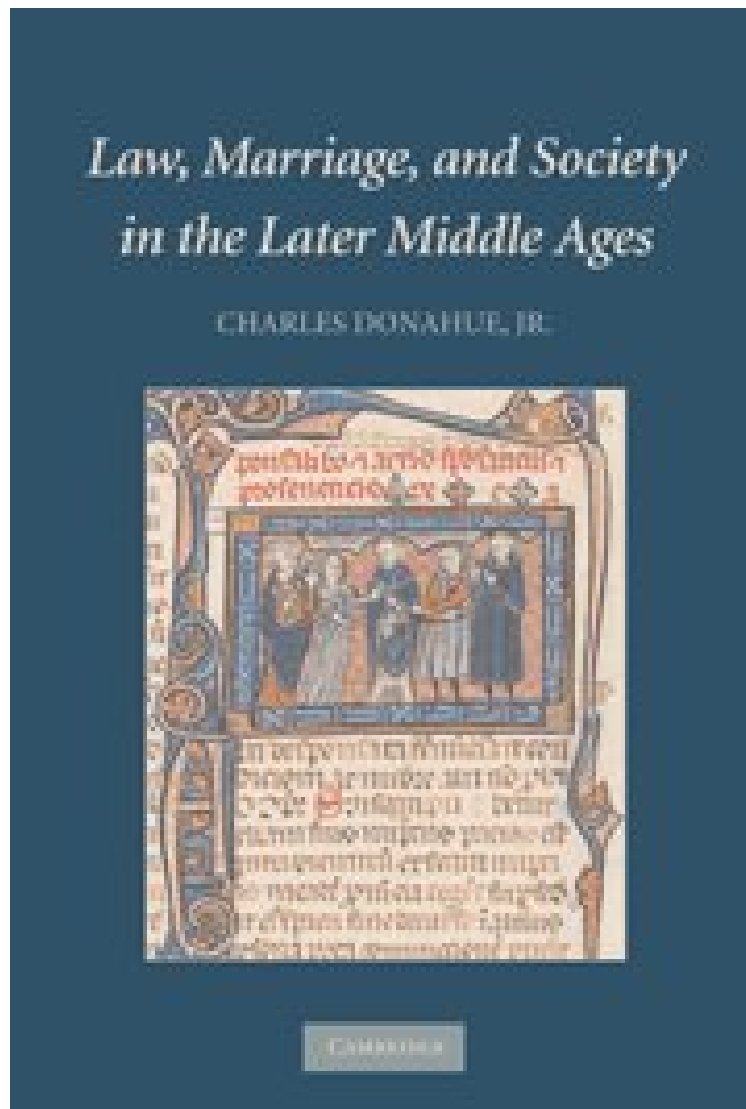


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## Law, Marriage, and Society in the Later Middle Ages: Arguments about Marriage in Five Courts

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This is a study of marriage litigation in the archiepiscopal court of York (1300-1500) and the episcopal courts of Ely (1374-1381), Paris (1384-1387), Cambrai (1438-1453), and Brussels (1448-1459). All these courts were, for the most part, correctly applying the late medieval canon law of marriage, but statistical analysis of the cases and results confirms that there were substantial differences both in the types of cases the courts heard and the results they reached. Extensive additional material--over 300 pages--can be found on the Cambridge University Press website ([www.cambridge.org/9780521877282](http://www.cambridge.org/9780521877282)) in the Resources and Solutions section under the heading "Text and Commentary". This additional material includes Latin quotations from cases, discussions of alternative interpretations, references to primary sources that support the argument and references to the literature on the cases.

"Donahue's monumental study is an astonishingly successful exercise in quantitative social history; it is also full of human interest because he takes us to the people behind the figures; finally, it marks a great empirical breakthrough in research on family structure in England and France." -David d'Avray, University College, London  
"This splendid book is the crowning achievement of a long and distinguished scholarly career. Donahue's magisterial analysis of the ways in which medieval ecclesiastical courts in England, northern France, and present day Belgium actually applied the rules of canon law to the marital problems that came before them opens new windows into the way that the medieval church's marriage rules touched the intimate personal lives of everyday persons. The book is filled with wonderful, but often pathetic, stories of the matrimonial tangles that ordinary people and their families managed to create and the contortions that they went through when they tried to undo them. Donahue's work rests on a formidable mass of evidence, yet he manages to make it comprehensible. His comparison of the styles of the five principal courts that he surveyed is a major contribution to our understanding of the judicial functioning of the medieval church." -James A. Brundage, Ahmanson-Murphy Distinguished Professor Emeritus, University of Kansas  
"In this excellent study Charles Donahue unveils for us the mysteries of marriage as it actually was lived in the Middle Ages: not from the stale words of law books but from the real and, at times, raw proceedings of cases--hundreds of them--in church courts. And his vision goes beyond what the courts say and do, as he, with intelligence and enviable common sense, describes what must have been happening in peoples lives: the tragic, the mundane and, even, the comic. The study of marriage in the Middle Ages will never be the same, nor should it be. This is truly a remarkable achievement." -F. Donald Logan, Emeritus Professor of History, Emmanuel College, Boston  
"Readers of Boccaccio and Chaucer would do well to keep this book handy. Gender relations, the phenomenology of seduction, the negotiations of couples, their families, and their communities are here documented and meticulously analyzed in hundreds of real-life cases. Charles Donahue shares the results of his scrupulous research and inspired analysis in language that is both clear and accessible, at time almost affectionate, and sparkling with wit. Historical sources of extraordinary richness - fourteenth- and fifteenth-century matrimonial trials from five French and English archives - clearly fascinated Donahue, and through him they captivate the reader." -Silvana Seidel Menchi, Department of History, University of Pisa  
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"...comprehensive and well-documented study..." -Laurent Mayali, H-France  
"...a tour de force in comparative history." -Barbara A. Hanawalt, *Speculum*  
"...an impressive contribution to the knowledge on medieval societies, legal systems, and the different kinds of marriage institutions." -Kirsi Salonen, *Histoire sociale/Social History*  
"It is a book that one would consult rather than read through for the pleasure of learning so much about law and its application ... Combined as they are in this excellent study with the author's amazing grasp of canon law and administration of the ecclesiastical courts, they make the book a tour de force in comparative history." *The Journal of Ecclesiastical History*  
About the Author  
Charles Donahue, Jr., is the Paul A. Freund Professor of Law at Harvard Law School and president of the American Society of Legal History until December 2007. Among other books, he is the coauthor or coeditor of *Select Cases of the Ecclesiastical Courts of the Province of Canterbury, c. 1200-1301*; *Year Books of Richard II: 6 Richard II, 1382-1383*; *The Records of the Medieval Ecclesiastical Courts*, and *Cases and Materials on Property: An Introduction to the Concept and the Institution*. He is also the author of more than seventy articles in the fields of ancient, medieval, and early modern legal history. Donahue teaches legal history in both the Law School and the Faculty of Arts and Sciences at Harvard and has taught at the University of Michigan, the London School of Economics, the Vrije Universiteit te Brussel, Columbia University, the University of California at Berkeley, Boston College, and Cornell University. Donahue is vice-president and literary director of the Ames Foundation and a councillor of the Selden Society (UK). He is a life member of the American Law Institute and the Medieval Academy of America, a Fellow of the Royal Historical Society, and a previous Guggenheim Fellow.