

Draft working notes on the *Decretum*

Method of construction

The attached text is a rough working draft, and should only be used with great care. It is essentially an annotated copy of Migne's edition. It carries over from that much of its spelling and punctuation, many of its distinctive readings and most of its errors. It also includes much of the information on the origins of the canons preserved by Migne, itself drawn from Fronteau's ed. of 1647, which in turn took much from the *editio princeps* of Molinaeus of 1561. These references are roughly in the form given by Molinaeus rather than Migne. Most of the biblical references have been removed, but many other references to sources are preserved, except references to the Lombard where the cap. is also in Gratian. The Roman law references have also been much extended, and converted to modern forms of citation. From time to time the punctuation has been altered, mostly by excision, and the spelling is partly revised - largely by the removal of the ae and oe diphthongs except where mid-s. xii practice normally preserved them (e.g. 'Israel', 'Michael'), the abandoning of 'y' and consonantal 'j', the insertion of a 'p' in forms such as 'condempnare', 'sollemnitas', the use of (e.g.) 'quicumque' for 'quicunque' and the change from 'quidquid' to 'quicquid'. However, much caution and some imagination is still called for in searching for words electronically. The agreement of the manuscripts **CP** usually replaces the reading of the Migne (or Molinaeus) edition where it has been noticed, and is not inferior by other criteria; otherwise the selection of the text readings is largely arbitrary. This is a series of signposts to divergences in the text, and should be used as a starting-point, not as an edition. Where a canon was not taken over into the *Panormia*, only the incipits and explicits have been accorded even cursory scrutiny. All the inscriptions and rubrics have in principle been collated against the Molinaeus ed. (**M** in the apparatus), and mss **C, P, D** and **S**, with occasional citations of other copies, esp. **B, R, V** and **A**. Correspondingly, minor variants in the rubrics and inscriptions are recorded quite fully. However, only where the canon was taken over by the *Panormia*, are there any significant notes on the main text, and again these are more systematic (but far from wholly so) from **C, P, D** and **S**, sporadic from **B** and **A**, rare from elsewhere. **R** is normally cited only as an occasional check against **C**, and **V** similarly only where **P** appears otherwise idiosyncratic. Since the *Panormia* does not draw on Bks XV and XVII, the texts of these are almost entirely unchecked.

In the text, canons omitted by **M** are inserted, followed by a capital letter (e.g. **174A**); these are from the manuscripts in the cases of **CRPVBSDA**, but second-hand from Brommer for **K**. Canons from these manuscripts are in the main type-face; canons so far only reported from the abbreviations of the **H** family or in **A** are in a smaller font. At the foot of the canon an effort has been made to report in each case a derivation from the principal formal sources so far identified, Burchard, the *Collectio Britannica* or the *Collectio Tripartita A*, and occasionally a convergence elsewhere (though this is unsystematic), but no effort is made to record the ultimate material sources, except in so far as Molinaeus attempted it in his edition of 1561. All references to actual or possible formal sources precede the square bracket. After the square bracket the references to use of the *Decretum* by the *Tripartita B* and *Panormia* are intended to be complete, though they may well not be. The references to Gratian taken from the earlier eds are mostly

preserved in their archaic form; where the reference is in modern form or in square brackets it has been added or recast. These references are entirely unsystematic, since it is not supposed that the *Decretum* was directly drawn upon by Gratian. In the apparatus Burchard is occasionally cited in support of one reading against another, but these readings are taken uncritically from the Migne reprint in *PL* 140. Canons marked with an asterisk are also found in sequence in ms Arsenal 713 (**A**).

It is chiefly the work of Martin Brett (mb110@cam.ac.uk) who is responsible for all the errors. Important corrections, advice and information have been supplied, particularly by Greta Austin, Bruce Brasington, Linda Fowler-Magerl, Michael Gullick, Christof Rolker, Robert Somerville and Anders Winroth, but they bear no responsibility for the text.

Manuscripts and sigla:

A = Paris, Bibl. de l'Arsenal 713B, fos 117-192v, s. xii in long lines. Partial and disorganised text, possibly taken from a draft text of the additions from elsewhere to be added to BD to produce the ID text more or less as we have it, but often a careless copy. By c. 1200 in the library of St Victor, Paris. See Landau (1984) 8n, Brett (1997) 150-56.

B = Paris BN lat. 3874, formerly a Colbertinus, s. xii², in two columns, from Moissac, and almost entirely in a single hand - Jean Dufour, *La bibliothèque et le scriptorium de Moissac*, *Hautes études médiévales et modernes* 15, 1972 136 no. 82, with a photograph of part of fo. 10 as pl. lxx. Ends now with Bk 16, but Bk 17 is in the *argumenta* at the beginning. The text is usually fairly close to **P**, particularly before **P** was corrected, though it has distinctive features in text and arrangement. It often omits rubrics or inscriptions otherwise well-attested. An early modern scholar occasionally entered the canon nos of the edition in the margin. The microfilm is not always easy to read, particularly in the gutters.

