

1. Record Nr.	UNISA996248214903316
Autore	Pennington Kenneth
Titolo	The prince and the law, 1200-1600 : sovereignty and rights in the western legal tradition / / Kenneth Pennington
Pubbl/distr/stampa	Berkeley, : University of California Press, c1993
ISBN	0-520-91303-5 0-585-04116-4
Edizione	[“A Centennial Book”, Reprint 2020]
Descrizione fisica	1 online resource (xiii, 335 p. )
Disciplina	340/.11
Soggetti	Kings and rulers - History Prerogative, Royal - History Rule of law - History Monarchy - History Roman law - Influence Law, Medieval
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	"A Centennial book"--Half-title verso.
Nota di bibliografia	Includes bibliographical references (p. 291-324) and index.
Nota di contenuto	Front matter -- Contents -- Acknowledgments -- Abbreviations -- Introduction -- CHAPTER 1. The Emperor Is Lord of the World -- CHAPTER 2. The Prince's Power and Authority 1150-1270 -- CHAPTER 3. The Power of the Prince in the Thirteenth and Fourteenth Centuries -- CHAPTER 4. Natural Law and Positive Law -- CHAPTER 5. Henry VII and Robert of Naples -- CHAPTER 6. The Authority of the Prince in the Late Middle Ages -- CHAPTER 7. The Pazzi Conspiracy and the Jurists -- Epilogue -- Bibliography of Works Cited -- General Index -- Index of Manuscripts -- Index of Legal Citations
Sommario/riassunto	The power of the prince versus the rights of his subjects is one of the basic struggles in the history of law and government. In this masterful history of monarchy, conceptions of law, and due process, Kenneth Pennington addresses that struggle and opens an entirely new vista in the study of Western legal tradition. Pennington investigates legal interpretations of the monarch's power from the twelfth to the seventeenth century. Then, tracing the evolution of defendants' rights, he demonstrates that the origins of due process are not rooted in

English common law as is generally assumed. It was not a sturdy Anglo-Saxon, but, most probably, a French jurist of the late thirteenth century who wrote, "A man is innocent until proven guilty." This is the first book to examine in detail the origins of our concept of due process. It also reveals a fascinating paradox: while a theory of individual rights was evolving, so, too, was the concept of the prince's "absolute power." Pennington illuminates this paradox with a clarity that will greatly interest students of political theory as well as legal historians.

---