

## BARTHOLOMAEUS DE SAN CONCORDIO, *Summa de casibus conscientiae*

In Latin, manuscript on paper

Southern Germany, (Hesse or Northern Bavaria?), c. 1380-1425

215 folios on paper, watermarks, bull's head in quires ii-iii, Piccard 81449, Frankfurt am Main, 1390, see also Briquet 14915, Würzburg, 1391, Frankfurt am Main, 1391, and Cologne, 1398, and a horn in quires i and iv-xix, Briquet 7719, Frankfurt am Main, 1382, Reggio Emilia, 1389, Basle, 1390, Würzburg, 1392, modern foliation in pencil, top outer recto, complete (collation, i<sup>3</sup>, ii-xviii<sup>12</sup>, xix<sup>8</sup>), quire iii only signed a-m in the bottom outer margin, catchwords, ruled in ink in two columns of thirty-seven to forty-six unruled lines, with full length bounding lines on all sides (justification 153 × 226 mm. [quires ii-iv] or 145 × 220-227mm. [quires v-xix]), written below the top line in a gothic cursiva antiquior bookhand, with a five-line inhabited initial in red containing a pen-drawn human face (f. 4r), occasional pen-flourished eight-line red puzzle initials (ff. 90r, 97v), red two- and three-line initials throughout (without guide letters), slashing of paraps and majuscules in red both in the text and in the scribes' marginal notes, writing somewhat faded in quires ii-iv, but legible throughout, some wear at the edges but no loss of text. FIFTEENTH-CENTURY BINDING of leather over wooden boards, tooled in a geometric pattern of rectangles and diamonds, in good condition but with some cracking at front of the spine, where it is tightly bound with three thongs; formerly fitted with two metal clasps, now almost entirely missing, and with evidence at the top of the back board of the point of attachment of a metal boss or chain, now also missing. Dimensions 290 × 212 mm.

This broadly disseminated text, the *Summa de casibus conscientiae*, transformed existing manuals of canon law into a practical manual for confessions. Many of the surviving manuscripts are Italian, and it is therefore of interest that this example was copied in Germany. Its ownership by a fifteenth-century German priest (Georgius Ruch), who owned a number of other manuscripts and incunables, including a volume of Marian devotion and a treatise on virtues and vices, also adds to its interest.

### PROVENANCE

1. Written in Germany, c. 1380-1425, as suggested by the watermarks, script, and the inscription by Georgius Ruch (see below), perhaps in Hesse or Northern Bavaria. The paper carries watermarks from Germany in the last decade of the fourteenth century. The text is in two different hands: the first (quires ii-iv), in a light brown ink, and the second (quires v-xix) in a much darker ink. The majority of the marginal notes throughout the manuscript are in the hands of the main scribes.

In addition to the main scribes, materials in a number of different hands are evidence of early readership. This is first noticeable on f. 1r, originally blank, but later half filled with short passages in three different hands. The first text (incipit, "Nota quod hostis in summa de penitentis et ... Ita dicit de periurio ibidem") discusses various serious sins (fortune-telling, forgery, violation of churches, incest, perjury, etc.). The second passage (incipit, "Qui eius sunt bona que monachus apostata acquisiuit ... fecit quis proprio sumptu ut dicit Ray[mundus]") includes short quotations from the canon law authorities Gratian (*Decretals*) and Raymond of Peñafort (*Summa de casibus poenitentiae*). This second hand also attempted to repair the faded text on ff. 25v-29 by tracing over each letter in a darker ink, simultaneously making occasional corrections. The original text is

still faintly visible underneath. Frequent corrections, pen-flourishing of initials, and marginal notes on other folios, mostly at the beginning of the manuscript, are also in this hand. The third copied a passage on f. 1 (incipit, "Item audiui quod christus in cruce stans pre nimia caritate ... absoluta dei non repugnat") on Christ's love.

Also associated with this same network of early (fifteenth-century) readers is, on f. 215v, a series of notes on canon law in two different hands: in one hand, "nota quod canon dicitur quod statuitur in uniuersali concilio..." and "nota de mandato quoddam factum ab episcopo...." In another hand, "Item dominus noster piu," and "Item sepultura 3<sup>o</sup> 4<sup>o</sup> et seruus per totum..." have been added later. Below, an emblem of a heart and sword is inside a circle enclosed in a quatrefoil. Around the quatrefoil are the German mottoes (now partially erased and illegible), "Frow Adelbolt [...] ist mir uon ganczen herczen lieb," and "der gruss Got."

