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**BERNARDUS BOTTONUS PARMENSIS (died 1266), *Casus longi quinque libros decretalium*
In Latin, decorated manuscript on parchment
France, Paris?, c. 1300-1325**

123 ff., on parchment, with loss of text on first leaf due to tear in parchment, small losses to text on ff. 62 and 66, else complete (collation i-iiii¹², iv¹⁰, v¹², vi³ [4-4, with last leaf of quire canceled], vii⁶, viii-xi¹⁰, xii¹², xiii⁴), written in a small scholastic bookhand in dark brown ink, text copied by different hands but of similar appearance, text copied in two columns, c. 60 lines, ruled in plummet (justification 230 x 140 mm), some prickings still visible, contemporary manuscript quire count using letters of the alphabet ("a" to "n") placed in lower margins of first leaf of each quire, lemmata underlined in dark brown ink, guide letters, guide words for rubricator (f. 7, inner margin; f. 16, inner margin; f. 17, lower margin et passim), rubrics in red, paragraph marks in red and blue, numerous 2-line high initials in alternating blue and red, five 2- to 4-line high initials introducing each book, in red and blue with penwork decoration in both colors (ff. 1, 31v, 62, 88, 97v), 68 pecia-notes, numerous contemporary marginal annotations and corrections. Bound in a 15th century German (southern?) binding of blind-stamped brown calf over thick wooden boards, covers panelled with quintuple blind fillets, upper cover with outer border of alternating large rosettes, small acorn-like tool and floral tools, central panel of curved leafy stems forming an ogival saltire pattern with the intersections marked by small acorn-like tools (of the type "eichelzweig"), the interstices filled with large floral tools, lower cover with empty outer border, central panel of straight intersecting fillets forming a saltire pattern, the interstices filled with large rosettes [no satisfactory comparison in Kyrris nor Schwenke-Sammlung], back sewn on three raised thongs (entirely rebacked), corners restored, traces of clasps now wanting, with evidence of pins on front cover to catch leather straps, evidence of fixture for chain, original vellum pastedowns from a late 13th or early 14th c. legal manuscript, upper pastedown: Goffredus de Trano [Galfredus de Trano] (died in 1245), *Summa super Titulis Decretalium* Books III, 50 and IV, 1 [with rubric for Titulus IV: *Incipit liber quartus de sponsalibus et matrimoniis*], lower pastedown, *ibid*, Book IV, 2 [with rubric: *De desponsatione impuberum*]. (Restorations to binding, some contemporary repairs to parchment, some holes and imperfections to parchment mostly original written around by the scribe). Dimensions 285 x 195 mm.

Previously unknown and unpublished "pecia" manuscript of the most important of the glosses on Gregory's Decretals, Botone's *Casus longi*. Although manuscripts of Botone's gloss are not uncommon, the present copy is distinguished for the unusually extensive "pecia" notations in the margins (there are 68 such notations!), and the manuscript figures in the two University of Paris lists of "pecia" exemplars available for copying. A fifteenth-century German binding provides clues to the medieval provenance of the work, probably copied originally in Paris.

PROVENANCE

1. Likely copied in France given the style of script and decoration, as well as the general appearance of the parchment. The work was most likely written in Paris, to judge from the "pecia" notes in the margin. We have counted some 68 pecia-notes in this manuscript (see below). The *Casus longi quinque libros decretalium* by Bernardus Parmensis figures amongst the pecia-disseminated works and is included on both surviving Parisian stationers' taxation lists, that of c. 1275 and that of 1304 (see Rouse and Rouse, 1991 and 2000; see also Murano 2005, who publishes both these lists).
2. Such a manuscript found its way abroad and was apparently in use in Germany (most likely southern Germany) in the fifteenth-century, where it received its blind-stamped binding. More work on the tools used for this binding might yield a place of origin or a connexion with a particular religious order (one of the Mendicant Orders?).
3. Private Collection, Europe.