C = Cambridge, Corpus Christi Coll. 19. From Christ Church, Canterbury, in two columns, c. 1125, and written there. It is a stately copy in the characteristic Canterbury script of the period, in two columns. The text more frequently agrees with **M** than **P** does, but the agreement of **CP** against **M** is far commoner. **R** below is close to **C** in what it omits and includes, but cannot have been copied from it. See Somerville (1994) and *Councils and Synods* (1981) I (2) 729, 744-9 for the additions.

Co = Columbia, University of Missouri, Ellis Library, Special Collections, Fragmenta Manuscripta 23. Section from a single leaf, covering parts of 7.11-12 (recto) and 7.15- the insc. of 7.18 (verso), identified in the catalogue as French, s. xii² (<http://app.cul.columbia.edu:8080/exist/scriptorium/individual/MoU-Sp-23.xml?showLightbox=yes>). However, Dr Webber and Michael Gullick independently had no hesitation in assigning it to an English scriptorium and to a date little if at all later than 1150. The fragment is fully described by Somerville (2008), noting the close

coincidence of its readings with C, and the likelihood that it was taken from a double-column manuscript of generous proportions.

D = Vatican Lib, Palatinus lat. 587. s. xii. fos 1 - 105rb, in two columns. Has only 1 - 6.432, and has lost leaves and, presumably, quires. The first lacuna runs from the end of 1.276 to the middle of 1.298 after fo. 19, the second from 3.30 after the first line to the middle of 3.158 after fo. 38, the third begins in 4.109 and ends in 5.1 after fo. 54, the fourth begins in 5.182 and ends in 5.271 after fo. 70. These losses had been suffered before the early modern foliation was inserted. At the beginning, and sometimes elsewhere, the text is badly rubbed. It is written in several, mostly not very expert, hands. Although the version of the prologue at the beginning lists all seventeen books, the text apparently never extended beyond Bk 6, since the added matter follows without a break, and this in turn ends before the foot of fo. 108vb, with which the ms ends (Landau 1984, 11-12). The added matter consists of:

Aug' in libro contra epistolam Parmeniani Donatiste

Spiritus sanctus in ecclesie preposito vel ministro – [fo. 106ra] – si illos iterum baptizaret.

CSEL 51. 74-83 (2.2.24 – 2.13.31)

Incipiunt capitula que ex Grecis – negotii agebatur. Cap. i

Dei ordinationem accusat in qua constituuntur – [fo. 108va] – vel permiserit violandum.

Capitula Angilramni ed. Schon cc 1-51, 1bis- 20bis, numbered continuously as cc I – LXXI, not entirely as the edition. This is Schon's ms 30 (p. 31) in his Class K.

Decretum domni Paschalis pape

Decretum domni Paschalis pape quod decrevit – [fo. 108vb] – vita scientiaque commendat. Amen

Printed from this ms in U-R. Blumenthal, *The early councils of Pope Paschal II*, 55-6 as C. Guastalla (1106) c. 4.

D's readings, and some aspects of its arrangement, align it more closely with **M** than with any surviving ms, and like **M** it is sometimes closer to Burchard than **CP** are. In general the text is markedly eccentric (as may be seen in the edition of the Prologue, at the beginning of Book I). Its rendering of numbers is particularly idiosyncratic. Its exemplar apparently had a number of interlinear glosses which are here copied into the main text. An extraordinary variant in the rubric to 4.53 suggests that this exemplar was written by an Anglo-Norman scribe (and cf. 4.60). By the fifteenth century the book was in the hands of the Augustinian canons of Holy Cross, Dalby in modern Sweden, as the fly-leaf shows. Michael Gullick and Tessa Webber (personal comm.) suggest it as the work of a minor scriptorium in West Francia, conceivably a Norman one. See further Anzelm Szuromi (2005), who prints extracts from **D** at 182 nn 8-9, 183 nn 10-11, 200-2.

F = Roma, Accademia dei Lincei ms 41 E 1 (Corsini 1808), a copy of the abbreviated form described more fully under **H**. Here the synodal order and related texts which

replace those in the main text of ID in **H** are at the end. The manuscript has clearly been in Italy since the end of the twelfth century, given the nature of the earliest additions to a long sequence of texts at the end. However, the most recent published analysis of the script proposes that the book was originally Anglo-Norman - Giorgia Corso in A. Cadei (ed.), *Il Trionfo sul tempo: Manoscritti illustrati dell' Accademia Nazionale dei Lincei*, Modena 2002, 191-2 no. 80. Michael Gullick (personal comm.) confirms an English origin for the main text hand, and proposes a date after 1150, and more probably late in the century. In the main text there are a number of marginal additions (incorporated in the *capitulatio* at the end) and some points where the text, apparently earlier resembling **H**, has been erased and replaced. The text in the notes below has been roughly checked to the end of Bk III, the marginal additions to the main text are noted to the beginning of Bk V, and the passages in the appendix are listed at the end of Bk XVI.