2. Owned by Geor[g]ius Ruch: Germany, mid-fifteenth century. An inscription on f. 1 records the relinquishment of the manuscript by Georgius Ruch: "Hanc summam huc dedit dominus Georius [sic] Ruch; oretur pro eo." Georgius Ruch (fl. 1438-1441), calling himself a priest in Lutrien (Lautern?, Württemberg), made similar inscriptions in Bryn Mawr College, MS 3 in 1438 and in Oxford, Bodleian Library, MS Douce 355 in 1441 (see Bryn Mawr's online catalogue, Online Resources, and Madan, 1897).

Georgius (who also signed his name Georgius and Jeorius), may also have owned Rottenburg, Diözesanbibliothek Rott.F.329 (1452), British Library, Add. MS 40151 (unverified, not in their catalogue, but listed in Krämer, Online resources), Copenhagen, Royal Library, Inc. Haun. 397 2<sup>o</sup> (1469), bound by Richenbach (see Online Resources), and Inc 1908+3951 (1475), Schäfer 25 (1470), and Dublin, Trinity College MS 1049 (dated 1449) (see Online Resources). It seems possible that the same priest by this name owned all these volumes (and indeed copied parts of some of them), over a span of years stretching from 1438-1470. His association with the well-known binder, Johannes Richenbach (d. 1486), one of the first German binders to use roll tools, is of particular interest. Details of his life suggested in several sources (that he was from Gmünd in Schwaben, served as the chaplain at the St. Leonard chapel, and received his B.A. at Heidelberg in 1472, particularly this last fact that seems chronologically unlikely), demonstrate the need for further research.

3. Modern marks of identification on the front pastedown include two pasted-in catalogue descriptions (both on paper, one handwritten and the other printed) of the manuscript as Niccolo da Osima's *Supplementum*, as well as "NS / 27" and "£3/12/6." Two paper labels are pasted to the upper front cover, but have been partially scraped off: no text remains. A small blue sticker on the spine reads "840."

## TEXT

f. 1, brief passages copied in later hands (see above under Provenance);

ff. 1v-3v, blank;

ff. 4-211v, incipit (prologue), "Quoniam ut ait Gregorius super Ezechielem, nullum omnipotenti deo tale sacrificium est quale zelus animarum ... et non benedictis postulo correccionem," incipit (main text, f. 4r), "Abbas in sua monasterio potest conferre suis subditis ... in bonis tunc invidia Et vt dictum est supra Invidia ¶ 2";

ff. 212-213v, incipit, "Abbas, abbatissa, Absolutio primo communiter ... Yrpocresis [sic], yronia vide in littera, Hystrio vide in littera H, Zelus."

Table of contents for the *Summa*, listing the incipits (and therefore the topics) of each section in alphabetical order, as they also appear in the text. The table's entries correspond to the text's large red initials.

Bartholomaeus de San Concordio (c. 1260-1347), *Summa de casibus conscientiae*, sometimes also called the *Summa magistrutia*, just the *Magistrutia*, or (after its author) the *Bartholomaea*, the *Pisana*, or the *Pisanella*. The text was very popular in the Middle Ages, surviving in hundreds of manuscripts, including more than sixty each in France and Austria, 120 in Germany (including 49 in Munich), and 187 in Italy (including 23 in Naples, twelve in Rome, and 33 in the Vatican). Ten manuscripts are recorded in the United States (Kaeppeli, 1970). The majority of *Summa* manuscripts are, unlike this German example, of Italian origin. Copies of the *Summa* to come on the market since 2000 include, besides this manuscript, two of Italian origin, one French, and one other German manuscript: one of only four other *Summae* of German provenance to be sold since 1970. Other German copies are currently housed in the Universitätsbibliothek in Altdorf bei Nürnberg, Stonyhurst College in Lancashire, and the Pierpont Morgan in New York. The text was printed seven times before 1500, starting in Italy in 1473 (*Gesamtkatalog*, 1968). In addition, the text has been translated into German, Spanish, and Italian, surviving in those languages in both manuscript and print (Kaeppeli, 1970).

Bartholomaeus was born c. 1260 in San Concordio, a small town near Pisa, where he spent most of his life (see Segre, 1964). In 1277, he entered the Dominican order and went on to study law and theology, first in Bologne and then later Paris. Returning to Italy, he taught logic, philosophy, and canon law in several Dominican schools (Todi, Rome, Florence, Arezzo, and Pistoia). From 1312, records show that he was based primarily in Pisa, where he died in 1347. Bartholomaeus was the author of several works, in both Latin and the Italian vernacular, which ranged widely in their topics, including a translation of Sallust's *Catilina and Jugurtha*, a commentary on Geoffrey of Vinsauf's *Poetria nova*, a compendium of moral philosophy, a treatise on orthography, and a chronicle of Pisa's Santa Caterina d'Alessandria. The *Summa* is his best-known and most important work.

