Virtues, Vices, and Venice:

Studies on Henry of Rimini O.P.

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ABSTRACT

The Dominican Henry of Rimini (fl. c. 1300) is almost exclusively known for his praise of Venice and its ideal mixed constitution. But he is also the author of treatises both on the virtues and the vices, and as such his work provides an opportunity of examining the nature of this literary genre at a particular historical moment, that is, after Aquinas's assimilation of Aristotelian thought into the older moral tradition. After reconstructing Henry's life and works from the available information in chapter one, therefore, the thesis examines these two treatises, first the Tractatus de septem uitiis capitalibus, and secondly the longer and more successful Liber de quatuor uirtutibus cardinalibus. Chapter two contains an edition of this treatise on the vices, which is preceded by an introduction illustrating its place in the history of the genre. Chapter three considers the treatise on the four virtues, initially from the point of view of its manuscript tradition, with descriptions of the 23 manuscripts in which it is contained and a detailed discussion of its historical diffusion. This can be considered the preparatory work for a critical edition of the text, and also a study of the work's reception in the fourteenth and fifteenth centuries. This is followed by a consideration of the nature of the work itself, its function and structure, and an account of its contents with relation to its major source, Aquinas' Summa theologiae. The thesis closes with a conclusion highlighting the important modifications which Henry makes with respect to his major source, and the principal lines of the reception of his work.
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The Dominican Henry of Rimini (*Henricus Ariminensis*, or *de Arimino*) is known today principally as the author of a passage in praise of the city of Venice and its ideal, mixed, constitution. The passage forms a remarkable chapter of his *Liber de quatuor virtutibus cardinalibus*, and it was first noticed by scholars investigating the “myth of Venice”, who saw in it the first application to Venice of the Aristotelian theory of the mixed constitution which was to become a major element of Venetian historiography in the Renaissance period. Apart from this passage, usually studied out of context, Henry’s work is virtually unknown.

This thesis began as an investigation into the literary genre of the treatise on the virtues and vices, and Henry, who wrote on both the virtues and the vices, constitutes a convenient standpoint from which to examine this extremely popular but little-studied medieval genre at a particular point in time, that is, after the rediscovery of the Aristotelian *Ethics* and *Politics*, and more particularly, after their digestion and incorporation into moral theology by Thomas Aquinas. Scholars have lamented the lack of editions of ‘treatises on the virtues and vices’, and this consideration, coupled with an awareness of the prolific and elusive nature of the genre, made an in-depth study of Henry’s two works appear a more profitable approach than a general study of the historical development of this type of moral treatise. The aim, therefore, was to produce an edition of the shorter treatise on the vices, and to investigate the work on the virtues more as a moral treatise than as a political handbook. Given the historical importance of the latter in relation to Venice, however, it seemed worthwhile asking whether this political aspect was as fundamental to the *Liber’s* reception in the Medieval period as it has been in recent times. Research indeed shows that Henry’s work was read in various ways by its various audiences, and that it took on a rather different kind of life north of the Alps towards the end of the Middle Ages.
In writing this thesis, I have greatly benefitted from the advice and encouragement of others, in particular my supervisor, David d’Avray, with his valuable comments and suggestions and continuous kindness and enthusiasm. Fernanda Sorelli guided me through the Venetian archives, Carla Casagrande helped me with the identification of Henry’s sources, and the staff of various libraries, many of whom are acknowledged personally in the notes, provided me with information on manuscripts containing Henry’s works. Finally, Riccardo Quinto as a scholar advised and corrected me throughout, and as a husband supported me to the end. I would like to thank them all here.
CHAPTER 1:
THE AUTHOR

1. Sources

Relatively little is known about Henry himself or about the Dominican convent of SS. Giovanni e Paolo in Venice, where he was prior, around the turn of the fourteenth century: there is no surviving necrology of the convent which could allow us to reconstruct Henry’s life in the kind of detail possible for his contemporary, Remigio de’ Girolami of Santa Maria Novella in Florence, for example; nor is there a chronicle which could provide a list of priors, or details of building work, such as that of Galvano de la Flamma for the convent of S. Eustorgio in Milan. The surviving archive of SS. Giovanni e Paolo is disappointingly incomplete, even taking into consideration the inevitable loss of documents through the centuries, and in particular during the two periods of secularisation in Venice, during the Napoleonic and Austrian occupations which followed the fall of the Serenissima in 1797, and after the annexation of Venice to the Kingdom of Italy in 1866. Most of the surviving documents from the convent

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2 There is a necrology of the convent, “Catalogo di tutti li Religiosi con sacerdoti come chierici e conversi defunti nel convento di SS. Giovanni e Paolo di Venezia”, in Venezia, Biblioteca del Museo Correr, ms. Cicogna 822, but this begins in the year 1500, and obviously makes no mention of Henry. The necrology of Santa Maria Novella has been edited by S. Orlandi, Necrologio di Santa Maria Novella, 2 vols (Firenze, 1955); for Remigio, see E. Panella, “Per lo studio di fra Remigio dei Girolami († 1319), Memorie Domenicane n.s. 10 (Pistoia, 1970).

3 For SS. Giovanni e Paolo, I have only been able to discover the chronicle of the Dominican Rocco Curti, which was compiled in the mid eighteenth century, principally from the fifteenth-century Dominican “Cronico” of Niccolo Zeno, along with material from other sources, such as Flaminio Corner’s Ecclesiae Venetae discussed below. Curti’s “Cronaca della Chiesa e del Convento dei RR. PP. Predicatori dei SS. Giovanni e Paolo di Venezia” is now contained in Vicenza, Biblioteca Bertoliana, ms. G 3 49. Galvano de la Flamma’s chronicle is in reality a more general history of the Dominican order, but it includes details about Galvano’s home convent in the third part: Fratris Galvagni de la Flamma, Cronica Ordinis Praedicatorum ab anno 1170 usque ad 1333, ed. B. M. Reichert, MOPH 2, 1 (Romae-Stuttgardiae, 1897).

4 The convent was requisitioned for military use on 28th November, 1806, and was suppressed by Napoleon on 25th April, 1810: P. La Cute, “Le vicende delle biblioteche monastiche veneziane dopo la soppressione napoleonica”, in Rivista mensile della città di Venezia (October, 1929), 597-645; p. 613, 617. The documents from the convent are now stored mainly in the Archivio di
archive from this period consist of wills, which can at best shed indirect light on aspects of the convent’s organisation, and which only occasionally mention specific friars as beneficiaries.

Besides the convent archive itself, some information on SS. Giovanni e Paolo has survived in indirect testimonies. Flaminio Corner’s *Ecclesiae Venetae* is still a valuable source, despite the semi-legendary nature of some of its affirmations, since Corner had access to documents before the suppression of the convent. Again, in the nineteenth century, the erudite Venetian, Emmanuele Cicogna (1789-1868), amassed an enormous collection of manuscripts, books, and miscellaneous information, among which is a collection of inscriptions from tombs in SS. Giovanni e Paolo which have since been destroyed, a work which is based on that of an early sixteenth-century prior of the convent.

Ancient Dominican biographies and chronicles remain the fundamental source of information on any individual friar, but Dominican administrative records are also a potential source of biographical information. The annual Acts of the provincial chapters included lists of *assignationes* of individual friars to the

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5 I have examined 23 wills containing some reference to SS. Giovanni e Paolo and dating between 1290 and 1320. The documents are: ASV, fondo SS. Giovanni e Paolo A I; B III; B IV; B VI; B VII; C I; C II; C III; C V; F II; M I, nn. 1-2; M II, n. 1; M III, n. 1; P II, n. 1; P III, n.1; Q II, n. 1; Q III, n. 1; Q IV, n. 1; S I, n. 1; S IV, n. 1; Z II; Registri in busta, XXXII. Other documents of this period in the fondo are miscellaneous acts dating from 1251 (Serie Registri in Busta, XXXII), and records of masses to be said (Serie Registri in Busta XVI: Mansionarie). None of these documents make any reference to Henry.


7 Cicogna’s death prevented him from publishing his inscriptions from SS. Giovanni e Paolo in his series of *Delle inscrizioni veneziane* (Venezia, 1824-1853). Alongside his “Iscrizioni nella chiesa de’ SS. Giovanni e Paolo detta S. Zanipolo”, in Venezia, Biblioteca del Museo Correr, ms. Cicogna 2011, is Cicogna’s own hand-written copy, dated 1821, of a list of inscriptions from the work of Marcanzio Luciani, prior of the convent in 1519, 1528, and 1535, who compiled the first inventory of such material. Although Luciani’s original manuscript has been lost, a copy was made, at the instigation of senator Pietro Gradenigo, by Rocco Curti in the mid-eighteenth century, as explained in the manuscript itself (fols IIIr-IIIv); this copy later fell into the hands of Cicogna who produced his own copy, which is now Venezia, Biblioteca del Museo Correr, ms. Cicogna 1976. Although these inventories contain the occasional inscription from the early fourteenth century, there is no mention of Henry. On Cicogna see P. Preto, *Dizionario biografico degli italiani*, vol. XXV (1981), p. 394-397.
various convent schools as lectores or as auditors, that is teachers and pupils. Regretably, the Acts of the province of Lombardia, and later Lombardia inferioris, in which Venice was situated in this period, are fragmentary, and only the Acts of 1307 are complete enough to contain such information. More indirect, but in fact more fruitful sources in the search for Henry are papal and Venetian government documents. The Venetian government’s systematic record-keeping began around the end of the thirteenth century: for the period we are interested in there exist registers of the decisions of the main legislative body, the Deliberazioni del Maggior Consiglio, registers of miscellaneous documents relating to Venetian foreign affairs known as the Libri Commemoriali, and records of the Grazie, that is, those benefits conferred by the Venetian state on certain individuals and institutions, generally containing some element of public utility.

2. Life

From the above sources all that we can reconstruct with confidence are a small number of episodes from Henry’s life. Of Henry’s birth and death nothing concrete is known, but judging from the following clues we may guess that he was born around the middle of the thirteenth century, and that he died sometime after 1308. He is placed under the year 1314 in the 1506 edition of the Venetian

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8 In 1303, the province of Lombardy, which extended over the whole of Northern Italy, was divided into Lombardia superioris (approximately speaking the present-day Liguria, and Lombardy) and Lombardia inferioris (The Marches, Emilia Romagna, and Veneto), see Acta capitulorum generalium, ed. B. M. Reichert, MOPH III (Romae, 1898), p. 313.

9 The fragments of the Lombardy provincial Acts have been edited by T. Kaeppeli, “Acta capitulorum provinciae Lombardiae (1254-1293) et Lombardiae inferioris (1309-1312)”, in AFP 11 (1941), 138-172; and those of 1307 by A. d’Amato, “Atti del capitolo provinciale della Lombardia inferioris celebrato a Vicenza nel 1307”, in AFP 13 (1943), 138-172.


11 The thirteenth-century partes, or decisions of the Maggior Consiglio have been edited by Roberto Cessi: Deliberazioni del Maggior Consiglio di Venezia, 2 vols (Bologna, 1950-1934); the following registers remain unedited: Archivio di Stato di Venezia, Maggior Consiglio, Deliberazioni: reg. 8, Magnus et Capricornus (1299-1308); reg. 10, Presbiter (1308-1315).

12 Calendars of the Libri Commemoriali have been published by R. Predelli: I Libri Commemoriali, cit.: volume I covers the years 1300-1317.

13 There is an edition of the Grazie of the years 1299 to 1305: E. Favaro, Cassiere della bolla ducale. Grazie - Novus Liber (1299-1305). Fonti per la storia di Venezia, sez. 1. Archivi pubblici (Venezia, 1962). Although the Dominicans of SS. Giovanni Paolo are included, there is no mention of Henry here.
Albert of Castello's *Brevisissima Chronica Ordinis Praedicatorum*\(^4\), and in subsequent biographical sources it is often stated that Henry either floruit or died in this year\(^5\). Nevertheless, the reference to Henry and to seven other Dominicans seems to be an interpolation which Albert added when compiling the *Chronica* from his principal source, the *Cronica brevis Ordinis Praedicatorum* of Iacobus de Susato (Soest)\(^6\), which is no longer extant: the chronology is not correct for all of these eight Dominican authors, which raises the suspicion that Albert added them all at point in his chronicle that was convenient rather than accurate\(^7\). For this reason, although 1314 seems a plausible date at which to place Henry's death, we cannot - at the present state of research - take it as anything more than that.

The first glimpse of Henry, as "prior fratrum ordinis predicatorem in conuentu Veneto", is from the Register of pope Benedict IX for the year 1304, in the context of a papal ban on trade with Egypt and parts of Babylon under the sultan. From a letter written by Henry himself, dated 3rd April, 1304, we learn of his mission to Rome on behalf of the Venetian government, successfully securing for the Venetians the pope's oral permission to continue trading with the Turks in certain items\(^8\). The importance of this trade concession can be judged by a letter of 1317 from doge Giovanni Soranzo to papal legate Bertrand de la Tour, asking that the Venetians be allowed to trade with the Arabs to the same extent as had been granted to Henry thirteen years earlier\(^9\).


\(^{16}\) Kaeplei, n. 2129.

\(^{17}\) This is a possibility which Albert himself recognises, confessing in the colophon: "nec moueat quempiam quod fortasse variata fuerunt tempora quibus ipsi uiri claruerunt, quia non semper inuenitur quali tempore tales doctores floruerunt": quoted in Creytens, "Les Ecrivains Dominicains", *cit.*, p. 259, see also p. 238; and H.-D. Simon, "Notes de Bibliographie Dominicaine", *AFP* 8 (1938), 193-214.


\(^{19}\) Extract quoted in *Le Registre de Benoît XI*, *cit.*, cols 824-825, and *I Libri Commemorialii*, *cit.* II, n. 64, p. 183; cf. G. Golubovich, *Biblioteca bio-bibliografica della Terra Santa e
In June 1307 Henry is mentioned in an entry in the *Deliberazioni del Maggior Consiglio*, where he appears as the patron of two friars from his home-town Rimini, who, “ualde recomendati per fratrem Henricum de Arimino”, are granted Venetian citizenship (“recipiantur in Venetos et fiant Veneti”).

In April 1308, Henry appears in the Register of Clement V, this time as an envoy of the pope, along with the Franciscan Gregorius de Cattaro, on a mission to the court of the Serb king Uros, husband of Eleanor of Valois, as part of an attempt to persuade the king into a union with the Church. Finally, in November of the same year, he is mentioned in a letter to the doge from papal envoys, contained in the *Libri Commemoriali*, regarding his role as Venetian mediator in the dispute between the city and the pope over Ferrara, in particular for attempting to negotiate a settlement after the excommunication of Venice on October 25th. A temporary peace was reached between Venice and the papal legates on December 1st.

As for the city of Venice, by the end of the thirteenth century, with a population of approximately 120,000, it was one of the largest and richest cities in western Europe, and the convent of SS. Giovanni e Paolo was a thriving and influential institution within that city. Indeed, by the second decade of the
fourteenth century, the Dominican presence was evidently large enough to
necessitate the founding of a second convent in the city, S. Domenico di Castello,
thanks to the legacy of doge Marino Zorzo († 1312), which was completed by
1317. Although the presence of the Dominicans in Venice can be traced back to
the 1220s, the foundation of the church and convent of SS. Giovanni e Paolo is
linked to the year 1234 with the donation of the site by doge Jacopo Tiepolo24.
Historians seem to agree that by the end of the thirteenth century a first church
had already been constructed, but since the church we see today is largely of
fourteenth-century origin, the building was either started anew at the turn of the
century, or the existing church was radically adapted to create a ‘SS. Giovanni e
Paolo II’25. Building work continued throughout the fourteenth century and the
church was finally consecrated in 1430. It is generally assumed that the convent
was more or less complete by 1297 when it hosted the Dominican General
chapter26.

From what has been said above, Henry emerges as a figure of some
importance: prior of SS. Giovanni e Paolo in 1304 at least27, he was evidently also
an influential Venetian citizen, acting as a referee for potential new citizens28. His
political skills can be judged by his role as both papal and Venetian envoy in
situations of crisis. While the role of Mendicants as papal ambassadors is well-
known, Henry’s activity has been used as evidence to show that the Venetian
commune at times also employed Franciscans and Dominicans on diplomatic
missions, in particular in their dealings with the papacy29.

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26 The convent hosted provincial chapters in 1277, 1287, and 1292: see Galvanus de la Flamma, *Cronica, cit.*, p. 101, 103-104.
27 We know, for example, that the prior of the convent in 1294 was Floriano da Verona, and in 1314 Manfredo da Parma: Corner, *Ecclesiæ Venetae, cit.*, p. 242-243.
28 If we take Henry’s sponsorship of the two friars as evidence that he must have been a Venetian citizen himself, then we must date his own residence in the city back to the 1270s. Venetian citizenship *de gratia* was granted in this period by privilege to those who had been resident in the city for 25 years: P. Molmenti, *La storia di Venezia nella vita privata*, I (Trieste, 1973), 72-75.
3. Works

Four works have been attributed to Henry: a Liber de fide, once contained in ms. Forlì, S. Domenico, now lost; a collection of 35 sermons, in ms. Wien, Österreichische Nationalbibliothek, 3586, fols 107-162 - and a further 14 sermons probably attributable to him in the same manuscript; a Tractatus de septem uitiis, attested in a single manuscript copy; and his largest and most important work, a Liber de quatuor uirtutibus cardinalibus, contained in at least twenty-three manuscript copies and two incunable editions.

Ancient bio- and bibliographical sources show a certain degree of confusion over the status of the chapter on Venice, mentioned above, and contained in this last treatise on the virtues, since it is at times quoted as a separate work. The notoriously unreliable Lusitanus, for example, states that Henry wrote “Librum etiam de politia Venetorum”, although Quétif and Echard are more cautious and mention this merely as a possibility. The chapter did circulate separately in Venice in the late-medieval period, but the origin of the confusion is again almost certainly Albert of Castello, as the supposed work on Venice figures as an interpolation added to the 1516 version of his Brevissima Cronica.

Conversely, it is possible that reference to a Liber de fide meant that Henry also tackled the theological virtues to complete the series of three theological and four cardinal virtues, and seven capital vices. This is pure conjecture, however, and our study is by necessity limited to the two extant works which Henry devoted to this subject, namely the Tractatus de septem uitiis capitalibus and the Liber de quatuor uirtutibus cardinalibus.

30 Kaeppeli, nos 1707, 1706, 1705, and 1704 respectively.
33 Lusitanus, Bibliotheca Fratrum, cit., fol. 104.
34 “Tractatus de politia Venetorum. Quidam tractatus De nobilitate et politia Venetorum [...] An sit nostri Henrici discutiant curiosi nostri Tornacenses”, Quétif-Echard, Scriptores, cit., I, p. 523.
35 Cf. below, chapter 3: 1.2.3.
36 The interpolation is as follows, in italics: “Fr. Henricus de Arimino summam de quattuor uirtutibus compilavit egregie. Item tractatum de politia Venetorum”, see Creytens, “Les Ecrivains Dominicans”, cit., p. 277-278.
CHAPTER 2:
THE "TRACTATVS DE SEPTEM VITIIS CAPITALIBVS"

1. Introduction

Commenting in his *Moralia in Iob* on the passage, "exhortationem ducum, et ululatum exercitus" (Job 39, 25), Gregory the Great inadvertently created a system which was to seize the medieval imagination like few others. In his commentary, he describes an invisible war waged on the human soul by an army of vices. The army is led by *superbia* and has seven commanders, who are the seven *principalia vitia*: *inanis gloria*, *invidia*, *ira*, *tristitia*, *avaritia*, *ventris ingluvies*, and *luxuria*. It cannot be claimed that Gregory actually invented the seven capital vices, for a monastic tradition of eight vices - *gastromargia*, *fornicatio*, *filargyria*, *ira*, *tristitia*, *acedia*, *cenodoxia*, and *superbia* - already existed, and was brought to the Latin West in the early fifth century by John Cassian. Nevertheless, Gregory modified this tradition in such a way as to make it suitable to be applied outside the strictly monastic domain, chiefly by placing a spiritual vice, pride - "initium omnis peccati" according to the bible (Eccli. 10, 15), and vice of man's rebellion against God - in the place of the purely physical gluttony and lust as the most dangerous enemy. The Gregorian schema won over the older octad, and his seven vices were used throughout the medieval period, more than any combination of the virtues, to give a structure to the moral material contained in the various treatises for the laity, penitentials, confessional and preaching literature.

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2 Ioannes Cassianus, *Conlationes*, V, 2, ed. M. Petschenig, CSEL 13 (1886); *De institutis coenobiorum*, ed. M. Petschenig, CSEL 17 (1888), V-XII. The origin of the concept of the seven vices is still unclear, and may date back to the Hellenistic period; the first evidence of its existence, in any case, is found in the writings of the Egyptian hermit, Cassian’s master, Evagrius Ponticus (c. 345-399). On the origin and evolution of the concept see M. W. Bloomfield, *The Seven Deadly Sins. An introduction to the history of a religious concept, with special reference to Middle English literature*, (East Lansing- Mich., 1952), and R. Newhauser, *The Treatise on Vices and Virtues in Latin and the Vernacular*. Typologie des Sources du Moyen Age Occidental, 68 (Turnhout, 1993), 97-166.
3 The 'Cassianic' concept naturally gives precedence to the two strongest temptations to the monastic hermit: cf. Bloomfield, *The Seven Deadly Sins*, cit., 74-75.
In a sense, the situation changes with Thomas Aquinas, who chose the three theological and four cardinal virtues as the structuring principle for the moral part of his *Summa theologiae*, relegating the vices to a subordinate position. The vices of course continued to be used, but Henry's work at least must be viewed in the light of that of his greater Dominican confrère, for he relies heavily on Aquinas' doctrine in both the treatise on the virtues and that on the vices. Accordingly, the *Liber de quatuor uirtutibus cardinalibus* is the longer and more successful of the two, while the *Tractatus de septem uitiis*, which attempts to reconcile the structural importance of this Gregorian concept with its more dependent role in Aquinas, knew a more moderate success, and is as far as we know contained in a single manuscript.

1.1. Date

There is little external or internal evidence to date the *Tractatus de septem uitiis*. The only known manuscript copy, Florence, Biblioteca Medicea Laurenziana, ms. Plut. XX 33, fols 57r-78r dates from the fifteenth century, and was most likely bound together with other works when it became part of the original *Libreria Medicea*, inaugurated in 1571; a reference to 'S. Thoma' in one of the other works (fol. 47r) merely tells us that this work was written (or perhaps simply copied?) after 1321, date of Aquinas's canonisation. Few clues are to be found in the treatise itself: a reference to the *Secunda secundae* of Aquinas's *Summa theologiae* (fol. 67v) gives a *terminus post quem* of 1270 or 1271; nevertheless, the whole work is clearly of Thomistic inspiration and it is likely that it was composed in a period when Thomas's works had already been digested. The *Liber de quatuor uirtutibus* can be dated to a period of between 1268 and

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4 A. M. Bandini, *Catalogus codicum latinorum bibliothecae Mediceae Laurentianae*, I (Florentiae, 1774), 640.
5 The manuscript still bears the characteristic binding of the original collection, which dates c. 1571 (see description below); it is difficult to establish the provenance of the works before this time, for the binders of the original collection removed the flyleaves and the early librarians erased the notes of possession: B. L. Ullman - P. A. Stadter, *The Public Library of Renaissance Florence. Niccolò Niccoli, Cosimo de' Medici and the Library of San Marco* (Padova, 1972), 118.
1297, and although this gives us an approximate term of comparison, neither this work nor the *Tractatus de uitiis* contains references to the other, and it is impossible to establish the order of succession between the two.

1.2. Structure of the Tractatus

In a brief introductory prologue, the treatise is divided into three parts: the first describes the harm done by sin in general, the second provides a philosophical and a biblical rationale for seven capital sins in particular, and the third deals with each of the seven sins in turn. In practice, the first two parts function as a brief prologue to the third, which makes up the bulk of the treatise, in which each of the seven vices is normally considered according to what it is (*quid sit*), how serious it is (*quam graue peccatum sit*), and its daughter-vides (*de filiabus eius*). This pattern varies in the case of some of the vices, where, after a consideration of the vice *in generali*, as described above, there is an additional section on the vice *in speciali*. Pride (*superbia*) is the first vice considered, and whereas there is no discussion of its daughters, there are five sections on pride *in speciali*, that is, on pride arising from knowledge, from physical beauty, from beautiful clothing, from ancestral nobility, and from worldly honours and glory. To the chapter on avarice *in generali* is added a section on whether trade can be licit, and one on the particular sins committed by merchants; three chapters on women - what she is, her particular vices, and whether the wise man should marry - follow the treatment of lust *in generali*; and an excursus on drinking wine, holding banquets, and the sins committed at the table is added to the chapter on gluttony. The length of the chapters thus varies: pride is the longest, whereas anger and sloth receive relatively little treatment.

The treatise is "Gregorian" in so far as the author of the *Moralia in Job* is the acknowledged source of the series of seven vices, which are presented by Henry - with *superbia* replacing *inanis gloria* - in an order which is similar to that of the *Moralia*, complete - except in the case of *superbia* - with sets of daughter-

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^ See below, chapter 3: 5.
vices. The order of vices given by Henry in the prologue is slightly different from the order in which they appear in the body of the treatise, as is shown below:

<table>
<thead>
<tr>
<th>Gregory</th>
<th>Prologue</th>
<th>Henry Text</th>
<th>Daughters</th>
</tr>
</thead>
<tbody>
<tr>
<td>superbia</td>
<td>superbia</td>
<td>superbia</td>
<td>10</td>
</tr>
<tr>
<td>(regina vitiorum)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>inanis gloria</td>
<td>superbia</td>
<td>superbia</td>
<td>odium, susurratio, detractio, exultatio in adversis, afflicto in prosperis.</td>
</tr>
<tr>
<td>invidia</td>
<td>invidia</td>
<td>invidia</td>
<td></td>
</tr>
<tr>
<td>ira</td>
<td>ira</td>
<td>ira</td>
<td>rixa, tumor mentis, contumelia, clamor, indignatio, blasphemia.</td>
</tr>
<tr>
<td>tristitia</td>
<td>avaritia</td>
<td>avaritia</td>
<td>proditio, fraud, mendacium, peritium, inquietudo, violentia, mentis obduratio11.</td>
</tr>
<tr>
<td>avaritia</td>
<td>accidia</td>
<td>accidia</td>
<td>evagatio mentis circa illicita, torpor circa precepta, desperatio, malitia, ranchor, pusillanimitas</td>
</tr>
<tr>
<td>ventris ingluvies</td>
<td>luxuria</td>
<td>luxuria</td>
<td>cecitas mentis, inconsideratio, precipitatio, amor sui, odium dei, affectus seculi, horror futuri12.</td>
</tr>
<tr>
<td>luxuria</td>
<td>gula</td>
<td>gula</td>
<td>inepta letitia, scurrilitas, immunditia, multiloquium, hebetudo mentis.</td>
</tr>
</tbody>
</table>

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9 The variation in order between invida and ira, and avaritia and accidia (tristitia in Gregory's list) may be due to the use of the mnemonic acronym siiaga to represent the heptad. Such a device facilitates the memory, but it cannot guarantee the order of vices beginning with the same letter. This is suggested by Bloomfield in another context in The Seven Deadly Sins, cit., 88. The only relatively unusual aspect of Henry's chosen order is his placing of gula after and not before luxuria.
10 Gregory lists inobodentia, iactantia, hypocrisis, contentiones, pertinaciao, discordiae, and novitatum praesumptiones as arising from inanis gloria.
11 Gregory has fallacia in the place of mendacium, and contra misericordiam obdurationes cordis in the place of mentis obduratio.
12 Gregory adds incontinentia to give eight daughters of luxuria.
Although the authority of Gregory itself carried weight enough, Henry offers two other forms of justification for the seven vices. In the first place they are symbolised in the biblical passage which opens the treatise by the seven heads of the red dragon which appears in the sky in Apocalypse 12, 3, and which is not to be confused with the seven-headed beast which rises from the sea in Apocalypse 13, 1, another common figure associated with the seven vices, certainly in Medieval iconography. Henry's interpretation of the passage is allegedly taken from an authoritative source (\textit{juxta sanctorum expositiones}): the dragon indeed was often associated with the devil, and its heads with the seven capital vices, in biblical commentaries, and it is probable that Henry assembled the elements of this interpretation from various commentators. The tradition of the seven vices lacked a single clear biblical justification, but the advantage of this passage over other possible biblical sevens, such as the seven streams of

\footnote{Bloomfield, \textit{The Seven Deadly Sins, cit.}, 85, 89; Newhauser, \textit{The Treatise on Vices and Virtues, cit.}, 163-164. The following two references to Medieval iconography seem to speak of the beast rather than the dragon, although there may be an element of confusion: W. Molsdorf, \textit{Christliche Symbolik der mittelalterlichen Kunst} (Leipzig, 1926), repr. (Graz, 1984), n. 1072, p. 218; E. Mâle, \textit{Religious Art in France. The Thirteenth Century: a study of medieval iconography and its sources} (Princeton NJ, 1984), 110. Mâle notes that the beast is used by Friar Laurent in his \textit{Somme le Roi}; it is also used in the \textit{Compilatio} of Nicolaus Tornacensis, cf. R. Quinto, "Il codice 434 di Douai, Stefano Langton e Nicola di Tournai", \textit{Sacris Erudiri}, 36 (1996), 299, and by Henricus de Frimaria in his \textit{Tractatus de vitiis}, where the seven capital vices are represented by just one of the heads, and the other six signify other types of sin (Bloomfield n. 6456), and by Grosseteste in his Treatise on confession 'Deus est', ed. S. Wenzel, "Robert Grosseteste, Treatise on Confession 'Deus est'", \textit{Franciscan Studies} 30 (1970), 264, cf. C. Casagrande - S. Vecchio, "La classificazione dei peccati, tra settenario e decaloghe (secoli XIII-XV)", in \textit{Documenti e Studi sulla tradizione filosofica medievale}, 5 (1994), 331-395; 346, 373, 376.}

\footnote{Few elements of Henry's interpretation are contained in the \textit{Glossa ordinaria}, where the heads of the dragon are interpreted as the 'uniuersos principes' through whom the devil works. Honorius Augustodunensis interprets the heads as the seven 'principalia uitia' which he lists as superbia, inuidia, inanis gloria, odium, avaritia, crapula, and luxuria, in his \textit{Speculum ecclesiae}, \textit{PL} 172, 1010; for Bruno of Segni the heads are the seven Gregorian vices, springing from superbia, and the ten horns (not mentioned by Henry) are all the other vices deriving from the seven, where the number ten is not to be taken literally, but to signify a multitude, \textit{Expositio in Apocalypsim}, \textit{PL} 165, 668. Richard of St. Victor, in his \textit{In Apocalypsim Ioannis libri VII}, \textit{PL} 196, 799 also interprets the heads as the vices, and all three of these writers include other elements of Henry's interpretation. These sources were probably used by the compilers of the 'Dominican Postilla': Hugo de Sancto Caro, \textit{Commentum in Librum Apocalypsim, in Opus in novum testamentum}, vol. VII (Venetiis, 1703), 401 rb-va, which, while acknowledging the 'septem capitalia uitia' as one interpretation of the heads, includes fewer of the elements used by Henry. On the other hand, the \textit{Exposition super Apocalypsim I}, "Vidit Iacob" by Hugh of St. Cher, but attributed to Aquinas, in \textit{Opera omnia}, XXIII (Parma, 1869), p. 424, interprets the heads in the same way as the \textit{Glossa ordinaria}, (although it adds the idea that the dragon has seven heads in the sense that, by suggesting, the devil 'movet ad septem criminalium peccatorum commissionem'), and gives the seven \textit{diademata} as the '7 uitia principalia', using the seven angels of Apoc. 16 as an opportunity to discuss the seven capital vices.}
Ysaiah 11,15, the seven thin and ill-favoured kine of Genesis 41, or the seven nations cast out from the promised land in Deuteronomy 7,1, which are also acknowledged by Henry in the second section of the treatise, is that it creates a lexical as well as a numerical identification between the seven heads (capita) and the seven capital sins (uitia capitalia). Not to be forgotten either is the rhetorical potential of such an image, which could be used effectively by the preacher to create a vivid, frightening, and memorable representation of the nature of sin. The head metaphor is explained in the opening section of the treatise, and is maintained throughout as each new vice is introduced; however it provides no connection between individual sins and individual heads, nor supplies any justification for the order of the sins amongst themselves.

The second attempt to explain the seven vices is in the form of a psychological rationale, lifted straight out of the pages of Aquinas’s Summa theologiae. It is based on the direct and indirect movement of the will towards and away from bona, where the vices are the results of corruptions of this movement, as summarised below:\textsuperscript{15}.

The will incorrectly strives for the good:

\[
\begin{align*}
\text{good of the soul} & \quad \text{vain glory} \quad (in\textsuperscript{in}anis\textsuperscript{gloria}) \\
\text{(honours and glory)} & \quad \text{gluttony (gula)} \\
& \quad \text{lust (luxuria)} \\
\{ & \quad \text{avarice (avaritia)} \\
\text{good of the body} & \quad \text{regarding the conservation of the individual} \\
\text{(food and drink)} & \quad \text{regarding conservation of the species} \\
& \quad \text{(procreation)} \\
\text{external goods (wealth)} & \quad \text{regarding the conservation of the individual} \\
& \quad \text{regarding conservation of the species} \\
\end{align*}
\]

\textsuperscript{15} Sum. theol., I-II, q. 84, a. 4. This rationale is immediately followed, in the Summa, by another justification for the first four listed vices above, based on bona from the point of view of felicitas. It would not be wrong to conclude that the justification of the vices is of no great interest to Aquinas, who offers another two slightly different forms of rationale in two other works: Scriptum in II Librum Sententiarum Petri Lombardi, d. 42, q. 2, a. 3, and Quaestiones disputatae de malo, q. 8, a. 1.; cf. also S. Wenzel, “The Seven Deadly Sins: some problems of research”, Speculum, 43 (1968), 7.
The will flees from the good because of some adjoined evil:

regarding one’s own good

- (sluggishness at pursuing one’s own spiritual good) \( \rightarrow \) sloth (accidia)

regarding another’s good

- without violence (sadness at another’s good) \( \rightarrow \) envy (invidia)
- with violence (desire for revenge) \( \rightarrow \) wrath (ira)

The order as formulated above does not have much in common with the one in which Henry’s deals with the vices in the text\(^{16}\). Once presented, in fact, the Thomist justification is not referred to again. Henry makes virtually no attempt to explain the order of the vices at all: there is some idea that they might be treated in order of seriousness, for pride is treated first “quia inter draconis capita superbia obtinet principatum”, a position in keeping with such authorities as the Gregorian “regina vitiorum” and the biblical “initium omnis peccati”. The only other attempt to establish a justified hierarchy with the remaining vices is done with a classical authority, by placing envy after pride\(^{17}\):

\[ Et \ est \ ordo \ congruus: \ nam \ post \ superbiam \ sequitur \ inuidia, unde dicit Salustius in Iugurtino, “post gloriam memineris inuidiam. \]

That envy follows pride, however, was a commonplace, from Augustine to Thomas\(^{18}\). A vice such as lust, on the other hand, which for Henry is, unlike the others, “graue et periculosum”, appears in penultimate position.

The Thomistic rationale is not integral to the structure of the treatise, therefore, but it is as an indication of the influence of Aquinas, whose thought shapes the contents of the entire work. The treatise is dominated by two authorities: one is the Gregorian tradition of the seven capital vices mentioned

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\(^{16}\) Again, Aquinas does not establish a single definitive order for the vices. Essentially he follows Gregory; nevertheless there are slight variations in the order and the terminology with which he lists them in the *Summa* and *De malo*, for example: *Sum. theol.*, I-II, q. 84, a. 4: *inanis gloria, invidia, ira, tristitia, avaritia, gula, luxuria; de malo*, qq. 9-15: *inanis gloria, invidia, accidia, ira, avaritia, gula, luxuria.*

\(^{17}\) *Tractatus*, 3.2., p. 81, linn. 4-6 below.

\(^{18}\) Augustine, *De genesi ad litteram*, XI, 14, linn. 18-19 (CSEL 28, p. 346); *Sum. theol.*, I-II, q. 36, 4 ad primum; *De malo*, q. 8, a. 1, for example. Henry does not quote either of these authors here.
above, which gives its overall structure; the other is the Thomist influence on the contents, which carries with it a strong Aristotelian presence. The unconvincing addition of Aquinas’s explanation onto the Gregorian system shows that the two strands are not always harmoniously resolved. Henry’s treatment of avarice, and pride, whose length alone (roughly a quarter of the whole treatise) points to its anomalous nature within the work, also betray the difficulty of juxtaposing these two authorities.

Gregory reserves a particular position for superbia, outside the seven capital vices, as the regina vitiorum, the leader of the army, and source of all the others, with inanis gloria as the first of the seven, to give a total of eight vices in all. In later treatises on the vices, superbia and inanis gloria were often merged into one concept, to leave seven. Aquinas however attempts to incorporate Gregory’s concept of superbia, and its biblical status as “initium omnis peccati”, into his Summa theologiae, without compromising the status of the seven capitalia vitia as the principle sources of sin. It is difficult to extract a single coherent doctrine on this point from Aquinas’s work because although he clearly distinguishes characteristics of both superbia and cupiditas - singled out by St. Paul as “radix omnium malorum” (I Tim. 6, 10) - such as to set them aside from the seven vitia capitalia, as “initium” or “radix peccati”, his reasoning varies in each of the three loci classici on the vices. Nevertheless, in the Summa, it is clear that he distinguishes between a superbia that has “quandam generalitatem” because all sins are ordered to its finis, “propria excellentia”, and because through superbia man despises divine law and will commit any sin, and a more restricted superbia defined according to its “proprium objectum”, “inordinatus appetitus excellentiae”. This first type is excluded by Thomas from the heptad because of its generality; it has species but not daughters, and is dealt with in question 162 of the Secunda secundae; the second, more restricted, form is inanis gloria, a ‘uitium capitale’, treated in question 132 along with its daughters. Henry follows

20 Sum. theol., I-II, q. 84; In II Sententias, d. 42, q. 2, a. 3; De malo, q. 8, a. 1 (cf. also q. 8, ad sextum decimum). Since the Summa appears to have been Henry’s main source, it is the basis of the following discussion.
21 Cf. in particular Sum. theol., II-II, q. 132, a. 4; II-II, a. 162, a. 2.
22 In practice, Thomas often uses the terms superbia and inanis gloria interchangeably as if they were synonyms: see for example the very discussion of the seven capital sins in Sum. theol., I-II,
Aquinas rather blindly here: his \textit{superbia} is clearly inspired by Aquinas's \textit{superbia} rather than by his \textit{inanis gloria} in its definition, supporting \textit{auctoritates}, and its lack of daughters\textsuperscript{23}. Henry even insists on the general, pervasive nature of \textit{superbia}, which, unlike the other capital vices, is “quasi morbus uniuersalis”, not content with the destruction of its one opposite virtue, but “per omnes uirtutes serpit sicut cancer”. Yet unlike Aquinas, Henry considers \textit{superbia} to be one of the seven vices and he makes no mention of \textit{inanis gloria}, treating worldly honours as one of the manifestations of \textit{superbia in speciali}. 

Aquinas faced a similar problem with the Pauline “radix omnium malorum est cupiditas”, which again threatened the status of the seven captial vices as principle causes of sin and the presence of \textit{avaritia} among them. Despite the inconsistencies mentioned above, Thomas’s solution in this case is to distinguish in the \textit{Summa} between “appetitus inordinatus divitiarum” as a final cause - and hence \textit{avaritia} as one of the seven vices\textsuperscript{24} - and as the root of all sin, in the sense that the possession of wealth facilitates sin: “per divitias homo acquirit facultatem perpetrandi quodcumque peccatum [...] eo quod ad habenda quaecumque temporalia bona, potest homo per pecuniam iuvari; secundum quod dicitur Eccle. 10, 19: ‘Pecuniae obediunt omnia’”\textsuperscript{25}. This is precisely the same reasoning used by Henry in his section on \textit{auaritia}, which contains elements of both the senses distinguished by Thomas, but which takes no note of any of the subtlety of Aquinas’s distinction\textsuperscript{26}. Henry uses the terms \textit{auaritia} and \textit{cupiditas} interchangeably: his definition and \textit{auctoritates} of \textit{auaritia} are very similar to those of Aquinas in II-II, q. 118; but he begins with the Pauline \textit{cupiditas} as “radix omnium malorum”, and the second part of his discussion of “quam graue peccatum sit” is based on the idea that \textit{auaritia} “omnibus peccatis prestat fomentum”. He does not seem to realise that it is precisely this characteristic which precludes it from a place among the seven vices.

\textsuperscript{23} Compare \textit{Sum. theol.} II-II, q. 162, a. 1 and \textit{De malo} q. 8, a. 2 with Henry’s definition (\textit{Tractatus}, 3.1.1., p. 56 below); \textit{Sum. theol.} II-II, q. 162, a. 3, ad tertium, with his explanation of the seriousness of the vice (\textit{Tractatus}, 3.1.2., p.58 below).

\textsuperscript{24} \textit{Sum. theol.}, II-II, q. 118.

\textsuperscript{25} \textit{Sum. theol.}, I-II, q. 84, a. 1.

\textsuperscript{26} Cf. \textit{Tractatus}, 3.4.1. - 3.4.2., below.
Despite Aquinas’s acceptance and incorporation of Gregory’s doctrine into his *Summa theologiae*, these two authorities presuppose different approaches to the vices: Gregory’s establishment of the seven, with each sin arising directly from the preceding one in a *concatenatio*, created a principle to which all other sins could be in some way related, and once incorporated into the *Sentences*, this originally monastic concept entered the secular world of the schools and became an obligatory point of reference for those dealing with morality. In compiling the *Sentences*, Peter Lombard omits the idea of *concatenatio*—absent also from Henry’s treatise—and insists that all other sins arise from these seven. The heptad could thus serve as a universal method of organisation for moral theology, especially in the field of pastoral theology, standing often as a point of reference against which to classify the virtues.

By the time Henry was writing, the inadequacy of the seven vices in accounting for the multifarious nature of sin was already evident, above all in speculative theology, but also in practical manuals, like this one, where the addition of extra sections serves an indication of the need for a more articulate framework for morality. Aquinas’s main interest indeed is not the vices, but the virtues, and, as mentioned above, the three theological and four cardinal virtues constitute the organizing principle of the *Secunda secundae* of his *Summa theologiae*. Thomas rejects the idea that one vice arises from another, and since for him the seven capital vices are not even the direct counterparts of these virtues, the various vices and their daughters find themselves scattered throughout

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27 Gregory inherits the idea of a *concatenatio* (word which he does not use) from Cassian: cf. Johannes Cassianus, *Conlationes, cit.*, V, 10, p. 129.


29 The classic example of this is the addition of a section on the sins of the tongue to William Peraldus’s *Summa de vitis*: cf. C. Casagrande - S. Vecchio, *I Peccati della lingua. Disciplina ed etica della parola nella cultura medievale* (Roma, 1987), 103-140. For the relative lack of interest in the concept shown by speculative theologians, and their inability to agree on one single satisfactory rationale for the vices see Wenzel, “The Seven Deadly Sins”, *cit.*, 1-14, and, for the concept’s use and limitations in both speculative and practical theology, Casagrande - Vecchio, “La classificazione dei peccati”, *cit.*, 331-395.

30 Cf. for example, *In II Sent. d. 42, q. 2, a. 3*, where he states, with the example of *luxuria* and *gula*, that one sin (sic: ‘peccatum’) does not completely arise from another because one supplies the *materia* but not the *forma* for the other.
the work\(^{31}\). The vices are now neither structural nor inclusive: they are "capital" simply because they are the principle ends of an inordinate appetite, but sins can also easily arise from other causes too\(^{32}\).

1.3. *Function of the Tractatus*

Henry's treatise is not a work of speculative, but rather of practical theology. It fits easily into the broad category of preaching aids, as such functioning as a repertory of information - authoritative definitions, relevant biblical and patristic quotations, and *exempla* - organised schematically, in order to help preachers prepare sermons on the vices in general or in particular. Its nature as a handbook is also suggested by the few instructions it contains, such as the "expone" which appears, for example, after a biblical quotation in the chapter on lust, presumably indicating that the preacher here should explain the biblical verse more fully. The treatise is similar in structure to a collection of sermons, where each of the main sections could be compared to a model sermon, beginning with a biblical quotation, which is then divided into usually three or four sections with rhyming clauses\(^{33}\), which are themselves divided and developed, and usually illustrated with an appropriate *exemplum*. Although this type of division in sermons, announced by formulae such as *quantum ad primum*, and so on, has earned the adjective "scholastic", the term should be used with more care\(^{34}\), for although Henry does include material of a philosophical nature, largely drawn from Aquinas, he is not concerned with resolving contradictions, nor in arriving at definitions: his intention might be compared to that of Thomas of Chobham, secular master of the early thirteenth century, who begins the vices section of his *Summa de commendatione virtutum et extirpatione vitiorum* with a list of the

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\(^{31}\) *Sum. theol.*, I-II, q. 84, a. 4, ad primum. The *Secunda secundae* considers the virtues with their corresponding Gifts and opposite (but not Gregorian) vices one by one, as explained in the prologue: "Erit igitur compendiosior et expeditior considerationis via si simul sub eodem tractatu consideratio procedit de virtute et dono sibi correspondentia, et vitiiis oppositis, et praeceptis affermativis vel negativis".

\(^{32}\) Cf. *Sum. theol.*, I-II, q. 84, a. 4, ad quintum.

\(^{33}\) Such as, for example, "propter amoris corruptionem, propter motuum defeccionem, propter uniuersalis boni impugnationem", *Tractatus* 3.2.2., p. 81 below. This is a typical technique used in the division of sermons.

various problems caused by the vices - do they have one end?, are there seven or eight of them?, how are they divided amongst themselves?, and so on - but declares:

sed nos omnes has questiones pertransimus, quia nos intendimus dehortari et detestari uicia ut ab omnibus uitentur.

1.4. Sources

The treatise contains a large number of exempla, as well as biblical, patristic, and classical auctoritates. Most sources, as might be expected, come from the Bible (over 180) and the Fathers - mainly Augustine, Gregory’s Moralia in Iob, and Boethius’s Consolation of Philosophy; but there are also about 30 references to the works of Aristotle, mainly the Nicomachean Ethics, and about 45 quotations from classical sources: Ps.-Cato, Cicero, Horace, Juvenal, Lucan, Macrobius, Martial, Ovid, Sallust, Seneca the Elder and the Younger (and Ps.-Seneca, in reality Martin of Braga’s Formula vitae honestae), Calpurnius Siculus, Solinus, Terence, Valerius Maximus, and Vergil, as well as more recent poetic sources such as the Carmina Burana, the twelfth-century verse translation of Aesop by Galterus Anglicus, and Geoffroi de Vin Sauf’s Poetria Nova. In the case of the classical quotations at least, it is certain that these were taken from some kind of intermediary collection of flores, and while identification of the immediate florilegium sources is beyond the scope of this work, it might be useful to look at some of the direct sources and models which Henry could have used, writing as a Dominican towards the end of the thirteenth century.

In the first place, it must be noted that Henry relies very little on the standard school textbooks used ubiquitously a century earlier, such as the Sentences, though it may be his source for two quotations, or the Historia Scholastica, for example, which he quotes just twice. Instead, he appears to rely on what could be called a ‘Dominican tradition’ of works compiled as repositories of information to aid the preacher, and to be used in Dominican education. Vincent of Beauvais’s encyclopedic Speculum Maius was the most comprehensive source of knowledge available at the time Henry was writing, and it

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35 Thomas de Chobham, Summa de commendatione virtutum et extirpatione vitiorum, ed. F. Morenzoni, CCM 82B (Turnhout, 1997), 203-204.
is probable that it was one of his main sources. It contains virtually all of the classical quotations used by Henry. Particularly important are book IV of the Speculum doctrinale, De moralibus scientiis, which contains chapters on many virtues and vices, and book VI of the Speculum historiale where many classical authors are presented together with extracts from their works. Other sources which Henry possibly took from the Speculum are Secundus Philosophus, and the figure of Socrates who knows nothing but the fact that he knows nothing, contained in the Historiale, and the passage from Poetria nova in the Doctrinale. The Speculum naturale may be the source of Henry's medical information, some of which is also contained in the Doctrinale. On the other hand, the 29 Aesop's fables incorporated into the Historiale from a collection translated into Latin in the Carolingian period and known as Romulus, are not from the same version used by Henry, who takes his 4 references to Aesop from the twelfth-century translation of this prose Romulus into elegiac distichs by Galterus Anglicus. This is incidently the same source used by Henry's fellow-Dominican, Remigio de' Girolami, who was probably also his contemporary, and whose works have in common with Henry's a strong Aristotelio-Thomistic basis, and also their connection to an Italian city-state, in this case, Florence.

Jacobo de Voragine's extremely popular collection of saints' lives, the Legenda aurea (c. 1263-1267) was also a rich source of exempla, and it may well

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36 Vincentius Bellovacensis, Speculum quadruplex sive Speculum maius: Naturale - Doctrinale - Morale - Historiale (Douai, 1624), reprint (Graz, 1965). Vincent produced this redaction of the Naturale, Doctrinale, and Historiale in the 1250s from an earlier version consisting only of a Speculum naturale and historiale; the Speculum morale is an apocryphal work, and has not been taken into consideration as a source here. Cf. Kaeppeli, IV, p. 435-458, nos 3981-3988.


38 Secundus: Hist. X, 70, Nat. XXXI, 115; Socrates: Hist. III, 66.

39 Doct. IV, 141.

40 Hippocrates (“calidissima mulier…”): Nat. XXXI, 5; Galen (de semine): Nat. XXXI, 2, Doct. XIII, 93; Constantinus Africanus (“in omnibus animalibus masculi calidiores…”): Nat. XXXI, 114, Doct. XIII, 16. Many of the misogynistic auctoritates used by Henry in ch. III.6.4.2. (“De multiplici utior mulierum”) may have been taken from Nat. XXXI, 115 (“De mulierum vitiis”).


42 Remigio dei Girolami, De bono comuni, ed. E. Panella, in Politica e Vita Religiosa a Firenze tra ’300 e ’500, Memorie Domenicane, 16 (1985), 128.
have been Henry's source for the apologue from the legend of Barlaam and Iosaphat, considered by Jacobo to be saints, and the *exemplum* of the paralysed Titus. A combination of the same two *exempla* next to each other in Henry's chapter on *accidia* points to the possible influence of the Pseudo-Aquinas, *Expositio in Apocalypsim*, in reality by Hugh of St. Cher. As discussed above, Henry does not use this work as the source of his introductory interpretation of the seven heads of the dragon of Apocalypse, but this Apocalypse commentary does contain a mini treatise on the vices in chapter XVI which he might have known.

Among the multitude of treatises dedicated to the virtues and vices, the *Summa de vitiis et virtutibus* by William Peraldus stands out over and above all others in this period for its diffusion and influence. Considering that the influence of this double *summa* spread beyond purely Dominican, and even Mendicant, circles to secular environments, influencing such writers as Dante and Chaucer, for example, it can be imagined that it must have been an obligatory point of reference for any Dominican writing on the virtues and vices in this period.

A brief comparison of the treatises, however, confirms the relative independence of Henry with respect to his more famous confrère. Peraldus's treatise, with respect not only to Henry's, but also to the tradition in general, is remarkably long and detailed, paying great attention to the way the vices appear in society, and with an abundance of *exempla*. It is made up of nine books: one on each sin - in the order *gula*, *luxuria*, *avaritia*, *acedia*, *superbia*, *invidia*, *ira* - with an introductory book on the sins in general, and an additional ninth book on

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43 Iacobus de Voragine, *Legenda aurea*, ed. G. P. Maggioni (Firenze, 1998), II, 1251-1252 and I, 455. Cf. Kaeppler, II, p. 348-369, n. 2154; IV, p. 139-141. Several versions of the *Historia Barlaam et Iosaphat* circulated in this period. Henry's account differs somewhat from that of pseudo-John of Damascus from the lexical point of view (*PG* 96, 857-1250, repeated in *PL* 73, 443-606). It shows more similarities to the version given in the *Speculum historiale*, XV, 1-64, and in particular to that in the *Legenda aurea*, although lexical differences still make it impossible to confirm that this was Henry's source.


45 Kaeppler, n. 1622, vol. II, p. 133-152, vol. IV, p. 105-106. The *Summa de vitiis* was composed by c. 1236, and the double *Summa de vitiis et virtutibus* circulated from c. 1250. The far-reaching success of this work can be judged by its large manuscript tradition: cf. A. Dondaine, "Guillaume Peyrault. Vie et œuvres", *AFP* 18 (1948), 162-236.
the sins of the tongue. Each of the sins is considered generally in three parts: the reasons why it is to be detested, its various types, and finally the remedies against it. The structure is clearly unlike that used by Henry, and an examination of the content shows that the material, even when consisting of the same auctoritates, is nonetheless presented in a considerably different framework.

By examining the section on pride, for example, the longest in both the works, the difference in inspiration becomes apparent. In Peraldus’s treatise, this section constitutes a total of 53 chapters, and is preceded by a rationale for the seven vices, based on Augustine’s idea of *amor inordinatus*, which, like Henry’s use of Thomas’s *appetitus inordinatus*, is rather unconvincingly related to the rest of the work. Both authors admit the preeminence of pride: for Henry it is the *regina uitiorum*, for Peraldus the *rex*, and both make use of the same unidentified quotation to describe the behaviour of the proud, which is also used by Hugh of St. Cher in the pseudo-Thomistic *Expositio in Apocalypsim* (p.466b). Peraldus begins with 12 chapters on the reasons for detesting pride, then deals with the different types of pride, according to five different divisions: two ways on how it arises from *bona*, according to different types of people, the twelve *gradus superbie* of St. Bernard, and according to the vices that arise from it; and ends with eight remedies against the vice. Henry’s treatment has none of this complexity, for after briefly considering what and how serious the sin is, he divides it into 5 types *in speciali*. Since the reasons for detesting pride and the remedies against the vice do not figure in Henry’s treatise, comparisons between the two are largely limited to the second section of Peraldus’s chapter on the various types of pride, which is represented schematically below.

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1: How Pride arises from various goods

- **intellectus**
  - interior
    - you believe that you have gained your goods yourself (i)
    - you believe that your goods are from God, but on your own merit (ii)
    - you think you possess things that you do not have (iii)
  - affectus
    - you prefer your own opinions to those of others (iv)
    - presumption (four types) (v)
    - desire for one's own excellence (vi)
    - in excellence of lordship
    - in excellence of teaching (vii)
    - in excellence of simple excess (viii)

- **pride**
  - in the body (ix)
  - in human adornment (x-xvii)
    - examples against proud adornment (xi)
    - 12 reasons why adornment is foolish (xii)
    - things which should refrain man from proud adornment (xiii)
  - in the adornment of beds (xviii)
  - in horseriding (xix)
  - in the household (xx)
  - in banquets (xxi)
  - in buildings (xxii)
  - in books (xxiii)
  - in singing (xxiv)
  - in good shame and its praise (xv)
  - in shameful things (xvi)
  - in bad shame (xvi)
  - in the wickedness of the derisive (xvii)
2: How pride arises from various goods (xxv):

- goods of nature
  - of the body
    - health
    - fortitude
  - of the soul
    - rectitude and speed of intellect
    - natural disposition to virtue
    - good memory
    - ability to tolerate spiritual exercise

- goods of fortune
  - wealth
  - delights
  - praise or glory
  - human grace
  - honours

- goods of grace
  - knowledge
  - virtues

It is foolish and impious to be proud because of one’s goods (xxvi).

It is foolish to be proud of the goods of one’s body (xxvii).

It is foolish to be proud of ancestral nobility (xxviii):
  - on the nobility of the soul (xxix)
  - on the habit of those churches who will only make nobles canons (xxx)

It is foolish to be proud of temporal goods, the freedom of the body, or the natural gifts of the soul (xxxi).

3: The division of pride according to different people (xxxii)

- laity (discussed above)
- ministers of the church
  - prelates (xxxiii)
  - subjects
  - or
  - cloistered (xxxiv)
  - secular clerics

4: The 12 steps of pride according to Bernard (xxxv)

5: Vices which arise from pride:
  - against the health of faith: divination, superstition, etc. (xxxvi)
  - irreverence (xxxvii)
  - inobedience (xxxviii)
  - vainglory (xxxix)
  - hypocrisy (xl)
Like Peraldus, indeed following a commonplace, Henry begins by dividing pride into interior and exterior. The former is exemplified for Henry in the pride that arises from human knowledge, the vanity of which he demonstrates by pointing out the insufficiency of human knowledge, which extends to only a tiny part of creation, and is imperfect even there; Peraldus deals with knowledge in chapter VII on the desire for excellentia magisterii, but approaches the subject from the point of view of human types: study can be sinful because man is after all ignorant and is inferior or equal and not superior to the things he studies, and he warns that teachers are often too curious or subtle, and he divides them into those who are learned, insufficiently learned to teach, or not learned at all.

As far as external pride is concerned, Henry divides it into pride in human beauty, in clothing, in ancestral nobility and in worldly honours. The vanity of the former is evident, he argues, from the illusory nature of beauty in the body which is in reality no more than a saccus stercorum, and from the transitory nature of what beauty people in any case find there. Attention to beauty is to be avoided particularly by men, in accordance with the custom of the ancients. Peraldus deals with such pride in chapter IX, demonstrating briefly and with the help of biblical quotations why pride in specific parts of the body is vain, and in chapter XXVII where the same idea of the vileness of the human body, and comparisons with a golden tomb or snow-covered dung are used.

Pride in human adornment, particularly in clothing, is a typical theme in moralistic literature, and receives particularly extensive treatment from Peraldus. Henry's arguments are based on the fact that clothing is a sign of imperfection because man, who should be the noblest of animals, obtains the materials for clothing through begging from from the smallest and vilest creatures, and on the fact that clothes are a sign of sin, introduced as a result of the Fall, and as such should provoke shame and tears rather than to laughter and joy. He lists three things which are to be particularly avoided in clothing: excessive preciousness, variety, and superfluosness, and ends with a criticism of the tails on women's dresses. All of these ideas are used by Peraldus, but inserted in a different framework, with different weight. The idea that clothing is a sign of sin, and that
it derives from vile creatures are given as reasons for shame, but this is only one of the many reasons for the foolishness of adornment (ch. XII-XIII). He also lists the *pretiositas* and *superfluositas* of clothes in chapter XIV, along with *mollities, extraneitas* (having too many and too extravagant clothes), *materia, color, presumptio, forma, aquisitio iniusta, nimius amor pulchritudinis, nocumentum,* and *intentio*, as reasons why clothing can be sinful. Here, the tails of womens’ dresses are also criticised, in virtually the same words as those used by Henry, but Peraldus also targets silk belts (*corrigie*), saffron veils (*peplii*) and ribbons (*uitte*), and false hair, before giving other reasons why womens’ clothing can be particularly sinful.

Henry’s discussions of the pride which arises from nobility and that from worldly honours are both based on sources absent from Peraldus’s treatment of the same. His argument against ancestral nobility uses the Aristotelian four causes to prove that no man is nobler than another. Peraldus deals with the subject first in chapter VI as desire for ones’ own *excellentia dominii,* noting simply that all men are equal, and secondly in chapters XXVIII and XXIX, where his argument is based on the idea that true nobility does not reside in parents, but in the soul, and is shown by the characteristics of *liberalitas, gratitudo, mansuetudo, virilitas, timor opprobrii,* and *cordis magnitudo.* Here, Aristotle is quoted as a source, but he is not used as a tool of analysis as he is by Henry. Henry’s main source to combat pride arising from worldly honour is Boethius, and he makes extensive use of the *Consolation of Philosophy* to show the falsity, the vileness, and the mutable nature of worldly honour, giving a final example in the death of Alexander the Great. The subject is treated briefly by Peraldus in chapter XXXI, but only as part of the idea that it is foolish to be proud because of any temporal goods, and Boethius is not used.

The concept of originality is an anachronism when applied to the medieval period, but comparison of this kind reveals that, despite the common stock of *auctoritates,* the overal approach taken by Henry was by no means the only one available to him. Such comparison is also useful for gauging the limits of

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*Another striking example of the difference of approach is Henry’s treatment of *luxuria* which is characterised by its strongly misogynist stance.*
Henry’s representation of social reality: his tirade against tails on women’s dresses, his insistance on the sins of merchants, like the cloth merchants who hang green cloth over the windows, or the tavern-keepers who fill their measures with froth, are also present in Peraldus, sometimes in more elaborate form, and should be read therefore as common criticisms of a society based on commerce, with newly-found wealth and social mobility, and not identified specifically with, say, Venice in 1300, when they could evidently also apply to Peraldus’s Lyons in 1250.

Without doubt Aquinas is Henry’s favoured source, and it is the shadow of Thomas which falls between Peraldus and Henry, which, arguably, is what makes it possible for a Dominican to write a new treatise on the seven capital vices after the seemingly definitive statement on the subject by Peraldus. Aquinas is never mentioned by name, and the only direct reference to him appears in the section on the daughters of anger, as the instruction “require de hiis 2a 2em”, clearly the Secunda secundae of the Summa theologiae. This famous theological work is arguably the other great Dominican tractatus de uirtutibus (et uitiis) of the thirteenth century48, and it is the Summa - and above all the Secunda secundae - rather than the other works of Aquinas, which is Henry’s principal source49. At times, as in the case of the rationale for the seven vices, whole passages have been lifted verbatim; often, however, selected parts of the respondeo section are given, with other examples, or small explanations added. The passage on the daughters of anger referring to the Secunda secundae, is a case in point, where, instead of presenting Aquinas’s discussion of the daughters of anger - perhaps for reasons of brevity - Henry simply quotes the relevant part of the Summa, where the reader would find, in article 7 of question 158, the discussion “utrum convenienter

48 Cf. L. E. Boyle, The setting of the Summa theologiae of Saint Thomas (Toronto, 1982).
49 The Quaestiones disputatae de malo, whose redaction was probably concurrent with that of parts of the Summa contain passages on the vices which have parallels in the Summa, and which can be detected in Henry’s treatise. On three occasions that I can identify, however, Henry’s text appears to be closer to that of the De malo than that of the Summa, and hence his knowledge of these Quaestiones cannot be ruled out. The three passages are: “caput a capite dicitur” (Tractatus, 2., p. 54) - De malo, q. 8, a. 1. (I-II, q. 84, a. 3); “superbia est super ire” etc. (Tractatus, 3.1.1., p. 56) - De malo q. 8, a. 2. (II-II, q. 162, a. 1, ad primum, ad secundum); “inuidia est contraria caritati” etc. (Tractatus, 3.2.2., p. 81) - De malo, q. 10, a. 2. (II-II, q. 36, a. 3). Cf. list below. For the complex question of the date of the various stages of the De malo (dispute, redaction, publication), see Thom. Aq., De malo, Préface (EL 23), 3*-5*, and Torrell, Tommaso d’Aquino, cit., 228-230.
assignentur sex filie ire”, adding as further *exempla*, a famous story from Gregory’s *Dialogues*, and some lines from Ovid on blasphemy, neither of which are found in Aquinas. The procedure is almost identical in the discussion of the daughters of gluttony, where the Thomistic discussion is followed by a classic passage from Gregory on the five sins committed in eating, found not only elsewhere in the *Summa* but also in many other treatises on the vices⁵⁰.

The whole discussion of trade in the chapter on *auctoritas* shows how Henry can slightly modify his model, while closely following Aquinas’s treatment of the subject expressed in question 77 of the *Secunda secundae*. Henry’s discussion of whether trade is licit is taken verbatim from article 4, with the addition of a quotation from Chrysostomus; the sins of merchants, however, are a slight reworking of article 2. Here Henry transforms Aquinas’s *triplex defectus* (*secundum speciem, qualitatem, quantitatem*) into a fourfold division, converting Aquinas’s *secundum speciem rei* into *contra substantiam rei*, inverting the order of *quantitas* and *qualitas*, and adding *circa amicitiam* in first place. The last section is also interesting because it introduces the idea of the subjection of the citizen to the city, with an analogy of the part and the whole, and expresses the belief that the citizen should love the city more than himself and if necessary face death for his city. These ideas have been particularly noted in the works of Remigio de Girolami, who radically applied them in defence of peace and the common good to the Florentine commune torn by factional strife⁵¹. Although, unlike Remigio, Henry does not add anything to what he may have found in the *Summa theologiae*⁵², it is nevertheless interesting to notice the potential application of these ideas to the concrete problems of other city states.

Below are those passages which reproduce sections from the *Summa theologiae* and the *Quaestiones disputatae de malo* which appear either as direct quotations or as substantial passages following faithfully if not literally the

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⁵⁰ This passage from Gregory’s *Moralia* was inserted into the *Glossa ordinaria* and became a *locus classicus* on this subject. Cf. for example *Sum theol.*, II-II, q. 148, a. 4 (and alibi). It is also contained in Henry’s treatise on the virtues, cf. chapter 3: 6.5.3.1., p. 332 below.


⁵² Cf. *Sum. theol.*, I, q. 60, a. 5; II-II, q. 26, a. 3; II-II, q. 64, a. 2.
argument, perhaps with modifications in order or small omissions. They do not
represent the totality of Henry's debt to Thomas, because besides 'large-scale'
borrowing from these works in the form of the quotations from the text, below,
Henry uses Thomas as a source of *auctoritates* from other authors, such as John
of Damascus, Pseudo-Dionysius, many of the Fathers, and most of Aristotle; and
the underlying 'ideology' of the treatise is often Thomistic, or rather Aristotelol-
Thomistic53.

2. quare dicantur peccata capitalia
   I-II, q. 84, a. 3
   *de malo*, q. 8, a. 1

2. quare sint tot
   I-II, q. 84, a. 4

3.1.1. superbia est super ire
   *de malo*, q. 8, a. 2

3.1.2. de grauitate superbie
   II-II, q. 162, a. 6,
   ad tertium

3.2.2. quam graue peccatum
   *de malo*, q. 10, a. 2

3.2.3. de susurratione
   II-II, q. 74, a. 1-2

3.2.3. de detractione
   II-II, q. 73, a. 1
   II-II, q. 73, a. 1,
   ad tertium

3.3.1. de ira
   I-II, q. 47, a. 2

3.3.2. de grauitate ire
   I-II, q. 48, a. 3

3.3.2. de tribus speciebus ire
   II-II, q. 158, a. 5

3.4.4.1. utrum mercatio sit licta
   II-II, q. 77, a. 4

3.4.4.2. de uitiis in negotiatione
   II-II, q. 77, a. 2

3.5.1. de accidia (3 lines)
   II-II, q. 35, a. 1

3.5.3. de filiabus accidie
   II-II, q. 35, a. 4,
   ad secundum
   *de malo*, q. 11, a. 4

3.6.1. de luxuria, quid sit
   II-II, q. 153, a. 2

3.6.3. de filiabus luxurie
   II-II, q. 153, a. 5
   *de malo*, q. 15, a. 4

3.7.3. de filiabus gule
   II-II, q. 148, a. 6
   *de malo*, q. 14, a. 4

3.7.4.1. utrum potus uini sit lictus
   II-II, q. 149, a. 3

53 Seen, for example, in such definitions as 'delectatio': "applicatio conuenientis cum
conuenienti".

35
While a times Henry's use of Aquinas is not always perfectly integrated into the whole, his *Tractatus de septem uitiis capitalibus* is nevertheless an interesting indication of the potential turning point in moral theology implicit in the *Summa theologiae*, and a pointer to the influence of his *Summa* on Dominican moral teaching at the end of the thirteenth century.

2. Edition

The work is preserved in a single manuscript copy:

Firenze, Biblioteca Medicea Laurenziana, ms. Plut. XX 33

s. xv

1) Fols 1r-19r: <Anonymous *de mortuis sermons*> inc.: *Miseremini mei, miseremini mei, saltem uos, amici mei, quia manus domini teigit me*, *Job xxxiiior [Job 19, 21]*. *Sicut tradunt doctores et certi philosophi naturales, quod tria sunt illa que multum commouent cor hominis ad faciendum seruicium illis; exp.: et non poteris amplius cogitare, loqui, et operari, et non recta fuit sentencia. Rogamus ergo deum etc. etc.*

2) Fols 21r-46r: <Anonymous sermons, or sermon themes for Lent cycle> inc.: *Pater tuus, qui uidet in abscondito, reddet tibi, Mt VI [Mt 6, 4 and 6]*. *Circa uerbi incarnationem posset primo queri pro prima die, si aliquis homo uel pura creatura potuisset satisfacere pro peccato originali; exp.: 7° desertum est religio ubi deseritur mundus per paupertatem, caro per castitatem, et diabolus per obedientiam et humilitatem; in isto deserto sunt diuerse temptationes etc.*

3) Fols 47r-54v: <Theological *Quaestiones*. Incomplete> inc.: *S. Thoma prim. sec., quest. 109, art. 1 querit an homo sine gratia possit cognoscere uerum, quod transcendit intellectum humanum, et respondet quod non; exp.: 3° flebatpre amorem ... eum tandem ipsum ... in morte, nota ystoriam.*

III + 78 + III; paper; 210x155mm; written space 160-170 x 115-120mm; 30-35 long lines per page. Collation: 1₁² (fols 1-12), 2⁸ (fols 13-20), 3-5₁² (fols 21-56), 6-7₁⁰ (fols 57-76), 8² (fols 77-78); catchwords: in bottom right-hand corner (fol. 12v), and bottom centre with simple decorative frame (fols 32v, 44v). Script: each work in a different hand; ink colour varies from dark to light brown; fols 19v-20v, 46v, 55r-56v, 78v blank. No decoration; red paragraph strokes on fols 1r-19r only. Binding (c. 1571): stamped red leather over wooden boards with brass corners, label on front cover (now illegible) with brass frame, central brass stud with surrounding oval decorative plate, 2 leather fastening straps on outer edge, with brass clasps bearing the Medici arms, and chain fixed to the bottom edge of back cover, still in place.

Date and Provenance: 15th C (Bandini, Catalogus, 640). From the original nucleus of the chained ‘Libreria Medicea’ inaugurated in 1571 by Cosimo I de’ Medici. Composite manuscript; origin of the components unknown.

Bibliography: A. M. Bandini, Catalogus Codicum Latinorum, cit., 639-640; Notizie storiche, bibliografiche e statistiche sulla Biblioteca Mediceo-Laurenziana di Firenze (Roma, 1900).

2.1. Conventions used in the edition

Since the treatise is contained in a single manuscript copy, the edition tries to follow the manuscript as closely as possible, while aiming at the same time to produce a readable text. Obvious scribal errors have been corrected, and a record of these is kept in the apparatus; the existence of a single manuscript, however, makes it necessary at times to hazard conjectural emendations in the text, which are again recorded in the apparatus. In one case, it has been necessary to make a conjectural addition of several words where there would appear to be an error of sauté du même au même in the manuscript (p. 95, lln. 3-4). Such an addition can be justified by the fact that the lacuna occurs in the formulaic introductory passage of one of the chapters, and a reconstruction of the text is made possible by comparison with the other similar introductory passages. In two cases, it has been impossible to reconstruct the sense of the text from the manuscript, and the presence of a lacuna has been indicated <***> (p. 53). Modern punctuation has been added to help the reader.

Quotations have been identified as far as possible; errors in these have been corrected, and recorded in the apparatus, but not simple variants with respect to the edition used as reference. Names of authors and works have been
expanded in conformity with the orthography of the manuscript: thus Io becomes Ieronymus and not 'Hieronymus'; Boetius and not 'Boethius', Ysidorus and not 'Isidorus', Istoria and not 'Historia' ('Scholastica'), Ethymologiarum and not 'Etymologiarum'; Eumacho, on the other hand, has been corrected to Eunucho. The names of Biblical books are reproduced in the text as they appear in the manuscript, even when incorrect and inconsistent, with the correct reference in the apparatus. This rule holds for Ecclesiastes (Coheleth: "Eccles." in the apparatus) and Ecclesiasticum (Sirach: "Eccli." in the apparatus), which constitute a problem because in effect the scribe does not distinguish between the two, referring to them indiscriminately with a variety of abbreviations based on the form "Ecci"; hence no attempt has been made to distinguish between these two books in the text, and the reader must turn to the apparatus for the correct reference.

As far as orthography is concerned, the general rule has been to reproduce the scribe's spelling, even when inconsistent. The dipthongs 'ae' and 'oe' have not been introduced, and no distinction has been made between 'u' and 'v', which are represented by 'u' / 'V', except where v signifies the Roman numeral 5. The indiscriminate use of 'c' and 't', however, poses a problem since it can give rise to misunderstanding in such cases as arce for arte, seccari to give seccari (secari) or sectari, accenderet for attenderet, and so on. For this reason, and also because it is often difficult to distinguish between the two graphemes in the manuscript, a distinction between c and t has been introduced in accordance with "standard" use, usually by substituting 'c' with 't'. For the sake of consistency, the sequence c/t + i + vowel has also been represented by t + i + vowel, even though the scribe tends to favour the use of 'c' in this case. The abbreviation ἔ is used by the scribe to denote 'per', instead of 'pro', in the case of peruenire (p. 116, lin. 15) and perfectionis (p. 111, lin. 2), and ἐ for 'pro', instead of 'per', for proditio (p. 98, lin. 6). Here the correct forms have been given in the text. 'j' has been substituted by 'i' at the end of words such as proprij. The scribe tends to favour the use of Arabic numerals, and while the oscillation between Arabic and Roman has been preserved, a distinction has been made between cardinal and ordinal
numbers: whereas 3a represents ‘tria’ and iiiior ‘quatuor’, 3a represents ‘tertia’ and v ‘quintum’, for example.

The following forms, on the other hand, have been preserved:

a) ‘y’ in place of ‘i’ or even ‘e’ in certain words, for example, apys, fymum, ylaris, ymaginem, ymer, dyabolus, or yconomicos. Where there is variation between ‘i’ and ‘y’, this is recorded, as in alchimicum and alchymicum (and even archymicum), for example, which occur only a few lines apart (p. 102);

b) ‘f’ in place of ‘ph’, as in fallerato for ‘phalerato’ (p. 72, lin. 5);

c) a superfluous ‘h’, in chauterium or adhollescens, for example. The addition of an ‘h’ can also be noted in the attempt to Hellenise the Latin ‘auiditas aeris’ as hau<i>ditas heris (p. 95, lin. 12);

d) ‘w’ for ‘u’ in the following forms: extingwit, sangwinem, perswasibiliorem, lingwam. Again, the oscillation between the two forms mansweta and mansueta, for example, has been preserved. The few abbreviations of these forms have been expanded in conformity with the dominant w-variant;

e) a double consonant in the place of a single one, again preserving oscillations between the two. Thus: occultus, peccunia, rappina, politicos, and both Vallerius and Valerius for example. An exception has been made for the forms of occium and condiccioni, where the double ‘c’ has been reduced to a single ‘t’, to avoid the anomalous ottium or condittioni. Where the use of a double consonant could give rise to misunderstanding, the single- and double-consonant lemmata have been distinguished by introducing an extra consonant or correcting the form attested in the manuscript, as in calidus / callidus (p. 122, lin. 28), and comitatur and committatur (p. 57, lin. 8).