Fr = The text of **M** below as re-edited by Dom Fronteau for his collected edition of Ivo's works in 1647. This is essentially an imperfect reprinting of **M**, which has been altered sometimes on the authority of **P** below, sometimes by reference to the supposed sources, sometimes by the 'light' of nature, though it does take note of the *errata* listed at **M** on fo. 484a. Since only **M** has independent authority, some divergences between **M** and **Fr** in a reported reading have been checked in the selected canons collated, and the existence of an idiosyncrasy of **Fr** noted. Generally Migne follows **Fr**, but where a variant has been noticed as peculiar to Migne it has been silently suppressed - it does not follow that where no variant is noted **M**, **Fr** or any manuscript has the reading of the text, merely that it has not been checked. A variant from **M** without comment is normally followed by **Fr**.

H = London, British Library ms. Harley 3090 fos 1v-133v; one of a group of four twelfth-century copies of a heavily abbreviated text of the *Decretum*, which omit Bk XVII but have additions and many distinctive readings (Theiner 1836 182 n. 31, Fournier 1897 412-3). Fos 133v-34 are additions, though by a near-contemporary hand, very possibly that of the text. Bought by Humfrey Wanley for Harley on 16 Jan. 1722 (NS) from Charles Davis (C.E. Wright, *Fontes Harleiani* 125, *Diary of Humfrey Wanley* ed. C.E. and Ruth C. Wright (Bibliographical Soc. 1966 for 1961-2) 1. 127). Davis had been apprenticed to Noel, who had sold Harley many European mss, but by then was trading independently. The script suggests to Michael Gullick [personal comm.] a French hand of s. xii¹ or xi/xii, though similar to hands also found at Christ Church, Canterbury, and with some rather English decoration. The book is written in a neat small script, with a number of handsome initials at the beginning of the prologue and each book, and a carefully elaborated *arbor*. These employ delicate washes and elaborate pen-work and a variety of techniques. The lesser initials are overwhelmingly in alternating red and green, though the red sometimes fades to a pale violet. The collation at the beginning is slightly puzzling, for quire I is now of four, the first a mere stub. However, the Prologue begins on fo. 1v, leaving 1r blank, but the text shows that a leaf is missing after fo. 3, suggesting that it was once a quire of six, now missing 1, 2 and 6. The rest of the book is in regular quires of

eight, with the exception of quires XIV and XVI, both originally of ten, though XVI lacks one, with no loss of text.

The other copies are:

Leipzig, Universitätsbibliothek 955.9 (not seen)

Vienna, ÖNB lat. 2196 (**W** below)fos 4 ff

Rome, Bibl. dell' Accad. Naz. dei Lincei, 41 E 1 (ex-Corsini 1808) (**F** above).

Schneider, *Ordines* 493-4 notices that **H** alone of the group integrates its aberrant conciliar *ordo* into Bk IV, rather than placing it at the end. The Leipzig copy and **W** appear closely related, not least through their added texts from Bernold of Constance (*De excommunicatis vitandis*, MGH *Fontes iuris antiqui* xv (2000), 19, 22-3) and their shared papal catalogue ending with Calixtus II. In detail **H** and **L**, though clearly independent abbreviations, share a number of lesser readings which suggest a common archetype distinct from **C** or **P**, and closest to **R**, with which they share some major variants. Apart from a considerable number of lesser variants which **H** and **R** share, there are more substantial examples of the relationship at: 1.306, where **H** and **R** have the canon otherwise peculiar to **M** (though it was added to the end of **L**); the beginning of 6.415, where both have a sentence found otherwise only in **A** and **L**; 8.10, where both have a short addition from Augustine; 8.57, where both reverse the two elements of the canon; 8.133, where both have an added passage; 9.9, where both share an odd confusion of text and (probable) inscription; 11.31, where both expand the inscription in the same way (but wrongly); 12.14 and 29 (where both, with **L**, have a fuller beginning to the text). There is another trivial but intriguing connection between **R** and **H** in the inscription to 8.224. All other manuscripts have this as a letter addressed by St Boniface to 'Hiltibaldo [or the like] regi Saxonum', but these (rightly) have 'Adelbaldo' and 'Aethelbaldo' – the 'd' perhaps representing an earlier thorn. There is a clear suggestion of accurate local knowledge of Aethelbald of Mercia here. If **L** (qv) is extremely close to **R** where they overlap, **H** differs sufficiently often from **R** to suggest that it derives independently from a shared ancestor. The omissions and insertions in **H** (first described by Theiner), are tabulated from the ms in the concordance below. See too the notes to Leiden BPL 184.1 below for a further reduction of this form.

