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## BOOK REVIEWS

**Elisabeth Vodola**, *Excommunication in the Middle Ages*. Berkeley and Los Angeles: University of California Press, 1986. Pp. xiv + 281.

The title of this book is somewhat misleading; *Excommunication in the Canon Law of the High Middle Ages* would more accurately describe it. Rather than attempting to discuss all aspects of excommunication in the Middle Ages, Vodola focuses on the development of excommunication in medieval canon law from Gratian (ca. 1140) to Hostiensis (d. 1271). This approach enables her to make a valuable contribution to scholarship on excommunication in a fairly short book (193 pages of text), but leaves several important questions unexamined.

In the first chapter, the author outlines the development of excommunication from antiquity through the Investiture Struggle. Excommunication had biblical roots and was practiced by both the early Christians and their Jewish contemporaries. After Christianity emerged as the official religion of the Roman Empire, excommunication acquired added strength from state enforcement of its sanctions. However, the doctrine remained simple—the excommunicate was denied access to the sacraments and to contact with all Church members in good standing. According to Vodola, the canonical theory of excommunication did not change much until the twelfth century.

Vodola begins her detailed treatment of the subject with Gratian's *Decretum*, the foundation-text of all subsequent medieval canon law. Chapters two through six analyze the unfolding of canonical doctrines on excommunication by the decretists (commentators on the *Decretum* ca. 1140–ca. 1200) and the decretalists (commentators on papal decretals issued after Gratian's time, from ca. 1200 on). Vodola skillfully sifts through a tremendous mass of canonistic literature, including much unpublished material, to delineate the evolution of excommunication. This gives her treatment of the subject great precision, though it presupposes a considerable knowledge of medieval canon law on the part of the reader.

During the classical period of medieval canon law, excommunication changed greatly. The attention paid by canonists to the subject improved the lot of some excommunicates with the differentiation of minor and major excommunication. Those subject to minor excommunication suffered only from exclusion from the sacraments, while those subject to major excommunication continued to suffer social exclusion as well. The

attention devoted to excommunication produced great legal difficulties for the latter group. Canonists, including lawyer-popes like Innocent IV, debated the extent to which excommunicates should be deprived of their legal rights. While the authorities varied in severity, all agreed on the use of legal disabilities to induce the excommunicate to penance. This had important effects on judicial procedure: excommunicates could not sue or give testimony in most cases and lost some of the legal protections usually afforded defendants. The development in the later twelfth century of excommunication *latae sententiae*, or instant excommunication for certain offenses, provided the Church with a new weapon against heresy and other grave crimes. It also created problems for courts since a defendant could delay or avoid proceedings by alleging that his accuser or hostile witnesses had committed an act subject to excommunication *latae sententiae*. This required lengthy investigations and, in effect, put the plaintiff on trial. The author devotes considerable time to explaining these and other effects of excommunication on the workings of ecclesiastical courts and (in chapter 7) of secular courts.

This book provides a fine treatment of the canonical development of excommunication in the High Middle Ages. However, it leaves unexamined many important aspects of excommunication. For Vodola (as for many scholars of medieval canon law) life apparently begins in 1140 with Gratian. The entire history of excommunication before that time receives summary treatment—one chapter of twenty seven pages. Likewise, the late Middle Ages get only limited attention since the fundamental canonical principles of excommunication were established by 1300 or so. This points up the main problem of the book. By confining herself to the development of the legal framework of excommunication, the author avoids several broader issues which would interest many readers drawn by the title. One finds little in this book on changing lay perceptions of excommunication. One might frame a discussion of excommunication within the context of other legal developments of the High Middle Ages. Further, Vodola barely mentions the use of excommunication as a political weapon by the Church and by secular rulers in cooperation with the Church. To address such issues and incorporate them within the legal development of excommunication would, of course, require a more ambitious work. *Excommunication in the Middle Ages* succeeds in its more modest aims, but fails to live up to the sweeping implications of its title.

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