2.2. Quoted sources and abbreviations

Aesopus see Galterus Anglicus

Ambr. Ambrosius Mediolanensis

Hel. De Helia et ieiunio, ed. C. Schenkl, CSEL 32,2 (1897) 411-465; PL 14, 697-728

parad. De paradiso, ed. C. Schenkl CSEL 32, 1 (1897), 265-336; PL 14, 275-314
<table>
<thead>
<tr>
<th>Author</th>
<th>Work</th>
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<tbody>
<tr>
<td>Arist.</td>
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<tr>
<td>de anima</td>
<td>De anima, ed. R.-A. Gauthier, in Thomas Aquinas, Sentencia libri de anima, EL 45, 1 (1984)</td>
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<tr>
<td>anal. post.</td>
<td>Analytica posteriora, eds L. Minio-Paluello - B. G. Dod, AL 29 (1968)</td>
</tr>
<tr>
<td>meteor.</td>
<td>Meteorologicae, in Thomas Aquinas, Commentaria in libros Aristotelis de Caelo et Mundo, de Generatione et Corruptione, et Meteorologicorum, EL 3 (1886)</td>
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<tr>
<td>rhet.</td>
<td>Rhetorica, ed. B. Schneider, AL 31 (1978)</td>
</tr>
<tr>
<td>topica</td>
<td>Topica, ed. L. Minio-Paluello, AL 5 (1969)</td>
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<td>Aug.</td>
<td>Augustinus Hipponensis</td>
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<td>bon. viduit.</td>
<td>De bono viduitatis, ed. I. Zycha, CSEL 41 (1900), 303-343; PL 40, 429-450</td>
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<tr>
<td>civ.</td>
<td>De civitate Dei, eds B. Dombart - A. Kalb, CCL 47-48 (1955); PL 41, 13-804</td>
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<tr>
<td>lib. arb.</td>
<td>De libero arbitrio, ed. W. M. Green, CCL 29 (1970), 205-321; PL 32, 1221-1310</td>
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<tr>
<td>c. Faust</td>
<td>Contra Faustum, ed. I. Zycha, CSEL 25 (1891), 249-797; PL 42, 207-518</td>
</tr>
<tr>
<td>gen. ad litt.</td>
<td>De Genesi ad litteram, ed. I. Zycha CSEL 28,1 (1894), 1-435; PL 34, 245-486</td>
</tr>
<tr>
<td>in psalm.</td>
<td>Enarrationes in Psalmos, eds E. Dekkers - J. Fraipont, CCL 38-40 (1956); PL 36-37</td>
</tr>
<tr>
<td>in evang. Ioh</td>
<td>In Johannis Euangelium tractatus, ed. D. R. Willems, CCL 36 (1954); PL 35, 1379-1976</td>
</tr>
<tr>
<td>soliloq.</td>
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*serm. frat.*  *Sermones ad fratres in eremo*, *PL* 40, 1235-1358

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Bern. Bernardus Claraevallensis


Boeth. Boethius

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div. De divinatione, eds O. Plasberg - W. Ax, BT (1938), 1-129

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mul. Chan. Liber de muliere Chananaea, PG 52, 449-460; PL 66, 116-124; CPG 4529; CPL 645°

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Iuv. Juvenalis (D. Iunius Juvenalis)

sat. Saturae, ed. J. Willis, BT (1997)

Lucan. Lucanus (M. Annaeus Lucanus)


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Petr. Com. Petrus Comestor

hist. schol. *Historia scholastica*, *PL* 198, 1055-1722

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Secund. Secundus


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*benef.* De beneficiis, ed C. Hosius, in Opera, *BT* (1900), 1-216
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Ps.-Seneca

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*collect.* Collectanea Rerum Memorabilium, ed. T. Mommsen (Berlin, 1864)

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Aen.  Aeneidos, ed. W. Ianell, in Opera, BT (1930), 95-388

vit. pat.  Vitae patrum, PL 73

Vin. Bel.  Vincentius Belvacensis


Speculum maius, see Introduction

vulg.  Biblia Sacra iuxta vulgatam editionem Sixti V et Clementis VIII
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Explicit
2.4. Henrici Ariminensis

De septem uitiis capitalibus

<Prologus>

\textit{E}cce dracho magnus et rufus, habens capita vii, et in capitis eius\textsuperscript{1} vii dyademata; et cauda eius trahebat \textsuperscript{3} partem stellarum celi, et misit eas in terram, Apoc. 12\textsuperscript{2}. Iohannes apostolus euangelista et\textsuperscript{3} propheta spiritu sancto repletus in uisione ista descriptib nobis humili generis inimicum, scilicet dyabolum, sub specie draconis horribilis. \textit{Draco} enim iste iuxta sanctorum expositiones est dyabolus, qui \textit{magnus} dicitur propter fortitudinem et potestatem, quia “non est potestas super terram que ei potest comparari, qui factus est ut nullum timeret”, ut dicitur in Iob\textsuperscript{4}; \textit{rufus} autem dicitur quia homicida et sangwinem humili generis sitiens, Io.\textsuperscript{5}: “ille homicida erat ab initio”; \textit{habens capita vii}, id est vii capitalia uitia, quibus uniuersam ecclesiam fidelium impugnat et mordet; \textit{et in capitibus eius} vii \textit{diademata}, id est vii corone et regule quas habet in corde suo de uictoria subuersorum et peccatorum quos decipit; \textit{et cauda eius}, id est deceptio et delectatio peccati que ipsum peccatum celat sicuti et cauda celantur turpia; \textit{trahebat}\textsuperscript{6} per malorum operum imitationem; \textit{tertiam partem stellarum}, id est magnam multitudinem fidelium\textsuperscript{7} qui uidentur lucere lumine fidei; \textit{et misit eas}\textsuperscript{8} in terram, id est amore terrenorum illuxit\textsuperscript{9} et a celestibus ad terrena conuertit.

Quia ergo, ut dicit Boetius\textsuperscript{10}, “non contingit uitare malum nisi cognitum”, volentes igitur istius draconis et capitum eius, id est vii peccatorum capitalium, notitiam tradere, sic procedemus: primo ergo enim ostendemus nocumentum peccati\textsuperscript{11} in generali; \textit{tractabimus}\textsuperscript{12} vii capita draconis magis in speciali\textsuperscript{13}; 3\textsuperscript{°} uero

\begin{itemize}
\item \textsuperscript{1} euis \textit{coni.} (cf. infra lin. 14): sunt ms.
\item \textsuperscript{2} Apoc. 12, 3
\item \textsuperscript{3} et: pro \textit{add. ms.}
\item \textsuperscript{4} Iob 41, 24
\item \textsuperscript{5} Ioh. 8, 44
\item \textsuperscript{6} \textit{trahebat} \textit{corr.:} trahebatur ms.
\item \textsuperscript{7} multitudinem fidelium \textit{inv. ms.}
\item \textsuperscript{8} \textit{eas} \textit{corr.:} eos ms.
\item \textsuperscript{9} illuxit \textit{pro illusit}
\item \textsuperscript{10} Boeth., \textit{diff. top.}, II, 2, p. 23, lin. 18 (PL 64, 1184B)
\item \textsuperscript{11} peccati \textit{coni.}: primo ms.
\item \textsuperscript{12} \textit{tractabimus: si add. ms.}
\item \textsuperscript{13} magis - in speciali \textit{inv. ms.}
\end{itemize}
prosequimur de quolibet capite, id est de quolibet peccato capitali, in particulari et de filiabus cuiuslibet ipsorum, et sic aliqualiter poterit haberi notitia serpentis antiqui, ac per hoc poterit eius astutia facilius euitari.
<1. De nocentamento peccati in generali>

Quantum ad primum, sciendum quod peccatum uitandum et cauendum est propter quadruplicem nocentum quod infert: nam omnis casus Deo facit injuriam, angelo infert tristitiam, retardat sanctorum gloriarum, tollit rationalis creature excellentiam. Primum sic patet: iustum est quod creatura suo obediat creatori; per peccatum autem subtrahit creatura ab obedientia creatoris: nam peccatum nichil aliud est, secundum Ambrosium, nisi prevaricatio legis divini et celestium inobedientia mandatorum. Et in signum huius peccati primorum parentum, punitum est per inobedientiam: nam quamdiu fuerunt Deo obedientes, nullum inobedientie motum in sua carne senserunt; post inobedientiam autem commissam, statim inobedientia carnis ad spiritum sunt experti: propter quod uerecundati sunt, perizomata, id est brachas, de foliis ficuum contexerunt, et ad hoc scriptum est signum inobedientie in porta propagationis, id est in membris genitalibus.

Secundum sic patet: quilibet homo secundum Ieronymum habet a sui natura angelum bonum custodem qui eum custodit, qui eum ad bonum inducit et eum a malo trahit, qui magnum gaudium habet de profectu eius quem custodit et dolorem de defectu, unde, Ier. 51, conquerunt angeli custodes animarum: "Curauimus Babilonem, et non est curata", quasi dicerent, "fecimus quod in nobis fuit, sed propter peccatum hominem effectum non habuit"; unde Ysa. 33 dicitur "Angeli pacis amare flere", id est, causam fletus habent ex perditione subditorum que fit per peccatum. Sic infirmus qui non seruat mandatum et dyetam medici, ex hoc infirmitate grauatur et medicum contristat.

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1 nam: ut add. ms.
2 quod interl. ms.
4 contexerunt coni.: conduxerunt ms.
5 Hier., in Matth., III, 18, 10, p. 77, lin. 159 (PL 26, 130)
6 de interl. ms.
7 Ier. 51, 9
8 Ier. 51 - conqueruntur inv. ms.
9 Is. 33, 7
10 medici: r add. ms.

52
3\textsuperscript{m} sic patet: diuina prouidentia statuit sic certum numerum saluandorum qui sibi soli cognitus est, quo numero com\textit{f. 57v}pleto mundus finietur\textsuperscript{1}, resurrectio uni\textit{v}ersalis celebrabitur, et quilibet anima suum corpus resumet, et sic perficietur sanctorum gloria in corpore et anima, quod maxime sancti desiderant, Apoc.\textsuperscript{2}, scilicet acceperunt dominium regum. Peccatum autem impedit animas ne in celum ascendant, sed facit eas aut ad infernum, aut ad limbum, aut ad purgatorium descendere, propter quod completio numeri electorum retardatur, et per consequens gloria corporum que est 2\textsuperscript{a} stolla que ab eis cum maximo desiderio expectatur\textsuperscript{3}.

4\textsuperscript{m} sic patet: in homine est duplex natura, scilicet sensitiua et intellectui\textit{a}. In sensitiua contrahit cum brutis; intellectu\textit{a} et rationali excellit bruta. In sensitiua enim quantum ad aliquid a brutis excellitur: nam linx acutius uidet homine, canis melius concordat, musca ueloci\textit{us} mouetur. Per peccatum autem homo deserit id quod rationis est et sequitur id quod sensualitatis est, et sic perdit per i\textsuperscript{* * *} rationis et efficitur quasi brutum, opera brutalia et bestialia, que sunt\textsuperscript{5} secundum operationem sensitiue, sectando, ita quod secundum diuersas operationes pecci\textit{t} assimilatur diuersis bestiis, secundum quod diuersimode ipsarum uitam ymitatur, iuxta illud Ps.\textsuperscript{6}: “Homo, cum in honore esset, non intelle\textit{x}it”, et Boetius in libro De consolatione\textsuperscript{7}: “Euenit ergo”, et cetera.

\textsuperscript{1} finietur: certum...cognitus est \textit{iter. sed del. ms.}
\textsuperscript{2} Cf. Apoc. 6, 11; 7, 11, \textit{cum gl. ord. ad loc.}; \textit{cf. infra adn. 3}
\textsuperscript{3} expectatur \textit{coni.}: retardatur \textit{ms.Cf. adn. 2}
\textsuperscript{4} uelocius \textit{coni.} uelociter \textit{ms.}
\textsuperscript{5} sunt \textit{marg. ms.}
\textsuperscript{6} Ps. 48, 13
\textsuperscript{7} Boeth., \textit{cons.}, IV, prosa 3, p. 71, linn. 48-49 \textit{(PL 63, 800)}: “euenit igitur ut quem transformatum uitiis uideas hominem aessimare non possis”
<2.> *Quot sunt peccata que maxime nocent homini.*

Sunt autem vii que dicuntur utitia capitalia, quasi 7 draconis capita, de quibus ad presens consideranda sunt 3a, scilicet quare dicantur peccata capitalia, 2° quare sint tot, 3° de signis quibus figurantur in sacra scriptura.

Quantum ad primum, sciemdum est quod utium capitale a capite dicitur. Caput autem tripliciter accipitur: uno enim modo significat principale membrum hominis a quo procedit sensus et motus in alia membra; secundo modo significat principium omne et initium rei, iuxta illud quod dicitur Tre. 4°: “Dispersi sunt lapi sanctuarii in capite omnium platearum”; 3° modo significat principem et rectorem populi: nam et alia membra corporis a capite quodam reguntur; sic accipitur ‘caput’ I Ro. 15°: “Cum esses parvulus in oculis tuis, caput in tribubus Israel factus es?” Secundum hanc tripli significationem capitis ista dicuntur utitia capitalia: cum quia ab eis procedit sensus et motus omnis peccati, quantum ad primam receptionem capititis; cum quia sunt principalia respectu aliorum, quantum ad 2°; cum quia omnes actus aliorum peccatorum ordinantur ad finem istorum, sicut totus exercitus ordinatur ad ducem, unde secundum Gregorium, utitia capitalia sunt quasi duces, alia uero utitia que ex eis oriuntur sunt quasi exercitus.

De 2°, sciemdum est quod sunt vii utitia capitalia, scilicet superbia, ira, inuidia, avaritia, accidia, et luxuria, et gula. Cuius ratio est quia omne agens agit propter bonum prosequendum et propter malum fugiendum. Bonum autem quod quis appetit et propter quod operatur est tripex: scilicet bonum anime quod est consistens in quadam ymaginatione sicut est excellantia honoris et glorie, et hoc bonum inordinate prosequitur superbia uel inanis gloria; aliud est bonum corporis.
et hoc dupliciter, scilicet quodquidam quod pertinet ad conservationem individi, ut cibus et potus, et hoc bonum inordinate prosequitur gula; aliud est bonum corporis quod pertinet ad conservationem speciei, sicut bonum generationis et propagationis, et hoc bonum inordinate prosequitur luxuria\(^1\); aliud est bonum rerum exteriorum quod appellatur bonum fortune, sicut sunt diuitiae, et hoc bonum inordinate prosequitur auaritia. Quod autem aliquis fugiat bonum uel malum propter aliquod malum adiunctum, hoc potest esse tripliciter: uel respectu boni proprii, et hoc est accidia que nichil aliud est nisi tristitia de bono spirituali\(^2\) propter laborem corporalem anexum qui est impeditius quietis corporalis; uel respectu boni alieni, et sic est invidia que tristatur de bono alieno prout est impeditiun boni proprii, et hoc facit sine insectione aliqua; si autem insurgat contra bonum alienum impugnandum sub specie uindicte, sic est ira que est appetitus uindicte. Et sic patet secundum\(^3\).

Circa 3\(^{\text{m}}\), sciendum est quod ista 7 uitia significatur per vii capita draconis quibus totum genus humanum inficitur, Apoc. 12\(^4\). Istri sunt vii rii fluminis Egiptiaci per quod figuratur secundum aliquem amor mundi in quibus submerguntur filii Ade. De hoc flumine habetur in Ysa.\(^5\): “In illa die leuabit Dominus manum super flumen Egipti et percutiet ipsum in vii riius”. Iste sunt 7 bestie steriles macillente, quia a spiritu sancti gwedine omnino alliene, quas uidit Pharao, quibus totum humanum genus uastatur, et que sic uoranit vii uirtutes, ut habetur in Gn.\(^6\) Istri sunt 7 duces exercitus dyaboli quibus totum humanum genus obsidetur et impugnatur\(^7\). Iste sunt vii gentes que expulse fuerunt de terra promissionis, scilicet Cananeus, Pherezeus, Amorreus, Etheus, Euens, Iebuseus, Gergeseus, ut habetur Deut. 7\(^8\). Interpretationes nominum, id est adaptationes eorum, require alibi.

10 Cf. Thom. Aq., sum. theol., I-II, q. 84, a. 4, cor.
1 luxuria cor.: luxuriâms ms.
2 spirituali coni.: spiritualiter ms.
3 secundum corr.: primum ms
4 Apoc. 12, 3
5 Is. 11, 15
6 Gn. 41, 27
7 Job 39, 25; cf. Greg. M., moral., XXXI, 45, p. 1610, linn. 9-10 (PL 76, 620)
8 Deut. 7, 1
<3. De quolibet peccato capitali>

<3.1.> De superbia et primo quid sit

Superbiam in tuo uerbo numquam in tuo uerbo dominari permittas, Tob. 41. Quia inter draconis capita superbia obtinet principatum, ideo de ipsa primo dicendum est; de qua primo uidendum est quid sit, 2° quam grauius peccatum sit: primo de eius quidditate, 2° de eius grauitate.

<3.1.1.> Quantum ad primum, sciendum quod secundum Augustinum, in libro De ciuitate Dei2, “superbia est amor peruerse celsitudinis”, unde superbire nichil aliud est quam honorem et celsitudinem inordinate appetere, id est ultra id quod congruit homini et ultra mensuram debitam3. Ad cuuis euidentiam est sciendum quod quelibet creatura habet mensuram sibi prefixam a Deo et terminos limitatos, infra quos si se tenuerit ordinata est, si autem extra ierit inordinationem incurrit. Sic omnis homo habet mensuram limitatam sue conditioni conuenientem, infra quam si se cohibet humilis et ordinatus est, si ultra procedere uult superbus inordinatus iudicatur. Aliquid autem est secundum mensuram uni quod non alteri, et superbia uni quod non alteri, sicut celebrare in pontificalibus congruit episcopo considerato ordine sue dignitatis, non autem congruit sacerdoti simplici: et ideo si sacerdos simplex cum mictra et baculo pastorali4 celebraret, merito iudicaretur superbus; non autem ascribitur hoc superbie in episcopo, sed potius officio. Superbire ergo nichil aliud est quam super ire5 ultra id quod homo est aut quod sibi conuenit, propter quod dicit Ysidorus in libro Ethymologiarum6: “Superbus dictus est quia super uult uideri quam est”. Nota ergo [f. 58v] quod superbus sic potest magistraliter diffiniri7: Superbus est qui ambulat in magnis et mirabilibus supra se, habitu superfluus, in accessu pomposus, ceruice erecta, facies torua, truces occuli, de superiori loco despectat, melioribus se prefert, equales et minores despicit, superiores non reueretur, et dicta et facta sua iactat, et ab

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1 Tob. 4, 14
2 Aug., civ., XIV, 13, p. 434, linn. 5-6 (PL 41, 420)
3 Cf. Thom. Aq., de malo, q. 8, a. 2, cor.
4 pastorali corr.: pastorali ms.
5 ire: id add. ms.
6 Isid., orig., X, 248, vol. I, p. 846 (PL 82, 393C)
7 Cf. Ps.-Thom. Aq., in. Apoc., XVI, p. 466b; Guill. Perald., vit.,II, 1, 4, p. 150b
omnibus tamquam sincerum aprobari desiderat. Vnde ipse est sicut galina que facto ouo cantat. Et sic patet primum.

<3.1.2.> Circa 2m, est sciendum quod superbia est grauissimum peccatum, quod patet ex tribus: <ex subiecto, ex principio, ex supplicio>.3


Ex principio originali etiam patet grauitas superbie. Nam sicut uermis nascitur de tunica qui corrodit eam, et sic superbia oritur de uirtutibus, donis, et gratiis, et consumit ac dissipat omnia: non enim homines defectuosi sic superbiunt sicut gratiosi. Oritur enim superbia de scientia, de castitate, de pulchritudine, de generis nobileitate, et cetera, unde superbus moritur de uita, infirmatur de sanitate, grauatute de medicina, exsecatur de luce, quod est ualde graue, sicut graue esset conuertere antidotum in uenenum. Sicut ergo grauissima iudicaretur inuadit et neccat, iuxta illud Augustini: "Superbia bonis operibus insidiatur, ut per<eant>". Non sic est de aliis uitiis.
capitalibus: quodlibet enim uitium habet cui opponitur et cuius extinctione contentum est, puta auaritia extingwit liberalitatem, invidia caritatem, gula temperantiam, luxuria castitatem, et ultra non progreditur; sed superbia per omnes uirtutes serpit sicut cancer, et ideo grauiissimum peccatum est. Et ista est sententia Gregori qui dicit, 34 libro Moralium: "Superbia nequaquam est unius uirtutis extingtione contenta, sed per contra cuncta anime membra se erigit, et quasi generalis ac pestifer morbus corpus omne corrumpit"; et Ysidorus dicit, libro Ethymologiarum, quod omnibus est "ruina omnium uirtutum", quod uerum est in quantum omnibus abutitur, ex omnibus occasionem superbiendi assumens.

Ex supplicio etiam et pena qua punitur superbia apparat eius grauitas: nam grauior est morbus contra quem grauior et accruior medicina datur; pena autem, cum sit quedam medicina secundum Philosophum, ibi grauior infligitur ubi maior culpa reperitur. Peccatum autem superbie grauiissima pena legitur esse punitum. Est autem quadruplex pena istius peccati: lapsus in aliud peccatum, eiectio de paradiso et celo, linguarum confusio, et quae naturalis |f. 59r| transfiguratio. Primo si quidem propter superbiam aliciuus humilianda permittit Deus hominem cadere in aliquid graue facinus et etiam in aliquid turpe peccatum, ut ex casu homo superbus humiliatus resurgat, et Deo suo confiteatur, et non tantum de se presumat, ex quo argumentatur huius peccati grauitas: sicut enim medicus sapiens in remedium maiores morbi patitur infirmum in leuiorem morbum incidere, uel etiam membrum precidit aut chauterium facit, ita peccatum superbiam grauius esse ostendit ex hoc ipso quod pro eius remedio Deus permittit hominem ruere in alia peccata. Exemplum de Petro qui nimium presumptuosus et superbus permissus est cadere in Christi abnegationem ad uocem ancille ut dicitur in Mt.

Exemplum de secunda pena in Lucifero qui expulsus est de celo et de angelo factus est demon, et de Adam qui expulsus est de loco delitiarum ut habetur in

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11 Aug., reg., p. 420, lin. 29 (PL 32, 1379)
1 Greg. M., moral., XXXIV, 23, p. 1767, linn. 28-31 (PL 76, 744)
2 Rectius Isid., sent. II, 38, PL 83, 639
3 Arist., nic. ethic. II, 2 (1104 b 17)
4 et: sic add. ms.
5 cf. Aug., civ., XIV, 13, p. 436, linn. 76-77 (PL 41, 422)
6 esse coni. et ms.
7 Cf. Thom. Aq., sum. theol., II-II, q. 162, a. 6, ad tertium.
8 presumptuosus corr.: presumptuose ms.
9 Mt. 26, 69-75
libro Gn.\textsuperscript{1} Exemplum de \textsuperscript{3} pena, id est confusione lingwarum eorum qui edificauerunt turrim\textsuperscript{2} Babel, in Gn.\textsuperscript{3} Exemplum \textsuperscript{4} pene in Nabuch<odonosor> qui mutatus est in bestiam propter superbiam suam humiliandam, ut dicitur in Dan.\textsuperscript{4} et in Istoria\textsuperscript{5}. Has 3\textsuperscript{s} rationes ostendentes grauitatem superbiam tangit in libro De summo bono\textsuperscript{6} Isidorus\textsuperscript{7}, dicens: “Omni uitio deteriorem esse superbiam: seu propter hoc quod a summis personis et primis assumitur; seu quod de opere iu\textit{st}ie et uirtutis exoritur, minusque culpa eius sentitur. Luxuria uero carnis ideo notabilis omnibus est, quoniam per se statim turpis est. Et tamen, dispensante Deo, superbia minor. Sed qui detinetur superbia, et non sentit, labitur in luxuriam carnis: ut per hanc humiliatus, a confusione exurgat\textsuperscript{8}”. Propter hoc, ad exprimendam grauitatem huius peccati, Gregorius in libro Moralium appelat superbiam “reginam uitiomm”, unde dicit, 3\textsuperscript{1} Moralium\textsuperscript{8}: “Ipsa uitiomm regina superbia cum deuictum cor plene\textsuperscript{9} cepit, mox illud 7 principalibus uitiis deuastandum tradit”, ex quibus uitiomm multitudines oriuntur. Dicitur etiam “initium omnis peccati” in Ecci.\textsuperscript{11}; dicitur etiam “maximum delictum” secundum Glossam\textsuperscript{12} super id Ps.\textsuperscript{13} “emundabor a delicto maximo”; dicitur etiam precipuum caput draconis quod sua humilitate beata virgo contriuit, iuxta illud Gn.\textsuperscript{14} “ipsa conteret c<aput> t<uum>”, de quo potest intelligi illud Ecci. 25\textsuperscript{15}: “Non est caput nequius super caput colubri”. Contrito hoc capite, cetera uitia de facili excerebrantur.

\textsuperscript{1} Gn. 3, 23-24
\textsuperscript{2} turrim coni.: terram ms.
\textsuperscript{3} Gn. 11
\textsuperscript{4} Dan. 4, 30
\textsuperscript{5} Petr. Com., hist. schol., PL 198, 1451B - 1452D
\textsuperscript{6} Isid. sent., II, 38, PL 83, 639
\textsuperscript{7} Ysidorus: ethy. add. ms.
\textsuperscript{8} exurgat coni.: exigat ms.
\textsuperscript{9} Greg. M., moral., XXXI, 45, p. 1610, linn. 7-12 (PL 76, 620)
\textsuperscript{10} plene coni.: plena ms.
\textsuperscript{11} Eccli. 10, 15
\textsuperscript{12} Petr. Lomb., in psalm., PL 191, 213
\textsuperscript{13} Ps. 18, 14
\textsuperscript{14} Gn. 3, 15
\textsuperscript{15} Eccli. 25, 22
<3.1.3. De superbia in speciali>

<3.1.3.1. De superbia que oritur ex scientia

<scientia inflat, I Cor.> Postquam diximus de superbia in generali, dicendum est de ea in speciali. Et quia superbia de bonis homini datis a Deo oritur, sicut dictum est, dicendum est de diversis modis superbie qui accipiantur iuxta diversa donorum genera. Alius namque superbit de scientia et litteratura et prudentia, sicut urbi litterati et prudentes; alius de pulchritudine corporis; alius de honoribus et dignitatis et potestate; alius de nobilitate generis.

Dicendum est ergo primo de superbientibus de sapientia que est donum intellectus, qui est pars hominis principalior et nobilior. Item enim superbiunt aliqui de scientia, ut glorientur ab omnibus vocari Rabi, et ament primas cathedras in sinagogis et congregationibus. Vnde primus hostis suasit primis hominibus superbiam et appetitum scientie quando dixit eis, “eritis sicut die scientes bonum et malum”, ut dicitur in Gn. Non est autem gloriandum de scientia propter or, scilicet propter scibilium paucitatem, propter scientiae imperfectionem, propter scientiae corruptionem, propter scientiae laborem.

Primum sic patet: sicut dicitur in Ecc. 43, “paucia uidimus operum eius”, [f. 59v] Deus multa fecit que scibilias sunt, et de illis multis paucas non uidimus per studium et doctrinam; nulla vero per naturam quia, secundum Philosophum, anima creatur sicut tabula rasa in qua nichil est depictum. Quod sic declarari potest: rerum scibilium in uniuerso iiiior sunt genera. Quedam etemae, ut Pater et Filius et Spiritus Sanctus, quos non presumus per intellectum et scientiam attingere propter ipsarum immensitatem, iuxta illud Ps.: “Mirabilis facta est scientia tua ex me”. Nam occulus noster se habet ad ea que sunt manifestissima in natura sicut occulus noctue ad lucem solis, sicut dicitur 2

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1 I Cor. 8, 1
2 pulchritudine coni.: plenitudine ms.
3 Rabi corr.: rabii ms.
4 Cf. Mt. 23, 6-7
5 Gn. 3, 5
6 scientia marg. ms.
7 Eccli. 43, 36
8 Arist., de anima III, 3 (429 b 24 - 430 a 1)
9 Ps. 138, 6
Methaphysicorum¹. Isti autem ignoratis, esto quod omnia que sunt in mundo
sciremus, scientia nostra esset ualde modica, quia res predicte sunt maiores toto
mundo in infinitum et mundus est quasi quoddam nichil respectu earum. Quedam
sunt res euiteme, sicut angeli, qui post Deum sunt nobiliores, et has res quiditatiue
scire non possumus quia sunt supra tempus. Intellectus autem noster intelligit cum
continuo tempore, et ideo parum scimus quia, esto quod sciremus omnes
creaturas alias corporales que sunt infra substantias angelicas, eis ignoratis, parum
sciremus, quia secundum Dyonsium², multitudo angelorum excidit omnem
multitudinem substantiarum corporearum. Quedam sunt incorruptibiles et
ingenerables, corporales.tamen, sicut corpora celestia; horum etiam scientiam
perfecte habere non possumus, quia sunt quasi innumerabilia. Intellectus autem
noster numeratus est, et ideo ille solus scit huiusmodi “qui numerat multitidinem
stellarum et omnibus eis nomina uo<cat>”³, et qui “stellas claudit quasi sub
signaculo”⁴; Gn. 15⁵: “Suspecelum et numeras stellas si potes”, et Ier. 33⁶: “Sicut
numerari non possunt stelle celi”, et cetera. Omne autem quod scitur scientis
comprehensione finitur et numeratur; istis autem ignoratis, etiam si omnia que
sunt sub celo sciremus, parum esset, quia omnia corruptibilia sunt modica⁷
respectu celi, cum una sola stella sit maior terra, et sol septies maior terra.
Quedam sunt res temporales mutabiles et corruptibiles, sicut omnia que sunt sub
orbe lune, et de istis aliqua scimus, sed pauca. Quot enim sunt genera auum que
ignoramus, quot genera piscium in aqua, quot genera plantarum, herbarum,
lapidum, et animalium. Sed esto quod omnia ista que sunt in terra sciremus, ualde
modicum quid esset, scilicet quasi punctum: tota enim terra comparatur ad celum
sicut centrum ad circumferentiam, secundum philosophos, quasi dicerent, ‘ergo,
gloriaris de puncto et scientia punctali?’.

2⁰ sic patet: scientia nostra multum est imperfecta et impura.
Vnumquodque enim tanto est perfectius et purius quanto est contrario minus

¹ Arist., met., II,1 (993 b 10-11)
³ Ps. 146, 4
⁴ Iob 9, 7
⁵ Gn. 15, 5
⁶ Ier. 33, 22
⁷ modica coni.: modicus ms.
permixtum: albius enim est quod est nigro impermistius\(^1\). Scientia\(^2\) autem nostra multum de errore et falsitate et dubietate habet admixtum, et hoc propter 3a: cum quia hauritur a sensibus\(^3\), cum quia obfuscatur passionibus, cum quia deficit in causarum colligationibus. Habet siquid scientia nostra multum imperfectionis, quia acquiritur per sensus corporis, sicut scientia collorum per uisum, sonorum per auditum, odorum per nasum, saporum per gustum. In tantum enim <sensus> iuant\(^4\) ad acquisitionem scientie, quod deficiente uno sensu, necesse\(^5\) est unam scientiam deficere, secundum Philosophum in libro Posteriorum\(^6\), sicut cecus natus non habet scientiam de colloribus. Sensus autem frequenter decipiuntur et errant et si non circa proprium obiectum, tamen circa ea que proprio obiecto anectuntur: sicut oculus quod est magnum iudicat paruum, puta solem esse pedalem qui est maior tota terra; quod est stagnum iudicat argentum propter similitudinem |f. 60r| coloris\(^7\); fel iudicat mel quia utrumque rubeum; unum iudicat duo, puta quando moueo ad extra occulos digito supposito; aliquando quod est integrum ei appareat fractum, puta de remo nauigantis in aqua qui fractus uidetur et tamen est integer. Similiter gustus, humore\(^8\) colerico infectus, iudicat dulce amarum, ut patet in febric<it>ante. Propter hoc scientia nostra quia hauritur a sensibus, qui frequenter ex diuersis causis decipiuntur, multum habet impuritatis; non sic est de scientia angelorum. Ad hanc impuritatem facit obnubilatio passionum anime que impediant et obfuscat iudicium rationis, sicut nubes lucem solis et stellarum; cuismodi sunt passio amoris, spei, gaudii, doloris, timoris, et concupiscentia\(^9\) carnalis. Nam secundum Philosophum\(^10\), concupiscentia corrumpit estimationem prudentie; et Boetius dicit in libro De consolatione\(^11\):

Nubibus atri
condita,

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\(^1\) impermistius corr.: impersmistius ms.
\(^2\) scientia corr.: scientiam ms.
\(^3\) a sensibus coni.: ascensibus ms.
\(^4\) iuant coni.: iuant ms.
\(^5\) necesse coni.: nocere ms.
\(^6\) Arist., anal. post., I, 18 (81 a 38)
\(^7\) coloris coni.: caloris ms.
\(^8\) humore s. ms: honore p. ms.
\(^9\) concupiscentia: doloris add. sed del. ms.
\(^10\) Arist., nic. ethic., VI, 4 (1140 b 12)
\(^11\) Boeth., cons., I, carm. 7, 1-2, p. 16 (PL 63, 655)
et cetera. Ad hoc facit quia ignorantamus causarum obligationem. Scire autem est causam rei cognoscere et causam supremae; causa autem supremae omnium Deus est, et uoluntas divina. Qui ergo perfecte deberet cognoscere aliquam creaturam, et miseram, oporteret quod cognosceret ipsum Deum, qui est causa prima, et omnes causas inferiores, ex quarum colligatione esse ipsius rei dependet, unde dicit<ur>, libro I De diuinat<ion>^e: “Si quis mortaliss colligationes omnium causarum animo perspicere posset, nichil eo profecto falle<re>tur”. Quod quia in uiita ista esse non potest, nichil hic perfecte scitur, unde nec pedem formice alicuius perfecte cognoscit: pes enim formice componitur ex iiiior elementis que continue agunt et patiuntur adiuicem; actio autem et passio elementorum et consistentia causantur ex uirtute stellarum; uirtus autem stellarum ex motu celi; motus autem celi ex uirtute substantie separate mouentis celum; uirtus autem substantie separate ex uoluntate et sapiencia et arte divina que sic omnia ordinat. Qui ergo deberet perfecte cognoscere pedem formice, oporteret quod totam istam cathenam et colligationem cognoscere^3. Quid ergo gloriari<s> de scientia stellarum uel herbarum uel lapidum uel animalium qui nec pedem paruissime creature cognoscis? Vnde dicit Ieronymus quod naturam unius culicis non cognoscimus^3. Nonne Simon Magus quesuit a Petro in ytinerario Clementis^4, quare culos, qui est uermis paruus cum vi pedibus, habet etiam allas? Camellus uero cum maior sit, habet 4or pedes et non habet allas, unde non est perfecta ratio, nisi sapiencia artificis. Propter hoc, Socrates dicebat <se> nichil scire nisi hoc ipsum quod nichil sciret^4. Et de quoddam philosopho legitur^6 quod 30 annis stetit in solitudine ut cognosceret naturam apys, et non cognouit. Et sic patet 2^m.

Circa 3^m, sciendum est quod non debet superbire de scientia, quia ipsa est quodam transitorium et corruptibile: nam homine moriente morbo uel aliqua infirmitate, corrumpitur, iuxta illud Ecc.7 “et moritur doctus pariter indoctus”, et sepe, quod dolendum est, sine memoria sui et creatoris; nec potest moriens

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1 Cic., div., I, 127, p. 60, linn. 2-4  
2 cognoscere coni.: cognoscetur ms.  
3 Locus non inventus in operibus Hieronymi; cf. Thom. Aq., symb. Apost., prol., p. 20  
4 Ps.-Clem., hom., I, 10, PG 2, 66B; epitome, X, PG 2, 478C-D  
6 Ps.-Aug., serm. frat., XV, PL 40, 1260  
7 Eccles. 2, 16
distribuere, nec donare, nec uendere, nec comedere, nec in testamentum legare.
Et sic patet 3m.

Circa 4m, scendum est quod homo non debet gloriari de scientia quia, ut
dicitur in Eccì. 1, "qui addit scientiam addit laborem et dolorem". Multis enim
laboribus subditur homo propter scientiam, puta in meditando, in uigilando, in
scribendo, in audiendo, in abstinento, in discernendo, in peregrinando in terra
alliena, iuxta illud Oratìi:

Multa tullit fecitque puer, |f. 60v| suduít et alsit,
abstinuit Venere 3 <et> uino.

Gloriari ergo de scientia est gloriari de labore et dolore, quod uanum est. Vnde et
antiqui sapientes, istam gloriam fugientes, nolébant appelari magistri, doctores,
uel sapientes, quod uidetur nomen glorie et cuiusdam superbie; sed faciebant se
appelari philosophos, id est sapientie amatores, quod est nomen humile. Dicit
enim Ysídorìus, libro 8 Ethymologiarum 4: "Nomen philosophorum primum a
Pyttagora fertur exortum. Nam dum Greci ueteres sophystas, id est sapientes,
auctores sapientie semet ipsos iactantius nominare<n>t, iste interrogatus quid
profiteretur, uerecundo nomine philosophum 5, id est am<at>orem sapientie se
esse respondit, quoniam sapientem profiteri arrogantissimum uidebatur. Ita
deinceps posteris placuit ut, quantalibet sapientia de rebus pertinentibus ad
doctrinam quisque uel sibi uel aliis uideretur excellere, nomine philosophus
uocaretur". Vnde dicit Veritas in euangelio 6: "Nolite uocari ab hominisbus rabi" 7;
ler. 9: "Non glorietur sapiens in sapientia sua, sed in hoc glorietur, qui gloriatur,
scrire et nosse me". Et ista est summa philosophia: nosse et amare Deum.

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1 Eccles. 1, 18
2 Hor., ars., 413-414, p. 309
3 uenere corr.: ueneri ms.
5 philosophum corr.: philosophina (?) ms.
6 Mt. 23, 8
7 rabi: rabi ms.
8 ler. 9, 23-24
<3.1.3.2.> Quod superbia nascitur de pulchritudine.

ulchritudo eius captiueam fecit animam eius, Iudit. 16. Quia dictum est superius quomodo superbia oritur de sapientia, que est donum anime, consequenter dicendum est quomodo nascitur de pulchritudine, que est donum corporis. Aliqui enim gloriantur de pulchritudine corporali, que in iuuenibus maxime apparet: nam superbia communiter sequitur pulchritudinem forme, et est quasi societas indiuisibilis pulchritudinis et superbie, tam in uiris quam in mulieribus, iuxta illud Ouidii in libro De fastis:

Fastus inest pulcris sequiturque superbia formam.

Gloriari autem de pulcritudine est ualde fatuum, quod potest ostendi duplici ratione, scilicet propter pulchritudinis falsitatem, propter pulchritudinis uanitatem.

Sciendum primo quid est pulchritudo corporis: est autem pulchritudo consonantia partium cum uenustate colloris et integritate membrorum, secundum Augustinum in libro De ciuitate Dei. Vnde ad rationem pulchritudinis 3a requiruntur: primum est perfectio et integritas omnium membrorum, propter quod carentes aliquo membro non sunt pulchri, nec etiam excedentes in magnitudine ut gigantes, nec deficientes ut parui et nani; 2° requiritur quod membra omnia sint bene proportionata et consona ac sibi bene correspondentia ad modum cordarum cythare: quantumcumque enim homo haberet omnia membra integra, nisi essent bene proportionata et consona ac sibi bene correspondentia, non posset iudicari pulcher, unde qui habet nasum nimi longum, uel caput nimi grossum, uel brachium aut tybias nimi subtiles respectu alterius corporis, pulcher non est. Hec autem non sufficerent, nisi adesset uenustas coloris, unde requiritur quod homo habeat colorum clarum et uiiuidum, non nigrum uel pallidum, aut nimi rubeum aut nimi album.

Secundum autem istam considerationem, nullus homo potest dici uere pulcher, quia membra interiora non repondent exterioribus. Superficieiens enim

1 Iudith 16, 11
2 superbie corr.: superbia ms.
3 Ov., fast., I, 419, p. 14
4 duplici corr.: triplici ms.
5 Aug., civ., XXII, 19, p. 838, linn. 40 ff. (PL 41, 781)
6 et: interl. ms.
7 nec: et add. ms.
apparet corpus pulchrum, sed interius consideratum est ulde turpe, ita quod ista pulchritudo turpitudo; non est uera natura, apparentia non respondet nature rei. Et ideo corpus pulchrum assimilatur sepulchro deaurato, quod exterius consideratum apparat deauratum, pulchrum, pollitum, interius est plenum putredine cadaueris; comparatum etiam fymo niue cooperto, qui exterius apparat pulcher, interius autem est plenum putredine. Nam dum nix operit, fymum totum videtur album; sed ad solis calorem nix liquecit et fymus magis putrescit, unde Bernardus¹: Quid est [f. 61r] pulchritudo corporis nisi uellamen turpitudinis?. Si enim consideraret homo quid exit pulchritudinis per nares, per oculos, per aures, per renes, per pedes, per os, et per ceteros meatus corporis, nonne inueniret uillius sterquilinio hominem², et recte iudicaret quod corpus etiam pulchrum nichil aliud est nisi saccus stercorum, ut dicit Bernardus? Gloriari itaque de corpore pulchro est gloriari de sepulchro deaurato, de fimo niue cooperto, et sterquilinio, et cloacha. Et hec sententia Boetii, 3 De consolatione³, qui tractans istam materiam dicit: “Si, ut ait Aristoteles, linecis oculis homines uterentur, ut eorum uisus obstantia penatraret, nonne introspectis uisceribus illud Alcibiadis superficie pulcherrimum corpus turpissimum uideretur?” Fuit autem Alcipiades filius regis Athenarum, speciosissimus corpore, discipulus Socratis, decus pulchritudine; Socrates⁴ librum fecit in laudem eius; Aristoteles autem in eius detestationem librum contrarium fecit, in quo hec uerba que adducit Boetius posita sunt⁵. Et infert Boetius⁶: “Igitur te pulchrum uideri non tua natura, sed oculorum spectantium reddit⁷ infirmitas”. Istud apparat in noctiluca que in tenebris, quando non clare⁸ uidetur, apparat aurea; sed in luce clara est uermis turpissimus. Et sic patet primum.

Circa secundum, notandum est quod pulchritudo non solum est falsa, sed etiam est uana. Cuius ratio est quia secundum Ysidorum⁹, uanum est quod suum statum diu seruare non potest. Pulchritudo aut iuuenalis etatis non est manens, nec diu stat, sed cito transit et consumitur, aut infirmitate, aut senectute, aut morte.

¹ Locus non inventus
² sterquilinio hominem corr.: sterquilinium homine ms.
³ Boeth., cons., III, prosa 8, linn. 20-23, p. 48 (PL 63, 752)
⁴ Intellige Plato, Alcibiades
⁵ Aristoteles, Protrepticus
⁶ Boeth., cons., III, prosa 8, linn. 23-25, p. 48 (PL 63, 752)
⁷ reddit coni.: sed ms.
⁸ clare coni.: dare ms.
⁹ Locus non inventus
Modica infirmitas calefactionis epatis totam pulchritudinem colloris fedat; modica febris senectus pollen euacuat, rugat frontem, et staturam incurat, ut iam idem non uideatur in senio qui in iuuentute fuerat, unde bene dicit Ouidius in libro Tristium:

Ista decens facies longis <uitiabitur> annis, rugaque in antiqua fronte senilis erit.


rara est concordia forme et pudicitie.

Cum inquam esset talis, “oris decorem ulceribus confudit deformitatemque sanctitatis sue fidem quam formam inritamentum aliene libidinis esse maluit” quam pulchritudine seruata ad libidinem occulos aspicientium incitare. Exemplum

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1 idem: n add. ms.
2 qui...fuerat coni.: qui infuerat iuuentute fuerat ms.
3 Ov., trist., III, 7, 33-34, p. 110
4 annis coni.: armis ms.
5 erit coni.: erat ms.
6 Iac. 1, 11
7 Boeth., cons., III, prosa 8, linn. 19-20, p. 48 (PL 63, 752)
8 Secund., vita, p. 96
9 Val Max. fact., IV, 5, ext. 1, p. 196
10 Iuv., sat., X, 297-298, p. 146-147: “rara est adeo concordia formae atque pudicitiae”
11 Val. Max., fact., IV, 5, ext. 1, p. 196
12 inritamentum coni.: incimitamentum ms.
etiam de Joseph, qui propter sui speciositatem a domina sua adamatus, operi nephario noluit consentire, castitatis amore, ut habetur in Gn.¹

Istas duas rationes quare non est gloriandum in pulchritudine corporis tangit Salomon, Prou. ultimo² cum dicit: “Fallax gratia”, scilicet iuuentutis, “et uana est pulchritudo; mulier autem timens Dominum ipsa laudabit<ur>”. [f. 61v]

Ex hoc deberent exemplum assumere iuuenes nostri ut non se lauarent, nec ornarent, nec componerent faciem aut cesariem ad placendum mulieribus et ad prouocandum eas; sed deberent ire in forma quadam neglecta, nec multum studium apponere circa hoc, unde dicit Ouidius³ quod “forma uiros neglecta decet”; et Oratius dicit⁴:

Sint procul a nobis iuuenes ut femina compti.

Itaque ornare et pollire se officium est mulieris; negligere autem formam suam et in forma despecta non composita ambulare est officium uiri.

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¹ Gn. 39, 7-11
² Prov. 31, 30
³ Ov., ars., I, 509, p. 132
⁴ Rectius Ov., epist., IV, 75, p. 20
Quomodo superbia nascitur de pulchritudine uestium.

Postquam dictum est de superbia eorum qui de pulchritudine corporis gloriuntur, dicendum est de superbia eorum qui gloriuntur de pulchritudine uestium. Sunt enim aliqui tales qui uestes pulchras induunt, uolentes uel pulchri uel sapientes apparere, iuxta illud1:

Vir bene uestitus pro uestibus esse peritus.

Quod quidem uanum et fatuum est, sicut ostendi potest duplici ratione, scilicet quia uestis est signum imperfectionis, uestis est signum transgressionis.

Primum sic patet: gloriari de eo quod est mutuatum ab alio et quod homo ex se et sui natura habere non potest, nisi illud mendicet a minimis et ulissimis creaturis, est uanum et stultum. Vestis autem non est homini generalis, quia non nascitur homo indutus serico uel lapide pretioso uel pellibus uariis, sed nascitur nudus et miser, circumdatus non roba de scarleto, sed pelle secundina tota sa<\n>gwinolenta, quam uestem si superbus aspiceret, semper merito rubesceret.

Iob2: "Nudus egressus sum", et cetera. Alie creature possent de uestimentorum ornatu gloriari, quia animalia habent uestes: nam arbors nascitur cum cortice, auis cum pluma, ouis cum lana, testudo cum concha, lilium et flores cum debito ornato, nec ornamenta sua ab aliis mendicant. Omnis autem homo, si debet habere uestes, oportet eum a creaturis mendicare: puta mendicat linum a terra, lanam ab oue, corium a carnibus3 animalium mortuorum, pelles uarias ab animalibus siluestribus, collores a floribus, frix<or>ia a metalli et lapidibus, sericum a uermibus, quod est ualde uerecundum et abiectum, ut uidelicet homo, qui est creaturarem decus et omnes sua dignitate excellit4, se omnibus submittat et inferiorem faciat, a uermiculis et ornamenta mendicans. Quando ergo homo gloriatur de uestibus et diuersis ornamentis, hoc est gloriari quia ex se nudus est, quia pauper est, quia mendicus est. Et ista est5 ratio Veritatis in euangelio6, ubi solicitudenem uestium reprehendit dicens, "et de uesti<men>to quid solici- estis?"., quasi diceret, 'quare tantam sollicitudinem et tanto studio laboratis ad

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1 Walther, carm., 20386
2 Iob 1, 21
3 carnibus coni.: cornibus ms.
4 excellit coni.: excelletur (?) ms.
5 est coni.: per (?) ms.
6 Mt. 6, 28-29; Lc. 12, 26-27
ornatum corporis adquerendum?" "Respicite lilia agri!", et cetera, et nolite gloriari de ornatu uestimentorum, quia "nec Salomon in omni gloria sua uestitus fuit sicut unum ex illis". Et Boetius dicit, 2° De consolatione: "IAM uero pulchrum uariis fulgere uestibus putas; quarum si grata intuitu est species, aut materie naturam aut ingenium mirabor artificis". Et infra: "Vos Deo <mente> consimiles a rebus infimis excellen<is nature> ornamenta captatis nec intelligitis quantam conditori nostro faciatis injuriam. Ille genus humanum terrenis omnibus p<ure<re> uoluit, uos autem dignitatem uestram infra in[l]yma queque detruditis". Et sic patet primum.

Circa 2°, sciendum quod uanum et stultum est gloriari de ueste, quia uestis est signum peccati: homo ante peccatum non utebatur uestibus, sed nudus incedebat, ut habetur ex Gn. Nec oportebat, quia tunc propter potentiam anime, quam super corpus habebat, corpus non ledebatur nec calore nec frigore, nec tunc uerecundia aliqua erat homini ex nuditate genitalium membrorum. Et hoc quia, nondum regnante peccato, nec motus concupiscibilis in homine insurgebat unquam priusquam erubesceret. Postquam autem peccavit, homo expositus est diuersis passionibus caloris et frigoris, et motum inordinatum sensit in membris, ex quo cepit erubescere. Quam erubescentiam ut aliqualiter tegeret, fecit sibi primo perizomata, id est quoddam genus uestimentorum siue bracarum quo tegebantur sola genitalia usque ad genu. Postmodum autem Deus fecit eis tunicas pelliceas, scilicet de pellibus animalium. Itaque propter peccati confusionem uestis introducta est, sicut habetur expresse ex Gn. Et quando corporaliter aufertur peccatum et mors, et corpora nostra erint impassibilia, et non erit aliqua causa erubescentie in eis, uestibus non utemur, sicut in statu beate resur<e>ctionis.

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1 Mt. 6, 28-29; Lc 12, 27
2 Boeth., cons. II, prosa 5, p. 27, linn. 41-43 (PL 63, 692)
3 materie naturam coni.: memoria ms.
4 Boeth., cons. II, prosa 5, p. 28, linn. 67-71 (PL 63, 694)
5 mente suppl. lac.
6 consimiles coni.: et similes ms.
7 excellentis nature suppl. lac.
8 prestare suppl. lac.
9 Gn. 2, 25
10 nondum coni.: nudum ms.
11 unquam coni.: unde ms.
12 tegeret coni.: priusquam tegetur ms.
13 Gn. 3, 21
14 erubescentie corr.: erubescentia ms.
Gloriari ergo de uestibus est gloriari de miseria et confusione et uerecundia nostra, quod fatuum est, sicut esset fatuum si latro gloriaretur de cauterio sibi in fronte facto propter furtum. Vestis ergo, que est signum peccati primorum parentum, potius deberet nos inducere ad fletum quam ad risum uel gauidum, quia quoties uestem respicimus uel induimus, recordari debet homo quod per peccatum perdidit statum tante\(^1\) felicitatis et adductus est ad statum tante miserie, ut pre uerecundia non audet corpus suum et partes corporis ad nuda ostendere, sed oporteat suam nuditatem uestibus uellare, unde dicit Augustinus contra Faustum\(^2\): “Nichil erubescibile in homine nisi quod homo fecit”; “absi\(^3\) ut in membris sanctorum sit aliquia turpitudo”. Erubescimus enim propter legem membrorum, que de peccato uenit.

Et notandum quod circa uestem cauenda sunt tria, scilicet pretiositas, quando scilicet quis portat uestem nimis pretiosam et caram que non competit conditioni persone et status, unde redarguitur: “diues induebatur purpura et bysso”, Lc. 26\(^4\): creditur enim quod fuit ignobilis et seruiulis conditionis, unde dicit Augustinus\(^5\): “Fateor\(^6\) de ueste pretiosa erubesco”. Secundo, cauenda est varietas in incisuris, ornamentis, et modis, et colloribus, quia etiam hoc reprehensibile est, scilicet tot varietates incidendi, collorandi, ornandi, et portandi inueniendi. Soph. 1\(^7\): “Visitabo super qui inducti sunt ueste peregrina”. 3\(^8\) cauenda est superfluitas: tot ei uestes in archa, tot in pertica, et plures a tyneis comeste, et membra Christi nuda non respicimus; Iac. 5\(^9\): “Plorate diuites”; Iob 13\(^9\): “De ueleribus calefactus\(^10\)” Portamus uestes longas et adeo latas quod trahunt caudam per terram, quod ualde superfluum est, et tamen Christi pauper non habet aliquando unde tegat etiam pudenda uel caput; uetulibus tales caudas portantibus, que in cauda portant dyabolum, qui primam caudam fecit in celo, exemplum de sancto

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\(^1\) tante coni.: tantum ms.
\(^2\) Locus non inventus in operibus Augustini; cf. auct. Arist., 16, 46, p. 266: “Omne malum erubescibile est, de bonis autem operibus nullus erubescere debet”.
\(^4\) Rectius Lc. 16, 19
\(^5\) Aug., serm., CCCLVI, ed. Lambot, p. 141, lin. 10
\(^6\) Fateor corr.: fatuor ms.
\(^7\) Soph. 1, 8
\(^8\) Iac. 5, 1
\(^9\) Rectius Iob 31, 20
\(^10\) calefactus coni.: † ca la pan ms.
qui uidit demonem unum ridentem', cui querenti causam risus respondit demon: 'Quia socius meus calcabat super caudam unius mulieris, que caudam ad se trahens, socium meum proiecit in lutum, et ideo risi'. Ad contemptum autem glorie que ex ornatu uestimentorum aliquando consurgat, uallet exemplum quod ponit Esopus de equo fallerato et assello. Require ibi. Propter quod dicit Apostolus, I Ty. 2°: "Non in ueste pretiosa".

1 Krappe, 443 (370)
2 calcabat coni.: calcadat ms.
3 Galt. Angl., XLIII, p. 405-406 (Romulus, III, 3)
4 I Tim. 2, 9
<3.1.3.4.> Contra eos qui superbiunt de nobilitate generis.

vos estis genus electum, I Pe. 2. Sunt quidam qui superbiunt de genere siue nobilitate, gloriantes se esse filios nobilium, et quasi quidam sicut filii\(^2\) galline albe, alii uero sicut filii galline nigre\(^3\). Sed hoc uanum est et fatuum. Nam omnes homines unius generis sunt et unam nobilitatem habent: sunt enim de genere diuino, tanquam a Deo facti et creati, iuxta illud quod dicitur in Act. 17:\(^4\) "Ipsius genus sumus". Quod autem omnes eque nobiles sint, probari potest quadruplici uia, scilicet ex causa materiali, ex causa formali, ex causa finali, ex causa originali.

Istis enim quatuor modis una res potest esse nobilior altera. Primo quidem per respectum ad causam materialem, puta quando est ex nobiliiori materia formata, sicut dicimus quod syphus aureus nobilior est sypho ligneo, quia aurum est nobilius ligno. 2\(^o\) per respectum ad causam formalem, puta res illa est nobilior que habet nobiliorem formam, nam a forma est esse et nobilitas rei, sicut dicimus quod homo est nobilior bruto quia forma hominis est anima rationalis, forma uero bruti est anima sensitiua. 3\(^o\) per respectum ad causam finalem: cum enim finis in unoquaque sit optimum, illam dicimus fore nobiliorem que ordinatur ex suis naturalibus ad finem nobiliorem\(^5\), sicut dicimus quod oculus est nobilior aure, quia oculus ordinatur ad uidendum, auris uero ad audiendum; sicut etiam dicimus quod uasa uinaria sunt nobiliora uasis aquariis, quia illa sunt deputata ad retinendum uinum, ista uero ad retinendum aquam. 4\(^o\) per respectum ad causam efficientem, sicut dicimus quod illud est nobilius quod habet nobiliorem originem et nobiliorem causam agentem, puta quia nobilior est pictura que facta est a nobiliiori et meliori pictore.

Nullo autem istorum modorum potest unus homo dici nobilior altero. Non enim quantum ad materiam ex qua facti sunt homines, quia omnes de una materia et de una massa, scilicet de terra, sunt quantum ad corpus; anima enim materiam non habet, et terra ipsa facta est de nichilo per creationem Dei. Et sic omnes sunt

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1 I Pet. 2, 9
2 filii: nobilium add. sed del. ms.
3 Cf. Iuv., sat., XIII, 141-142, p. 177
4 Act. 17, 28
5 nobiliorem coni.: nobiliori ms.
de nichilo, Ysa. 41: "Vos estis ex nichilo et opus uestrum ex eo quod non est"; et Act. 17: "Fecit ex uno omne hominum genus", et cetera. Vnde pulchre dixit quidam:

Cum fex tum lymus, cum res uillissima simus
unde superbimus? Ad terram terra redimus.

2 non potest etiam dici unus nobilior alteri quantum ad formam, quia forma hominis in quantum homo est anima rationalis: omnes autem anime rationales ex sui creatione et natura sunt equales, quia omnes sunt in eodem gradu speciei et nature, nec in animabus est gradus et differentia specifica. Sic enim est de naturis rerum, sicut de numeris: secundum Philosophum, 8 Methaphysicorum, omnes autem numeri qui sunt eiusdem ordinis, puta omnes ternarii, equalem habent nobilitatem, nec unus est maior altero. In numeris autem diuersarum specierum est differentia maioritatis et minoritatis: nam ternarius est maior bynario. Sic etiam est in rebus: omnes res que sunt eiusdem speciei equalem nobilitatem ex sua specie; que autem differunt gradu specifico, maiorem uel minorem habent, secundum quod sunt in superiori uel inferiori gradu, sicut angelus est nobilior homine. Cum ergo omnes forme hominum ex sua natura sint equales, non potest unus dici altero nobilior, quasi habens nobiliorem formam. Si enim aliqua nobilitas uel excellentia est in anima unius plus quam in anima alterius, hec est propter nobiliorem conditionem uel complexionem corporis, quod est subiectum anime susceptiium, et quo mediante exercet operationes suas. Secundum primum modum, potest gloriari angelus de nobilitate respectu hominis, quia naturam intellectualem in altiori gradu participat, et ideo nobilius. Omnes ergo anime tam imperatorum quam rusticorum sunt eque nobiles, quia intellexuales; item quia omnes immortales et incorruptibles; item quia omnes trinitatis ymaginem preferentes equaliter, iuxta illud Gn.: “Faciamus hominem ad ymaginem”, et cetera.

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1 Is. 41, 24
2 Act. 17, 26
3 Walther, carm., 3609, 4860
4 cum coni.: est ms.
5 quantum: forma add. sed del. ms.
6 homo marg. ms
7 Cf. Arist., met., VIII, 3 (1044 a 4-10)
8 Gn. 1, 26
Non potest etiam dici 3° modo unus homo nobilior altero quantum ad finem, quasi unus ordinetur ad finem nobiliorem et altiorem ex sua natura. Omnis enim homo factus est propter beatitudinem eternam, que est summum bonum, quo maius aut melius excogitare non potest, quia, secundum Boetium¹, beatitudo est "status omnium bonorum aggregatione perfectus". Ista enim beatitudo consistit in cognitione et amore Dei. Omnis autem anima ex su natura ad istam beatitudinem ordinatur equaliter, in quantum omnis anima rationalis equaliter capax est Dei per congregationem et amorem, quantum est ad ymaginem sibi impressa<sup>m</sup>. Non ergo quantum ad finem ultimum unus homo potest dici nobilior altero, ymmo nec angelus potest dici nobilior homine quantum ad finem: unus enim est finis ultimus hominis et angelii, scilicet beatitudo eterna, in quo quidem fine<sup>2</sup> equales sunt et pares, iuxta illud quod dicitur in Mt.<sup>3</sup> de sanctis quod equales erunt angelis Dei. Equales ergo sunt gloria angelii et homines, sed dispare<sup>4</sup> sunt natura.

Non potest etiam dici 4° modo unus homo nobilior altero, scilicet quantum ad causam efficientem, puta quia sit factus a nobiliori magistro uel patre, secundum quem modum homines gloriantur de nobilitate parentum. Nam, ut dicit Boetius in libro De consolatione<sup>5</sup>, "nobilitas uidetur esse quedam laus de meritis parentum ueniens". Nam si sic aliquis gloriatur de nobilitate parentum, hoc uanum est, quia sic non laudatur homo de aliqua nobilitate quam ex se habeat, sed potius laudandi sunt parentes, ut dicit ibi Boetius. Item non debet laus nobilitatis accipi ex proximo parente carnali, sicut ex patre creato, quia pater carnalis non est principalis pater, quasi rationem paternitatis ex se habens; sed ab illo patre celesti accipit illam "a quo omnis paternitas in celo et in terra nominatur", secundum Apostolum<sup>6</sup>. Item pater carnalis non est pater principalis, quia non facit totum quidquid est in homine: non enim facit animam, sed solum corpus; pater autem celestis, et quia paternitatem ex se habet, et quia totum facit quidquid est in homine, ipse pater principalis dici potest, et ex eo nobilitas censetur. Cum ergo ipse sit pater uniuersalis omnium hominum qui omnes fecit, omnes homines

¹ Boeth., cons., III, prosa 2, p. 38, linn. 9-10 (PL 63, 724)
² fine coni.: fines ms.
³ Mt. 22, 30
⁴ dispari coni.: dispari ms.
⁵ Boeth., cons., III, prosa 6, p. 46, linn. 21-22 (PL 63, 746)
⁶ Eph. 3, 15
factura Dei sunt, et genus Dei sunt, et planta celestis sunt, et ideo equaliter nobiles sunt. Malach. 2: “Numquid non est unus pater omnium uestrum et unus Deus creavit”. Et Boetius dicit in libro De consolatione 3, quod unus est pater omnium hominum, quod est nobilissimus, quia cuncta ministrat, quia dedit soli radios, quia dedit cornua lune, quia dedit sydera celo, quia coniunxit animas corporibus, et quod omnes homines eque sunt nobiles4, sicut pulchre patet in metro illo qui incipit “Omne hominum genus in terris”.

Nullus ergo de nobilitate glorietur, quia nobilitatis caralis nomen uacuum est, ut dicit Boetius in prosa que precedit metrum prefatum5, [f. 63v] et nichil aliud boni est in ea nisi quod nobilitas generis indicit nobilibus quamdam necessitatem probitatis, unde Boetius ibidem6: “Quodsi quid est in nobilitate bonum, id esse arbitror solum, ut imposita nobilibus necessitudo uideatur ne a maiorum uirtute degeneret7”.

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1 Mal. 2, 10
2 uestrum ms.: nostrum Vulg.
3 Boeth., cons., III, carmen 6, p. 46 (PL 63, 746-748)
4 nobiles: quia add. ms.
5 Boeth., cons., III, prosa 6, p. 46, lin. 19 (PL 63, 746)
6 Boeth., cons., III, prosa 6, p. 46 linn. 24-27 (PL 63, 746)
7 degeneret corr.: degenerent ms.
<3.1.3.5> **Contra superbientem de dignitatibus et honoribus.**

*_Omnis potentatus uita breuis_, Ecci. 10. Dicto de superbia eorum qui gloriantur de sapientia, de pulchritudine corporis, de ornamentis uestium, de nobilitate generis, restat dicere de superbia eorum qui gloriantur de potentatibus et de dignitatibus seu honoribus, qui querunt in altum ascendere, sed non considerant quod quanto ascensus maior, tanto cadus grauior. Exemplum de Lucifero qui dixit 'ascendam in celum', qui postea cecidit usque ad abyssos, iuxta illud Ysai.: "Quomodo cecidisti de celo Lucifer", et cetera. Quod autem uanum sit et stultum superbiire de honoribus et dignitatibus mundi potest ostendi ad present tripli ratione que accipitur ex dictis Boetii, sicict propter dignitatis falsitatem, dignitatis utilitatem, dignitatis mutabilitatem.

Primum sic patet: omne nomen quod falsum et malum est non consonat rei; nomen autem dignitatis non consonat rei, quia nec per scientiam dignum facit si ex se dignitatem non habet, nec se dignis sociat, sed plerumque, ymo quasi semper, indignis et malis. Ex quo patet quod falso dignitas nuncupatur: nam qui habet fortitudinem fortis est, qui habet musicam musicus est, qui medicinam medicus; sed non qui habet dignitatem dignus est et honorabilis est; ymo plerumque dignitas facit et ostendit hominem indignum, quia si ex se probus non est, numquam probitatem dat, sed ostendit defectum hominis in dignitate constituti, et per hoc reddit eum despicibilem omnibus qui ante eius promotionem eius defectum ignorabant. Sic enim de promotione dignitatum sicut de exaltatione lucerne super candelabrum exaltate: suam lucem occultare non potest, que si dare luceat, laudatur; si autem minus dare, uituperatur. Sic homo in dignitate aliqua positus non potest occultare suam gratiam vel suum defectum, unde dictum est in prou.: "honores mutant, mutant mores". Et ideo qui querit promotionem hominis insufficientis, ipse querit confusionem suam, unde dicit Boetius in 2° De

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1 Eccli. 10, 11
2 Is. 14, 12
3 dignum *coni.: dignam ms.*
4 dignis *coni.: dignus ms.*
5 Cf. Boeth., *cons.*, II, prosa 6, p. 31, lin. 48 (PL 63, 705)
6 despicibilem omnibus *inv. ms.*
7 exaltate *corr.: exaltata ms.* Cf. Exod. 25, 37; Mt. 5, 15; Mc. 4, 21; Lc. 8, 16; 11, 33
8 Cf. Walther, *prov.*, 6111, 6112, 11125
consolatione in prosa illa “Quid autem de dignitatibus”1: “Collata improbis dignitas non modo non efficit dignos sed prodit potius et ostentat indignos”.  

Item nomen dignitatis falsum est: si enim uerum nomen haberet, non2 dignis et malis, sed solum bonis se sociaret; nunc autem ita est quod, ut in pluribus, malis et dignis se sociat. Ex quo patet dignitates ex sui natura nichil boni habere, que se malis sociant; contraria enim non solent se insimul sociare, unde dicit Boetius ibidem3: “Ad hec, si ipsis dignitatis ac potestatibus inesset aliquid naturalis et proprii boni, numquam pessimis prouenirent; nec enim sibi solent aduersa sociari; natura enim respuit ut contraria queque iungantur”. Et hoc est ulde periculosum, quando scilicet dignitas malis confertur: nulla flamma enim magis noxiiu, nullum diluuium est magis periculosum quam dominium malorum: tunc enim dominantur luxuria, gula, avaritia, perierium, dolus, et mendacium; tunc uoluntas pro ratione computatur, ut dicit Boetius in prosa predicta4: “Quod si dignitas in improbissimum quemque5 ceciderit, que incendio flammis Ethne eructantibus, quod diluuium tantas strages dederi<n>t?”.|f. 64r| Et merito, quia mali ex quo potestatem super aliquos acceperunt, peiores efficiuntur, quia dignitas et potestas nec7 bonitatem nec probitatem confert. Exemplum ponit Boetius de Nerone imperatore, qui dominabatur omnibus partibus mundi et tamen pessimus, quia Romam incendit, fratrem interfecit, matrem euisceruit, et tamen “ora lacrimis non tinxit”, ut optime habetur in metro illo8 “Nouimus quantas dederit ruinas”, et cetera. Et sic patet primum.

Circa 2m, sciendum est quod dignitas dominii est quid ulissimum. Cum enim in homine sint duo, scilicet corpus et anima, ille qui dominatur homini non dominatur nisi quantum ad corpus, quod est ulissimum quid; non autem dominatur animo, quid9 nobilissimum, unde dicit Boetius ibidem10: “Num quicquam libero imperabit animo?”, quasi diceret ‘non’. Exemplum de tyranno qui

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1 Boeth., cons., II, prosa 6, p. 31, linn. 54-55 (PL 63, 705)
2 non: se add. ms.
3 Boeth., cons., II, prosa 6, p. 30, linn. 36-39 (PL 63, 704)
4 ut coni.: nec ms.
5 Boeth., cons. II, prosa 6, p. 29, linn. 3-5 (PL 63, 702)
6 quemque coni.: quidquam ms.
7 nec coni.: eius ms.
8 Boeth., cons., II, carmen 6, p. 31 (PL 63, 706-708)
9 quid iter. ms.
10 Boeth., cons., II, prosa 6, p. 30, lin. 21 (PL 63, 703)
cogere uoluit quemdam liberum uirum ut ei proderet quosdam qui in morte eius coniurauerant. Ille autem prodere nolens, linguam momordit atque abscidit et in os tyanni ingementis abiecit, ut dicit ibi Boetius\(^1\). Quisquis ergo imperat et dominatur, imperat solum corpori. Corpus autem est quid ulissimum, quia est corruptibile et est hereditas uermium, et a morsu parui animalis neccatur, ut dicit ibi Boetius\(^2\): "Nonne o terrena animalia, consideratis quibus presidere videamini? Nunc si inter mures uideres aliquem murem unum ius sibi <ac> potestatem pre ceteris uindicantem\(^3\), quanto moueris cachino! Quid uero, si corpus spectes, imbecillius homine repperire queas, quos sepe muscularum quoque uel morsus uel in secreta queque reptantium necat introitus?\(^4\)\). Vnde dominari corporibus humanis est quasi dominari muribus, ymo ei quod est uillius muribus, quia aliquando corpus hominis rodditur a muribus. Sic enim legitur in cronicis\(^5\) quod tempore Henrici \(^3\)\(^ii\) imperatoris, quidam potens dum sederet in conuiuio, a muribus circumuallatus est. Et dum esset innumerabilis multitudo murium, de nullo curabant nisi de illo. Sed cum a suis in pellagus maris deductus esset, nil ei profuit, quia mures nauem insequentes, ipsam usque aque introitum corrodebant.

In terra ergo positus, a muribus totus dilaceratus et commestus est. Idem dicitur cuidam principi Polonie contigisse, et hoc minus mirum iudicatur, quia pro certo dicitur quod in quibusdam terris si leopardo aliquem momorderit, confestim murium copiam aduenire ut uulneatum commingant, immundumque urine diluuium hominis exitium comitari. Vile ergo est dominium huius mundi, quo quis solis dominatur corpibus. Inde anima uero nullam potestatem habere potest, propter hoc bene dicit Dominus in euangelio\(^6\): "Nolite timere eos qui occidunt corpus". Et sic patet 2\(^m\).

Quantum ad 3\(^m\), est sciendum quod dignitates sunt ualde mutabiles, quia non semper teneri possunt, sed saltem in morte finiuntur, et in uita\(^7\) dimittuntur aliquando cum magna confusione: nam qui altius ascendit in uita, iste aliquando

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\(^1\) Boeth., cons., II, prosa 6, p. 30, linn. 23-28 (PL 63, 703)
\(^2\) Boeth., cons. II, prosa 6, p. 30, linn. 13-19 (PL 63, 703)
\(^3\) uindicantem coni.: iudicantem ms.
\(^4\) introitus coni.: interitus ms.
\(^5\) Tubach, 3280
\(^6\) Mt. 10, 28
\(^7\) et - in uita inv. ms.

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1 Eccii. 10, 11
2 Lucan., bell., I, 70-71, p. 3
3 Bar. 3, 16
4 Bar. 3, 19
5 descenderunt coni.: descendam ms.
6 celi: et hec honorum add. ms.
7 Tubach, 3751
8 calcabat coni.: calcabit ms.
9 ipse coni.: ipsa ms.
10 Rectius Iob 20, 7
11 qui marg. ms.
12 Rectius Eccii. 36, 10
<3.2.> De inuidia et primo quid sit inuidia.

<nuidia dyaboli mors introiuit in orbem t<errarum>, Sap. 2.> Superius determinatum est de primo capite draconis, quod est superbia, nunc determinandum est de 2°, scilicet de inuidia. Et est ordo congruus: nam post superbiam sequitur inuidia, unde dicit Salustius in Iugurtino⁴: “Post gloriam memineris inuidiam”. Sic sunt de inuidia consideranda 3a, scilicet eius quiditas, eius gravitas, eius fecunditas. Considerandum est quid sit, quam grava peccatum sit, et de filiabus eius⁴.

<3.2.1.> Circa primum, est sciendum quod secundum⁴ Augustinum⁵ inuidia est “dolor felicitatis alienae”; et Aristoteles⁶ dicit quod “inuidus est qui tristatur de bonorum prosperitatibus”; et I. Damascenus⁸ dicit quod “inuidia est tristitia in alienis bonis”. Tot enim sunt inuidorum genera quot bonorum projectus, unde inuidus dicit quasi ‘sine uis’, quia scilicet non potest proximi felicitatem⁶ uidere, propter quod recte comparatur nocce seu uester lioni, qui propter sui uis us imbecillitatem lumen solis uidere non potest; sic nec inuidus lucem bonorum operum. Et sic patet primum.

<3.2.2.> Circa 2", sciendum quod inuidia est graue et detestabile peccatum propter 3a, scilicet propter amoris corruptionem, propter motuum defectionem, propter unius alis boni impungnationem. Primum sic patet: tota uita anime et perfectio est ex caritate que coniungit nos Deo, per quam uiuit anima, unde dicitur in Io.¹°: “Qui non diligit manet in morte”, que est priuatio uite¹¹. Illud quod importat aliquid contrarium caritati oportet esse peccatum mortale ex suo genere. Inuidere autem, ex comparatione ipsius actus ad suum obiectum, importat aliquid contrarium caritati. Caritas enim diligit proximum sic se ipsum: est autem de ratione amicitie quod ei quem diligimus uelimus bona, et quod eius bonum

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¹ Sap. 2, 24
² Sall., Iug., LV, 4, p. 100, lin. 1
³ filiabus eius coni.: fili abel ms.
⁴ secundum: 2" ms.
⁵ gl. ord. (interlin.) in Rom. 1, 29; Petr. Lomb., sent., II, 36, 6, 1, vol. I, p. 541
⁶ Arist., topica, II, 2 (110 a 2-3)
⁷ I corr.: d ms.
⁸ Ioh. Dam., fid. orth., 28, p. 121 (PG 94, 931)
⁹ felicitatem coni.: ueritatem ms.
¹⁰ I Ioh. 3, 14
¹¹ Cf. Thom. Aq., de malo, q. 10, a. 2, cor.
diligamus sicut et nostrum, sicut dicitur 9 Ethicorum', eo quod amicus 
quodammodo alter est, unde quod amicus de felicitate alterius tristatur, hoc 
manifeste repugnat caritati, in quantum per eam diligimus proximus, unde dicit 
Augustinus in libro De uera religione$: "Qui inuidet bene cantanti non amat bene 
cantanem".