K = Koblenz, Landeshauptarchiv, Best. 701 Nr. 759,35, three leaves from a copy of s. xii (**Kb-d**), in long lines, of which a fourth survives as an unnumbered sheet in the Frh. von Stein'sches Archiv at Nassau (**Ka**). **Ka** has 1. 78-80 and 92-4, **Kb** 2. 129- 143, and the first six entries for a *capitulatio* to Bk. III, **Kc** has 3.169-80, **Kd** 3. 188-99 (not seen). See P. Brommer, 'Unbekannte Fragmente einer Dekretenhandschrift Ivos von Chartres', *Francia* v (1977), 753-5, with a facs. of **Kb** recto as pl. VIII. The manuscript omits all rubrics, and is distinctive both for its fragmentary *capitulatio*, otherwise now only attested by **M**, and for an erratic set of rubricated canon nos in the margins, equally absent in the other manuscripts. The readings in general resemble those of **M** and **D**. Given the mixed origins of **M** it is conceivable that **K** represents a close relative of the Cologne copy known to Molinaeus or even, though improbably, the Cologne copy itself.

L = Lincoln, Cathedral Library 193, s. xii med. fos 2-158. English. A heavily abbreviated version of all seventeen books, which is distinct from **H** and its congeners in what it selects and omits, and has been partially re-arranged. Of the examples of canons with major variants which **H** shares with **R** against **CP**, listed above under **H**, **L** only has three, 1.306, 6.415 and 12.29, but these follow the same pattern. **L** is also linked to **R** by its adding a form of 1.306 at the end of Bk 17; very few variants have been noted between **R** and **L**, and both are Lincoln books, though the hand of **L** appears the earlier. For the omissions see the concordance below. The relation of **L** to **R** was discussed briefly by Paul Fournier from notes supplied by Z.N. Brooke in his 'Note sur les anciennes collections canoniques conservées en Angleterre', *Revue historique de droit français et étranger* 4S 12 (1933) 129-34 at 130-2. The manuscript is listed in the library catalogue of the cathedral of c. 1160 printed by Reginald Woolley, *Catalogue of the manuscripts of Lincoln cathedral chapter library* (1927), v-x as no. 38.

M = The *editio princeps* of Molinaeus (1561). This was based on two copies, both now unidentified, and so the readings have the status of a manuscript. In the dedicatory letter to Fresneda Mol. described his sources thus:

Of his first copy, supplied by Fresneda from the royal library, 'Quod vero etiam elegantissimis et maiusculis litteris litterarum formis ut Bartholomeo Gravio excuderetur curaveris. ... ex collatione codicis tui manuscripti cum eo quem nunc emittimus, optime scire poteris. Equidem ut regii codicis tui hiatus, ac lacunas omittam, plerumque integri versus vel inducti erant, vel praeteriti, denique argumenta librorum deerant, quas difficultates fateor, citra alterius exemplaris (dein ad nos quod Colonia transmissum est) opem, nunquam licuisset superare.'

It seems clear at least from this that the capitula in **M**, found in no surviving manuscript except the fragments in **Kb**, were derived from the Cologne copy alone. The copy in the royal library evidently had gaps, some of which may reflect physical damage to the exemplar, but the reference to passages omitted or interpolated suggests that it was fundamentally idiosyncratic, or perhaps an abbreviated form comparable to that described under **H** above. In view of the merit of many of the readings in **M** by reference to Burchard, and a considerable number of convergences between **M** and **D**, at least one of the copies may well have been early and important. Occasionally editorial marginalia make it clear which ms provides which reading; more often it is uncertain. Variants in the margin to **M** in large type usually appear to be taken from one of these copies. Other notes in the margin are in much smaller type, and appear to be editorial. In the apparatus here the latter are distinguished as **M**², though the generally excellent type-setting of **M** may not always be trustworthy. Some corrections are noted at fo. 484, though it is not always clear whether these are drawn from the manuscripts or from elsewhere; they are occasionally noted as **M**^e. The text of **M** is often idiosyncratic, and the rubrics diverge widely from those of the manuscripts, but it shares many details of text and arrangement with **D**. Where **PVB** and **CR** divide **M** is almost always closer to **CR**, and **R** is the only reported ms of the full text to contain **M**'s 1. 306. However, **V** is the only manuscript to have the end of 11.102 as in **M**. The Roman law texts offered by Molinaeus are often

closer to the original in minor aspects than those of the manuscripts, and it is at least possible that some of these readings are his editorial corrections.

