

## **PANORMIA PROJECT**

### **Essential reading before using this draft text**

This highly provisional text is the work of many hands. The principal responsibility for its current state lies with Bruce Brasington: [bbrasington@mail.wtamu.edu](mailto:bbrasington@mail.wtamu.edu) and Martin Brett: [mb110@cam.ac.uk](mailto:mb110@cam.ac.uk), who may well have misrepresented much information generously supplied by others, amongst whom Greta Austin (GA), David Dumville (DD), Linda Fowler-Magerl, Michael Gullick (MG), Christof Rolker (CR), Robert Somerville (RES) and Anders Winroth (AW) deserve special mention. It is an immeasurable distance away from a secure text, and every element in it is subject to constant revision. In particular, most of the work has been done from microfilm and fiche of varying quality. Direct inspection of the manuscript would often resolve our uncertainties. The text here differs from the earlier version in four main respects.

Firstly, a number of further copies have been studied, and more details on their character have been inserted in the list of manuscripts; occasional variants have been added from them in the apparatus. The process has helped to identify a number of errors in the earlier text, while making the apparatus even more cumbersome than before.

Secondly, the cross-references to Gratian have been revised and corrected – though the process is doubtless neither accurate nor complete.

Two new documents have been added. The first is a map, but not an edition, of the material found at the end of many copies, *panend.doc*. The second is the *Conspectus*; this provides an overview of the canons omitted or inserted in a larger number of copies than have been collated in detail. Notes on the omission or insertion of whole canons, which were found in the text of the first version, have been transferred to the *Conspectus* here, except in a few cases where the difference is found in a very large number of copies, or where the omission is the apparent result of physical damage. Additions or omissions within canons remain in the apparatus.

The compilers would be delighted to receive any further information on copies known or unknown from interested scholars, and to have their errors corrected with all appropriate, or even inappropriate, rigour.

### **Select Bibliography**

The bibliography below is a modified, simplified and updated version of that in L. Kéry, *Canonical collections of the early middle ages* (1999) 253-60, but with no pretence at bibliographical precision. It contains only works directly related to the text and the manuscripts.

*Author:* Traditionally Ivo of Chartres; for a systematic challenge to this claim see Rolker (2006) and (2007) below.

*Date:*

**A:** Fournier-Le Bras 2.95-97: Not before 1094-1095, because the *Panormia* depends on the *Decretum*; the *Panormia*, however, neither contains any canons of the important council of Clermont nor any documents which can be dated to the last years of the pontificate of Urban II; therefore the *Panormia* was also compiled around 1094-5, i.e. very shortly after the *Decretum*

**B:** Sprandel, *Ivo von Chartres* 73 n. 61: quite likely that a longer period of time elapsed between the compilation of the *Decretum* and the *Panormia*; cf. approving of this, Fuhrmann, *Einfluß und Verbreitung* 2.560 n. 372 but cf. the position adopted in Landau, 'Dekret' 34

**C:** Brett (*San Diego*) after 1095, possibly as late as 1110.

**D:** Fransen (*San Diego*): possibly incomplete at Ivo's death.

**E:** Before c. 1110, Fowler-Magerl, most recently in *Clavis* 209-10

**F:** Between 1113 and 1118, Rolker (2006) 245-67; the argument turns in part on the date and character of the *Leges Henrici primi*, for which see too Brasington (2006).

In principle the date could be determined more accurately if the earliest collections to draw on the *Panormia* could be identified and then themselves dated. This has not yet been done with entire precision, not least since Fournier's date has been widely accepted, and often assumed, without discussion, though Rolker's discussion is by far the most detailed so far. We have hesitated to accept palaeographical claims for the early date of some copies as a contribution to the dating, partly because the time-scale of c. 1095 x c. 1118 is so narrow, partly because almost all these early dates are contested.