2$^a$ sic patet: inuidia est ualde abhominabilis et detestabilis, quia non 
mouet ad peccandum ex aliqua delectatione. In aliis enim peccatis inclinatur 
homo ad peccandum propter aliquam delectationem quam queret et inuenit in actu 
peccati, puta luxuriosus propter delectationem uenereorum, gulosus propter 
delectationem saporum, auarus propter delectationem lucri, superbus propter [f. 
65r] delectationem honoris; sed inuidia omni delectatione caret et est plena dolore 
et tristitia spiritus, per quam iusto Dei iudicio primo torquet actorem suum, unde 
ueris ille de quo dicitur in Ys.$^5$ quod numquam moritur, quia semper cruciat 
inuidum uisio aliente felicitatis, ita quod quantum crescit prosperitas alterius, 
tantum crescit dolor et afflictio inuidi. Propter quod bene dixit Socrates$^6$ ut inuidi 
haberent oculos et aures in omnibus ciuitatis, ut de omnium prosperitatibus 
torquerentur; et Oratius dicit in libro Epistularum$^7$:

Inuidus alterius macrescit rebus optimis: 
(inuidia Siculi$^8$ non inuenere tyranni 
maiur tormentum.

Et Martialis dicit$^9$:

Rumpitur inuidia quod turba semper in omni 
monstramur digito, rumpitur inuidia. 
Rumpitur inuidia quod sum iucundus de amicis, 
quod conuiua$^{10}$ frequens, rumpitur inuidia. 
Rumpitur inuidia quod amamur quodque probamur: 
rumpatur quisque rumpitur inuidia.

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$^1$ Arist., nic. ethic., IX, 4 (1166 a 30-32)  
$^2$ Aug., vera relig., XLVII, p. 246, linn. 11-12 (PL 34, 162)  
$^3$ cantanti coni.: cantari ms.  
$^4$ $2^m$ corr.: $3^m$ ms.  
$^5$ Is. 66, 24  
moral. prin., XXI, 111-112, p. 108  
$^7$ Hor., epist., I, 2, 57, 58-59, p. 237  
$^8$ Siculi corr.: Sicali ms.  
$^9$ Mart., epigr., IX, 97, 3-12 (5-8 def.)  
$^{10}$ conuiua coni.: cenua ms.  

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Tertium sic patet: bonum secundum Dyonyssium' est diffusiuum sui et communicatium, et quanto res est melior, tanto magis se communicat. Exemplum de terra que omnibus communicat terre nascentia; exemplum de aqua que omnibus communicat humorem suum; exemplum de igne qui omnibus communicat callorem suum; exemplum de Deo qui omnibus bonis et malis, magnis et minimis creaturis communicat bona sua, iuxta illud Mt.²: “Solem suum facit oriri super bonos et malos”, unde uniuersaliter omnis creatura est sui boni communicatia, nec mirum, quia secundum Boetium³ “omne bonum in commune deductum pulchrius elucescit”. Inuidus autem ab hac generalitate deuiat, nolis boni fontem communicare, sed potius de alteri bono dolens, unde quantum est in se nititur claudere fontem boni, ita quod nichil prosperitatis et bonorum possit ad alios deriuari, et ideo grauus est omnibus creaturis et ipsi Deo qui est fons totius bonitatis et liberalitatis, et huius signum est quia inuidus libenter substineret unum dampnum ut is cui inuidet substineret duo, et maxime indiget carere bonis quam uelit ea communicare⁴ proximis. Vnde legitur de quodam rege qui precepit auaro et inuido quod peterent munus quodcumque uellent, ita tamen quod ille qui posterius peteret donum recipere<ca>tum. Neuter autem uolebat prius peterere, nec auarius uolens duplum habere, nec inuidus, nolens quod alius duplum recipere<ca>tum habere, sed petiuit ut erueretur sibi unus oculus ut socio duo oculi eruerentur. Valerius etiam narrat, libro ⁷, quod Fabius “cum rege Antyocho, quem bello superauerat, ex icto federe dimidiam partem nauium accipere deberet, medias omnes”, ut fertur, “secuit, ut eum tota classe priuaret”. Et sic patent duo prima dicenda de inuidia, scilicet quid sit et quam graue peccatum sit.

² Mt. 5, 45
³ Boeth., syll. hyp., I, PL 64, 831B
⁴ communicare: bonis add. ms.
⁵ libro 7 marg. ms. Val. Max., fact., VII, 3, 4, p. 336
De filiabus inuidie

Postquam dictum est de inuidia quantum ad eius quiditatem et quantum ad suam grauitatem, dicendum est de filiabus eius. Ex quo potest etiam apparere quam graue sit peccatum inuidia, ex quo tam grauia oriuntur, sicut "ex fructu cognoscitur arbor". Est ergo notandum quod secundum Gregorium, libro 3<1> Moralium, inuidia habet v filias quas dyabolus maritat hominibus huius seculi, et sunt odium, susurratio, detractio, exultatio in adversis, et afflictio in prosperis, de quibus per singula breuiter est dicendum.

Et primo de odio. Quod autem odium [f. 65v] nascatur ex inuidia, manifestum fieri potest: nam contrariorum contraria sunt principia, sicut frigidum, quia contrarium est calido, causatur a principio contrario. Nunc autem ita est quod amor et odium sunt contraria, causantur ergo ex principiiis contrariis; principium autem amoris est delectatio - ea enim que nos delectant amamus - ergo tristitia est principium odii: naturaliter enim odimus ea que nos contristant. Dictum est autem supra quod inuidia est tristitia de alienis bonis; manifestum ergo est quod odium causatur ex inuidia: nam inuidus odit bona proximi in quantum eum contristant. Est ergo graue peccatum ipsum odium, quia ex hoc patet quod omnia naturaliter appetunt et diligunt bonum, unde philosophi "bene enunciauerunt bonum esse quod omnia exoptant" secundum Aristotelem; odire ergo bonum quod omnia diligunt est contrariari et ipsis boni et omnis creature, et ideo signum est hominis male dispositi, sicut qui non delectantur in usione lucis, que est occulo bene dispositivo summe delectabilis, signum est quod habet occulum male dispositum, iuxta illud Eccles.: "Dulce lumen et detectabile est occulis ui<dere> solem". Et ideo ue talibus, quia dicitur Ys.: "Ve qui dicitis bonum malum et malum bonum". Et sic patet de odio.

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1 et corr.: etiam ms.  
2 Mt. 12, 33; Lc. 6, 44  
3 Greg. M., moral., XXXI, 45, p. 1610, linn. 25-28 (PL 76, 621)  
4 contrarium coni.: contraria ms.  
5 enunciauerunt: omnia add. ms.  
6 Arist., nic. ethic., I, 1 (1094 a 2-3)  
7 et coni.: nec ms.  
8 Eccles. 11, 7  
9 Is. 5, 20
Consequenter dicendum est de susurracione. Circa quod sciendum est quod, secundum Ysidorum in libro Ethymologiärum, "susurro de sono locutionis nomen accepit, quia non in facie alicuius sed in aure loquitur". Vnde susurro et detractor conueniunt in materia, quia uterque mala dicit de proximo; item conueniunt in forma, siue in modo dicendi, quia uterque in occulto dicit de proximo3 malum. Propter quam similitudinem aliquando unum pro altero positus, unde super illud Ecc. 54, "non appelleris5 susurro", dicit Glossa6: id est "detractor". Sed differunt in fine, quia detractor intendit denigrare famam proximi, susurro autem amicitiam separare et inter amicos discordiam ponere. Ex quo potest patere grauitas susurracionis7: nam peccatum in proximum tanto est grauius quanto maius bonum per nocentum aufert; bonum autem quod auffert susurro est inter bona exteriora maius8, scilicet amicitia et amicus, quia, secundum Philosophum9, "sine amicis nullus eligeret uitam, quantumcumque haberet bona alia", unde dicitur in Ecci.10: "Amico fideli nulla est comparatio". Propter quod susurratio est graue peccatum et11 etiam grauius quam detractio, per quam tollitur fama et honor; et ideoque susurro appellebatur bilinguis, quia duabus linguis utitur ad duos, una dicens malum de altero, unde dicitur in Ecci. 2412: "Susurro et bilinguis erit maledictus, multos enim turbabit pacem habentes". Et sic patet de susurracione.

Consequenter uidendum est detractione13. Est autem sciendum quod detractio est "denigratio aliene fame per uerba occulta"14. Sicut enim aliquid nocet proximo per factum dupliciter, scilicet manifeste, puta in rappina uel quacumque

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1 Cf. Thom. Aq., sum. theol., II-II q. 74, a. 1
2 Isid., orig., X, 249, vol. I, p. 846 (PL 82, 394A)
3 proximo: item...dicit iter. ms.
4 Eccli. 5, 16
5 appelleris: dicit add. sed del. ms.
6 gl. ord. (interlin.), II, 749
7 Cf. Thom. Aq., sum. theol., II-II, q. 74, a. 2, cor.
8 maius coni.: malis ms.
9 Arist., nic. ethic., VIII, 1 (1155 a 5)
10 Eccli. 6, 15
11 et coni.: etiam ms.
12 Rectius Eccli. 28, 15
13 Cf. Thom. Aq., sum. theol., II-II q. 73, a. 1, cor.
14 Cf. Thom. Aq., sum. theol., II-II, q. 73, a. 1; C. Casagrande - S. Vecchio, I peccati della lingua, cit., p. 332
violentia illata, et occulte, puta in furto uel dolo quocumque; sic etiam per uerbum nocetur proximo dupliciter, scilicet manifeste, puta in contumelia, quando scilicet aliquid dicit alci sem facie improperium quasi eum parui pendens et eius honor derrogans, alio modo occulte, quasi post tertum et in absentia, quando scilicet mala de alio dicit audientibus, uolens de eo malam opinionem facere in mentibus audientium ac per huc eum [f. 66r] diffamare, et aliquid eius fame subtrahere, et hoc fit in detractione. Ecci. 10: “Si mordeat serpens in silentio nichil eo minus habet qui occulte detrahit”. Est autem notandum quod illud peccatum comittitur v modis: uno modo quando aliquid falsum crimen altero imponit; 2o quando peccatum adaugt suis uerbis; 3o quando peccatum occultum reuellat; 4o quando id quod est bonum inuerit et dicit mala intentione factum, et hoc directe; 5o quando indirecte negando bona et gratias alterius uel malitioso reticendo. Isti sunt v mures roddentes posteriora Philistinorum, Reg. 5: detractor enim ad modum muris lacerat posteriora hominis cui in facie aliquando blanditum. Et est notandum quod, ut fides adhibeatur dictis suis, mirabilem modum seruat in referendo: nam ostendit quod inuite dicat, et quod cum dolore refferat, et facit se primo rogari; et tamen creparet nisi diceret, unde dicit Bemardus super Canticum: “Videas alta premitti suspiria, sicque quedam cum grauitate et tarditate, uultu mesto, demissis et uoce plangenti, egredi maledictionem, et quidem tanto perswasibiliorem, quanto creditur, ab hiis qui audiunt, corde inuito et magis condolenti affectu quam malitioso proferri. ‘Doleo’, inquit, ‘uehementer, pro eo quod diligio eum satis, et numquam potui de hac re corrigere eum’. Et alius: ‘michi quidem’, ait, ‘bene compertum fuerat de illo istud; sed per me numquam innotuisset. At quoniam per alterum nota facta est res, ueritatem negare non possum: dolens dico, reuera ita est’. Et addit: ‘grande dampnum: nam alias quidem in pluribus ualet; ceterum in hac parte, ut uerum fatear, excusari minime potest’”.

1 hoc: mentibus audientium add. sed del. ms.
2 Eccles. 10, 11
3 Cf. Thom. Aq., sum. theol., II-II, q. 73, a. 1, ad tertium
4 I Reg. 5, 6
5 inuite coni.: in iure ms.
7 demissis coni.: dimissis marg. ms.
8 superciliis coni.: superliciis ms.
Ex his accipi potest quod detractio graue peccatum est; cuius ratio est quia peccatum in proximum, ut dictum est, tanto est grauius quanto magis nocet; detractio autem multum nocet quia tollit magnum bonum hominis. Inter bona enim exteriora que non pertinent ad uitam hominis corporalem, maius bonum est fama; hanc autem tollit detractio: qui enim tollit famam impedit hominem a multis aliis, et maxime ab amicis; tollit enim amicos, quia non conuenit habere amicitiam hominum qui sunt infames, unde dicitur in Ecc. 42: “Curam habe de bono nomine; hoc enim magis permanebit tibi quam thesauri magni et pretiosi”. Et quia est maius bonum quam pecunia, iuxta illud Prou. 22, “melius est nomen bonum quam diuitie multe”, maius peccatum est detractio, per quam aufertur fama, quam furtum, per quod aufertur pecunia. Et quia non potest homo saluari nec penitentiam agere de furto nisi restituat pecuniam quam accepit, multo fortius non potest penitere detractione nisi restituat famam, quam difficilimum est recuperare uel restituere, iuxta illud quod dicit Henrigetus poeta:

Quem semel horrendis maculis infamia nigrat, ad bene tergendum multa laborat aqua.

Quod autem detractio et dicere malum de alio multum noceat, et ei qui dicit, et ei de quo dicitur, patet per exemplum Esopi quod ponit de lupo habente predam, et de uulpe inui dente ei. Et sic patet de tertia filia inuidi>e que uocatur detractio.

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1 Rectius Eccli. 41, 15
2 Prov. 22, 1
3 Cf. Thom. Aq., sum. theol., II-II, q. 73, a. 3, cor.
4 Walther, prov., 23771
5 Galt. Angl., XLVI, p. 407 (Romulus III, 6)
Contra eos qui dolent de prosperis et gaudent de aduersis aliorum.

**Ex**peditis hisque pertinent ad tres filias inuidie, dicendum restat de aliis duabus, que sunt afflictio in prosperis et gaudium in aduersis. Circa quod sciendum est quod contristari de bono et prosperitate proximi est graue peccatum, quia est quasi contra naturam, et similiiter gaudere de malo. Cuius ratio est quia omnis potentia naturaliter delectatur in presentia sui objecti et refugit suum contrarium; delectatio enim [f. 66v] est applicatio conuenientis cum conuenienti; inter potentiam autem et objectum est quedam magna conuenientia, et ideo ex applicatione unius ad alterum magna delectatio causatur et ex\(^1\) absentia generatur tristitia. Bonum autem est objectum appetitus, nam bonum est <quod>\(^2\) omnia appetunt\(^3\); malum autem est appetitus contrarium, unde bonum appetitum ad se trahit in tantum quod nemo ad malum aspiciens operatur, secundum Dyonysium\(^4\); ergo, experientia boni uisi naturaliter debet causare gaudium, et experientia mali tristitia<\(m\)>. Inuidus ergo, qui tristatur de bono proximi et gaudet de malo ipsius, manifeste facit contra naturam, et ideo multum peccat.

Item facit contra caritatem. Caritas enim, secundum Apostolum, “non emulatur, non agit perperam, non gaudet super iniquitate, congaudet autem ueritati”\(^5\), et nouit “gaudere cum gaudentibus et flere cum flentibus”\(^6\), et hoc quia caritas compaginat omnia membra corporis mistici in unum: natura autem membrorum corporis est ut unum compatiatur alteri, id est in malo suo, et gaudeat in bono. Inuidus ergo a caritate se uacuum désignât, in hoc quod proximo flente ridet et gaudet, proximo autem gaudente plorat, et per hoc ostendit se non esse membrum unius corporis, quia membrorum legem non seruat.

Item facit contra salutem proprii corporis exultando de malis et dolendo de bonis, quia propter nimium dolorem et propter nimium gaudium infirmitas et mors corporis frequenter sequitur\(^7\). Cuius ratio est quia cor nimirum constringitur uel dilattatur: nam cor est fons uite et caloris, ita quod a corde diffunduntur et

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\(^1\) *ex marg. ms.*

\(^2\) *quod suppl. lac.*

\(^3\) *Arist., nic. eth. I, 1 (1094 a 2-3)*


\(^5\) *I Cor. 13, 4, 6*

\(^6\) *Rom. 12, 15*

\(^7\) *sequitur coni.: interritur ms.*
deriuantur per totum corpus spiritus uitales, quasi quidam riuuli; sed ex uhehenti tristitia cor restringitur ut spiritus ab eo deriuari non possint; restricto autem corde et clauso, uirtutes uitales retrahuntur, membra non uegetantur, et sic corpus desiccatur et frequenter moritur, iuxta illud Salomonis: “Spiritus tristis exsiccat ossa”; Ecc. 30 2: “Tristitiam longe expelle a te. Multos enim occidit tristitia”; et in Mach. 6 3 dicitur, “incidit in lan<guorem> pre tristitia”. Et Ouidius dicit in libro De tristibus:

Strangulat inclusus dolor atque exestuat intus, cogitur et uires multiplicare suas.

Similiter ex uhementi letitia periculum imminet, quia nimio gaudio cor dilatatur, ad cuius dilatationem fit uaporatio uitalis caloris, et sic incurrurtr eritudo. Exemplum de Tyto 3 qui, cum audiuit quod pater suus esset electus in imperatorum, tanto gaudio fuit repletus quod effectus est paraliticus; cuius ratio fuit quia per ampliationem cordis et evaporationem caloris facta est nerorum infrigidatio et contractio, quia nerui omnes egrediuntur a corde. Similiter ex immensa letitia incurrurit mors, unde Valerius in libro 9 6: “Vix uerisimile 7 est in eripiendo spiritu idem 8 gaudium potuisse quod fulmem, et tamen idem potuit. Nuntiata 9 enim clade, que ad lacum Trasimenum 10 acciderat, mulier quedam, sospiti filio 11 ad ipsam portam obuia 12 facta, in eius complexu 13 expirauit; altera quoque, cum falsa mortis nuntio mesta domi sederet, ad primum conspectum reddeuntis examinata est”. Sicque quas dolor non extinxerat, letitia consumpsit. Et sic patet de inuidia.

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1 Prov. 17, 22
2 Eccli. 30, 24-25
3 Macc. 6, 8
4 Ov., trist., V, 1, 63-64, p. 175
5 Cf. lac. Vor., leg., LXIII, vol. I, p. 455
6 Val. Max., fact., IX, 12, 2, p. 458
7 uerisimile coni.: uerissime ms.
8 idem coni.: uel ms.
9 Nuntiata: et add. ms.
10 Trasimenum corr.: Transmentinum ms.
11 filio coni.: suo ms.
12 obuia corr.: obuiam ms.
13 complexu: et add. ms.
<3.3.> De ira et primo quid sit.

 ra enim uiri iustitiam Dei non operatur, Iac. 1. Postquam dictum est de inuidia, dicendum est consequenter de ira que est utium capitale. Sunt autem 3a consideranda de ira, scilicet quid sit, quam graue peccatum sit, et de filiabus ire.

<3.3.1.> Circa primum, sciendum est quod ira secundum Augustinum, libro 13 De ciuitate Dei, est “libido ulciscendi”. Secundum Philosophum autem ira est accensio sangwinis circa cor, uel appetitus contrarii doloris propter uehementem exaltationem: id est iratus uult dolorem, id est penam; contrario, id est ei cui irascitur; propter uhe<mentem> exa<ltationem>, id est quia anima propter iram extra se posita est, id est extra iudicium rationis. Item secundum Philosophum, in 2° Rethorice, ira est “appetitus cum tristitia putionis propter apparentem paruipensionem non conuenient<er> factam”. Ira enim appetit nocumentum alterius in quantum habet rationem iusti uindicatiui, et iedo in tantum querit uindicam in quantum uidetur iusta in principio; iusta autem uindicata non fit, nisi de eo quod est iniuste factum, et iique prouocatum: ad iram semper est aliquid sub ratione iniusti, unde dicit Philosophus in 2° Rethorice quod si homines putauerint eos qui leserunt iuste esse passos, non irascuntur: “non enim fit ira ad iustum”. Offendere enim aliquem ex paruipensione, id est ex contemptu et despectu, scilicet quia ipsum despicimus indebite, habet rationem iniusti, et iedo prouocat iram. Ira ergo in parte audit rationem, et in parte non, ut dicitur 7 Ethicorum. Ira audit rationem nuntiantem et <iu>dicantem quod iniuriatum est ei, et quod pro iniusta iniuria irroganda est pena; sed non perfecte audit, quia <non> obseruat regulam rationis in rependendo uindicam, puta quia aut nimis magnam uindicam exigit, ut pro alapa uult auferre uitam, aut quia pro auctoritate propria uult se uindicare, non auctoritate iudicis, aut aliquid tale non obseruat quod esset
secundum regulam rationis. Ideo Philosophus dicit 2° Ethicorum\(^1\) quod irati assimilantur ministris qui sunt nimirum ueloci, quia antequam audiant totum quod eis dicitur, currunt ad exequendum, propter quod peccant in executione mandati eo quod non perfecte attendunt ad iussionem imperantis. Item secundum eum\(^2\) assimilantur canibus qui ad primum sonitum pulsantis <non> adtendant si illre qui pulsat ad ostium sit familiaris et amicus: sic est de ira, que audit quidem in aliquo rationem, sed propter naturalem caliditatem et corporalem uelocitatem mouentis ad iram, antequam audiat perfecte rationis preceptum mouet ad puniendum. Et sic patet primum.

\(<3.3.2.>\) Continue uidendum est de 2°, scilicet de grauitate huius peccati. Circa quod sciendum quod ira est graue peccatum duplici\(^3\) ratione, scilicet quia naturalem proprietatem <et> occuli interioris claritatem tollit. Primum sic patet: homo secundum Philosophum\(^4\) est naturaliter animal mansuetum natura, cuius signum est figura corporis: nam secundum conditionem anime adaptatur corpus, quod est instrumentum anime, ad eius opera facienda, unde uidemus quod aliter est dispositum corpus leonis, aliter corpus canis, et aliter corpus hominis; et in signum\(^5\) ferocitatis, natura dedit bestiis cornua, ungues accutos et fortes, magnos dentes, et os sciissum; in signum autem mansuetudinis, dedit homini subtiles ungues, dentes paruos, molitiem camium, paruum os. Ira autem maxime contrariatur homini<s> mansuetudini\(^6\), et inducit quamdam ferocitatem, et ideo uituperabilis est in homine, cui inest a natura mansuetudo, sicut laudabilis\(^7\) in cane uel in alia bestia propter nature ferocitatem.

Secundum sic patet: duplex est in homine oculus, scilicet exterior corporalis, et interior spiritualis, scilicet ipsa ratio. Quod enim est oculus in corporibus, hoc est ratio in spiritibus: nam sicut oculus corporalis est dux et rector totius corporis, ita oculus spiritualis est dux et rector totius animi; et ideo, sicut cecitas oculi corporalis est ualde periculoosa, quia homo cecus frequenter

\(^1\) Rectius Arist., nic. ethic., VII, 6 (1149 a 27)
\(^2\) Arist., nic. ethic., VII, 6 (1149 a 29)
\(^3\) duplici corr.: duplicis ms.
\(^4\) Arist., topica, V, 1 (128 b 17); V 2 (130 a 27); V, 3 (132 a 7)
\(^5\) signum: in add. ms.
\(^6\) mansuetudini corr.: mansuetudine ms.
\(^7\) sicut laudabilis inv. ms.
offendit pedibus et uadens\(^1\) palpat\(^2\) ad parietem, ita, ymo multo plus, cecitas oculi spiritualis, id est rationis, est ulde periculosa, quia propter talem cecitatem anima tota obtenebratur et in diversa peccata cadit\(^3\). Hunc autem oculum rationis excicolor et perturbat ira, iuxta illud Catonis\(^4\):

5     Ira impedit animum ne possit cer<nere> uerum;

et Ps.\(^5\) dicit: “Conturbatus est in ira oculus meus”, et cetera\(^6\); et ideo est ulde periculosa, unde dicit Gregorius, in \(v\) Moralia\(^7\), quod ira “intelligentie \([f. 67v]\) lumen subtrahit cum mentem permouendo\(^8\) confundit”. Et huius ratio est quia ratio hominis, licet non sit alligata organo corporali sicut potentia sensitiua, tamen organa corporalia et uirtutes sensitiue corporis subseruuiunt ei et multum coadiuuant eam in suis operibus; iste autem uirtutes sensitiue impediiunt multum occulo perturbato, sicut patet in ebrietate et somnpo; uires autem sensitiuas et ipsum corpus multum perturbat\(^9\) ira, quia primo accedit cor, et ex acensione cordis procedit perturbatio usque ad exteriora membra etiam notabiliter, et ideo ira inter ceteras passiones manifestius impedit iudicium rationis, unde dicit Gregorius, \(5\) Moralia\(^10\): “Ire sue stimulis accensus cor palpitat, corpus tremit, lingua se impedit, facies ignescit, exasperantur <oculi> et nequaquam cognoscuntur noti\(^11\), ore quidem clamorem format, sed sensus quid loquitur ignorat”. Et sic patet secundum.

10    Est autem notandum quod secundum Damascenum\(^12\), 3s sunt species ire, scilicet fel, mania, furor\(^13\). Ira enim quod est ad motum facilis uocatur fel siue fellea, quia cito accenditur propter colleram\(^14\) dominanter, et talis solet cito sedari, et ita non est multum grauis. Ira uero quod diu tenetur clausa in corde propter memoriam injurie illate et tristitie ex ea concepte uocatur mannia, id est a manendo dicta, et

\(^1\) uadens coni.: uadans \(ms.\)
\(^2\) palpat coni.: palpans \(ms.\)
\(^3\) Cf. Greg. M., moral., \(V, 45, p. 279, linn. 135-136 (PL 75, 726C)\)
\(^4\) Ps.-Cato, dist., II, 4, p. 101
\(^5\) Ps. 30, 10
\(^6\) Cf. Thom. Aq., sum. theol., I-II, q. 48, a. 3, sed contra; cor.
\(^7\) Greg. M., moral., \(V, 45, p. 276, linn. 17-18 (PL 75, 724)\)
\(^8\) permouendo: subtrahit \(add. sed del. ms.\)
\(^9\) perturbatur cor.: perturbans \(ms.\)
\(^10\) Greg. M., moral., \(V, 45, p. 277, linn. 44-47 (PL 75, 724)\)
\(^11\) noti coni.: voces \(ms.\)
\(^12\) Joh. Dam., fid. orth., \(30, 2, p. 122-123 (PG 94, 931-934)\)
\(^13\) Cf. Thom. Aq., Sum. theol., II-II, q. 158, a. 5
\(^14\) colleram coni.: coloram \(ms.\)
hec est grauior. Et de hiis duabus potest intelligi quod dicit Augustinus in Regula: "Melior est autem qui, quamuis ira sepe temptetur", et cetera. Ira uero que numquam quiescit nisi uindicet iniuriam, et cottidie modos et uias perquiret et excogitat ad uindicatam, uocatur furo. Et huic sententie consonat quod Philosophus dicit 4 Ethicorum: quosdam irascentium uocat 'acutos' quia cito irascuntur; quosdam uocat 'amaros' quia diu retinent iram; quosdam uero 'difficiles' quia numquam quiescunt nisi puniant: punitio enim quietat impetum et feruorem irae. Secundum Philosophum ergo graue est uitium ira que perturbat occulum rationis. Et dyabolus multum ad hoc peccatum incitat hominem, ulens ei occulum eruere: facit enim sic coruus, cuius proprium est, secundum Ysiderum, quod ueniens ad cadauer currit ad occulum. Sic dyabolus uult hominem exccecare, sciens quod per iram poterit eum ad uotum suum precipitare in peccatum, ut in uitis patrum dixit quidam senex quod quando operiuntur occuli animalis tunc circuit ad molendinum, alioquin non ambulat in circuitu mole. Sic dyabolus cooperit occulos, scilicet mentis, ut in omne peccatum precipitet hominem.

<C.3.3.3.> Circa 3r, id est circa filias ire, notandum est quod secundum Gregorium, libro Moralium, sex sunt filie ire, scilicet rixa, tumor mentis, contumelia, clamor, indignatio, et blasphemia. Require de hiis et quod blasphemia sit graue peccatum patet per Gregorium in libro Dyalogorum. De blasphemia autem in proximum dicit Ouidius in Ybis: 

Terra tibi fruges, amnis tibi deneget undas, 
denegat aflatus uentus et aura suos; 
nec tibi sol calidus, nec sit tibi lucida Phebe, 
destituat occulos sydera clara tuos.

---

1 Aug., reg., p. 434, lin. 201 (PL 32, 1383): "... tamen inpetrare festinat, ut sibi dimittat, cui se fecisse agnostit iniuriam, quam qui tardius irascitur et ad ueniam petendam difficilis inclinatur".
2 sententie coni.: syne (?) ms.
3 Arist., nic. ethic., IV, 5 (1126 a 17-28)
4 secundum: 2° ms.
5 Isid., orig., XII, 7, 43, vol. II, p. 114 (PL 82, 465A)
6 per iram coni.: prima ms.
7 vit. pat., V, 11, 49, PL 73, 939
8 molendinum corr.: molandinum ms.
9 Greg. M., moral., XXXI, 45, p. 1610, linn. 27-28 (PL 76, 621)
10 Thom. Aq., sum. theol., II-II, q. 158, a. 7
12 Ov., lb., 107-126, p. 8-9 (119, 121-122 def.)
13 tibi...tibi coni.: cui...cui ms.
14 degenet coni.: degenes ms.
nec se\textsuperscript{1} Vulcanus nec se tibi prebeat aer,
nec tibi det tellus nec tibi pontus iter;
exul, inops erres alienaque limina lustres,
exiguum<que> petas ore tremente cibum.

Nec corpus querulo nec mens uacet egra dolore,
noxque die grauior sit tibi, nocte dies,
sisque miser semper, nec sis\textsuperscript{2} miserabilis ulli:
gaudeat adversis feminæ utique tuis!
Qui, mala cum\textsuperscript{3} tuleris plurima, plura feras,
causaque non desit, desit [f. 68r] tibi copia mortis;
optatam fugiat uta coacta necem:
luctatusque\textsuperscript{4} diu cruciatus\textsuperscript{5} deserat artus\textsuperscript{6}
spiritus\textsuperscript{7} et longa torquœat ante mora.

\textit{Idem}\textsuperscript{8}:

Dii tibi dent nullosque Lares inopemque\textsuperscript{9} senectam
et longas yemes perpetuamque sitim!

Et sic patet de ira.

\textsuperscript{1} clara s. ms.: claros p. ms.
\textsuperscript{2} cum coni.: suos ms.
\textsuperscript{3} se coni.: tibi ms.
\textsuperscript{4} luctatusque corri.: luctatosque ms.
\textsuperscript{5} cruciatus coni.: cruciatus ms.
\textsuperscript{6} artus coni.: aretus ms.
\textsuperscript{7} deserat - spiritus inv. ms.
\textsuperscript{8} Idem: \dagger Elisi est titulo primo add. ms.
\textit{Rectius Ov.}, am., I, 8, 114-115, p. 22
\textsuperscript{9} inopemque corri.: inopesque ms.
De auaritia et primo quid sit.

<\textit{R}> adix omnium malorum cupiditas, I Ty. 6. Postquam dictum est de peccato ire, quod est 3\textsuperscript{m} caput draconis, <dicendum est de 4\textsuperscript{o}, scilicet de auaritia>, quo quidem capitae omnes filii Adde toxicantur, iuxta illud Ier. 2: "Omnes a maiore usque ad minorem auaritie student". De auaritia autem, sicut et 3\textsuperscript{d} de aliis, uidenda sunt 3\textsuperscript{a}: quid sit, quam graue peccatum sit, de filiabus eius.

<3.4.1.> Quantum ad primum, sciendum est quod auaritia secundum Augustinum, 18 De ciuitate Dei\textsuperscript{\textdagger} est "immoderata libido habendi diuitias siue peccunia<\textit{m}>": nam auaritia excedit modum in habendo et acquirendo diuitias, item in conservando nimiam sollicitudinem adhibet, item in nimis amando diuitias habitas; unde et in Greco, secundum Augustinum, 3\textsuperscript{o} De libero arbitrio<\textsuperscript{i}, auaritia dicitur\textsuperscript{e} "hau<\textit{i}>ditas heris": per hes autem et argentum intelliguntur omnia bona exteriora que possunt numismmate misurari et estimari. Et sic patet primum.

<3.4.2.> Circa secundum, sciendum est quod auaritia est graue peccatum, quod ad presens patet duplici ratione, scilicet propter insanabilitatem, propter generalitatem. Primum sic patet: infirmitas tanto est periculosior quanto magis est insanabilis; auaritia quodammodo est insanabilis, unde Philosophus\textsuperscript{f} dicit quod prodigus est melior illib<\textit{erali}>\textsuperscript{g}, id est auaro, comparans enim ibi auaritiam prodigalitati, dicens quod auaritia est grauior infirmitas prodigalitate, et rationem assignat: primo quidem quia prodigus multis est utilis quibus dat, auarus autem nulli est utilis, ymo nec sibi ipsi; secundo quia prodigus est facile sanabilis, nam sanatur paupertate: quando enim ad paupertatem uenit, prodigus ulterius consumere non potest quia non habet; sanatur etiam senectute, quia illi qui sunt prodigi in iuuentute efficiuntur tenaces in senectute. Sed auaritia utroque modo

\footnotesize
1 I Tim. 6, 10
2 Ier. 6, 13
3 sicut - et inv. ms.
4 \textit{Rectius Aug.}, civ., XIV, 15, p. 438, linn. 75-76 (PL 41, 424)
6 dicitur: h add. ms.
7 hau<\textit{i}>ditas heris \textit{scil. ‘auditas eris’}
8 Arist., \textit{nic. ethic.}, IV, 3 (1121 a 28)
9 illiberali supl. lac.
crescit, quia adueniente paupertate magis desiderat homo diuitias propter paupertatem repellendam; adueniente etiam senectute inualescit auaritia. Nam sic incruantur membra senum, ita etiam incruatur cor auari, omnia ad se trahendo et nulli communicando, unde Philosophus dicit, 4° Ethicorum, quod "senectus et omnis impotentia illiberales facit". Senes uero naturaliter sunt auari, et hoc quia pluribus indigent in senectute quam in iuentute, et ideo timet ne sibi necessaria deficiant, tenaces efficiuntur, propter quod dicit Gregorius: "Cum cetera uitia homine senescente sene<scant>, sola aua<ritia> iuuene<scit>". Non potest etiam sanari rerum copia et habundantia, ymo magis crescit: nam auarus non implebitur pecunia, sed quanto plura habet plura desiderat habere, iuxta illud Iuuenalis:

Crescit amor nummi quantum ipsa pecunia crescit.

Et ideo auarus assimilatur <hydropico> qui quanto magis bibit tanto magis sicit. Exemplum de Myda rege quod ponit Ambrosius, qui petiit ab Appolline quod quodcumque tangeret, fieret aurum. Require alibi.

2° sic patet: illud quod prestat fomentum omnibus peccatis est graue peccatum; sed auaritia, que consistit circa peccunias, omnibus peccatis fomentum prestat, quia per pecuniam homo potest consequi delectabilia omnium peccatorum, iuxta illud Eccles.: "Peccunie obediunt omnia". Propter quod et Apostolus in prefato uerbo appellat auaritiam radicem omnium peccatorum, quia sicut radix prestat nutrimentum toti arbori, sic auaritia omni peccato. Nam qui habet peccuniam potest consueu homines, quod pertinet ad peccatum superbie; |f. 68v| potest uindictam de inimicis facere, quod pertinet ad peccatum ire; potest deprimere et humiliare proximum et eius prosperitatem impedire, quod pertinet ad peccatum inuidie; potest delectiones ciborum conseu, quod pertinet ad...
peccatum gule; potest delectationes uenerorum habere, quod pertinet ad peccatum luxurie; et sic omnium peccatorum radix est cupiditas, quia ei quodammodo omnia obedient. Quomodo peccunie siue denario omnia obedient, elegantur quidam uersibus describit, di\textless cens\textgreater :

5 In terra sum\textless m\textgreater us rex est hoc tempore nummus.  
Nummus magnorum rex est consiliorum.  
Nummus a\textless g\textgreater it lites, quia uult deponere dites.  
Nummus errat uillas, scurrit urbes, destruit illas.  
Nummus auarrorum deus est et spes cupidorum.  

10 Nummum mirantur et reges et ei famulantur.  
Nummo uenalis fit ordo pontificalis.  
Nummus in abbatum cameris retinet dominatum.  
Nummum nigrorum ueneratur turba priorum.  
Nummus uenales dominas facit imperiales.  

15 Nummus bella gerit, nec si uult, pax sibi deerit.  
Nummus habet plures quam celum sydera fures.  
Nummus honoratur, sine nummo nullus amatur.  
Nummus <ad>oratur, quia uirtutes operatur.  
Nummus ducatum dat, nummus episcopatum?.

20 Nummus securus placitat, que uult habiturus.  
Nummus, ut est certum, stultum facit esse disertum.  
Nummus corda neccat sapientum, lumina cecat.  
Nummus si loquitur, pauper tacet; hoc bene scitur.  
Erigit ad plenum de puluere nummus egenum.  

25 Nummus quando datur, ius quodlibet anichilatur.  
Ecce patet cuique, quod nummus regit ubique.

\begin{footnotes}
\item Carm. Bur. 11; Walther, \textit{carm.}, 9131, 9133, 9136; Walther, \textit{prov.}, 19211
\item episcopatum \textit{coni.}: \textdagger appolicatum \textit{ms.}; cf. Walther, \textit{prov.}, 19170
\end{footnotes}
After the statement about avarice, it is appropriate to discuss the offspring of avarice. It is to be noted, according to Gregory in the book Moralium, that the offenses of avarice are seven, namely: theft, fraud, lying, perjury, anxiety, and obstinate mind.

What theft and infidelity arise from avarice, an example of Iuda, who was led by avarice to promote the salvation of the world by kiss, and sold it for 30 denarii. An example also of Septimulus who cut off his friend's head and was commanded to carry it on a stake throughout the city, that it might be weighed against its value, as Valerius says: Require another.

What fraud is manifestly follows avarice: for avaricious man, because he wants to be filled with money and cannot, he considers all means and ways to acquire it, so that he helps, deceives, and commits facts to the nearest, as is said in Ps. 6: "Dolos tota die medi<tabantur>".

What avaricious man is abundant in lies is evident in buyers who seek profit. It is said by Solomon in Prov.: "Evil is evil", says every buyer; and when he leaves, then he will exult.

What avaricious man is abundant in perjuries is evident in merchants, who frequently swear that the thing is worth as much; and he will not give for a little, and nothing is profitable, and similar, but this is not true. For this reason it is said in Ecclesiastes that the negotiator "is difficult to escape from sins". And Crisostomus says in Mt.: "Who emits and who sells cannot be without lies and perjury: it is necessary not only for this to swear, because he does not want as much as he claims, and he swears because he wants more than he sells. But the substance of these things is with the living, or with evil heirs to be dispersed, or to aliens and enemies".

1 secundum: 2ms.
2 Greg. M., moral., XXXI, 45, p. 1610, linn. 30-32 (PL 76, 621)
3 proditio coni.: perditio ms.
4 Mt. 26, 15
5 Val. Max., fact., IX, 4, 3, p. 440
6 Ps. 37, 13
7 Prov. 20, 14
8 Eccli. 26, 28
9 Ps.-Ioh. Chris., in Matth., XXXVIII, PG 56, 840
hereditas uentura est. Non enim potest ad bonum proficere quod congregatur de malo”.

Quod etiam inquietudo mentis et sollicitudo causatur ex auaritia patet ex uerbo Domini in euangelio1, qui dicit quod diuitie comparantur spinis, quia sua sollicitudine animum inquietant, et inflicted uulnere cruentant. Solicitatur enim auarus in aquirendo, in conseruando, in dispensando, unde dicit Oratius2: [f. 69r]

Impiger extremes currit mercator ad Indos, per mare pauperiem fugiens, per saxa, per ignes3.

Quod etiam uiolentie et rappine oriantur ex auaritia manifestum est in actionibus tyrannorum, qui de lacrimis pauperum edificant palatia et congregant thesauros. Eccì 224: “Principes in medio eius, quasi lupi rappientes predam”; et Ys. primo5 dicitur: “Principes tui infide<le>s, socii furum”.

Quod etiam mentis obduratio oriatur ex auaritia patet de illo diuite epulone, de quo in Luc.6 dicitur quod diitiis oppulentus non mouebatur misericordia ad miserum Lazarum; unde dicitur in Iob7: “Cor eius indurabitur quasi maleatoris incus”. Auarus, nolens facere elemosinam uel curialitatem aliquam, denarium in bursa non portat, ut possit excusationem pretendere, et cum maxima difficultate aliquid ab eo potest extorqueri, quia omnis auarus carolosus est. Exemplum de Antygo<no> et Cynico ab eo petente elemosinam: nam ut dicit Valerius8, “cum ab <An>tygono Cynicus petiit tallentum, respondit Antyogonus plus esse, quam Cynicus petere deberet; reppulsus, petiit denarium: respondit minus esse, quam regem deberet dare. Turpissima huiusmodi9 certe10 cauillatio <est>: inuenit, quomodo neutrum daret. In denario regem, in tallento Cynicum respexit, cum possit denarium tamquam Cynico dare, talentum tamquam rex. Nichil autem tam exiguum est, quod non honeste regis hu<manitas11> tribuat”.

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1 Mt. 13, 22; Mc. 4, 18-9; Lc. 8, 14
2 Hor., epist., I, 1, 45-46, p. 231
3 ignes coni.: ignos ms.
4 Rectius Ezech. 22, 27
5 Is. 1, 23
6 Lc. 16, 19-25
7 Iob 41, 15
8 Rectius Sen. I., benef., II, 17, 1, p. 35
9 huiusmodi coni.: modi huius ms.
10 certe corr.: certi ms.
11 humanitas suppl. lac.
Cum ergo tam grauia peccata de avaritia orientur, manifestum est quod avaritia est graue peccatum: periculosum ergo est diuitias temporales sectari propter peccata que homo incurrer occasione diuitiarum. Est etiam periculosum eas sectari et eis per amorem inherere. Propter ipsarum mutabilitatem appellantur enim bona fortune, quia mutabilia et uariabilia\(^{1}\) sunt, et cottidie adueniunt et recedunt et ad modum rote fortune\(^{2}\) uoluantur, ita ut qui hodie est diues, sic cras pauper, unde qui diuitias appetit querit ludere cum fortuna, sed caueat, quia ipsa mutat taxillos, et qui cum ea ludit oportet quod nunc quidem ascen\(\text{d}\)at, postea uero humiliatus descendat. Hoc enim requirit ratio ludi sui: ipsa enim gaudet mutare infima summis et summa infimis, et ideo nullus qui ludum eius intrat de ea conqueratur: si mutat ei faciem, et si nunc prospera ridet, nunc aduersa minatur. Boetius dicit, 2 libro De consolatione\(^{3}\), circa principium, in quo elegant\(\text{er}\) ludum fortune describit, et mutabilitatem continuam ostendit, in tantum ut nullus sapiens cum bonis fortune amicitiam contrahere debeat. Et sic patet de filiabus et eius instabilitate.

\(^{1}\) uariabilia coni.: auariabilia ms.

\(^{2}\) fortune coni.: fortunate ms.

\(^{3}\) Cf. Boeth., cons., II, prosa 2, p. 20, lin. 25 (PL 63, 666)
<3.4.4. De auaritia in speciali>

De auaritia mercatorum, et primo utrum negotiatio sit lícita.

<i>D</i>icto de auaritia in generali, dicendum est de auaritia in speciali. Et primo maxime de auaritia mercatorum, de qua consideranda sunt duo, et primo utrum mercatio sit lícita, 2° de uitiis que in negotiatione committuntur.

<3.4.4.1.> Quantum ad primum, sciendum est quod negotiatoribus incumbit commutationibus rerum insistere. Est autem duplex commutatio secundum Philosophum, primo Politice: una quasi naturalis et necessaria per quam fit commutatio rei ad rem, uel rerum et denario rum, propter necessitatem uite et dispensationem familie, sicut quando datur peccunia pro tritico emendo uel uino uel huiusmodi ad usum uite necessariis. Et talis commutatio non proprie pertinet ad mercatores, sed magis ad yconomicos uel polliticos, qui habent proudire domui uel ciutiati de rebus necessariis ad uita; et hec commutatio, secundum Philosophum, est laudabilis, quia habet finem bonum et honestum, ut patet quia deseruit naturali necessitati. Alia uero est commutatio uel denario rum ad denarios, uel quarumcumque rerum ad denarios, non propter res necessarias uite, sed propter lucrum querendum, et hec commutatio proprie pertinet ad negotiatores; et hec non est laudabilis, sed uitifiable et hoc quia deseruit cupiditati lucri quae, quanto de se est, terminum nescit sed in infinitum tendit. Et ideo negotiatio secundum se considerata quamdum turpitudinem habet, in quantum de sui ratione non importat finem honestum uel necessarium; propter quod dicit Crisostomus super Mt quod “homo mercator numquam potest Deo placere”, et quod “nullus christianus debet esse mercator: aut si uluerit esse, prociatur de ecclesia Dei, dicente propheta: ‘Quia non cognosco negociationes>, introibo in potentias Domini”; quod uerum est, in quantum ponunt finem suum cupiditatem lucrui et accumulationem peccunie immoderatam. Potest autem lucrum ordinari ad finem honestum uel neccessarium, et sic negotiatio redditur lícita, sicut cum aliquis lucrum modaterum quod querit

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1 Cf. Thom. Aq., sum. theol., II-II, q. 77, a. 4, cor.
2 Arist., pol., I, 9 (1257 a 6; b 1)
3 Ps.-Ioh. Chris., in Matth., XXXVIII, PG 56, 839
4 Ps. 70, 15
5 lucrum: inordinatum: add. sed del. ms.
ordinat, uel ad domus sue substantiae intendit propter publicam utilitatem, ne scilicet res necessarie ad uitam patriae desint, et lucrum expectat non quasi finem sed quasi stipendium laboris. Et sic patet primum.

Circa 2°, est sciendum quod quadrupliciter peccatur in negotiatione, scilicet circa amicitiam, circa substantiam, circa qualitatem, circa quantitatem. Quantum ad primum est sciendum quod secundum Philosophum bonum comune est diuinius quam bonum partis; unde uidemus quod pars naturaliter magis diligat totum quam se ipsam, sicut patet quod homo exponit se morti pro defensione ciuitatis, et manus exponit se percussioni pro defensione capitis, quia uita manus dependet ex uita capitis; et sic patet quod naturaliter pars magis diligat totum quam se ipsam. Cum ergo quilibet homo sit pars ciuitatis, magis debet ex naturali benevolentia bonum ciuitatis diligere quam bonum proprium; quando ergo amorem reflectat in se ipsum, plus diligens bonum proprium quam habundiantiam ciuitatis sue, peccat contra bonum amicitie naturalis et malus ciuis est, et sic peccat. Et hoc precipue apparebat in his qui emunt bladum et uinum et alia ad uictum necessaria, ut inducant in ciuitate caristiam. Contra hos dicit Apostolus: "Erunt homines se ipsos amantes".

2° peccatur contra substantiam rei. Vnaqueque res habet naturam et substantiam propria, ex qua propria virtutem et operationem sortitur, per quam differt ab omni alia re, contra quam peccatur quando per artem uel aliam humanam industriam sophisticatur; unde si aliquis uendat aurum archymicum pro uero auro, peccat, et fraudem committit in negotiatione; et hoc si aurum alchimicum non habet ueram speciem auri, quod uidetur ex hoc quod aliae proprietates et utilitates inueniuntur in auro naturali que non inueniuntur in auro alchymico, puta quod habet proprietatem letificandi cor, et quod iuuat medicinaliter contra quasdam infirmitates: potest etiam frequentius poni in opere et diutius durat in sua puritate quam aurum alchymicum. Et similiter peccant qui unam rem uendunt pro alia scienter, et qui uendunt uninum mixtum aqua pro uino puro: quod enim permixtum est patitur defectum quantum ad speciem. Contra

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1 expectat coni.: expedat ms.
2 Cf. Thom. Aq., sum. theol., II-II, q. 77, a. 2, cor.
3 Arist., nic. ethic., I, 1 (1094 b 10)
4 II Tim. 3, 2
istos loquitur Ysa. 1: “Argentum tuum uersum est in scoriam, uinum tuum mixtum est aqua”. Et sic peccatur contra substantiam.

3° peccatur contra uel circa qualitatem, puta circa bonitatem rei. Quod sic patet: nichil creatum est pure bonum nec pure malum, sed aliquid bonitatis habet, et aliquid malitie admixtum; sicut uidemus quod nullum elementum est ita calidum quin habeat aliquid de frigiditate admixtum, sic est de rebus naturalibus: nulla est ita bona quin habeat aliquem defectum. Vnde si aliquid uendat aliquod animal infirmum pro sano, si scienter hoc fecerit, fraudem committit in uenditione; unde est illicita uenditio si defectius occulus est et non dicit ei, cum tamen dicere teneatur, et propter hoc defectum res minus ualet, et tamen propter hoc non eam minus uendit. Et in omnibus talibus non solum aliquid peccat in iustam uenditionem faciendo, sed etiam ad restitutionem tenetur. Si uero, uenditore igno|f. 70r|rante, defectus in re uendita inueniatur, uenditor non peccat; tamen cum ad eius notitiam peruenerit, tenetur damnum recompensare emptori.

Similiter iudicandum est quod non peccat quando uitium rei est manifestum, de quo quilibet perpendere potest, puta si equus qui uenditur est monoculus, nemo tenetur ad manifestandum uitium si propter huius uitium subtrahat de pretio quantum oportet. Et sic peccatur circa qualitatem. Sic errant mercatores qui uendunt pannos, eligentes loca obscura et tenebrosa, et claudentes fenestras pannis uiridibus et rubeis, ne possit defectus percipi qui est in pannis.

4° peccatur circa quantitatem que per mensuram cognoscitur. Et ideo si quis scienter utatur deficienti mensura in uendendo, fraudem committit, et illicita est uenditio. Triplicer autem fit fraus in s<t>a>teris, ponderibus, et mensuris. Vno modo cum quis habet diuersas mensuras uel diuersa pondera, et uendit ad minorem, et emit ad maiorem, et in hoc multum peccant campsores qui nolunt accipere monetam grossam nisi ad bonum pondus, et postea tonsorant eam et faciunt eam esse minoris ponderis. Secundo peccatur circa hoc quando aliquid habet iustam mensuram in domo, sed male mensurat, sicut faciunt tabernarii qui

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1 Is. 1, 22
2 in scoriam coni.: istoriam ms.
3 elementum corr.: elamentum ms.
4 solum: non add. sed del. ms.
5 equus corr. equi ms.
mensuram implent spuma\(^1\). 3\(^{o}\) cum quis procurat ut res quas debet ad pondus uendere ponderosiores facit, ut faciunt illi qui lanam medefaciunt et qui humectant fruccatim et anonam et crocum et piper et huiusmodi, et setam, ut maior resultet mensura. Et hoc est ualde graue, falsare mensuras: error enim qui est circa principia in speculabilibus est maximus; et similiter error in ciuilibus, qui est circa mensuras que debent esse aliorum regula, maior et periculosior et detestabilior est, et propter hoc multum displicet Deo, unde ipse dicit, Deut. 25\(^2\): “Non habebis in saculo diversa pondera, maius et minus; nec erunt\(^3\) in domo tua modius maior et\(^4\) minor”, et postea subditur\(^5\): “Abhominatus est Dominus eum qui facit hec, et aduersatur omnem iniustitiam”. In quo nota quod multum displicet Deo hoc peccatum: non enim uocamus abhominacione\(^<m>\) nisi quod multum displicet\(^6\) alicui. Et sic patet 4\(^m\). Et Leu. 19\(^7\) dicitur: “Ego Dominus uester. Nolite facere iniquum aliiquid in regula, in mensura, in pondere. Iusta statera, et equa sint pondera, iustus modius, equusque sextarius”. Hic nota omnia genera mensurarum uendentium, quia in regula mensuratur pannus, in pondere metalla, in mensura liquida ut uinum et oleum, in statera moneta, species, uel huiusmodi, in modio mensurantur arida, et similiter in sextario, puta frumenta, legumen, et diversa semina. In quibus omnibus prohibentur fraus et dolus, quia “statera dolosa abhominatio est apud Deum, et pondus equum uoluntas eius”, ut dicitur Prou. xi\(^8\).

Et sic patet de mercatoribus.

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\(^1\) spuma coni.: spumia ms.
\(^2\) 25: non habebit add. ms; Deut. 25, 13
\(^3\) erunt corr.: erit ms.
\(^4\) et iter. ms.
\(^5\) Deut. 25, 16
\(^6\) displicet: Deo add. sed del. ms.
\(^7\) Lev. 19, 34-36
\(^8\) Prov. 11, 1
De accidia et primo quid sit.

Subice humerum et porta illam, et ne accidieris in uinculis, Ecc.\textsuperscript{1} Dicto de avaritia, dicendum est de accidia que est v\texttextsuperscript{nan} caput draconis, quo maxime mordentur cleric\texti{i}. De qua consideranda sunt 3a, scilicet quid sit, quam graue peccatum sit, et quot eius filie\textsuperscript{2} assignentur\textsuperscript{3}.

Circa primum, sciendum est quod accidia secundum Damascenum, libro 2\texttextsuperscript{a}, est "tristitia aggrauans", que scilicet ita deprimit animum ut nichil ei spirituale et diuinum agere libeat\textsuperscript{4}, nec bonum spirituale inchoare, nec inchoactum proficere, unde est quidam horror et abhominatio et displicentia boni diuini et spiritu|alis, et propter hoc est signum mortis: sicut enim abhominatio cibi materialis est signum mortis in homine, ita abhominatio cibi spiritu|alis est signum mortis spiritu|alis; unde accidiosus, qui propter quietem corporis refugit et abhominatur bonum spirituale, iam appropinquat ad portas mortis, iuxta illud Ps.\textsuperscript{5}: "Omnem escam abhominata est anima eorum, et approprinquauerunt", et cetera. Et dicitur accidia ab acciditate, quia fructus accidi solent esse in frigiditate, unde accidia importat quamdam frigiditatem et tediositatem boni operis. Et sic patet primum.

Circa secundum, est sciendum quod accidia est graue peccatum duplici ratione, scilicet quia est contra creature naturale exercitium, contra caritatis spirituale gaudium. Primum sic patet: nos uidemus quod creature secundum omnem gradum nobilitatis non sunt accidiose, sed ulde operose, sicut terra annuatim producit fruges, prata producunt flores, arbores producunt fructus, rubi ornantur rosis, licet frequenter magnam substineant aeris intemperiem; sol et luna peragunt omni die currsum suum: nam sol quolibet die uadit ab oriente in occidentem, et quantumcumque laborat una die, nichilominus sequenti die summo mane surgit, et tamen non expectat talem remunerationem pro suo labore qualem exspectat homo; unde dicit Augustinus\textsuperscript{6}: "Indecens est christiano si radius solis

\textsuperscript{1} Eccl. 6, 26
\textsuperscript{2} filie coni.: filii ms.
\textsuperscript{3} assignentur corr.: assignantur ms.
\textsuperscript{4} Joh. Dam., fid. orth., 28, p. 121, (PG 94, 931)
\textsuperscript{5} Cf. Thom. Aq., sum. theol., II-II, q. 35, a. 1, cor.
\textsuperscript{6} Ps. 106, 18
\textsuperscript{7} Cf. Ps.-Thom. Aq., in Apoc., XVI, p. 469b
eum in lecto inueniant", quasi diceret, si sol haberet potestatem loquendi, diceret accidioso et pigro: 'Heri laboraui et tamen cum iam surrexerim, tu adhuc dormis'.

Valde ergo reprehensibilis est pigritia in christiano, qui ita piger est quod uix potest de lecto extrahi, quantumcumque aliquando uocitetur. Cuius quidem pigri modum et moram eleganter descript Gufredus in Poetria\(^1\) Nova\(^2\):

\begin{quote}
Scisne moram pigri? Si mane scitetetur, obaudit.
Si citetur adhuc iterata uoce sonora,
nare\(^3\) uigil sterit. Ta\(<n>demque clamore\(^4\) coactus,
ore tamen lentus, linguam mouet, ei: 'Michi quid uis?'
Inquit: 'Surge! ueni!' 'Nox est, permitte quiescam'.
'Immo dies est: surge!' 'Deus meus! Heu ego surgo.
Vade, seque\(^5\)'. Nec eum sequitur, quem decipit; et tu\(<m>:
'Non uenies?' 'Dudum uenissem\(^6\), sed michi uestes
quero nec inuenio'. Nichil est. 'Te Tybima, noui.
Surge cito!' 'Domine, sum presto'. Nec est tamen, ymo
uel caput huc, illuc uerit, uel brachia scalpit, 
membra uel in longum distendit. Sic sibi quasdam
undelbet morulas querit. Semper uenit ore, 
non pede; sic ueniens numquam uenit, ipse; coactus
forte mouens gressum trahit a testudine motum.
\end{quote}

Hoc idem patet in paruis animalibus que sunt ualde operosa, iuxta exemplum quod ponit Salomon in Prou.\(^3\), di\(<cens>:\n"Vade ad formicam, o piger, et considera uias eius, et disce sapientiam. Etiam cum non habeat", et cetera. Considera, inquit, uias eius: quomodo, scilicet, laborat in estate ut habeat unde uiuat in yeme; quomodo meliora grana colligit; quomodo collecta portat ad locum suum; quomodo grana ne germinet scindit, et germen remouet ne euanescant germen emittendo; quomodo per eandem uiam uadit et redit; et quomodo honera maiora se portat; quomodo cadens sub honere a consociis adiuuat; quomodo omnis meatus aquarum fractis aggeribus a suis foueis excluditur; quomodo quasi luctu\(<m> celeb rant, defunctarum corpora portant, et quasi exequias defunctis faciunt; quomodo nulla earum ab agmine recedit, sed una ali um sequitur. In quibus omnibus merito confunditur humana pigritia, que a minutis animalibis non trahit

\begin{footnotes}
\footnote{Poetria coni.: porta ms.}
\footnote{Galf. Vin., poet., 1366-1380, p. 239}
\footnote{nare coni.: mane ms.}
\footnote{clamore coni.: timore ms.}
\footnote{uenissem coni.: uenisti ms.}
\footnote{Prov. 6, 6-7}
\end{footnotes}
exemplum, ut dicit Seneca\(^1\). Dicitur quod quidam rusticus, desiderosus et piger, uenit ad quamdam uetulam que se diuinam faciebat, et quesuit ab ea quomodo posset ditari, cum esset pauper\(^2\). Illa conspiciens eum, notauit\(^3\) eum multa oppressum pigritia, et dixit quod mane surgeret et attenderet quid primo dicerent ey yrundines aut coturnices cum primo inciperent cantare; similiter hoc idem attenderet cum sero |f. 71r| iret cubitum, et post ad eam rediret, et dicta auium ei refferret. Quod cum fecisset, dixit se uoces auium audisse, sed non intellexisse quid garritus earum significaret. Cui illa ait: “Dixerunt tibi, si bene intellexisses, ‘cuba tarde, surge cito, discurre pro cibo, et habebis bladum in sacco’. Si non dixerunt tibi hoc uerbo, dixerunt tibi saltem exemplo suo, quia huiusmodi aues mane surgunt, et tota die discurrunt, et multa labore si<bi> necessaria acquirunt. Vade, et tu fac similiter\(^4\)”. Et sic patet prima ratio.

\(^2\) sic patere potest: tota perfectio uite christiane est in caritate, in tantum ut quelibet alia\(^5\) opera uirtuosa sine caritate hominem perfectum facere non possunt, iuxta illud Apostoli\(^6\): “Si linguis hominin loquar et angelorum”, et cetera. Specialis autem et proprius effectus caritatis est gaudium et delectatio de bono spirituali et diuino, iuxta illud Apostoli\(^7\): “Fructus autem spiritus <est> gaudium caritatis”, et cetera. Amor enim facit delectabiliter operari, et cum gaudio\(^8\): nam, secundum Augustinum\(^9\), “qui amat non laborat”; ymo labor quem quis substinet pro amato delectabilis est amanti, unde Augustinus dicit\(^10\): “Nullo modo sunt honerosi labores amantium”, et cetera. Qui ergo amorem Dei habet, non laborat in rebus spiritualibus, et si laborat, labor est delectabilis, unde dicit Gregorius\(^11\) quod “amor Dei otiosus esse non potest. Operatur enim magna, si est; si autem operari remittit, amor non est”. Quidquid ergo contrariatur delectationi et gaudio spirituali, contrariatur caritati, cuius effectus est gaudium spirituale, ac

\(^1\) Sen. I., clem., I, 19, 4, p. 242: “Pudeat ab exiguis animalibus non trahere mores”.
\(^2\) Tubach, 637
\(^3\) notauit coni.: uorauit (?) ms.
\(^4\) Lc. 10, 37
\(^5\) alia coni.: anima ms.
\(^6\) I Cor. 13, 1
\(^7\) Galat. 5, 22
\(^8\) gaudio coni.: gaudium ms.
\(^9\) Aug., in euang. loh., XLVIII, 1, p. 413, lin. 10 (PL 35, 1741)
\(^11\) Greg. M., in evang., XXX, PL 76, 1221B
per hoc est peccatum mortale; accidia autem isti gaudio directe opponitur, cum ipsa sit tristitia de gaudio spirituali et divino, et ideo mortale peccatum est. Sicut enim invidia, quae est tristitia de bono proximi, est peccatum mortale quia opponitur dilectioni proximi, ita accidia, quae est tristitia de bono divino et spirituali, est peccatum mortale quia opponitur dilectioni Dei, in qua tota perfectio et summa uite christiane consistit. Et sic patet secundum.
De filiabus accidie.

Multam malitiam docuit otiositas, Ecci. 33. Postquam dictum est de accidia in generali et secundum se, nunc dicendum est de filiabus eius quae sunt quedam mala et peccata que oriuntur ex accidia. Est autem scindendum quod secundum Gregorium, 31 Moralium, vi sunt filie accidie, scilicet euagatio mentis circa illicita, torpor circa precepta, desperatio, malitia, ranchor, et pusillani. Cuius ratio est quia cum accidia sit quedam tristitia de bono spirituali, cum tristitia autem homo diu uiuere non potest nisi habeat aliquam dilectionem et aliquid in quo delectetur, secundum Philosophum. Accidiosus duo querit: unum est retrocedere a contristantibus; aliud est aliquemquerere in quibus delectetur; et hoc ultimo modo ex accidia oritur euagatio mentis circa illicita: quando enim homo non delectatur in bonis spiritualibus, uagatur mente et querit delectationes peregrinas rerum terrenarum et carnalium. Sub qua quidem euagatione mentis, secundum Ysidorum, comprehenditur importunitas, qua quis efficitur importunus ad querendum consolationes carnales diuersis modis et uis; comprehenditur etiam curiositas: ex quo enim homo sic uagari incipit, delectatur in curiositatibus, inquiringe noua et rumores et similia; comprehenditur etiam uerbositas per quam homo se occupat in uariis et superfluis delectationibus et stat multum in locutorio; comprehenditur etiam inquietudo corporis, per quam aliquis in eodem loco manere non potest, dat se discursibus et motibus uariis per quos ostenditur uanitas mentis; comprehenditur etiam instabilitas, secundum quod aliquis est mutabilis in proposito.

Oritur etiam ex accidia torpor circa precepta. Quia enim precepta sunt quedam uincula spiritualia, contristant ipsum accidiosum qui libertatem querit, et ideo ab eis se elongat per torporem et negligentia, uel omnino ea pretermittens, uel ea negligenter implens.

Oritur etiam desperatio. Accidiosus enim ex uehementia tristitie querit, et ideo ab eis se elongat per torporem et negligentia, uel omnino ea pretermittens, uel ea negligenter implens.

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1 Eccli. 33, 29
2 secundum: 2™ ms.
3 Greg. M., moral., XXXI, 45, p. 1610, linn. 28-30 (PL 76, 621)
4 Cf. Thom. Aq., sum. theol., II-II, q. 35, a. 4, ad secundum; de malo, q. 11, a. 4, cor.
5 Arist., nic. ethic., VIII, 4 (1157 b 15)
6 Isid., quaeest. test., in deu., XVI, 4, PL 83, 366
animo, facit ipsum a fine recedere et in desperationem cadere, et animam credere
dyabolo, et deponere aliquando capam et capucium, et ad seculum redire propter
tedium diuinii boni.

Oritur etiam malitia, que est consecutio boni contristantis. Accidiosus
5 enim, qui non delectatur servare regulam, constitutiones, et alia regulares
obseruantias, frequenter concipit rancorem ad prelatum qui inducit et cogit eum
ad seruandum, et sic ex accidia oritur rancor, et post procurat aliquando malum
prelati, puta mortem uel depositionem. Exemplum de sancto Benedicto quem
uoluerunt uenerare monachi accidiosi, ut narrat Gregorius in Dyalogis¹.

Oritur etiam ex accidia pusillanimitas. Accidiosus enim ex tristitia
agrauante est pusillanimis ad agrediendum ardua et seruandum, puta que cadunt
sub consilio, ut est paupertas, castitas, obedientia, ad quam agrauandam multum
facit dissuetudo, sicut e contrario consuetudo homines animat et conformat, et
inducit ad aliquid faciendum. Et ideo, si homo est pusillanimis ad agrediendum
bona spiritualia, deberet paulatim procedere et se bonis actibus assuefacere, et sic
per consuetudinem opera ardua uiderentur ei facilia. Quando enim homo totum
uult simul aggredi, ruit sub honere. Nichil² est ita durum quod tempore et
consuetudine non mollescat, sicut bene docet Ouidius multis exemplis in libro De
arte primo³:

20 Tempore difficiles ueniunt ad aratra iuuenci,
tempore lenta pati freni docentur equi.
Ferreus assiduus consumitur anulus usu,
interit assidua uomer adhuncus⁴ humo.
Quid magis est durum saxo, quid molius unda?

25 Dura tamen molli saxa cauantur aqua.
Capta uides sero Pergama, capta tamen.

Multum ergo ualet bona consuetudo, et paulatim incipere bene agere. Si quis enim
uellet totum simul aggredi, totum perderet, sicut qui uolens totum lucrum, simul
perdit gallinam et ouum. Et <qui> multa lucrabatur oua congregando et
uendendo, hic cogitans quod multa oua possent inueniri in uentre eius, et uolens
totum lucrum simul habere, scidit eam, et non inueniens oua in uentre eius perdidit

² nichil coni.: non ms.
³ Ov., ars, I, 471-478, p. 130 (477 def.)
⁴ adhuncus coni.: adhuncos ms.
totum, ut uolgariter dicitur, oua et gallinam. Sic qui indiscrete nimis festinant ut
totum simul faciant et cumulum perfectionis\(^1\) acquirant, aliquando et se et fructum
quem deberent facere amittunt. Et sic patet de accidia.

\(^1\) perfectionis coni.: profectionis ms.
<3.6.> De luxuria et primo quid sit

Ecci. 7. Diximus in superioribus de v capitibus draconis, nunc dicendum est de vice\(^2\) quod est luxuria, de qua consideranda sunt 4or, scilicet quid est, quam graue et periculosum peccatum est, de filiabus eius, et de amore mulierum inordinato\(^2\) specialiter.

3.6.1. Circa primum, sciendum est quod, secundum Augustinum\(^3\), luxuria est inordinatus appetitus uenerorum siue delectabilium secundum tactum\(^4\). Non enim quilibet usus uenereorum est peccatum, sed solum ille qui est contra ordinem rationis, puta qui non ordinatur ad finem debitum. Sicut autem finis debitus a ratione consideratus tamquam bonum\(^5\) est conservatio individui, ita finis debitus et bonum neccessarium est conservatio speciei humane; sicut ergo usus ciborum per quem conservatur natura individui est licitus, ymo est necessarius si fiat debito modo, secundum scilicet quod competit saluti corporis; ita usus uenereorum per quem conservatur natura speciei est licitus si fiat simpliciter, [f. 72r] debito modo et ordine, secundum quod competens est ad finem generationis humane. Et sic patet primum.

3.6.2. Circa 2\(°\), est sciendum quod luxuria est graue peccatum et periculosum 3ci ratione, scilicet quia prouocat appetituam, subuertit intellectuam, comminuit vegetatuam. Primum sic patet: sic est de infirmitate corporali, sicut est de infirmitate spirituali: nunc autem ita est quod infirmitas corporalis illa est ualde periculosa que sitim prouocat, et in qua homo bibendo magis sitit: periculum enim est ne ex nimio potu homo incidat in ydropisim; infirmitas autem luxurie insatiabilis est, quia quanto magis ei satisfit, tanto magis crescit, nec unquam satiari potest, iuxta illud Prou.: "Tria sunt insaturabilia, et 4\(°\) quod numquam dicit: Sufficit". Expone. Et ibi\(^7\) dicitur: "Due sunt filie sanguissuge", id est dyaboli qui sanguinem humanum sitit, scilicet luxuria et

\(^1\) Eccles. 7, 27
\(^2\) inordinato coni.: inordinatio ms.
\(^3\) Cf. Aug., civ., XIV, 15, p. 438, lin. 64-67 (PL 41, 424)
\(^5\) bonum: quod add. ms.
\(^6\) Prov. 30, 15
\(^7\) ibidem coni.: i- ac ms.
\(^8\) Prov. 30, 15
Avaritia, que dicunt semper: "Affer, affer". Expone. Periculosum ergo est ulde
ista infirmitate linguere.

2 sic patet: licet intellectus hominis non utatur organo corporali, tamen
multum iuuatur in suo actu ex bona dispositione corporis et partis sensitiue, et
similiter multum impeditur ex mala dispositione et deordinatione utriusque; per
inordinatum autem usum uenereorum multum impeditur et deordinatur corpus et
appetitus sensitiuus propter delectionationes tactus que sunt uehementissime; et ideo
nimiris intense eis intendit et inheret appetitus sensitiuus, ita quod propter intensam
inhesionem uirium inferiorum in usu uenereorum uires superiores deordinantur in
suus actibus, ita quod quasi totaliter rationis iudicium absorbetur ex uehementia
delectionatis, et ipsa ratio quasi carnalis et brutalis efficitur, unde Philosophus
dicit in Ethicis quod impossibile est in tali actu alicuod intelligere, et Augustinus
dicit in primo Soliloquiorum: "Nichil esse sentio, quod magis ex arce deiciat
animum virilem, quam blandimenta femine corporumque ille contactus".

Exemplum de Samson qui fuit excceatus a Philisteis propter amorem Dalyde: tunc
enim homo excceatur quando perdit oculum rationis, unde et amor cecus esse
dicitur.

3 sic patet: in actibus uerereis fit seminis multa emissio; semen autem,
dicit Gaienus, generatur e puro et claro sanguine, quo propria et
principalia pascuntur membra, quod postea collatum per uenas albescit; et ideo
cum in eius euacuatione quis modum transgreditur non superest sangwis quo
pascantur, primo quia uirtus hominis debilitatur, corpus desiccatur, aut defectus
sequitur; insuper, sicut idem dicit, in actu uenereo non solum agreditur a membris
humor, sed etiam spiritus uitalis per arterias exit cum semine, et propter hoc non
est mirum si superfluus coiens debilitatur, quia dum corpus euacuat, uirtus
quoque uitalis minuitur, unde et multi propter hoc mortui sunt, ut dicit idem. Et
philosophus idem alibi\textsuperscript{1} dicit quod plus nocet corpori et plus ipsum debilitat unus coitus quam due minutiones. Prou. 5\textsuperscript{2}: "Fili ne dederis alienis honorem tuum", et cetera. Et sic patet 2\textsuperscript{m}.


\textsuperscript{2} Prov. 5, 9
<3.6.3.> De filiabus luxurie.

Circa 3
°, sciendum est quod filie luxurie secundum Gregorium, 31°
Moralium¹, sunt vi, scilicet cecitas mentis, inconsideratio, precipitatio, amor sui,
odium Dei, affectus seculi, horror uel desperatio futuri. Cuius ratio est quia dum
inferiores uires uhehementer afficiuntur ad sua obiecta, consequens est ut
supperiores uires impediantur et deordinentur in suis actibus²; omnes enim uires
anime fundantur in una essentia, sicut patet quod quando aliquis est multum
intentus ad uicendum alicquid pulchrum, non inteligit loquentem sibi; per luxuriam
autem appetitus inferior, scilicet concupiscibilis, uhehementer intendit suo obiecto,
scilicet delectabili carnis, propter uhehementiam delectionis, [f. 72v] et ideo
consequens est quod per luxuriam superiores uires maxime deordinentur, scilicet
ratio et uoluntas.

Ratio autem potest impediiri quadrupliciter, secundum 4or actus eius in
agendis: unus actus rationis est simplex intelligentia et consideratio, per quam
apprehenditur aliiquis finis, ut bonum ex quo homo debet regulari in agendo, et
hunc actum impedit luxuriam³ in quantum causat mentis cecitatem, itex illud Dan.
13⁴: “Species decepit te, et concupiscentia subuerit cor tuum”. 2ns actus est
consiliori de agendis propter finem, et hunc actum impedit luxuria in quantum
causat precipitationem, que importat subtractionem consilii, unde Terentius dicit
in Eunucho⁵ loquens de amore libidioso:

Quod est res que in se nec consilium nec modum
habet ullam, eam⁶ consilio regere non potes;
et poeta dicit⁷:

Nescio quid sit amor, nec amoris sentio nodum⁸,
sed scio: si quis amat, nescit habere modum.

3ns actus est iudicium de agendis, et hunc actum impedit luxuria in quantum causat
inconsiderationem⁹, unde dicitur Dan. 13¹⁰ de senibus luxuriosis: “Aduertent

¹ Greg. M., moral., XXXI, 45, p. 1610, linn. 34-36 (PL 76, 621)
² Cf. Thom. Aq. sum. theol., II-II, q. 153, a. 5, cor.; de malo, q. 15, a. 4, cor.
³ luxuria corr.: luxuriam ms.
⁴ Dan. 13, 56
⁵ Eunucho corr.: Eumacho ms. Ter., Eun., I, 1, 57-58, p. 109
⁶ eam: que add. ms.
⁷ Walther, carm., 11741
⁸ sentio nodum cont.: santicio modum ms.
⁹ inconsiderationem cont.: michi considerationem ms.
sensum suum, ut non recordarentur iudiciorum iustorum". 4 us actus rationis est preceptum rationis, ut id quod iudicatum est executioni mandetur, et hunc actum impedit luxuria in quantum homo impeditur ex impetu concupiscentie ne exequatur id quod decreuit esse faciendum, unde dicit Terentius, in Eunucho¹, de quodam qui dicebat se recessurum ab amica sua: "Hec uerba una falsa lacrima restringet".

Voluntatis actum dupliciter deordinat luxuria. Vno modo quantum ad appetitum deordinatum finis, et sic ponit filia luxurie amor sui, in quantum scilicet homo inordinate appetit delectationem carnis, et in ea finem amoris sui ponit; et per oppositum eius filia ponitur odium Dei: homo enim luxuriosus odit Deum in quantum prohibit delectationem carnis quam ille concupiscit. Alio modo quantum ad appetitum eorum que sunt ad finem, et quantum ad hoc ponit filia luxurie² affectus presentis seculi, in quo scilicet aliquis uult frui uoluptate carnis; et per oppositum ponitur desperatio uel horor futuri seculi, quia luxuriosus dum nimis detinetur carnalibus delectionibus, non curat peruenire³ ad spirituales, sed fastidit eas, et ideo numquam uellet presentem uitam finiri, ut posset frui delectionibus concupitis; unde ex persona luxuriosorum dicitur in libro Sap.⁴: "Venite, fruamur bonis quia sunt", et cetera; "non sit pratum quod non pertranseat luxuria nostra"⁵, et cetera. Et sic patet de filiabus luxurie quod erat ³⁵ supra positum. Require et de hoc Ysidorum⁶.

