

Manual of Confession by an ANONYMOUS AUTHOR: *Tractatus quorundam casuum* (A Treatise on Certain Cases)

In Italian and Latin, decorated manuscript on paper

Northern or Central Italy, c. 1450-1460(?)

53 + i (twelfth-century parchment) folios on paper, unidentified watermark (partly visible), modern foliation in pencil, 1-53, lacking 7 leaves (collation i¹² ii¹⁰ [lacking the first seven leaves of quire, with loss of text] iii-v¹⁰ iv⁸), horizontal catchwords, no signatures, ruled in brown ink (justification c. 112 x 75 mm.), written in gray ink in cursive gothic bookhand in single column on 33-35 lines (except on ff. 13-15v on 23-24 lines), rubrics and paragraph marks in red, capitals touched in red, 1 to -2-line initials in red in the last text on ff. 48-52v, first quire almost entirely detached, minor stains and tears, otherwise in very good condition. EARLY (CONTEMPORARY?) ENVELOPE BINDING, of brown calf over pasteboards, blind stamped decoration: the back-cover design is framed with a knotted Franciscan chord enclosing a lozenge containing four leaves or flames, in the corners outside the lozenge are four quatre-feuilles in square frames, the endleaf and the back pastedown in parchment is reused from a late twelfth-century Italian Antiphonal with staffless neumes, leather covers in very poor condition, only the back cover is attached, the front cover and spine kept in a modern box with the manuscript. Dimensions 155 x 105 mm.

Manuals for confession were important practical guides for confessors in the late Middle Ages, offering an untapped insight into daily life. Mostly in Italian, this one – in its original wallet-style binding for ready reference – conveys a multitude of transgressions including rape, whispering, usury, flattery, blasphemy, and marital dishonesty. Its detailed concrete cases help clarify the intersection of Canon Law with day-to-day life in the late Middle Ages. The sections on usury and the ethics of business will be of special interest to modern historians.

PROVENANCE

1. The texts, as well as the style of the script, suggest that the manuscript was made soon after 1450 in Northern or Central Italy. It includes extracts from the works of two especially influential contemporary Dominican reformers of the time, St. Antoninus of Florence (1389-1459) and St. Bernardino of Siena (1380-1444) and was probably copied very close to their lifetime (and possibly during that of the former). The text by Bernardino, canonized in 1450, provides a *terminus post quem*.

The manuscript may have belonged to a Franciscan, as suggested by the contemporary binding decorated with a knotted Franciscan cord. Famous as preachers, hearing confessions was also fundamental to the mission of medieval Franciscans.

2. Private European Collection.

TEXT

ff. 1-48, *Incipit Tractatus quorundam casuum*, incipit, "Confessorum compendium hoc vobis trado/ Qui uigilatis instanter animas lucrando/ Plures casus annotavi vobis conpatiendo/ Ne multum laboretis hinc inde querendo/ ... "; *De la confessione*, incipit, "Confessione secundo sancto

Augustino. Sic que la perla quale lo occulto morbo fiscoperto al medico spirituale cum speranza de perdonanza. Le condicione dela confessione sono secundo san tho in 4. di. 17. xvi ... , ... o dispensati o commutati peccata mentalmente";

Unidentified treatise for educating the clergy about confession. The anonymous work begins with a verse prologue in Latin, that promises to provide a "compedium" for confessors with many *casus* (cases), a promise that the author amply fulfills. This is a practical text, mostly in Italian, that provided confessors with concrete examples of the type of transgressions they were likely to encounter while administering the sacrament.

Includes the following chapters, "De la confessione," "Circumstantie," "De confessore," "De forma absolutionis ab Excommunicatione maiori," "Absolutio ab Excommunicatione minori," "De forma plenarie de absolutionis in articulo mortis," "De absolutione a peccatis," "De penitentia iniungenda," "Honestas," "Affinitas," "Si forte coire," "Hec focianda," "Ecclesie vetitum," "Nec non tempus feriarum," "De etate," "De matrimonio," "De Usura," "Usurario manifesto," "De la pena de li usurii," "Se sepono audire in confessione li usurarii," "Che non sestia al testamento del usurario," "De li servitori de li usurarii," "Queli che prestano," "De li famegli," "De li factori," "Togliando a casu la cossa," "Se uno usurario dona alcuna cosa," "Contra li signori," "De lo usurario mercadante," "Archi se debe restituita la usura," "De lo usurario absento," "De la fiande usuraria," "De lo prestito," "De dolo," "De culpa," "De dolo duplici," "De negotiatione," "De locatione et condutione," "De livelario," "De emptione et venditione," "De Restitutione male ablatorum," "De Restitutione debiti," "De fautoribus raptorum," "Restitutio quo ad Edentes," "De restitutione incertorum," "De ludo alee," "De Inventis," "De pedagogiis," "De Pignore," "De comodato," "De maledictione et blasphemia," "De lo Jurare," "De simplici guiramento," "De Periurio," "De permissione," "De mendatio," "De susuratione," "De contumelia," "De derisione," "De Simulatione," "De ypocrisi," "De adulatione," "De Luxuria," and "De inhonestate matrimonii."