Editions. 1) *Editio princeps*: S. Brant (Basel 1499). From an unidentified and eccentric copy. The additions at the end principally consist of 15 cc of Lateran II. Of the manuscripts studied so far, SI has a conclusion closest to Brant's edition, though rather shorter. The most distinctive characteristics of the main text in the edition are of three kinds. There are a number of subheadings within the books, and of extended rubrics, which are closely related to those of Gratian, which have not been reported elsewhere. These may be the work of the editor, and the edition by Vosmedian extends this process. There are a number of canons either inserted, omitted or transposed by reference to the bulk of the known copies, which are much less likely to be editorial interventions. Lastly there are a number of texts containing larger insertions of material also found in Gratian. While these could be the work of Brant or his collaborators, the survival of such eccentric mss as Vp shows that the supposed editor may well have been working in the twelfth/thirteenth century rather than around 1499.

2) Melchior de Vosmedian (Louvain 1557); based on Brant, though V. knew of other copies he encountered during his stay in England in the service of King Philip of Spain

3) Migne, *PL* clxi. 1041-1344, from V. but with some manipulation.

On these see particularly Landau, 'Die Rubriken und Inskriptionen von Ivos Panormie', *BMCL* 12 (1982) 31-49

#### Literature

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- M. Conrat (Cohn), *Geschichte der Quellen und Literatur des römischen Rechts im früheren Mittelalter* 1 (Leipzig 1891; repr. Aalen 1963), 383-385
- F. G. A. Wasserschleben, *Beiträge zur Geschichte der vorgratianischen Kirchenrechtsquellen* (Leipzig 1839), 61-77
- P. Fournier and G. Le Bras, *Histoire des collections canoniques en Occident depuis les Fausses Décrétales jusqu'au Décret de Gratien* 1-2 (Paris 1931-1932, repr. Aalen 1972), 2.85-105 and 105-114
- A. García y García, *Historia del Derecho Canónico* 1: *El Primer Milenio* (Instituto de Historia de la Teología Española. Subsidia 1; Salamanca 1967), 1.318-320
- P. Fournier, 'Les collections canoniques attribuées à Yves de Chartres', *BEC* 57 (1896) 645-698; *BEC* 58 (1897) 26-77, 293-326, 410-44, 624-676 (repr. *Mélanges de droit canonique* 1.451-678)
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- F.J. Gossman, *Pope Urban II and canon law* (1960)
- R. Sprandel, *Ivo von Chartres und seine Stellung in der Kirchengeschichte*, *Pariser historische Studien* 1 (1962)
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- G. Fransen, 'La tradition manuscrite du Décret de Burchard de Worms', *Ius sacrum. Klaus Morsdorf zum 60 Geburtstag* (1969) 111-8