¹ Dan. 13, 9
² Ter., Eun., I, 1, 67-69, p. 109
³ luxurie corr.: luxuria ms.
⁴ peruenire coni.: prouenire ms.
⁵ Sap. 2, 6
⁶ Sap. 2, 8
⁷ Isid., quaest. test., in deut., XVI (PL 83, 366); cf Thom. Aq., sum. theol., II-II, q. 153, a. 5, ad quartum
<3.6.4.De luxuria in speciali>:

De luxuroso amore mulierum.

Postquam dictum est de luxuria quasi in generali et quantum ad se et quantum ad effectus suos, nunc dicendum est de ea magis in speciali, scilicet de luxuria et amore mulierum, que sunt quidam laquei uenatorum', id est demonum, ad capiendas animas; et ut amor iste detestabilis reddatur, si fieri potest, uiris, uitia que in mulieribus et amore ipsarum sapientes ponunt in medium proferamus: “Mali enim notitia non potest deesse bono, nec contingit uitare malum nisi congnitum”, sicut dicit Boetius. Tria autem de mulieribus intendimus declarare, scilicet quid sit mulier, quot sunt uitia muliebria, et utrum sapienti expediat uxorem duceare.

<3.6.4.1.> Circa primum, scientum quod quadruplex descriptio datur de muliere a iiior sapientibus, ex qua expresse colitur multiplex malitia et defectuositas mulieris, et ex qua ostenditur quod periculosissimum est amorem suum in ea ponere. Prima descriptio est Secundi philosophi in responsionibus ad Adr.jf. 73rjanum imperatorem. Quesiuit enim Adrianus imperator a Secundo philosopho: “Quid est mulier?”; et respondit Secundus philosophus: “Mulier est hominis confusio, insatiabilis bestia, continua sollicitudo, indeficiens pugna, cotidianum ampnum, domus tempestas, uiri incontinentis naufragium, adulterii uas, periculosum bellum, animal pessimum, pondus grauissimum, apys insanabilis”. Secunda est Augustini qui sic dicit: “Quid est mulier, fratres, agnosite. Mus ipulum anime est, latrocinium uite, suauis mors, blanda percussio, interfecio lenis, pernicies delicata, malum libens, sapida iugulatio: omnium rerum calamitas. Quomodo non decipiat mundum, que peccare fecit et celum?”. 3° est Origenis qui sic dicit in Omelia: “Canaan mulier, caput peccati,
arma dyaboli, expulsio paradisi, mater delicti, corruptio legis antique". 4^ est Boetii, in libro De scolarium disciplina¹, qui sic dicit: "Mulier iniquitati<s> uia², inferni ianua, percussio scorpionis, uiscarium scelerum³, puteus interitus". Et sic patet primum.

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¹ Ps.-Boeth., *disc. schol.*, II, 10, p. 102, linn. 8-10.
² *uia coni.* sua *ms.*
³ *scelerum coni.* scelio *ms.*
De multiplici uitio mulierum.

Circa 2°m, considerandum est quod sicut colligi potest ex diversis dictis philosophorum, poetarum, et theologorum, in muliere sunt 12 uitia multum periculosa, que licet ei insint a natura, potest tamen ea superare per gratiam. Est enim mulier naturaliter auara, luxuriosa, incostans, uanagloriosa, constans curiosa, inuidiosa, malitiousa, litigiosa, fatua, inuerecunda, mendosa, querelosa.

De primo dicit Seneca libro primo De naturalibus questionibus: "Muliebrium uitiorum fundamentum est auaritia"; et huius ratio est quia mulier naturaliter est frigidioris complexionis quam uir, in tantum quod callidior mulier que sit in mundo, frigidior est frigidissimo uiro, ut dicit Ypocr<at>is. Vir autem est complexionis calidioris: frigidum autem est constringere, sicut terra tempore frigiditas constringitut et congellatur, ut ex se fructum producere non potest; calidum autem est apperire et dilatare, propter quod terra in estate magis fructificat, quia calor apperit eam, et aqua calida1 citius congellatur quam frigid4, quia ex dilatatione calloris habet poros magis apertos, unde est magis apta ad hoc quod callor subintret; et ideo naturaliter mulier est tenax, homo autem est liberalis.

De 2° dicit Crisostomus super Mt6, quod scilicet mulier est magis luxuriosa uiro, et rationem assignat quia magis sectatur otium mulier quam uir, nec habet tot occupationes; otium autem multum nutrit luxuria, quia diliget otia Venus, ut dicit poeta7. Vir autem plus discurrit et plures sollicitudines et occupationes habet, propter quas reuocat animum8 ab actibus uenereis, unde dicit Ovidius, libro primo De arte:

Otia si tollas, periere Cupidinis arcus

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1 Rectius Sen. S., contro., II, 7, 9, p. 129
3 calida corr.: calidam ms.
4 Cf. Arist., meteor., I, 12 (348 b 36)
5 2° corr.: 3° ms.
6 Locus non inventus
7 Ov., rem., 143; cf. infra adn. 9
8 animum corr.: animus ms.
9 Rectius Ov., rem., 139-143, p. 210
contenteque iacent et sine luce faces.
Quam platanus uino gaudet, quam populus unda
et quam limosa canna palustris humo,
tam Venus otia amat;

et idem dicit ibidem¹:

Parcior in nobis nec tam furiosa libido²;
legittimum finem flamina uirilis habet.

In tantum enim regat in mulieribus libido quod uix aliqua esset casta si non
publicari et infamari <timeret>. Exemplum de Secundo³ philosopho, qui hoc
expertus est in muliere.

De 3°, dicit Ouidius, scilicet De arte primo⁴:

Que dant, queque negant, gaudent tamen esse rogate.
Pessima sit, nulli non sua forma placet⁵.

Delectant etiam castas preconia formarum, unde gaudent rogari et delectantur in
forme preconii, puta quando dicitur: ‘Ecce pulchra mulier’.

De iii° dicit Terentius⁶:

mulieres fer<m>e ut pueri leui sententia sunt;
ono autem animo <omnes> soecrus oderunt nurus;
et Virgilius dicit, libro Eneidos⁷:

uarium et mutabilem |f. 73v| semper
femina⁸;
et Salustius dicit in Bucholicis⁹:

Mobilior uentis o femina!

Vnde mulier, non firma in proposito, cito mutatur, et est multiuola, propter quod
dicitur mulier quasi ‘molities¹⁰, ut dicit Ysidorus¹¹. Ecci. 9¹²: “Non respicias
mulierem multiuolam”, de quo dicit Iuuenalibus libro 2⁰¹³:

Cognoscit mulier quid toto fiat in orbe.

¹ Rectius Ov., ars, 1, 281-282, p. 123
² libido: est add. ms.
³ Secundo: 2° ms.
⁴ Ov., ars, 1, 345, p. 126; 614, p. 136
⁵ placet corr.: placent ms.
⁶ Ter., Hec., 312, p. 229; 201, p. 223
⁷ Verg., Aen., IV, 569-570, p. 179
⁸ femina corr.: feminam ms.
⁹ Rectius Sic., eclog., III, 10, p. 78
¹⁰ molities coni.: molitierus ms.
¹¹ Isid., orig., XI, 2, 18, vol. II, p. 42 (PL 82, 417)
¹² Eccli. 9, 3
¹³ Rectius Iuv., sat., VI, 402, 408-409, p. 80
Prima uidet, famam rumoresque\(^1\) illa recentes\(^2\)
excipit ad portam.

Vnde mulier naturaliter exquirit rumores\(^3\) et delectatur in nouitatis, et ideo curiosa est quia uult omnia scire, nec uult sibi aliquid latere secretum. Exemplum

Macrobii in libro De saturnalibus\(^4\): “Papyrius, inquit, cum esset puer, forte cum patre suo in curiam ierat. Illum reuertentem percunctari cepit mater quid in senatu egisset patres; puer respondit tacendum esse neque id dici licere; mulier auidior audiendi, secretum rei et silentium pueri\(^5\) animum eius ad inquirendum euerberat. Tunc puer, urge\(^6\) matre, lepidi atque festiui mendacii consilium capit. Actum in senatu dixit, utrum uideatur utilius esse, unusne\(^7\) duas uxor(es) haberet, an una apud duos nupta esset. Hoc illa ut audiuit, ad ceteras matronas retulit, postero dieque ad senatum confluunt, orantes ut una potius duobus nupta fieret quam uni due. Senatores quenam esset illa mulierum ir\(^8\)temperies et quid sibi postulatio hec uellet mirabantur, et ut non parue rei prodigium illam uerecundi sexus impudicam pauescebant insaniam. Puer Papirius publicum metum demit, que mulier dixerat enarrat. Senatus fidem atque ingenium pueri exosculatur, consultumque facit ne preter illum pueri cum patribus in curiam post hoc introirent”.

De vi\(^9\), scilicet quod sit inuidiosa, et malitiosa, et quod sit litigiosa, et quod sit inuerecunda, dicit Aristoteles, libro 5\(^9\) De animalibus\(^8\): “Mulier maioris compassionis et pietatis quam uir, et maioris inuidie, et diligit lites, et est malitiosior et inuerecudior, et memoriam seruat, et de facili decipitur”. Ier.\(^9\): “Frons mulieris meretricis facta est tibi, nescisti erubescere”; Ecc.\(^10\): “Breuis\(^11\) est omnis malitia super malitiam mulieris”; unde dicitur quod scit unam artem plus quam dyabolus, et ista ars est ponere discordiam inter uirum et uxorem, quod quidam dyabolus nesciuit facere. Dicitur\(^12\) quod uir et uxor multum se diligebant.

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\(^1\) rumoresque coni.: iunioresque ms.
\(^2\) recentes coni.: rectentes ms.
\(^3\) rumores coni.: iuniores ms.
\(^4\) Macr., sat., I, 6, 20-25, p. 25
\(^5\) pueri: et add. ms.
\(^6\) urge\(^9\) s. ms.: urge\(^9\) p. ms.
\(^7\) unusne corr.: unumne ms.
\(^8\) auct. Arist., 9, 90, p. 215
\(^9\) Ier. 3, 3
\(^10\) Eccli. 25, 26
\(^11\) Breuis coni.: uerius ms.
\(^12\) Tubach, 5361
Quidam autem demon uolebat inter eos discordiam seminare, et cum non posset, accessit ad quamdam uetulam diuinam et promisit ei dare duos calceos nouos si posset eos turbare. Illa autem acceptauit, et promisit se facturam, et condixit cum eo quod rediret ad talem locum et in tali tempore. Vetaula accessit ad mulierem, et quesit ab ea utrum uir suus eam diligeret, et respondit quod sic; et illa dixit quod doceret eam tale quid si uellet, quod in perpetuum eam diligeret; cumque illa annueret: ‘Accipe rasorium et rade de pillis barbe\(^1\) mariti tui et porta michi’. Que cum maritus nesciret, accessit etiam ad maritum, et quesit ab eo si uxor sua eum diligeret, qui respondit quod multum eum diligeret; et uetula dixit: ‘Tu deciperis: plus diligit alium quam te, et libenter uellet quod tu esses mortuus ut illum posset habere in uirum, et coddicid tractat mortem tuam, unde si caram habes uitam, diligenter caeas tibi ab ea’. Vxor autem, nichil sciens de uerbis que dixerat uetula marito, sero acipiens rasorium, accessit ad uirum, uolens de barba eius pilos accipere; quod cum uir uidisset, reccolens uerba uetule, cepit exclamare, credens quod uellet eum occidere uxor, et accipiens manum uxoris, fere occidit eam. Ex quo facto numquam postea eam dilexit. |f. 74r| Demon autem in crastino rediens ad uetulam, portauit ei calceos quos promiserat, et accipiens perticam longam, porrigebat ei calceos stans a longe, et dicens: ‘Accipe calceos tuos’. Illa, admirata quod appropinquare nollet, accipe\(^2\) recusabat; at ille instabat et illa reccusabat, dicens: ‘Appropinqua huc’. Dixit demon: ‘Non faciam’. Quesit illa quare; respondit demon: ‘Ne tu me decipias arte tua sicut illos decipisti’. Et proiciens ei calceos aufugit.

Quod autem mulier sit fatua <sic patet>: cum quia est male complexioh\(\text{sis}\) respectu hominis siue uiri, bonitas\(<\text{s}\) autem complexioh\(\text{sis}\) multum facit ad acquisitionem sapientie; cum etiam quia pauca experta est respectu uiri, huioe etiam signum est uelox credulitas; mulier enim nimis cito credit omni spiritui: “Qui autem cito credit leuis est corde”, dicit Salomon\(^3\), et ideo mulier non est boni nec cal|l|idi consili circa agenda sicut uiri, unde dicit Aristoteles, primo Politice\(^4\), quod “puer habet consilium imperfectum; mulier uero inualidum”; et

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\(^1\) barbe \textit{corr.:} burbe \textit{ms.}

\(^2\) Eccli. 19, 4

\(^3\) Arist., \textit{pol.}, I, 13 (1260 a 13)
Constantinus\textsuperscript{1} dicit: "In omnibus animalibus masculi calidiores et sicciores sunt quam femine", "fortioresque sunt et animosiores", "et ad motum citius prompti"; "prudentia, intellectus, discretio, continentia maiores inueniuntur in eis, quod etiam fit causa maioris caloris". "Femine uero debiliores sunt, et minus scientes, ideoque parua sunt eorum capita". Ex hiis colligitur quod mulier naturaliter est debilis, naturaliter est pigra, naturaliter est timida, incontinens, et minus prudens uiro, et hoc totum ideo est quia frigidioris complexionis est, ut dicit Constantinus.

Quod etiam mulier sit querulosa, patet quia de genere seruorum est, de quibus dicit Ieronymus\textsuperscript{2} quod "querulum est genus seruorum". Mulier enim querit libertatem et dominium\textsuperscript{3}, et si non\textsuperscript{4} habeat, geminat querelas et murmurationes, unde dicit Ieronymus et etiam Valerius Maximus\textsuperscript{5}: "Per totas noctes garule conquestiones: 'Illa ornator procedit in publicum; hec honoratur ab omnibus, ego misera femina despicior. Cur aspiciebas uicinam? Que cum ancilla loquebaris? De foro ueniens quid attulisti?'".

Quod autem mulier sit gulosa, mendosa, et fallax, dixit quidam metrice satis pulchre\textsuperscript{6}:

\begin{quote}
Femmina fallere falsaque dicere quando cauebit
secana piscibus et mare fluctibus ante carebit.
\end{quote}

Non est aliquis adeo fortis qui blanditiis\textsuperscript{7} et fraudibus mulieris deceptus non sit, unde uersus\textsuperscript{8}:

\begin{quote}
Si Loth, Samsonem, si Dauid, si Salomonem
femina decepit, quis modo tutus erit?
\end{quote}

Propter hoc dicitur in Prou.\textsuperscript{9}: "Fortissimi quique ab ea interfecti sunt". Nec est eius lacrimis credendum, quia tunc quando plorat maxime hominem decipere nititur, iuxta illud Catonis\textsuperscript{10}:

\begin{quote}
Femina dum plorat, hominem superare laborat.
\end{quote}

\begin{footnotes}
\footnotetext[1]{Const. Afr., loci, I, 22, p. 19}
\footnotetext[2]{Hier., epist., CXVII, 8, vol. LV, p. 431, lin. 5 (PL 22, 958)}
\footnotetext[3]{dominium: † crimis add. marg. ms. despici add. ms.}
\footnotetext[4]{non: geminat add. sed del. ms.}
\footnotetext[5]{Rectius Hier., ad. lovin., I, 47, PL 23, 289}
\footnotetext[6]{Walther, carm., 6368}
\footnotetext[7]{blanditiis coni.: blanditus ms.}
\footnotetext[8]{Walther, prov., 28585}
\footnotetext[9]{Prov. 7, 26}
\footnotetext[10]{Ps.-Cato, dist., cf. III, 20, 2. Nota: Cato Novus, p. 179}
\end{footnotes}
Et quando magis uidetur amare, tunc magis hominem decipit. Exemplum Esopi de uidua plorante maritum nouiter defunctum, que militis cuiusdam amore illecta maritum extumuluit et loco furis in patibulo suspendit: Ro<mulus>, ibi "Dum uir et uxor amant"¹.

Summo opere ergo declinandus est amor mulierum qui etiam ferrea corda domat, et maxime corda iuuenum. Exemplum quod habetur in libro Barlaam et Iosaphat, quod est tale²: Quidam rex filios mares habere non poterat, unde uhehementer tristis erat; cui tandem nascitur filius; dixerunt autem peritissimi medicorum, quod si infra x annos solem uel ignem uideret, omnino lumine priuaretur; hoc enim oculorum illius positio significabat. Rex ergo ut auduiuit, fertur speluncam in quadam petra excidisse, et ibi filium cum nutricibus suis inclusisse, ut nullo modo claritatem solis usque ad x annos uideret. Finitis autem decem annis, eductus foras, puer in terrenis rebus nullam |f. 74v| notitiam habebat. Iubet igitur rex omnia sibi demonstrari: uiros, mulieres, et omnia genera creaturarum et rerum. Omnibus uisis et cognitis atque intellectis nominibus, nomina mulierum cepit anxie querere, cui responsum est: 'Isti sunt demones qui seducunt homines'. Cor autem pueri eorum desiderio plus ceteris anhelat. Interrogat tune rex filium, quid amplius amaret ex omnibus quod uideatur. 'Nichil', inquit, 'quam demones qui seducunt homines: in nullo horum que uidi sic exarsit anima mea'; et miratus est rex in uerbis pueri. 'Vide', inquit Theodas, quidem magus regis, 'quam pessima res est amor mulierum, unde scias te non aliter posse uincere filium tuum nisi hoc modo'. Et sic patet ²m, scilicet de uitiis mulierum.

1 3.6.4.3.> De ³ uero, scilicet utrum expediat sapienti nubere, eleganter probatur et ostenditur quod non, rationibus pluribus ex dictis Valerii et Theofrasti philosophi³.

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¹ Galt. Angl., XLVIII, p. 408 (Romulus, III, 9)
<3.7.> De peccato gule et primo quid sit.

<N>oli auidus esse in omni epulatione, et non te effundas super omnem escam; in multis enim escis erit infirmitas, et auiditas ap ropinquabit usque ad colleram. Propter crapulam multi obierunt; qui autem abstinens est addiciet uitam, Eccli. 37\(^2\). Expeditis hiis que\(^3\) pertinent ad vi capita draconis, que sunt vi uitia capitalia, ultimo iam restat dicere de \(^7\) capite, scilicet\(^4\) de uitio gule quod primi parentes decepit. Sunt autem de illo uitio more aliorum 3\(a\) consideranda: quid sit, quam graue peccatum sit, et de filiabus eius.

<3.7.1.> Quantum ad primum, sciendum est quod gula est appetitus immoderatus <cibi> et potus, nec finibus\(^5\) contentus. Non enim quilibet appetitus cibi et potus uitium gule deputatur: moderate enim uti cibo et potu ad substentationem uite licitum, ymo necessarium est; cum enim uita presens sit animal<is> et carnalis, indigens ciborum alymonia, et unusquisque uitam propriam conseruare teneatur, quibus tenetur uti cibis quantum ad substentationem uite sufficit, et quantum sufficit nature; uti uero immoderate, ultra quam requirat modus conseruationis uite et neccesitas substentationis nature, est illicitum. Alioquin tamen est mensura et modus uni quod non alteri: sufficeret enim mulieri quod non sufficeret uiro, et sufficeret tantum uni quiescenti quod non sufficeret uni laboranti, sicut dicit Philosophus in Ethicis suis\(^6\), quod sufficeret magistro gynnasiorum non sufficeret Miloni. Illi enim qui exercitantur in ludis gynasticis, puta qui luctantur, debent esse leues, et propter hoc oportet quod parum comedant, unde eis sufficeret in cibo quod non sufficeret Miloni qui multum commedebat: sicut enim narrat Solinus in libro De mirabilibus mundi\(^7\), Milo commedebat unum bouem in die. Et ideo in talibus, ratio ponit modum secundum conditionem complexionis, persone, ac status. Et sic patet primum.

<3.7.2.> Circa 2\(^m\), sciendum est quod gula est graue peccatum, et multum cauendum, triplici ratione: scilicet quia destruit nutrituam, succendit generatiuam,

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1 addiciet corr.: addicior ms.
2 Eccl. 37, 32
3 que interl. ms.
4 scilicet iter. ms.
5 finibus: non add. ms.
6 Arist., nic. ethic., II, 5 (1106 b 3)
7 Sol., collect., I, 76, p. 19
confundit intellectuam. Primum sic patet: sicut ex applicatione conuenientium causatur delectatio, ita ex applicatione inconuenientium causatur tristitia et dissipatio rei. Vnaque enim res delectatur in obiecto sibi proportionato, puta oculus delectatur ex aspectu colloris1 viridis; corrumpitur autem et editur ex aspectu nimi fulgentis, puta nius eel rote solis. Similiter auditus delectatur in temperatis sonis, sed editur ex sono tonitruis, et ideo dicit Philosophus2 quod "excellentia sensibilium corrumpitur sensus". Sic uirtus nutritiua et calor naturalis ei ad digestionem ciborum deseruiens, confortatur et delectatur si cibus et potus moderatus ei ministretur, quia tunc potest illud digerere in substantiam et utilitatem corporis et membrore conuertere. Si autem immoderate ineratur debilitatur uirtus, et calor quodammdo [f. 75r] sufocatur, ita quod non potest cibum alterare et coquire, sed crudus remanet in stomacho, ex qua cruditate destemperatur corpus, agravatur infirmitas, et nonnumquam consequitur mors. Et est simile de calore naturali, qui est instrumentum nutritiue, et de igne materiali: si quis enim uult nutrire et conseruare, oportet quod ligna paulatim et ordinate ministret; si enim unam magnam congeriem uel struem lignarum simil apponere uellet, extingueret et suffocaret ignem, Eccii: "Propter crapulam multi perierunt". Dicitur autem crapula secundum Ysidorum4 "quasi cruda epula". Et hoc est fatuum ualde: pro modico cibo perdere uitam, que est quid delectabilissimum, et propter quam conseruandam homo facit quicquid facit, et cuius conseruationi omnia intendunt, unde dicit Ieronymus contra Iouinianum5: "Galienus doctissimus, Ypocratis interpres, athletas, quorum uita et ars sagina est, dicit in exhortatione medicine, nec uiuere posse diu nec sanos esse: animasque eorum ita6 nimio sangwine, et adip<ibus, quasi luto> inuolup<tas>, nichil tenue, nichil celeste sed semper de carnibus et uentris7 inluuie cogitare". Et sic patet 1b ratio.

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1 colloris coni.: colloris ms.
2 Arist., de anima, III, 1 (429 a 29-b 5)
3 Eccii. 37, 34
4 Isid., orig., XX, 2, 9, vol. II, p. 494 (PL 82, 767B)
5 Hier., adv. lovin., II, 11, PL 23, 313-314
6 ita coni.: in ms.
7 adipus... inuoluptas suppl. lac.
8 uentris coni.: mentis ms.
9 1a corr.: 2a ms.
sic patet: inter alias uires anime, uix\textsuperscript{2} generatiua est magis infecta propter fomitis concupiscientiam, que in presenti totaliter extingui non potest, unde comparatur olle feruenti, iuxta illud Ier.\textsuperscript{3}: "Quid tu uides?" Ieremie: 'Ollam succensam ego uideo''; olle succensa est caro, igne concupiscentie inflammata, et ideo sicut quanto magis apponuntur ligna olle feruenti, tanto magis feruet; sic quanto plus cibi ingeruntur, concupiscientia magis accenditur et inflammatur, et ideo subtrahenda sunt ligna, id est moderanda cibaria, ut olle ista feruere desinat, uel saltem et feruore temperetur. Vnde dicit Terentius in Eunucho\textsuperscript{5}:

\begin{quote}
\textit{sine Cerere et Bacho friget Venus.}
\end{quote}

\textit{Cerer, Cereris} erat dea bladi et terre nascentium apud antiquos; \textit{Bachus} erat deus uini et habebat\textsuperscript{6} curam de uineis; \textit{Venus} erat dea luxurie et habebat dominium multorum. Quando ergo domina Cerer non ministrat bonum panem et bonas carnies, et quando dominus Bachus non ministrat diversa generis uniorum, domina Venus, id est luxuria, friget et temperata est. Sed quando Bachus ex una parte diversa infundit pocula uini, ex alia uero parte Cerer ministrat diversa edulia, tunc callescit Venus, quod est ualde periculosum: satis enim de se calida est, absque eo quod calorem mendicit a Cerere et Bacho. Et sic patet 2\textsuperscript{a} ratio.

\begin{quote}
3\textsuperscript{a} ratio sic patere potest: bona dispositio intellectus multum iuwatur ex bona dissonis cerebri, quia uires sensitiue que situantur in capite, puta ymaginatiua et membratiua, subseruiunt intellectui. Per immoderatum autem cibum multum confunditur cerebrum, quia cibus in stomaco crudus fumat; fumi autem illi et uapores non haben<te>s unde exhalent, ascendunt ad caput et perturbant cerebmr, sicut aer obnubilatur ex uaporibus ascendentibus de terra, unde dicit Ieronymus\textsuperscript{7} quod "uenter pi<n>guis non gignit tenuem sensum". E contrario, abstinentia et moderatio cibi multum facit ad scientie acquisitionem, unde dicit Oratius\textsuperscript{8}:
\end{quote}

\textsuperscript{1} 2\textsuperscript{a} corr.: 3\textsuperscript{a} ms.
\textsuperscript{2} uix pro uis
\textsuperscript{3} Ier. 1, 13
\textsuperscript{4} tanto suppl. lac.
\textsuperscript{5} Ter., Eun, VI, 5, 732, p. 139
\textsuperscript{6} habebat: bachus...habebat iter. ms.
\textsuperscript{7} Hier., epist., LII, 11, vol. LIV. p. 435, linn. 4-5 (\textit{PL} 22, 536)
\textsuperscript{8} Hor., ars, 413-414, p. 309
Multa tullit fecitque puer, suduit et alsit, 
abstinuit Venere et uino.

Quando enim cibus moderatus sumitur, calor naturalis est potens digerere; 
digestus autem, uirtus anime diuidit ipsum in 3s partes, quia quod est sincerius et 
purius accipit ad nutriendum corpus; quod est superfluum dat generatiue, puta 
semen, qui est superfluum nutrimenti; quod autem est feculentem emitit per 
corporis meatus. Et sic tali distributione cibi facta, homo remanet sincerus et 
sobrius et bene dispositus. Hoc autem facere non potest uirtus anime quando 
homo nimis ingerit, et ideo intellectus et bona dispositio corporis confunditur. Et 
sic patet 3a ratio. |f. 75v|
De filiabus gule.

Dicto de gula secundum se, dicendum est de filiabus eius. Est autem
sciendum quod secundum Gregorium, 31 Moralium¹, v sunt filie gule ex quibus
potest perpendi grauitas huius peccati, scilicet inepta letitia, scurilitas, immunditia,
multiloquium, hebetudo mentis. Cuius ratio quia gula, ut dictum est, consistit in
quadam immoderantia cibi et potus, et ideo illa uitia inter filias gule computantur
que sequuntur² ex immoderata sumptione ciborum, et quibus homo deordinatur
cibos immoderate sumendo.

Dupliciter autem deordinatur homo sumendo³: uel quantum ad animum,
ue quantum ad corpus. Si quantum ad animam, hoc potest esse quadruplex: uel
quantum ad intellectuam, uel quantum ad appetituam, uel quantum ad
interpretatuam, uel quantum ad operatiuam. Primo deordinatur per gula
quantum ad intellectuam, in quantum accies intelletus hebetatur ex immoderantia
cibi et potus, et quantum ad hoc, ponitur filia gule hebetudo mentis, que consurigit
ex cibis immoderate sumptis propter fumositates ciborum perturbantes caput.
Secundo deordinatur homo per gula quantum ad appetituam, et quantum ad
hoc filia gule ponitur inepta letitia, qua homo repletus cibo gaudet ad sonum
organi et cantionum uanarum, et huiusmodi; omnes enim alie passiones inordinate
ad letitiam et tristitiam ordinantur, ut dicit Philosophus in Ethicis⁴, et hoc quod
dicitur 2 Eside. ³, quod “unum omnem mentem conuertit in securitate<m> et
iocunditate<m>”. ³ deordinatur homo quantum ad interpretatuam per gula,
puta quia homo repletus multum et superflue loquitur, et sic ponitur filia gule
multiloquium, quod est ualde periculosum: “In multiloquio enim non deerit
peccatum”, ut Sap.⁴; unde dicit Gregorius in Pastorali⁵: “Nisi gule deditos
immoderata loquacitas rapperet, diues ille qui epulatus cotidie splendide dicitur in
lingua grauius non arderet”. ⁴ deordinatur homo per gula quantum ad actus
extiores et gestus, et sic ponitur filia gule scurilitas, id est iocularitas quedam

¹ Greg. M., moral., XXXI, 45, p. 1610, linn. 32-34 (PL 76, 621)
² sequuntur corr.: sequitur ms.
³ Cf. Thom. Aq., sum. theol., II-II, q. 148, a. 6, cor.; de malo, q. 14, a. 4, cor.
⁴ Arist., nic. ethic., II, 2 (1104 b 15)
⁵ Rectius III Esdr. 3, 20
⁶ Rectius Prov. 10, 19
que prouenit ex defectu rationis, que sicut non potest cohibere uerba, ita non potest cohibere exteriores gestus. Frequenter enim homines multum satiati dissoluunt se et correizant et alia leuia faciunt que solent hominem ad risum mouere, et hoc appellatur scurrilitas, sicut dicit Glosa super ad Eph. 5\textsuperscript{1}. Vº deordinatur per gulam ex parte corporis, in quantum incurrunt quamdam medicinam ex nimia comestione, dum oportet eum per uomitum eicere quod superflue introitm sit, uel etiam dum ex superflua sumptione patitur pollutionem et seminis inordinatam emissionem, et sic ponitur filia gule immunditia, Ys. 28\textsuperscript{2}: "Omnes in mense replete sunt uomitus et sordumque".

Et est notandum quod secundum Gregorium, 31 libro Moralium\textsuperscript{3}, quinque modis peccatur in comedendo et bibendo, qui continentur in hoc uersu: "prepropere, laute, nimis, ardenter, studiose". Peccatur enim quando quis horam prandendi preuenit, unde "Jonathas sententiam mortis meruit quia gustu melis constitutum tempus anteceessit", ut dicit Gregorius super illud uerbum Reg. 14\textsuperscript{4}:

"Jonathas autem intinxit sumitatem uirge in\textsuperscript{5} fauo melis". Eccii. 10\textsuperscript{6}: "Ve terra, cuius rex puer est et principes eius mane comedunt". Secundo peccatur quando aliquid nimis delicata cibaria querit, ut legitur de filiis qui flebant pro desiderio carni, Num. xi\textsuperscript{7}, scilicet: de Egipto ductus, "populus occubuit quia, despecto manna, cibos carni petiiit, quos latuiiores putauit"\textsuperscript{8}; duies etiam epulo condemnatur, quia cotidie epulabatur splendid\textsuperscript{9}. 3º peccatur per nimietatem, quando scilicet nimis comeditur, Eze. 16\textsuperscript{10}: "Habundantia panis et uini fuit iniquitas Sodome", scilicet: "Sodoma saltem perdidit, quia cum superbia uito mensuram moderate refectionis excessit"\textsuperscript{11}; Hieronymus\textsuperscript{12}: "Pluuia illa optima est, que sensim descendit; nimius et preceps ymber arua subuertit"; similiter et nimis cibus nos. 4º modo peccatur [f. 76r] per studiositatem, quando scilicet quis nimis

\textsuperscript{1} Eph. 5, 4; gl. ord., vol. IV, 377
\textsuperscript{2} Is. 28, 8
\textsuperscript{3} Rectius Greg. M., moral., XXX, 18 (PL 76, 557); cf. gl. ord. in Gn. 25, 31-34, vol. I, 68
\textsuperscript{4} I Reg. 14, 27; Greg. M., moral., XXX, 18, p. 1531, linn. 72-74 (PL 76, 557)
\textsuperscript{5} in: fa add. ms.
\textsuperscript{6} Eccli. 10, 16
\textsuperscript{7} Num. 11, 4
\textsuperscript{8} Greg. M., moral., XXX, 18, p. 1531, linn. 74-76 (PL 76, 557)
\textsuperscript{9} Lc. 16, 19
\textsuperscript{10} Ezzech. 16, 49
\textsuperscript{11} Greg. M., moral., XXX, 18, p. 1532, linn. 81-83 (PL 76, 557)
\textsuperscript{12} Hier., epist., LIV, 10, vol. LIV, p. 477, linn. 16 (PL 22, 554)
est sollicitus et studiosus in exquisitione ciborum et preparatione, pro qua redarguuntur filii Helii, Reg. 2\(^1\), qui carmen crudam rappiebant a patre, ut deliccate preparent eam, ubi dicit Ieronymus\(^2\): ex eo “filiorum Helii culpa suborta est, quia puer crudas carnes quereret quas accuratius exhiberet”; sed frequenter tales querunt coquum qui subtiliter et delectabiliter facit uentrem implere; sed postea necessario querunt medicum qui facit euacuare. 5\(^o\) modo peccatur per auditatatem nimiam comedendi. Hoc reprehenditur in Esau, qui pre nimio estu comedendi, se quasi mortuum repputans, pro edulio lenticule primogenita uendidit, ut habetur Gn. 25\(^3\), ubi dicit Gregorius\(^4\): “Esau primogenitorum glori- amidit, quia magno estu desiderii lenticulam concupiuit”; contra quod dicitur, Ecc. 37\(^5\): “Noli auidus esse in omni epulatione”, et cetera. Et sic patet quod multum graue est peccatum gule, quod tantum nocet homini et quod ei quasi omnia bona aufert, unde Gregorius in Moralibus\(^6\): “Dominante gule uitio, omne quod homines fortiter egerunt perdunt, et dum uenter non restringit, simul cuncte uirtutes obruuntur”.

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\(^1\) I Reg. 2, 15-16
\(^2\) Rectius Greg. M., moral., XXX, 18, p. 1531-1532, linn. 76-79 (PL 76, 557)
\(^3\) Gn. 25, 31-34
\(^5\) Eccii. 37, 32
<3.7.4. De potu uini>

Vinum multum potatum <ire cognitionem> et iram, et ruinas multas facit. Amaritudo anime vinum multum potatum, Eccii. 31\(^2\). Quia immoderatus cibus non solum est prouocatio ad gulam, sed etiam immoderatus potus uini, idcirco specialiter de potu uini agendum est aliquid. Duo autem circa hoc quantum ad presens specialiter consideranda occurrunt, scilicet utrum potus uini sit licitus secundum se, et dato quod sit, quomodo circa eius usum peccare contingit.

<3.7.4.1.> Quantum ad primum, sciendum est quod nullus cibus uel potus secundum se consideratus est illicitus\(^3\), secundum sententiam Domini Dei, Mt. 15\(^4\):

"Non quod intrat in os coinquinat homine<con>". Et ideo bibere uinum, secundum se loquendo, non est illicitum: nam confert ad digestionem, et ad bonitatem stomaci, et ad confortationem nature, iuxta illud Ps.\(^5\): "Vinum letificat cor hominis". Potest tamen reddi illicitum bibere uinum: uel propter conditionem bibentis, qui a uino de facili leditur, uel qui ex speciali uoto obligatur ad uinum non bibendum\(^6\); quandoque ex modo bibendi redditur illicitus potus uini, ut puta quando quis excedit modum in\(^7\) bibendo, uel quando alii de hoc scandalizantur.

<3.7.4.2.> Et propter hoc est ualde periculosum excedere mensuram in bibendo, quod est inebriari; multa enim mala ex hoc secuntur, sed ad presens suficiat enumerare v propter que immoderata potatio est ualde detestabilis, scilicet quia inflammat concupiscentiam, confundit intelligentiam, reuellat conscientiam, diminuit substantiam, inducit seruitutis penam.

De primo dicitur, Eph. 5\(^5\): “Nolite inebriari uino, in quo est luxuria”, supple ‘per causam’, quia uinum immoderate potatum inordinato callore replet stomacum, et difundit callorem per uenas et artherias, et sic totum corpus inflammat mouendo spiritus qui sunt in membris, unde et ueneno comparatur, Prou. 23\(^9\): “Ingreditur blande et quasi coluber uenena diffundit”.

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\(^1\) irritationem suppl. lac.
\(^2\) Eccli. 31, 38-39
\(^3\) Cf. Thom. Aq., sum. theol., II-II, q. 149, a. 3 cor.
\(^4\) Mt. 15, 11
\(^5\) Ps. 103, 15
\(^6\) bibendum coni.: bibendo ms.
\(^7\) in interl. ms.
\(^8\) Eph. 5, 18
\(^9\) Prov. 23, 31
De 2° dicitur, Ecci. 2°: "Cogitaui in corde meo a uino abstra<here>car<nem> m<eam>, ut animum m<ueum>transferrem ad sapientiam". Vinum enim immoderate potatum generat fumositatum habundantiam in stomacho, quibus ascendentibus ad caput, ligantur sensus et confunditur cerebrum, ac per consequens iudicium rationis et accumen intellectus impeditur, unde dicit Boetius in libro De scolarium disciplina: "Vinum modice sumptum intellectus uidetur accumen afferre; non modice autem sumptum, intellectum hebetat, memoriam eneruat, rationem peruerit, obliuionem inducit. Vbi enim ebrietas, ibi furor; ubi furor nulla disciplina".

De 3° dicitur in Prou.: "Nullum se|f. 76v|cretum ubi régit ebriet". Nam uinum suo calore letifîcat cor et mouet spíritus, et quia "ex habundantia cordis os loquitur", homo bene potatus dicit quicquid venit in bucham eius, ita quod nullum est illi secretum, sed absondita cordis reuellantur.

De 4° dicitur in Ecci.: "Operarius ebriosus non locupletabitur".

Exemplum de istis ribaldis et leccatoribus qui totum id quod lucrantsur in septimana consumunt in tabernis die dominica.

De 5° dicit Ambrosius quod "non esset in homine seruitus, si non fuisset ebrietatis". Nam occasionaliter deriuata est seruitus ex ebrietate, in quantum Cham fílius Noe maledictionem seruitutis in sua posteritate accepit per hoc quod derisit patrem inebriatum, ut habetur in Gn.; de Noe inebriato qui plantauit uineam, dicit Istoria. Et sicut multa mala facit immoderatus potus, ita multa bona facit potus sobrius; dicit enim <Ecci.> 31: "Exultatio anime et corporis uinum moderate potatum".

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1 Eccles. 2, 3
2 Ps.-Boeth., disc. schol., II, 11, p. 102, linn. 16-20
3 Vinum coni.: uice ms.
4 Prov. 31, 4
5 mouet coni.: mouos ms.
6 Mt. 12, 34
7 Eccli. 19, 1
8 locupletabitur coni.: locupletabint ms
9 Ambr., Hel., V, 11, p. 419, lin. 10 (PL 14, 702)
10 derisit coni.: recisit ms.
11 Gn. 9, 21-28
12 Istoria corr.: Istoriam ms. Petr. Com., hist. schol., PL 198, 1087
13 Eccli. 31, 36
Est autem notandum quod moderatus potus maxime persuadendum est v
generibus personarum, scilicet senibus, clericis, regibus, iuuenibus, mulieribus.  
Senibus quidem propter hoc quod multum impedit usum rationis, que debet uigere  
in senibus ad aliorum eruditionem; et ideo Apostolus dicit senes specialiter ad  
sobrietatem esse exhortandos secundum illud Titum 2: "Senes ut sobrii sint".  
Episcopis autem et clericis et quibus ecclesiarum ministris persuadendum est sobrius potus propter hoc quod mente debet spiritualibus officiis insistere, quod quidem impeditur per immoderatum potum, qui grauiter punitur in clericis, unde dicitur in Canonibus Apostolorum: "Episcopus aut presbiter aut diaconus alee atque ebrietati deseruiens, aut desinat, aut deponatur"; propter hoc dicit Apostolus, I Ty. 3: "Oportet episcopum irreprehensibilem esse sobrium", et cetera. Regibus autem expedit sobrie bibere, quia reges dicuntur a regendo, eo quod per sapientiam suam habent proprios subditos gubernare; hoc autem multum impeditur per immoderatum potum, et propter hoc dicitur Prou. 31: "Noli regibus dare uinum"; et idem intelligendum est de omnibus qui habent alios gubernare et regere. Iuuenibus autem expedit sobrie bibere, quia in eis est maior pronitas ad concupiscientias, quas oportet per uirtutem refrenare; et secundum hoc, sobrietas maxime requiritur in iuuenibus, in quibus magis uiget concupiscientia delectabilis propter feruorem etatis: nam iuuenis magis quam senex a concupiscientias molestatur, secundum Philosophum. Mulieribus etiam specialiter expedit uino sobrie uti, quia mulieres multum sunt prone ad concupiscientias, ut dictum est in precedentibus, nec est in eis mentis robur ad resistendum concupiscientias; et ideo multum oportet quod uigeat in eis sobrietatis uirtus que impeditur per immoderatum potum, et propter hoc de utrisque dicit Apostolus, Tym. 3: "Mulieres similiter pudicas et sobrias", et Tym. 5: "Iuuenes similiter orate ut sobrii sint".

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1 Cf. Thom. Aq., sum. theol., II-II, q. 149, a. 4
2 Tit. 2, 2
3 Grat., dec., I, d. 35 c. 1 Episcopus
4 atque corr.: aut ms.
5 I Tim. 3, 2
6 Prov. 31, 4
7 Arist., topica, III, 2 (117 a 33-34)
8 expedit: a add. ms.
9 I Tim. 3, 11
10 Rectius Tit. 2, 6
Alioquin ex immoderato potu quasi innumera mala secuntur in homine, unde dicit quidam sapiens: "Vinum immoderatum potatum prouocat, hominem audaciorem reddit, gressus titubare facit, lingwam impedit et quasi balbutientem reddit, gestus permutat, insensibilem facit, secreta domi dat, fletum prouocat, officium membrorum tollit, obliuionem ingerit, sui immemorem facit, discretionem et uerecundiam tollit; mentis allienat, uirtutum depredatio, ymago mortis, similitudo furoris est; stomaci corrupta efficit uiscera, ipsa descindit, oris custodiam expellit". Et Augustinus dicit: "Ebrietas aufert memoriam, dissipat sensum, confundit intellectum, incitat libidinem, inuoluit lingwam, corrumpit sanguinem, omnia membra debilitat, uitam minuit, et omnem salutem exinanit". Et sic patet de uino.
<3.7.5. De conuiuiis>

<3.7.5.1.> Circa primum, est sciendum quod tribus de causis solent fieri conuiuiia. Prima est causa misericordie, et hec est meritoria uite etemae, Lc. 141:

"Tu autem cum facis conuiuium, uoca claudos", scilicet debiles, et infra:
("Retribuere enim tibi in resurrectione iustorum"); et Tob. 2: "Cum esset dies festus Domini, et esset bonum prandium factum in domo Tobie, dixit filio suo: "Vade et adduc aliquos de tribu nostra, timentes Deum, ut epulentur nobiscum"; Ecc. 12: "Benefac iusto, et inuenies retributionem magnam; et si non ab ipso, certe a Deo". Secunda est causa benevolentie et amicitie et familiaritatis amicorum, Lc. 17: "Faciebant conuiuium", et cetera; et hec est indifferentes, nisi fiat propter pacem et concordiam: tunc enim solent uocari amici et familiares, et illa est meritoria, ut dicit Augustinus super epistulam ad Cor; unde Lc. 149 dicitur: "Cum facis prandium, noli uocare amicos, nec uicinos, nec fratres, nec diuites, nec cognatos". Et nota quod tangit v que euacuant bonum opus meritorium, et ipsum priuant retributione eterna: naturalis scilicet amicitia, cognitio sangwinis, carnalis affectio, laudis ambitio, mercenaria intentio, sicut patet per se; nec hoc prohibet quia malum sit et peccatum de se, sed quia caret premio apud Deum, Mt. 611: "Si diligitis eos qui uos diligunt quam mercedem habebitis?"; unde in tali inuitatione non debet homo habere occulum ad aliquod
predictorum si uult opus suum esse meritorium. 3\textsuperscript{a} est causa lasciuiæ, ut mali uitiae
sua loquantur in conuiuiis et impleant, et hec est meritoria gehenne; in conuiuiis
emn istorum\textsuperscript{1} diuītum solent fieri superfluiditates, detractiones, confabulationes,
iocularititates, et multe inhonestates, et ideo prohibentur, Prou. 23\textsuperscript{2}: “Noli esse in
conuiuiis potatorum\textsuperscript{3}”, et cetera; Lc. 15\textsuperscript{4}: “Homo quidam erat diues et
epu<labatur>\textsuperscript{5}”, et cetera. Et sic patet primum.

<3.7.5.2.> Circa secundum, est sciendum et diligenter notandum quod xv
sunt obseruanda in mensa quando comedimus, ut in nostra comestione peccatum
non incidat, que in istis v uersibus continentur:

Sit timor in dapibus, benedictio, lectio, tempus,
sermo breuis, uultus ylaris, pars detur egenis.
Absint delitie, detractio, crapula, murmurebrietas, nimis affectus, et ystrionatus,
finitoque cibo reddatur gratia Christo.

Possunt autem omnia ista auctoritatibus comprobari et declarari.

Timor obseruandus, Ecci. 9\textsuperscript{6}: “In timore Dei sint tibi conuiue\textsuperscript{7}”. Semper
enim debet homo cum “timore et tremore”\textsuperscript{8} ad mensam accedere, recogitans quod
propter cibum primi parentes expul si fuerunt de paradiso, et cum tota sua
posteritate mortis sententia mulctati, et ex illo relegati.

Benedictio obseruanda est in mense principio exemplo Domini, de quo
dicitur in Mt.\textsuperscript{9} quod “benedixit et fregit ac dedit discipulis”; idem dicitur de eo
cum refecit turbas de v panibus\textsuperscript{10}. Debet etiam benedici mensa propter periculum
latentis inimici, ut uirtute benedictionis omnis eius uersutia et nequitia procul
pellatur. Exemplum de sanctimoniali que commedit lactucam et non benedixit, et
ideo demon in ipsam intrauit, sicut legitur in uitis patrum\textsuperscript{11}.

Lectio etiam est obseruanda, ut non solum fauces accipiant cibum, sed
et<iam> aures esuriant uerbum Dei, et sic totus homo refficiatur in quantum ad

\textsuperscript{1} istorum coni.: iustorum ms.
\textsuperscript{2} Prov. 23, 20
\textsuperscript{3} potatorum coni.: peccatorum ms.
\textsuperscript{4} Rectius Lc. 16, 19
\textsuperscript{5} Walther, prov., 29881
\textsuperscript{6} Eccli. 9, 22
\textsuperscript{7} conuiue corr.: conuiuiue ms.
\textsuperscript{8} I Cor. 2, 3
\textsuperscript{9} Mt. 26, 26
\textsuperscript{10} Mt. 14, 19
\textsuperscript{11} Greg. M., dial., I, 4, 7, vol. II, p. 44 (PL 77, 168D-169A)
corpus pane materiali, et quantum ad animam pane spirituali, id est uerbo Dei, quia sicut dicitur in Mt.\(^1\): "Non in solo pane uiuit homo", et cetera. Loco autem lectionis, seculares possunt dicere aliquod pulchrum exemplum ad edificationem discumbentium. Potest et iam alia ratio assignari: nam, secundum Gregorium super Iob\(^2\), "semper fere solet epulas comitari loquacitas et voluptas". Contra loquacitatem ergo est silentium in refectorio; contra uoluptatem uero est lectio quae docet abstinentiam.

Tempus etiam obseruandum est: hec autem est hora 3\(^a\), quia tunc digestio est bene celebrata, et stomachus purus est, auctoritate Act. 2\(^3\).

Sermo etiam breuis obseruandus est in mensa, Cato\(^4\): "Pauca loquere in conuiuio", quia enim ex cibo et potu illarescit homo et mouetur lingua ad plus loquendum; tunc magis refrenare oportet et custodire, ne ex multiloquio peccare contingat.

Vultus ylaris exhibendus est, quia, 2 Cor. 9\(^5\): "Ylarem datorem diligit Deus". Poeta dicit\(^6\):

\[\text{super omnia uultus}
\text{accessere boni.}\]

Non potest melius exercitium fieri in mensa, et quod tantum ornet mensa sicut bona et leta facies dantis, iuxta illud Esopi\(^7\):

\[\text{In tenui mensa satis est immensa uoluntas,}
\text{nobilitat uilles frons generous dapes.}\]

Pars etiam prandii danda est egenes, ut homo solus non comedat. Secundum enim Senecam\(^8\), sine socio comedere est proprium lupi. 2 Esdr. 8\(^9\):

"Comedite pinguia et bibite mulsum et mittite partes hiis qui non preparauerunt sibi".

Absint delitia: obseruandum est enim ut homo non querat nimis delicata cibaria et uina et sapores curiosos; talia enim ad uoluptatem pertainent, et non ad

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\(^1\) Mt. 4, 4  
\(^2\) Greg. M., moral., I, 8, p. 29, linn. 14-15 (PL 75, 532)  
\(^3\) Act. 2, 15  
\(^4\) Ps.-Cato, brev. sent., 51, p. 28  
\(^5\) II Cor. 9, 7  
\(^6\) Ov., met., VIII, 677-678, p. 197  
\(^7\) Galt. Angl., XII (Romulus I, 12), p.389  
\(^8\) Sen. I., epist., XIX, 11, vol. I, p. 52  
\(^9\) II Esdr. 8, 10
necessitatem, unde Seneca¹: “Palatum tuum excitet fames, non sapor”. Fames
enim est salsa Cisterciensis que facit omnia apparere sapida. Sapiens² enim dicit
quod “anime esurienti etiam amara <dulcia>³ esse uidentur”.

Detractio cauenda est in mensa, Iud xi⁴: “Inter epulas et pocula
maledicebant Abymelec”. Beatus enim Augustinus contra detractores uersa in
mensa sua et refectorio appendi fecerat⁵:

Quisquis amat dictis absentum roddere uitam,
hanc mensam indignam nouerit esse sibi.

Crapula etiam cauenda est in mensa, id est cruda epula, ut scilicet homo
non tantum comedat quod cibus remaneat crudus in stomacho et digeri non
potest. Propter hoc dicitur in Lucha⁶: “Videte ne grauentur corda uestra <in>
crapula”; Seneca, de 4or uirtutibus⁷: “Ede citra <cru>ditatem, bibe citra
ebrietatem”.

Murmuratio etiam cauenda est in mensa, ne scilicet aliquis murmuret, si
forte uident alium qui magis indigent meliorem partem habere, uel forte si non habet
omnia ad nutum parata, uel forte si non ita cito apponuntur fercula sicut uellet.
Omnia enim que apponuntur accipienda sunt cum gratiarum actione, et non cum
murmure, Ecc. 31⁸: “Nequissimo in pane⁹ murmurabit ciuitas”. Valde
periculosum est murmur: exemplum in Exo.” ⁹ et in Numeri” de filiis Israel qui in
deserto murmurauerunt et a Domino occisi sunt, unde Apostolus dicit, 2 Cor.
10¹²: “Neque murmurueritis sicut quidam”, et cetera.

Ebrietas etiam cauenda est, ut scilicet homo bibat ad sobrietatem,
mensuram bonam debitam in bibendo seruans. Ebrius autem <est> qui est ‘extra

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¹ Ps.-Sen., form. vit., IV, p. 242, linn. 10-11
² Cf. Prov. 27, 7, et inventur additum lob 6, 6 iuxta aiquias recensiones, e.g. gl. ord. ad loc.; cf.
Biblia Sacra iuxta latinam vulgatum versionem ad codicum fdem iussu Pii P.P. XXII, cura et
studio monachorum abbatiae pontificiae sancti Hieronymi in urbe ordinis sancti Benedicti
edita. Liber Hester et lob ex interpretatione sancti Hieronymi (Romae, 1951), 109
³ dulcia suppl. lac.
⁴ Idc. 9, 27
⁵ Walther, prov., 28960
⁶ Lc. 21, 34
⁷ Ps.-Sen., form. vit., IV, p. 242, linn. 6-7
⁸ Eccli. 31, 29
⁹ in pane coni.: parte ms.
¹⁰ Exod. 16
¹¹ Num. 14
¹² Rectius I Cor. 10, 10
briam', scilicet extra mensuram. Eph\textsuperscript{1}: “Nolite inebri<ari> ui<no>, in quo est luxuria”.

Nimius etiam affectus cauendus est, ut scilicet homo non comedat cum nimia auiditae et cum nimio desiderio, et quasi cum quadam uoracitate, cibum integrum et male masticatum deglutientes; sed debet homo comedere cum quadam maturitate, et morose et ordinate; tunc enim cibus magis confert et melius digeritur, Ecc. 37\textsuperscript{2}: “Non te effundas super omnem escam”. Exemplum de Esau qui propter nimiam auidiatatem comedendi uendidit primogenita.

Istrionatus etiam est cauendus, ut scilicet homo non introducit ad sua conuiua ystriones, ioculatores, saltatrices, suis cantilenis et suis gestibus et repre<se>ntationibus homines inducentes ad uanitatem et dissolutionem. Hoc enim maxime Deo diplicet, Exod. 32\textsuperscript{3}: “Sedit populus manducare, et bi<bere>, et surrexerunt ludere”. Sic faciunt qui celebrant festa carnispriuia: sua enim conuiuia terminant in ludum chorearum et aliarum uanitatum, Ys. 5\textsuperscript{4}:

“Cythara, et lyra, et tympanum, et tybia, et uinum in conuiuiis uestrís; et opus Domini non respicitis, nec opera manuum eius consideratis”.

Ultimo, post mensam et refectionem completam, refferenda est gratia Christo, unde dicitur in Ps.\textsuperscript{5}: “Edent pauperes, et saturabuntur, et lau<dabunt> Dominum qui requirunt eum”, et cetera. Cum enim Christus sit principium et finis, iuxta illud quod dicit Iohannes apostolus in Apoc.\textsuperscript{6}: “Ego sum alpha et o<mega>, principium et finis”, sic omne bonum et omne datum procedit ab eo tamquam a fontali principio omnium bonorum, sic referendum est ad eum tanquam in finem ultimum. Ipsi ergo sit laus et gloria et benedictio in secula seculorum.

Et hec de vii capitibus draconis, id est de vii uitiis capitalibus, breuiter dicta sufficiant. Amen. Deo gratias

Explicit tractatus de vii uitiis capitalibus compositus per fratrem Henricum de Arimino, ordinis fratrum predicatorum. Deo gratias.

\textsuperscript{1} Eph. 5, 18
\textsuperscript{2} Eccli. 37, 32
\textsuperscript{3} Exod. 32, 6
\textsuperscript{4} Is. 5, 12
\textsuperscript{5} Ps. 21, 27
\textsuperscript{6} Apoc. 1, 8
CHAPTER 3:
THE "LIBER DE QUATVOR VIRTUTIBVS CARDINALIBVS"

The Liber de quatuor uirtutibus cardinalibus is the most important of Henry’s surviving works, both in terms of its size and range of arguments, and its subsequent popularity. Measuring approximately 110 folios in an average-size manuscript, it has been preserved in the following 23 manuscript copies, one of which (N) consists of excerpts only, and another three (X₁, X₂, X₃) contain only the chapter on Venice¹.

| A | Augsburg | Universitätsbibliothek (formerly Harburg Schloss, Fürstlich Oettingen-Wallerstein’sche Bibliothek), ms. II 1 2° 90 |
| B | Bamberg | Staatsbibliothek, ms. Theol. 50 |
| D | Bergamo | Biblioteca Civica Angelo Mai, ms. gamma IV 18 |
| C | Colmar | Bibliothèque Municupale, ms. 136 (48) |
| F | Firenze | Biblioteca Nazionale, ms. Conv. Soppr. A VI 87 |
| G | Firenze | Biblioteca Medicea Laurenziana, ms. Gadd. 63 |
| H | Heverlee | Abdij van’t Park, Archief, ms. 10 |
| L | Los Angeles | California University Research Library, ms. 170/572 |
| M | Mainz | Stadtbibliothek, ms. II 119 |
| N | München | Bayerische Staatsbibliothek, ms. Clm 3603 |
| O | Osimo | Biblioteca del Collegio Campana, ms. 23 |
| P | Padova | Biblioteca Universitaria, ms. 803 |
| Q | Praha | Národní Muzeum, ms. XV C 2 |
| R | Rein | Stiftsbibliothek, ms. 205 |
| S | Roma | Biblioteca Nazionale, ms. Sessor., 174 |
| T | Tübingen | Universitätsbibliothek, ms. Mc 334 |
| V | Vaticano | Biblioteca Apostolica Vaticano, ms. Pal. lat. 182 |
| X | Venezia | Biblioteca Nazionale Marciana, ms. lat. III 26 |

¹ Also listed by Kaeppeli (vol. II, p.183) is Biblioteca Apostolica Vaticana, ms. Urb. lat. 596, which contains a note of attribution on fol. Ir: “f. Henrici de Arimo ord. pred. exempla uirtutum et uittiorum ordine alphabeto m.s.” The manuscript is prefaced by an alphabetical list of contents (fols I-III: inc.: Abstinentia car. 1; exp.: Veritas parit odium 78) and begins (fol. 1r): Abstinentia est meriti augmentuia, sapientie acquisitiua, religionis ostensiua, carnis renfrenatiua, victorie impetratuia, orationis auxiliatiua, indulgentie obtentiua, exempli demonstratiua. It ends (fol. 87v: incomplete, since the bottom of this fol. has been torn out): <V>eritas parit odium [...]. ex uerbis nostri Eleazari in iram uersi sunt impii. Henry is assumed to be the author in C. Storjajolo, Bibliothecae Apostolicae Vaticanae codices manu scripti, II (Romae, 1912), 112. The work is not Henry’s Liber, however, but the Distinctiones siue concordantiae historiales ueteris ac noui testamenti of Bindus de Siena O.E.S.A. (fl. 1383). Cf. Stegmüller, RB II, n. 1765, who, gives “Henricus de Rimini OP” as the owner of the manuscript.

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In addition to the above manuscripts there are two incunable editions:

| I₁  | Speyer     | Hain 1650 |
| I₂  | Strasbourg | Hain 1649, BMC I, 77 |

1. The Diffusion

Before examining the text of the work, it is worth considering how and in what form the Liber has actually reached us. Since there is no critical edition, the incunable edition remains the most convenient source of the full text, while David Robey and John Law have produced an edition of the chapter on Venice, based on the two incunable editions checked against X². Although these two scholars remark that the incunables “seem fairly correct”, the quality of these editions can really only be gauged with some kind of scientific rigour by comparison with the other copies of the text. Indeed, an examination of the entire manuscript tradition is the first and essential step in the preparation of any type of critical edition of a work; it is the only way to begin establishing the true nature of the the ‘original’ text as opposed to the text as it appeared in its various copied forms.

Secondly, examination of the manuscript tradition reveals in many cases who copied the text and where, and this in turn is a clue to understanding who read the work, and possibly why. Considering in particular Henry’s famous praise of Venice, and the idea given in the title that the work was written “ad ciues Venetos”, the historian might begin to ask whether this title, if not the chapter on Venice itself, were not a later interpolation; he might want to know who exactly was interested in reading about Venice anyway, or whether perhaps the work had

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some other primary function rather than as a textbook for Venetian citizens. Work
on Giles of Rome's *De regimine principum* has shown that this 'mirror of
princes', so similar to Henry's in many ways, was read in differently by different
reading publics, serving as a treatise on ideal kingship for both supporters and
opponents of the king, as well as a university textbook of moral philosophy, and a
manual of military strategy.

Henry's work has much in common with Giles' 'mirror of princes', and it
is similarly open to be read in various ways. It was, however, by no means as
popular as the *De regimine principum*, and the history of its reception is not as
well-documented or as remarkable. Nevertheless, investigation into the
manuscript tradition does reveal that some of the claims made about the purpose
of the work should be taken with a pinch of salt, and it helps to clarify who was
reading this type of work, and what they were using it for. Who exactly Henry
wrote the work for and why he wrote it, on the other hand, are questions that we
will never be able to answer with certainty, but an examination of the manuscript
tradition can help us to eliminate some hypotheses and guide us in the
consideration of others.

For these reasons, the manuscripts containing Henry's treatise have been
described in some detail, and the descriptions are given below, not in the form of
an appendix, but as a first approach to the *Liber de quatuor uirtutibus
cardinalibus*. What follows aims to be more than a simple handlist, but does not
attempt to be a truly exhaustive catalogue-type description, such as that produced
for the manuscripts containing the works of Giles of Rome, for example. In
general I have followed Ker's guidelines, but I have operated a policy of
proportionality in line with my overriding interest in Henry's work. Whereas I
have tried to give detailed descriptions of the manuscripts or portions containing

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3 C. F. Briggs, *Giles of Rome's De regimine principum. Reading and Writing at Court and
University* (Cambridge, 1999), see in particular chs 3 and 4.
4 *Aegidii Romani Opera Omnia*, eds F. Del Punta - G. Fioravanti - C. Luna, I, *Catalogo dei
manoscritti* (Firenze, 1987-); see in particular Concetta Luna's introduction to the catalogue of
*De regimine principum*: F. Del Punta - C. Luna, *Aegidii Romani Opera Omnia: I. VII, Catalogo
dei manoscritti* (1001-1075) "De regimine principum": Città del Vaticano - Italia (Firenze,
1993), ix-xxxiii.
quire structure are based on Ker, *Catalogue of Manuscripts containing Anglo-Saxon* (Oxford,
1957), xxii.
the Liber, I have been more summary in larger miscellaneous manuscripts in which Henry's work is only a minor element. This is particularly true of N and X3, for example, a thorough description of which would merit a quantity of time disproportionate to the aim of such a description, which is above all to understand what parts of Henry's text were copied, which works they travelled with, and who might have copied or owned such a work.

In listing contents of other works in the remaining manuscripts, however, I have generally tried to give a full incipit and explicit, to allow the reader to verify the attribution. Those details of size, material support, composition, decoration, and binding have been given which I consider useful in indicating the use of the work. The script has been described in such general terms as "gothic bookhand", "bastarda", or "cursive". In practice script has been a minor element in dating the manuscripts, since they belong to two centuries only: most of the fifteenth century manuscripts are already dated in the colophon, and the homogenous nature of the fourteenth century gothic scripts has made it impossible to use them to date the manuscripts more precisely. Watermarks are another important tool in dating, but besides a few isolated examples, experience has shown that it is very difficult to identify them with the accuracy needed to make any resulting date reliable.

1.1. The witnesses
1.1.1. Manuscripts

A** Augsburg, Universitätsbibliothek (formerly, Harburg Schloss, Fürstlich Oettingen-Wallerstein'sche Bibliothek), ms. II 1 2° 90

s. xv (1470, 1473, 1445)

1) Front pastedown: <miscellaneous notes, from a numerale>: Tria sunt que faciunt ... Tria sunt que nemo potest persoluare ... sex sunt opera scolarium ..... quinque sunt reprehensibilia in prelato ... Religiosus debet habere octo ...

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6 One asterisk (*) added after the manuscript's siglum indicates that I have examined the manuscript personally; two asterisks (**) indicate that I have examined it in microfilm. Asterisks used after the numbered entries in ms. X2 indicate the hand of Marin Sanudo.
quatuor sunt progenies inter ludeos qui Christum crucifixerunt; written at 90°; liegen: mit gewalt ..., ist erlawbt ..., theut nott ....

2) Fol. 1r: <rhymes and riddles:>
   a) <cf. Walther, carm., 7232> Defectus mundi: gloria - Grecorum; inuidia - Romanorum ... consilium - Venetorum: est destructio singulorum;
   b) Hospes: uos qui foris statis intrate domum pietatis ... solue recede mitis;
   c) Narraciones antiquorum. Quis est - natus est non mortuus, mortuus et non natus ... ebrius siue potu;
   d) Dum manducatis - rixati murmur fugia - tis, numquam uel raro cana - tis ... culum clausum tenea - tis;
   e) <cf. Walther, carm., 17049> Seps de uirgis per ... ceruum tu uiuere dicas - 696.

3) Fol. 1v: <Florilegium> inc.: Aristoteles: Mundum ab eterno dicimus in principio ... Augustinus ... Aueroys ... Porphirius ... Jeronimus ...
   Plato ... Ambrosius. Rest of fol. blank.

4) Fol. 2r: <Apocalyptic florilegium> inc.: Jeremias: patrem uorabis me; exp.: Thateus: ... uitam eternam. Rest of fol. blank.

I

5) Fols 3ra-133rb: <Guilelmus Peraldus, Summa vitiorum (Kaeppeli n. 1622) title in top marg. in different hand: Incipit summa uiciorum; inc.: <D>icturi de singulis uiciis cum opportunitas se offerret, incipimus a uico (sic) gule; exp.: potest ualere illud sap. locutum esse alicando penituit tacere uero numquam et cetera. Explicit opusculum istud in uigilia Bartholomei apostoli anno domini etc. 70°
   Joh. Sch. Rest of col. blank.

II

6) Fols 134ra-229va: <Henricus Ariminensis, Liber de quatuor uirtutibus cardinalibus> title in top margin in later hand: Henricus Ariminensis, Tractatus
de quatuor viritibus cardinalibus <corr. from: capitalibus>; inc.: quia
secundum sententiam apostoli; exp.: pro cultu nimio capillorum. Hec de virtute
morali dicta sufficiant. Tractatus pulcerrimus de quatuor viritibus cardinalibus
per fratrem Heinricum Ariminensem ad Venetos editus, totam fere philosophiam
moralem complectens, una cum exemplis et hystoriis tam ex diuinum quam
humanarum scripturarum autoribus sumptis ad conficiendum arengas,
collaciones, et sermones utilissimos, arte impressoria Spire artificiose effigiatus,
feliciter explicit. In octaua Epiphanie anno 73º. Col. b blank.

III

7) Fols 230ra-255r: <Ps.-Albertus Magnus, Paradisus anime, preceded by a list
of contents> inc. tabula: de caritate 1: exp. (fol. 230rb): de perseuerancia 42; rest
of col. b blank; inc. text (fol. 230v): Incipit tractatus perutilis magistri Magni
Alberti de ueris viritibus. Sunt quedam uicia que frequenter speciem viritum
assumptur; exp.: et qui una caruerit ullam habet quia omnes unite sunt in una
gratia et cetera. Explicit tractatus viritum 1445.

8) Fols 258r-267r: <Nicolaus de Dinkelsbühl (?), Ars moriendi (Traditio 32
[1976], 404; Bloomfield n. 1076)> title: Incipit tractatus de arte bene moriendi
bonus et utilis; inc.: Cum de presentis exïlii miseria mortis transitus propter
moriendi impericiam multis non solum laycis; exp.: et secure mori ulenti super
omnia est necesse ut prius antequam mors occupet mori discat.

267 fols; paper; 305 x 210 mm; written space 210-215 x 135-145 mm; part I: 41-
45 lines per page in 2 columns; part II: 46-48 lines per page in 2 columns; part III:
ten (fols 258-267); catchwords in bottom r-hand marg. of verso: fols 241, 253.
Script: bastarda, various hands: pastedown - fol. 2r; 3r-133r; 134r-229v; 230r-
267r. Part II: space left for initials and running titles. Watermarks: part I: oxhead,
possibly Piccard, Findbuch II, XV 431 (Augsburg, 1470); part II: oxhead,
possibly Piccard, Findbuch II, XII 857 (Southern Germany, Tyrol, 1457-1470);
part III: oxhead, of type Piccard, Findbuch II, V 302. Binding: brown leather over
wooden boards; front and back bosses, fastening straps, and title label missing. List of contents added to pastedown: *I quintum. Summa uiciorum; tractatus pulcerrimus de quatuor uirtutibus cardinalibus per fratrem Hainricum Ariminensem ad Venetos editus, totam fere philosophiam moralem complectens, una cum exemplis et historys tam ex diuinorum quam humanorum scripturarum autoribus sumptis ad conficiendum arengas, collationes, et sermones utilissimos; tractatus perutilis magistri magni Alberti de ueris uirtutibus; tractatus de arte moriendi bonus et utilis. Liber scriptus et est monasterii beati Martini in Teggingen.*

Date and provenance: composite manuscript of 3 parts. I: 1470 (fol. 133rb); II: 1473 (fol. 229va); III 1445 (fol. 255r). Belonged to the Benedictine monastery of St. Martin, Mönchsdeggingen (olim Deggingen), in the dioce of Augsburg (list of contents on pastedown; cf. Krämer, teil 1, p. 163, teil 3, p. 24) until the 18th C when it was transferred to the monastery of St. Mang in Füssen (listed as ms. 20220 in the 1780 catalogue of the Füssen manuscripts [Hägele, 339]), and from there to the Oettingen-Wallersteinsche collection, where it remained until 1980 when this collection was purchased by the Bavarian state and transferred to the Universitätsbibliothek of Augsburg.


**B** Bamberg, Staatsbibliothek, ms. Theol. 50

s. xv (1467)

1) Fols 1ra-129rb: *Henricus Ariminensis, Liber de quatuor uirtutibus cardinalibus,* preceded by a list of contents> title: Alma trinitas suam percelmenciam ne errem meam iuuet insufficienciam; list inc.: Incipiant rubrice super librum de quatuor uirtutibus cardinalibus; exp.: Quod potest in mulieribus
aliqua fucacio sustineri etc. Predicti tytuli distincti sunt per lectiones quia liber hoc modo ad ciues Venatos (sic) in scolis fuit expositus; text: rubr. (fol. 4):

Incipit liber de quatuor virtutibus moralibus distinctus per quatuor tractatus editus a fratre Heinrico; inc.: Quia secundum sententiam apostoli; exp.: pro cultu nimio capillorum. Hec de uirtute morali dicta sufficiunt etc. etc.; rubr.: Explicit tractatus de quatuor uirtuibus moralibus. Predicti tytuli distincti sunt per lectiones quia liber iste hoc modo ad ciues Venetos fuit expositus. Scriptum per manus fratis Heinrici Episcopi anno domini MCCCCCLXVII die nona mensis nouembris, sub regimine uenerabilis patris prioris fratis Heinrici Schmidlein etc. Fhe.

2) Fols 130ra-272vb: <Ludulphus de Saxonia, Vita Christi, tertia pars (cf. H. O. Coxe, Bodleian Library, Laudian Manuscripts [Oxford, 1973], 331); incomplete> title.: Alma trinitas suam perclemenciam ne errem meam iuuet insufficienciam; inc.: Nunc secundum Iohannem aspergamus de sangwinem librum nostrum ut limina domorum; exp.: de sabbato sancto, cap. lviii ... portas principum tolli preciperet sanctorum populus. The end has been torn out.

272 fols; paper; 313 x 215mm; written space: 205-225 x 140mm; 35-41 lines per page in 2 columns. Collation: 1-10$^{12}$ (fols 1-120), 11$^{12}$ wants 10-12 (fols 121-129), 12-22$^{12}$ (fols 130-261), 23$^{14}$ wants 12-14 (fols 262-272); catchwords in bottom r-hand corner of verso, sometimes with red strokes: fols 12, 24, 36, 48, 60, 72, 84, 96, 108, 120, 141, 153, 165, 177, 189, 201, 213, 225, 237, 249, 261; foliation in top r-hand corner: fols 1r-5r numbered vi - x in middle top marg. Script: cursive with secretary influence, quite prickly, both works in the same hand; red running titles and paragraph strokes, large red initials at the beginning of each chapter, some cut out (fols 1-129v); red paragraph strokes and occasional large red initials (fols 130r-272v). Watermarks: oxhead with a triangle above and flowers below, not identified in Piccard. Binding: light brown blind-stamped leather over wooden boards; traces of centre and 4 corner bosses on front and back, and two fastenings, now missing; parchment square glued onto the centre of front cover, with h u; on the back: Q lin V II; label on spine: Henrici Epi
<Episcopi>, de uirtutibus card. 1467. List of contents on a half-folio inserted inside front cover, in a late hand: Henrici Episc., carm. ord., tract. de 4 uirtutibus cardinalibus a. 1467 sub regimine prioris Henrici Schmidlein 1-129; Tract. de passione domini stufr.(?) in fine 130-272; label in later hand on front pastedown: Henrici Epi ord. carmel. Tract. de uirtutibus cardin. 1467; item de passione domini.

Date and provenance: Written by Henricus Episcopi O.Carm. in 1467 (fol. 129rb), at the Carmelite friary of Bamberg: Carmeli Bambergensis on inside front cover (cf. Krämer, teil 1, p. 72, teil 3, p. 48).

Bibliography: Katalog der Handschriften der königlichen Bibliothek zu Bamberg, IV (Bamberg, 1904), 604; colophons, n. 6550.

D** Bergamo, Biblioteca Civica Angelo Mai, ms. gamma IV 18 (MA 489)

s. xv

1) Fols 1r-84r: <Henricus Ariminensis, Liber de quatuor uirtutibus cardinalibus, preceded by a list of contents> list rubr.: Incipiunt rubrice super librum de quatuor uirtutibus cardinalibus cuius tractatus primus est prudentia; exp.: (fol. 4r) Predicti tituli distincti sunt per lectiones quia liber hoc modo ad ciues Venetos in scolis fuit expositus; text rubr.: (fol. 5r) Incipit primus liber de uirtutibus moralibus distinctus per quatuor tractatus editus a fratre Henrico; inc.: Quia secundum sententiam apostoli; exp.: immensitate grauat, michi in penam data sunt. Hec de uirtute morali dicta sufficiant. Explicit tractatus de quatuor uirtutibus moralibus editus a fratre Henrico. Deo gratias amen.

84 fols; parch.; 282 x 210 mm; written space 195 x 130 mm

Bibliography: fac-simile CD Rom: Opera omnia. Angelo Mai AM00662,1
1) Fols 1r-12v: <Martinus Bracarensis, *Formula vitae honestae*, with commentary; text incomplete> inc.: *Seneca de quatuor virtutibus cardinalibus. Quatuor virtutum species multorum sapientium*; exp. text (f. 12r): *si mensuram virtutis earum equo uiuendo seruatris; exp. fallendi quod tamen ubi queritur ad mendacium. Explicit liber de quatuor virtutibus cardinalibus Senece cum lectura paruula.


3) Fols. 52r-67v: <Sufficentia virtutum> inc.: *De sufficencia quatuor virtutum cardinalium. Incipit alius tractatus de quatuor virtutibus cardinalibus cum divisionibus et subdivisionibus virtutum cardinalium; exp.: sic patet quod temperancia est virtus moralis. Explicit tractatus virtutum cardinalium cum divisionibus uirtutum et subdivisionibus. Scriptus in urbe precellenti Bolwir.*

4) Fols 68r-95r: <Engelbertus Admontensis, *Speculum virtutum ad Albertum et Ottonem duces Austrie* (B. Pez, *Bibliotheca ascetica antiquo-nova* [Ratisbon, 1723-1724], 3-39> inc.: *Incipit materia correspondens libris ethicorum nec non super totam philosophiam moralem. Seneca ad Lucillum dicit natura dedit homini; exp.: Explicit tractatus philosophie moralis in quo continentur in summa tota intentio philosophie moralis [...] Et presens tractatus correspondet libris ethicorum nec non toti philosophie morali. Scriptus in Bolwir ammirande...*
pulcritudinis ciuitate ac delectabili uisu et spatio: si non credis experias ut certificetis.