O = Three leaves from a single copy of s. xii¹, in long lines, of which two are **Om** = Oxford, Merton College, Wrapper E. 3. 35 no. 2. fos 2-3, covering ID 8. 56 med. ('nulla lege, quantum') - 8. 69 med. ('quem habere'), 8. 119 med. ('legis, saltem ecclesiastice') - 8. 126 med. ('viatico, si sit qui'), and the third is **Ot** = Oxford, Trinity College, ms A*. 8. 5, the flyleaf of pd bk C 16 11 (Sadeelis, *Opera theologica*). Fragments covering ID 15. 37 (beginning mid-rubric, with '..rat quomodo') - 41 med. ('et in hac ob...'), 63 med. ('clericorum ita ut') - 66 med. ('et frequenter cec...'). For **Om**, **Ot** see N.R. Ker, *Pastedowns in Oxford bindings* (Oxford Bibl. Soc. Public. ns v 1954 for 1951-2, reissued with annotation in 2004 for 2000) 90, 184.

P = Paris BN lat. 14315, certainly later at St Victor, but perhaps written in the Chartres area (P. Stirnemann). s. xii, double columns. The text has been extensively corrected; the earlier state of the text was nearer **B** than the later. It shares with **B** some distinctive readings which seem to require an ultimate common archetype, but it was clearly distinct from **B** even before correction. From the outset it was closest to **V** among the complete copies, both in what it included and omitted and in some detailed readings; the later alterations show that it had been collated with another exemplar even closer to **V**; there are some changes which cannot be explained so, but several (e.g. in 15.58) where a second hand in **P** has added passages now only known otherwise from the main text of **V**, and **V** cannot be a copy of **P**, since it lacks many of its minor peculiarities. In the passages where they overlap **P** sometimes agrees with **S** against **CM**. The book was known to Fronteau, who occasionally added variants from it in notes, or silently amended the text of **M** on its authority, and it provided the basis of Fournier's classic account of the collection.

R = BL Royal ms 11 D vii; from Lincoln, in double columns, s. xii/xiii. Close to **C** (Landau 1984, 10), though certainly not a copy of it, since **R** lacks **C**'s early additions, does not always follow its errors and, more cogently, has a number of additions and substantial variants. **R** alone shares 1. 306 with **M**. Further, some of **R**'s peculiarities are not reported in any other copy of the complete text, but do occur in the Harley group of abbreviations (**H** above, qv, where some are listed), and occasionally in **L**. More ambiguously, both **C** and **R** have sometimes been similarly corrected. Like **C**, it is in very large format, double column, written on thick parchment, with coloured and decorated initials. The rubricated annotations, particularly in Bk. 7, might suggest that it, or its ancestor, was the product of a monastic scriptorium. These *nota* marks have not been recorded with any consistent care, and are much more numerous than is here suggested. The Lincoln cathedral library catalogue of c. 1160 (cf **L**) lists a copy of Ivo's *Decreta* as no. 15, but that looks rather too early to be this book.

S = Siguenza, Bib. cap. 61, s. xiii, in double columns. Contains only 9.3 to 17.135 med., quires 32 -54 of the original book, though the last quire has only one original leaf. It contains a number of canons not found in other mss. though some are also in **M** (Landau 1984, 12-13) and most of these are also in Burchard of Worms. The readings more often agree with **P** than **C** against **M** when not idiosyncratic. The inscriptions are sometimes truncated or missing.

Sf = Straubing, Stadtarchiv, Salbuch Sankt Nikola (1631), double columns, s. xi/xii according to Deutinger, s.xii^{1/4}, ?NW France Michael Gullick, pers. comment. Two leaves covering 5.73-80, 132-7. See R. Deutinger, 'Neue Handschriftenfragmente zum Dekret Ivos von Chartres', *Deutsches Archiv* li (1995) 539-42 with facsimiles.

So = A fragment, apparently from the end of Bk 8, reported in Bernd Michael, *Die mittelalterlichen Handschriften der Wissenschaftliche Stadtbibliothek Soest* (Wiesbaden 1990) as frg. 170, double columns (not seen).

V = Vatican Lib. ms. Vat. lat. 1357, s. xii², double columns. French. Very close to **P** (Landau 1984, 9, Kuttner/Elze 1986, 122-24, listing the few added texts at end) in what it includes and omits. It cannot be a copy of **P**, since it has a long addition to 11.102 otherwise found only in **M**, with which it sometimes agrees against **P** elsewhere, it lacks many of **P**'s idiosyncracies, and contains some substantial variants in the main text which were only added in the margins of **P** later. The text has been extensively corrected – particularly by the insertion of missing words, or even whole canons – though the notes below record only the most substantial of these. These may be no more than corrections from the exemplar. However, at the end of the text, but in the main hand, are seven canons omitted in the main text (and **P**) – 16.19-21, 39-40; 17.32, 45. These were presumably drawn from a second exemplar which resembled **CRSM** rather than **P** or **B**. The distinction between the main hand and later annotators in the text below is entirely provisional. In Bk 1, and occasionally in Bk 16, a smaller hand has added a number of rubrics which sometimes resemble, but do not agree with, those found in **M**. The rubricator who inserted the initial letters for each canon was extremely accident-prone, sometimes absurdly so.