- Charles Munier, 'Pour une édition de la *Panormie* d'Ive de Chartres', *Revue des sciences religieuses*, volume hors série (Strassburg 1969) 347-358 (repr. *Vie conciliaire et collections canoniques en Occident, IV<sup>e</sup>-XII<sup>e</sup> siècles* (London 1987) no. XIV (on ms. Sk)
- G. Fransen, 'Trois notes', *Traditio* 26 (1970) 444-7
- R. Somerville, 'The council of Pisa...', *Speculum* 45 (1970) 98-114, repr. in his *Papacy, councils* (1990)
- R. Somerville and S. Kuttner, 'The so-called canons of Nîmes', *Tijdschrift voor Rechtsgeschiedenis* 38 (1970) 175-89, repr. in Somerville, *Papacy, councils* (1990)
- R. Somerville, *The councils of Urban II* (Annuaire historiae conciliorum. Supplementum 1, 1972)
- R. Somerville, 'Pope Honorius II, Conrad of Hohenstaufen and Lothar III', *Archivum historiae pontificiae* 10 (1972) 341-6, repr. in his *Papacy, councils* (1990)
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- U-R. Blumenthal, 'Decrees and decretals of Pope Paschal II...', *BMCL* 10 (1980) 15-30 repr. in her *Papal reform and canon law in the 11<sup>th</sup> and 12<sup>th</sup> centuries* (1998)
- L. Waelkens and D. van den Auweele, 'La collection en IX livres ...' *Sacris Erudiri* (1980) 115-53
- Councils and Synods ....* I ed. D. Whitelock et al. (1981)
- P. Landau, 'Die Rubriken und Inschriften von Ivo Panormie: Die Ausgabe Sebastian Brants im Vergleich zu der Loewener Edition des Melchior de Vosmédian und der Ausgabe von Migne', *BMCL* 12 (1982) 31-49 (with special reference to the Munich mss and Pf)
- P. Landau, 'Das Dekret des Ivo von Chartres: Die handschriftliche Überlieferung im Vergleich zum Text in den Editionen des 16. und 17. Jahrhunderts', *ZRG Kan. Abt.* 70 (1984) 1-44
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- G. Motta, 'I codici canonistici di Polirone', *Sant'Anselmo, Mantova et la lotta per le investiture*, ed. P. Golinelli (1987) 349-74
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- M.B. Parkes, *Scribes, scripts and readers ...* (1991)
- San Diego: Proceedings of the Eighth International Congress of Medieval Canon Law, San Diego, University of California at La Jolla, 21-27 August 1988*, ed. S. Chodorow (MIC Series C: Subsidia 9; Vatican City 1992)
- G. Fransen, 'La tradition manuscrite de la Panormie d'Yves de Chartres', *San Diego* 23-25, underlining the extent to which the various forms of the text differ (distinct from his 1987 article in *BMCL* though the titles are the same)
- B. C. Brasington, 'The Prologue of Ivo of Chartres: A fresh consideration of the manuscripts', *San Diego* 3-22
- M. Brett, 'Urban II and the collections attributed to Ivo', *San Diego* 27-46

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- M. Brett, 'Creeping up on the *Panormia*', *Grundlagen des Rechts* 205-70, (on the divisions among the manuscripts, claiming that the presence of 8.135-6 is not a characteristic distinguishing manuscripts otherwise less 'primitive' in form).
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- Linda Fowler-Magerl, *Clavis canonum. Selected canon law collections before 1140. Access with data processing* (MGH Hilfsmittel 21, 2005), [replacing the earlier version of her *Kanones*] 198-202.
- M. Brett, 'Editions, manuscripts and readers in some pre-Gratian collections' in *Ritual, text and law. Studies in medieval canon law and liturgy presented to Roger E. Reynolds* edd. Kathleen G. Cushing and Richard F. Gyug (2005), 205-224, with plates from Ea, Fc and Ca.
- B.C. Brasington, 'Canon law in the *Leges Henrici primi*', *ZRG* 92 (2006) 288ff.
- Szabolcs Anzelm Szuromi, 'A 12<sup>th</sup> century pastoral pocket book. (Some impressions on National Library of Scotland, Edinburgh, Adv. MS. 18.8.6, as compared with Bruxelles, Bibliothèque royal MS 1817)' in *Medieval canon law collections and European Ius commune* ed. S.A. Szuromi (2006), 65-96, on Ea and Bd.
- Idem 'A snapshot from the process of the textual development of Ivo's works (comparative analysis of Angers, Bibliothèque municipale, MS 399 with BAV Reg. lat. 973 and other textual witnesses)', *Ius Ecclesiae* 18 (2006) 217-38, on Ac.
- Christof Rolker, 'Canon Law and the letters of Ivo of Chartres', Cambridge PhD thesis (2006)
- M. Brett, 'Some new letters of Popes Urban II and Paschal II', *Journal of Ecclesiastical History* 58 (2007) 75-96, on Vo and Vp.
- Christof Rolker, 'The earliest work of Ivo of Chartres: the case of Ivo's Eucharist florilegium and the canon law collections attributed to him', *ZRG Kan. Abt.* 93 (2007) 109-27.