5) Fols 95v-120v: *<Quaestiones super libros Ethicorum>* inc.: Ex commento super libros ethicorum et primo super primo libro ethicorum et consequenter super alios. Circa primum librum ethicorum queritur primo quid sit philosophia moralis; exp.: Explicit sunt sententiae secundum intentionem Aristotelis super omnes libros decem ethicorum cum certis notabilibus superadditis. Reportata sunt hec in famosa ciuitate Bolwir ubi uiget studium Latinorum et Iudeorum per manus fratris Iacobi de Ungaria ad instantiam reverendi patris domini Bartholomei de Andolo abbatis Morbacensis.


7) Fols 146r-155r: inc.: *Additiones ad supradicta et primo de ampare sapientie*. Valerius in libro 4° refert; series of diagrammes and tables, fols 149v-155r.

8) Fols 155v-325v: *<Henricus Ariminensis, Liber de quatuor virtutibus cardinalibus*, preceded by a list of contents> inc.: Incipit liber quatuor virtutum cardinales in quo omnes tres partes philosophie moralis continentur, scilicet ethica siue monastica, iconomica, et politica, lectus Veneciis in scolis nobilibus ac ciuibus Veneciarum et eis eciam in vulgari expositus ut ipsi secundum hoc se regerent in tribus partibus philosophie moralis et maxime in policia propter diversas ciuitates et provincias eis subjectas; list inc.: Registrum totius libri; item primo ponitur prohemium totius libri. Tractatus primus de prudentia; text inc. (fol. 161r) Prohemium. Quia secundum sententiam; exp.: Explicit philosophia
moralis quatuor uirtutum cardinalium ciuibus ac nobilibus Veneciarum in scolis lectus et eis expositus in ytalico; nunc autem in scola latina in Bolwir reportatus per fratrem Iacobum de Vngaria ad instanciam domini abbatis Morbacensis, dominum Bartholomeum (sic) de Andalo. Dixi autem scola latina quia in Bolwir floret eciam scola et studium iudeorum, sed proh dolor, deficit scola grecororum et saracenorum quia si hee adessent tunc omnes secte principales mundi ibi adessent. Nec miretur quis de scolis in Bolwir cum et Plato causa vacandi studio dimisit magnam urbem Athenas et habitauit in uilla parua Achademie unde et discipuli Platonis eum sequentes vocabantur achademici siue platonici.

9) Fols 326r-329r: <Series of diagrammes> inc.: Arbor de origine iuris et legum.

10) Fols 329v-371r: inc.: <Extracts and lists of contents from Boethius, Philosophiae consolatio> inc.: Sententie Boecii super libros de consolatione philosophie et primo premittuntur versus quid in singulis quinque libris generaliter contineantur. Quid continetur in primo libro. Docet hic liber patienter tristia ferre; exp.: Expliciunt sententie super 4º De consolatione et per consequens totius libri reportate in scola Bolwir.

11) Fols 371v-396v: <Ps.-Aristoteles, De pomo, with commentary (Pseudo-Aristoteles Latinus, n. 75, p. 51-52)> inc.: Incipit commentum super libro de pomo et morte Aristotelis quem librum transtulit de arabico in latinum Marfredus (sic) rex Sicilie, filius Friderici imperatoris, sed quis eundem de greco in arabicum linguam transtulit ignoratur. Thema. Preserua animam tuam nobilissimam, superiorem et angelicam; exp.: Explicit liber de pomo et morte Aristotelis non textus sed sententia textuum cum commento reportatus in scola Bolwir. Et iste liber non nominatur ab Aristotele, nec est compositus ab eo, sed discipuli eius post mortem collegerunt uerba sua in lingua greca, quia Aristoteles et discipuli eius fuerunt greci, ut ostenderent hominibus hylaritatem mortis eius et transitus de hoc mundo.

152
12) Fol. 397r-401v: <Thomdike, 246: Epistola Ameti filii Abrae> inc.: Experimenta naturalia et empericalia quorum ueritas pure cognosci non potest nisi per talem qui sit imbutus in philosophia naturali et theologia et astronomia ac etiam astrologia. Incipit epistula Ameti filii Abrahe nominati filius Mazalarii de proprietatibus; exp.: Expliciunt experimenta naturalia Ameti philosophi filii Abrahe Mazalari.

13) Fols 401v-404r: <Thorndike, 1055: De taxone> inc.: Incipiunt experimenta Asclipici philosophi destinata per regem Egipti Octauiano Augusto [...] Rex Egyptorum Octauiano Augusto salutem. Plurimis enim expertus sum summam victoriam tuam; exp.: Hec rex Egipti ad Octauianum Augustum ex dictis Asclipici philosophi.

404 + II fols; paper; 295 x 215 mm; written space 225 x 155 mm; c. 30 long lines per page. Collation: 1-2612 (fols 1- 312), 2710 (fols 313-322), 28-3312 (fols 323-394), 2412 wants 9-10 (fols 395-404); quire 21 (fols 241-252) inserted upside down; catchwords in bottom r.-hand marg. of last verso of each quire. Foliation: nos 162 and 343 omitted. Script: one hand, light brown ink; red initialling and paragraph marks; titles in brown ink in larger letters; no decoration; fols 402v-404v blank. Watermarks: letter P, Briquet 8601 (Colmar, 1467) Binding: with white chamois leather over wooden boards; 3 parchment strips (12th C) glued horizontally across inside front and another 3 on inside back cover, containing approx. 200 lines on the Argonauts on the side glued on; on the blank side of the first two of these at the front is a list of contents is added in a later hand, inc.: Duo tractatus de uirtutibus cardinalibus.

Date and Provenance: copied by Jacobus de Ungaria during the Abbacy of Batholomew of Andlau (1447-1476) at the Benedictine Abbey of Murbach - Bolwiller (?) (Haut-Rhin).

Marichal, *Catalogue des manuscrits en écriture latine portant des indications de date, de lieu ou de copiste*, V, CNRS (Paris 1965), p. 571, which attributes the script to Sigismond Meisterlin, scribe at Murbach and collaborator of Bartholomew of Andlau in his attempts to enlarge and improve the abbey library; there seems to be no evidence for this attribution in Schmitt’s introduction or in the manuscript itself, but the similarity of this script with that of Sigismond is noted by Jeudy-Riou; C. Jeudy - Y.-F. Riou, *Les manuscrits classiques latins des bibliothèques publiques de France*, I (Paris, 1989), 749; colophons, n. 7796, p. 47.

**F** Firenze, Biblioteca Nazionale, ms. Conventi Soppressi, A VI 87

**s. xiv**

1) Fols 1ra-116vb: *<Henricus Ariminensis, Liber de quatuor uirtutibus cardinalibus*, preceded by a list of contents> list inc.: Capitula a rubrice super libros de 4or uirtutibus cardinalibus; exp. (fol. 4rb): Quod potest in mulieribus aliqua fucatio substineri; text rubr. (fol. 5ra): Incipit liber primus de uirtutibus moralibus distinctus per quattuor tractatus editus a fratre Henrico; inc.: Quia secundum sententiam apostoli; exp.: pro cultu nimio capillorum. Hec de uirtute morali dicta sufficiant.

I (paper) + I + 116 + I + III (paper) fols; parch.; 185 x 135mm; written space 140 x 95mm; 34 lines per page in 2 columns. Collation: 1⁶ wants 6 (fols I - 4), 2-3¹⁰ (fols 5-24), 4⁸ (fols 25-32), 5-6¹² (fols 33-56), 7¹⁰ (fols 57-66), 8¹² (fols 67-78), 9¹⁰ (fols 79-88), 10-11⁸ (fols 89-104), 12¹⁴ wants 1 (fols 105-I); catchwords in middle of bottom margin of verso: fols 14, 24, 32, 44, 56, 66, 78, 88, 96, 104. Script: gothic bookhand; initials and paragraph marks in alternating red and blue; decorated initials at the beginning of treatise on prudence and justice: large historiated Q with head and shoulders of a Dominican, gold surround, and leafy decoration down the l.-hand marg. of fol. in red, blue, green, and gold (fol. 5r);
similar leafy decoration, and initial without Dominican figure (fol. 22v). Some marginal notation, mainly indicating exempla. Fol. 4v blank. Binding: rebound 1964; parchment fly leaves from philosophical mss. of 14th C, upside down. Title added in later hand in bottom marg. of fol 1r: Tractatus de 4or uirtutibus moralibus fratris Henrici Ariminensis ordinis predicatorum; stamp of the convent of S. Maria Novella (17th-18th C) at the bottom of fol. 5r.

Date and Provenance: 14th C (Pomaro, 350). Belonged to the Dominican convent of S. Maria Novella, Florence; transferred to the Biblioteca Nazionale in 1809 after the Napoleonic suppression of the monasteries.


G* Firenze, Biblioteca Medicea Laurenziana, ms. Gadd. 63

s. xv

1) Fols 1r-80v: Henricus Ariminensis, Liber de quatuor uirtutibus cardinalibus, incomplete: breaks off at the end of ch. 3.4.21 (Quod octauum remedium afflictorum est consideratio ignorantie ...); preceded by a complete list of contents> list inc.: Incipiunt rubrice super librum de iiiior uirtutibus cardinalibus cuius tractatus primus est de prudentia; exp. (fol. 4v): Quod potest mulieribus aliqua fucatio substineri. Predicti tituli distincti sunt per lectiones, quia liber hoc modo ad ciues Venetos in scolis fuit expositus; text inc. (fol. 4v): Quia secundum sententiam apostoli; exp.: stulte, ac nocte repeten a te animam suam demones que autem parasti, cuius erunt, luc. XII. Rest of fol. blank.
I + 80 + I fols; paper; 300 x 230mm; written space 245-255 x 170-175mm; 24-30 long lines per page. Collation: 1-10⁸ (fols 1-80); catchwords in middle of bottom margin of last verso of each quire, some partially cut off. Script: cursive, one hand; no decoration or rubrics, but space left for title and intial at the beginning of each chapter; marginal notation in a contemporary hand, indicating exempla and the titles of each chapter; titles of sections (yconomica, politica, militaris, ciiilis, iustitid) in top right-hand margin of each recto: fols 13-46; in the list of contents, beside Quod viii⁵⁶ remedium afflictorum est consideratio ignorantie, which is the last chapter copied in the text, is noted: non est amplius scriptus. Watermarks: fruit, Briquet, nos 7347, 7373, or 7374 (Florence, Siena). Binding: floppy cream vellum, with traces of 2 fastening ribbons still in place; title on spine: Anonymi Liber de Quatuor Virtutibus Cardinalibus. Ex libris of the Granduke Francesco Stefano I of Tuscany (1737-1765) glued onto front pastedown: Francisci Caesaris Augusti Munificentia.

Provenance and date: Part of the collection of the Gaddi family, which was acquired by the Granduke Francesco Stefano I in 1755, and sent to the Biblioteca Medicea Laurenziana on 31st July, 1783.


Heverlee (Leuven), Abij van’t Park, Archief, ms. 10

s. xv

I

1) Fols 1ra-118rb: <Thomas Aquinas, Quodlibeta I-VII 1-16, VII 17-18 -XII> rubr.: Quodlibeta sancti Thome de Aquino. Questio prima, an beatus Benedictus
in visione qua uidit totum mundum uidit divinam essenciam; inc.: Quesitum est de deo et angelo et homine.

2) Fols 118rb-125vb: <Iohannes Pecham, Quodlibet de Natali; breaks off at q. 32, a. 8, 8 lines before the end (ed. G. J. Etzkorn, Bibliotheca Franciscana Scholastica Medii Aevi, XXV [Grottaferrata, 1989])> inc.: Incipit 3\textsuperscript{nd} decimum. Quesitum primo de deo; exp.: unde cum esset sibi, notum quod.

II

3) Fols 126r-233v: <Henricus Ariminensis, Liber de quatuor virtutibus cardinalibus, followed by introduction and tabula by Thomas Domiberg> rubr.: Incipit tractatus de quatuor virtutibus cardinalibus editus et expositus ad ciues Venetos per fratrem Henricum Ariminensem; inc.: Quia secundum sententiam; exp. (fol. 225v): michi in penam data sunt pro cultu nimio capillorum. Hec de virtute morali dicta sufficiant. Tractatus pulcherrimus de quatuor virtutibus cardinalibus per fratrem Henricum Ariminensem ad Venetos editus, totam vero philosophiam moralem complectans, una cum exemplis et hystoriis tam ex divinarum quam humanarum scripturarum auctoribus sumptis, ad conficiendum arengas, collationes, et sermones utilissimos. Scriptus in Oerle per Petrum de Cimiterio. Anno xii\textsuperscript{th} lxix. Finitem in festo transfigurationis domini; intro. inc. (fol. 226r): Ad summe et individuae trinitatis; exp. (fol. 226v): sequuntur nunc auctoritates, allegaciones, et tituli, incipientes a littera a; tabula inc.: <A>aestensia, quid sit et qualiter; exp.: uxor debet esse pia cum discrezione, ubi supra parte 8. Omnes itaque virtutum cultores pro bene actis gratias deo referant, et si quid minus bene ordinatum inuenerint indulgentiam prestent et non liureis aculeo sed caritatis zelo in melius reforment queso. Completa est hec tabula remissoria per me, Thomam Dorniberg antedictum, anno domini millesimo quadringentesimo septuagesimo secundo, ipsa die sancti Martini pape. Rest of fol. blank.

233 fols + half folio inserted between fols 208 and 209; paper; 290 x 200mm; part I: 33-36 (fols 1-36), and 47-51 (fols 37-125) lines per page in 2 columns; part II:
36-39 long lines per page. Collation: 1-10¹² (fols 1-120), 1¹¹² wants 6-12 (fols 121-125), 1²¹² + 1 leaf inserted after 11 (fols 126-138), 13-1⁹¹² (fols 139-222), 2⁰¹² wants 12 (fols 223-233); catchwords in bottom r.-hand of verso, partly cut off: fols 12, 138, 150, 198. Script: part I: 2 hands, the first wrote quires I-III, the second quires IV-XI; the second part (fols 126-233) copied by Petrus de Cimiterio (fol. 225v). Little decoration: part I: quæstio number in red, red paragraph marks, and larger red initials; part II: red initial Q (fol. 126r) only; space left for running titles. Binding: brown leather over wooden boards, stamped decoration mostly worn away; traces of 2 external corner and one centre boss on front and back covers; metal fastening clasps on edge of front and back covers, but straps now missing. Front pastedown, now missing, has left traces of musical notation on the inside front cover; similar pastedown at the back still in place, with musical notation to accompany the Credo.

Date and provenance: composite manuscript; the second part was copied in 1479. Belonged to the Franciscan convent of Lichtenberg (Limbourg), Holland (Shooner, p. 49; stamp presumably rubbed off, fol. 14r).

Bibliography: H. V. Shooner, Codices manuscripti operum Thomae de Aquino, 3 vols (Roma, 1973) II, 49; Thomas Aquinas, Quaestiones de quolibet, I, Sancti Thomae de Aquino Opera omnia iussu Leonis XIII P. M. edita, XXV (1996), 8*.

Los Angeles, University Research Library, ms. 170/572

s. xv (1464)

1) Fols 1r-169r: <Henricus Ariminensis, Liber de quatuor virtutibus cardinalibus, incomplete: fols 11, 28-31, 60 missing; followed by alphabetical index> text inc.: Quia secundum sentenciam apostoli; text exp. (fol. 156r): data sunt pro cultu nimio capillorum. Hec de virtute morali dicta sufficiant. Explicit tractatus de temperancia et cetera. Explicit tractatus de quatuor
uirtutibus cardinalibus editus et expositus ad ciues Venetos per fratrem
Henricum Ariminensem. Scriptus pro maiori parte et completus anno domini
1464 septimo idus augusti per Gsbusfa Am fpobsexn hxmtba. Deo gracia et
cetera. Sequitur tabula super eundem tractatum; index inc. (fol. 156v):
Abstinencia quod sit et qualiter uirtus dici possit 120A; abstinencia hominem;
exp.: <Z>elotipia est secundum onus matrimonia 144M.

174 fols; paper; 207 x 150mm; written space: 148 x 91mm; c. 34 (hands I-II), c.
27 (hand III), c.31 (hand IV), c. 25 (index) long lines per page; ink frame ruling.
Collation: 1^° (fols 1-10), 2^ wants 1 (fol. 11, now missing), 3^{12} (fols 12-23), 4^{12}
wants 5-8 (fols 24-35: fols 28-31 missing), 5-6^{12} (fols 36-59), 7^{12} wants 1 (fols
60-70: fol. 60 missing), 8-16^{12} (fols 71-179), 17^ (fols 180-pastedown); the first 5
quires (c. 60 fols) have been cut out. Script: forms of bastarda; four hands: I: fols
lr-36r; II: fols 36r-47r and 51v-54v; III: fols 47v-51r; IV: fols 55r-169r; the last
hand is that of Leonard Gulsa, who has signed in code, (Gsbusfa Am fpobsexn
hxmtba: 'fratres[ic] Leonardum Gulsa': fol. 156r); Gulsa has also added the titles
throughout the text, and keyed the text for indexing. Elaborate inhabited pen
initials at the beginning of each of the four books and the chapters, with interlace
patterns, knots, foliage, and flowers, and occasional animals and grotesque, filled
in with green and orange up to fol. 85r, with blue and red up to fol. 90v, and then
blank onwards. Foliation in arabic numerals in lower marg. of recto; text is
subdivided by letters A-Z in outer marg. for indexing; exempla noted; Jesus
Christus in green ink, added by Gulsa in lower marg., fol. 46v. Watermarks:
tower (Briquet 15873), letter P (of type Briquet 8591, 8593), oxhead, mounts,
and latin cross. Binding: pigskin over wooden boards, lozenge-ruling with star
and fleur-de-lis stamps. Marks of corner and centre bosses, with two still
remaining on back. Paper label on spine: “N. S. Opuscula Varia Theologica”.
Pastedowns from a ms. of S. Germany, s. xiv^3 (text unidentified); pressmarks on
inside cover.
Date and provenance: completed 1464 by frater Leonard Gulsa, Germany (possibly the Augsburg region). Acquired by the Research Library in 1981 from the collection of Laurence Witten.

Bibliography:\footnote{I would like to thank professor R. H. Rouse for providing me with a provisional description of this manuscript.}: M. Ferrari, Medieval and Renaissance Manuscripts at the University of California, Los Angeles, ed. R. H. Rouse (Los Angeles, 1991), 149; Catalogue Twelve: Early Manuscripts and Illuminated Leaves. Laurence Witten. Rare Books (1980), 25-26.

\textbf{M*} Mainz, Stadtbibliothek, ms. II 119

s. xiv

1) Fols 1ra-127ra: <\textit{Vitae sanctorum}, first quire missing> inc.: \textit{pregnante duxit secu}[...\textit{ bouem et asinum, bouem forte ut uenderet; exp.: quod ipse nobis prestare dignetur qui uiuit et regnat deus per omnia secula seculorum, amen, amen.}

2) Fols 128ra-159rb: <\textit{Aldobrandinus de Tuscanella, Sermones de sanctis} (Kaeppeli n. 135, vol. I, p. 43-44)> inc.: \textit{Veni post me et faciam uos piscatores hominum. Quantum ad solempnitatem Andree apostoli duo principaliter describuntur; exp.: potest uere dicere ipsa virgo Maria mater; tristis est anima mea usque ad mortem}. Rest of col. blank.

3) Fols 160ra-197va: <\textit{Sermones dominicales}> rubr.: \textit{Incipiunt sermones dominicales per totum annum ab aduentu domini; inc.: Abiciamus opera tenebrarum et induamur arma lucis etc., Ro. xiii. Dominica ista dicitur dominica de aduentu, unde nota quod quadruplex est aduentus dei; exp.: si serui sumus tam nobilissimi domini, congruum est ut discamus suam voluntatem ut sibi acceptabile seruitium impendamus.}
4) Fols 198ra-223rb: <Bonaventura, *Breviloquium* (Distelbrink, n. 1, p. 3-4; ed. Quaracchi, V, 201-291)> inc.: *Flecto genua mea ad patrem domini nostri Yesu Christi ex quo omnis paternitas in celo et in terra*; exp.: *donec intrem in gaudium dei mei qui est trinus et unus deus, benedictus in secula seculorum, amen.* Rest of col. b blank.

5) Fols 224ra-255vb: <Henricus Ariminensis, *Liber de quatuor uirtutibus cardinalibus*, incomplete: breaks off in the middle of ch. 3.4.26 (*Quod duodecimum remedium afflictorum* ...); preceded by a full list of contents> list rubr.: *Incipiunt rubrice super librum de quatuor uirtutibus cardinalibus, cuius tractatus primus est de prudentia, distinctus per v capitula*; exp. (fol. 225va): *Quod potest in multieribus aliqua fucatio substineri*; rest of col. a blank; text rubr. (fol. 225vb): *Incipit tractatus de uirtutibus editus et expositus ad dues Venetos, in scolis predicatus per fratrem Henricum*; inc.: *Quia secundum sententiam apostoli*; exp.: *patiens deuitat dum rationis clipeo se armat; item impatiens priuat se refu*; catchword: *gio diuine.*
(fols 1-223); similar larger initials, with flourishing in a slightly different style, in alternating red with brown flourishing and blue with red (fols 224-255); occasional more elaborate larger initials with gold, lilac, blue, and green throughout, but the gold is of an inferior quality after fol. 160; alternating red and blue paragraph marks throughout. Very little marginal notation. Binding: brown leather over wooden boards, stamped with simple square design; traces of 2 fastening straps.


München, Bayerische Staatsbibliothek, clm 3603

s. xv (1467)

I

1) Fols 1r-59r: <Ps. Cicero, Rhetorica ad Herennium> inc.: Etsi negocys familiaribus inpediti uix satis; exp.: diligenter consequemur exercitationis; underlined in red.: Explicit rethorica M. T. Ciceronis.

II

2) Fols 61r-75r: <Iacobus Publicius, Oratorie artis epitome> inc.: Quo nomine benedicendi ars apud Grecos et Latinos; exp.: maioribus tuis parem te, superiorem te reddere curabis. Pridie ydus sextilis. Vale.
3) Fols 75r-77v: <Short rhetorical texts>
   a) rubr.: Ad instanciam Florentini ciuis compositum opus. Sepenumero mecum Hieronime mi maiorum nostrorum; exp. (fol. 75v): splendoris et luminis tuo inductu referam;
   b) rubr. (fol. 75v): De distincctionum speciebus sic dicere incipiam; inc.: Positura ac distinccio quam Greci; exp. (fol. 76v): notatur autem semicirculum versus in centrum sic;
   c) rubr. (fol. 76v): De metrorum distinccionibus; inc.: versuum distincciones trimemeris; exp.: ut hic locabis.

4) Fols 77r-81v: <Cicero, Oratio pro M. Marcello et pro lege Manilia (47-49)>
   rubr.: Oratio Ciceronis pro M. Marcello; inc.: Diuturnum silencii p. C. Quo eram his temporibus; exp.: in rempublicam conservalundum atque augendum communitatis (sic) etc.

5) Fols 82r-88r: <Iacobus Publicius, Ars Tulliano more epistolandi (Bertalot, prosa 5871)> inc.: Non me fugit illustissime princeps quantum ... De officio et genere epistorum (sic); exp.: et meliorem existimationem tibi ipsi te ut exoptabis reddent.

6) Fols 88r-93r: <Iacobus Publicius, Suprascriptiones esistolarum (Bertalot, prosa 11561)> inc.: Nonnullos fore uereor qui honesto labori meo arroganie ... Maiorum laudes prestantesque; exp.: gratum et accep\tum noutate saltem rei te habiturum spero.

7) Fols 93r-96v: <Cicero, Epistolae ad Curionem, Trebatium, Tyronem, etc; Servius Sulpicius, Epistola ad Ciceronem (extracts from Cicero, Epistolae ad Familiare)> inc.: M.T.C.P. dicit Curioni. Epistolaram genera multa esse non ignores; exp.: sed illius consensu et beneficio quiescendi. Vale. Rest of fol. blank.
8) Fols 97r-106v: <Iacobus Publicius, Ars memorativa (Bertalot, prosa 8510)> inc.: Haud ab re fore arbitror si preter maiorum consuetudinem; exp.: auditores nostri consequi ualeant. Table of numbers on the rest of fol. 106v.


III

11) Fols 121r-160r: <Poggius Florentinus, Facetiae (Bertalot, prosa 12448)> title in top marg.: Facecie Pogii; inc.: Multos futuros esse arbitramur has nostras confabulaciones; exp.: cadauer recubuisse. Opus faceciarum Pogii Florentini explicit feliciter primo sabbato post festum pasce 1467. Rest of fol. blank.

13) Fols 167r-253v: <Florilegium of Moral Philosophy, including:>

a) Fols 167r-174v: <sententiae breues> inc.: Beatus uir cui datum est habere timorem Domini; exp.: si uis scire quid amas attende quid cogitas; tunc fiet ut ex iudicio tue cogitacionis amorem tuum intelligas.

b) Fols 174v-182v: <extracts from various authors, including Seneca, Augustinus, Henricus de Hassia, Boethius, Cicero, Bernardus>: rubr.: Auctoritates diuerner collecte ex libris diuersis; inc.: Seneca: certum est quod morieris sed nescis ubi uel quando; exp.: Perdere uim mentis, sed talia tradere uentis <Walther, prov., 17699>.

c) Fols 182v-183r: <model letter> inc.: Reuerende domine N. fautor et amice carissime; exp.: cuiuslibet suppleat perfeccio caritatis.

d) Fols 183r-185r: <Iohannes Gerson, Apellacio a divina iusticia ad misericordiam dominam> rubr.: Tenor appellacionis; inc.: In tua o regina celi et mundi tocius domina genetrix; exp.: et ueniam requiem et uita merear sempiternam. Amen.

e) Fols 185r-185v: <Iohannes Gerson, Appellatio peccatoris ad divinam misericordiam. Sequitur Dacio Apostolorum (ed. Du Pin [1706], III, 700-702)> rubr.: Dacio appellatorum; inc.: Quia iustitiam meam tamquam fragilitate; exp.: pro peccato uapulabur sed tum non peribis.


g) Fols 193v-195r: <Ps. Seneca, De moribus, excerpta (Bloomfield, n. 3609)> inc.: Ex libris Senece flores seu auctoritates pauperum sic excerpti. Omnis ergo dies sicud ultimus; exp.: si aperte et breuiter sententiam cause exponamus.

h) Fols 195r-201r: <florilegium> inc.: Notabilia et dicta elegancia philosophorum huic libello interserui, que legentibus consolacionem et
morum informationum conferre ualebunf; exp.: hec pro parte Iacobus de Voragine dominica in sermone tercio.

i) Fols 201r-206v: <Henricus Ariminensis, Liber de quatuor uirtutibus cardinalibus, excerpta: contains the following chapters> rubr.: Collecta ex Henrico Ariminensi de 4 uirtutibus cardinalibus.

NUM.: i.1 <Prologus>
FOL.: 201r
INC.: Quia secundum sententiam appostoli
EXP.: respectu uite beate
FOL.: 202r

NUM.: i.2 <Sufficentia virtutum: not from Henry's Liber>
FOL.: 202r

INC.: Virtus dicitur quasi uiribus suis utens, uel dicitur quasi piorum mens defendens; virtus etiam dicitur a ui quia uirtuosi sibi uim faciunt, primo ardua et difficilia aggrediendo, 2^ aduersa paciendo, 3° a delectabilibus abstinendo, quarto a fallaciis seu a falsis persuasioribus se cauendo. Ad uirtutem pertinet opus hominis facere secundum rationem esse, quod tripliciter contingit: uno modo secundum quod ipsa ratio rectificatur, quod habet fieri per prudentiam que est perfectio rationis practice; alio modo quod ipsa rectitudo rationis in rebus humanis constituatur, quod pertinet ad iusticiam, que est huius bonifactiua; ad iustitiam enim pertinet ordinem rationis ponere in rebus humanis, [?] que sicut exemplum [?] Dupliciter autem impeditur humana uoluntas ne sequatur rectitudinem racionis: uno modo per hoc quod trahtitur propter aliquid delectabile ad aliud quam ratio requirit, et hoc impedimentum tollit uirtus temperantie que bonum rationis consueruat reprimendo delectiones ne homines |f. 202v] abducantur a bono rationis. Alio modo per hoc quod uoluntatem repellit ab eo quod est secundum rationem propter aliquid deficile quod incumbit. Et ad hoc tollendum requiruntur in homine fortitudo mentis qua huiusmodi difficultatibus resistat. Et sic patet quod fortitudo est uirtus ponens in animo firmitatem ad sustentendum uel repellendum quodcumque difficile,
secundum quod ratio dictat secundum voluntatem ordinatam. Et ille due sunt prudentia et iustitia uersantur circa intellectum et appetitum intellectuum. Fortitudo autem et temperantia circa appetitum sensibilem uersantur quasi dux scilicet irascibilis et concupiscibilis, ita quod fortitudo impellit irascibilem ad id quod ratio dictat; temperantia uero retrahit concupiscibilem ab eo quod ratio uetat. Et quia circa ista quatuor uersatur tota (finishes mid sentence?)

Omnis virtus uel est circa rationes uel circa passiones uel circa operationes. Et quia prudentia prudenter rectificat rationes et dirigit intellectum; iustitia notatur principaliter moderare operationes et dirigere ad medium. Prudentia ascendit; iustitia facit quod est dictum; temperantia se debite habet in delectabilibus; fortitudo uero in arduis et in difficilibus. Vita moralis et per consequens tota uita humana sicut hostium circa cardinem, ideo iste quatuor uirtutes dicuntur cardinales.

EXP.: 202v

NUM.: i.3 (1.1.1.)
FOL.: 202v
INC.: rubr.: Quod intellectus speculativus a practico differt fine
EXP.: impossibile est prudentem esse non entem bonum
FOL.: 203v

NUM.: i.4 (3.4.37.)
FOL.: 203v
INC.: rubr.: Perseuerantia habet optata impetrare
EXP.: est orandum quantum sufficit ad desiderii feruorem excitandum
FOL.: 203v

NUM.: i.5 (3.4.38.)
FOL.: 203v
INC.: rubr.: Quod perseverantia habet insueta in naturam permutare
EXP.: perseverantia in actibus moris multum efficatur quam natura in naturalibus rebus
INC.: Tertia causa abstinentie est elongatio uel subtractio ab hiis que possunt ad
gulam prouocare
EXP.: non uoluptatibus addiciendum est sed cupiditatibus detrahendum est

INC.: Quartum remedium afflictorum est consideratio abuentium
EXP.: interfectus gehenali igni traditus est 4 regum 19

INC.: illa expellunt appetitum iocundi
EXP.: sic carnis motus ocia una dapes

INC.: Septimum remedium afflictorum est consideratio diuine reprobationis
EXP.: est certum future calamitatis iudicium

INC.: Octauum remedium afflictorum est consideratio ignorantie
EXP.: repletatur a te animam tuam que autem perasti cuius erunt luce 120
In hoc pacientia esse non debet quia heresis nimis hominem a deo separat.

Seneca: distrahit librorum multitudo; familiariter applicatus sed omnia transimus et proferanter transmittunt.

Fides est substantia sperandarum rerum argumentum non apparentium [...] necesse est ut cadat non enim plus diligere quod esse non credit; Fides est nobis necessaria propter quatuor bona primum est quod per fidem; de illo qui clausos habet oculos sed non intueri cum stio.

Thomas [?] tria promittit amatoribus suis, scilicet longeuitatem, sacietatem, et suavitatem; ecce quanta uacuitas.

Notandum de hoste domestico dicit b. Bernhardus; et cineris et putredinis in quos cito resoluendos est facile despicitur et abicitur.

Vnde superbit homo cuius conceptio culpa nasci pena labor uita necessitas; et in gentis bellicis pugnando uinci ut pax populis habeatur.

Spes est appetitus excellents boni cum fiducia obtinendi; caritas nichil aliud est quam quedam dulcis \ et spontanea inclinatio in deum; uento extinguitur ignis et lenis alit flammis grando arua nocit.

Destructa animaduersio infemalis ignis et penarum eterne damnationis; ego retribuam dicit Aug.

Quis est iste tam felix; quod omne opus suum ad contrarium sue [...] tendit
r) Fols 213v-214r: inc.: Seneca: uir bonus equo animo sustinebat quicquid ei acciderit; exp.: quanto plus deo conformamur tanto plus sapimus et iusti simus.

s) Fols 214r-215r: inc.: Deus summum bonum id est scriptum; exp.: cum a quo tanto bona suscepimus tanto corde et \[ ... \] diligamus.

t) Fol. 215r: inc.: Felicitas humana consistit in perfecta dei cognicione et in eius super omnia dileccione; exp.: tali cognizione uel dileccione impossibile est aliquem peccare.

u) Fols 215r-216r: inc.: In orationibus mults eterne beatitudinis fruitio postulatur que sit per preuie ueritate; exp.: beate creaturis trinitatis creata in ipsa dei formis efficitur.

v) Fols 216r-216v: inc.: In yno Ihesu nostra redemptio ore dicitur nos tuo uoltum facies'; exp.: quia ibi saciatur omnis appetitus et non alibi.

w) Fols 217r-228v: inc.: Quoniam, ut dicit Seneca, communis mos nature est quod', exp.: nisi deus cuius plena sola fruicio faciat nos beatos. Amen'; rubr.: Explicit dyalogus moralis comple tus per studentem Henricum Goralicem anno domini 1467° feria quinta post festum Michaelis.

14) Fols 217r-228v: inc.: Quoniam, ut dicit Seneca, communis mos nature est quod'; exp.: nisi deus cuius plena sola fruicio faciat nos beatos. Amen'; rubr.: Explicit dyalogus moralis comple tus per studentem Henricum Goralicem anno domini 1467° feria quinta post festum Michaelis.

15) Fols 228v-241v: inc.: Cirillus episcopus in suo quadripartito apologetico libro primo agit contra inprudenciam; exp.: quibus digestis mox inde cupiditatis anxietate uale dimisit.

ille primus parens conditori per inobedienciam contrarius exitit; exp.: creaturam suam quod est opus eius.

17) Fols 250v-253v: <Bonaventura, Itinerarium mentis in deum sive De triplici uia; excerpta (Distelbrink, n. 18, p. 22-23)> rubr.: Subscripta sunt sumpta de ternario Bonaventure eo quod de triplici uia ad sapientiam tractat; inc.: Ecce descripsi eam tibi dupliciter; exp.: da temporalem substanciam ut recipias hereditatem eternam.

I + 254 fols; paper; 215 x 155-160mm; written space 160-170 x 105-115mm; c.30-35 long lines per page. Collation: 1\(^1\), 2-14\(^{12}\) (fols 1-156), 15\(^{10}\) (fols 157-166), 16-22\(^{12}\) (fols 167-250), 23\(^4\) (fols 251-254). Quire signatures: red a, b, ... in bottom right-hand corner of first recto of quire, often cut off; catchwords in brown in bottom r-hand corner of last verso, up to and including quire 14 (fol. 156v); quires 15 (fol. 178v) onwards: ius, 2us ... in the same position. Script: gothic cursive, various hands; fols 59v-60v, 120v, 165r-166v blank. Red titles; diagram of trees (rhetorica) fols 61v, 63v, 66v. Watermarks: three mounts, similar to Picard VII, 2291-2292 (1467-1469, Germany or Italy). Binding: rebound 1924. Ex libris of Augsburg Stadtbibliothek, and coat of arms of Johannes Fortis O.Carm. inside front cover; list of contents from an earlier flyleaf (16\(^{th}\)-17\(^{th}\) C?), fol. Ir: Ars oratoria Tulii. Preposiciones Grece Iohannis de Garlandria. Facecie Pogii. Quedam alia in theologia collectanea [...]scitu dignissima.

Date and Provenance: parts III completed 4\(^{th}\) April, 1467; part IV completed 2\(^{nd}\) October, 1467 by Henricus Goralicis (of Görlitz) (fols 160r, 228v), a student of Iacobus Publicius Rufus, who lectured at the University of Erfurt during the winter term of 1466-1467, and the University of Leipzig during the summer term of 1467 (cf. below, p. 229). Later belonged to the Augsburg Stadtbibliothek (Catalogus, p. 118), and bears the coat of arms of Johannes Fortis, prior, and initially also regent master of the Carmelite convent of St. Anna, Augsburg, from 1497 to 1514 (cf. below, p. 229).
Bibliography: *Catalogus codicum manuscriptorum bibliothecae regis Monacensis*, III, ii (Wiesbaden, 1894), 118-119; E. Rauner, provisional description.

O* Osimo, Biblioteca del Collegio Campana, ms. 23
s. xv (1405)

1) Fols 1ra-83ra: <**Henricus Ariminensis**, Liber de quatuor uirtutibus cardinalibus*, preceded by a list of contents> list inc.: *Incipiunt rubrice super librum de quatuor uirtutibus cardinalibus, cuius tractatus primus est de prudentia distinctus per quinque capitula. Primi capituli lectio*; exp. (fol. 3ra): *Quod potest in mulieribus aliqua fricatio (sic) sustineri*; text rubr.: *Incipit primus liber de uirtutibus moralibus distinctus per iiiior tractatus editus a fratre Henrico ord. predatorum*; inc. (fol. 3rb): *Quia secundum sententiam apostoli*; exp.: *michi in penam data sunt. Hec de uirtute morali dicta sufficiant. Explicit tractatus de iiiior uirtutibus moralibus edita (sic) a fratre Henrico dei gratias ordinis predatorum, scriptis per me dompnum Jacobum de Volcmersen, monachum sancti Mathie, die xxiii mensis nouembris, 1405. Quod fili dei miserere mei qum subuertunt carnes rei tunc memento mei ne dampner cum iniustis <et impiis: rubr. interl.> cum sepulchrum domus mea sit et ciues mei uermes etc. <sunt: rubr.>. Tres digiti scribunt totum corpusque laborat.*

II + 83 + II fols; paper; 293 x 220mm; written space 202 x 145mm; 43 lines per page in 2 columns. Collation: $1^2$ (fols I-II), 2-9$^{10}$ (fols 1-80), 10$^6$ wants 5-6 (fols 81-II); catchwords in bottom r-hand margin of verso, in brown, sometimes with few decorative touches: fols 20, 30, 40, 50, 60, 70, 80. Parchment reinforcement strips in the central and outer fold of each quire. The first 5 of each 10 fols are numbered in bottom r-hand corner of recto. Script: prickly gothic bookhand, possibly 2 hands (the prickliest: fols 1ra-21vb and 41ra-83rb); signed by Jabobus

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8 I would like to thank Dr. Erwin Rauner of the Bayerische Staatsbibliothek for providing me with a copy of his unfinished description of this manuscript.
de Westfalia (fol. 59vb): Et sic habemus finem istius libri. Explicit tractatus tertius de fortitudine scriptus per manus domini Ia. de Westfalia, filius dd. Johannis d. etc. Table of contents: alternating red and blue paragraph marks; text: large initial Q in blue with red flourishing (fol. 3rb), large red initials with brown flourishing at the beginning of each chapter (fols 1r-11r), then these alternating with blue initials and red flourishing (fols 11v-83r); running titles in red, chapters numbered from ch. 50 onwards; running titles also in brown in margin, fols 4r-8v. Very little marginal notation: red hand drawn in left margin fol. 26v, indicating a passage in ch. De politia Venetorum: hec autem Venetorum gens tanta pace ac securitate fruitur... Stamp with initials SM (folos 1r, 83r), presumably the monastery of s. Mathia (cf. colophon and label on back cover); fol. IIv: cod. 63, in earlier hand. Watermarks: cross on three mounts inside circle (quires II-III), unicorn on 2 legs (IV-VI), cross on three mounts but no circle (VII), scales (IX-X). Binding: cream leather over wooden boards, now detached from the body; on the front, traces of 4 corner and one central boss, and 2 leather fastenings on outer edge; on the back the same traces of bosses, and fastenings to the centre, and also presumably of a chain on the bottom edge; small parchment label remains: "[...] uirtutibus s. Mathie a mur[...] b. tertia".

Date and provenance: 1405 (fol. 83ra); possibly Germany (Jacobus de Westfalia, prickly hand). Belonged to the monastery of S. Mathia (colophon, label, stamp). There are apparently no records of when the ms. entered the Library of the Collegio Campana, which was founded in 1715: it may have previously belonged to the Campana family, or may have been brought in in connection with the Seminary which was in the same building until 1876.


2) Fols 1ra-65rb: <Henricus Ariminensis, Liber de quatuor uirtutibus cardinalibus, incomplete: omission of chs 1.2.3 - 1.5.12 (fols 3-8 missing, now restored blank), 1.5.21 - 1.5.25, 2.4.16 (de politia Venetorum), 3.4.12-3.4.13 (fol. missing); some of these supplied in 4) below> rubr.: Incipit liber de iiiior uirtutibus, scilicet prudentia, iustitia, fortitudo, et temperantia, editus a fratre Henrico Ariminensi; inc.: Quia secundum sententiam apostoli; exp.: in penam data sunt cultura nimio capillorum. Hec de uirtute morali dicta sufficiant.

3) Fols 66ra-81rb: <Iohannes Vallensis, Breviloquium de virtutibus (Bloomfield, n. 4971)> rubr.: Incipit tractatus sancti Thome de Aquino de quatuor uirtutibus cardinalibus; inc.: Quoniam misericordia et uirtus custodiunt regem et roboratur clementia tronus eius, Prov. XX. Virtutes cardinales, scilicet prudentia, temperantia, fortitudo, iustitia, sunt quasi quatuor columpne siue iiiior postes quibus predictus tronus roboratur; exp.: docet quibus utilius est in uita hominibus, et ad seipsum perducat qui principium et finis. Amen.

4) Fols 81va-85vb: <Henricus Ariminensis, Liber de quatuor uirtutibus cardinalibus, supplementum; incomplete> rubr.: Nota: alius tractatus de iv uirtutibus quia est idem qui ponitur in principio huius libri; inc.: Ad ostendendum differentiam prudentie ad uirtutes intellectuales; exp.: ut in die sabbati requiesceret seruus et ancilla. Et in viio anno; catchword: a seruitio liber esset. The following chapters are included, many in abbreviated form:
NUM.: 3.1 (1.1.1.: this chapter also included fols 1va-2rb, where it is divided into 2 chapters)
FOL.: 81va
INC.: Ad ostendendum differentiam prudentie ad uirtutes intellectuales
EXP.: imperant ignari quod imperare sibi maximum imperium est
FOL.: 82ra

NUM.: 3.2 (1.2.1.: this chapter also included fols 2ra-2va)
FOL.: 82ra
INC.: Consequenter uidendum est quomodo prudentia ad uirtutes morales se habeat
EXP.: tolle hanc et uitium uirtus est
FOL.: 82rb

NUM.: 3.3 (1.2.2.) (final exemplum missing: this chapter also included fol. 2va-2vb, where the end is missing due to the loss of fol. 3)
FOL.: 82rb
INC.: Secundo prudentia est medium inuentiu, ubi sciendum
EXP.: ad nos prout sapiens, id est prudens determinabit
FOL.: 82va

NUM.: 3.4 (1.2.3.)
FOL.: 82va
INC.: Tertio prudentia est humani boni complectiuua
EXP.: dominum consistit perfecta prudentia et consumat sapientia
FOL.: 83ra

NUM.: 3.5 (1.3.1.: incomplete)
FOL.: 83ra
INC.: Est autem sciendum quod partes prudentie sunt tres
EXP.: preterita dant certum documentum in futuris
FOL.: 83rb
NUM.: 3.6 (1.3.2.: incomplete)
FOL.: 83rb
INC.: Est enim intellectia certa cognitio finis et eorum que sunt ad finem
EXP.: et lampadibus mirabili prudentia ad victoriam peruenit
FOL.: 83rb

NUM.: 3.7 (1.3.3.: incomplete)
FOL.: 83rb
INC.: Tertia pars prudentie est prouidentia que est respectu futurorum
EXP.: pedibus obuolutus eum tamquam dei vicarium adorauit
FOL.: 83rb

NUM.: 3.8 (1.4.1.)
FOL.: 83va
INC.: Quatuor sunt illa que ualent ad bene memorandum
EXP.: ita uerbum postquam tractauerimus commendamus memorie
FOL.: 83vb

NUM.: 3.9 (1.5.3.)
FOL.: 83vb
INC.: rubr.: Quod uir debet esse affabilis uxori
EXP.: se habuit que eius imperio parere contempsit, Hest., 1e
FOL.: 83vb

NUM.: 3.10 (1.5.4.)
FOL.: 83vb
INC.: rubr.: Quod uir debet uxorem decenter tractare
EXP.: suas ornamentis decentibus induebant, sed parco uictu nutriebant
FOL.: 84ra

NUM.: 3.11 (1.5.5.: end missing)
Quod uir debet uxorem sine zelotipia diligere
et in detestationem zelotipie cremauerunt

Non solum autem debet esse uxor casta sed etiam pudica
super gratiam mulier sancta et pudorata, Ecc. xxvi

Quod mulier debet esse veraconda et tactuma
est Sara uxor tua. Respondit Abram, "ecce in tabernaculo est"

Quod uxor debet esse pia cum discretionem
eum apostolis recedentibus ministrantes ei. Mt. xxviiio

Pater obligatus est ad curam filiorum iure naturali et divino
a tergo cadendo extinguitur primi Regum iv

Sunt autem tria naturaliter ad quies naturaliter inclinantur
EXP.: *dum in eis iuuenes occupantur. Antiqui filios et filias in huius occupabant* ut patet supra in alio tractatu

FOL.: 85ra

NUM.: 3.17 (1.5.11.: incomplete)

FOL.: 85ra

INC.: rubr.: *Quod parentes debent a lapsu lingue filios corrigere*

EXP.: *patre eum non corripiente sed potius arridente*

FOL.: 85ra

NUM.: 3.18 (1.5.12.: beginning missing)

FOL.: 85ra

INC.: rubr.: *Quod iuuenes sunt retrahendi a dicendo proprie voluntatis*

EXP.: *magnam partem populi et regi meruit amittere. III Regum xii*

FOL.: 85ra

NUM.: 3.19 (1.5.13.: this chapter, with the title *Quod sunt inducendi ad divina ab infantia*, also included fols 9ra-9rb)

FOL.: 85ra

INC.: rubr.: *Quod sunt inducendi ad reverenciam maiorum*

EXP.: *ut maiores natu adolescentiam patres uiderentur*

FOL.: 85va

NUM.: 3.20 (1.5.14.: this chapter also included fols 9rb-9va)

FOL.: 85rb

INC.: rubr.: *Quod sunt inducendi ad reverenciam maiorum*

EXP.: *ut maiores natu adolescentiam patres uiderentur*

FOL.: 85va

NUM.: 3.21 (1.5.20.: this chapter also included with an extra exemplum of Joseph fol. 10vb)

FOL.: 85va

178
Est autem sciendum quod servii ad dominos debent se habere tripliciter

Anthonius autem sue fidelitas merito utiam concessit

Quod sint intelligentes in preceptis

ex auro completam divinitus reperit

Quod servos debent esse decentes et pueros in obsequiis

possum hoc malum facere et peccare in deum meum. Gen. xxxix

Quod domini ad servos sint placiti in uerbis

ut in die sabbati requiesceret servus et ancilla. Et in viio anno; catchword: a seruitio liber esset.
chapter headings copied in a contemporary hand in same black-brown ink as the text in bottom margin, recto and verso, sometimes cut off (fols 9-65); same type of chapter notation, but in the top margin (fols 83r-85r); chapter titles copied in the margin in contemporary hand (fols 82v-85v); exempla indicated in the margin throughout, in brown with a red stroke or in red, sometimes partially or totally cut off; in margin next to the title of fol. 81va is written uacat in the same hand and ink as the title. Fols 3r-8v, 65v blank. Fols 3-8 recently restored to complete quire 2; bottom marg. fol. 45 and outer marg. fol. 65 cut off, but recently restored. Binding: modern; previous binding: wooden boards, covered with leather, with pressmark N codex and title: De uirtutibus cardinalibus f. Henrici ab Arimino (cf. Catalogo). The pressmark, on paper, has been cut out and is now glued to the front pastedown; two pieces of parchment, presumably from the original flyleaves are glued to the top of the front and back pastedown, now illegible.

Date and Provenance: 14th C (Catalogo); fol. I: 16th C (Giano de Campofregoso). At one point the ms. belonged to the Franciscan convent of S. Maria delle Grazie, Gemona (prov. Udine): in bottom marg. fol. 1r is the note of possession: Pertinet ad locum S. Marie Gratiarum de Glemona. However, it was in the possession of the Franciscan Convent of S. Francesco della Vigna in Udine before being transferred to Padua: cf. Padova, Biblioteca Universitaria ms. 2256: Catalogo generale, ossia riunione di tutti gli elenchi di libri scelti dalle biblioteche delle corporazioni regolari concentrate nel già convento di S. Anna di Padova (1815), f. 64, n. 14: Card. de Arimino, De uirtutibus - 4 membr. The ms. was sent to the convent of S. Anna, Padua, c. 1806, during the Napoleonic suppression of the monasteries, and from there to the Biblioteca Universitaria, before 1815. The supplement to the Tractatus de quatuor uirtutibus cardinalibus on fols 81va-85vb appears to be a contemporary addition, the last quire of which is missing (final catchword).

Bibliography: Biblioteca Universitaria, Padova, Catalogo dei Manoscritti, ed. G. Colabich (copy of handwritten index cards), vol. II (Padua, 1905); Fondi Antichi

Q** Prague, Národní Muzeum, ms. XV C 2

s. xiv

I

1) Fols 1-39: <Gregorius Magnus, Liber dialogorum> rubr.: Gregorii liber dialogorum; inc.: Quadam die; exp.: hostia ipsi fuerimus.


3) Fols 69-75: <Ricardus de Sancto Victore, Expositio visionis Danielis (Stegmüller, RB V, n. 7338 III)> rubr.: Liber Rychardi de S. Victore super uisione Danielis; inc.: Videbam in uisione; exp.: regnum peccati destruitur.


II

5) Fols 85-90: <Tractatus de uiciis> inc.: Nunc de singulorum uiciarum natura; exp.: hostis roboratur.
III


IV

7) Fols 155-160: <Hugo de S. Victore, Soliloquium de arra anime> inc.: Liber Hugonis de arra anime. Loquar secreto; exp.: totis precordis concupisco.

8) Fols 161-182: <Hugo de Sancto Victore, De arca Noe (Stegmüller, RB III, n. 3791)> inc.: Hugo de archa Noe. Cum sederem aliquando; exp.: si uestrum fastidium non timerem.

182 fols; parch.; 290 x 210mm; [part III: 48 lines per page in 2 columns; no catchwords; script: gothic bookhand; titles in red, decorated initial at the beginning of each of the 4 virtues, larger coloured initials at the beginning of each chapter. Original foliation (1-62) in the middle of lower margin of each fol.; later numbering (93-154) in top right corner (every 10 fols); fols 40, 76, 84v, 92 blank]. Composite manuscript, of 4 different parts (Catalogus). Ancient binding, with clasps; list of contents in inside cover with old pressmark B VII; a folio from a missal glued onto inside back cover.

Date and provenance: 14th C, from monastery of Rudnicensis(?) (Liber monasterii Rudnicensis: fol. 1)

1) Fols 1r-110r: <Henricus Ariminensis, Liber de iv uirtutibus cardinalibus> rubr.: Incipit tractatus de quatuor uirtutibus cardinalibus editus et expositus ad ciues Venetos per fratrem Heinricum Ariminensem, scriptus in concilio Basiliensi procurante domino venerabili Abbate monasterii in Runa, Cistercensis ordinis, Salzburgensis diocesis, Anno etc. xxxv°; inc.: Quia secundum sententiam Apostoli; exp.: michi in penam data sunt pro cultu nimio capillorum. Hec de uirtute morali dicta sufficiant. Scriptum anno domini millesimo cccc° tricesimo septimo. Et est finis. Rest of fol. blank.

2) Fols 111r-112v: <Ps.-Seneca, De moribus (Bloomfield, n. 3609)> inc.: Omne peccatum accio est; exp.: nobilitas gloriabitur […] numquam in dignis et miserabilioribus seruiens.

3) Fols 112v-115v: <Ps.-Seneca (Martinus Bracarensis), Formula vitae honestae> inc.: Incipit Seneca de copia uerborum siue de 4or uirtutibus. Quatuor uirtutum species multis sapientum sentenciis diffinite sunt; exp.: precipicia aut ruentem compos deuitet insaniam aut deficientem contemnat ignauiam.

4) Fols 115v-207r: <Extracts from Seneca:>
   a) fols 115v-117v: <Dialogorum, lib. XII> rubr.: Lucii amici Seneca (sic) ad Gallionem de remediis fortuitorum; inc.: Licet cunctorum poeta rum carmina; exp.: sed sibi uides autem quam domi sit illa felicitas.
   b) fols 117v-119r: <De paupertate (ed. F. Haase, L. Annaei Senecae opera quae supersunt supplementum, BT [Lipsiae, 1902], p. 56> rubr.: Incipit Seneca de paupertate; inc.: Honesta inquit Epycurus res est.
   c) fols 119r-120v: <Dial. lib. I> inc.: Abbreviatio libri Senecae ad Lucilium. Quare bonis uiris mala accident cum sit prouidentia. Quesisti a me, Lucilli.
d) fols 120v-125r: <Dial., lib. II> inc.: Abbreuiatio libri Senecae ad Serenum: Quomodo in sapientem nec iniuria nec contumelia cadat. Tantum inter Stoycos, Serene.
e) fols 125r-145v: <Dial. lib. III, 1> inc.: Seneca ad Novatum, De ira libri tres. Exegisti a me, Novate, ut scriberem.
f) fols 145v-153r: <Dial., lib. IX> inc.: Seneca, De animi tranquillitate ad Serenum. Inquirenti michi in me.
g) fols 153r-159v: <Dial., lib. X> inc.: Seneca, De breuitate uite ad Paulinum. Maior pars mortalium.
h) fols 159r(!)-164v: <Dial., lib. VII> inc.: Seneca, De uita beata ad Gallionem. Viuere Gallio frater omnes beate uolunt.
i) fols 164v-175r: <De beneficiis, VII> inc.: Seneca, De beneficiis libri VII. Cum sit in multis crimen.
j) fols 175a-183v: <De clementia, prohemium> Seneca, De clementia ad Neronem. Scribere de clemencia Nero Cesar constitui.
k) fols 183v-191r: <Dial., lib. XII> inc.: Seneca, De consolatione ad Helciam matrem. Sepe iam mater optima inpetum cepi.
l) fols 191r-195r: inc.: Flores epistolarum Senecae ad Lucillium. In hoc fallim ur quod mortem.
m) fols 195r-197v: <Proverbiae> inc.: Proverbia Senecae. Inimicicie potentum graues sunt.
p) fols 200r-200v: inc.: Flores naturalium quaestionum Senecae. Facile est mihi (?) extingwere.
q) fol. 200v: inc.: Flores declamationum Senecae. Only a few lines.
r) fols 200v-201r: inc.: Flores tragoediarium. 17 lines.
s) fols 201r-207r: inc.: Flores epistolarum ad Lucilium. Ita fac mi, Lucilli; exp.: Hec de scriptis moralibus Senecae excerpta sufficiunt.
5) Fols 207r-225r: *De regimine principum* inc.: Ad uniuersalem noticiam libri de regimine principum est notandum; exp.: non solum classem a pelago sed etiam communicationem a terrestri itinere deturbant.

6) Fols 225r-225v: *Extracts from Vegetius, De re militari* inc.: Nota extracciones paucas de libro Flavii Vegetii Reneti, uiri illuistris, comitis, epytome institutorum rei militaris; exp.: cum sperare uictoriam. Explicit.

7) Fols 225v-231v: *Michael de Massa OESA, De quatuor virtutibus cardinalibus* (Bloomfield, n. 5142) inc.: Remota iusticia quid sunt regna nisi magna latrocinia; exp.: etiam euigilatem te excipiens in statum hesterne intencionis etc. stituat.

8) Fols 231v-246r: *Guilelmus de Aragonia, Liber de nobilitate animi* (cf. M. C. Diaz y Diaz, *Index Scriptorum Latinorum Medii Aevi Hispanorum* (Madrid, 1959), n. 1592, p. 326) title in different hand: De nobilitate animi; inc.: Ex naturali appetitu ad bonum et ex eius cognicione ad bene operandum; exp.: Sufficiat ergo quod dictum est. Laudetur altissimos qui nobis concessit hec scribere, licet paucu, a quo fluit omnis nobilitas et in quo omnis accio nobilis terminatur; underlined: Explicit liber de nobilitate animi editus a magistro Guillermo de Arrogonia.

9) Fols 246v-265r: *Bloomfield, n. 3420* inc.: Notandum quod inter philosophos fuerunt aliqui qui; exp.: magna siquidem uobis est si dissimulare non wultis, necessitas in dicta probitatis, quia omnia ante oculos agitis iudicis cuncta cernentis. Cui laus, honor, et gloria sine fine permanet in secula seculorum. Rest of fol. blank.

263 fols; paper; 305 x 207mm; written space: c. 239 x 150mm; 30-35 long lines per page. Script: one hand. Foliation misses two fols, to give 165 fols.
Date and provenance: copied in 1436-1437 during the Council of Basle for the abbot of the Cistercian monastery of Rein, nr. Graz (fol. 1r).


S* Roma, Biblioteca Nazionale Centrale, ms. Sessor., 174

s. xv

1) Fols 1ra-57vb: <Henricus Ariminensis, Liber de quatuor uirtutibus cardinalibus, incomplete: ends in the middle of ch. 3.2.1. (Quod fortiudo mortem non refugit ...) rubr.: Incipit liber primus de uirtutibus moralibus distinctus per quatuor tractatus editus a fratre Henrico de Arimino; inc.: Quia secundum sententiam apostoli; exp.: secundum philosophum 2⁰ eth., uirtus sit que facit bonum hominem et eius opus bonum reddit; necesse est quod ad uirtutem humanam pertineat opus; catchword: hominis. Added in bottom marg. Fol. 57v, in a later hand: Iste liber est monasterii sancte Marie Vallisserene alias santi Martini de Botiis vulgariter nuncupati cistertiensis ordinis Parmensis dioecesis; emptus per d. Sigismundum de Fulchinis eiusdem monasterii Abatem decimum.

I + 57 + I fols; paper; 275-280 x 200 mm; written space: 190-195 x 130mm; 38 lines per page in 2 columns. Collation: 1¹⁰ (fols 1-10), 2⁸ (fols 11-18), 3¹⁰ wants 8 (fols 19-27), 4-6¹⁰ (fols 28-57); quires 5 and 6 have been re(?)-assembled in the wrong order, that is:

| fols: | 39 40 41 38 42 43 47 44 45 46 | 48 52 49 51 50 55 54 56 53 57 |

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9 I would like to thank Dr. Walter Steinmetz, librarian of the Stiftsbibliothek for answering my queries on this manuscript and for providing me with copies of a number of pages.
Catchwords written vertically along the r-hand vertical ruling, in bottom margin of last verso: fols 10, 18, 27, 37, 46 (misplaced fol.); and horizontally in middle of bottom margin: fol. 57v. Foliation in top r-hand corner; fol II numbered 96. Script: 2 hands: fols lr-48v gothic bookhand; fols 49r-57v hand becomes more prickly; light brown ink throughout, in places barely readable due to water-staining throughout the ms., but worse at the beginning; the first few lines (fol. 1r) have been written over in darker ink, following the original hand. Fols 1r-48v: titles and running titles in red; initials at the beginning of each chapter in larger letters, in alternating red and blue, up to fol. 26v, after which there is no more blue; paragraph marks in alternating red and blue (fols 1r-18v), after which there is no more blue; fols 49r-57v: red initials at the beginning of each chapter; no running titles. Fol. 1r: Large red and blue initial Q with a tail down the l.-hand margin; fol. 23ra: large initial P at the beginning of the treatise on prudence in red with flourishing; a few other initials at the beginning of chapters have some flourishing: fols 34rb, 35ra, 37rb. Coat of arms of Abbot Sigismond of S. Martino, Val Serena (?), with SIG on the left and ABBS on the right, in the middle of the bottom marg., fol. 1r; on either side is the stamp of the Cistercian convent of S. Croce in Jerusalemme, Rome. On fol. IIr in a later hand: Henrici de Arimino Tractatus de uirtutibus moralibus. Codex est mutilus. Watermark: fols 1-18: 8-petalled flower; fols 19-57: oxhead, both occurring on the fold of the paper. Binding: vellum over cardboard; cream vellum over the spine, slightly cracked. On the spine at the top: CLXXIV.

Date and provenance: 15th C (catalogue). Bought by Abbot Sigismond for the Cistercian monastery of S. Martino de' Bocci in Val Serena (Parma), c. 1470-1490 (it has in common with ms. Sessor. 173 the coat of arms of Abbot Sigismond and an identical colophon; ms. 173 adds however: anno domini MCCCCLXVIII; cf. also colophons, nos 4908, 12788) It was bought, together with other mss. from the same convent by Ilarione Rancati (1594-1663), thrice Abbot of the Cistercian monastery of S. Croce in Jerusalemme, Rome, where it
remained until it was transferred to the Biblioteca Nazional Centrale in 1875-1885 after the suppression of the monasteries in Rome.


T* Tübingen, Universitätsbibliothek, ms. Mc 334

s. xv (1440, c.1446)

I

1) Fols 1ra-114vb: *Henricus Ariminensis, Liber de quatuor uirtutibus cardinalibus,* followed by a list of contents> rubr.: *Tractatus de moribus hominum seu 4or uirtutibus cardinalibus*; inc.: *Quia secundum sententiam Apostoli*; exp. (fol. 112va): *pro cultu nimio capillorum. Hec de uirtute morali dicta sufficiant. Scriptum anno domini M⁴CCCCXL⁴ sabato proximo post festum pascque et cetera. Explicit tractatus de quatuor uirtutibus cardinalibus editus et expositis ad ciues Venetos per fratrem Heinricum Ariminensem. Laus deo et cetera.*

II

2) Fols 115ra-132rb: *Commentary on Martinus Bracarensis, Formula vitae honestae,* incomplete> inc.: *Sancti spiritus nobis gratia*; prologue: *Iste est tractatus Senece de quatuor uirtutibus cardinalibus qui sibi ordinatur physice morali*; text inc. (fol. 115vb): *Quatuor sunt uirtutum species. Iste est tractatus Senece [...] qui diuiditur in prohemium et partem executoriam*; exp.: *et inclinans
inferiorem ad operandum illa que sunt iusta, scilicet iusticifatio. Sciendum quod exemplar ex quo predicta scripsi, hic deficit. Quare peto, si quis adhibebit exemplar completum, quod defectum hic impleat et ad finem scribat.

I + 132 fols; paper; 285 x 215mm; written space 210-225 x 135-145mm; 40-50 lines per page in 2 columns. Collation: 1\(^{12}\) (fols 1-12), 2\(^{14}\) (fols 13-26), 3-9\(^{12}\) (fols 27-110), \(10^4\) (fols 111-114), 11\(^{12}\) (fols 115-126), 12\(^{10}\) wants 4 (fols 127-132); catchwords; occasional quire signatures: \(n2\) (fol. 13r). Script: gothic cursive, 6 hands, one of which by Melchior Wittich (fols 112va-114vb); running titles in red, space left for initials; marginal notation and titles by Wittich. 15\(^{th}\) C foliation: 1 fo-CXII, modern foliation from fol. 113, with mistake at fol. 115, cancelled and corrected. 9 watermarks, among which ox head (Piccard, Findbuch II, V, 305) and fruit (Piccard, Findbuch XIV, I, 96: Denkendorf, 1446) can be identified. Binding by Paulus R. of Heidelberg, with traces of a chain; 2 fastenings; parchment label on front cover (15\(^{th}\) C): *Heinricus Ariminensis de 4 uirtutibus cardinalibus cum libro Senece de eiusdem.*

Date and provenance: Heidelberg; the first part was completed in 1440 by Melchior Wittich, the original owner of the ms., who was at Heidelberg university in this period (Toepke, I, 211; II, 383-384); the second part can be dated from the watermarks c. 1446. Donated to the Dominican convent of Esslingen (formerly diocese of Constance) by Wittich: on inside front cover, *Doctor Melchior Wyttich [...] dedit fratribus ordinis predicatorum in Esslingen in eorum libraria Constantie dyocesi.* Bought by the Universitätsbibliothek from the Esslingen Pfarrbibliothek in 1872: old Esslingen pressmark R3 on the front cover.


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\(^{10}\) I would like to thank Gisela Krause, librarian of the Universitätsbibliothek, for providing me with copies from this catalogue before its publication.
V* Città del Vaticano, Biblioteca Apostolica Vaticana, ms. Pal lat. 182
s. xv (1449)

1) Fol. 1r: <Prologue to Hieronymus, Interpretationes nominum Hebraicorum (Lambert, BHM, II, p. 21)> inc.: Incipit prefatio sancti Ieronimi super librum Hebraycorum dictionum, inc.: <P>hilo, uir discretissimus Iudeorum, Origenis, exp.: eadem uocabula que apud illos non similiter scripta sunt, nobis uideantur interpretacione uariari etc. Explicit prefacio sancti Ieronimi etc. Rest of fol. 1r blank.

2) Fols 2ra-63vb: <Stephanus Langton, Nomina Hebraica (Lambert, BHM IIIB, n. 402; Stegmüller, RB V, n. 7709)> rubr.: Hee sunt interpretaciones Hebraice nominum incipientium per a. litteram; inc.: <A>az apprehendens uel apprehensio; ad testificans uel testimonio; aadhar deprecation; aalma uirgo abscondita uel abstonsio uirginitatis; exp.: zuzim consilium uel consiliatrix. Explicit liber interpretationum.

3) Fols 63ra-144vb: <Alphabetical list of contents to Gregorius Magnus, Moralium in Iob> rubr. (underlined in red): Tabula super libros moralium beati Gregorii in Iob secundum alphabetum; inc. Abel de inno<o>cencia eius libro primo c. x b; exp.: De emulatione habenda contra mala rectorum in ecclesia, que sunt ydolum zeli, li. xxxi c. ix r; rubr. (underlined in red): Explicit tabula super Moralia beati Gregorii pape. Scias quod prescripta tabula super Moralia b. Gregorii super Iob faciliter et expedite inuerire docet; quitquid in ipsis utile fuerit in quacumque materia circa quam uel de qua predicatio aliquis loqui desiderat. Deo gratias. Added in blue: Lepkuch (see below). Rest of fol. blank.
3) Fols 145ra-151rb: <List of chapters of Gregorius Magnus, *Moralia in Iob*>


Istud compendium vocabulorum appreciauit Hainricus Emhard, custos, in bag. (?); et constat xv s. lib. etc.

II + 338 + II fols; paper; 285-290 x 200-205mm; written space: 205-210 x 130-145mm. Fols 2r-151r: 37 lines per page in 2 columns; fols 157r-305v: 38-40 long lines; fols 313r-227r: 39 lines in 2 columns. Collation: 11 (fol. 1), 2-612 (fols 2-61), 714 wants 14 (fols 62-74), 8-1312 (fols 75-146), 1410 (fols 147-156), 15-2812 (fols 157-324), 2914 (fols 325-338); catchwords in bottom r-hand marg. of verso: fols 13, 25, 37, 49, 74, 86, 98, 110, 122, 134, 146, 168, 180, 192, 204, 216 (partially cut off), 228, 240, 252, 264, 276, 288, 300. Script: various hands. Fol 1r, fols 2r-61v: red running titles; fols 63r-151r copied by Wilelmus Lepkuch: alternating red and blue initials at the beginning of each entry; fols 157r-305v: running titles in red, space left for initial at the beginning of each chapter, red paragraph marks, large green initial with red flourishing fol. 157r (T), fol. 161v (Q); fols 313r-337r: red titles, larger red initials at the beginning of each new paragraph, red paragraph marks. No marginal notation. Watermarks: varieties of ox head: with cross, fols 1-312; with 7-petalled flower, fols 313-337 (not identified in Piccard). Binding: modern.

Date and provenance. 1449 (fols 151rb, 305v), Heidelberg University: fols 63-151 written by Wilelmus Lepkuch, who matriculated at the University of Heidelberg on 23rd June, 1430 (Toepke, I, 184); fol. 305v, note by Echardus Rosenzwygs (?), Bidellus of the University; fol. 313r note by Henricus Emhard who matriculated at the same university on 20th Dec., 1482, or in 1502 (Toepke, I, 370, or I, 446). The manuscript belonged to the collection of Frederic V, Palatine Elector of Heidelberg, before being transferred to the Vatican library in 1622-1623.

1) Fols 1r-124r: <Henricus Ariminensis, Liber de quatuor virtutibus cardinalibus, preceded by a list of contents> list rubr.: Incipit rubrice super librum de quatuor virtutibus cardinalibus, cuius tractatus primus est prudentia; exp. (fol. 4v): Quod potest in mulieribus aliqua fucatio substineri 217; rest of fol. 4v blank; text rubr. (fol. 5r): Summa de quatuor virtutibus cardinalibus fratris Henrici de Arimino; inc.: Quia secundum sententiam; exp.: hec de uirtute morali dicta sufficiant. Explicit summa de quatuor virtutibus cardinalibus edita a fratre Henrico de Arimino predicatorum ordinis. Deo gratias. Amen. Added underneath in a later hand: centum uiginti carte cum ista.

124 fols; parch.; 215-220 x 155; written space 165 x 105-110; 35 lines per page in 2 columns. Collation: 1⁴ (fols 1-4), 2-16⁸ (fols 5-124); catchwords in r.-hand corner of bottom margin of verso: fols 12, 20, 28, 36, 44, 52, 60, 68, 76, 84, 92, 100, 108, 116. Script: gothic bookhand, one hand; paragraph marks and decorated larger initials at the beginning of each chapter in alternating red and blue; running titles in red; large initial Q, with leafy decoration, tail running down l.-hand margin, in blue, red, green, and gold (fol. 5r). Marginal notation: contemporary hand, noting exempla and making some small corrections or additions to the text; in top margin: tractatus (verso), de prudentia, etc. (recto) on each fol. Binding: ruby red leather over wooden boards; traces of four corner bosses on the back and front; a central boss, on the front; traces of a central fastening clasp and of a chain on the lower edge of the back cover, all now missing. Paper label on to the back cover with the title: Fratris Dominici <cancelled, with Henrici written above> de Arimino de 4r virtutibus card. Cream vellum covering the spine, and covering also traces of two corner studs on the front and on the back now severly cracked, bears the title Henrici Arim. De
uirtutibus card. Fol. 124v: partially-erased 2 lines of script, presumably the incipit of a new work never copied.

Date and provenance: 14th C (Valentinelli). Belonged to the Dominican convent of SS. Giovanni e Paolo, Venice. One of a number of manuscripts transferred from the convent to the Biblioteca Nazionale Marciana in 1789 by the Venetian authorities in an attempt to safeguard them from theft: it appears as Berardelli no. 147 in the handwritten list of SS. Giovanni e Paolo manuscripts compiled by Morelli, librarian of the Marciana at this time: Codices Latini mss. olim in Bibliotheca SS Johannis et Pauli Venetiarum, nunc in Bibliotheca S. Marci custoditi, added to Morelli’s own copy of the Berardelli catalogue, below (shelfmark “consult. 5, cat. mss. Marciani 6a”, currently in the manuscript room of the Marciana).


X1* Venezia, Biblioteca Nazionale Marciana, ms. lat. X 259 (= 3752)

s. xv ex.

1) Fols Ir-Iv (parch): <miscellaneous notes>:
   a) inc.: Yheronimus. De nobis qui ad cellorum regna diuitiarum itinere festinate; exp.: autem mea non preferibunt;
   b) <De clerico et moniali: Walther, carm., 10852>: inc.: Monacha aliciens ex uitio. Me tibi teque mihi genus, etas, et decor equant; exp.: gaudeo quod uobis sum superata tuis;
c) <Note on the humours>: inc.: De complesione sanguinea in generali; exp.: non expers fraudis timidus luteyque coloris;
d) <Riddle>: inc.: Interogatio. Si pater est Adam cunctorum mater est Euia;
e) <Note on freezing weather, 1490>: (fol. Iv): Ad perpetuam rei memoriam. 
Nota chome ad 10, 11, 12 zener 1490 el se uegniua da Mergara in Chanalregio suxo per la giaza con el bestiamé grosso, la becharia et con cavalli con some de robe senza alguno detrimento.
f) <Extract from Titus Livius, Ab urbe condita, I, 1, on the foundation of Venice>: inc.: Titus Livius in libro primo ab urbe conditta in principio narrationis sic ait: Casibus deinde uariis Antenorem; exp.: uniuersa Veneti apellati;
a) inc.: Nota como nel 1425 adi 8 otubrio e lfo creato 6 zentilomini, zoe 3 de la da chanal e 3 de qua. Ad extimar tuto el stabele de Venexia; followed by the general cadastral survey of 1425, according to each sestiere, with a total of 3,598,450 ducati; the same note is found on fol. 78r, bottom marg.
b) <few lines of verse addressed to the grain officials> inc.: Esse decet tales nos alloquor, officiales / ut sit frumenti.

2) Fol. IIr: <short notes on financial matters: the course of the ducato, 1380-1394, the price of sugar, the debt of a 'ser Francesco de Bernardo', and then on the earthquake of 1511, and the damage caused> inc.: El se fa notar come dal 1380 afino al 1389 ...

49v): rubr.: Venetorum principum xli Johannes Dandulo ducauit an. 8 ms. 7;
exp.: dictus dux cum ducasset annis iii ms. ii in domino occubuit, et sub
pontifichalli sancti Marci iacet tumullatus; additional marginal notation:
a) fol. 30r, bottom marg.: <on the victory of the Venetians over Frederick I, 1177> rubr.: Ad conformationem uictorie suprascripte, in lobia Ferarie hec
carmina cum tali suprascriptione, scilicet; inc.: Apud Sablona supra hostium
ecclesie scripta sunt: Heus populi celebrate locum quem tertius olim pastor
Alexander donis celestibus auxit; exp.: pacifer adueniens ab origine carnis
amicte;
b) fol. 31v, bottom marg.: <on the construction of various architectural features
in Venice> inc.: Del 1182 fo adato a Venexia le 2 collone grande che sono
suxo la riva de s. Marco; exp.: et collui che lo fabricha fo el baratier che
drizo le collone a s. Marco. E fo del 1190;
c) fol. 34r, bottom marg.: <on the acquisition of Candia> inc.: Del 1204 fo
comprada lixolla de Candia da la signoria <changed to communite> de
Venexia; exp.: Et del 1205 fo prexo Durazo et lixola de Corfu.
d) fol. 40r, bottom marg.- 40v top. marg.: <on the reform for the election of
doge Marino Moresini> inc.: Miser Marin Morexini secondo la election da
nouo hordonada; exp.: questo puto mete man in chapelo per chadaun et
porze la balota al conserer.
e) fol. 51r, bottom marg.: <on the serrata of the Maggior Consilio, 1297> rubr.: 
Chomo fo prexo de serar el gran conseio da questo tempo in auanti che fo
del 1279, adi ultimo setembre; exp.: et cussi he stado obseruado infino ad di
de anchuo.