Vall. = Roma, Bibl. Vall. B 77, s. xii, a small volume 148 x 98 in long lines, ex S. Bartolomeo di Trisulti (ownership mark on last leaf, fo. 147v), thence via Achille Stazio to the Vallicelliana Library. Sometimes cited in the earlier literature as a copy of the *Panormia*, its true character was first established by Greta Austin (personal communication). It contains sequences of excerpts from the *Decretum* interspersed among numerous other patristic texts. A short form of the Preface begins in mid-quire on fo. 30v and ends at 35v: 'Quicumque ecclesiasticus doctor ecclesiasticas regulas – scandala in ecclesia pullulent'. From fo. 41 a sequence from Bks 1. 171, 173, 175-8, 181-3, 241, 310; 2. 1 to 'verum et corporali' and from 'Qui passus est – sacramentum significat invenitur', 4 from 'Nempe ita sepe loquimur' to 'fidei fides est', and from 'In actione penitentie ubi tale' to 'non despicit Deus', 7 from 'Corpus Christi quod sumitur de altari' to 'veritate interius creditur' and from 'Quia morte Domini liberati' to 'oblata

sunt significamus' and from 'Singuli accipiunt Christum' to 'prebet in singulis', 9 from 'Lanfrancus. Sic nempe in' to 'emanatio figuratur' and from 'Nec quisquam iuste movebitur' to 'ascensurum in celum' and from 'Item. Dicit aliquis, Quod tu asseris' to 'quam defendimus' and from 'Item invenitur etiam species' to 'ambulamus, non per speciem' and from 'Speciem autem pro veritate' to 'hec universa videatur', 26, 28, 31-2, 37, 45-6 ends at the foot of fo. 44 (the end of a quire). Between fos 46 and 54 are ID 11.66-72 (ending 'ego non sum locutus'); fos 78 (fifth of a quire of 8) – 87v have ID 1. 4-45, 46 to 'baptismatis consecravimus', 47b from 'Finis autem legis', 49-50, 73, 89, 98, 115-6, 118-9, 122, 132-3, 136-7, 148. This is followed by an excerpt from Ivo ep. 74 (*PL* 162.95-6) to Hildebert of Le Mans: 'Consulis itaque humilitatem meam - corda filiorum hominum'; from ep. 155, 'Item Ivo. Sicut enim - sacramentum ordinationis altari apposita sunt, Ivo, Fautores vero eius igne consumpti sunt' / fo. 88v and from ep. 72 (cf ep. 80): 'Cum signa – denuo sunt consecranda'. This is followed by Augustine ep. 137 (*CSEL* lxiv. 96) 'Domino illustri – Volusiano – salutem. Legi litteras tuas in quibus' and other texts. ID 12. 1 to 'deceptor arbitratur aliorum' stands alone on fos 103v-4v. From fo. 113v-147v the excerpts from ID are unbroken (with two apparent short insertions): 11.101, *Ambrosius de officiis*, Interdum honesta loca et suavia sint, tamen ab ecclesiastica abhorrent regula, quandoquidem in scripturis non reperimus ea quemadmodum usurpare possimus, 96, *Idem de Quadragesima*, Non solum autem gentilium, sed et Iudeorum consorcia vitare debemus, quorum etiam confubulacio magna pollutio est', 99, 16-18, 21, 39b from 'Qui immolant', 41, 55, 22; 12. 4b from 'Quamvis dictum', 5-7, 12, 11, 13b from 'Non solum', 14, 15 from 'Herodes' to 'corde peniteat', 26, 28 from 'Si quis provocaverit' to 'qui te provocavit', and from 'Ille homo' to 'provocavit et suam', 29, 34-5, 36a to 'iuratur intelligit', 43-4, 53, 61, 63, 76, 82; 13. 2-4, 6, 16 to 'et usuris', 18, 26-7, 31-5, 37, 40-42, 43a to 'consilio peniteat' and from 'Item. Quamvis pertinet', 44-6, 47 to 'homicidium perpetravit, Ier' *ad Pascaliū Alexandrinum*, Si ille anatem' meruit (i.e. 48b, mod.), 57-60, 63, 64 (beginning 'Si quis proterus'), 67, 68 to 'peccata paucorum', 73-4, 76 from 'Qui cogit hominem' to 'triginta dies peniteat', 81-3, 85-7, 92 – ending in mid. fo. 147v, last of quire. The included and omitted texts show no significant relation to the abbreviations of the Harley group or to Lincoln 193.