### Conventions used in the draft text

So far as there is a base ms. it is a microfilm of Pf, but the readings of the main text are usually those which conform to the agreement of the Cambridge and Victorine copies of Ivo's *Decretum* with the Molinaeus edition if there is a consensus (though sometimes variant readings of the Siguenza or Palatine copies are taken to overthrow it), or to those of Paris Bibl de l' Ars. 713 where it is the only known possible source. An agreed ID reading is usually asterisked in the apparatus. These copies are discussed more fully in the *Decretum* section of the site. This principle is occasionally abandoned where the ID reading is only found in a limited number of copies which have no other particular claim to respect. Otherwise the selection of readings is largely uncritical. Where the ID consensus breaks down, or the source appears to be an unidentified form of the 4L, the selection of a reading is either random or based on a rough-and-ready judgement of the intended sense. The punctuation is partly inherited, partly adjusted to our sense of the meaning, partly a reflection of the scribes' interpretation, but there is nothing systematic or considered about any of it. The spelling in the main text has been crudely 'normalised', with no distinction between e.g. diphthong ae, tailed e and plain e, and the c/t distinction is more or less that of modern convention (it is often indeterminate in the microfilm). We usually use 'i' where the copies have between 'i' and 'y', prefer e.g. *quodcumque* to *quodcunque*, reduce capitalisation to a near

minimum except for e.g. *Deus, Filius* etc, prefer eg. *extirpit* to *extirpit*, though there is no such consistency in the copies. In the apparatus we tend to follow the spelling of the variant copy, if it is unique. It should be noticed in particular that we here follow the modern distinction between ‘u’ and ‘v’, which is not the case in the *Tripartita* text; in searching the texts this is **important**. Angle brackets in the notes indicate subsequent insertions; manuscripts which are bracketed in the apparatus have been reported to us by others, but we have not verified the reading.

The apparatus is broadly a positive one, since otherwise it would be unclear which copies have been checked, though the effect is often absurd. If no variant is noticed it may be supposed that CaMgPfTbTc agree, but nothing may be assumed of any other copy. Where a reading of Brant is noted without further comment, it should be assumed that Vosmedian and Migne follow Brant; where Vosmedian is cited against Brant without further comment, it may be assumed that Migne follows Vosmedian. The numbering of the canons is that of Migne, with A, B, C, etc used to distinguish canons omitted in the editions. Only the most substantial divergences of the editions are noticed here. Canons omitted by Migne but found widely are printed in the standard typeface. Some additional passages within canons which are currently only known from a small group of copies are inserted in smaller type where they are of special importance. Less apparently significant additions to the texts are only found in the apparatus, and canons added in few copies are only recorded in the Conspectus. The omission of canons in some copies is also recorded only in the Conspectus, except where the omission is found very widely.

The formal source is generally noted at the foot of each canon, where it is known, but the material sources are virtually never noted. The appearance of some form of the canon in Gratian is usually recorded, even if sometimes it is near certain that *Pan.* is not the immediate source. Canons from Pts I and II of Gratian which are not found in the earlier form identified by Winroth are marked with a ‘+’. Since this early form lacked Pt III, *De consecratione*, entirely, these references are not so marked. Ideally, this apparatus should be used with the draft text of the *Collectio Tripartita*, and the annotated copy of Migne’s version of Ivo’s *Decretum*, elsewhere on the site.

### Abbreviations and other guides to the text

The following abbreviations are used throughout (excluding the ms sigla in the list of Panormia mss, and the initials of contributors above).