4) Fols 53v-72v: <Raphainus de Carisinis, Cronica: a version of the Latin
chronicle, up to the events of 1382 (ed. Pastorello, RIS XII\textsuperscript{2}/2, 2-61, lin.26), with
a continuation in vernacular, for the years 1385-1386, a version of the vernacular
chronicle edited by Beria (Edizione e commento, 308-318), with the events
presented in the following order: the war of the patriciate, the war between the
Carrara and the Scaligero, the taking of Corfù, and the capture of Bernabò
Visconti > rubr.: Incipit Chronica Raphini de Carisinis, cancellarii Venetorum,
continuando ystoriam post chronicam illustrissimi domini Andreae Dandullo, incliti Venetiarum ducis. Incipit Cronica; inc.: Quia bonarum rerum est series propaganda; exp. (fol. 71v): serenitati usque hystriam pro honore sue excellentie et totius patrie destinati fuere xii sollemnes ambasciatores uidelicit; inc. vernacular version (fol. 71v): Nichollo Zurian, Nichollo Soranzo... Zonto el ditto doxe a s. Nichollo de Lido et prexente li fo mandado; exp.: siche el ditto conte rimaxe signor de tute cidade et chastello de Lombardia et apresso de gran quantitate doro che era stato de l ditto miser Bernabo; additional marginal notation:

a) fol. 54r, bottom marg.: <on the foundation of the church of s. Antonio in Vienne> rubr.: Apud hostium ecclesie sancti Antonii in tabula marmorea sic scriptum est; inc.: Anno domini 1346 in la festa dogno santi in lo tempo delo inclito signor miser Andrea Dandolo fo metuda la prima piera di questa giexia de s. Antonio de Viena; exp.: i qualli a dato e daranno de li suo beni per liurare questa benedeta giexia amen.

b) Fol. 54v: <on the earthquake of 1347> inc.: Huius ducis temporis uidelicet 1347 die 25 januarii in festiuitate conversionis sancti Pauli maximus terremotus Venetiis fuit; exp.: post quem maxime pestis secuta est.


6) Fols 77v-79v: <Short lives of Doges from Tommaso Mocenigo to Agostino Barbarigo (†1501)> rubr.: Venetorum principum lvii; inc.: Anno domini mccccxiii die vii ianuarii Thomas Mozenigo dux creatus; exp.: ex percusione ac inflamatione fulminis sumitates campanilium beati Marci ac sancte Marie fratrum minorum flammis consumpte sunt; additional marginal notation:
a) fol. 78r, bottom margin: same note as g), fol Iv (parch);
b) fols 79v-80r, in bottom margins, following on from consumpte sunt:
  <chronicle of events of 1490, 1499-1501> inc.: Anno etiam mccc^Ixxv
  januarii die x circa Venetias glaties ita ex maximo frigore congelata
  astringitur; exp.: Die uero xvi eiusdem mensis coronum timore perterito
  pactis a uincitore superbo ac crudelitatis imperatori nephando se submissit.

7) Fols 80r-80v: <Doge Pietro Gradenigo, letter regarding the plot of Baiamonte
  Tiepolo, 1310 (Pastorello, RIS XII^2/1, 377-378)> inc.: Petrus Gradonico dei
  gratia Venetiarum [...] nobili et sapienti uiro Gregorio Delphino, de suo
  mandato baiulo Armenie, fedeli diletto, salutem et dilectionis affectum. Per alias
  nostras litteras denotauius uobis inauditum scelus per proditores presumptum;
  exp.: terra Venetiarum numquam fuit in tanta quiete nec in statu tam pacifico
  quantum est. Data in nostro ducali palatio die xxvii iunii vii^a inditione mccc;
  added underneath: Autenticum huius littere est apud dominum Petrum Delphino
  eius fratrem, id est domini Georgii.

8) Fols 80v-82r: <Short finding texts: in Latin (fol. 80v), and the vernacular (fols
  81r-82v)> rubr.: Ad inueniendum. Ad inueniendum aureum numerum; inc.: Diuide
  annos domini per 19 et remanenti adde unum; round diagram for finding
  the moon, with the years 1430-1448, later altered to 1488-1506, and one for
  finding the dominical letter (fol. 81r); round diagram for finding the day on which
  each month and year falls (fol. 81v); round diagram for finding the same, for the
  years 1454-1481, later altered to 1491-1518 (fol. 82r); exp.: et in sabato entro lo
  ditto mexe de zenero et cusi stare bene. Et nota che sempre tu dei comenzare a
  numerar dalla domenega.

9) Fols 82r-82v: <Short medical texts:>
  a) fol. 82r: <Short poem from the School of Salerno: Thorndike, 1471; Walther,
  Carm., 18083>; inc.: Infra scripta charmina scripta fuerunt Ruberto regi Sicilie
  et Jerusalem per totum collegium medicorum Salerni ubi tunc uigebat flos studii
  medicine pro conservacione sanitatis persone; inc.: Ruberto regi scrispit tota
scola Salerni / si uis incolumen, si uis te regere sanum; exp.: caxeus anguila mortis est cibus ille uel illa / ue cui uel quibus est ille uel illa cibus. Finis;
b) fol. 82v: <Medical recipes, partly in Latin, partly in the vernacular>: inc.: Contro la collora. Le pome granade mastegade ualeno molto; exp.: si respondat bene, eger uiuet, si uero malle, spes est nulla salutis.

10) Fols 83r-84r: <Tables on the phases of the moon, for the years 1485-1510, with an addition in a later hand for the years 1505-1510> rubr.: Questa he la raxo de la revolution de la luna a uolerla trouar guarda qui soto. Rest of fol. 84r blank.

11) Fols 84v-85v: <Iacobus de Urbe, letter to doge Giovanni Dolfin referring to the events of 1177 (1359)> rubr.: Ad illustrissimum principem Vene. dominum Iohanem Delphino mcceölix. Ex memorialibus Alexandri pape tertii transumptum de indulgentia assumptionis <corrected later to Assensionis>; inc.: 1359. Nos frater Iacobus de Vrbe [ ... ] illustri domino Johanni Delphino [...] duci Venetiarum inclito et consiliariis nec non nobillibus uiris et domino Marco Laureiano et Nicholao Justiniano procuratoribus ecclesie sancti Marci ciuitatis predicte salutem in eo qui est omnium uera salus. Quoniam ex uerbo euangelico pro talento abscondito semus reprehenditur; exp.: nam profugus latet in Venetis inde manifestus regi Romano pacificatus abiiit [...] sub anno domini m°ccc° quinquagesimo nono die 17 mensis junii xii inditione. Ego [...] exemplauit et cum prefectis notariis auscultauit et publicauit; added afterwards, two short notes on the peace of 1177:
   a) inc.: Papa medius postea inter imperatorem et ducem ad alte beati Marci procedit; exp.: septime partis remissionem consequitur;
   b) inc.: Storia autem huius reconciliationis in ecclesia Lateranensis depicta erat cum his uersibus: Cessit Alexander Venetias tunc papa beati; exp.: regi Romano pacificatus abiiit.

12) Fols 85v-86r: <Paul II, letter to doge Cristoforo Moro (1465)> rubr.: Paulus papa ii ad Cristoforum Mauro serenissimum Ven. ducem. mcccclxv; inc.: Paulus
episcopus [ ...] Et si probata diurni temporis observantia que a sedis apostolice clementia; exp.: auctoritate apostolica tenore presentium misericorditer ellargimine perpetuo duraruram. Datum Rome apud sanctum Petrum anno incarnationis domino mcccclxv iii° nonas mai pontificatus nostri anno primo; added underneath: Iohanes de Taretarinis.


15) Fols 89v-90r: <List of doges from Angelus Particiatio to Vitale Michiel>: rubr.: Venetorum duces uel principes; rest of fol 90r blank.

16) Fol. 90v: <Short note on doges, added in a later hand>: inc.: † anno 1501 die 3° hoctobris Leonardus Loredanus dux Augustino Barbadici suffectus est; exp.: anno 1545 die xxiii novembris Franciscus Donatus dux Petro Lando suffectus est, qui ducauit ann. Rest of fol. blank.

17) Fol. 92r (parch.): <6 lines on Venetian saints day feasts (1309-1420, with an addition for 1516)> inc.: Festum beati Viti martiris celebratur propter manifestationem proditionis Baiamontis Theupulo 1309, junii xv.
18) Fol 92r (parch.): <Henricus Ariminensis, De politia Venetorum et eorum moribus, incomplete: chapter breaks off at the bottom of fol. 92r> rubr.: Henricus de Arimino theologus ac philosophus eximius in tractatu de Justitia capitulo xxiii; inc.: Inter omnes politias; exp.: tenuos officii vel rectorie prouisione subleuare nititur etc.


I + I (parch.) + V + 91 + I (parch.) + I fols; paper; 280 x 185-190mm; written space (fols 1-80) 180 x 130mm; 38 long lines per page. Collation: 1ª (fols II-V), 2-7¹² (fols 1-72), 8¹⁰ wants 10 (fols 73-81), 9¹⁰ (fols 82-90); catchwords: written vertically along r.-hand ruling line in bottom marg. of verso: fols 12, 24, 36, 48, 60, 72. Fols Ir-Iv (paper), IIv-Vv, 87r-89r, 91r-91v blank. Script: humanist; the chronicles are in the same hand, with various later additions and notation, as listed in the contents above, especially in the large bottom margin (70mm) in the same type of humanist script; references to the Muratori edition of the Chronicles (RIS, XII¹, 1728) added in the margin in later hand. In the top margin, fol. 1r, there is noted, in a contemporary hand: De politia Venetorum uide in Henricho de Arimino in tractatu de 4or uiritutibus de iustitia capitulo 69. The chronicles (fols 1-80) are divided into paragraphs and are given running titles in red, with red paragraph marks, now faint; occasional larger initials in alternating red and blue at the beginning of new sections. Watermarks: 3 mounts, occurring on the fold of the folio, not identifiable in Piccard. Binding: modern. The flyleaves were once covered with a gothic display script, which has since been scraped off.

Date and provenance: end 15th C (contents); the specific nature of the contents also suggest that the ms. was produced for a member of the Venetian patriciate. Archivio Morelli, no. 429.

**X**

s. xv-xvi

1) Fols 211r-217r: <Pius II, letters and orations:>

a) fols 211r-212r: <Bertalot, *prosa* 837 inc.: *Verba Pii pape secundi que habuit in Pratis ad pontem Milinum [...] Aduenisti tandem o sacratissimum;* exp.: *que Christum dominum intronat. Acta fuere suprascripta die xii Aprilis 1462 astante senatu cardinalium et magna populi corona;*

b) fols 212r-215r: inc.: *Feruet amor desiderio te uidendi pater alme, sed ciuitas territat;* exp.: *ita moriuntur qui multa sciunt et qui pauca minime;*

c) fols 215r-216r: inc.: *Ad serenissimum ducem Venetiarum Pius episcopus [...] dilectio filio nobili uiro Christophoro Mauro duci Venetiarum [...] quoniam pridem oculto concepimus animo;* exp.: *Datum Rome [...] octo kal. nou. pontificatus nostri anno sexto;*

d) fol. 216v: inc.: *Ad reuerendum dominum episcopum Brixiensem Pius II [...] Intelligit fraternitas tua plenius ex litteris apostolicis;* exp.: *expectamus quod primum nobis rendeas. Datum Rome [...] die 3 nouembris 1463, pontificatus nostri anno sexto;*
e) fol. 217r: <Oratio ad Virginem Mariam (Bertalot, poesie 5496)> inc.: Salve uirgo dei genetrix sanctissima salue; exp.: ut me iniusti uirgo Maria iuua. Amen.


3) Fols 222r-229r: <Verses by Augustinus Beganus Veronensis to Marco Sanudo, in praise of the musician Joannes Teuton>:  
a) fols 222r-224v: <Bertalot, poesie, 5085> inc.: Ad magnificum clarissimum patricium Venetum Marcum Sannutum pro celebri musica Johanne Teutone Augustini Begani Veronensis grammatices professor. Ode dicolos distrophos. Quis dabit, o superi nostr; exp.: felicis urbis uiue ualeque diu;
b) fols 224v-225r: inc.: Ad eundem M. Sannutum pro eodem musico eiusdem Augustini Begani doe tricolos tetraestrophos. O cui curriculi semita olymici; exp.: imple Nestoris annos sed felicius, et uale;
c) fols 226r-229r: <Bertalot, poesie 6089> inc.: Ad magnificum et praeclarissimum senatorem Marcum Sannuto Joannis patritis Veneti Silua. Stelliferum nox atra polum uestiuerat umbra; exp.: regno fortuna potentior degnet.

4*) Fols 230r- 230v: <Ps.-Pontius Pilatus Tiberio Caesari (Bertalot, prosa 4423)>  
a) fol. 230r: inc.: Pontius Pilatus Tiberio Caesari salutem. De Iesu Christo uita et morte. De Iesu Christo quem tibi plane; exp.: exitium pati et uenum dari, uale. V chalendas aprilis xxxiii, Hierosolimis;


7*) Fol. 235r: <Oaths to be taken by Jews> inc.: luramentum Judeorum. Iuro ego Judeus per patrem omnipotentem quod sim dispersus inter gentes inimicorum; exp.: in exemplum cunctorum populo suo.


9*) fols 236r-237r: <Aurelius Cassiodorus, De anima XVIII (ed. J. W. Halporn, CCL 96, p. 574-575)> inc.: Oratio Cassiodori Aurelii. Tu, domine Iesu Christe, qui sic pro nobis; exp.: se meruerant conversatione tractare, amen. Excerpta ex libro plebani Iohannis Chusmaci s. Marie Noue.

10*) Fol. 237r: <Short oaths> inc.: Aliud luramentum Judeorum. Tenent manum super legem; then, inc.: Juramentum rectorum et officialium Venetorum.
11*) Fol. 238r: <Constitutio 21 of the IV Lateran Council (Corpus iuris canonici, ed E. Friedberg, II [Lipsiae, 1879], 887-888)> inc.: De penitentiis et remissionibus. Omnis utriusque sexus fidelis postquam ad annos; exp.: penitentiam in artum monasterium detrudendum.


13) Fol. 240r: <Extracts from Lauro Querini, De legibus> inc.: De magistratu regendo Laurus Quirinus hec in opere illo inclito de Legibus. Platonis sententiiis.

14) Fol. 240v: <Lauro Querini, letter to Petrus Dolphinus (1472)>: inc.: Laurus Querinus Petro Dolphino consiliario Chrete magne dignissimo 1472. Ex his uariis orationibus uidi; exp.: ex intimis sapientie fontibus fluit Quintilianus.

15) Fol. 241r-242r: <Petrus Damianus, Conturbatio anime in extremis (Bloomfield, n. 3881)> inc.: Sermo Petri Damiani de morte. Pensandum quippe est cum iam peccatoris anima; exp.: indeclinabiler custodire. Rest of fol. blank.

16) Fols 243r-244v: <Leonardus Justinianus, letter to king Alphonse of Naples (1443)(Bertalot, prosa 6498)> inc.: Leonardus iustinianus procurator sancti Marci Alphonso Aragonum regi illustrissimo Neapoli. Etsi non dubito causam meam; exp.: Ex Venetiis ad iii kal. nou. mccccxliii.

17*) Fols 246r-247r: <Letter of the Florentine republic to Paul II, by Bartolomeo Scala (1467)> inc.: Epistula Florentinorum ad sanctissimum [...] papa (sic) Paulum per Bartholomeum Schalam edita. Et si diu Bartholomei
Collionis bellici apparatus; exp.: die quarto mai, 1467; underneath: Priores libertatis, uexilifer iustitie, populi Florentini.


20*) Fols 252r-253r: <Henricus Ariminensis, De politia Venetorum et eorum moribus> inc.: Frater Henricus ordinis predicatorum in libro de 4or uirtutibus hec de politia Venetorum ac eorum moribus refert. Inter omnes politicas que nostro tempore fuerunt, im populo; exp.: proferent elloquia, amen. Capitulo de politia Venetorum quando erat de obseruantia. Ego Marinus Sanuto habui a domino Alouisio de Molino sapienti consilio dum essem in col[[-] sapiens ordinum, 1502.


23*) Fols 258r-258v: <Francesco Fileifo, letter to Marchesius Varesius>: inc.:

Franciscus Philelphus Marchesio Varesio ducali oratori ad Venetos salutem.
Cum tue me omnes littere semper delectarunt; exp.: tanquam sum optimo
Veneciis. Rest of fol. blank.

24*) Fols 259r- 260r: <Jacobus de la Marcha O.F.M., letter to Francesco di
Savona (later Sixtus IV)> inc.:

Epistola fratris Jacobi de la Marcha ordinis
minorum. Reuerendissimo domino domino Francisco Saonensi uenerabilis
religiosus; exp.: ex loco Fargneti die 5 marci, 1469.

25*) Fols 260v-261r: <Savonarola, letter to Marcus Antonius Ticinensis
O.F.M.>: inc.:

Epistola fratris Hieronymi [...]
ad fratrum Marcum Antonium
Ticinensem [...] Plurimum delectauerunt me; exp.: ex conuentu s. Marie
Florentie 28 aug., 1497. Frater Hironimus de Feraria ordinis predictorum
uenerabilis et eruditissimo sacre theologie professori Marco Antonio Ticinensi in
Christo amantissimo ordinis minorum.

26) Fols 262r-262v: <Funeral oration on doge Francesco Foscari> inc.:

Argumentum in funus Francesci Fuscari incliti ducis Venetiarum. Dies hic in
omnes hominum etates commemorandus; exp.: oratione sua decorauit ut infra
patet. Rest of fol. blank.

27*) Fols 263r-263v: <Sixtus IV, letter (1475)> inc.:

Exemplum breue pape
sixti quarti circha beatum Symonum Tridentinum. Licet inter causas maiores;
exp.: Datum Rome [...] die x⁰ octobris, 1475, pontificatus nostri anno quinto.
Rest of fol. blank.

28*) Fol. 264r: <Excerpts from Platina, lives of the popes> inc.:

Ex Platina de
uitis pontificum. Ego Calistus pontifex; exp.: Nota hec scriptura fuit manu pape
Calisti in suis libris scriptis.
29*) Fol. 264v-265v: <Extract from Bernardus Justinianus, Chronica> inc.: Ex cronicha Bernardi Justininiano, de corpore s. Marci. In libro secreto. Nota quod in anno 1391; exp.: munitiones in urbe Granata capta per regum Yspaniae [...] dorate n° 22000.

30) Fols 266r-266v: inc.: Contra illos malefactores qui se tuentur privilegio ecclesiastico. Gregorius episcopus [...] episcopo Castellan. [...] Debite nostre mentis occulos convirtimus; exp.: Datum Rome, xv Kal. Ianii pontificatus anno primo.


33*) Fols 270r-270v: <Paul II, letter (1464)> inc.: Reuocatio constitutionibus domini Pii pape secundi de bonis ecclesiasticorum ab intestato decedentium applicatis contra Turchos. Paulus papa II. Prude considerans iusta sententiam legis latorum; exp.: late et publicate fuerunt predicte regule et reuocatio Rome in canzelaria apostolica die sexto mensis nouembris anno [...] 1464.

34*) Fol. 271r: <Extract from the will of Philip the Good of Burgundy (1467)> inc.: 1467, die 16 junii, Philippus dux Burgundie.

35*) Fol. 271v: <Short notes on Medieval theologians (Scotus, Bonaventura, Aquinas)>

36*) Fol. 271v: inc.: Apollonius Furmenti cauponibus salutem.
37*) Fol. 272r: <Extract from Marin Sanudo> inc.: Hic titulus dirigitur Soldano Babylinie a suis subditis ut ait Marinus Sanutus Torselus in sua opera.

38*) Fol. 272r: <Alexander VI, letter> inc.: Exemplum breuis Alexandri VI ad ducem Venetorum de creatione card. d. Grimani. Supplicauit nobis; exp.: datum Rome [...] die xx septembris, 1493

39*) Fols 273r-274r: inc.: An omnes reges et nationes de iure subsint imperatorii; exp.: de summa trinitate et fide. Rest of fol. blank.


41) Fols 276r-277r: <Innocent VIII, letter, 1485> inc.: Absolutio interdicti facti per Xistum papam IV contra Venetos per Innocentium IIII eius successorum die xxxi Ianuarii, 1485. Innocentius papa [...] apostolice fidei copiosa benignitas comissi sibi; exp.: Datum Rome [...] pr. Kal. Martii, 1485...

42*) Fol. 278r: inc.: In uita domini Stephani Contareno procuratoris sancti Marci, 1462, per lohanem Factam doct. Veron. Veneotrum urbs immo quasi alter orbis; exp.: dixit apellanda sit et subdit ut in ea.


44) Fols 280r-281r: inc.: 1467. Paulus pontifex cum per plures dies distulisset; exp.: aliis in suo robore permanentibus.
45*) Fols 283r-286v: <Lists of contents of various manuscripts or books:>

a) fols 283r-283v: inc.: In quodam libro domini Bartolomei de Mapheis Veronensis sunt infrascripta opera: Epistula Guarini; exp.: Elegie Antonii Panormiti;

b) fol. 284r: inc.: In quodam quolibeto ser Bart. de Vico Veronensi sunt infrascripta opera: Oratio Georgii Tabesuntii; exp.: Nota quod dominus Dionisius Cepola doctor Xon. habet Georgius de Iacisio de bello Brix. in carta bona opusculum optimum;

c) fols 284v-285r: inc.: In quodam quodlibeto Mationum domini Marci Ant. Mauroceni equitis sunt hec impressa: Antonii Lolli Gemimiacensis oratio; exp.: Nota quod in ista uolumine erant;

d) fols 285v-286v: inc.: In liber (sic) qui dicitur quodlibetum hoc est diversarum rerum hinc inde excerptarum d. Petri Delphino: Litera Francisci Saonensis; exp.: Descriptione didite cosse ante da Thodare Paleologo etc. Rest of fol. blank.

46*) Fol. 287r: <List of the manuscripts in the library of S. Giorgio Maggiore (cf. G. Ravegnani, Le biblioteche del monastero di S. Giorgio Maggiore [Firenze, 1976], 32, 76)> inc.: In bibliotheca sancti Georgii Maioris sunt infrascripta opuscula manuscripta.

47*) Fol. 287v: <List of paintings of illustrious Franciscans in the library of S. Francesco della Vigna> inc.: In bibliotheca monasterii s. Francesci a Vinea sunt hec picturae.

48*) Fols 288r-292r: <List of relics in Venetian churches> inc.: Corpora sanctorum que inueniuntur sub episcopatu Venetiarum et primo in ecclesia sancti Marci.

49*) Fols 293r-298r: <Descriptions of Venetian ceremonies:>
a) fols 293r-295v: inc.: Gestandorum insignium triumphalium ritus quo serenissimus princeps dominus dux Venetiarum incedere consueuit; exp.: cantatur te deum laudamus;

b) fols 296r-296v: inc.: Solemnitates institute per illustrissimum ducalem dominum Venetum que celebrantur in urbe Venetiarum; exp.: Die ascensionis profectio principis ad litus ob dispensationem maris etc;

c) fols 297r-297v: inc.: Que servent in obitu domini ducis et electione. Primo li conseieri; exp.: disan Marco et capelani cantato loficio;

d) fols 297v-298r: inc.: Pompa exequiarum. Prima ua le croxe de le scuole picole; exp.: nouo doxe et quella sera si soan consio per far etc. Rest of fol. blank.

e) fol. 299r: inc.: Die primo Julii celebratur festum s. Martialis.

50*) Fols 300r-300v: inc.: Copia extracta ex authentico Patauiensi antequam palatium concremaretur anno domini 421; exp.: Lucianus Gauili, Maximus Lutius, Hugo Sufuscus consules fuerunt anno 413. Rest of fol. blank.

51*) Fols 301r-301v: <Diagrams for Venetian horoscopes>

52*) Fol. 302r: <De aetatibus mundi> inc.: Tempora mundi etatis hec sunt secundum Eusebium de temporibus. Primus etas fuit Adam usque ad Noe; exp.: Dauit in regem usque ad id tempus 1575.

53) Fol. 303r: <Ps-Claudius Claudianus, Carmen paschale (CPL 1461)> inc.: Claudiani poete christianissimi ad Jesum Christum oratio pro Cesare Theodosio incipit Christe potens rerum redeuntis; exp.: anima sinceri celebret ieiunia sacri. Finis.

55*) Fols 305r-305v: inc.: Descriptio Italiae et partibus (sic) eius. Italia ab Italo rege nominata, ibi regnante cuius situs; exp.: Marchia Triuisana nuncupatur. Rest of fol. blank.

56*) Fols 306r-308v: <Philippus Ariminensis, verses in praise of Poggio, Aurispa, and others; funeral orations (Berthalot, poesie, 3569, 408, 3650, 5571, 3135, 2161, 6187, 6615, 1867, 6223, 485)> inc.: Nestora uicisses euo doctissime Poggi.

57*) Fols 308v-309r: <Ps.-Aristoteles, epistola ad Alexandrum; epistola ad Philippum (Pseudo-Aristoteles Latinus, p. 32-33)> inc.: Epistola Aristotelis ad Alexandrum [...] Nescio quid primum aut quale; exp.: quod tibi bene esse uideatur, uale; inc.: Plerique ex philosophis benefacentiam; exp.: Non spernes utilia consilia, uale. Rest of fol. blank.

58*) Fols 309v-310v: <Alexander VI, letter (1494)> inc.: Exemplum breve Alexandri pontificis contra Yonardum de Maximis [...] Cum Bernardus de Maximis presbiter; exp.: Datum Rome [...] die quinto Februarii, 1494.

59) Fols 311r-311v: inc.: Origo Tartariorum qui et Zacathai dicuntur. Anno domini Jesu Christi 1202, gens Tartariorum exiuit de montibus; exp.: multo tempore cum ipsis moras fecit.

60) Fols 312r-313r: inc.: De initio regni Francorum in Gallia quod fuit anno domini 419 reperi in quodam libro Januensium securanum Lusarchi de Franchis. Destructa Troia secundum quod; exp.: hic autem retrata sunt ex cronica Neapoliana. Rest of fol. blank.

61*) Fols 313v-314r: <on England and Spain> inc.: De insula Anglie. Insula Anglie prius dicebatur Albion; exp.: Henrici Eduardi [...] mundi prestantissimi
principes; inc.: De Hispania. Hispania non minus natuio bono patrie; exp.: imperatoribus coequandi sunt.

62*) Fols 315r-316r: inc.: Excommunicatio Grecorum data per sanctissimum dominum papam Nicolaum, 1303, die 8 Aprilis [...] Mergentes in signum secuti corruptelam; exp.: anatematis se mouerit incucisse. Datum etc. Rest of fol. blank.

63) Fol. 317r: <Bertalot, poesie 6485> inc.: Vrbs Venetum terre maris et regina profundi.

64) Fols 318r-318v: inc.: Nunc uideamus de cautelis quas multi conati sunt; exp.: quod nihil juramentum prodest uel operatur. Rest of fol. blank.

65) Fols 319r- 322r: inc.: Crispus Salustius dixit: diuitiarum et formae gloria fluxa; exp.: et formae glorias atque fragiles etc. Rest of fol. blank.

66) Fols 325r-338r: <Paulus Spinosus, carmina (Bertolet, poesie 6682)> inc.: Narrat beata uirgo genus <suum: interlin.> ortum, utiam et mortem Christi; exp.: Qui suo sordes scelerum redemptur sanguine lauit.

67) Fols 330r-332v: <Bertalot, poesie 5528> inc.: Lupa que natos mersos exigua aqua repperit in monte Auentino flens Romam alloquitur; exp.: corda uirum pietas que penetrare solet.

68) Fols 333r-333v: <Bertalot, poesie 2584; Epigrama, Bertalot, poesie 5714> inc.: Ad Lucretiam Romanam. Illa ergo Romanie regum; exp.: uiuere adulterii quas sine labe iuuat.

69) Fols 334r-336v: <Paulus Spinosus, verses (Bertalot, poesie 4197)> inc.: Liber Pauli Spinosi missus ad Paulum II pont. max. eum sic alloquitur. Paule decus nostri princeps mitissime; exp.: suscipiat sobolem qua pietate pares. Rest of fol. blank.

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72) Fols 349r-362r: <Francesco Fileifo, the same letter to Mattias Vivianus (1475)> inc.: Franciscus Philelfus Mattiae Triuiano salutem. Non difficulter adducor; exp.: uel moderari climatus, uale. Ex Mediolano, Kal. oct., anno [...] 1475. Rest of fol. blank.

73) Fols 363v-368v: <Marsilius Ficinus, letters to Bemardus Bembo, Franciscus Sassettus, Sebastianus Salvinus, and Antonius Corcyre> inc.: Marsilius Ficinus Florentinus Bernardo Bembo [... ] Quotiens his temporibus accipio calamum; exp.: sub infinite bonitatis gubernatione contigit.

74) Fols 370r-371r: <Clement VI, letters> inc.: Clemens [...] ad memoriam reducendo causam cuius gratia dei; exp.: reseruimus hunc modum; inc.: Clemens etc. De consensu fratrum nostrorum cardinalium; exp.: data Avinion. VI Kal. Febrarii [...] 1343. Amen.

75) Fols 372v-375v: <Nicholas V, bulla, announcing the Jubilee> inc.: Nicolaus [...] Immensa et innumerabilia sunt diuine misericordie munera; exp.: Data Rome [...] 1459, Kl. Februarii. Rest of fol. blank.

76) Fols 377r-378v: <Urban IV, letter> inc.: Decretum beati Vrbani pape IV. Innumerabilia diuine largitatis beneficia; exp.: indulgentia tribuit omni tempore duraturam.

78) Fols 389r-392v: <Eugenius IV, on indulgences> inc.: *Eugenius quartus fundator et pater clericorum seu canonicorum congregationis s. Georgii in Alga de Venetiis.*

79*) Fols 395r-396v: <List of contents of this manuscript and Lat. XIV 265, in a different order from the one in which they appear in these two manuscripts now> inc.: *Nota in hoc libro continentur hec opuscula; exp.: Diuersa effigie fratrum ordinis minorum de obseruantia.*

186 fols + II; paper; 210 x 155mm; fols numbered 211-396, with fols I-II numbered 397-398, in continuation from ms. Lat. XIV 265, with which this ms. was orginally bound. Script.: various hands, with two alternating above all, one of which is that of Marin Sanudo (marked above with an asterisk). Fols 217v, 225v, 229v, 242v, 245r-245v, 247v, 253v, 261v, 274v, 277v, 278v, 279v, 281v-282v, 292v, 298v, 299v, 302v, 316v, 317v, 322v-324v, 328v-329v, 337r-338v, 339v-340v, 344r-347v, 362v-363r, 369r-369v, 376r-376v, 384v-388v, 393r-394v, 398v blank.

Date and provenance: Given to the library by Rawdon Brown in 1843.

15) <Extracts regarding Venice from Dominican or pseudo-Dominican texts>

a) Fol. 1r: <Bartholomaeus Anglicus, De proprietatibus rerum, XV> rubr.: Albertus Magnus ordinis praedicatorum sancti Dominici; inc: Venetiae in Italia est prouinicia que multarum terrarum et ciuitatum dominium habuit; exp.: totius iustitiae cum elementia omnibus fere nationibus iam sit notum.

b) Fols 1r-1v: <Henricus Ariminensis, De politia Venetorum et eorum moribus> rubr.: Magister Henricus ordinis prefati; inc.: Inter omnes pollicias que nostris temporibus, exp.: loquentur tibi et de corde suo proferunt eloquia.

c) Fol 1v: <Ps.-Thomas Aquinas (Ptolomaeus de Lucca[?]), De regimine principum, IV, 8> rubr.: Sanctus Thomas ordinis supra nominati de dominio Venetorum ita asserit; inc.: In partibus Liguriae et Emilie, Flamminee, que olim Lombardia uocatur; exp.: duce Venetiaram excepto, qui tamen temperatum habet regimen.

d) Fol 1v: Hec tria excellentissima testimonia ex ordine insigni fratrum praedicatorum. Habetur hec diuina ciuitas Venetiaram, opere sancti salvatoris domini nostri Iesu Christi, sancte Marie formose, sancti Petri, sancti Raphaelis, sancti Iohannis Baptiste, sancti Zachariae, sanctorum omnium Apostolorum, et sancte Justine uirginis Patauine, edificata, custodita, et gubernata; in ipsa ciuitate 70 parochiales ecclesiae circiter existant in quibus diuina quottidie cum omni celebritate conplentur; de monasteriis autem [ ---] et conuentibus tam uirorum quam mulierum que in maximo [---] consistunt; hospitalia preterea ex xenodoxia tam pro uiris quam pro mulieribus, tam pro sanis quam pro infirmis, quodammodo innumerabilia sunt. Sit finis ad laudem inclite ciuitatis Venetorum.

2 conjugate leaves; paper; 300 x 210mm; written space: 240 x 160mm. 40 long lines (fol. 1r). Script: humanist; bottom half of fol 1v, fols 2r-2v blank. Fol. 1r numbered in top right-hand margin: 70 and 15.
Date and provenance: Conjugate leaves removed from a book, but may have been written on after removal. Collected by Emmanuele Cicogna (Venice, 1789-1868), and inserted by him, as item no. 15, into a folder containing 29 single folios, quires, and collections of folios and quires on miscellaneous topics connected to the city of Venice, all paper, mostly written in Italian and dating from the 17th and 18th C. Cicogna bequeathed his collection to the city of Venice shortly before his death.


W** Wien, Oesterreichesche Nationalbibliothek, ms. Pal. 1451

s. xiv²

1) Fols 5r-115r: *Henricus Ariminensis, Liber de quatuor uirtutibus cardinalibus*, preceded by a list of contents list inc.: *Incipiunt capitula primi libri de uirtutibus moralibus editi a fratre Henrico de Arimino ordinis fratrum predicatorum*; exp. (fol. 4v): *Quod potest in mulieribus aliqua fucatio sustineri*; added underneath in smaller letters in a different hand, the same hand used for the marginal notations: *predicti tituli distincti sunt per lectiones quia liber hoc modo ad ciues Venetos in scolis fuit expousitus*; rest of fol. blank; text rubr. (fol. 5r): *Incipit tractatus de uirtutibus editus a fratre Henrico de Arimino ordinis predicatorem*; inc.: *Quia secundum sententiam apostoli*; exp.: *hec de uirtute morali dicta sufficiant. Deo gratias. Explicit tractatus de quatuor uirtutibus cardinalibus editus a fratre Henrico de Arimino ordinis predicatorem*. Rest of fol. blank.
115 fols; parch.; 235 x 345mm; 35 long lines per page. Collation: 1-12 as (fols 1-96), 13 wants 10; catchwords in middle of bottom margin of verso of each quire. Foliation: no. 104 used twice; chapters numbered in middle of top margin of each recto (prologue, prudentia = 1; iustitia = 2, etc.). Script: Italian gothic bookhand; marginal notations and variant readings in a similar (slightly later?) hand to that of the main text. Decorated initials at the beginning of the prologue and of each virtue (cf. Hermann, p. 211-212): historiated initial Q with a half figure of a Dominican holding a book, fol. 1r; initial P, fol. 19v; initial R, fol. 48v; initial V, fol. 78r; larger red and blue initials at the beginning of each chapter; titles in red; sketch of a 2-legged dragon in bottom margin of fol. 1r, and of a head in the margin of fol. 29r. On back pastedown is noted in a German hand: 1438. Omnibus hoc dico amissus est qui sentit inique, qui prauo sentit precium tamen tempore perdit.

Binding: light red leather over wooden boards (Austria – Vienna? – 1st half 15th C ?); 5 bosses are missing from the front and the back, as are the two fastening clasps; on the front, in 15th C German gothic is the title: 4 virtutes cardinales; on the back, in German miniscule, upside down: Iste liber est Friderici Elsendorffer in Wien.

Date and provenance: second half of 14th C, northern Italy, presumably Venice, judging from the script and decoration (Hermann, p. 211). By the first half of the 15th C, the ms. belonged to Fridericus Elsendorfer in Vienna; it was transferred to the Hofbibliothek in the second half of the 18th C.

1) Fols 1 - 172r: <Henricus Ariminensis, Liber de quatuor virtutibus cardinalibus>, preceded by a list of contents list rubr. (fol 2r): Incipiunt capitula primi libri bis quattuor virtutibus moralibus editi a fratre Henrico de Arimino ordinis fratrum predicatorem; exp. (fol. 7r): Predicti tytuli distincti sunt per lecciones quia liber hoc modo ad ciues Venetos in scolis fuit expositus; text inc.: Quia secundum sentenciam apostoli; exp.: pro cultu nimio capillorum. Et sic est finis huius libri; racione cuius finis omnipotenti [...] deo sit laus [...] amen; rubr.: Explicit liber per manus C<lementis> Krapicz. Qui nescit partes in unum tendit ad artes; artes per partes, non partes stude per artes. Explicit liber anno domini M°CCC°XIII°. Fols 172v-173v: Qui te scribabet Clemens hic nomen habebat; rubr.: Est tribalus distel, lum stosil, la quoque flegit.

2) Fols 174r-211v: <Jacobus de Vitriaco(?), Passio et opera Jesu Christi> rubr.: Incipiunt collocucuciones (sic) que (sic) dominus habuit cum matre sua ante passionem suam scilicet feria secunda, tercia, quarta, quinta, secundum Iacolum de Vitriaco doctorem in theoloyia episcopum et cardinalem, qui composuit ea propter audiencium deuocionem; inc.: Extendit manum et arripuit gladium [...] Genesis xxii° capitulo. Consuetum est in principio aliorum sermonum; exp.: et guardia perdita nobis reoniret <rectius redimet>. Glorificemus ergo eum qui est benedictus [...] amen. Explicit passio Christi per manum Iohanis; finita feria quartha ante festum assumptionis Marie.

3) Fols 212v-222r: inc.: Notandum quod sex sunt servanda cuilibet uere penitenti. Primum est timor domini; exp.: non cessat benefacere. Fols 220v-222r: inc.: Nota quod illi homines errant qui uolunt uerba dominica corrigere et meliorare dicentes: dimitte nobis debita nostra, melius quam nos dimittimus nostris; exp.: dii estis.

224 fols; paper; 210 x 155 mm

Date and provenance: 1414 (fol. 172r), from the the Dominican convent of Loadau (?)


1.1.2. Printed editions

_I_1  *Editio princeps* (Hain 1650)

Late 1472- early 147312; Speyer; printed by the Gesta Christi press.

_I_2  Reprint (Hain 1649; BMC I, 77)

London, British Library IB 852


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11 I would like to thank Dr. Andrzej Ladomirski, Director of the University library, for providing me with a copy of this catalogue entry.
13 Stevenson, *The Problem, cit.*, 30. This edition acted as the catalyst in Stevenson's proof that the 'Missa Speciale' (or 'Constance Missal') was not in fact one of the earliest books printed with movable type, as had previously been suspected, but dates to the early 1470s.
Fols 1r-10v: <Prologue by Thomas Dorniberg of Memmingham and alphabetical index> inc. (fol. 1r): *Ad summe et indiuidue trinitatis*; exp. (fol. 1v): *Et ita per omnia observandum est in omnibus allocatibius, auctoritatibus, et titulis in hac tabula remissoria signatis*. Sequuntur nunc auctoritates, allegationes, et tituli, incipientes a littera A; tabula inc. (fol. 1v): *Abstinentia quid sit*; exp. (fol. 10v): *Vxor debet esse pia cum discretione, ubi supra parte viii*. Omnes itaque virtutum cultores pro bene actis gratias deo referant, et si quit (sic) minus bene ordinatum inuenerint indulgentiam present, et non liuoris acculeo sed caritatis zelo in melius reforment queso. Completa est hec tabula remissoria per me, Thomam Dorniberg antedictum, de anno domini millesimo quadringentesimo septuagesimo secundo, ipsa die sancti Martini pape.

Fols 11r- <Henricus Ariminensis, Liber de quatuor uirtutibus cardinalibus> rubr.: *Incipit tractatus de quatuor uirtutibus cardinalibus, editus et expositus ad ciues Venetos per fratrem Heinricum Ariminensem;* inc.: *Quia secundum sententiam*; exp.: *Hec de uirtute morali dicta sufficiant. Tractatus pulcherrimus de quatuor uirtutibus cardinalibus, per fratrem Heinricum Ariminensem ad Venetos editus, una cum exemplis et historiis, tam ex diuinarum quam humanarum scripturarum auctoribus sumptis ad conficiendum arengas, collationes, et sermones utilissimos, arte impressoria Argentine artificiose effigiatius feliciter explicit.*

1.1.3. Ancient library catalogues

Besides the above, the following copies of the *Liber de quatuor uirtutibus cardinalibus* are listed in the following ancient library catalogues:

Buxheim, Carthusian monastery\(^\text{15}\):

\[\text{E 10: Seneca de 4 uirtutibus cardinalibus. Heinricus Ariminensis de eisdem uirtutibus};\]

\(^{15}\text{MBD III, 1, p. 95, lin. 11.}\)
Erfurt, Carthusian monastery, Salvatorberg[^16]:

149: *Moralia Henrici Ariminensis precipue de 4 uirtutibus cardinalibus*;

Forli, Dominican convent of s. Giacomo[^17]:

*Henrici Ariminensis ord. praed., summa quatuor uirtutum cardinalium*;

Imola, Dominican convent of s. Nicola[^18]:

*Henrici de Arimino ord. praed., de uirtutibus moralibus libri quatuor.*
*inc.: Quia secundum sententiam*;

Milano, Dominican convent of St. Eustorge[^19]:

477: *Item liber de quatuor uirtutibus fratris Henrici, qui incipit 'Quia secundum', et finit 'dicta sufficiant'*;

Nürnberg, Benedictine monastery of St. Aegidien[^20]:

C60: *Heinricus Ariminensis de quatuor uirtutibus cardinalibus*

K45: *Tractatus pulcherrimus Heinrici Ariminensis de quatuor uirtutibus cardinalibus*

Padova, Augustinian friars[^21]:

*Tractatus de uirtutibus moralibus fr. Henrici, f.m.*

Salzburg, Library of the Cathedral Chapter (1433)[^22]:

237. *Lectura et questiones super quatuor libros sentenciarum et in fine compendium fratris Hainrici Arumiti ordinis predicatorium de quatuor necessariis ad salutem (?)*

[^19]: Kaeppeli, "Antiche biblioteche" cit., 52.
[^20]: *MBD* III 1, p. 529.
[^22]: *MO* V, p. 42, lin. 17.
Venezia, SS. Giovanni e Paolo:

- Pluteus VI Latini:\n  \textit{De uirtutibus et uitiis summa; inc.: Quia secundum sententia} 4m

Venezia, S. Pietro Martire, Murano:\n
Pl. VI ad sinistram:\n
\textit{Henricus de Arimino ordinis predicatorum de quatuor uirtutibus moralibus, fol. pergam. Incipit: Quia secundum sententiam apostoli ad Hebreos ciuitatem quam corporaliter possidemus. Deest finis}.\n
Wien: Dominican convent:\n
\textit{Fratris Haynrici Ariminesis tractatus de quatuor uirtutibus cardinalibus, incipit: Quia secundum sentenciam apostoli ad Ro. 13; finit: pro cultu nimio capillorum. Hec de uirtute etc., cum tabula}.\n
\textsuperscript{23} I. P. Tomasini, \textit{Bibliothecae Venetae manuscriptae publicae et privatae} (Utini, 1650), 23a; this manuscript could be the same as Berardelli, \textit{Codicum omnium latinorum, cit.}, n. 147, which is ms. X above.\n\textsuperscript{24} Berardelli, \textit{Codicum omnium latinorum, cit.}, n. 148; Berardelli describes another copy of Henry's treatise as n. 147; this manuscript is X above.\n\textsuperscript{25} Tomasini, \textit{Bibliothecae venetae, cit.}, p. 30; Quetif - Echard, \textit{Scriptores, cit.}, I, 523.\n\textsuperscript{26} MBO I, p. 346
The Biblioteca Palatina\textsuperscript{27} (1864) owned a second copy whose end is missing, besides W.

1.1.4. Private owners

Oliviero Forzetta (Humanist from Treviso: † c. 1370)\textsuperscript{28}:

Inventario B (1374: inventory of the complete Forzetta collection):

n. 87: \emph{Item liber de uirtutibus morallibus distinctus per quatuor tractatus, editus a fratre Hendrico ordinis predicatorum.}

Johann Gwerlich (Canon lawyer; studied at Bologna [1412]; taught at Vienna where he was also dean of the law faculty [1421-1435]; attended the Council of Basle [1436]; † 1445)\textsuperscript{29}:

List of his books donated to the \textit{Collegium ducale} in Vienna (c. 1430):

\emph{Item libellus de uirtutibus cardinalibus etc. in pergamo, inicium eius: Quia secundum sentenciam apostoli.}

1.2. Patterns of Diffusion

From the above information it is possible to make the following observations and conclusions:

1.2.1. Date

Virtually all the manuscripts date from the fourteenth and the fifteenth centuries, with the exception of \textit{X2} (and probably \textit{X3}), which date from the beginning of the sixteenth century. Of the rest, thirteen belong to the fifteenth century, and six to the fourteenth century. While most of the fifteenth-century manuscripts contain the date on which they were copied and often the name of the scribe or patron in the colophon, none of the fourteenth-century manuscripts have

\textsuperscript{27} Denis, \textit{Tabula codicum manuscriptorum, cit.}, 1651-1652: “neque plura duobus extant operis presentis exemplaria mss. quorum alteri finis deest”.


\textsuperscript{29} \textit{MBO} I, p. 415-416, 419.
such explicit references, and it has not usually been possible to arrive at a more precise date.

s. xiv: 
F
M
P
Q
X

s. xiv²: 
W

s. xv: 
O (1405)
Z (1414)
V (1430)
R (1436-1437)
T (1440)
L (1464)

1.2.2. Provenance

It is not always easy, or indeed possible, to establish with certainty the origin of a manuscript, as opposed to the place or places in which it was subsequently kept. However, it seems reasonable to conclude that most of the above manuscripts are linked either to Italy, or to the German Empire of the fifteenth century which included Austria, Bohemia, and much of the present-day eastern France.
Of those whose origin is unknown, the provenance is in any case linked to one or both of these two areas: Q (Prague), D (Bergamo), G (Florence), Z (Wrocław [Breslau: in Silesia]), M (Mainz, but possibly of Italian origin).

Henry's work was owned mostly by religious orders, principally the Dominicans; but copies are also attested in secular environments:\textsuperscript{30}

Religious orders:
Dominicans: S. Maria Novella, Florence; SS. Giovanni Paolo, Venice; S. Pietro Martire, Murano; Esslingen; Forlì; Imola; Milan; Vienna.
Franciscans: Limbourg; Gemona and Udine.
Benedictines: Mönchsdeggen; Murbach; Nürnberg.
Carmelites: Bamberg.
Carthusians: Mainz; Buxheim; Erfurt.
Cistercians: Rein (nr. Graz); S. Martino delle Bocce, Parma and S. Croce, Rome.

University: Heidelberg; Leipzig.

Private collections: Elsenderfer (Vienna), Gwerlich (Vienna); Gaddi Family (Florence), Forzetta (Veneto); Venetian patriciate.

\textsuperscript{30} The results of the table below include both the manuscripts described above and those included in ancient library catalogues.
1.2.3. Correlation of data on date and provenance, and centres of popularity

By correlating the dates and the origins of the manuscripts described above, it emerges that the earliest copies of the text were produced in Italy, and that the work then crossed the Alps during the fourteenth and fifteenth centuries. A clear example of this movement can be seen in W, for example, which was produced in northern Italy (possibly Venice) in the fourteenth century, and which found its way into the hands of a named individual in Vienna by the first half of the fifteenth century. Henry's work, however, has not been attested either in the more 'peripheral' areas of Britain or Spain, or the more 'central' France. While the incomplete cataloguing of some Spanish manuscript collections might mean that copies of Henry's work still lie unnoticed there, we can be pretty sure that his work made little impact in Britain or France, and hence that its diffusion can be considered to be relatively limited.

Some patterns emerge from a closer examination of the coincidence of places and dates within the areas where the treatise was read; although these patterns prove nothing in themselves, they are nevertheless interesting when considered alongside the spread of humanism to Germany and the foundation of the German universities. It is known, for example, that the two great Church councils of the fifteenth century, Constance (1414-1418) and Basel (1431-1437), were also opportunities for the flow of humanist texts and ideas from Italy into Germany. There is evidence that this is the way at least one of the copies of Henry's text reached Austria, since R was produced for the abbot of the Cistercian monastery of Rein (near Graz) in 1436 during the Council of Basel.

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31 A similar phenomenon of diffusion from a continental focus can be observed in the history of Giles of Rome's *De regimine principum*, which spread essentially from France and then from Italy to the more peripheral areas of Britain, Eastern Europe, and Spain: Briggs, *Giles of Rome's*, cit., 21-26.

32 The only copy of Henry's treatise in French libraries is C in Colmar, which was part of the German empire in this period. Significantly, there is no mention of Henry's work in the new series of ancient library catalogues of the British Isles, the *Corpus of British Library Catalogues* (London, 1990).


34 This manuscript also contains Vegetius's *De re militari*; the diffusion of this work conforms to traditional patterns of diffusion of classical texts, in this case spreading outwards from...
Within Germany itself, humanism was introduced into the universities after 1450, often by isolated individuals, the 'wandering poets' or other intellectuals who had acquired a new taste for classical language and literature from Italy, either directly or via the works of the Italian humanists. One of these early humanists was the churchman, lawyer, and educational reformer Jacob Wimpfeling (1450-1528). Although there is no link between Wimpfeling and Henry's treatise, part of his career mirrors the journey taken by Henry's work from its manuscript to its two incunable forms: from Heidelberg, where Wimpfeling studied and then taught theology, becoming rector in 1482, to Speyer where he was cathedral preacher from 1482 to 1496, and then on to Strasbourg where he held a modest benefice from 1501 to 1515, after another stay in Heidelberg between 1498 and 1501. As it will be argued below, this type of itinerary will have very likely brought him in contact with other named individuals directly linked to Henry's work, and, it is surely indicative of the movement of ideas in this period.

The universities themselves obviously constituted meeting places where texts and ideas could be exchanged. Although Henry's treatise cannot be considered a 'university book' in a strict sense, there are several indications that it was connected in some way with the university environment. Two manuscripts, Q and W, from the same textual 'family', for example, are linked to Prague and Vienna, which were the first university centres in the German area (founded in 1348 and 1356 respectively). Prague is often cited as the cradle of the 'Northern Renaissance', and there seems to have been some kind of link between the courts of the two cities. Similarly, although the relationship between Q and W is not clear, there is no doubt that the two manuscripts are closely related in some way.

From the second half of the fourteenth century the studia of the religious orders were often connected to, incorporated, or transformed into the university theology faculties, and the members of these orders not only attended the

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1 'humanist' Italy; cf. C. R. Schrader, "A Handlist of extant manuscripts containing the De re militari of Flavius Vegetius Renatus", *Scriptorium* 33 (1979), 283.

35 See L. W. Spitz, "Wimpfeling. Sacerdotal Humanist", in *id.*, The Religious Renaissance of the German Humanists (Cambridge, Mass., 1963), 41-60; J. H. Overfield, Humanism and Scholasticism in Late Medieval Germany (Princeton, 1984), 81-86. The connection of Henry's work to Heidelberg is discussed below.

36 The relationship of the Liber to the universities is discussed below.

37 See below, chapter 3: 1.2.7.5.

38 L. W. Spitz, "The course of German Humanism", *cit.*, 374.
theological faculties, but also made up a substantial part of their teaching staff. It is known, for example, that the two Carmelites mentioned in B, Henricus Schmidlein, prior of the Bamberg convent, and the copyist, Henricus Episcopi, had both studied at German universities: Henricus Schmidlein obtained his degree in theology from the University of Vienna in 1469, and Henricus Episcopi was at Vienna in 1451-1453 and at Cologne from 1455 to 1456. This could indicate, therefore, that although B belonged to a Carmelite convent, it may have been copied or used within the context of the university. N is also linked to the Carmelites, through the person of Johannes Fortis, whose coat of arms it bears. Fortis, who among other things was elected rector of the studium generale in Vienna in 1492 and was prior of the province of Alemania superior from 1500 to 1514, studied arts and theology at the University of Vienna from 1481 to 1498. However, N is linked not to the University of Vienna, but to that Erfurt or Leipzig, since it was copied by a student of the “Florentine” poet Jacobus Publicius Rufus who taught briefly at the first of these in the winter term of 1466-1467 and at the second during the summer term of 1467.

The clearest evidence of the connection between Henry’s text and a university environment, however, is in the context of Heidelberg, to which both T and V and the first incunable edition are linked. It is clear from scribal remarks that V was copied in and belonged to the University: Henry’s treatise itself was copied by the beadle (bedellus) of the University in 1449 (fol. 305v), accompanying texts were copied by another identifiable member of the University in the same year (fol. 151r), and there is a note by the warden (custos) who priced (appreciauit) the last text (fol. 313r). T, the earlier of the two manuscript copies, is linked to the University through its owner, Melchior Wittich, whose long career

39 For the relationship between the Carmelites and the universities in the late Middle Ages, especially in Germany, see F.-B. Lickteig, The German Carmelites at the Medieval Universities. Textus et Studia Historica Carmelitana, 13 (Roma, 1981).
41 Lickteig, The German Carmelites, cit., 204-214.
there can be partly reconstructed from matriculation records: Wittich graduated (licentiatus) in arts in 1435; in 1439 he became a bachelor of canon law, and graduated in this discipline in 1446; by 1450 he had been the dean of the faculty (of arts?), and he finally received a doctorate in canon law in 1469. Wittich was a contemporary of the editor of the Speyer incunable edition, Thomas Domiberg, who, though slightly younger than Wittich, followed a similar, but shorter, path through Heidelberg. Born in the late 1430s, Domiberg matriculated at Heidelberg in 1452; he became a bachelor of arts in the 'via modernorum' in 1455, master of arts in 1456, bachelor of canon law in 1461, and received the doctorate in 1468, one year before Wittich; he finally became rector of the University in 1468. Another contemporary of the two at Heidelberg University was Ulrich Ellenbog, who was connected with early printing presses in Augsburg, and who it is known possessed a copy of the Speyer editio princeps of Henry's treatise. The role of the university in the diffusion of the Liber is demonstrated here by the note written by Ellenbog in the flyleaf of his copy: "Tractatus Hainrici ariminensis de quatuor uirtutibus cardinalibus ad uenetos cum registro doctoris Thome Ornemberg de Memingen confratris mei in studio haidelbergensi".

In Italy the circulation of the work seems to be more confined to religious houses, with no evidence of any connection to a university setting. The city of Venice obviously stands out as a centre, however, since the contents of the treatise made it particularly interesting to the 'Venetian citizens'. Only one copy of the whole text can now been found in the city: the fourteenth-century X from the Dominican convent of SS. Giovanni e Paolo; but the convent owned at least one other copy of the entire work up until the eighteenth century, as shown in Berardelli's catalogue, and the work is also attested in a seventeenth-century catalogue of the Dominican convent of S. Pietro Martire in Murano. It is also possible that W originated from Venice, and the copy of the Liber in the

43 Toepke, II 384, 390, 511, 529, 532.
45 This copy, whose marginal notations will be discussed below, is now in the University Library Cambridge; it contains the following inscription on the flyleaf: "Vdalricus Ellenbog 1476"; see J. T. C. Oates, A Catalogue of the fifteenth-century Printed Books in the University Library Cambridge (Cambridge, 1954), p. 79, n. 128; R. Proctor, "Ulrich von Ellenbog and the Press of St. Ulrich at Augsburg", in id., Bibliographical Essays (London, 1905), 73-88.
collection of Forzetta again attests the presence of the treatise in the Venetian area, even if this copy does not necessarily derive from Venice itself\(^\text{46}\).

It is impossible to consider the relationship of Henry's work to Venice without considering first and foremost the chapter in praise of the city, since it clearly circulated there detached from the rest of the treatise, as attested in \(X_1\), \(X_2\), and \(X_3\). Besides these three witnesses, the chapter is also found incorporated in at least three other fifteenth-century works connected in some way to Venice: the *Cronicon de rebus Venetis* by Lorenzo de’ Monacis, a sermon on St. Mark, preached by the Dominican Leonardo da Udine, and the *Evagatorium* of the Dominican Felix Faber of Ulm, all discussed below\(^\text{47}\). It is interesting to note here that \(P\), which belonged to two different Franciscan convents in Friuli, contains most of the text of the treatise, with the notable exception of the chapter on Venice. This manuscript seems to have had some kind of link with the city of Genoa too, since it contains an epitaph to one of the city's doges, and given the traditional rivalry between Venice and Genoa, it is possible that the chapter on Venice was deliberately ignored. \(P\) is indeed the only existing copy of the treatise where Venice is not referred to in any way.

In \(X_1\) the chapter on Venice figures essentially as an addition to a Venetian chronicle compiled from several sources, but principally from the two chronicles written by doge Andrea Dandolo. These two works form the basis of one of several long, complicated, and textually corrupt strands that constitute the tradition of late Medieval and early Renaissance Venetian chronicles\(^\text{48}\). This type of derivative but personalised historiography can be distinguished from those more official, literary works, exemplified by such writers as Biondo or Sabellico.

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\(^{46}\) It is known, however, that Forzetta did buy books directly from the friars of SS. Giovanni e Paolo (c. 1335): Gargan, *Cultura e arte*, cit., 67.

\(^{47}\) Cf. Robey-Law, “The Venetian Myth”, *cit.*, 12-13, who suggest that “it is possible” that Henry was also the source of Pier Paolo Vergerio’s description of the city (c. 1402), which they have edited, p. 38-49. Felix Faber is mentioned by Brian Pullen in *Poverty and Charity. Europe, Italy, Venice. 1400-1700*. Variorum (1994) XII, 277 and *passim*.

\(^{48}\) On the nature of Venetian chronicles see H. Baron, “Early Renaissance Venetian Chronicles: Their History and a Manuscript in the Newberry Library”, in *id.*, *From Petrarch to Leonardo Bruni. Studies in Humanistic and Political Literature* (Chicago-London, 1968), 172-195. Antonio Carile has divided the extremely complex world of Venetian chronicles into 5 basic groups on the basis of the way they deal with a specific historical event: A. Carile, *La cronachistica veneziana (secoli xiii-xvi) di fronte alla spartizione della Romania nel 1204* (Florence, 1969); the chronicles in \(X_1\) fall into Carile’s group ‘A latino’, but Carile does not cite this manuscript.
for example, since while the latter are intended as public monuments to the glory of the city, the former have a more private, practical purpose as reference sources for the patriciate. Dandolo himself was one of the first to address the need for registers as reference tools in the day-to-day business of government, and his own two chronicles were themselves subsequently copied for or by the patriciate, with additions and modifications made in accordance with the requirements of each owner, for purposes of reference in connection with their activities in government. Dorit Raines has singled out twenty manuscripts as exemplars of these “cronache di consultazione”, which, she argues, formed the basis of the Venetian patriciate’s library, and among which she places this manuscript. Her selection is made above all on the basis of page layout and the existence of extra-narrative material: the division of the chronicles into small chapters with titles and initials in red and blue made it possible to consult specific sections without having to read the entire work, and lists in the text and notes added in the margin provided extra information on topics of particular interest to the owner. Although in the case of the manuscript the finding devices are not particularly sophisticated, the chronicles are nevertheless divided into small units with titles in red, and there is a particularly large bottom margin, in which extra information to support or illustrate the events of the chronicles can and often has been added. Moreover, the manuscript contains other material of a practical nature, such as the phases of the

49 Girolamo Arnaldi notes the attribution to Dandolo of the title “grande padre” of Venetian history (p. 127). As doge (1343-1354), Dandolo instituted, for example, the Liber albus and the Liber blancus, registers of documents regarding relations with the Orient and the Italian states respectively, as well as the collection of statutes known as the Liber Sextus: cf. G. Arnaldi, “Andrea Dandolo. Doge - cronista”, in ed. A. Pertusi, La storiografia veneziana fino al secolo XVI. Aspetti e problemi (Firenze, 1970), 127-268.


51 By extra-narrative material Raines means lists which are included in the text of the chronicle in the form of a list, that is set out in columns where each item constitutes a separate paragraph, but also additions outside the text of the chronicles, such as papal letters or lives of dogs (Raines, “Alle origini”, cit., 43). It seems to me, however, that this concept confuses three distinct types of addition which I can discern in the manuscript: a) lists, such as those of the tribunician families or ambassadors which form part of Dandolo or Raffaino’s chronicles, and which therefore appear within these chronicles; b) additions after or between the chronicles, which constitute separate numbered items in the description above, and which include not only ‘Venetian’ material, as mentioned by Raines, but also magical and astronomical formulae; and c) near-contemporary marginal additions, which Raines does not refer to, but which ought to be an important element in determining what kind of person or purpose the manuscript was produced for (see note 54 below). Here I take ‘extra-narrative’ material to mean additions both within the text and in the margin.
moon or formulae for finding things, which, although not considered worthy of description by Valentinelli, nevertheless constitute a body of information which was plausibly of value at that time. Henry's chapter on Venice is essentially one of the contemporary additions, and hence it must be counted among the type of information which the patriciate felt would be in some way useful.

X2 is another type of collection of various texts - papal and humanist letters, verse, and extracts from longer works - all related to Venice in some way, this time presumably for more literary purposes. A number of its extracts and letters were copied by the Venetian historian and diarist, Marin Sanudo (1466-1536), who notes that he personally copied Henry's chapter in 1503 from a manuscript lent to him by the patrician Alvise Molin (fol. 253r). Sanudo was an obsessive collector of miscellaneous information connected in some way to his native city, which he intended to be used in the composition of an official history of the city. Had he fulfilled his plan, he might have inserted Henry's text into his work to illustrate the excellent nature of either the city's people or its political constitution.

Emmanuele Cicogna (1789-1868), another erudite Venetian collector, found Henry's chapter and inserted it into his own nineteenth-century collection of

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52 "Res quae minus intersunt libenter praetermitto", Valentinelli, Bibliotheca manuscripta, cit., VI, 166.
53 Similarly, X2, a collection of literary texts and letters, also contains horoscopes; we know, for example, that Marin Sanudo used horoscopes in the calculation of the date of the origin of the city of Venice: G. Cozzi, "Marin Sanudo il Giovane: dalla cronaca alla storia", in Pertusi, ed., La storiografia veneziana, cit., 333-358; 342-343.
54 Raines differentiates between the types of needs the chronicles addressed on the basis of the type of extra-narrative information they include: that is, by the fifteenth century, she discerns a rule whereby chronicles with an interest in social aspects included lists of noble families, while chronicles with a more political-administrative purpose included lists of a financial, military, and political nature. It does not seem clear to me, however, how X1 can be fitted into this scheme, since it contains lists of noble families, as noted by Raines (tribunician families: fols 5v-6r; noble families aggregated in 1381: fol. 70v, which form part of Dandolo and Carisini's chronicle respectively), as well as notes of a financial nature (the course of the ducato from 1308-1394: fol. 11r, and the general survey of 1425: fols Ir-Iv and 78r, which appear as marginal additions), notes of a military nature (the sopracomiti [galley commanders] of the war with Chioggia: fol. 71v, which are part of Carisini's chronicle), and notes of a political nature (a list of ambassadors: fol. 71v, part of Carisini's chronicle): Raines, "Alle origini", cit., 43-44.
55 The 58 volumes of Sanudo's Diarii remain the greatest testimony to this passion for collecting information; to Sanudo's dismay, in 1529 he was ordered to put this precious collection at the disposal of Pietro Bembo, who held the position of official historian which Sanudo himself so desired: G. Cozzi, "Marin Sanudo il Giovane", cit., especially 340-341, 351 ff.
miscellaneous texts on Venice (X3)56. Although it seems impossible to date this copy of Henry's chapter or to place it in a late Medieval or Renaissance context, its existence, along with that of X1 and X2, suggests that a number of copies of this particular chapter were in circulation, at times connected to other Dominican texts on the city57. Again, in the eighteenth century, Berardelli, the librarian of the convent of SS. Giovanni e Paolo, was aware enough of the particular nature of the chapter to transcribe it in full into his catalogue of the manuscripts of the convent58.

Before the manuscripts mentioned above were copied, however, the chapter on Venice had already been incorporated by Lorenzo de’ Monacis into his *Chronicon de rebus Venetis* (1421-1428)59, as one of a large number of medieval sources used by this erudite humanist to chronicle the history of his city60. Part of Henry's chapter describing various qualities of the Venetians (“Haec autem Venetorum gens ... multos de communibus prouentibus nutrit”61) is inserted into book III, in a section praising the characteristics of the first Venetian people, who gradually built up a dominion over the Adriatic62. After praising the site of the city, Lorenzo gives an account of its nobility: true nobility, he believes, derives not from blood, but general nobility is due to the ancient unity of citizens and the rule of the state, and individual nobility derives from personal probity. Thus the general nobility of Venice is to be found in the *Maggior Consilio*, the fundamental ruling body of the city, and also in its dominion over other cities in the region (proof of the city’s good intentions in bringing other cities under its protection); and its individual nobility consists in the excellent character of the Venetian people themselves: the fact that they are not torn by factional violence like other

56 On Cicogna, see above chapter 1: 1, p. 8, n. 7.
57 The same combination of quotations from ps.-Aquinas, Bartolomeus Anglicus, and Henry appears in Felix Faber’s *Evagatorium* (III, p. 405): see below.
58 Berardelli transcribed the chapter from ms. 147 (which is X above); he emended it against the version contained in Lorenzo de’ Monacis’ *Chronicon* (see below), and added what seem to be his own emendations in at least two places: Berardelli, *Codicum omnium latinorum*, cit., 38-42.
59 Laurentii de Monacis *Chronicon de rebus Venetis ab u.c ad annum MCCCLIV*, ed. F. Corner, RIS1 VIII (Venetiis, 1758).
60 On the sources used by Lorenzo, M. Poppi, “Ricerche sulla vita e cultura del notaio e cronista veneziano, Lorenzo de Monacis, cancelliere cretese (ca. 1351-1428)”, *Studi veneziani*, 9 (1963), 153-186.
61 See edition in Appendix below
62 *Chronicon*, cit., III, 32-33.
Italian cities, or that the city is divided into six *sestieri*, for example, each with its own head who actively inquires into the behaviour of its inhabitants. It is here that Henry is cited, after “Albertus Magnus”, (in reality a passage from Bartolomeus Anglicus *De proprietatibus rerum*), to conclude the discussion of the mores and the nobility of the Venetians.

Henry’s passage is used, then, to praise not Venice’s political institutions, but the character of its inhabitants: perhaps it is because of the contrast with the emphasis placed on the *Maggior Consiglio* as seat of government and the existence of the heads of the *sestieri* as administrative elements that Lorenzo does not refer to the theory of the mixed constitution here. But he does briefly summarise it much later, in book XIV, in the context of the Baiamonte Tiepolo plot of 1310, where he does not mention Henry, but concludes that the mixed form of government is the best. Here Venice’s *de facto* mixed constitution serves to explain the city’s survival in the face of such threats as the above plot and the consequent flight of capital from its stock market, since the city’s lack of agricultural land means that its economy relies on creating a secure market which only its present form of mixed government can guarantee.

The question of nobility is again the context in which Henry’s account appears in another fifteenth-century work. This time, the entire chapter on Venice is incorporated into a sermon by the Dominican Leonardo da Udine in honour of St. Mark (1446). The sermon, on the theme “in medio ecclesie aperuiet os eius” (Eccli. 15, 5), praises Venice through its praise of St. Mark, and Leonardo borrows not only from Henry’s description of Venice, but also incorporates substantial extracts from his discussion of the three types of government and the ideal constitution.

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63 Bartolomeus Anglicus, *De proprietatibus rerum*, XV; the same passage is quoted - with a slightly different incipit, in X3 above.
64 *Chronicon*, cit., XIV, 276-277.
65 Leonardus de Utino, *Sermones aurei de sanctis fratris Leonardi de Utino sacre theologie doctoris ordinis predicatorem* (Venetiis, 1473), fols 128rb-136va; Kaeppeli, n. 2874, vol. III, p. 80-85. This sermon was probably preached in Udine in 1446: the colophon states Leonardo’s link with the city (“Explicitunt sermones ... quos compilauit magister Leonardus de Vtino sacre theologie doctor ordinis fratum predicatorem, ad instantiam et complacentiam magnifice comunitatis Vtinenis ac nobilium uiorum eiusdem. MCCCCXLVI, in uigilia beatissimi patris nostri Dominici confessoris”), and it is known that Leonardo was employed to preach in Udine from 1445 to 1446 (Kaeppeli, vol. III, p. 80).
The sermon is divided into two main parts which develop the theme in different ways: first section describes seven gifts of God received when mouths are opened, and the second lists and develops the six ways in which Mark opens mouths to receive these gifts: by leading people to abandon worldly things, to contemplate the highest truths, to convert themselves, to tolerate torments, to govern the Venetians, and to make the correct form of supplications. The fifth section on Venetian government is by far the longest of the sermon, and it involves a lengthy discussion of what constitutes nobility as well as the best form of government before the result is applied to the Venetian state.

In this section, Leonardo poses two questions: where nobility comes from, and whether the Venetian government derives its dignity from the fact that it is ruled by its noble and principled citizens. In the first case, he takes a fundamentally positive view of nobility, defined in broad terms. There are three types of nobility, he believes: nobility of blood (minima et materialis) which is common to all (omnibus), nobility of the soul (maior et formalis) which is possible for all, and a mixture of these two, which consists in imitation of one's ancestors' virtuous deeds (fol 132r). Three types of noble people can be discerned in this third category: those who ennoble their families with their virtuous deeds, those who inherit nobility from their ancestors and continue it through their actions, and those who degenerate from the nobility of their forefathers (fol. 132v-133ra). The truly noble person must, however, possess six principal virtues, all of which were demonstrated by St. Mark, and which indeed form an acrostic of his name: magnanimitas, arbitrii libertas, recognitionis affabilitas, coactionis refrenabilitas, virilem benignitas, and strenua libertas (fols 133ra-133v).

Leonardo then turns to the Venetians who "obseruauerunt et obseruant" these six properties "sub uexillo beati Marci sui gubernationis" (fol. 133vb). As far as the government of the Venetians is concerned, there are three things to consider: the three possible types of government, which of them is the most

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66 "Ecce quomodo beatus Marcus in medio ecclesie aperiut os ad suscipienda dona dei; quibus merito fiet utilis toti collegio ecclesie catholice ad seminandum fidem christi. Aperuit os eius ad mundanorum derelictionem, ad altissimorum contemplationem, ad eorum conversationem, ad cruciandorum perpessionem, ad Venetorum gubernationem, ad supplicationum impetrationem" (fol. 130ra).

67 "Fundamentally positive" if compared to Henry's view of nobility in the Tractatus de septem uitiis, 3.1.3.4., above.
perfect and virtuous, and which of them the Venetian government belongs to. It is here that Leonard turns to Henry’s work and lifts chunks from his chapters 2.4.12. to 2.4.15. to discuss first the three types of constitution and then their various defects. He borrows from these four chapters selectively, integrating them with other sources: he initially takes only an *exemplum* from 2.4.12. on the *regimen regni*; he then misses out the defects of the *regimen nobilium* given in Henry’s chapter 2.4.13. and adds an extra example from Cicero; and his description of the *regimen populi* is very short. When discussing the the various defects of these forms of government he goes back to Henry’s chapters again and only here does he quote at length from chapter 2.4.14. on the *regimen populi*. As far as the conclusion is concerned, Leonardo reproduces most of Henry’s chapter 2.4.15., stating of course that the *regimen mixtum* is the best form of government (fols 134r-136r), and he then quotes the chapter on Venice (2.4.16.) in full to show how this best, mixed, constitution is fulfilled in the Venetian state.

What is interesting to note here is not so much the use of the question of nobility, which became a commonplace in fifteenth-century Italy, but rather the way that both writers construct a theory of nobility to legitimize or to justify Venetian political institutions. Although by no means new, the debate on nobility came back to life in this period, at least in part, in the context of new social and political institutions, and one of its functions was to formulate a set of values to support the new *signorie* which were establishing themselves after the collapse of the communal era. By this period it was taken for granted that nobility involved at least two elements, personal virtue as well as ancestral lineage, and the debate was above all over the fine-tuning between these two elements. Thus while Henry himself speaks particularly negatively of the whole idea of nobility, claiming that all men are in fact equal, and recognizing ancestral nobility only in so far as it puts pressure on descendants to behave nobly, both the writers examined above have a much wider and more positive view of the concept.

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68 This is at least the theory put forward by F. Tateo, in “La disputa sulla nobiltà”, in *id.*, *Tradizione e realtà nell’Umanesimo italiano* (Bari, 1967), 355-421.
69 Tateo, “La disputa”, cit., 357.
70 See the *Tractatus de septem vitis*, 3.1.3.4., above. Leonardo da Udine also uses the argument that ancestral nobility induces descendants to act nobly, and illustrates it with the same quotation from Boethius that Henry uses: *Sermones aurei*, cit., fol. 132vb.
Indeed one of the principal characteristics of Venetian constitution, limiting participation in government to members of the *Maggior Consiglio*, that is, to members of the noble families, arguably forced any Venetian apologist to take a positive view of the hereditary question. For Lorenzo de’ Monacis, indeed, nobility consists of personal virtue (“nam caro et sanguis non sunt uera subjecta nobilitatis, sed egregii uirtuosique mores”), but also the ancient unity of citizens “in jure et regimine”, an element which he identifies in the *Maggior Consiglio*.

For Leonardo, again, clearly personal virtue is an important factor, but the idea of the “noble family” is also a positive concept, if accompanied by virtue, and he answers in the affirmative his initial question, “Vtrum regimen Venetorum sumat dignitatem eo quod per nobiles et primarios sue ciuitatis administratur”.

In a no less a positive spirit, Felix Faber, Dominican observant from Ulm, takes Henry’s praise of Venice as a basis for his own description of the city, which he visited in 1480 on the return journey from his second pilgrimage to the Holy land. “Venetiana urbs et venustior et pretiosior cunctis civitatibus quas ego vidi”, he begins, and continues in a similarly laudatory tone throughout his description of the city, which he divides up into thirteen different sections. He reproduces virtually all of Henry’s chapter, chopped up into sections and rearranged, in the third section on the length of the Venetian constitution, in the fifth on the great number of churches and monasteries, and in the eighth on the abundance of all types of goods in the city. Sometimes Felix changes the wording slightly, but mostly he supplements Henry’s observations with information on things he has seen, heard, or read about the city.

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71 “Ipseque sacer et potentissimus ordo sui majoris consilii, a quo dependet totum Reipublicae regimen, ita disciplinatus est, ut ad illum et gubernacula Patrae nemo ex successoribus nisi fama ortus legitime possit ascendere”, *Chronicon, cit.*, III, p. 30.