The *Summa de casibus conscientiae* is first and foremost a manual of canon law, finished in 1338 and based primarily on the influential *Summa confessorum* of John of Freiburg (d. 1314). Bartholomaeus's *Summa* is an adaptation and updating of adapted John's work, by instituting an alphabetical organization, enabling easy reference and location of topics: an innovation for which Bartholomaeus was indebted to earlier models, but which was not yet fully implemented by John (Teetaert, 1937, col. 214). This alphabetical organization covers topics from *Abbas* to *Zelus*, and is supplemented by an alphabetical table of contents, located in this manuscript at the end of the codex (see below). While the *Summa* finds its basis in canon law, it was not an obscure academic text suitable only for theoretical scholars. On the contrary, it was an important part of Bartholomaeus's career as a popularizer (see Segre, 1964), and packaged the canon law material in a more approachable package, becoming important, therefore, not as an abstruse legal text, but as a practical confession manual, an important guide for priests and confessors and influential on subsequent authors like Angelus de Clavasio (1411-1495) (Teetaert, 1937, col. 215). No critical edition currently exists, and no study has been done of the extant manuscripts.

In addition to its popularity in its own right, the *Summa* was also further developed and expanded by the Franciscan Niccolo da Osimo in 1444, as the *Supplementum summae Pisanellae*, where Bartholomaeus's text was supplemented by additional passages, interspersed throughout the text of the *Summa* (see below, under Online Resources, for examples of the *Supplementum*, in which Niccolo's additional text is marked off from Bartholomaeus's by the letter *A* marking the beginning of new material, and *B* marking the resumption of the original text). The present manuscript has apparently been identified by previous owners as a copy of Niccolo's later text: two short descriptive notices have been pasted to the inside of the front cover, making this identification. In fact, however, the manuscript lacks the supplementary material: it is a copy of the original *Summa* alone.

## LITERATURE

Craun, Edwin. "The Imperatives of *Denunciatio*: Disclosing Others' Sins to Disciplinary Authorities," in *The Culture of Inquisition in Medieval England*, ed. Mary C. Flannery and Katie L. Walter, Westfield Medieval Studies 4, Cambridge, Brewer, 2013, pp. 30-44.

Dietterle, Johannes. "Die Summae confessorum (sive de casibus conscientiae) von ihren Anfängen bis zu Silvester Prieris," *Zeitschrift für Kirchengeschichte* 27 (1906), pp. 166-188.

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Michaud-Quantin. *Sommes de casuistique et manuels de confession au moyen âge (XII-XVI siècles)*, *Analecta mediaevalia namurcensia* 13, Louvain, Nauwelaerts, 1962, pp. 60-66.

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Teetaert, A. "Barthélemy de Pise ou de San Concordio," *Dictionnaire de droit canonique*, Paris, Letouzey et Ané, 1937, cols. 213-216.

## ONLINE RESOURCES

Copies of Bartholomaeus's *Summa de casibus conscientiae*

Bordeaux, Bibliothèque de Bordeaux, MS 987

<http://manuscripts-drac.bnsa.aquitaine.fr/notices-manuscrit/ms0987-summa-de-casibus-conscientiae.aspx>

Albi: Imprimeur de Pius II, 1475

<https://archive.org/details/OEXV491RES>

Paris: Crantz, Friburger, and Gering, 1476

<http://gallica.bnf.fr/ark:/12148/btv1b8602961z>

Copies of Niccolo's *Supplementum* (note where Niccolo's supplementary text is marked off between the letters A and B)

New Haven, Beinecke MS 641

<http://brbl-dl.library.yale.edu/vufind/Record/3446467>

Venice: 1476

<http://gallica.bnf.fr/ark:/12148/bpt6k60503m.r=.langEN>

Sigrid Krämer. *Scriptores possessoresque codicum medii aevi* [electronic resource], Augsburg, Dr. Erwin Rauner-Verlag, available by subscription

<http://webserver.erwin-rauner.de/#scriptores>

On Bryn Mawr College, MS 3 (and Georgius Ruch)

<http://www.brynmawr.edu/library/speccoll/guides/ms3.shtml>

"Ein neues Buch aus der Bibliothek von Jörg Ruch"

<http://archiv.twoday.net/stories/59215925/>

Copenhagen, Royal Library, Inc. Haun. 397 2<sup>o</sup>, Augustine, *De civitate dei cum commentario Thomae Waleys et Nicolai Trivet*, Strasbourg, Johann Mentelin, not after 1468, owned by Georgius Ruch, and bound by Johann Richenbach

<http://wayback->

[01.kb.dk/wayback/20100504145152/http://www2.kb.dk/elib/mss/treasures/bogbind/inc397.htm](http://01.kb.dk/wayback/20100504145152/http://www2.kb.dk/elib/mss/treasures/bogbind/inc397.htm)

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