- 3L Collection in Three Books in Pistoia Arch. Capit. C 135 (*Clavis canonum* DR)
- 4L Collection in Four Books, as described by J. Gilchrist, ‘The manuscripts of the Canonical collection in Four Books’ *ZRG Kan. Abt.* lxix (1983), supplemented from *Clavis canonum* under VO, VR, VS.
- 5L Collection in Five Books (*Clavis canonum*, 82-5 as FU, FV; cf *CCL Cont. M.* 6 for I-III only)
- 9L Collection in Nine Books of Wolfenb. ms Gud. 212 (*Clavis canonum*, 207-9 as WO, WP)
- 9L (Basil.) Collection in Nine Books of Vat. Archivio S. Pietro C 118 (*Clavis canonum* DR)
- 9L (Vat. 1349) Collection in Nine Books of Vat. lat. 1349 (*Clavis canonum* FY)
- 74T *Diversorum patrum sententie sive Collectio in LXXIV titulos digesta* ed. J. Gilchrist (1973)
- 183 T G. Motta, *Liber canonum diversorum sanctorum patrum sive Collectio in CLXXXIII titulos digesta* (1988) (*Clavis canonum* NO)
- A Readings in the apparatus from canons found in Paris, Bibl. de l’Arsenal 713 B (*Clavis canonum* LP, for which cf too Brett, ‘The sources and influence’), interspersed with canons from Ivo’s *Decretum*.
- AL Anselm of Lucca, *Collectio canonum*. A reference simply to AL refers to *Anselm II. Bischof von Lucca, Collectio canonum* ed. F. Thaner (Innsbruck 1906-15) up to 11. 15, and to K. Cushing, *Papacy and law in the Gregorian Revolution* (Oxford 1998), pp. 179-200 for Bks 12-13. AL A’ represents the enlarged form of the first version (cf G. Motta, ‘La redazione A “aucta” della *Collectio Anselmi episcopi Lucensis*’ in *Studia in honorem ... A.M. Stickler* ed. Castillo Lara, Rome 1992), AL B the second version, AL C the composite early modern text analysed in P. Landau, ‘Die Rezension C. der Sammlung des Anselm von Lucca’, *BMCL* 16 (1986) 17-54; see too, for all these versions and the aberrant AL Bb, *Clavis canonum* 139-48, 157-8, 169-71.

*Alger* R. Kretzschmar, *Alger von Lüttichs Traktat 'De Misericordia et Iustitia'* (1985)

*Ambr.* C 51 Milano, Bibl. Ambr. C 51 sup. (*Clavis canonum*, pp 108)

*Anseg.* *Die Kapitulariensammlung des Ansegis (Collectio capitularium Ansegisi)* ed. Gerhard Schmitz (MGH Capitularia ns 1996)

*Ars.* 713 cf A above; the same collection, as cited among possible sources at foot of a canon.

*Ashburnham* Firenze, Bibl. Med.-Laur. Ashburnham 1554 (*Clavis canonum* LM, LY; cf Linda Fowler-Magerl in *Scientia veritatis* ed. O. Münch and T. Zotz, 2004, 241-60)

*BD* Burchard of Worms, *Libri decretorum* in *PL* 140.537-1066 (for variants see *Clavis canonum*, BU, BV, BX, BW)

*BenL* Benedictus levita's *Capitularia*, reprinted from the ed. by Baluze in *PL* 97 (= B); the ongoing web-edition by Schmitz and Hartmann (= E) has been checked for the sections it covered on 10/4/08: <http://www.benedictus.mgh.de/edition/edition.htm>. The *Additamenta* are cited as BenL A.

*BMCL* *Bulletin of Medieval Canon Law* n.s

*Brant* The edition of 1499

*Caes.* *Collectio Caesaraugustana* (*Clavis canonum*, 239-42, CA)

*Caes. II* Enlarged *Collectio Caesaraugustana* (*Clavis canonum*, 242-4, CB, CC)

*CCL* *Corpus christianorum, Series latina*

*Clavis canonum* Linda Fowler-Magerl, *Clavis canonum. Selected canon law collections before 1140. Access with data processing* (MGH Hilfsmittel 21, 2005), revised from her earlier *Kanones*.

*Coll. Sem. Sémur* BM M. 13, for which, and the related mss, see *Clavis canonum*, 104-10 as SM, SN, SP, SS. The citations are from the ms, but the numbering is that of *Clavis canonum*. A recently discovered copy is now at Columbia University in New York.