W = Vienna, ÖNB lat. 2196 fos 4 ff, in long lines, described, and attributed to N. Italy s. xii², by J.H. Hermann, *Die romanischen Handschriften des Abendlandes mit Ausnahme der deutschen Handschriften*, Beschreibendes Verzeichnis der illuminierten Handschriften in Österreich VIII/3, Leipzig 1927, 107 (http://www.manuscripta-mediaevalia.de/bilder/hs-bilder/k/HSK0773_b0107.jpg). For the Harley group of copies of this abbreviated form see above under **H**

Leiden BPL 184.1 fos 1v-41r is a further reduction and paraphrase of the Harley group of abbreviations, for it contains no canon found in ID sequence that they omit, and preserves a number of their idiosyncracies which are not found in CRPVBSDM. The order of the canons is sometimes rearranged, but there are very few apparent additions against the Harley set. The text is modified too drastically to make collation against the full version worthwhile here. A fuller account is provided separately.

For other abbreviations either not seen or barely surveyed see:

Paris BN lat. 4809 fos 312-93v, s. xiii, ending incomplete at 16.66, 134, 136-9, Fournier (1897) 413, and defined by Landau (1984) 32-3 as close to **P**. The Paris copy apparently once covered all seventeen books, but is even more incomplete than the Antwerp copy below, to judge by Fournier's account.

Antwerp, Plantin Moretus Museum M 227 (Cat. no.144); ex All Souls College, Oxford, fos 90-146v, also incomplete. The Antwerp copy excerpts all seventeen books, and does not coincide in its omissions and inclusions with either the Harley group (and so Leiden) or with the Lincoln abbreviation, and is much shorter than either. Other elements in the book are described by Michael Kulokowski, 'An English abridgement of the Hispana of Autun at Antwerp', *ZRG* 83 (1997) 198-208, esp. 198-9 treating the whole ms as English, and written s. xii/xiii. Neil Ker, *Records of All Souls Library 1437-1600* (Oxford Bibl. Soc. ns 16 (1971) 19-20, 132 shows it was presented to All Souls in 1471 by its first Master, and suggests rather s. xii¹, and possibly a French origin. Andrew Watson, *A descriptive catalogue of the medieval manuscripts of All Souls College, Oxford* (1997) 268 also prefers the earlier date.

The Italian copy of the *Panormia* in BAV lat. 1362 has at the end a section from ID 15. 57 med. – 167, with some (unspecified) additions after 84, 95, 138, 159, 160, according to the Kuttner and Elze Catalogue, i. 134, q.v. The ms was at Crescenzago before 1200.

A bifolium of s. xii² in Freiburg im Breisgau UB frg 53, noted by H. Mordek in 'Isaak der Gute in Freiburg im Breisgau', *Freiburger Diözesan-Archiv* (Kirche im Oberrhein ...Festgabe Wolfgang Müller) 100 (1980) ** n. 5, contains excerpts from ID which are in a different order to those in any of the abbreviations discussed above. It contains 9.64 (pt, and widely variant), 55-6, 20-1, 19, 27-8, 38, 44, 54, 35-6, 81 (pt).

Establishing a text

From what is said above, it should be clear that no one manuscript has unique authority. All reflect to some extent a process of edition, mostly by subtraction, sometimes by collation. The abbreviations also add some new material. **P** is a particularly complex copy, as it has certainly been collated with a second exemplar, though one in a broadly similar tradition. **C**, though sometimes idiosyncratic, provides a relatively good text, while **B** and **S**, though incomplete, and liable to omit rubrics or inscriptions, preserve what appear to be archaic elements which do not survive in **C** or **P**; the same is true for the incomplete and rather careless **D**, though most of what it has is also found in the *editio princeps*, which also preserves other elements, not all of them likely to be additions. **A** appears to be a copy of some of the early stages in compiling the *Decretum*, preserving some canons found in no surviving copy, though drawn from the same sources as those that are. However, **A**'s text is not a good one, littered with variants which command no particular respect. Where Migne has been checked below, and it usually has not, the preferred reading in the text is the agreement of **C** and **P**, if there is one. If not, it is largely random. In Landau's fundamental study the copies are divided into French and English families, which is perfectly legitimate in terms of their present distribution, but an

incautious reader could be misled into supposing that the two groups are more coherent than they are, or into assuming that the distinctive qualities of the English copies were acquired after the text moved across the Channel. In some cases this is almost certainly not true. Further, as the concordance will show, the abbreviation in *Tripartita* B, which is surely French, even if its exact origin remains elusive, sometimes agrees more closely with the ‘French’ **PV**, sometimes with the ‘English’ **CR**. There are no short cuts to a trustworthy text – however that might be defined.