TEXT

f. 1, Bernardus Bottonus Parmensis, *Casus longi quinque libros decretalium*, Prologue, underlined, "Rex pacificus [followed by] Premissa salutatione sic pone casum in ista constitutione...";

ff. 1-31v, Bernardus Bottonus Parmensis, *Casus longi quinque libros decretalium*, Book I, rubric, *Incipit liber primus de summa trinitate et fide catholica .i.*; incipit, "Firmiter credimus [underlined] Nota quod post symbolum apostolorum..."; explicit, "[...] Compromissum...Explicit liber primus";

ff. 31v-61v, Bernardus Bottonus Parmensis, *Casus longi quinque libros decretalium*, Book II, rubric, *Incipit liber secundus de iudiciis*; incipit, "De quo vult deo [underlined] Casus. Quidam impetebat..."; explicit, "[...] preiudicium generare. Expliciunt casus bernardi secundi libri";

ff. 62-87v, Bernardus Bottonus Parmensis, *Casus longi quinque libros decretalium*, Book III, rubric, *Liber .iii. [tertius] de vita et honestate clericorum*; incipit, "Ut laici [underlined] In primis duorum capitolorum..."; explicit, "[...] prescribit observati. Explicit liber tertius";

ff. 88-97v, Bernardus Bottonus Parmensis, *Casus longi quinque libros decretalium*, Book IV, rubric, *Liber .iiii. [quartus] de sponsalibus et matrimonius*; incipit, "De Francia [underlined] Quidam invenis de Francia..."; explicit, "[...] canones imitari. Hic sufficit per utroque capitulo. Explicit liber quartus";

ff. 97v-123v, Bernardus Bottonus Parmensis, *Casus longi quinque libros decretalium*, Book V, rubric, *Incipit liber quintus de accusationibus inquisitionibus et denunciationibus*, incipit, "Si legitimus [underlined] per se [...] littera illius decretalis..."; explicit, "[...] huius tituli notabiliter notandas. Explicit casus bernardi decretalium";

f. 123v, Unidentified text of legal nature, added by a different hand, beginning: "Est in iudicibus ternarius ordo..."; explicit, "[...] iuramenta quod ipsi malicioso etc."

This manuscript contains a copy of the *Casus longi quinque libros decretalium* attributed to Bernardus Parmensis or Bernardus de Bottone (died in 1266), which provides an explanation of all the legal cases contained in each of the Decretals of Gregory IX. The first words of each decretal are underlined and followed by the canonist's explanation of the legal cases evoked in the decretal.

Bernardus Parmensis was the most important of glossators of Gregory's Decretals. He was born in Parma at the beginning of the thirteenth century (or late twelfth century), studied under Tancred, and became professor and a canon in Bologna, where he died in 1266. His major work was his gloss on the Decretals of Gregory IX, which became the *Glossa Ordinaria*. Bernardus revised and rewrote this work repeatedly from 1241 until his death in 1266, resulting in at least four recensions.

There are quite a number of extant manuscripts of the present *Casus longi quinque libros decretalium*, which would be too long to list here (for instance the *In Principio* database of Latin incipits provides 76 listings with the incipit of Book I). Giovanna Murano also lists a number of manuscripts in her "Checklist of incipits of Canon Law texts," but the list is in no way exhaustive. Bernard's "Casus Longi" on separate chapters of the Gregorian Decretals was frequently edited in the incunable period: Paris, 1475; Venice, 1477; Bologna 1487; Strasbourg, 1488, 1493; and Lyons, 1500.