*Coll. Bruges* Bruges, BM ms 99 (*Clavis canonum*, 183-4 as UH, UI)

*Coll. Lanf.* *Collectio Lanfranci* (*Clavis canonum*, 181-2 as LA, LB; cf Nicolas Álvarez de las Asturias, *La colección canónica de Lanfranco de Bec*, Roma 2004)

*Coll. Tarrac.* *Collectio Tarraconensis* (*Clavis canonum*, 133-6, TO, TR, TM)

*CSEL* *Corpus scriptorum ecclesiasticorum latinorum*

*Ctp* *Collectio Tripartita* (the numbers as in the draft text on the site; those of *Clavis canonum* IT differ slightly, esp. in A 1)

*DA* *Deutsches Archiv für Erforschung des Mittelalters*

*Deusd.* *Die Kanonessammlung des Kardinals Deusdedit* ed. V. Wolf von Glanvell (1905)

*EA* *Epistolae Anselmi in Sancti Anselmi opera omnia* ed. F.S. Schmitt (Edinburgh 1946-61) iv-v

*Ethym.* *Isidori Hispalensis Episcopi etymologiarum sive originum libri XX* ed. W.M. Lindsay (1911, repr. 1985)

H *Decretales pseudo-Isidorianae et capitula Angilramni* ed. P. Hinschius (1863, repr. 1963), but see now <http://www.pseudoisidor.mgh.de/html/>

Hib. *Die irische Kanonensammlung* ed. H. Wasserschleben (1885)

ID The consensus of the *editio princeps* of Ivo's *Decretum* by Molinaeus from two lost copies in 1561 (*IDm*) with the copies in BN lat 14315 (*IDp*) and Cambridge, Corpus Christi Coll. 19 (*IDc*); other copies noted are London BL Royal ms 11 D vii (*IDr*), BN lat. 3874 (*IDb*), Sigüenza Archivo de la Catedral 61 (*IDs*) and Vatican BAV lat. 1357 (*IDv*), Pal. lat. 587 (*IDd*); for these see Landau, 'Das Dekret des Ivo von Chartres' *ZRG Kan. Abt.* lxx (1984) and the introduction to the *ID* section of the site. None of these is a direct copy of any other. Note that Molinaeus sometimes offers variant readings in the margin in larger type, apparently from his second copy, which are treated as significant, and conjectures from elsewhere in smaller type, which are ignored. Readings (or errors) introduced by Fronteau or Migne are also ignored.

*JK, JE, JL* P. Jaffe, *Regesta pontificum Romanorum* (2 ed.) 1885, to AD 599, 882, 1198.

Migne Migne's edited version of Vosmedian in *PL* clxi

*PL* J-P Migne (ed.) *Patrologia latina*

Pol. U. Horst, *Die Kanonensammlung Polycarpus des Gregor von S. Grisogono* (1980) (*Clavis canonum* PX, PY, and see now the MGH web text at <http://www.mgh.de/arbeitsmittel/polycarp/>)

Prol. *Ways of Mercy. The Prologue of Ivo of Chartres* ed. Bruce Brasington (*Vita Regularis*, Editionen 2, 2004)

TC Paris BN lat. 13368 (and its related copies), for which see *Clavis canonum* (TC) 136-7, and Rolker in *ZRG Kan. Abt.* 91 (2005)

*Vosm.* The edition of 1557

W Wasserschleben's account of what is now Kraków, Bibl. Jag. 613 in *Beiträge zur Geschichte der vorgratianischen Kirchenrechtsquellen* 61-77.

XIIP, (I) and (II) The two forms of the Collection in Twelve Parts (*Clavis canonum* TX, TP; cf J. Müller, *Untersuchungen zur Collectio Duodecim Partium*, 1989)

XP Collection in Ten Parts (*Clavis Canonum* ZE)

*ZRG* *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Kanonistische Abteilung*

There are two accessible incipit indexes. The earlier is that at the end of Theiner's *Disquisitiones* (above), where Iv represents the *Panormia*, Ps.Iv the *Decretum*; it has many idiosyncracies and errors. A much fuller and more accurate one is found in Dr Fowler-Magerl's *Clavis canonum*, giving cross-references to our draft.