74 “Ea ergo, quae de hac urbe legi, audivi et vidi, hic inseram simpliciter et profecto insufficienter”, *Evagatorium, cit.*, p. 399.
Most of Henry’s chapter is contained in the third section devoted principally to the success of the Venetian constitution. Felix begins by recognising that the saints have said much in commendation of the Venetian system of government, and quotes (ps.-) Aquinas, Bartolomeus Anglicus, and Henry, as well as the sermon by Leonardo da Udine discussed above, and the Chronicles of Antoninus and their supplement by Jacobus Philippi. He then briefly summarises the Aristotelian theory of the three types of government, and adds Henry’s application of the best mixed form to Venice in full (“nam in communitate illa sunt circiter quadringenti... aliquid de politia populi habet”). The number of members of the Maggior Consiglio, referred to here as “communitate illa”, is the 400 of Henry’s time, but Felix has updated the description by noting that the 40 who make up the senate are known as ‘patricians’ (“quasi populi anteanos vel patritios”). To finish the description of the constitution Felix then jumps to Henry’s remark on the restrictions placed on the doge (“ducem uero ... preficiens”), adding a section on how any doge exceeding these restrictions will be immediately exiled, blinded or executed, and illustrating it with a long digression on past doges, which he might have taken from Sabellico.

Further straying from the structure of Henry’s account, Felix then attributes the longevity of the Venetian government to three virtues, sapientia, justitia, and misericordia (p. 407). Under the first heading he talks of the wisdom of the rulers, who can be seen marching in processions, and here adds Henry’s remarks on the splendour of Venetians’ clothing (“in uestibus sunt splendidi”). He continues with Henry’s comments on the Venetians’ moderation in eating and drinking, the absence of taverns, and the fact that there is no terrible crime in the city, and its aloofness from the customs of its neighbours. Here Felix contrasts the Venetians favourably with the rest of Italy, and describes at length the factional divisions between Guelphs and Ghibellines which, he states, tore cities and even families apart elsewhere in the peninsula. Regarding justice, Felix follows Henry by stating that the Venetians do not follow common laws but rather their own statutes, which are remarkably suited to their trading activities, and continues with

75 This work must be the Chronicon or Summa historialis of Antoninus Florentinus O.P. († 1459): Kaeppeli, n. 240. I have not been able to locate the passage in question.
Henry's observation on how the republic keeps its citizens in freedom, how no man is the slave of another, how there are no terrible crimes, and how the government comes to the aid of its citizens who have fallen into trouble abroad, adding his own example of Venetian intervention in Esslingen, where he had lived for some time. After a section on the Venetians' bravery in war, he returns to Henry and notes how honest but poor citizens are advanced, how no citizen is the slave of another, how everyone supports themselves with their own work, and how the Venetians have oars in the place of oxen. Under the heading of mercy, however, Felix takes nothing from Henry, but offers a long description of the prisons and punishments he has seen in Venice comparing them favourably with those in Germany.

In the fifth section of his praise of Venice, Felix corroborates Henry's simple statement on the number of monasteries in Venice, declaring, "Non credo, quod in tota Christianitate in aliqua una civitate sint tot ecclesiae sicut Venetiis", and illustrates it with a description of some of the principal churches and monasteries in the city. He also quotes Henry on how the population leave a tenth of their goods to the church when they die. Finally in the eighth section on the abundance of goods in the city, Felix adds Henry's comment on how the Venetians will trade in anything, even drinking water, which he illustrates by noting how the large number of cisterns in the city are still insufficient for the population, who would drain them all if it were not for the fact that they are kept locked at night.

Felix's description of the city would seem to show that, even taking into consideration the force of authority which was evidently still irresistible, Henry's description of Venice was still valid over a hundred and fifty years after it was written. But lest we imagine that the Liber was avidly read throughout Germany by those eager to hear the praise of this maritime republic, it is worth quoting here the remarks added by another German, Ulrich Ellenbog, in the margins of the

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76 It will be remembered that Melchior Wittich gave his copy of Henry's Liber (T above) to the Dominican convent in Esslingen. It is certain that Felix had already read something about Venice there from his remark: "Sed tandem in libraria nostrorum fratri in Eslingen reperi antiquam chronicam in pergamo scriptam, in qua sic habetur de translatione corporis S. Marci ..." (Evagatorium, cit., p. 418). Might it be that he first read Henry's description of the Venice there?
chapter on Venice in his incunable copy of Henry’s treatise, almost exactly at the same time as Felix was visiting the city.\(^\text{77}\)

Ellenbog’s antipathy for the Venetians is immediately apparent when he writes next to Henry’s “dicta gens summa gaudens libertate”: “Et male, quia papam et imperatorem spernant”. Venice’s much-praised independence or liberty could of course be viewed negatively in the context of the continual play of one power against another which characterised much of fifteenth-century politics in Europe, and especially Italy. Indeed, when Henry discusses Venetian trade, Ellenbog elaborates further on his general distrust:


Some of these comments refer to important contemporary events: the Venetian loss of Negroponte to the Turks in 1479, Turkish incursions into Friuli (Gorizia, for example), when, it is said, the smoke from the villages they burnt could be seen from the Campanile in St. Mark’s square,\(^\text{78}\) the Turkish capture of Otranto in Apulia in 1480, and the acquisition of Cyprus by the Venetian Caterina Corner, partly as a gift but partly through extorsion. Others are more remote: the expulsion of the Carrara (‘Curreta’) from Padua and the taking of Verona and Vicenza, after the death of Gian Galeazzo Visconti, in 1405, and the possession of domains in Friuli. Venetian complicity with the Turk was an accusation that was repeatedly made by other hostile European powers, who were not above trying the same themselves in their continual shift of alliances in this period.\(^\text{79}\) Indeed,

\(^\text{77}\) See p. 230 above. The marginal notation below is quoted from Proctor, “Udalricus von Ellenbog”, \textit{cit.}, 76-80.

\(^\text{78}\) Lane, \textit{Venice, cit.}, p. 236.

\(^\text{79}\) Lane, \textit{Venice, cit.}, p. 235.
Venice's position as the strongest of the five main players in Italy, and its aggressive expansion over the terraferma from the beginning of the fifteenth century, which set it in conflict with other Italian and European powers, inevitably made it a subject of envy and hatred: clearly if the city seemed magnificent and splendid to its friends, it would appear arrogant and treacherous to a hostile observer like Ellenbog, who continues, next to Henry's praise of Venetian devotion ("Catholic sunt ...):

Mentiris; nam papam non curant nec imperatorem. Possident enim patriarchatum papa recusante. Excommunicatur semper [...] set non curant. catholici apud me non dicuntur. tu scribis ut unus ex eis set mentiris. Est gens cautelosissima et traderet christum pro pecunia. sunt igitur filii Iude. nec ego de singulis lumbaridis facio estimationem aliam. Nullam penitus alamani in eos debent ponere fiderem, saltem ut in christianos bonos et fideles confratres. Tu nota Leonardum de Vtino in sermone de sancto Marco.

While Ellenbog's remarks may be the result of a negative experience at a personal level, they also remind us that although German humanism owed much to its reception of new ideas from Italy, there was also a current of nationalistic German intellectuals who rejected the Italian influence.\(^{80}\)

1.2.4. Type of manuscript

The type of manuscript, understood as its size, material support, and decoration, can tell us something about its use. Generally speaking, we would expect large and/or illuminated manuscripts, for example, to have a more formal or ceremonial use: their size and quality make them expensive, and exclude them from use as every-day practical manuals or reference tools; smaller and/or unillustrated manuscripts, on the other hand, can plausibly have been used for more practical purposes, by students, for example, while a particularly small size is often an indication of a book's use as a pocket manual for preachers.

Most of the above manuscripts fall into the category of medium-sized books, measuring an average of c. 270mm by 195mm. They are mostly without illumination, and their decoration generally consists of coloured paragraph marks, running titles, and large initials at the beginning of chapters. This would be

\(^{80}\) Wimpfeling, for example, was proud to declare that he had never been to Italy: Spitz, "Wimpfeling", cit., 43.
consonant with their use as library books in convents or university libraries, say. Only one, W, is somewhat larger, measuring 345mm by 235mm, and it is also illuminated, suggesting that it was either produced for a rich patron or for some kind of ceremonial use. Four manuscripts, F, L, N, and X are notably smaller than the average, and two of these, X and F are Dominican books. Only F, however, is particularly small (185mm by 135mm), making it a plausible preaching handbook.

As far as material support is concerned, there is a divide between the fourteenth and fifteenth centuries: manuscripts from the former are all made of vellum, while the latter are of paper. Script and illumination are a good indication of quality. As mentioned above, most of the manuscripts have little in the way of decoration; similarly the script is usually of medium quality. While F, M, P, X, Q, and W are written in forms of gothic bookhand, A, B, C, G, H, L, N, O, R, S, T, and V use a series of hands which can be described as ‘cursive’, or ‘bastarda’. Those copied in humanist script contain only the chapter on Venice, are associated with this city, and have a different type of function, within a lay, patrician environment. From the general medium quality, only two manuscripts, M and W, clearly stand out. W, mentioned above for its size, bears an illuminated initial Q containing a portrait of the author. That size and illumination do not always coincide, however, is shown by the fact that F also bears a similar portrait within the larger initial Q. M presents a strikingly regular gothic script, and bears rich illuminations of figures on the first folio of each work, with the exception of Henry’s; thus, although it contains sermons, it was clearly not meant as a personal handbook.

Although the general quality of many of these manuscripts is consistent with use as university texts, there are no signs of pecia marks, which would distinguish them as ‘university books’. In practice, the absence of such marks is not as significant as it might first appear since, although pecia marks have been useful in dating works connected to the university of Paris, the pecia system was not used at German universities. Moreover, as will be discussed below, the set texts of the curriculum were not the only texts which were used in the University.

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81 In the case of Giles of Rome’s De regimine principum, Briggs notes that this type of illumination is confined to Italy: Giles of Rome’s, cit., p. 35. Q also contains an inhabited initial Q (fol. 93ra), but its contents cannot be deciphered from microfilm.
environment, and hence a wider definition of the ‘university book’ would seem to be more useful here.

1.2.5. Marginal glosses

The most common type of marginal annotation is the abbreviation Ex" to indicate the presence of an exemplum. It is sometimes the only form of contemporary annotation, as in M, Q, and X. But this type of annotation is also present in G and P together with running titles or the titles of the various sections of the treatise in the top margin, and in F in a contemporary hand, with occasional schema added in the margin in a later hand to provide a summary of the principal points of the text, such as the following note, added near chapters 1.5.6. to 1.5.8. (fol. 11r):

\[\text{nota quod uxor debet esse}\]
\[- casta\]
\[- pudica\]
\[- uerecunda\]
\[- taciturna\]
\[- pia\]
\[- misericors\]

Exempla are also indicated in W, together with textual variants marked throughout in a near contemporary hand, clear evidence that this copy of the text was checked and corrected against another. The only manuscript in which marginal notation constitutes a significant addition to the contents is X, which contains information added to Venetian chronicles, as discussed above.

1.2.6. Miscellanies

The work is long enough to constitute a manuscript book in its own right, and it does so in the cases of D, F, G, L, O, S, X, and W. But the Liber also circulated bound together with other works in its full version in eleven manuscripts, and in its excerpted forms in another four. The type of works which travel together with a given text say something about how that text was perceived: works are not simply bound together haphazardly, but their
combination suggests that they have something in common, at least in the eyes of those who bound them. It is important then to distinguish between works which were originally copied together and those which were gathered together later, since the combination of works in a manuscript book only reflects the judgement of those who made that particular book at that particular time. Later combinations, therefore, may betray something about a work’s reception, as long as we are careful to remember that works may have been bound together because they were the odd remains on a similar subject or of a similar format.

Generally speaking, Henry’s work tends to travel with other works on morality. It is bound with treatises on the virtues and vices in particular in A, where it is coupled with Peraldus’ *Summa de vitiiis* and Ps.-Albertus Magnus, and in P, combined with John of Wales’s *Breviloquium*. The combination with John of Wales appears again in C, which seems to be a collection above all of treatises dedicated to the four virtues, often commented, with some texts of a more ‘scientific’ nature, including pseudo-Aristotle and some medical texts. In T and R, Henry’s text is bound together with the pseudo-Senecan *Formula vitae honestae*, another treatise on the four cardinal virtues. R is principally a florilegium of Seneca or pseudo-Seneca, and also contains Vegetius’ *De re militari*, as mentioned above, and it thus enters into the typology of the humanist collection, from the point of view of its contents as well as its circulation. N is another manuscript which can be described as ‘humanist’, here because of its combination of texts on rhetoric by classical authors as well as works by the Florentine Poggio Bracciolini and pseudo-Florentine Jacobus Publicius Rufus, and its *florilegium* of moral philosophy, and also because of its personal connection

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82 One can quote here the note added by Ulrich Ellenbog to his incunable copy of Henry’s work, bound together with four other treatises into one volume: “O filii, hos tractatus coniunxi, quia habent ac continet materias ad inuicem querendas. Coniungite huic preceptorium Nider ut copiosam habeatis materiam quam legere uolitis, similiter sophologium; hi namque tres libri coniunganter nec separari debent de precepto patris uestri”: Proctor, “Ulrich von Ellenbog”, *cit.*, p. 75. The other works bound together by Ellenbog here with Henry’s are the *Reportatorium bibliae aurea* of Antonius Rampigollis, a Franciscan *Quadragesimale*, the *De divina praedestinatione* of Felicianus, and John Peckham’s *De oculo morali*; he tells his sons to add to these the *Praeceptorium* of Johannes Nider O.P. (Kaeppeli, n. 2540) and the *Sophologium* of Jacques Legrand O.E.S.A. (Hain, nos 10467-10479), making this a miscellany of a moral nature.

83 This seems to be the only manuscript in which Henry’s text is associated with Aristotelian commentaries, one of the types of use identified for Giles of Rome’s *De regimine principum*: Luna, introduction, *Aegidii Romani Opera Omnia*, *cit.*, p. xxviii-xxix.
with Jacobus Publicius, from whose lectures in Erfurt or Leipzig at least one of the texts derive.

The only manuscript which could begin to lay claim to being labelled 'scholastic', on the other hand, is H, which contains the *Quaestiones de quolibet* of Aquinas; this manuscript is a later composite, and the works were presumably put together on the basis of their Dominican origin. Another obvious later composite, is Q. The principle behind the grouping of these texts is more difficult to identify, for Henry's work is combined here with earlier patristic and monastic works, such as Gregory's *Dialogues*, a biblical commentary by Richard of St. Victor, and two treatises by Hugh of St. Victor, as well as a work by pseudo-Aquinas and an unidentified treatise on the vices.

As suggested above, X₁ and X₂ are essentially private reference works which belong in some way to the world of the Venetian patriciate. But V also falls into the category of reference tool, in this case, linked to a university environment, since the other works it contains are either finding devices, such as an index and list of contents for Gregory's *Moralia*, or forms of dictionaries, such as Langton's *Nomina Hebraica* and Astestanus of Asti's treatise on the meanings of words in civil and canon law.

1.2.7. Nature of the text

In order to understand the relationship between the manuscripts described above, it is necessary to move from external to internal criteria, and examine the nature of the text of Henry's treatise as it was copied in them. I have carried out a collation against the Strasbourg incunable edition of the first chapter involving fifteen manuscripts (A, B, C, F, G, H, M, O, P, Q, R, T, V, X, W), the last chapter involving eleven (A, B, C, F, H, O, Q, T, V, X, W), and the chapter on

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84 Here I use the problematic terms 'humanist' and 'scholastic' with caution. One can of course point out both that classical texts on rhetoric were read throughout the Middle Ages (Vegetius' *De re militari*, mentioned above, for example, was quoted by Giles of Rome in his *De regimine principum*), and that humanists were influenced by 'scholastic' writings. Nevertheless it seems to me that R and N on one hand and H on the other, for example, clearly reflect different types of interest. On the question of what humanism is, see, for example, W. Rüegg, "The rise of humanism", in ed. H. de Ridder-Symoens, *A History of the University in Europe*, I. *Universities in the Middle Ages* (Cambridge, 1992), 442-468.
Venice, involving seventeen (A, B, C, F, G, H, M, O, Q, R, T, V, X, X₁, X₂, X₃, W). On the basis of this, the following types of variants emerge:

1.2.7.1. Full text

As mentioned above, four manuscripts contain extracts of Henry's work only: X₁, X₂, and X₃ the chapter on Venice, and N excerpts from the beginning of the treatise and from the third section on fortitude in particular, with no identifiable criterion governing the selection of passages included⁸⁵. Of the remaining nineteen, G, M, and R are incomplete since they lack the end of the treatise. This does not necessarily imply any direct relationship between these, however, since the beginning and the end of manuscripts are those parts most frequently lost: G was evidently copied from a manuscript whose end was missing, whereas M and R presumably lost the last quire at some point. R is particularly damaged: water-stained, with two of its quires incorrectly assembled, this suggests that at one point it fell apart completely.

1.2.7.2. List of contents

Most of the manuscript copies include a table of contents, listing the chapters and sub-chapters in the order in which they appear in the treatise. This list is placed before the treatise in B, D, C, F, G, O, V, X, W, Z, and after the treatise in T; it is absent from P, Q, and R. It is likely, therefore, that this list dates back to an early stage in the work's transmission. The division of the work itself into chapters and sub-chapters is also extremely constant throughout the tradition, and in every manuscript copy seen the chapters are in some way highlighted, by rubricated or underlined running titles or large, coloured initial letters, and even if the rubricating work has not been carried out, space has been left for such additions. There seems no reason to doubt, then, that the division into separate units was part of the original structure of the work.

⁸⁵ We cannot exclude that the compiler of the manuscript worked on a principle of personal taste, adding items which he particularly liked or found useful. The florilegium on moral philosophy contained on fols 167r-253v of this manuscript, indeed, contains a large number of small extracts, not all of which have been identified in the description above.
At a later date, however, another finding device was added to the text in the form of an alphabetical index. In the two incunable editions, and A and H copied from them, this ‘tabula remissoria’ now substitutes the list of contents, and is accompanied by a short preface written by the editor, Thomas Domiberg, in which Domiberg explains that he has compiled the index himself to make it easier to find material on the various subjects contained in the treatise, in particular the numerous *exempla*. The index consists of *sententiae*, rather than single words, which are organised alphabetically according to a key word. It falls short of being a truly analytical index, since it only lists a number of *sententiae* (over 370), rather than all the key terms in the treatise with their various occurrences.

In certain cases, Domiberg has simply given key words in context, as they appear in the chapter titles in the order in which they are given in the treatise, such as the twelve entries for *abstinentia*, for example, which begin the index, and which constitute chapters 4.3.1. onwards. The procedure is similar for words such as *castitas*, *fortitudo*, *fructus*, *ieiunium*, *iuuenes*, *iustitia*, *iudex*, *lex*, *ludus*, *magnificentia*, *matrimonium*, *paciencia*, *perseuerantia*, *princeps*, *prudentia*, *respublica*, *reus*, *seruus*, *sobrietas*, *testis/testimonium*, *uercundia*, *uir*, and *uxor*, all of which constitute one or more blocks of chapters in the treatise, and which Domiberg might have taken straight from the existing list of contents. But on many occasions, key words are extracted from the major ideas contained in the chapters, but not found in the titles. Sometimes these are common concepts, such as *angels*, *concupiscencia*, *felicitas*, *intellectus*, *luxuria*, *natura*, *oratio*, or *voluntas*; sometimes they are general concepts with a particular practical application such as *certitude*, *dubia*, *infamis*, or *scriptura*, which are all relevant to the practice of law; sometimes they are useful definitions, such as *cautio*, *crapula*, *ebulia*, *eutropologia <sci., eutrapelia>*; *synesis*, or *tergiuersari*; sometimes they seem to be useful or notable pieces of isolated information, such

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86 “Certitudo non est similiter querenda in omni materia” (from a discussion on multiple witnesses in a trial); “dubia semper in meliorem partem sunt interpretanda” (from discussion of proof available to a judge); “infamis quis sit et quando contra eum inquiri possit” (from a chapter on criminal inquisition); “scriptura est adinuenta propter absentes loco et tempore” (from a chapter on submitting criminal accusation in written form).
as filius, peregrinus, predicatores, or regulares; and sometimes they come from exempla, even though Dorniberg states that he has not included the final exemplum of each chapter in his index for reasons of brevity. Examples of this are Nero and Parisius, mentioning the supposed Carolingian foundation of the university; interesting too is the inclusion of Argentina gallia, given that the work was printed in the city of Strasbourg.

Dorniberg states specifically that he compiled the table himself, finishing it on St. Martin’s day (11th November), 1471. There is evidence, however, that another alphabetical table was in existence by 1464, as attested in L. This was copied, and presumably compiled, by frater Leonard Gulsa, about whom we know nothing except that he must have been a member of one of the mendicant orders. Gulsa not only copied the chapter titles throughout the manuscript, he also filled the margins with the letters A to Z in order to make it easier to locate words or sentences within a chapter, a technique similar to that used by the compilers of the ‘St. Jacques concordance’ in the first half of the thirteenth century. I have not been able to see this index, but curiously it begins with exactly the same words as Dorniberg’s. This may be pure coincidence, and indeed the index ends differently, with zelotipia, as opposed to uxor in Dorniberg’s. Nevertheless it is worth bearing in mind that Dorniberg’s edition was prepared from a faulty manuscript, and he might simply have simply omitted the final entry.

1.2.7.3. Colophon

One of the most significant types of variation occurs in the incipit and explicit of the treatise, where the title and author are often quoted. In particular, the two incunable editions and several manuscript copies add various observations on the function of the treatise: that it was used in schools, preached, and in particular that it was written for the Venetian citizens. There are two main formulae of attribution:

87 “Filius tenetur salutem reipublice anteponere saluti patris”; “peregrinus: qualiter se habere debeat in republica”; “predicatores debent habere conditiones magnanimi”; “regulares facilius et liberius amouentur a suis amministrationibus quam seculares”.
88 This system of reference was widely adopted from the second half of the thirteenth century onwards, but the compilers of this concordance used only the letters A to G: R. H. Rouse - M. A. Rouse, “The Verbal Concordance to the Scriptures”, in AFP 44 (1974), 5-30
89 See below, chapter 3: 1.2.7.5.
Tractatus de quatuor uirtutibus cardinalibus, editus et expositus ad ciues Venetos per fratrem Henricum Ariminensem, found in L, R, T, and V; and also in M with the addition, "editus et expositus ad ciues Venetos, in scolis predicatus, per fratrem ..."; and

Predicti tituli distincti sunt per lectiones quia liber hoc modo ad ciues Venetos in scolis fuit expositus, which is added after the list of contents in B, D, G, and Z. This phrase is also found as an interpolation, in the same hand as other marginal additions, in W, suggesting that this manuscript later came into contact with another against which it was corrected.

By far the most detailed idea of the work's purpose is found in C, in which the treatise is introduced in a formula of the first type above, with the addition of the idea that it was read in Venetian schools to both nobles and citizens, in the vernacular, in order to teach them how to rule themselves in all three parts of moral philosophy, and in particular in 'politics' because of the variety of cities and territories under their dominion.

Significantly, however, not all of the manuscript copies make any mention of the work's purpose, even when they attribute the work to Henry. F, O, P, Q, and W begin by a formula of the kind: "Incipit liber primus de uirtutibus moralibus distinctus per quatuor tractatus editus a fratre Henrico", most of them adding "de Arimino/Ariminensi" and/or "ordinis predictorum" to this formula. X simply states: "Summa de quatuor uirtutibus cardinalibus fratris Henrici de Arimino".

Thus while there seems to be no reason to doubt the attribution of the work to Henry, the authenticity of its declared audience or purpose is not so certain, since six (seven counting W) out of eighteen manuscripts bearing an attribution of authorship do not specify that the work was written for the Venetians at all. Moreover, all of these seven, with the exception of O (1405), are from the fourteenth century, and five (counting W) are linked to Italy. Almost all of the manuscripts which connect the work specifically with Venice, on the

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90 Hermann describes this phrase in W as a "Nachtrag von einer etwas späteren Hand": Hermann, Beschreibendes Verzeichnis, cit., 211
91 Only C and G make no mention of the author's name.
92 None of the extracts either mentions the work's public or its purpose.
other hand, belong to the fifteenth century and come from the German area, with
the exception of M (possibly Italian), and D.

Taking C as the most extreme example, it seems reasonable to assume in
this case that the comments mentioned above are a scribal interpolation, especially
when we consider the tendency of the scribe to add information, for example on
the school in Bolwir, before and after other works in the manuscript. This does
not mean that the scribe simply invented what he wrote; indeed it is likely that he
was adding extra information which he thought could be of interest\(^3\): the idea
that the Venetians needed advice on politics to help them rule their imperial
domains reflects the position of Venice in the second half of the fifteenth century,
when its empire comprised both overseas territories in Byzantium and extensive
Italian domains on the terraferma. In the same way, the "in scolis predicatus" of
M, unattested elsewhere, would appear to be an addition to the formula copied by
the scribe, reflecting the use of the treatise at that time; and the change in the
spelling of Henry's name itself to 'Heinricus' in B, R, T, and V, betrays the
German context in which these manuscripts were copied and read.

Working on the same principle, it seems necessary to admit that the
assumption that Henry wrote the work specifically for the Venetians might itself
be a later interpolation, and not necessarily Henry's original purpose in writing
the treatise at all. The theory of textual criticism warns that recentiores, non
deteriores, that later manuscripts are not necessarily more corrupt than earlier
ones\(^4\). But this principle, formulated in the context of classical textual criticism,
takes into account the possible existence of a late-medieval manuscript copied
directly from, say, a ninth-century exemplar, no longer in existence, which thus
by-passes the errors potentially introduced over five hundred years. In the case of
Henry's treatise, however, the tradition consists of witnesses from two centuries,
spreading out from a centre, with a gradual accretion of information and
presumably error, and in some cases, a slight adaptation of information to suit the
new context. Rather than automatically assume that Henry was writing for

\(^3\) See below the information added by the scribe of C to the chapter on Venice. Scribal variants
are by no means always due to negligence or lack of understanding, but are often constructive
ways of making sense of a corrupt text, or updating or clarifying information.

Venetian citizens, we should, therefore, take this to be the assumption made by those who copied the work, especially outside Italy, who evidently considered it as a manual of political philosophy for the Venetian laity.

1.2.7.4. In praise of Venice

Small variants in chapter 2.4.16. on Venice and its customs are interesting because they can potentially tell us how the praise of Venice was viewed by later audiences. It is important to begin by noting that although the chapter is present in all the copies, except P, as discussed above, it does not seem to have received any signs of particular attention outside Venice. Domiberg simply notes in his index, under ‘Veneti’, that “auctor multa ad eorum commendationem scribit”. In W, for example, there is a drawing of a head next to the chapter, and in O the passage which treats of the peace and security of the Venetian people is noted by means of an pointing hand in the margin, in a manuscript otherwise free of marginal notation. Apart from these small comments, the chapter goes unremarked.

Several slight textual variations in the chapter do exist. The number of people admitted to the ‘consilia publica’, that is, the Maggior Consilio, is generally given as four hundred, the number of members it effectively had at the end of the thirteenth century; in the two Venetian manuscripts, X and X3, however, the number is given as nine hundred, which was plausibly the effective number of members when the manuscript was copied: the number remains at four hundred in other later copies made outside Venice, presumably because only Venetians would have been aware of the need to update the information. Henry specifies that in this council both nobles and the members of the honourable ‘popolo’ are admitted; in G and O, however, the scribes had a less exalted notion of this institution, and have changed the ‘honorabili’ to ‘ignobili’ (G: fol. 34r; O: fol. 35va). The most striking variations to the text of this chapter, however, occur in

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95 See below, chapter 3: 5.
96 There were around 1,000 members of the Maggior Consiglio in the fourteenth and fifteenth centuries, depending on the size of the population, which was regularly reduced by outbreaks of the plague: Lane, Venice, cit., p. 208, 254.
Veneti splendidi sunt sed cibo temperati, et potu, ne per ebrietates et uoracitates mercandi usus impediatur aut status policie turbetur. Thabernas sicut alie gentes non usitant sed magis ecclesiariam sunt cultores et diuini honoris amatores; pauperibus sunt benefici; thabernas etiam non habent, sed bene hospicia pro aduenientibus hospitibus et mercatoribus; multa etiam pauperum hospitalia ibi sunt et precipe pauperibus peregrinis; item ibi etiam est hospitale pro peregrinis et aduenis pauperibus qui infirmi adueniunt uel ibidem infirmari incipiunt, qui ibidem adducuntur et habent medicos et seruiores et eis necessaria, tam in uictu quam in medicinis, aministrantur et eos tenent usque dum sani. Item est ibidem etiam speciale hospicium pro pauperibus qui pestilentes sunt, qui ibi ducuntur et habentur ibidem etiam medi et serui et, eis prouidetur usque dum sanentur aut moriantur. Item in omnibus hospitalibus etiam sunt predicatores deuoti qui <h>ortantur infirmas ad pacienciam, et eorum confessiones audiunt et eis ecclesiastica [f.206r (rectius 207r)] sacramenta ministrant, et si moriuntur honorifice sepeliant. Sunt etiam ibi insignia monasteria omnium ordinum et etiam plura monasteria eiusdem ordinis. Sunt etiam ibi plura monasteria sanctimonialium omnium ordinum et etiam plura monasteria eiusdem ordinis. Sunt etiam ibi plura monasteria tam uirorum quam sanctimonialium non sufficienter dotata, quorum personas tam annualibus quam etiam cottidianis elemosinis tam publicis quam priuatis nutriunt. Decedentes, uero, ab hac uita, Veneciani decimam partem pecunie in qua fere omnia eorum bona consistunt indigentibus et diuinum cultum colentibus derelinquant, huius deciem decimam partem episcopus eorum recipit quia aliam decimam episcopus eorum non habet.

multos de communibus parentibus nutrit. Item ibidem speciale hospitale est optime dotatum pro infantibus expositis quorum mater et pater ignorantur qui sic expositi statim ad id hospitale adducuntur et ibi nutriuntur usque ad etatem in qua, si masculus est, ad artificioe spectavit; si femina marito traditur [f. 206v (rectius 207v)] cum dote ab hospitali recepta. Hec ad laudem nostrorum progenitori breuiter dicta sunt
Apart from the number of religious houses, which also struck Felix Faber\textsuperscript{99}, the author of the additions seems to have been particularly impressed by the various forms of charitable institution existing in the city, above all shelters and hospitals for merchants and foreigners, poor pilgrims, the sick and the pestilent - even foreigners with the plague - and orphans. The comments added express a difference - in quantity if not in kind - between the Venice of 1300 described by Henry, and what a visitor to the city c. 1460 might effectively have seen. Although hospitals existed in the period in which Henry was writing, their number effectively increased, not only, but also, because of the advent of the plague in 1348, which in the late fifteenth century still recurred every five to six years\textsuperscript{100}. The writer's observation of the presence of preachers in the hospitals for the sick, who minister the sacraments and bury the dead, may indicate a personal contact with the Dominicans in particular; nevertheless it reflects the nature of medieval hospitals which dealt with the care of the soul as well as that of the body\textsuperscript{101}. Indeed, the picture presented generally corresponds to what we know of poor relief in Quattrocento Venice\textsuperscript{102}: the presence of many small hospitals, catering for pilgrims and foreigners, who apparently numbered more than the native population\textsuperscript{103}, foreign merchants (especially the Germans), the poor and the infirm, as well as the 'Pietà' foundling hospital which received "exposed" children, educated them, and then provided the boys with apprenticeships and the girls with dowries\textsuperscript{104}.

1.2.7.5. Other textual variants

Given the variants mentioned above, what the collation reveals above all, however, is the homogeneity of the manuscript tradition. Despite the length of the

\textsuperscript{99} See above, chapter 3: 1.2.3.
\textsuperscript{100} Cf. B. Pullen, "The Scuole Grandi of Venice", in \textit{id.}, Poverty and Charity, cit., XII, p. 275. About 40 late-fifteenth-century hospitals had medieval origins. However, it was not until the fourteenth century that the Scuole - admittedly only one of the several administrators of hospitals and poor relief - evolved from being primarily religious to charitable and religious institutions: see B. Pullen, \textit{Rich and Poor in Renaissance Venice. The Social Institutions of a Catholic State, to 1620} (Oxford, 1971), 63-83, 423-428.
\textsuperscript{101} Cf., Pullen, \textit{Rich and Poor}, cit., 204-205.
\textsuperscript{103} Cf., Pullen, "The Scuole Grandi", cit., 274.
\textsuperscript{104} Cf. B. Pullen, "Orphans and foundlings in early modern Europe", in Pullen, \textit{Poverty and Charity}, cit., III.
collation (over 2,000 words), very few significant variants emerge, and certainly not enough to begin to establish a full *stemma codicum*. By significant variants, here, we mean errors which cannot have been produced independently by two different scribes, or those which, if they occur in one manuscript and not another indicates that this second cannot have been copied from the first (conjunctive and separative errors respectively). In practice, we would look for substantial lacunae or characteristic additions occurring in several manuscripts. Patterns of agreement of relatively insignificant variants do emerge from the collation to allow the identification of two 'families'; but these types of variants consist mostly of inversion of words, small omissions etc., which only really become significant when they recur repeatedly in the same manuscripts.

In this way, the following two 'families' or groupings of manuscripts with similar characteristics can be identified:

i) W and Q, which share the following common variants against the rest of the tradition:

* in faciem omitted (4.4.9., fol. 145v, lin. 11)
* uel in particulari added (4.4.9., fol. 145v, lin. 12)

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105 So far we have talked about variants rather than errors. Although variants can be used to establish relationships between manuscripts, in order to be able to evaluate the relative importance of the manuscripts and construct a *stemma*, it is necessary to apply critical judgement and speak of 'error'. Lachmann's stemmatic method of textual criticism is based on common errors which can reveal the hierarchical relationship between the witnesses, and it is this relationship, expressed by a *stemma codicum*, which then guides the editor his choice between neutral variants. The rules of the rigid stemmatic method were set out by Paul Maas in *Textual Criticism* (trans. B. Flower) (Oxford, 1958), and there is a discussion of the method in Reynolds - Wilson, *Scribes and Scholars*, cit, p. 137-162.

106 The above additions to the chapter on Venice in C, for example, or the transposition of a section of the last chapter in the incunable edition (see below, p. 257), are certainly significant errors, but these only occur in one copy, and merely prove that none of the known copies were made from these exemplars. Similarly, lacunae in B, F, O, and X show that none of the other copies were made directly from these. As far as conjunctive errors are concerned, a small 'saute du même au même' links G and O, for example, and another X and C, but there is nothing to prevent these from being independently produced. Again, a longish lacunae in X and X₂ - which it is by no means sure was produced independently in the two - still says very little about the general relationship between the witnesses, since these are both Venetian manuscripts and the second contains only the chapter on Venice.

107 The folio and line numbers below refer to the Strasbourg edition of the text for the prologue and the last chapter (4.4.9.), and for the chapter on Venice (2.4.16.) to the edition in the Appendix.
Vnde omitted (4.4.9., fol. 145v, lin. 13)
superuenienti and not superuenit (4.4.9., fol. 145v, lin. 16)
datus est and not data est (4.4.9., fol. 146v, lin. 12)
ciuitate (with X) and not circiter (2.4.16., lin. 4)
una cum sex consiliariis uocant alios and not una cum sex quos consiliarios
uocant (2.4.16., lin. 8)
et cum ipso policiam regunt omitted (2.4.16., lin. 15)
Hii homines and not homines (2.4.16., lin. 26)
cibis and not cibo (2.4.16., lin. 37)
usus mercandi and not mercandi usus (with G) (2.4.16., lin. 38)
proprinis and not publicis (2.4.16., lin. 41)
cura adhibetur and not curam adhibet (2.4.16., lin. 51)
recuperanda uirtutum studio (with X) and not uirtutum studio recuperanda
(2.4.16., lin. 57)
ore and not corde (2.4.16., lin. 60).

There is not enough evidence to establish whether one is the direct copy of another, and hence the relationship between them remains for the moment unclear.

ii) The 'Heidelberg group' made up of T, V, the two incunable editions (I), and A and H copied from them, and hence eliminated. T, V, and I share the following common variants not found in the rest of the tradition:

Tractatus ergo and not Tractaturi igitur (prol., fol. 1Ir, lin. 11-12)
temperandas (with M) and not reprimendas (prol., fol. 1Ir, lin. 23-24)
cardinales uirtutes (with R) and not uirtutes cardinales (prol., fol. 11v, lin. 2)
est autem and not autem est (prol., fol. 11v, lin. 10)
nostro added (with M) (prol., fol. 11v, lin. 12)
dictum finem se (with M) and not se dictum finem (prol., fol. 11v, lin. 13)
similitudines and not similitudinum (prol., fol. 11v, lin. 22)
per prudentiam intellectum and not intellectum per prudentiam (prol., fol. 11v, lin. 29)
dei (with G) and not diuina (prol., fol. 12r, lin. 6)
acquiri possit (with R) and not possit aquiri (prol., fol. 12r, l. 19)
colorem apponat and not apponat colorem (4.4.9., fol. 145v, lin. 15)
ei added (4.4.9., fol. 145v, lin. 16)
faciat and not facit (4.4.9., fol. 145v, lin. 17)
derogat and not derogatur (4.4.9., fol. 145v, lin. 28)
inter politias and not inter omnes politias (2.4.16., lin. 2)
in tutu seruantur and not ibi tuti seruantur or tutti seruantur (2.4.16., lin. 21)
et cibo not sed in cibo (2.4.16., lin. 37)
inger and not ibi esse (2.4.16., lin. 45)
statuta propria and not statuta propria uiuunt (2.4.16., lin. 46)
dicta sunt and not breuiter dicta sint (2.4.16., lin. 55)

Again, the variants in common in T and I against V, in V and I against T, or in T and V against I are insufficient to establish the relationship between these copies of the text. It is worth noting though that the incunable edition contains a transposition of a long section from the penultimate to the last chapter which is not attested in T or V. This might indicate that the Dorniberg took the text for his edition from another copy, no longer in existence, since the transposition cannot be explained by the foliation of T or V. There is insufficient evidence to make any definite conclusion, however.

What emerges from the results set out above is that, as far as we can tell from the information available, the text of the incunable is the most unreliable of all the existing witnesses: the characteristic variants of the 'Heidelberg group' are often errors or lectiones faciliores with respect to the rest of the tradition, and in addition, the incunable provides the only evidence found so far of a substantial transposition of a passage. This suggests that the family would constitute one of the lower reaches of a hypothetical stemma, or that it is an unwise choice to take as a representative copy of the treatise.

With the exception of this important insight, however, the above family groupings are really of interest more from a historical than a textual point of view: they help to pinpoint links in the geographical diffusion, rather than offering a significant guide to the editor, who aims above all at identifying the 'upper
reaches’ of the stemma, or copies which are of high quality or are in some way representative of an important aspect of the work if the aim is to produce an edition from a single manuscript.  

1.2.8. An edition

At this point, it is worth asking what type of approach would be most appropriate for an edition of Henry’s treatise. Fully critical editions of medieval works are of course a scholars’ desideratum: before studying the works or the thought of a medieval author, one must be certain that these works and thoughts actually belong to the author in question and are not simply the result of scribal error, or indeed the work of someone else. It might be argued in the case of Henry that the textual differences thrown up by the production of a critical edition will not be so great after all, and that the incunable is enough to give us a good idea of what the text is about. But the incunable is still the text as it was read in Speyer or in Strasburg in the early 1470s, while we can be pretty sure that the work was written in Venice around 1300. Moreover, the collation carried out so far has identified this incunable as the least reliable copy of the text known, thus making it unsatisfactory as an edition from both the historical and the textual point of view.

The principle of always insisting on ‘critical’ editions, however, has come under attack for pragmatic reasons. As argued by Louis-Jacques Bataillon, fully critical editions are enormous undertakings, and while they are fully justified in the case of great or original thinkers, it is arguably advisable to opt for a more pragmatic approach in the case of lesser, more derivative works, typically preaching aids. In other words, it is better actually to produce editions, which, although not ‘critical’ are nevertheless still valid and scientific, rather than to insist on the fully critical approach, which would mean in practice that, besides large collective enterprises (such as the Leonine edition of the works of Aquinas, for

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108 The incunables - or rather the Heidelberg group - are undoubtedly representative of the way the text was read in a particular part of Germany in the late fifteenth century. However, unless one is particularly interested in the German reception of the text, there are arguably more important aspects to privilege: given the work involved in the production of an edition, it is unlikely that an editor would attempt more than one representative edition of a work like Henry’s treatise, for the reasons set out below.
example), only very short texts or texts attested in very few manuscript copies could ever hope to be actually edited\textsuperscript{109}.

The above remarks seem appropriate to the work in question here, for in Henry of Rimini we have a figure who is interesting essentially for historical reasons, whose works are valuable more for the use they make of earlier sources than for the originality of doctrine they contain. But it has to be remembered, as Bataillon points out, that even if an edition does not necessarily have to be critical, it must at least be ‘scientific’ if it is to be worth doing. This means not only that the editor must clearly describe in his introduction what criteria he has used in the preparation of the edition, but also that these criteria must be founded on some objective, verifiable, grounds.

If we take the stemmatic method as the basis of a ‘critical’ edition, then establishing the relationship between the manuscripts on the basis of common error (represented graphically by a \textit{stemma codicum}) is the premise that allows the archetype to be reconstructed from its witnesses and then to be emended, to produce a text as close as possible to the original. Taking the other end of the spectrum of methods of textual criticism, where an edition is based on a ‘best’ manuscript, the choice of the base manuscript must still depend on a thorough collation of the whole tradition, since this is the only way to identify objectively which manuscript is the ‘best’.

Between these two extremes, the idea of taking three manuscripts as the basis of a ‘scientific’, if not ‘critical’, edition is surely a persuasive solution in this case\textsuperscript{110}: such a method provides a guarantee against the type of error which can result from the use of a single manuscript, and, given the demonstrated

\textsuperscript{109} Here I paraphrase the opinion expressed by Bataillon, in “Problèmes posés par l’édition critique des textes latins médiévaux”, \textit{Revue Philosophique de Louvain} 77 (1977), 234-250; 249. One could illustrate this concern with the example of the project for the critical edition of the works of Giles of Rome, which is still perhaps even decades off: see Briggs, \textit{Giles of Rome’s}, \textit{cit.}, 3. Bataillon discusses the particular problems involved in editing works like preaching aids in “Les problèmes de l’édition des sermons et des ouvrages pour prédicateurs au XIIIe siècle”, in ed. M. Asztalos, \textit{The Editing of Theological and Philosophical Texts from the Middle Ages. Acts of the Conference arranged by the Department of Classical Languages, University of Stockholm, 29-31 August, 1984} (Stockholm, 1986), 105-120.

\textsuperscript{110} Bataillon, “Les problèmes de l’édition des sermons”, \textit{cit.}, 116. It might also be remarked here that the undoubted presence of contamination within the tradition (it is enough to think of the additions to \textit{W}, see Appendix), rules out the use of a rigorously stemmatic method from the start.
homogeneity of the tradition of Henry's treatise, it seems not only acceptable but also appropriate as a method of textual criticism. Yet how to choose these manuscripts? Essentially, the choice can be guided by external or internal criteria: the 'best manuscript' method might privilege a manuscript with certain geographical or chronological characteristics, one near the time and place of the original, say, given of course that this manuscript presents a text of good quality. In the case of Henry's work, however, the editor, I believe, must privilege the quality of the text, because the aim of the edition is still to produce a text which is as near as possible to the original.

An incunable edition of Henry's entire Liber already exists, and however unsatisfactory it may be, it is pointless to produce another one unless this can be done with some kind of scientific rigour. In practice, an edition based on three manuscripts still presupposes the reconstruction of the relationships between the various witnesses, and this excludes the selection of manuscripts on a geographical or a chronological basis. The evidence available at this point, however, is insufficient to allow the selection of the most suitable manuscripts as the basis of an edition. Once the codices descripti, that is, those manuscripts

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111 The idea of basing an edition on three manuscripts differs from the 'bon manuscrit' method elaborated by Joseph Bédier in the field of romance philology. The latter aims at producing an edition which is representative of the text as it appeared at a particular place and time: it rejects the type of composite text produce by the stemmatic method in favour of a text which, while not representing the 'archetype' or original, is at least a text as it was actually read at some point. The three-manuscript method, on the other hand, as I understand it, aims at providing a shortcut to the stemmatic method: if the text is extremely homogenous throughout the tradition, then three well-chosen manuscripts will not necessarily produce a very different text from one created by a fully stemmatic reconstruction. It must be remembered of course, that the 'bon manuscrit' method is not the same as an edition from a single manuscript, since the 'best' manuscript must be checked against one or more others, to avoid subtle errors, especially lacunae, which could otherwise go unnoticed, and therefore it presupposes a thorough collation of the entire tradition to identify independent witnesses. The single-manuscript method has been used in the field of medieval Latin textual criticism, for example, by editors of the Toronto Medieval Texts series; for a discussion of the problems involved, see F. Bertini, "Recenti edizione di testi del s. XII", in ed. A. Maierù, *Grafia e interpunzione del latino nel medioevo* (Roma, 1987), 103-112.

112 In essence, the approach adopted by Robey and Law in their edition of the chapter on Venice is valid: that is, to base the edition on the two incunable editions, checked against X. The problem here lies above all in the choice of base texts, for without a thorough investigation, one does not know which are the most suitable. Sometimes all three may be wrong, as is the case in the edition of the list of chapters in the Appendix, which follows the three manuscript method. This method still seems better than transcribing from a single manuscript, however.

113 Manuscript X, for example, would seem at first sight to be a plausible base text, since it is relatively early (fourteenth century), and Venetian; but examination of the chapter on Venice shows that the text is not particularly accurate, and the placing of paragraph marks in the middle of sentences is just one indication of the potential unreliability of the text.
which are no more than copies of other existing copies, adding no significant variants of their own - in this case A and H, and even the whole ‘Heidelberg group’ have been eliminated on textual grounds, there are still fifteen manuscript copies of the full text left to choose from, and insufficient information to understand the relationships between them. It seems to me, therefore, that any editor of the text would necessarily have to carry out a further collation as the first step in an edition of the text.
2. Function of the Liber

A fuller understanding of why the Liber was read or not involves a consideration of its function, that is who would be reading it and why. The above observations on the diffusion of the work highlight the need to distinguish the original function of the work from its successive uses. To talk of the original function of the work obviously involves a certain amount of guesswork, since there is no direct evidence to tell us why and who Henry was writing for. Nevertheless, the structure and the contents of the treatise on one hand, and the historical role of the Dominican order on the other, provide some indications about its original Sitz im Leben.

In the first place, as the work of a member of the Dominican order, the treatise was surely written primarily for Dominicans, to be used in their preaching mission and their education. One of the fundamental original functions of the treatise must therefore be use as a preaching aid for friars. Structural features as well as the above historical considerations point to this type of use. The division of the work into relatively short chapters shows that it was conceived of as a potential reference tool, and although the structure of each section bears less similarity to the structure of the sermon than those of the treatise on the seven vices, each chapter contains at least one substantial exemplum, from biblical, patristic, but also classical sources, which have an obvious use in preaching. From this point of view, Henry’s work might be thought of as a florilegium of useful patristic, scholastic, and classical exempla organised around the scheme of the cardinal virtues.

Certainly evidence exists that the work was subsequently used in preaching: the early appearance of a list of chapters, and later of an alphabetical index, on one hand, and the tendency to indicate the exempla in the margins of most of the manuscripts on the other, are a strong indication. Even more

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114 See M. M. Mulchahey, “First the Bow is Bent in Study”. Dominican Education before 1350 (Toronto, 1998), 3-6 on the Dominican order as primarily an order of intellectuals and preachers. On this point I would take issue with statements such as that by Franco Gaeta, for example, who talks of the Venetian government as Henry’s “datori di lavoro”: Henry was not a Venetian government employee, but a Dominican, whose first loyalties and principal point of reference we must assume to be - in the lack of evidence to the contrary - his own order: F. Gaeta, “L’idea di Venezia”, in eds G. Arnaldi - M. Pastore Stocchi, Storia della cultura veneta, 3/III. Dal primo Quattrocento al Concilio di Trento (Vicenza, 1981), 565-641; p. 567.
explicitly, this function in preaching is referred to in the title given in M (“in scolis predicatus”) and in Dorniberg’s prologue, where the editor declares:

considerans huius tractatus utilitatem, materiasque in eodem contentas, quas ordine alphabetico signauit, ut quisque id de quo legere intendit facile inuenire ualeat, siue sermones ad populum, siue ad clerum, aut alias arengam colligere uelit.

We even have an example - albeit atypical - in Leonardo da Udine, of how the contents of the Liber were effectively incorporated into an actual sermon, or model sermon, nearly one hundred and fifty years after the treatise was presumably written.\(^\text{115}\)

The second original function of the treatise was arguably for use in education in the Dominican schools, which were open also (but not primarily) to the laity.\(^\text{116}\) As a work of moral philosophy, largely inspired by Aristotelico-Thomism, the Liber was quite probably the product of a Dominican studium generale\(^\text{117}\), and also as a suitable textbook to be used within one.\(^\text{118}\)

Little is known about the studium of the Venetian convent of SS. Giovanni e Paolo in the medieval period, unlike the more important Dominican studium of S. Agostino in Padua, for example, which in the thirteenth century received such students as Albert the Great and Engelbert of Admont, and which was transformed into the university theology faculty in 1363.\(^\text{119}\) In theory, no Dominican convent was founded without a teacher, a doctor, and hence without a

\(^{115}\) This example is atypical because of the length of the exemplum selected, and the polemical intent of the sermon which seems to be providing theoretical support for the Venetian government. As such, it can be considered alongside texts expounding the ‘myth of Venice’. The relationship between written model sermons and sermons as actually preached is by no means clear, but it seems unlikely that Leonardo could have actually delivered the sermon on St. Mark in its entirety because of its length.

\(^{116}\) M. d’Alatri “Panorama degli studia degli ordini mendicant (Italia)”, in Le scuole degli ordini mendicanti (secoli XIII-XIV). Atti del convegno del centro di studi sulla spiritualità medievale XVII (Todi, 1978), 49-72, 52. The most famous example of this is Dante, a contemporary of Henry’s, who famously states how he had gone to the “scuole de li religiosi” (Convivio II, 12, 7).

\(^{117}\) It is extremely likely, then, that Henry studied at one of the order’s studia generalia, presumably Bologna, since it was the only Dominican studium generale of the province of Lombardy up to 1303, and remained the principal centre of learning in Lombardia inferioris, after the division of the province.

\(^{118}\) See below, p. 266-267.

\(^{119}\) See L. Gargan, Lo studio teologico e la biblioteca dei dominican a Padova nel Tre e Quattrocento (Padova, 1971); and G. Arnaldi, “Scuole nella Marca Trevigiana e a Venezia nel secolo xiii”, in ed. Arnaldi, Storia della cultura veneta, I. Dalle origini al Trecento (Vicenza, 1976), 350-386, which discusses only S. Agostino as a mendicant studium.
school, or *studium*\textsuperscript{120}. In practice, around the middle of the thirteenth century, this ideal had not yet always been realised, and indeed we can see a sign of the precariousness of the Venetian convent *studium* in a will dated 1256\textsuperscript{121}. Conditions had generally improved by the end of the century, however, and there is no reason to doubt that this is true for SS. Giovanni e Paolo, which by 1307 at least hosted a *studium provinciale*, and which by 1339 had been promoted to the level of *studium generale*\textsuperscript{122}. But important here are also Aquinas’ *Responsiones* to thirty questions which were sent to him in 1271 by a certain Baxianus of Lodi, lector of the Venetian *studium*\textsuperscript{123}. These problems, which regard aspects of cosmology, were then supplemented by more from Baxianus’ students, forcing Thomas to alter his initial response from thirty to thirty-six articles. They prove, therefore, not only the existence of a thriving school at SS. Giovanni e Paolo in the thirteenth century, but also the influence of Aquinas in Venice long before his doctrines were adopted officially by the Dominican order. Library catalogues testify that by the end of the fifteenth century the convent boasted the most impressive collection of books in the city, including more than one copy of Henry’s work\textsuperscript{124}; but no ancient library catalogues from the convent have survived to tell us about its earlier state\textsuperscript{125}.

Despite lack of direct evidence, but given Henry’s link with Venice, it is tempting to imagine that the treatise was used in the convent *studium*, especially

\textsuperscript{120} G. Barone, “La legislazione sugli ‘studia’ dei predicatori”, in *Le scuole degli ordini mendicanti*, cit., p. 207-247, in particular 207, 219. The word ‘studium’ is preferred ‘school’ here to avoid confusion with the Venetian confraternities which are characteristically known as ‘schools’ (‘scuole’).

\textsuperscript{121} Will of Medauia, comitissa de Strincharo, ASV, fondo SS. Giovanni e Paolo, S I, n. 1: “… et declarationem priori dictorum fratrum predicatorum, uel gerenti uice eius et lectori, si lector existerit” (italics mine).

\textsuperscript{122} The *studium generale* is at the top of the hierarchy of the three types of dominican *studium*: particolare, provinciale, generale: d’Alatri “Panorama degli studia degli ordini mendicanti”, cit., 50-61. The Venetian convent is mentioned after only Bologna and Padua in the acts of the 1307 provincial chapter, where it states that this convent hosted lessons on the *Sentences*, something true only of Bologna and Padua. This might suggest that the Venice *studium* was ranked third among the *studia* of the province: d’Amato “Atti del capitolo provinciale”, cit., p. 144 ff.

\textsuperscript{123} See Torrell, *Tommaso d’Aquino*, cit., 194, 395.


\textsuperscript{125} The origins of the library of the Dominican convent of S. Maria Novella in Florence, and of S. Agostino in Padova, for example, have been traced back at least to the first half of the fourteenth century: Orlando, *La biblioteca di S. Maria Novella*, cit.; Gargan, *Lo studio teologico*, cit.
when this became more important. At the time Henry was writing it is known that there was an abundance of masters offering ‘private’ elementary education, but, apart from the presence of the studium of SS Giovanni e Paolo mentioned above, it is difficult to find evidence of higher education institutions in the city, unlike, say, in Vicenza and Padova where university faculties sprung up - temporarily in the case of Vicenza - as a result of the university migrations from Bologna in 1204 and 1222 respectively. In the field of education indeed, Venice seems to be somewhat sui generis: unlike the adjacent terraferma, where communal governments intervened directly in the hiring and maintaining of schoolmasters, the Venetian government held a policy of non-intervention in the field of education. Thus the first ‘public’ schools in the city were the fifteenth-century schools of Rialto and San Marco which provided higher education of a logic-natural philosophy-scholastic and a rhetorical-humanist nature respectively; the former, moreover, was prevented from attaining university status by the government, eager to preserve Padua as the ‘only’ university of the republic. Until the advent of these schools, then, we can imagine that mendicant studia, among which of course the studium of SS. Giovanni e Paolo, were the main higher educational establishments in the city. Since there is evidence that the laity attended mendicant schools even towards the end of the thirteenth century, it seems plausible to assume that the Venetian citizens received instruction from Arnaldi, “Scuole nella Marca Trevigiana”, cit., 372-386. Arnaldi notes that “nessuno riuscirebbe a immaginare una folla di studenti profughi da una Bologna divenuta inospitale che andassero a chiedere ospitalità proprio al doge”, p. 373.


127 G. Ortalli, Scuole e maestri tra medioevo e rinascimento. Il caso veneziano (Bologna, 1996), 28-34, 185-194. Ortalli deals only with primary education in Venice, and merely touches on higher education; he makes no mention whatsoever of the educational institutions of the mendicants. See also J. B. Ross, “Venetian Schools and Teachers. Fourteenth to Sixteenth Century”, in Renaissance Quarterly 29 (1976), 521-566, which provides a status quaestionis, but again makes no mention of the role of the religious in education.

128 See B. Nardi, “Letteratura e cultura veneziana del Quattrocento”, in Storia della civiltà veneziana, II. Autunno del medioevo e rinascimento (Firenze, 1979), 181-203; and Ortalli, Scuole e maestri, cit., 31-34. The school at Rialto was in operation by 1408, and its bid to become an autonomous degree-granting institution was blocked by the Consiglio dei Dieci in 1445. Ortalli’s observation on the Venetian government’s desire to “mantenere come unico Studio nel Dominiello quello di Padova” (p. 31) must obviously be supplemented by the presence in the city of the studium of SS. Giovanni e Paolo at least. The school of San Marco, opened to provide an education for boys destined to work in the chancellery, began around 1446.

129 The Dominicans also provided elementary education for boys by setting up and teaching in grammar schools: see Mulchahey, “First the Bow is Bent”, cit., 85-97; but, as stated above, Ortalli makes no mention of the role of the religious in Venetian primary education in his Scuole e maestri.
Henry's treatise, both around the time it was written and later. This is still one step from asserting that the treatise was written specifically for the Venetian citizens, however.

The Liber was subsequently used in education outside Venice, presumably in those studia of the religious orders which possessed a copy, as well as in the university, where it is attested in at least one case in Germany. The Mendicant orders had their own programme of 'preparatory' education, which was accepted as equivalent to the training provided by the university arts faculty, thus allowing members of these orders to attend the higher university faculty of theology. Members of these orders, however, were generally not allowed to study in the lower arts faculty of the universities: it was the higher Mendicant studia generalia which were often incorporated or even transformed into the new university theology faculties from the late fourteenth century onwards in Italy and Germany, where members of the religious orders studied and taught alongside the laity or secular clergy.

Considered in the context of the classification of the sciences, Henry's treatise is a manual of moral philosophy. It is often referred to in the incipit or colophon as "Liber de uirtutibus moralibus"; in C, it is stated more specifically that in it "omnes tres partes philosophie moralis continentur", and similarly in the incunable editions that it is a treatise "fere totam philosphiam moralem complectans". As such, it would have found a place in the arts faculty of the university, where philosophia moralis had entered the curriculum as one of the 'three philosophies' (natural, moral, metaphysical), alongside the classic seven liberal arts (trivium and quadrivium).

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130 I do not agree with Gaeta therefore, when he states: "... un De quattuor virtutibus che volle essere una specie di manuale politico-morale ad uso del patriziato veneziano", in "L'idea di Venezia", cit., 567.


Although Mendicant education was recognised as equivalent to the university arts programme, the curriculum was not necessarily identical to that followed in the university. It does not seem that *philosophia moralis* - despite its importance for preaching and confession - had a fixed place in the curriculum of any type of Dominican *studium* until the first quarter of the fourteenth century. Before this, teaching in the conventual *studia* was based on the bible and the *Sentences*, the provincial *studia* were set up to teach either logic or natural science, and the *studia generalia* concentrated on theology\(^{133}\). However, moral philosophy was taught in the *studia generalia* by the *magister studentium*, who followed a course based on the works of Aquinas and Aristotle\(^{134}\), very much the same influences behind Henry’s work. This does not mean that Dominicans had no contact with moral philosophy outside the *studia generalia*, if only because so few of them got that far. Books on moral philosophy must have been available to friars in other convents too, either as personal reference books, or for general use in the ‘collationes’, the evening revision classes, which Humbert of Romans describes at one point as “collationes de moralibus”\(^{135}\). Moral philosophy was an important concern for the Carmelites, too, and was taught in their *studia*, similarly by the master of students, at the end of the philosophy course on logic and natural philosophy, functioning as a kind of bridge between philosophy and theology\(^{136}\).

But it would be a mistake, I think, to consider Henry’s treatise as a set text on the curriculum of any of these institutions, as there is no evidence anywhere to suggest this. The *Liber* can be considered in the first place as a text for personal study, both in the religious houses and the university. It is attested, for example, more than once in connection with the Carthusian order, and given the eremitical nature of this order, whose members spend most of the day in solitary confinement, the text cannot plausibly have been used either as a

\(^{133}\) Only in 1330 were two provincial *studia moralis philosophiae* set up in province of Toulouse: A. Maierü, “Tecniche di insegnamento, in *Le scuole degli ordini mendicanti*, cit., 305-352; 322-323; Mulchahey, “*First the Bow is Bent*”, cit., 134; 224-225; 335-336; 378-384.

\(^{134}\) Mulchahey, “*First the Bow is Bent*”, cit., 382.

\(^{135}\) Maierü, “Tecniche di insegnamento”, cit., 341; Mulchahey sees these ‘collationes’, where such books as Peraldus’s *Summa de vitiis et virtutibus* and Raymond of Peñafort’s *Summa de casibus conscientiae* were studied, as “a forum for discussing the issues of Christian morality”: “*First the Bow is Bent*, cit., 198.

\(^{136}\) Lickteig, *The German Carmelites*, cit., 51-53.
preaching aid or as a classroom textbook. This use of the text for private study and meditation, explicit in the Carthusian context, is arguably also applicable to the studium and university context, where the Liber may have served as a form of supplementary reading.

It is possible, then, that the Liber found a place in the university in the 'extraordinary' lessons which were carried out around the compulsory 'ordinary' lessons. Although it is not always clear what constitutes an extraordinary as opposed to an ordinary lesson, the former were often lessons on subjects or books which were not required for the attainment of a degree and could be given by masters of arts who were fulfilling their compulsory two-year teaching stint, or trying to support themselves while studying for a higher degree. The Liber then can be thought of as a text read for personal rather than institutional reasons. It might even be appropriate here to forget for a moment the educational aspect of the studium or the university, and consider them merely as meeting places which facilitated the exchange and the copying of texts.

It is arguable that Henry's treatise is not linked to the universities in Italy, on the other hand, because of the different nature of this institution in Italy and in Germany. The older Italian universities were originally law schools, and it took time for the faculties of arts to become established. Thus the environment in which moral philosophy was taught was initially confined to the studia of the religious orders. Secondly, it is possible that Henry's treatise appealed to the type of intellectual climate in fifteenth century German universities, which has been described as "half-humanist" and "half-scholastic". As humanism entered the

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137 See "Certosini", in Dizionario degli istituti di perfezione, II (Roma, 1975), cols 782-838, in particular 782-786. The Carthusians dedicated much time to study, and were allowed a certain freedom of choice in reading matter; it seems possible that the four virtues was a popular subject in this period, given, for example, that Michael the Carthusian of Prague produced his own treatise on the four cardinal virtues in 1387: see W. G. Storey, The De quattuor virtutibus cardinalibus pro eruditione principum of Michael the Carthusian of Prague. A critical edition and study. Analecta Cartusiana VI (Salzburg, 1972).


139 Verger talks of how a "sometimes bewildering proliferation of 'extraordinary' or optional exercises and courses" grew up around the ordinary lessons, and links this to the assimilation of humanism into the universities: J. Verger, "Teachers", in de Ridder-Symoens, A History of the University, cit., I, 144-168; cf. 158; Overfield, Humanism and Scholasticism, cit., 19.

German academic world after 1450, rather than clashing with scholasticism, it seems to have integrated alongside it, and was taken up by men who remained 'scholastic' in training and outlook. Within this environment, Henry's treatise may have been seen as one of the new works from Italy, and been appreciated by men used to 'scholastic' Latin, with a 'humanist' interest in moral philosophy. In Italy by this time, works such as Henry's, which would not have found their way onto a 'scholastic' syllabus, would not have found favour either in the more sophisticated 'humanist' environment which set a high store on eloquence and style.

Examples of the 'typical' university-trained men from Germany who actually read Henry's treatise and who can thus illustrate the type of men to whom it appealed, are provided by Melchior Wittich, Thomas Dorniberg, and Ulrich Ellenbog. The first two were canon lawyers by training, the third a doctor, and they almost undoubtedly came into contact with the treatise via Heidelberg University where they all studied. Wittich must have come from a relatively well-off family, since he owned a number of books besides Henry's. It is known, for example, that he received from his father a series of mainly theological works, such as Nicholas of Lyra's bible commentaries, a pastoral commentary, some sermons, a treatise on the virtues and vices, works on the sacraments, and one on the life of the Virgin. He was presumably a member of the secular clergy, since he served as canon in Eichstetten from 1463 to 1490, and the fact that he donated his copy of Henry's treatise to the Dominicans may mean that he also had links with other religious orders. But he may also have been influenced by new 'humanist' ideas since he spent time as a student in 1456 in Rome. Dorniberg pursued a career that was more specifically legal: town magistrate (Ratsadvocat) in Speyer, he achieved some degree of fame as one of the judges in the case against the theologian, mystic, and humanist Johann von

141 Spitz, "The course of German Humanism", cit., 375-376; Overfield, Humanism and Scholasticism, cit., 99-100.
142 See above, chapter 3: 1.2.3.
143 See the introduction to Mentzel-Reuters-Brinkhus, Die lateinischen Handschriften der Universitätsbibliothek Tübingen, cit., 39-40.
144 Italy at that time was for the Germans the "Mutter der Jurisprudenz": Bauch, Die Universität Erfurt, cit., 39.
145 U. Weiss, Allgemeine Deutsche Biographie, cit., 355; A. Stevenson, The Problem, cit., 240-244.
Wesel, accused of heresy in 1479. He too had an interest in theology and also collaborated with the Gesta Christi press in Speyer in the printing of at least two other books besides Henry’s: a florilegium of Jerome and the pseudo-Albertus Magnus, Compendium theologicæ veritatis. He also worked with the printer Peter Drach on an edition of J. Calderinus’s Tabula decretalium, and Bernard of Clairvaux’s Sermones de tempore et de sanctis. Ulrich Ellenbog was also involved in the early printing presses, but was a relatively successful doctor by profession, working for the Archduke Sigismund of Austria. In connection with his editorial work he was also a book collector with an interest in moral philosophy, as is clear from the instructions he leaves to his sons in the notes added to his incunable copy.\footnote{See Proctor, “Ulrich von Ellenbog”, \textit{cit.}}

Just as Domiberg states in his preface, Henry’s treatise was plausibly used by Wittich at least, in composing sermons, perhaps for its many \textit{exempla}. Both Wittich and Domiberg may have made particular use of the long section on legal practice in the treatise on justice, a function that the entries in Domiberg’s index hint at.\footnote{See above, chapter 3: 1.2.7.2.. There is evidence that Giles of Rome’s \textit{De regimine principum}, for example, was used as a textbook of civil law: Briggs, \textit{Giles of Rome’s}, \textit{cit.}, 95.} But for all three men the primary function of the treatise was arguably as a text for personal meditation and a general source of information on moral philosophy. This is quite specific in the remarks added to his copy by Ellenbog, who wishes the five texts in the volume to remain together, and to be read and cross-referenced by his sons.\footnote{It would seem that Ellenbog did not consider Henry’s treatise to be the last word on morality, but that it could be profitably integrated with Nider’s Praeceptorium, as is clear from remarks addressed to his sons on the back of the flyleaf: “Dum in hoc libro legitis querite concordantias in preceptorio Nider, cuius registrum facile est; nam Hainricus ariminensis ad venetos minus copiosus est, Nider tamen singula tangit. […] Oro tamen ne libros meos quantum possibile foret dividatis separando eos ad invicem. Legite ac relegite, quemadmodum ego pater feci”: Proctor, “Ulrich von Ellenbog”, \textit{cit.}, 76.}

Thus although Henry’s treatise did not have the wide appeal of, say, Giles’ of Rome’s \textit{De regimine principum}, it was nevertheless read by both clerics and laymen with an interest in moral philosophy, well into the fifteenth century. It does not have the technical richness or complexity to become a ‘classic’, or a textbook, but due to its “modus tractandi”, which, as stated in the prologue, is
both “facilis” and “exemplaris”, it was plausibly a pleasant and useful supplement to the standard texts studied in both the universities and the religious *studia*.
3. The Structure of the Liber

After an introductory prologue, the book (Liber) is divided into four treatises (tractatus), on prudence, justice, fortitude, and temperance, in this order. The four cardinal virtues therefore constitute its organising principle, while the contents, we have seen, could be more generally described as “moral philosophy”.

As a concept, these four ‘cardinal’ virtues enjoyed greater solidity and authority than the seven vices, whose existence really rested on the authority of Gregory alone: a commonplace in the Stoic period, the four virtues were notably analysed by Cicero and Macrobius before the Christian era, and they received biblical status from their appearance in the book of Wisdom (8, 7). Not surprisingly then, the early Fathers accepted the concept uncritically, in particular Ambrose, whose treatment effectively guaranteed its transmission to the Latin West. The first attempt to treat the four systematically would seem to date to the Carolingian period, with the works of Alcuin. This thinker has also been credited with the paternity of moral philosophy itself as a systematic discipline; if so, that would simply underline the central role that the four virtues have played in the history of Western ethics.

Nevertheless, it is a fact that throughout the medieval period, the virtues were used less frequently than the vices as the basis of moral treatises, no doubt largely because of the greater force and interest of vice as a vehicle to convey material on questions of morality. That Henry’s major treatise, then - longer, more coherent, and much more popular than the one on the vices - should be devoted to the virtues is not “typical” if viewed in the general context of the Middle Ages. The reason for this apparent break with tradition is again to be sought in Aquinas, who, it has already been noted, uses the four virtues as one of

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1 In practice only two of the four are actually named: “sobrietatem enim et prudentiam docet, et justitiam, et veritatem ...”; *sobrietas* stands for temperance and *veritas* for fortitude: cf. Petr. Lomb., *sent.* III, d. 33, c. 2. vol. II, p. 188.
3 Mähl, *Quadriga Virtutum*, cit., 83-125, particularly 83.
the main organising principles of the *Summa theologiae*, thereby lending the concept new force and relevance as a structuring principle for morality.

The order in which the virtues are presented in the *Liber* is traditional. Henry's immediate source is undoubtedly Aquinas, who presents the four virtues in the above order - with their sub-virtues and opposite vices - in questions 47 to 170 of the *Secunda secundae*. But this is also the order in which the virtues were presented by Cicero and the order which became 'canonical' in the early Middle Ages. In this earlier period it was the last element in the series (usually justice or temperance) which was the most significant; here the virtues appear in the order of the importance given to them by Aquinas, starting with prudence. While the concept of the four cardinal virtues is ostensibly the same as that formulated before the Christian era, changes made to the virtues themselves and to their justification with relation to the human soul as a result of the rediscovery of Aristotle's natural books make them an adequate concept with which to express a 'new' morality, suited to the conditions of the thirteenth-century Italian city state.

4. Sources

A thorough investigation of the sources of the *Liber* is necessary to establish the extent of the originality of Henry's work. It is a task which goes beyond the limits of the present research, however. As just noted, initial investigation shows that - just as for Henry's treatise on the vices - the major source is the work of Aquinas, and in particular the *Summa theologiae*; the following account of the contents of the book, therefore, is limited to a comparison with the doctrine contained in the *Summa*. This approach admittedly risks creating a biased view of the influences that shaped Henry's thought, but it seems a risk worth taking because it reveals the debt that Henry owes to Aquinas. Henry borrows above all from the *Secunda secundae*, principally from questions 40 on the just war, 47-55 on prudence, 57-58, 60, and 67-71 on justice, 123, 129, 134, and 136-137 on fortitude, and 141, 143-144, 146-147, 149, 151-152, and

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5 Mähl, *Quadriga Virtutum, cit.*, 101-103.
6 Cf. *Sum. theol.*, II-II, q. 123, a. 12: "Id autem quod essentialiter dicitur, potius est eo quod dicitur effective: et hoc etiam potius est eo quod dicitur conservative, secundum remotionem impedimenti. Unde inter virtutes cardinales prudentia est potior; secunda, iustitia; tertia, fortitud: quarta, temperantia".
168-169 on temperance, as well as questions 90-108 on the law, and questions 57 and 61 on the virtues in general from the Prima secundae. Indeed, the Summa seems to supply the overall doctrinal framework to the entire Liber: sometimes Henry borrows literally, sometimes selectively, and he often illustrates or applies this to concrete situations in a manner which goes beyond his major source, as will become evident in the course of the following discussion.

The following consideration of the contents is incomplete in another important sense. It does not take into consideration the exempla which Henry added to the end and sometimes the middle of every chapter, and of which there are around 250 in the whole work. The sources of these exempla are the same kinds of classical and patristic auctoritates used in the treatise on the vices, as well as such works as the pseudo-Aristotelian Liber de Pomo, the Moralium dogma philosophorum, John of Salisbury's Policraticus, or the Liber de nugis philosophorum to name but a few. An examination of such sources is not possible here, but they are important because they qualify the Liber from one point of view as an exempla collection: the presence of these illustrative stories is very plausibly one of the main reasons for the book's success, providing material for the use of the 'professional' preacher or for the edification of the 'amateur' moralist.

5. Date

The problem of the date of the Liber is also linked to the sources it contains, and hence no definitive statement can be made on this subject until all the sources have been analysed. In the meantime, discussion of the question has revolved around the chapter on Venice which has enabled Robey and Law to establish definite termini. In the first place, it is possible to determine a terminus post quem of 1268 when the right of electing the doge was removed from the 'people' (that is, the Concio or popular assembly), for Henry specifically claims that the doge is elected by a number of people who are elected for that purpose from 400 nobles and members of the honourable popolo, which must have

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7 Robey - Law, "The Venetian myth", cit., 11, 52.
8 On this constitutional change see also G. Maranini, La costituzione di Venezia dalle origini alla serrata del Maggior Consiglio (Venezia, 1927), reprint (Firenze, 1974), 191.
constituted the Maggior Consiglio or Great Council⁹. The terminus ad quem is the famous serrata or ‘closing’ of the Maggior Consiglio of 1297, which had the ironic effect of enlarging this body from the approximately 400 members described by Henry to nearly a thousand¹⁰. Thus, Robey and Law conclude that the treatise “cannot […] have been written very long after” this event¹¹. On the basis of the same evidence, Ventura suggests pushing the date forwards to the 1280s, since the number of members of the Maggior Consiglio, he claims, had dwindled to just over 200 in the period before the serrata¹². Evidence for this claim, however, is based on comments made by Giorgio Cracco in secondary literature¹³; Roberto Cessi’s introduction to the Deliberazioni of the Maggior Consiglio, on the other hand, shows that the number of members of this body fluctuated around 350 from 1281 to 1294, and significantly decreased to 257 only in 1295¹⁴. According to these figures, therefore, if we wish to date the Liber according to the size of the Maggior Consiglio, it is only possible to say that it was not written after 1295. Since Henry himself is vague on this question (“circiter quadringenti”), it seems more reasonable at this point to accept Robey and Law’s conclusion.

⁹ See below, chapter 3: 6.3.2.2. and Appendix, lin. 3-6. The mechanism by which the committee for electing the doge was chosen from among the Maggior Consiglio by a series of drawing lots and balloting is clearly described in A. Da Mosto, I dogi di Venezia (Venezia, no date), 15.


¹³ G. Cracco, Società e stato nel medioevo veneziano (secoli XII-XIV) (Firenze, 1976), 306, 347, 355, 371. Cracco takes his evidence from the work of Cessi, below.