The scale of loss of manuscripts

The number of small fragments of the complete text which have been identified already is grim testimony to the misfortunes which copies of the *Decretum* suffered after the Reformation; no doubt their number will continue to grow as more early bindings are examined. Such evidence is, however, in its nature unsystematic. The recent publication of critical editions of a number of English library catalogues provides a broader indication of the scale of loss of such texts, if an imprecise and local one -

<http://www.history.ox.ac.uk/sharpe/> (*List of identifications*, p. 420). It is far from clear whether medieval librarians invariably meant the *Decretum* when listing e.g. *Decreta Ivonis*, for not all copies of the *Panormia* have a title; even when they do they often have *Decreta* as part of it, so copies of that very widespread work could easily sail under false colours. **B** adds to the potential confusion, for though an incomplete *Decretum*, it is called a copy of the *Panormia* on the title page, and apparently in the Moissac catalogue. Since both *Decretum* and *Panormia* commonly begin with the Ivonian preface, the *secundo folio*, even if given, provides no secure means of distinguishing them. Nevertheless the following entries are at least thought-provoking:

The early-fourteenth-century attempt at a ‘union catalogue’ of the libraries of England by the Oxford Franciscans, the *Registrum*, for all its enormous lacunae, listed copies of *Decreta Ivonis* at Woburn, Bordesley, Salisbury, Lewes, Chichester, St James Northampton, Cirencester, and Hereford, as well as the surviving copy from Christ Church, Canterbury (though only four copies of the *Panormia*).

The abbey libraries of Glastonbury s. xiii, St Mary at York s. xiv and St Augustine Canterbury s. xv ex. and Rochester cathedral priory s. xiii¹ (all OSB) also listed copies which are neither those of the *Registrum* nor apparently to be identified with surviving books. The s. xiii¹ catalogue of Flaxley (OCist), founded in 1151, lists as no. 21 *Decreta Ivonis, de dedicatione ecclesie in eodem*. The late s. xv catalogue of St Mary Leicester (OSA) appears to list two copies, and the s.xv catalogue of Syon (Bridgettine) has a ‘liber decretorum Ivonis’, though that may equally well be either a *Panormia* or one of those listed earlier which had moved subsequently.

The Exeter cathedral library inventory of 1327 also listed: ‘decreta Brucardi, decreta Ivonis, decreta Graciani. Brumconi fideli’

(<http://www.devon.gov.uk/library/locstudy/bookhist/cathd.html>)

Select bibliography

This is a very short summary of secondary literature bearing on the text, rather than the content, largely based on the bibliography in L. Kéry, *Canonical collections of the early middle ages*, Washington 1999. For the abbreviations used in the notes see the *Panormia* file 'method'.

For the earlier editions, by Molinaeus, Fronteau and Migne (*PL* clxi. 59-1022) see above under **M, Fr**.

- A. Theiner, *Disquisitiones criticae in praecipuas canonum et decretalium collectiones* (Rome 1836)
 P. Ewald, 'Die Papstbriefe der Brittischen Sammlung', *NA* 5 (1879-80) 277-414, 501-96
 P. Fournier, 'Les collections canoniques attribuées à Yves de Chartres', *BEC* 58 (1897) 26-77, 312-26, 412-4 [an account based essentially on **P**]
 Emil Seckel, 'Benedictus Levita decurtatus et excerptus. Eine Studie zu den Handschriften der falschen Kapitularien', *Festschrift für Heinrich Brunner zum fünfzigjährigen Doktorjubiläum* (1914) S. 377-464
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 M. Brett, 'The sources and influence of Paris, Bibliothèque de l'Arsenal MS 713', *Proceedings Munich* (1997), 156-60.
 R.E. Reynolds, *The Collectio canonum Casinensis duodecimi seculi (Codex terscriptus)...An implicit edition*, PIMS Toronto Studies and texts 137, 2001, 26-7.
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 S.A. Szuromi, 'Some observations on BAV Pal. lat. 587 compared with other textual-witnesses of Ivo's works', *Parare viam Domino. Commemorative studies on the occasion of Rt Rev. Polikárp F. Zakar OCist. 's 75th birthday* ed. A. Szuromi (Bibliotheca Instituti Postgradualis Iuris Canonici III. Studia, 7, Budapest 2005), 179-203.
 C. 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.
 R. Somerville, 'Ivo in America', *Bishops, texts and the use of canon law around 1100* ed. B. Brasington and K. Cushing (2008), 111-7.
 M. Brett, 'Margin and afterthought. The *Clavis* in action', *Readers, texts and compilers in the earlier middle ages: Studies in medieval canon law in honour of Linda Fowler-Magerl* ed. M. Brett and K. Cushing (2009, forthcoming), 137-63.

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