PECIA-NOTES

The present codex is especially interesting for evidence it provides about techniques of medieval manuscript book production. In particular, it contains a very large number of marginal annotations that bear witness to the "pecia" method of copying manuscripts. The pecia system was used from the thirteenth century on, when university-approved exemplars of texts were divided into sections and were hired out by stationers to scribes for copying (*pecia* means "piece" in Latin, here referring to independent unbound quires). The use of these peciae or sections (that together compose an exemplar destined to be rented out and copied by scribes) can be traced only because sometimes the scribe would make a brief note of the pecia number he had just copied, before going back to the stationer to return it and collect the next number in sequence. These notes are identifiable as they often (but not always) carry an abbreviation of the word pecia (p., pec., pe., pe^a) and a numeral written in the margin. The advantage of the pecia method was that an exemplar was divided into a given number of peciae, and then in theory as many scribes could copy it at once, and each copy when assembled was only once removed from the master-exemplar. The pecia system developed in Italian university cities in the first half of the thirteenth century, and progressively became a regulated procedure at the University of Paris in the second half of the century (see Rouse and Rouse, 2000, p. 85; see also the seminal study by Destrez, 1935).

The present manuscript includes an astonishingly large amount of pecia-notes, with the first pecia mark apparently found on f. 9v (outer margin): ".v. p^a." In all, we have counted some 68 pecia marks (provided our count is correct and exhaustive), placed in the outer and inner margins. In the present case, it appears that each of the five books that compose the *Casus longi quinque libros decretalium* had its own exemplar or, more likely, this copy is based on an exemplar with a division of the peciae into five groups. If one takes the last leaves of each book, one can reconstitute the number of peciae that composed the exemplar. This manuscript has pecia-notes that refer to an exemplar with the following division in peciae: Book I: 27; Book II: 25; Book III, 24; Book IV: 10; Book V: 22 peciae. This amounts to some 108 peciae in order to obtain a complete copy of the

Summa. This number is not in keeping with the Paris list of 1304 (taxation list that contains 156 exemplar-pecias for copy taken from the shop of André de Sens) who offered the work for copy in 82 peciae (see Murano, 2005, p. 125).

This work by Bernardus Parmensis figures on the Parisian university stationers's list of texts available for copy by peciae for the year 1275 (no. 122: "Pro Casibus Bernardi" [see Murano, 2005, p. 88]) and is recorded again on the Paris list of 1304 (no. 110: "Item in Casibus Bernardi super Decretales / .lxxx. et ii. pec. " [see Murano, 2005, p. 125]). For the most recent list of identified manuscripts with peciae notes for the present work, see Murano, 2005, pp. 310-311. She lists the following eight manuscripts: Basel, Universitätsbibliothek, C. III.3; Chalon-sur-Saône, BM, MS. 16; Florence, BML, Pl. I. sin. 6; Metz, BM, MS. 18; Padua, Biblioteca Universitaria, 1476; Paris, BnF, MS lat. 3960B; Paris, BnF, MS lat. 16544; Reims, BM, MS. 719. Murano also publishes a recension of incunable editions of this work, with the *editio princeps* published in Paris, Petrus Caesaris and Iohannes Stol, 1475.

Although Destrez and successive studies found traces of pecia copying in many institutional manuscripts (see Murano, 2005 for the most recent recension of pecia exemplars and manuscripts containing pecia-notes, using as a point of departure the notes by Destrez now in the Bibliothèque du Saulchoir, in Paris), the sheer number of pecia marks in the present manuscript is quite remarkable and extremely rare on the market. The last substantial manuscript with pecia marks sold at Sotheby's on 11 December 1979, lot 38 (now in the Bibliothèque Royale, Brussels) and another manuscript of Nicolas de Gorran, *Commentarium in epistolas canonicas*, with only 4 pecia marks was sold again at Sotheby's on 5 July 2005, lot 53.

In sum, the present manuscript is a wonderful witness of the medieval system of book production known as the "pecia" system. An interesting project would be to gather and compare all pecia produced manuscripts of a given text, such as the present *Casus longi super decretales...*, to better understand its textual tradition and dissemination in the late thirteenth and first half of the fourteenth centuries.