ff. 48v-52v, *Alique causus declarati a venerabili magistro Antonio Archiepiscopi Florentino*, incipit, "Non possunt absolvi tenentes collumbarias ... Emere ab usurariis libros vestes ... de usuris"; [f. 49v], *Secundum sanctam bernardinum. De socitis bouum et animalium grossorum. Nota diligenter*, incipit, "Ponamus casus pertinentes ad boues et ad alia animalia grossioris generis ... , [f. 49v], *De tribus casibus non licitis in societate bouum. Casus primus*, incipit, "Primus casus est petrus tradit Iohanni bovem et vitulum nutriendos usque ad annum ... quia tunc vera locatio est.";

Extracts from the works of St. Antoninus of Florence (1389-1459) and St. Bernardino of Siena (1380-1444, canonized in 1450), the first text on ff. 48v-49v is from St. Antoninus (probably *Confessionale* "Defecerunt," see below). The second text, ff. 49v-52v, is from St. Bernardino's sermon 40, *De soccidis animalium*, for Saturday after the fourth Sunday in Quadragesima, printed in *Sancti Bernardini Senensis, Opera Omnia*, Paris, 1635, p. 723

f. 53rv, [f. 53, ruled, otherwise blank]; f. 53v, short text added later in the fifteenth or sixteenth century in Latin, including a prayer, "dominus noster ihesus christus te absolvit in celis et Ego te absolvo in terris autoritate apostolorum petri et pauli...", the Seven Gifts of the Holy Spirit, the seven gifts of the beatitudes, seven virtues, and a list of the 12 Apostles: "Petrus, Andreas, Johannes evangelista, Jacobus maior, Tomax [sic, for Tomas], Jacobus minor, philipus, bartholomeus, Matheus, Simon, Judas thadeus, Mathias."

This practical manual for priests and confessors prepares the clergy for their everyday work. The text explains different circumstances, or cases, from marriage, family, and age to confession, excommunication, penance, and various vices and doubts that may affect the community of faithful. An explanation and an indication of behavior is provided for each case, as well as methods on how to listen to confessions of sinners. Honesty, affinity, and ways of giving guidance are discussed amongst usury, rapists, guilt, deception, cursing and blasphemy, swearing, lying, whispering, insults, mockery, hypocrisy, flattery, luxury, and dishonor within marriage. The more legal subjects cover aspects of buying and selling, lending, and the restitution of a debt. The work refers to various influential theologians, as for example in the chapter on confession, which refers to Saint Thomas Aquinas' *Commentary on the Sentences*, which in book 4 distinction 17 discusses confession (f. 1v, line 31, "Tho in 4 di 17"). Antoninus of Florence is mentioned by name on f. 48v. Before writing his principal achievement, the *Summa moralis* around 1440-1454, St. Antoninus composed three different guides for confessors around 1437-1439, all called *Confessionale* and distinguished by their incipits; the best known, "Defecerunt," is known in 279 manuscripts, but was not printed until 1472, after his death (Online Resources).

Manuals for confession were important practical guides in the late Middle Ages, both for confessors and for penitents. One of the sacraments in the Catholic Church, confession became more and more regularly practiced over the course of the twelfth century, with the requirement of yearly confession for all Christians put in place by the Fourth Lateran Council in 1215. The spread of the mendicant orders in the thirteenth century increased the need for specialist instructional guides for confessors, as these itinerant clergy focused on the activities of preaching and hearing confession (Biller 1998, pp. 9-10). From then on, the importance of confession only grew for the medieval faithful, and by 1400 confessional manuals became more popular than they had been previously (see Michaud-Quantin, 1962, p. 68).

This highly interesting manuscript is a beacon on the everyday religious life of fifteenth-century Italy and the sophistication of its clergy. It is written in a very neat and easily readable script, mixing Latin and Italian, reflecting the linguistic versatility of the time. The importance of a text such as this one today is not only as an artifact of late-medieval religious history, but as window into ethical thought.

LITERATURE

Biller, Peter. "Confession in the Middle Ages: Introduction," in *Handling Sin: Confession in the Middle Ages*, ed. Peter Biller and A. J. Minnis, York, York Medieval Press, 1998, pp. 1-33.

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ONLINE RESOURCES

Antoninus de Florentia (Antonio Pierozzi), *Confessionale*, Venice, 1483
<http://gallica.bnf.fr/ark:/12148/bpt6k60705v>

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