Seeking Justice, Repairing Reputations: Defamation Cases in the Ely Act Book, 1374-1382

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Citation

Abstract
This thesis examines the Ely Act Book, the record of the consistory court of Ely from 1374 to 1382. It uses the defamation cases from the Act Book as a lens to examine the influence of the court. After a brief discussion of the Act Book itself – its survival, its construction, and its layout, the thesis explores the Ely Consistory Court as an agent of the larger canon law system. It shows that the court enforced canon law, addressing the legal and pastoral concerns of the Church in England, and that the bishop of Ely at the time – Thomas Arundel – was committed to those goals. The second chapter examines the court from the perspective of the people who worked and sought justice in it. It first shows that the court’s emphasis on order and learning demanded the employment of bureaucrats like the man who wrote the Act Book, Robert Foxton. The court provided both a market for their skills and an opportunity to advance their careers. Then the thesis shows that the court also benefited the litigants. It offered both sides an opportunity for legal representation. For the plaintiffs, it provided a judicial solution to disputes, but at the same time it protected defendants with a strong standard of proof, and awarded court costs to the falsely accused.

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Defamation of character is a wrongful act where someone makes a false statement of fact about you, and your reputation suffers harm as a result. In this article, we’ll discuss how to calculate your damages in a defamation case -- in other words, how to figure out how much your case might be worth. Types Of Damages. Generally, there are three types of damages in a defamation case: (1) actual damages, (2) assumed damages, and (3) punitive damages. Let’s take a closer look at all three. Actual Damages. Actual damages are compensatory damages. The purpose of compensatory damages is to restore The Defamation Act 2013 was introduced in order to reform the law surrounding defamation and to ensure that a fair balance between the protection of reputations and freedom of expression was being attained. Section 4 abolishes the common law defence created in the Reynolds case which seemed to provide a new immunity for the media[10] and introduces a statutory public interest defence. This section allows for statements to be made that are said to be a matter of public interest provided that the maker of the statement believed this to be the case. Bibliography. Text Books. Brian Martin. Defamation Law and Free Speech, (London: Freedom Press, 1996). Council of Europe Directorate of Human Rights.