RECENSION OF PECIA-NOTES

Book I: ".v. p^a" (f. 9v); ".vi. p^a" (f. 11, inner margin); ".xxii. pe^a" (f. 25, outer margin); ".xxiii. pe^a" (f. 26, outer margin); ".xxv. pe^a" (f. 28v, outer margin); ".xxvi. pe^a" (f. 29v, outer margin); ".xxvii. [p^a] (f. 30v, inner margin); Book II: ".iiii. p^a" (f. 34v, inner margin); ".v. p^a" (f. 36, inner margin); ".vi. pe^a" (f. 37, inner margin); ".vii. [p^a] (f. 38, outer margin); ".viii. pe^a" (f. 39v, outer margin); ".ix. pe^a" (f. 40v, inner margin); ".x. pe^a" (f. 42, inner margin); ".xii. pe^a" (f. 44v, outer margin); ".xiii. pe^a" (f. 45v, inner margin); ".xiiii. pe^a" (f. 47, inner margin); ".xv. pe^a" (f. 48v, outer margin); ".xviii. pe^a" (f. 52, outer margin); ".xxi. pe^a" (f. 56v, outer margin); ".xxi. pe^a" [sic, for .xxii.] (f. 57v, inner margin); ".xxiii." (f. 59, inner margin); ".xxiiii. [p^a] (f. 60, outer margin); ".xxv. pe^a" (f. 61, outer margin); Book III: ".iii. pe^a" (f. 64, outer margin); ".iiii. pe^a" (f. 65, outer margin); ".vi. pecia" (f. 67v, outer margin); ".vii. pe^a" (f. 68v, inner margin); ".ix. pe^a" (f. 71, outer margin); ".x. pe^a" (f. 72, outer margin); ".xii. pe^a" (f. 74v, inner margin); ".xiii. pe^a" (f. 76, inner margin); ".xiiii. pe^a" (f. 77, outer margin); ".xv. pe^a" (f. 78, outer margin); ".xvi. pe^a" (f. 79, outer margin); ".xvii. pe^a" (f. 80, outer margin); ".xviii. pe^a" (f. 81v, outer margin); ".xix. pe^a" (f. 82v, outer margin); ".xx. pe^a" (f. 83v, outer margin); ".xxi. pe^a" (f. 84v, outer margin); ".xxii. pe^a" (f. 85, outer margin); ".xxiiii.

pe^a (f. 87, outer margin); Book IV: ".iii. pe^a" (f. 89v, inner margin); ".iiii. pe^a" (f. 91, inner margin); ".v. pe^a" (f. 92, inner margin); ".vi. pe^a" (f. 93, outer margin); ".viii. pe^a" (f. 95, outer margin); ".ix. pe^a" (f. 96, outer margin); ".x. pe^a" (f. 97v, inner margin); Book V: ".iii. pe^a" (f. 100, inner margin); ".iiii. pe^a" (f. 101, inner margin); ".v. pe^a" (f. 102, outer margin); ".vi. pe^a" (f. 103v, outer margin); ".vii. pe^a" (f. 104v, inner margin); ".viii. pe^a" (f. 106, inner margin); ".ix. pe^a" (f. 107v, outer margin); ".x. pe^a" (f. 108v, inner margin); ".xii. pe^a" (f. 111, inner margin); ".xiii. pe^a" (f. 112, outer margin); ".xiiii. pe^a" (f. 113, outer margin); ".xv. pe^a" (f. 114v, outer margin); ".xvi. pe^a" (f. 115v, outer margin); ".xvii. pe^a" (f. 116v, inner margin); ".xviii. pe^a" (f. 118, inner margin); ".xix. pe^a" (f. 119, inner margin); ".xx. pe^a" (f. 120, outer margin); ".xxi. p^a" (f. 121, outer margin); ".xxii. pe^a" (f. 122v, outer margin).

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ONLINE RESOURCES

Giovanna Murano, Checklist of incipits of Canon Law texts:

<http://www.uni-leipzig.de/~jurarom/manuscr/dat/initican.htm>

Digitized edition of Bernardus Bottonus, *Casus longi super decretales...*, Lyon, 1500:

<http://visualiseur.bnf.fr/ark:/12148/bpt6k53384d>

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