Record Nr. UNINA9910973914803321 Autore Astorri Paolo **Titolo** Lutheran Theology and Contract Law in Early Modern Germany (ca. 1520-1720) / Paolo Astorri, Herman J. Selderhuis, Wim Deckock, Igor Kakolewski, Heiner Lück, Tarald Rasmussen, Johan Bastubacka, Andreas Gotzmann, Chloë Kennedy, Dariusz Kolodziejczyk, Mahmood Kooria, Virpi Mäkinen, Osvaldo Rodolfo Moutin, Richard J. Ross, Endre Sashalmi, Rudolf Schlögl Paderborn, : Brill | Schöningh, 2019 Pubbl/distr/stampa **ISBN** 3-657-70150-8 Edizione [1st ed.] Descrizione fisica 1 online resource Collana Law and Religion in the Early Modern Period / Recht und Religion in der Frühen Neuzeit; ; 1 346.43020904 Disciplina Soggetti Conscience Moral theology Casuistry Reformation Lutheran Orthodoxy Commutative justice Market and morality Financial regulation Just price Census Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Front Matter -- Copyright page -- Dedication -- Acknowledgments --Nota di contenuto Introduction -- Christian Spirituality and Law: Developments and Sources -- Care for the Souls before the Reformation and in the Early Modern Roman Catholic World -- The Engagement of the Lutheran Theologians with Contract Law: Principles and Literature -- A Biblical Framework for Contract Law: Basic Elements -- The Conceptualization

of Agreements -- The Seventh Commandment: The Lawfulness and Right Use of Contracts -- The Eighth Commandment: Contractual Fidelity -- Selected Issues from Particular Types of Contract -- Sale,

## Sommario/riassunto

Lease and Restitution -- Lending and the Interest Prohibition -- From Lutheran Theology to Legal Practice -- The Dispute of Regensburg (1587) -- The Contribution of the Jurists -- General Summary -- Concluding Remarks -- Back Matter -- Bibliography.

It is clear that the Lutheran Reformation greatly contributed to changes in theological and legal ideas – but what was the extent of its impact on the field of contract law? Legal historians have extensively studied the contract doctrines developed by Roman Catholic theologians and canonists; however, they have largely neglected Martin Luther, Philip Melanchthon, Johann Aepinus, Martin Chemnitz, Friedrich Balduin and many other reformers. This book focuses on those neglected voices of the Reformation, exploring their role in the history of contract law. These men mapped out general principles to counter commercial fraud and dictated norms to regulate standard economic transactions. The most learned jurists, such as Matthias Coler, Peter Heige, Benedict Carpzov, and Samuel Stryk, among others, studied these theological teachings and implemented them in legal tenets. Theologians and jurists thus cooperated in resolving contract law problems, especially those concerning interest and usury.