¹⁴ Cessi, Deliberazioni, cit., xiv-xv. Cessi interprets the figures as evidence of a decline in the number of members of the Council: from 1261 to 1277, that is, he concludes, the average size was 450-500 members; while from 1282 to 1295 it was reduced to 340. In this way, Cessi’s interpretation cannot be used to support Ventura’s hypothesis.
6. Contents

The contents of the Liber are summarised below. The four treatises which constitute it are similar in length, but there is no common structure to each of the four parts.\(^{15}\)

Prologue

1. Prudence

1.1. How the speculative virtues differ from the practical virtues (1)
1.2. The relationship of prudence to the moral virtues (1-3)
1.3. The parts of prudence: memoria, intellectus, and providentia (1-3)
1.4. How prudence can be acquired through our actions (4-6)
1.5. How a citizen should possess this virtue
   (i) for man as an individual: individual prudence (1)
   (ii) for man as the head of a household: economic prudence (2-24)
   (iii) for man as a citizen:
      a: as ruler: regenerative prudence or positive law (26-29)
      b: as the subject of a ruler: political prudence (30-31)
      c: as a fighter for the common good: military prudence (32-33)

2. Justice

2.1. What justice is (1)
2.2. The various types of justice: commutative, distributive, and legal (1-3)
2.3. How justice is necessary for the multitude (1-3)
2.4. The principles of justice:
   (i) The ‘emanative principle’: God; eternal law; natural law; positive law (1-4)
   (ii) The ‘imperative principle’: the prince (5-9)
   (iii) the ‘susceptive principle’: the community of people who receive

\(^{15}\) An edition of the list of contents, where the titles of the numbered chapters can be found, is added in the Appendix. The numbers in brackets indicate the numbers of the chapters within the sections, and are to be integrated with the numbers in the left-hand margin to give the chapter number quoted in the Appendix: "How prudence can be acquired through our actions", for example, covers chapters 1.4.4. to 1.4.6. Passages from the Liber in the following pages are quoted according to the chapter in which they appear as the edition has no page or folio numbers.
justice

a: the various types of community: domus, vicus, civitas (10-11)
b: the various types of constitution: regimen regni, regimen optimorum, regimen populi; principatus mixtus (12-15). The city of Venice (16).

2.5. The things required for correct judgement

(i) the judge (1-8)
(ii) the accuser (9-16)
(iii) the accused (17-21)
(iv) the witnesses (22-29)
(v) the lawyer (30-35)

3. Fortitude

3.1. In praise of fortitude (1-3)

3.2. The sphere of action (materia) of fortitude (1-2)

3.3. The acts of fortitude:

(i) endurance (1)
(ii) attack: the just war (2-8)

3.4. The parts of fortitude:

(i) fiducia, substituted by magnanimity (1-4)
(ii) magnificence (5-6)
(iii) patience (7-33)
(iv) perseverance (34-40)

4. Temperance

4.1. Shame, the foundation of temperance (1-3)

4.2. What temperance is, and its sphere of action (materia)

4.3. The parts of temperance

(i) abstinence (1-18)
(ii) sobriety (19-25)
(iii) chastity (26-48)

4.4. Modesty, which regards external behaviour
Evidence from the manuscript tradition tells us that Henry’s *Liber* was considered to contain the whole of ‘moral philosophy’. Long before the relevant texts were available in the West, moral philosophy had been thought to consist of three parts, ethics, economics, and politics, corresponding to the three Aristotelian or pseudo-Aristotelian texts, the *Ethics*, *Politics*, and *Oeconomics*16, which were described, for example, in the commentary added to the first complete Latin translation of the *Ethics*17, as dealing with the individual, the household, and the state respectively. Only after the rediscovery of the relevant Aristotelian texts in the 1250s and 60s could these disciplines develop, although economics treatises were being constructed on the basis of the *Ethics* and *Politics* before the end of the century when the pseudo-Aristotelian *Oeconomica* became available18. The *De regimine principum* by Giles of Rome, for example, is one of the first moral treatises to make use of the ‘new’ Aristotelian doctrine, largely through the mediation of Aquinas, and it is divided into three books, one on ethics, one on economics, and one on politics19.

16 This Peripatetic division, transmitted to the Latin West via Boethius and Cassiodorus, was incorporated into twelfth-century *divisiones scientiae*, principally that of Hugh of St.Victor and Dominicus Gundissalinus, which served as the basis of subsequent schemae. For Isidorus, for example, moral philosophy consists in the four cardinal virtues: cf. Weisheipl, “Classification of the Sciences”, cit.; Mähl, *Quadriga virtutum*, cit., 53-63.

17 The Greek commentary of Eustratius of Nicaea (c. 1050 - c. 1120) on books I and VI of the *Ethics* was translated by Grosseteste and added to his own translation of the work: cf. H. P. F. Mercken, *The Greek Commentaries on the Nicomachean Ethics of Aristotle*, I. Eustratius on Book I and the Anonymous Scholia on Books II, III, and IV (Leiden, 1973), 6*-14*; the description of the subject of these disciples (p. 1-3), however, was part of the original division.

18 An anonymous translation of books II and III of the *Ethics*, known as the *Ethica vetus*, was available by the end of the twelfth century; a translation of book I, the *Ethica nova*, circulated at the beginning of the thirteenth century, and the complete translation by Robert Grosseteste was completed by c. 1247-48: cf. Mercken, *The Greek Commentaries*, cit., 42*-45*; The *Politics* was translated by William of Moerbeke in 1260 (?); on this and the date of the *Oeconomica* see B. G. Dod, “Aristoteles Latinus”, in eds N. Kretzmann - A. Kenny - J. Pinborg, *The Cambridge History of Later Medieval Philosophy* (Cambridge, 1982), 45-79; 78.

19 Work on the sources of Giles’ moral doctrine in the *De regimine principum* has been undertaken by Roberto Lambertini in a series of four articles: “A proposito della ‘costruzione’ dell’economica in Egidio Romano”, in *Medioevo* 14 (1988), 315-370, which describes how Giles had to assemble his own economics treatise in book II, given the lack of the Aristotelian base-text; “Philosophus videtur tangere tres rationes”. Egidio Romano lettore ed interprete della *Politica* nel terzo libro del *De regimine principum*, in *Documenti e studi sulla tradizione*
But although the contents of Henry’s Liber are comparable in many respects to those of Giles’ De regimine, the organisation is different because the major structuring principle is now the four cardinal virtues. The originality of the Liber arguably lies in the way that Henry takes this ancient fourfold concept and uses it ingeniously to accommodate a combination of elements of a ‘new’ Aristotelian philosophy and of a purely moralistic nature, in ways which even Aquinas – who relied so heavily of the four virtues as a structuring principle of his moral theology – does not. Within the framework of the cardinal virtues, for example, Henry includes such themes as the three-fold division of moral philosophy, which gives structure to the section on how man as a citizen must have the virtue of prudence; the running of the household, within the same section; or the origin of the community, from domus to vicus to civitas, in a chapter on the ‘susceptive principle’ of justice. The virtues of fortitude and temperance, on the other hand, whose function is to control the internal passions, regard the individual more than society, and they give Henry the opportunity to treat themes of a more moralistic nature, such as the need to tolerate the evils of the world, the sumptory laws, and moderation in eating and drinking. Considering this difference, the first, more ‘political’, virtues have received more scholarly attention and are considered more in detail in the following account. However, this bias must be accompanied by an awareness that the sections of a more moralistic nature, less interesting to modern taste, nevertheless represent a substantial portion of the Liber, and cannot be disregarded when assessing the overall nature of the work or its impact on earlier readers.

Before considering each of the four parts in more detail it is worth asking briefly whether the Liber is in some way a “mirror of citizens”, analogous to the

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“mirror of princes” genre, exemplified again by Giles of Rome’s *De regimine principum*, genre which is taken here to be nothing more specific than a moral treatise addressed to rulers. The cardinal virtues, it will be remembered, have been linked to ‘politics’ from their origin, for they are identified by Plato in the three classes of the ideal city before they are located by analogy in the three parts of the individual soul.21 They were being used as early as the sixth century as a vehicle for imparting moral advice to rulers or nobles, as testified by Martin of Braga’s *Formula vitae honestae* (a source used by Henry); and the *De regimine principum* of Michael the Carthusian shows that writers still considered them suitable for such a task in the late fourteenth century.22 More specifically, it is possible to isolate a group of mendicant “mirrors of princes” belonging to the second half of the thirteenth century, and although it was not the rule to structure these around the four virtues, the scheme is used by John of Wales at least in his *Breviloquium*.23 More interestingly, there also exists an unpublished early fourteenth-century Dominican treatise on the four virtues, addressed to a Venetian noble, which it would be interesting to compare with Henry’s work.24

Henry’s treatise indeed opens with the metaphor of man as the citizen of two cities, on the basis of a passage from Paul’s letter to the Hebrews.25 The city metaphor is a *topos*, but it is aptly used here, for civil life as envisaged by Henry is the life of the medieval city state. Unlike the treatise on the vices, which has no

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22 This treatise dates to 1387: Storey, *The De quatuor virtutibus cardinalibus*, *cit.*
23 Cf. J. Swanson, *John of Wales* (Cambridge, 1989), 41-62. Swanson discusses whether this work may be considered a mirror of princes, according to criteria set out by Jean-Philippe Genet which restrict the genre to a number of late thirteenth-century mendicant texts.
24 The treatise is the *Liber de quattuor virtutibus ad Petrum Contarini Venetum* by Bonromeus Basacomatrius Bononensis, who was lector at SS. Giovanni e Paolo from 1322-1323; cf. Kaeppeli, n. 700. The work is contained in Milano, ms. Biblioteca Nazionale Braidense AD IX 42, fols 1r-42v, and is discussed - with a list of its contents provided - by Concetta Luna in “Un nuovo documento del conflitto tra Bonifacio VIII e Filippo il Bello: il discorso ’De potentia domini pape di Egidio Romano’”, in *Documenti e studi sulla tradizione filosofica medievale* 3 (1992), 167-243. It is worth perhaps also mentioning the existence of the *Summa de virtutibus que ad vitam vere militie requiruntur ad dominos de Malatesta* by Guy of Rimini, well known Aristotelian commentator. Here the context is obviously Rimini, where Guy was lector from 1324 to 1344, and the virtues are not restricted to the four cardinal ones; nevertheless, this is another unpublished example of the use of the virtues by Dominicans to impart moral material to rulers; cf. Kaeppeli, n. 1416; Kaeppeli, “Der Dantegegner Guido Vernani OP von Rimini”, in *Quellen und Forschungen zur Geschichte des Dominikanerordens* 28 (1937/38), 107-146, in particular 115ff.
25 Hebr. 13, 14: “Non enim habemus hic manentem civitatem, sed futuram inquirimus”.

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specific link with any particular city, the background of this treatise is obviously Venice, made clear above all by the chapter on Venice itself, but also by a specific reference to a Venetian play, called “Marias” in chapter 4.4.6. Much of what is said, however, could equally be applied to the general phenomenon of communal Italy, especially such ideas as the necessity of observing the customs of the patria in clothing, or the need for men to live together in harmony within the city for the sake of peace, for example.

From one point of view, the treatise could be said to contain several ‘mini-mirrors’ on the different groups constituting the state: there is a small ‘mirror of princes’, a ‘mirror of citizens’, and a ‘mirror of soldiers’ in the section on how the citizen must have the virtue of prudence, for example, and a ‘mirror of the law’, containing information on how the five groups of people involved in the legal process should behave, in the section on the things required for correct judgement. According to this line of thinking, the treatise could be thought of as a mirror of many of the types of citizens who make up the medieval city state. But the work contains such a variety of material which addresses other themes like the need for patience or fasting, for example, that it is surely more correct to view it as a treatise on general morality, aimed unavoidably at man as a citizen since it was written in the context of the city state. Study of any genre indeed tells us that works transcend genre barriers, and this is equally true of Giles’ De regimine, for example, which as a ‘mirror of princes’ nevertheless contains a mini-treatise on the virtues26.

6.1. Prologue

“Man is clearly a citizen of two cities, one earthly and one heavenly”, the prologue begins, and thus two types of virtue, human and divine, are required:

Human virtue, which is required to reach perfection in civil life, has two principal functions: the moderation of internal passions and the correct functioning of external operations. For this four virtues are necessary. Temperance and fortitude are needed to curb the passions: those regarding pleasures of touch, and taste, as in the case of food and sex, it is the job of temperance to regulate; those

26 Cf. Lambertini, “Tra etica politica”, cit., 78-79. The way in which this treatise was effectively read in more than one way has already been noted, cf. p.143 above.
arising from terrors, such as fear and daring, it is the job of fortitude to moderate, which strengthens the soul. As far as external operations are concerned, justice, which implies righteousness, is required in order to communicate correctly with others. Since the passions of the inferior powers cannot be moderated, nor external operations correctly be distributed unless justice of reason is present, a fourth virtue, consisting in the reason, is required, and this is prudence. This virtue, since it is correct reason regarding actions - as Aristotle says in *Ethics* VI - indicates the mean in every moral virtue by directing how and by what mean man attains the rule of reason in his action. We call these four the cardinal or principal virtues because other virtues can be reduced to them, as Cicero teaches in his *Rhetorica* [De inventione]; therefore in his *Liber de officiis*, he makes these virtues the parts of *honestum* because they complete and perfect *honestum* in human civil life.

Furthermore, since man has a supernatural end, which is the vision of the divine essence, in which man’s beatitude consists (no one can direct their actions towards an unknown end unless they had some knowledge of this end), it is necessary, therefore, for man to possess some virtue by which he may know this end. This is faith, which makes us have true knowledge of God who is the end of our actions. However, even with this knowledge, nobody would direct their actions to attain this end, unless they could hope to attain it. Therefore in the second place the virtue of hope is required, by which man tends towards the known end as a good which it is possible to attain. Again, however, nobody would tend towards attaining a good unless he did so for love of it. Therefore, in the third place, the virtue of charity is required, which makes us love God for his own sake and our neighbour for the sake of God. It is clear, therefore, that for the perfection of man, seven virtues in all

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27 "Sciendum est ergo quod uirtus humana que ad perfectionem uite ciuilis requiritur ad duo precipe ordinatur, scilicet ad moderationem passionum interiorum et ad debitam operationem rerum exteriorum, circa que regulanda necesse est quatuor desse uirtutes. Nam circa passiones refrenandas requiritur temperantia et fortitudo: si enim sint passiones circa delectabilia tactus et gustus, ut contingit in cibis et uenereis, ad eas temperandas temperantia ordinatur; si uero sint passiones a terribilibus consurgentes, cuismodi sunt timores et audacie, ad eas moderandas ordinatur fortitudo que in animo firmitatem constituit. Quantum autem ad res exteriore ad alterum rite communicandas ordinatur iustitia que rectitudinem importat. Quia uero passiones urium inferiorum modificari non possunt nec res exteriore rite distribui nisi judicium rationis assit, requiritur quarta uirtus in ratione consistens, et hec est prudencia, que cum sit recta ratio agibilium, ut dicit philosophus vi ethicorum, medium in omni morali uirtute prefigit, dirigendo uidelicet qualiter et per que media homo in operando attingat regulam rationis. Has quatuor cardinales uirtutes dicimus seu principales, eo quod alie uirtutes morales ad has riducuntur, ut docet Tulius in sua retho<rica>; unde in libro de officiis dictas tamen uirtutes poniit partes honesti, quia uidelicet in uita ciuili humanam honestatem integrant et perficiunt".
are required: four regarding the civil life, and three regarding the blessed life\textsuperscript{28}.

If the treatise itself is organised around the four cardinal virtues only, one cannot escape noticing that its prologue clearly speaks of the need for seven virtues for perfection in human life - four cardinal and three theological\textsuperscript{29}. This point is stressed more than once, both here and later in the text. Several lines further on, for example, the ultimate insufficiency of the four virtues is illustrated by means of a passage of Gregorian exegesis. The seven pillars of the house of wisdom (Prov. 9,1) are interpreted as the seven virtues, and, following Gregory, the four cardinal virtues are the four \textit{columnae angulares} of the house of Job, which are smote by the great wind from the wilderness, thus necessitating the presence of the further three theological virtues for the spiritual life (Job 1,19)\textsuperscript{30}. By adding the three theological virtues in the form of the three extra pillars, Henry strays from Gregory’s interpretation of this passage in the \textit{Moralia}, but the use of Gregorian exegesis is interesting for it was this that first established the explicit link between cardinal or political virtues and the active life\textsuperscript{31}.

Henry makes the explicit connection between the four virtues and the active life later\textsuperscript{32}. Here the two sets of virtues are the means to the two ends of man, perfection in this civil life, and beatitude in the next, a distinction which

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\textsuperscript{28} "\textit{Vlerius, quia homo ordinatus ad finem supernaturalem, qui est usius diuinie essentie in qua hominis beatitudo consistit (nullus autem potest in finem incognito suus actus ordinare nisi de eo cognitionem habeat), necesse est homini adesse aliquam uirtutem per quam dictum finem cognoscat. Hec autem est fides que de deo qui est finis nostrarum operationum ueram facit cognitionem habere. Habita autem cognitione de fine nostro per fidem, nullus in ipsum suus actus dirigeret nisi speraret dictum finem se consequi posse. Vnde secundo necesse est ponere uirtutem spei per quam tendatur in finem cognitum tanquam in bonum possibile haber. Iterum nullus tenderet in aliquid bonum consequendum nisi per amorem ad ipsum efficeretur. Necesse est ergo tertio ponere uirtutem caritatis que nos deum propter se diligere facit et proximum propter deum. Patet ergo quod ad hominis perfectionem septem uirtutes in uniuerso requiruntur, quatuor respectu uite ciuilis, et tres respectu uite beate".

\textsuperscript{29} This discrepancy strengthens the doubt that the treatise might be completed by another work on the theological virtues (cf. above, chapter 1: 3.). The prologue indeed reads: "Tractaturi igitur de moribus hominum de duplici uirtute, humana uidelicit et diuina ...".

\textsuperscript{30} Greg. M. \textit{moral.}, II, 49, CCL 143, p. 105-107. For Gregory, the theological virtues are represented by the daughters of Job: cf. Mäh, \textit{Quadrige Virtutum}, cit., 24-25.

\textsuperscript{31} Mähl, \textit{Quadrige Virtutum, cit.}, 23-27; particularly 25.

\textsuperscript{32} In chapter 1.2.3, see below. In chapter 1.1.1., Henry also uses Aquinas’ distinction between the active and contemplative life as the basis for his division of the intellect into speculative and practical (with their respective ends of knowledge of truth or external action) as given in II-II, q. 179, a. 2.
echoes that made by Aquinas’, between man’s finis connaturalis and his beatitudo supernaturalis. Despite Henry’s stress on the need for both spheres - ‘political’ and ‘theological’ - for man’s perfection, the division he establishes between the two spheres and the fact that he creates the treatise around the first four civil virtues only is fully in harmony with the value granted to this earthly, political life (now more than a remedium peccati) and the autonomy given to the discipline of ethics (which, dealing with this life, is distinct from theology), which are a consequence of the reception of Aristotle’s Ethics, particularly through the commentaries of Albert the Great and Aquinas. Such a conception permits a fundamentally optimistic vision of man’s earthly existence - as long as we remember that it is generally subordinate to his otherworldly end - and it accords with Aristotle’s positive concept of man as a naturally ‘political animal’, which again is one of the fundamental ideas behind the treatise.

But how are the four virtues connected to the active life? In the prologue Henry offers two justifications for the four cardinal virtues according to their object and subject respectively, which characteristically have their source in Aquinas. The first justification, quoted above, defines the virtues according to their object, that is, distinguishing them according to the moderation of internal passion and the correct regulation of external operation. The second views the virtues from the point of view of their subject. Elaborating on the analogy between the virtues and the pillars of the house, Henry places the virtues in the parts of the soul: the intellect is illuminated through prudence regarding actions; the will is rectified by justice regarding distribution; the irascibilis is ordered by fortitude in tolerating, and the concupiscibilis is moderated by temperance in curbing carnal desires. The connection between the virtues and the parts of the soul is perhaps motivated here by the exegesis of the house of wisdom as the mens humana, but it also repeats the contents of the second part of Aquinas’ above justification of the four virtues. Indeed, ever since Plato, those

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33 I-II, q. 62, a.1. Both sets of virtues are necessary in this life: man is ordered to his finis connaturalis by his natural inclination (but not without divine help); but he needs the three theological virtues - whose object is God - to order him towards his supernatural end.  
34 Sum. theol., I-II, q. 61, a. 2: justification secundum principia formalia. As in the case of the seven vices, Aquinas does not give a single justification for the virtues.  
35 Sum. theol., I-II, q. 61, a. 2.
who sought to elaborate a systematic theory of the virtues had to tackle the question of how to relate the virtues to human psychology, and in particular how to fit four virtues into the classic three parts of the soul, *rationalis, irascibilis,* and *concupiscibilis*\(^{36}\). Temperance and fortitude were traditionally placed in the *concupiscibilis* and the *irascibilis* respectively; and similarly, there was little difficulty in identifying prudence in some way with the intellect. Justice, on the other hand, could either be located in the intellect by doubling this in some way, as done by Philip the Chancellor, for example, or set outside these parts as it is for Plato or Augustine. The novelty of Aquinas’ solution with respect to the preceding tradition is to place justice in the will\(^{37}\).

It is also clear from Henry’s opening remarks that the four virtues comprehend the whole sphere of human morality: they are the principal virtues to which all others can in some way be reduced\(^{38}\). Characteristic of Aquinas’s treatment of the bewildering number of possible virtues, inherited from antiquity (from Cicero and Macrobius, as well as from the largely-Stoic *De passionibus* of pseudo-Andronicus, and of course from Aristotle), is his reduction of them to one or other of the four cardinal virtues, as a *pars integralis, pars subjectiva,* or *pars potentialis,* that is, as a condition for the realisation of the main virtue, as a species of it, or as a virtue annexed to it\(^{39}\). Henry too takes up the idea of the ‘parts’ of virtue, but he uses Aquinas’ concept selectively, and effectively ignores those parts which do not serve his immediate purpose; like Aquinas, however, he tends to privilege Cicero. In the treatise on prudence, for example, he discusses all three types of Aquinas’ parts, without always identifying them as such; on justice, on the other hand, he effectively only deals with the two subjective parts, dedicating much more space to the practical workings of the law. Fortitude has no

\(^{36}\) Cf. Mähl, *Quadriga Virtutum, cit.*, 116-125. Systematic attempts began with Alcuin who, unlike Plato, placed all the virtues in the rational part, following Cicero. The justifications from the early thirteenth century onwards are described by dom Odin Lottin in *Psychologie et morale aux XIIe et XIIIe siècles*, III (Louvain-Gembloux, 1949), 153-186.


\(^{38}\) Henry does not seek to justify the term ‘cardinal’.

\(^{39}\) Cf. *Sum. theol.*, II-II, q. 48, unicus: the integral parts are like the roof, the walls, and the foundations of a house; the subjective parts are to the virtue as ‘ox’ or ‘lion’ are to ‘animal’; and the potential parts are parts in the same way that the sensitive and nutritive are parts of the soul; II-II, q. 128, unicus, and II-II, q. 143, unicus. The doctrine of the parts is examined in detail by R.-A. Gauthier, in *Magnanimité. L'idéal de la grandeur dans la philosophie païenne et dans la théologie chrétienne* (Paris, 1951), 144-164; 271-277; 305-307; 360-363.
subjective parts, and Henry follows Aquinas by dealing at length with its four Ciceronian integral-cum-potential parts; but with the virtue of temperance he is slightly more selective, treating the subjective parts at length, and adding one integral part at the beginning and one potential part at the end, without acknowledging them as such.

6.2. Prudence

Among the moral virtues [...], prudence is seen to be the first and the most worthy\(^{40}\).

One of the most original aspects of the Thomistic doctrine of the virtues is its transformation of the concept of prudence\(^{41}\), wholeheartedly embraced by Henry. In the classical and patristic eras the pre-eminence of prudence among the four virtues, which is a characteristic of its Thomas' reformulation, was by no means apparent\(^{42}\). Early definitions of prudence varied by stressing either its cognitive aspect, as exemplified by Cicero\(^{43}\), or its operative function, as expressed by Macrobius\(^{44}\). The Fathers took from both of these senses, and these ideas were continually borrowed and combined throughout the medieval period\(^{45}\).

With the assimilation of the Grosseteste's translation of book VI of Aristotle's *Ethics* - through the commentaries of Albert the Great and Thomas in particular - prudence assumed a position which encompasses something of both of these meanings, its significance widening to make it in some way the keystone of the other four virtues\(^{46}\).

\(^{40}\) Liber prol.: "Inter uirtutes autem morales [...] prudentia prior ac dignior esse uidetur".


\(^{42}\) Cf. Mahl, *Quadriga Virtutum*, cit, 101-103. Justice, for example, has a particularly important role for Augustine as almost a synonym for caritas, while for the Stoics, temperance, which stresses measure and balance, was a fundamental condition of virtue.


\(^{44}\) Ambrosii Theodosii Macrobiii *Commentarii in Somnium Scipionis*, I, 8, 7, ed. J. Willis *BT* (1970), p. 38: "Et est politici prudentiae ad rationis normam quae cogitat quaeque agit universa dirigere".


6.2.1. *The relationship of prudence to the intellectual and moral virtues.*

The position of prudence with regard to the intellectual and moral virtues is historically ambiguous. On one hand, the role of prudence in judgement and reason connects it to the intellect; on the other, prudence is unavoidably one of the four moral, cardinal virtues. The rediscovery of book VI of the *Ethics* served to exacerbate the dilemma, since Aristotle's *phronesis*, which was translated as *prudentia*, is clearly an intellectual virtue. Already in the commentary of Eustratius, which circulated with Grosseteste's new translation of book VI, however, prudence had acquired a half-way status between moral and intellectual virtue, and this is the position developed by both Albert and Thomas. For the latter, prudence acquires a dominant position: placed in the practical intellect, prudence directs the moral virtues. This ambiguous position and the pre-eminent nature of the virtue are duly reflected in Henry's treatise, where the first section is devoted to the relationship of prudence to the virtues of the intellect, and the second to its relation to the moral virtues.

The first of Henry's two sections deals with the distinction between the virtues of the speculative and those of the practical intellect, and establishes the definition and the seat of prudence; the second describes the role of prudence by looking at its relation to the other moral virtues. Henry begins by dividing the intellect into two, speculative and practical, corresponding to its two ends: knowing and ordering to action. He then deduces the three intellectual virtues, *scientia*, *intellectus*, and *sapientia*, in much the same terms used by Aquinas in article 2 of question 57 of the *Prima secundae*. The practical intellect in turn consists of two aspects, practical skill or art, and prudence, which are

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47 The existing concept of prudence as a cardinal virtue initially made its identification with the Aristotelian *phronesis* difficult, even when the same word was used for both concepts: cf. Lambertini, "Tra etica e politica", *cit.*, 96.

48 Prudence is "intermedium et intellectualium et practicorum habituum": quoted in Lambertini, "Tra etica e politica", *cit.*, 92.

49 For the development from this double position, see Lambertini, "Tra etica e politica", *cit.*, 91-95. The intermediate position held by the virtue for Aquinas is evident even in prologue of the *Secunda secundae*: "Virtutum autem intellectualium una quidem est prudentia, quae inter cardinales virtutes continetur et numeratur"; cf. also *Sum. theol.*, II-II, q. 47, a. 4: "Et ideo prudentia non solum habet rationem virtutis quam habent aliae virtutes intellectuales; sed etiam habet rationem virtutis quam habent virtutes morales, quibus etiam connumeratur". Thomas, however does not add prudence, as he does justice, to his list of 10 Aristotelian moral virtues: *Sum. theol.*, I-II, q. 60, a. 5.
differentiated according to the distinction which exists between the verbs *facio* and *ago*. Following Aquinas in article 4 of the same question, Henry explains that *facio* regards a transitive act carried out on external matter, while *ago* is an immanent act which perfects the agent itself. Thus art or skill is *recta ratio factibilium*, which perfects external objects; prudence is *recta ratio agibilium*, directive reason on the actors themselves.

The pre-eminent role of prudence with respect to the other virtues emerges in the section on its relation to the moral virtues, where Henry seeks to show that prudence directs the moral virtues, finds the mean in other virtues, and completes human happiness. To show that prudence directs the other moral virtues, Henry essentially follows Aquinas\(^{50}\), stating that whereas every moral virtue naturally tends to an end, right reason has to be added to this natural inclination to judge the means of reaching the end\(^{51}\). His discussion is brief and avoids the complexity of Aquinas’ argument elsewhere as to the role of prudence in establishing or directing the other virtues to their end\(^{52}\).

As to finding the mean of every virtue, prudence is preceded by two other virtues: *synesis*, whose act is *consiliari* and which finds the ways of arriving at the end, and *eubulia*, whose act is *iudicare de inventis* and which judges the ways found\(^{53}\). The function of prudence then is *precipere*, that is, to apply the way found and judged to the end. In this, Henry paraphrases Aquinas’ doctrine on the principal act of prudence\(^{54}\). But unlike Henry’s treatment, Aquinas’ discussion essentially revolves around the relation of prudence to the *intellectual* virtues: *eubulia* and *synesis* are indeed intellectual virtues, with respect to which prudence

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\(^{50}\) *Sum. theol.*, II-II, q. 47, a. 7: “Utrum ad prudentiam pertineat invenire medium in virtutibus moralibus”.

\(^{51}\) This is not stated very clearly by Henry, but this seems to be his idea judging from the example he gives: *Liber* 1.2.1.: “Oportet ergo quod tali inclinationi quam facit ursus adiungatur recta ratio, quam facit prudentia, per quam debita media et fini congruentia inueniantur, ut si quis uliet ad sobrietatem peruenire per ursutem temperantie debet modum querere congruum isti fini, puta quod abstinet tantum et a talibus ...”.

\(^{52}\) The adjective *directiva* is not used in question 47 quoted above, but appears in several other places in the *Summa*, where Thomas discusses the relationship between prudence and the end. There seems to be a contradiction as to whether prudence *praestituit finem* or not, cf. *Sum. theol.*, I-II, q. 21, a. 2, I-II q. 58, a. 2 ad primum, I-II, q. 60, a. 1, ad primum, and I-II, q. 66, a. 3 ad tertium, II-II, q. 47, a. 6 (where he denies this), for example.

\(^{53}\) In Albert the Great, for example, prudence precedes the other two virtues: cf. Lottin, *Psychologie et morale*, cit. III, 271.

\(^{54}\) *Sum. theol.*, I-II, q. 57, a. 6; II-II, q. 47, a. 8; and II-II, q. 51.
is principalior⁵⁵, and the discussion in question 57 of the Prima secundae is entitled "de distinctione virtutum intellectualium"⁵⁶. Henry does not mention the other annexed intellectual virtue, gnome - omitted also by Aquinas in question 47 of the Secunda secundae - but this is the third of the potential parts of prudence, as discussed by Aquinas in question 51 of the same work.

According the above teaching, then, prudence becomes a necessary companion to all the moral virtues. It is in this sense that the Stoic idea of the interconnection of the virtues, which had been denied from the early thirteenth century, is now recovered⁵⁷. Aristotle himself makes such a connection a virtually unavoidable conclusion by stating clearly in the Ethics that it is impossible to possess the moral virtues without possessing prudence⁵⁸. Aquinas thus explains that for an act to be virtuous, inclinatio is not sufficient: there must also be something that "directe eligat ea quae sunt ad finem". This is the job of prudence, which, Aquinas states - as does Henry - is consiliativa, iudicativa, and praeeptiva⁵⁹. Henry does not discuss the problem of the interconnection of the virtues, but it is implicit in the role he assigns to prudence.

6.2.2. Prudence and human happiness

In the third chapter of this section, Henry returns to the distinction set out in the prologue between man’s two ends to discuss the relationship of prudence to human happiness. There are two happinesses, he explains, one which regards the practical intellect and one the speculative intellect, and they are dealt with by Aristotle in the first and the tenth books of the Ethics respectively. These two happinesses correspond to the active and the contemplative life. This first, political, happiness consists - in a tendentious reworking of the Aristotelian

⁵⁵ Cf. Sum. theol., I-II, q. 57, a. 6.
⁵⁶ Giles of Rome’s discussion of the same also regards the relationship of prudence to the intellectual virtues; cf. Lambertini, “Tra etica e politica”, cit., 105-107.
⁵⁷ Cf. Lottin, Psychologie et morale, cit., III, 232-252. Theologians had recognised the interconnection between the three theological or infused virtues, but not that between the four cardinal or acquired virtues.
⁵⁸ Arist., nic. eth., VI (1144 b 31-32).
⁵⁹ Sum. theol., I-II, q. 65, a. 1: “Utrum virtutes morales sint ad invicem connexae”, and I-II, q. 58, a. 5: “Utrum intellectualis virtus possit esse sine morali”. Prudence cannot exist without the other moral virtues because it must be informed by moral principles supplied by these virtues.
formula - in the "operatio anime secundum uirtutem prudentie"⁶⁰, as prudence is the perfect virtue in action (in agibilibus); the second, speculative, or ‘divine’ happiness consists in sapientia, the perfect virtue in speculation. The first together with the second constitute a disposition to eternal happiness, which is the immediate vision of the divine essence, even though speculative happiness is nearer to this than active. Just as sapientia considers the highest cause in any field, prudentia regards the highest cause in the active life, correct living in every moral virtue, and thus it completes human happiness.

On the question of human happiness, Henry parts company with his main source, but in doing so adheres to the generally-accepted theory of the period. The doctrine of the two happinesses - corresponding to the two Aristotelian books - derives from Albert the Great, and was widely accepted in the second half of the thirteenth century⁶¹. It is a doctrine that Thomas himself avoids, preferring to distinguish between a beatitudo imperfecta in this life and a beatitudo perfecta in the next⁶²: happiness in this life consists principally in speculation and secondly in activity according to the four virtues; happiness in the next in speculation only⁶³.

In a sense then there are three happinesses, one political and one speculative in this life, and a final happiness to which the other two are in some way a preparation⁶⁴. By stating that practical happiness consists principally in prudence and speculative happiness in wisdom, Henry does not go beyond what Aristotle had said in the Ethics. Aristotle, however, notoriously envisaged only happiness in this life, and the question of the relationship of happiness to this life was a delicate one, since the idea that human happiness consists in this earthly life was one of the doctrines condemned by the bishop of Paris, Etienne Tempier, in

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⁶⁰ The Aristotelian formula reads "secundam virtutem perfectam"; nic. eth., I (1101, a 14).
⁶² Sum. theol., I-II, q. 3, a. 6.
⁶⁴ Liber, 1.2.3.: "Et prima [scil. prudentia] cum ista [scil. sapientia] est quedam dispositio ad eternam felicitatem, que in uisione diuine essentie immediata consistit"
Henry's use of the term ‘felicitas’ to refer to the other-worldly happiness, therefore is qualified by the adjective ‘eterna’ to distinguish it from any happiness in this life, and in stating the existence of this third happiness, his solution is totally orthodox.

In their commentaries, Albert and Thomas essentially refuse to consider the second sphere of happiness since it pertains to theology and not to philosophy, and in this way they effectively establish an autonomous role for moral philosophy. Henry's Liber obviously belongs to a different genre, but in treating the four virtues only, it effectively deals exclusively with happiness in this life. If it appears from the prologue that Henry's intention is to treat all the seven virtues, it is also true that the force of his argument here is directed at showing that the end of both prudence and wisdom, that is of both the active and the contemplative life, is knowledge and love of God, and hence that moral activity and philosophical speculation are ultimately both at the service of theology. To illustrate this idea, Henry goes on to explain that the 'Platonic' division of sciences into moralis, rationalis, and naturalis is essentially in harmony with the two-fold Aristotelian (and obviously Gregorian) division into active and contemplative, and that God is the end of all these branches of study. Thus although his treatise in practice seems to present a civil, autonomous ethic, Henry is careful to subordinate this to theology. In this he is in tune with Aquinas' notion of an earthly realm which is autonomous yet subordinate to the other-worldly realm.

6.2.3. The integral parts of prudence

The third and the fourth section of the treatise on prudence discuss in turn those things which are required for prudence, and how we can acquire them in our
lives. They are based on Aquinas' integral parts of prudence as set out in questions 48 and 49 of the *Secunda secundae*. Henry begins the third section by stating that he will leave aside other parts as distinguished by philosophers and treat only the three parts of prudence as established by Cicero: *memoria* regarding things past, *intellectus* regarding the present and *providentia* regarding the future. In practice, however, he slips another five parts into this schema to discuss all the eight parts distinguished by Aquinas. While he adjusts the Thomistic schema, therefore, he still borrows its contents faithfully\(^1\).

Henry associates no additional parts with *memoria*, but to *intelligentia* he adds *solertia*, *docilitas*, and *ratio*. It is here that he describes the function of prudence, which, echoing Aquinas' discussion of *intellectus*\(^2\), is seen to work as a form of practical syllogism, where the major premise is a general law, and the minor the particular circumstance. *Circumspectio* and *cauto*, the remaining two parts, are placed by Henry together with *providentia* regarding the future. The influence of the *Summa* is again evident in Henry's addition, at the end of this section, of *consilium* to the things needed for prudence, for *consilium* is the gift of the Holy Spirit associated by Aquinas with prudence\(^3\).

The fourth section, though it would seem to include material of a more practical nature, is based again on question 49 of the *Secunda secundae* which treats the integral parts of prudence one by one. The chapter on how to acquire memory, for example, gives four techniques for remembering information and in this is almost like a miniature *ars memorativa*; but again, its direct source is article 1 of the above question. The section on providence gives general advice on how to remember past circumstances to be able to apply experience to similar situations in the future. The section on how to acquire prudence in the present is longer, and in particular deals with two sets of vices which are contrasted with prudence by Aquinas in questions 53 and 55. These are *precipitatio*.

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\(^1\) For Aquinas, the main distinction between the parts is based on the cognitive and the preceptive aspect of prudence: to the first belong *memoria* and *intellectus* taken from Cicero, *ratio* and *docilitas* from Macrobius, and *solertia* from Aristotle; to the second Cicero's *providentia* and Macrobius' *circumspectio* and *cauto*.

\(^2\) *Sum. theol.*, II-II, q. 49, a. 2, and also II-II, q. 47, a.6, where Aquinas describes the job of prudence as applying universal principles to particular cases: "Et horum est prudentia, applicans universalia principia ad particulares conclusiones operabilium".

\(^3\) Cf. *Sum. theol.*, II-II, q. 52.
inconsideratio, and inconstantia which are seen to derive from luxuria, and prudentia carnis and astutia which come from avaritia. Again, Henry's use of his source is selective, and there seems to be no obvious reason why he chose to include these at the expense of, say, the vice of negligentia, which is dealt with by Thomas in question 54.

6.2.4. The subjective parts of prudence

The fifth and longest section in the treatise on prudence deals with the subjective parts of prudence, which Henry lists as prudentia singularis, iconomica, regnativa, politica, and militaris. This is one of the most interesting sections of the work because it is here that Henry fully adapts the virtue of prudence to an Aristotelian framework and applies it to the concrete reality of the city. In the Ethics, in a somewhat ambiguous passage, Aristotle specifically states the affinity of prudence with politics: they both have the same state of mind (habitus as translated by Grosseteste), but their essence is not the same (esse quidem non idem ipsis).

The passage which follows (1141 b 25-35) investigates the difference and the similarity between the two concepts: while prudence properly pertains to the individual ("videtur autem et prudentia maxime esse que circa ipsum et unum"), there are also forms of prudence entitled ychonomia, legis posicio, and politica, itself divided into consiliativa and iudicativa, which regard multitudes. The Aristotelian division is the basis for Aquinas' subjective parts of prudence, as discussed in question 50 of the Secunda secundae, which are those parts of prudence by which the multitude is governed. Aquinas distinguishes four types of prudence regarding the multitude: the three given by Aristotle (legispositiva, politica, oeconomica) and prudentia militaris, which is one of the parts of prudence given by pseudo-Andronicus. Henry's concept of the

74 Arist., nic. eth., VI (1141 b 23-24). See Lambertini, "Tra etica e politica", cit., 118-126, for a discussion of the various interpretations of this passage.
75 Sum. theol., II-II, q. 50 intro.: "quibus multitudo gubernatur".
76 Pseudo-Andronicus, De passionibus, in ed. A. Gilbert-Thirry, "Peri pathôn". Edition critique du texte grec et de la traduction latine médiévale (Leiden, 1977), p. 240: "Comites autem sunt ipsius decem: euboulia, solertia, providentia, regnativa, militaris, politica, oiconomica, dialectica, rhetorica, physica". It is perhaps this passage which determines Aquinas' use of the term regnativa to refer to Aristotle's legispositiva. Henry uses both terms. Thomas includes physica, dialectica, and rethorica as parts of prudence, only, however, if prudence is taken in a broad sense to include speculative science: cf. Sum. theol. II-II, q. 48, unicus.

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subjective parts is therefore obviously based on Aquinas's treatment of the same: man can be considered according to whether he is an individual, as the head of a household, or as a citizen; for the first two, individual and economic prudence respectively are necessary, and for the third, political prudence is required for man as a subject, regnative prudence if he is the ruler, and military if he is a fighter for the common good.

6.2.4.1. Individual prudence

Aquinas does not discuss individual prudence as such, for it belongs to the virtue of prudence in general which has already been dealt with. Individual prudence in a sense has also been discussed by Henry, for the section on the things needed for prudence is completed by a summary stating that the truly prudent man is he who possess all the eight integral parts of prudence. Here Henry does not define a concept of individual prudence, but rather stresses its necessity, along the lines of the idea that he who cannot rule himself cannot live with others. The virtue of the individual in this way becomes the virtue of the political animal.

6.2.4.2. Economic prudence

The second section on economic prudence is longer, comprising twenty-two chapters. In effect it constitutes a miniature economics treatise on the running of the household. The framework here is principally Aristotelian, but it is difficult to identify Henry's precise model, given that he does not seem to have used the pseudo-Aristotelian *Oeconomica*, nor Giles of Rome's *De regimine principum*. Like Giles of Rome, though, he turns above all to the *Politics* and the *Ethics*, via the mediation of Aquinas; this provides the theoretical framework for the discussion, supplying such key concepts as man's political nature, or the origin of the community, for example; the source of the rest of the contents is still to determine, but certain passages are undoubtedly original to Henry.

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77 His way of dividing prudence comes from *Sum. theol.* II-II, q. 47 a. 11, and not the above question 48.
78 Cf. *Sum. theol.* II-II, q. 50, intro.
The section begins with the division of the family into the three communities as established by Aristotle in Book I of the *Politics*: husband and wife, father and son, and master and slave. To these three relationships, three *regimina* of prudence are required. The first discussed is the relationship between husband and wife, where, in six chapters Henry states that a husband must live affably with his wife, treat her decently, and love her without jealousy; she in turn must be chaste with modesty, shameful with silence, and pious with discretion. Henry quotes Aristotle's *Rhetoric* more than once in his section but does not appear to have a specifically Aristotelian model for his criteria of behaviour.

The contents of the second part of this section, on the relationship between father and son, similarly have no direct model in Aristotle. According to Henry, then, a father's duty is supported by divine law which obliges him to care for his children: he must restrain them from following the passions by making them study, in particular the liberal arts, prevent them from using indecent language by reprimanding them, and restrain them from a sense of their own will, by denying them power. Children should also be brought up in religion, taught to respect their elders, eat with temperance, spend their free time in honest games, and seek the company of the good.

Regarding the relationship between masters and servants, Henry states that it is right that some people should be servants because their appetites are corrupt, their intellects deficient, or because temporal goods must be administered. Servants must be faithful to their masters in their duties, intelligent in their service, and decent in their behaviour; masters on the other hand must speak to them calmly, pay them with generosity, and be discrete when giving orders. Moreover, it must be remembered that servants originate from the same seed as their masters and are capable of attaining the same glory. In this last

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79 Arist., *pol.*, I (1253 b 6-7).
80 Before discussing the relationship of master to servant, Henry establishes a parallel between the three types of rule in the perfect household and those in the perfect city, an analogy made obligatory by its inclusion in book I of the *Politics* (1259 a 37- b2), where the discussion of the master-slave relationship effectively takes prominence at the expense of those between husband and wife and father and son. Henry accordingly divides rules (*regimina*) as to whether they are based on laws, or on the will of the ruler alone, in which case the ruler can consider the good of his subjects or only his own. The first of these is the political or civil rule which is like the conjugal rule; the second is royal rule which is compared to paternal rule, and the third is despotic rule which is like the rule of servants.
chapter, Henry adds a Christian element to the discussion, and indeed in the whole section, the meaning of Aristotle’s *servus* has been implicitly changed from ‘slave’ to ‘servant’.

4.2.4.3. *Regnitive prudence or positive law*

Prudence in the prince must be a universal knowledge with respect to the common good.\(^1\)

Regnitive prudence, called *legispositiva* in Grosseteste’s translation of the *Ethics*, is the prudence necessary for the ruler. In this sense, this part of the treatise consisting of five chapters, completed by chapter 2.4.5. in the treatise on justice, constitutes a sort of ‘mirror of princes’. This section begins by stressing the prince’s role in the common good: prudence is particularly important in the prince since the common good depends on his rule. If through imprudence he should follow the false goods of the senses, like riches and bodily pleasures, laying aside the works of virtue, he will become an exploiter of the people and a tyrant. In the long run tyrannies are the ruin of a city because the population cannot bear the burden and will desert the city and the fields.

The duties of the prince according to the virtue of prudence are to please God, satisfy the population, provide for the republic, and pass just laws. Firstly, the prince must live in the way of God: he will be more loved by the people if he builds large churches, and if he establishes almshouses and feeds the poor he will be able to govern the people more easily. Secondly, he will satisfy the people if he shows himself reverent rather than severe, keeps an honest household, consults wise councillors, keeps just judges, and punishes and rewards according to merit. In this way rivalries and malicious rumours will be avoided. Thirdly, he must provide for the republic by making sure that those things which are needed for the conservation and sustenance of the city are available in abundance: there must be a *studium litterarum* for boys, jurists to direct legal cases, and wise men, even foreigners. However, there must not only be the direction of wise men, but also correct operation in the city, and so the prince must see to it that he has religious preaching, honest clerics celebrating mass, and other god-fearing people who pray

\(^1\) *Liber* 1.5.25: “Quod prudentia in principe debet esse quedam uniuersalis cognitio respectu boni communis”
on behalf of the people, for we often find that cities are saved through the merit of the servants or friends of God. For the city's bodily sustenance the prince must provide against famine: he must predict the future, taking into account fertile years along with sterile ones. The need for just laws is discussed in the next treatise.

Henry does not specify exactly what sort of 'prince' he is writing for\(^\text{82}\): the prince, that is, is the "rector comunitatis perfecte", which can be a *ciuitas* or *regnum*; but regnative prudence also covers other types of rule, such as that of the *dux*, *comes*, or *prelatus*. However, it is difficult not to see in this section firstly an expression of the concrete needs of the medieval city, rather than that of the kingdom, which derive, secondly, from the direct experience of a citizen rather than from a 'text book' on political theory, (such as Aristotle's *Politics* with its commentaries, or Aquinas' *De Regno*, for example). In particular we can note the stress on the need for the religious in the city, together with wise councillors. Is the reference to the need to build large churches, for example, independent of the fact that in this period the enormous SS. Giovanni e Paolo was under construction? Whereas the prince constitutes the fulcrum of the 'mirror of princes' genre, here Henry stresses the various elements which constitute the good running of the city, and the prudence of the prince is seen above all as a means of ensuring the common good of the whole city.

6.2.4.5. Political prudence

If regnative prudence is the virtue of the ruler, political prudence is the virtue of man as a subject. Before describing what political prudence consists of, therefore, Henry has to demonstrate that man is by nature a social and political animal, and hence *idoneus* at observing civil laws. This discussion is naturally based on book I of the *Politics* where Aristotle demonstrates man's social nature, firstly as a consequence of the naturalness of the city, and secondly because of his proper activity, in particular his capacity of speech\(^\text{83}\). The proof for Henry lies first of all in a human characteristic, that is man's natural tendency to communicate

\(^{82}\) Note, for example, that Henry uses the word 'princeps' in one context where it is certain he is talking about the leader of the Venetian commune, see below, p. 337, n. 227.

\(^{83}\) Arist., *pol.* I (1253 a 2-3).
with others, which is a source of pleasure, but is also a result of the necessity of having to share information, since one man alone is incapable of understanding all that he needs to know. In the second place, man’s weakness is again stressed, for an individual is incapable of providing himself with all the physical objects necessary for his survival and hence must live with others according to the division of labour: when we need clothes we go to a clothier (lanificium), for example, and when we need shoes we go to a shoemaker (calcificium). Although the reasoning is probably inspired by Aquinas’ commentary on the Politics, Henry’s idea of man’s necessity in communicating and the illustrations added seem to be his own; in particular, he does not make use of Thomas’ distinction between sermo and locutio to characterise man’s speech. The explanation of why some men do not live socially, however, is closer to Aquinas’ commentary on the passage in the Politics: those who do not live with others, that is, are either like gods (the desert Fathers, for example) or beasts, or they are those who lack the material goods such as wealth and power, and are forced to leave the city by their poverty, and to inhabit wild and solitary places.

The distinction between regenerative and political prudence originates in a passage in book VI of the Ethics. The difference here is one of generality: political prudence concerning the individual, legispositiva the city, according to who rules and who applies the rules, and Aquinas works from this to identify legispositiva with the prudence of the ruler and political prudence with that of the subject. Henry follows this model. Political prudence, he says, is needed because servants and subjects are moved by their rulers differently from the way in which inanimate and irrational entities are moved, since the former also possess free will, and hence require a rectitudo regiminis by which they direct themselves in obeying the

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84 Liber 1.5.30.: “Delectatur enim homo alteri indicare quod concipit et similiter cum eo conferre; quod non solum est ad delectionem sed ad necessitatem: nam quid unus non uidet per intellectum alterius intellectus supplet, et sic collatio ratiocinantis hominis cum homine facit ad bonum consilium et per consequens ad bonum iudicium”.

85 Aquinas, Sententia libri Politicorum, EL 48 (1971), I, 1, 36-37.

86 Thom. Aq., sent. libri pol., I, 1, 35.

87 Arist., nic. eth., VI (1141 b 25-27): “Eius autem que circa civitatem, hec quidem ut architectonica prudencia legis positiva; hec autem ut singularia, commune habet nomen politica”.

88 Sum. theol., II-II, q. 50, a. 1.
prince⁸⁹. Political prudence, thus conceived by Aquinas, is a rational capacity to obey the prince; to this concept, Henry adds that it is also the capacity of living with one’s fellow citizens⁹⁰.

Political prudence becomes for Henry the virtue of man as a citizen rather than man as a subject. Just as the care of the republic pertains to the magistracy, Henry explains, so living with others by a just law pertains to the private citizen, neither oppressed nor abject, nor too proud: this is what we call a good citizen⁹¹. This type of prudence, moreover, is excluded for foreigners, who should do nothing beyond their own business in the city, neither work nor make inquiries about others⁹². This sentiment undoubtedly reflects a custom common to the medieval Italian city; it is also one example of the affinity between the Greek and the medieval city state which facilitated the integration of the new Aristotelian discoveries into contemporary ‘political thought’⁹³. For Thomas, the prudence of the ruler which is “architectonica” seems to be superior to that of the ruled, which is “ad modum artis manu operantis”⁹⁴, but Henry makes not mention of this. His political prudence seems to be slightly adapted to become the prudence of the citizen of a state where living together with others is as important as obeying the laws of the prince. The stress lies on the importance of peace and harmony in the city where each person takes his own place, which he illustrates with the analogies of the individual and the city to a letter in a sentence and a string in a lyre, taken from Augustine, but which are not used by Aquinas.

6.2.4.5. Military prudence

For Henry there is also a species of prudence which protects the city from harm: just as animals have two powers of the soul, one by which they obtain

⁸⁹ Cf. Sum. theol., II-II, q. 50, a. 2.
⁹⁰ Compare Liber 1.5.31.: “quedam rectitudo regiminis per quam seipsum dirigat in obedienti maioribus et conuiuendo alii ciuibus” with Sum. theol., II-II, q. 50. a. 2: “quedam rectitudo regiminis per quam seipsum dirigat in obedienti principantibus. Et ad hoc pertinet species prudentiae quae politica vocatur”.
⁹¹ Liber, 1.5.31.: “Ad priuatum vero ciuem pertinet recto iure alieni conuiuere, nec submissum, nec abiectum, nec se efferentem nimis esse: tales enim dicere solemus bonum ciuem”.
⁹² Liber, 1.5.31.: “peregrini est preter suum negotium nichil agere, de alio non inquirere, quia uiciosum est in aliena patria curiosum esse”.
⁹³ Notorious is Aristotle’s exclusion of foreigners from the rights of citizenship: pol. III (1275 a 11-17).
⁹⁴ Cf. Sum. theol., II-II, q. 47, a. 12.
favourable things and another by which they repel harmful things, so in moral and
civil life there should be a double prudence with respect to the common good, one
for ruling and passing laws, and this is regnative prudence, another for resisting
and repelling the insults of enemies and this is military prudence. Military
prudence, then, is the virtue of soldiers, and Henry adds to the above Thomistic
concept of the virtue some comments on these members of the state, taken from
John of Salisbury’s *Policraticus* and Vegetius’ *De re militari*. Two things make
man a soldier, that is, *electio* and *sacramentum*: men are chosen who are young
and strong in honesty and customs, and they are trained in hardships; but they
become soldiers only once they have taken an oath. If the prince, however, should
give orders which go against the commandments of God, the *bonum uirtutis*, or
the statutes of the church, these orders should not be obeyed and the military oath
will not be broken. The oath which the soldier swears to the prince, therefore, is
valid only as far as the limits of the mandate.

6.3. Justice

Justice is the subject of the second treatise; its definition, essentially
rendering to each man to his due, remained relatively constant throughout the
medieval period, as Henry himself documents in chapter 2.1.1. However,
Aristotle’s lengthy treatment of the virtue in book V of the *Ethics* could not but
leave important traces on later thinking, in particular that of Aquinas. Henry’s
Thomistic exposition, therefore, contains such ‘new’ Aristotelian-Thomistic
concepts as commutative and distributive justice in contrast with legal justice, or
natural law as a tendency for the rational creature to do good and avoid evil.
Justice also had a traditional place as the most important of the four virtues, once
its definition was extended, as it is by Augustine, to become a form of *caritas*.
This status is recognised by Aquinas only in so far as it constitutes a *generalis
modus virtutis*; but justice is for Thomas nevertheless “praeclarior inter omnes

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95 Cf. *Sum. theol.*, II-II, q. 50, a. 4.
96 See below.
98 Cf. Aug., *De diversis quaestionibus* LXXXIII, 61, 4, ed. A. Mutzenbecher, *CCL* 44A, p. 127:
“quarta *<scil. iustitia>* quaе per omnes diffunditur, dilectio dei et proximi”, Cf. Mahl, *Quadriga
virtutum*, cit., 18.
99 Cf. *Sum. theol.*, II-II, q. 58, a. 8.
virtutes morales since it is that virtue which orders actions to the common
good, which is always greater than the individual good.

This function connects justice to the state, and this section of the Liber,
like the previous one on prudence, is noteworthy for its ‘political’ content. Here
we find discussed the origin of the political community and the various forms
of political constitution as set out in Aristotle’s Politics. Henry’s conceptual
framework is again lifted from the pages of Aquinas, but his notable originality is
the application of these ideas to the reality of the city state. He goes beyond his
model when he demonstrates, for example, how legal, distributive, and
commutative justice are necessary for the republic from the point of view of its
end (peace), its ruler, and its subjects respectively. Most remarkable of all,
however, as scholars have observed, is his application of the theory of the mixed
constitution to the Venetian commune.

The treatise is divided into five chapters: on the definition of justice, on
the different ways in which it is called (that is, the subjective parts of justice), on
how it is necessary for the multitude, on the principles from which it is caused,
and on those things which are needed for correct judgement. In the single chapter
of the first section, Henry supplies a definition of justice, from the point of view of
its object and then its subject. The name justice itself indicates that it means some
kind of equality; equality is always with respect to something else, so justice
regards operations and external affairs between men where communication
between one person and another is correctly regulated. Justice is in fact defined
as the constant will to render to everyone his due (“habitus secundum quem
aliquis constanti et perpetua uoluntate ius suum unicuique tribuit”); this, Henry
notes at the end of the chapter, is in accord with the definitions given by the major
authorities, which in effect all share the idea that justice regards the fair treatment
of one’s neighbour. The subject of justice, on the other hand, is the will

100 Sum. theol., II-II, q. 58, a. 12.
101 Cf. Sum. theol., II-II, q. 57, a. 1.
102 Cf. Sum. theol., II-II, q. 58, a. 1.
103 Henry lists the following definitions, not all of which are accurate: Macrobius (cf. Comm. in
Somm. Scip., I, 8, 7, p. 38), “iustitia est unicuique seruare quod suum est”; Isidorus (?) (cf.
Augustinus, De Genesi contra Manichaeos, II, 10, PL 34, 204): “ordo et equitas qua homo cum
unaquaque re bene ordinat”; Cicero (De inventione, II, 53, p. 148): “habitus animi, communi
utilitate conseruata, suam cuique tribuens dignitatem”; Seneca (Martinus Bracensis, Formula
vitae honestae, 5, p. 246): “conuentio in adiutorio multorum inuenta”; Ambrose (De officiis
(voluntas), which as noted above is characteristic of Aquinas’ formulation of the

6.3.1. The parts of justice

The reception of the Aristotelian treatment of justice enriched speculation,
determining in particular new divisions within the virtue\(^{104}\). This is reflected in the
second section of this treatise, where Henry deals with various types of justice.
Fundamental is Aristotle’s observation that the term ‘justice’ itself can mean both
what is legal and what is equal\(^ {105}\), which leads him to distinguish between a
general justice on one hand, and a particular justice on the other, which can itself
be divided into distributive and corrective or rectificatory, according to the nature
of the equality it establishes\(^ {106}\). Similarly, there are three types of justice for Henry: distributiva and
commutativa, which are in turn distinct from justitia legalis. Aquinas is again
Henry’s immediate source, for whom distributiva and commutativa are the
subjective parts of justice\(^ {107}\). Henry in fact states that the subjective parts refer to
the proper reason of justice, and that he will deal with those and omit the other
parts, which is what in practice he does. Following the lines set down by Aristotle
and elaborated by Aquinas, therefore, Henry distinguishes between two types of
equality: geometric, which is proportional, and arithmetic, which refers to equality
in quantity. To these correspond the two types of justice: when we speak of
justice with respect to a private individual in relation to the community the
relationship is regulated by distributive justice; when one individual is considered
in relation to another individual, the operations between them, such as buying and
selling, are regulated by commutative justice. Two types of justice are suited to
the two types of relationship because, explains Henry, if the prince or those who
rule the republic were to distribute goods among the citizens equally (according to

\(^{104}\) Sum. theol., II-II, q. 58, a. 4.
\(^{105}\) Lottin, Psychologie et morale, cit. III, 283-299.
\(^{106}\) Arist., nic. eth., V (1129 a 32-33).
\(^{107}\) Arist., nic. eth., V (1129 b 27 - 1130 b 29).
\(^{108}\) Cf. Sum. theol., II-II, q. 61, a. 1-2.
commutative justice), it would result in total confusion; such equality would be inequality if the worth of each person were not taken into consideration: the plebei and the aristocracy are not to be honoured with equal honours, for those who have more pre-eminence, especially those who deal with the defence and the ruling of the republic should receive more.

In contrast to the above types of justice, which for Aquinas and Aristotle are species of particular justice, is general justice\(^{109}\). This is the virtue which orders all the acts of all the other virtues to the common good, and it is in this sense that it is general. Henry sets out this doctrine faithfully and illustrates it by explaining, for example, that this legal justice regulates the acts of temperance for the common good in the commandment 'thou shalt not kill' or those of fortitude in the law whereby soldiers must not desert the battle field.

The third section of the treatise applies these three types of justice to the community, an initiative which seems to be original to Henry himself. The end of the republic is peace, and legal justice is necessary with respect to this end, for if everyone were to break the laws and fail to respect the statuta communia and act in their own interest, political order would be upturned and peace destroyed. Distributive justice, on the other hand, is necessary when the city is viewed according to the ruler, for unless honours and offices are distributed in proportion to effort and expense an amazing disharmony will arise among the inhabitants and the entire political order will slowly dissolve into corruption. Thirdly, commutative justice is necessary when the city viewed according to the multitude, for when many people are joined together, this whole will dissolve if the individuals do not adapt themselves to each other, and unless incongruent elements are removed. Thus if some people are insolent, offensive, riotous, or seditious they are to be punished with punishments and beatings or be exiled from the community and even sentenced to death, otherwise the whole community will be ruined. The extent to which justice is linked by Henry to the conservation of the common good is clear.

\(^{109}\) Cf. Sum. theol., II-II, q. 58, a. 5.
6.3.2. The principles of justice

Before going on to develop further the link between justice and the community, in the fourth section of this treatise Henry discusses the three 'principles' of justice. These are the 'emanative' (emanatium) principle from which justice derives its origin, the 'imperative' (imperatium) principle, from which its authority is promulgated, and 'susceptive' (susceptium) principle, from which its multiple utility is declared. They would appear to be Henry's own invention, although many of the concepts they describe are characteristically Thomistic.

The four chapters on the emanative principle of justice set out the main features of the Thomistic conception of law: eternal law; natural law as the the participation of the rational creature in eternal law; and ius gentium, which derives from natural law and varies according to local conditions. Within the Summa theologiae, the discussion of this question constitutes a veritable tractatus de iure, contained in articles 90 to 108 of the Prima secundae, and this is Henry's fundamental source here. The second, 'imperative' principle is the positiuus legum, that is, the person or authority which imposes the law, such as an emperor or prince. This section, then, regards the prince, who, according to Aristotle, is a kind of aminate law whom his subjects can observe like a kind of exemplar; it is necessary, therefore, that he must possess every virtue of legal justice, but above all he must strive to do three things, acquire wisdom - and seek the advice of wise concillors too - detest avarice, and avoid the concupiscence of the flesh.

The third, susceptive, principle of justice is the community which is suitable for receiving the principles of justice. This section therefore offers Henry the opportunity of discussing the kinds of community to which justice can and must be applied, and the various types of constitution. The first of these points is obviously based on book I of the Politics, where the origin of the city - from domus to vicus to civitas - is described, although Henry's direct source is as usual Aquinas.

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\[110\] Arist., pol., I (1252 a 25 - b 35). In describing the origin of the city, Henry follows Sum. theol., I-II, q. 105, a. 4, virtually to the letter.
Henry develops what he found in Aquinas, however, to claim that only the city is subject to justice. Thomas, in fact mentions that the family can have “aliqua praecepta vel statuta”, but not “ratio legis”\textsuperscript{111}; for his part, Henry explains that the household can only receive a certain type of justice because justice can only exist amongst people who are mutually autonomous, and in the household all the relationships are linked to the husband/master/father. In the place of justice properly speaking, then, there is *quoddam genus iuris*, that is, a *ius dominatium* between master and servant whereby the servant obeys his master’s orders, a *ius uxorium* between man and wife whereby the wife is treated socially and not in a servile way by her husband, and a *ius paternum* between father and son where the son obeys his father and the father ensures an inheritance for his son and subjects him to discipline. The *uicus*, furthermore, cannot be the subject of legal precepts either: rather it must be subject to *ius ciuitatis*, although the community can establish some law (*aliqua iura*). The city, finally, can receive the principles of justice, because it is, in Cicero’s definition of *respublica*, “cetus iuris consensu et utilitatis communione sociatus”\textsuperscript{112}. Only the community of the people is subject to legal justice since it lives under law and is ordered to the common good. But Henry also warns of the necessity of reciprocal love among the citizens and loyalty to the prince for the preservation of the city, and he uses the analogy of the city to the body to illustrate this.

6.3.2.1. The ideal constitution

The second question dealt with in this section on the susceptible principle of justice is that of the various types of constitution. Here Henry discusses one by one the three Aristotelian types of constitution, the *regimen regni*, *regimen optimorum*, and the *regimen populi* in order of descending merit\textsuperscript{113}. The first, where one rules, is the best, and it represents divine rule and the order of nature; but since great power is conceded to one person, there is the danger that it will degenerate into tyranny, which is the worst from of rule. The second is aristocracy where only a few rule, and this is better than the *regimen populi* because if the

\textsuperscript{111} *Sum. theol.*, I-II, q. 90, a. 3.


\textsuperscript{113} Cf. Arist., *pol.*, III (1279 a 23 - b3).
few rulers see to the common good it is likely that they will agree as one. The third, popular rule, can be according to virtue, but the multitude does not constitute perfect government because the people hardly ever partake of prudence. This form of rule can only be better than the other two after a long rule of tyranny when the people is desirous of peace. Many cities in Lombardy are placed under this rule, and because of the many tyrannies which once existed they can hold onto power, establishing elders (antiani) and other rulers from among the popolo. The best form of rule, however, is the mixed constitution because peace is kept above all when everybody takes some part in the republic. If some of the wiser of the people are elected as princes or prefects, and they elect one as king who presides over both them and the people, this will be the best form of government: it is a democracy in so far as the people elect the princes, an aristocracy in so far as some of the best rule, and a monarchy (regnum) in so far as one of the best is elected and rules both the best and the people.

As scholars have remarked, Henry's inherits the theory of the mixed constitution from Aquinas. Thomas' 'political theory' is by no means unambiguous: like Henry, he at times prefers the rule of the one, but on two occasions in the Summa, he states that the mixed constitution is the best form of government. Henry's source here is one of these two passages, question 105 of the Prima secunda, from which he also takes the illustrative exemplum of the Hebrew government under Moses which concludes this chapter. This article of the Summa does not mention the popular or democratic rule, and Henry's criticism of this form was probably influenced by Aquinas, who places popular rule firmly in third place after monarchy and aristocracy. Henry's mixed form of government is an elective monarchy, the form mentioned by Aquinas too, but whereas the

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114 Aristotle mentions the fact that some say a mixed constitution is best (pol., II, [1265 b 35]), but it is Aquinas who develops this, as discussed below.
115 For example in Sum. theol. I-II, q. 105 ad secundum, which is Henry's source for his praise of regnum.
116 Sum. theol., I-II, q. 95, a. 4 and I-II, q. 105, a. 1. On the inconsistency of Aquinas' opinion of the best constitution see J. M. Blythe, "The mixed constitution and the distinction between regal and political power in the works of Thomas Aquinas", in Journal of the History of Ideas 47 (1986), 547-565.
117 Cf. Sum. theol., I, q. 103, a. 3; De regno ad regem Cypri, I, 2; I, 3. The rule of the many is also looked on with scepticism by Aristotle, who believes it is difficult for many people all to participate in virtue, cf. pol. III (1279 b 1-2).
leader for Thomas is elected by all the people, for Henry this right lies specifically with the aristocracy. 

6.3.2.2. The “myth of Venice”

Henry’s great originality, as a number of scholars have had occasion to remark, is his application of this ideal mixed constitution to the city of Venice, in a chapter in praise of the Venetian commune. His analysis runs thus:

Among all the polities which have existed among Christian peoples in our time, the polity of the Venetian people can be seen to come close to this mixed government. In it, in fact, about four hundred people, from both the nobles and the honourable popolo are admitted to the public councils, by whom other of the wiser men are elected to create their prince, and they elect someone from among their own nobles whom they place as leader over all. This leader, thus elected by the elders, together with six whom they call counsellors and forty who are held as elders of the people rule the polity. Nor do those who rule the city with the leader always remain the same, but individuals from the council are, at set times, assumed to the aforesaid offices of councillors or elders through election by all. And thus each of these aforesaid people elected to the council has some part in the polity, which participates in some way in the three types of government. For in so far as one is the leader of everyone, it can be called a royal rule; in so far as some elders elect the leader himself and they or others elected to that office at different times rule the polity with him, it can be said to be a government of the best; in so far as the aforesaid elders, electors of the leader, counsellors, or forty, are elected by the whole council, it participates in some way in the polity of the people. There are in fact in this said council not only noble elders, but also those from among the honourable popolo.

Here the four hundred of the nobles and honourable popolo describe Venice’s Maggior Consiglio, the six the Ducal Councillors, the forty the Quarantia or Council of Forty, and the leader the doge, the word itself derived from the Latin dux. Thus is born, it would seem, that aspect of the myth of Venice.

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118 Compare Sum. theol., I-II, q. 105, a. 1: “...ex popularibus possunt eligi principes, et ad populum pertinet electio principum”, with Henry’s more specific: “Item ex regno in quantum unus a predictis optimatis electus tam eis quam populo preficitur” (Liber, 2.4.15.). Thomas no more than Aristotle actually envisaged universal suffrage, but Henry seems to have something particular in mind, as will become clear below.

119 An edition of this chapter is included in the Appendix.
which sees in the city's constitution as an expression of the mixed form of government, where the Great Council represents the democratic element, the Senate the aristocratic, and the doge the monarchical. It is an idea which found popularity particularly in the Renaissance period, on the basis more of Polybius' formulation than Aquinas', and scholars have only recently been able to appreciate Henry's contribution in shifting the appearance of this link back by a couple of centuries. Felix Gilbert, unaware of Henry's analysis, had argued that only in the fifteenth century was the connection made between Venice's governmental institutions and the classical theory of the mixed constitution. Gina Fasoli too, who convincingly demonstrates that other aspects of a general myth of Venice have their roots firmly planted in the medieval period, knew Henry only as a certain 'frater Henricus' through his inclusion in Lorenzo de' Monaci's Chronicon, and was hence unable to appreciate his contribution to the phenomenon she was describing. The task of identifying Henry and bringing to light the contents of his chapter was undertaken more recently by David Robey and John Law, and their 1975 article is the basis of all further scholarly discussion.

Once established in the Renaissance period, the ideal mixed constitution was used as a means of explaining Venice's prosperity and stability - especially when contrasted with Florence's turbulent political upheavals. In the second part of this chapter, indeed, Henry goes on to describe in detail the remarkable way in which the Venetian people live in a state of extraordinary peace and prosperity. It seems necessary, however, to preface the contents of these "straordinarie pagine" (as they are described by Ventura) by pointing out that the link between

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120 Note that Henry has in mind the Quarantia and not the Senate as the aristocratic element: at the time he was writing, in fact, this Council of Forty was the more authoritative of the two bodies, the Senate growing in importance in the following period; see, for example, Lane, Venice, cit. 96.
122 F. Gilbert, "The Venetian Constitution in Florentine Political Thought", in N. Rubenstein ed., Florentine Studies: Politics and Society in Renaissance Florence (London, 1968), 463-500; cf. for example p. 465: "Venice became the pattern of an ideal republic only in the fifteenth century and the emergence of this image was closely tied up with humanist thinking.
125 Ventura, "Scrittori politici", cit., 535.
Venice’s constitution and its success is no more than *implicit* in Henry’s juxtaposition of the two phenomena\(^{126}\):

This Venetian people enjoys such peace and security that nobody is ever exiled from there for reasons of faction. Visitors and refugees are kept in safety; nobody is the oppressor of anyone else; nobody is the invader of anyone else’s house. Everything is safe; murders or shedding of human blood are seldom if ever seen. This people, enjoying the greatest liberty, does not suffer itself to be subject to anybody. It restricts the leader it sets over itself, through such servitude to statutes that he cannot do any more than those who elected him wish. These men, in the seas by which they are surrounded on all sides, have constructed buildings magnificent in beauty, luxury, and number. They educate their young men in the ways of the seas with its dangers and hardships to obtain the necessities of life; they devote their adult life to acts of the Republic. They have oars for working the fields, and ships instead of oxen; they trade in everything for money, even drinking water. Nobody born there is the slave of another, nor submits himself to someone else because of a question of money. Rather, everyone claiming for himself that liberty which is proper to the Republic, seeks his own living with his own labour. Extremely daring and skilled in sea battles, once they did great things worthy of praise for the Republic. They transport foodstuffs from many regions, and the goods which they bring from far off regions they transport to many provinces of the western world. They are splendid in their dress, but temperate in food lest trade should be hindered by drunkenness, or the state of the polity disturbed; they do not have taverns. They are great worshippers of churches and lovers of divine honours; generous to the poor, they support many almshouses for the poor and remarkable nunneries with annual and daily alms, both public and private. When they die, they leave a tenth of their money, in which almost all of their goods consists, to the needy, and the to people who devote themselves to divine worship. They are Catholic and are totally immune from all taint of heresy. They do not have inhuman or terrible crimes. They are foreign to the customs of their neighbours. No usury is permitted there; they do not follow common laws but live according to their own statutes which are amazingly appropriate to the business of the polity, yet are not foreign to law; where statutes are lacking, they adapt themselves to the customs of the patria. They are most faithful to the Republic which everyone strives to keep in wealth

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and honour, while the Republic itself keeps and guarantees its citizens, even the plebeios, in the greatest of liberties and individual immunities: if anyone in a foreign land falls into difficulty, then it immediately brings aid, either in the form of letters from the leader, or public ambassadors, or the threat of reprisals in order that he be freed from danger. It tries to raise honourable but poor citizens through the provision of offices or sources of income; it nourishes many with the communal harvest. These things are said in praise of our predecessors; if you discern these things in yourselves, give thanks to God; if on the other hand, you fall short of the aforesaid virtues, call their past deeds to mind and make an effort to recover them for love of virtue.

Ventura sees in these words the expression of a "spirito lucido e penetrante". It is difficult indeed not to be surprised by such an original contribution in the middle of a treatise which so far has shown itself to be largely derivative in nature. Might Henry have been working from some model, then? Critics have cited the two passages - one by Bartolomeus Anglicus and the other by Ptolemy of Lucca - which, we have seen, often accompanied Henry’s description of Venice in manuscripts or in works on the city. These can be supplemented by a series of earlier fragments in praise of the city, starting from John the Deacon’s Cronaca, which Fasoli has analysed at length. But these are no more than snatches and fall far short of accounting for the complexity and perspicacity of Henry’s comments. We may accept that the second part of his description is based fundamentally on the personal experience of a foreigner who must have lived in the city for some time. However, as Ventura notes, the idea of Venice as an embodiment of the mixed constitution “probabilmente non usciva soltanto dal cervello di Enrico”.

In this respect, a new line of enquiry has recently been opened up by the work of Mika Hakkarainen. In an article published in 1998, the Finnish scholar demonstrates that Venice was connected to the mixed constitution in a Byzantine source as early as the twelfth century. In the course of his commentary on a

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127 Fasoli, “Nascita di un mito”, cit. 453; see also her “I fondamenti della storiografia”, in ed. Pertusi, La storiografia veneziana, cit. 11-44.
129 M. Hakkarainen, “Regimen mixtum - μικτόν πολιτεία”, in ed. J. Hamesse, Roma, magistra mundi. Mélanges offerts au Père L. E. Boyle à l’occasion de son 75e anniversaire (Louvain-la-Neuve, 1998), 111-121. This fact had already been noted by other scholars, as Hakkarainen points out.
hymn attributed to John of Damascus, dated around 1187, Eustathios of Thessalonica (1115-1195/96) deals with the term *endemia* (that is, ‘incarnation’ here), which leads him to discuss the mixed constitution, which, he concludes, can be discerned (“adumbratur”) in Venice at that time. According to his analysis, the monarchical element is represented by the doge, the aristocratic element by the *consules* who are elected as advisors, and the popular element rather unclearly by those who are with the advisors (“qui sunt apud illos”: presumably those *consules* who are not elected as advisors) and those who come after the advisors (“et post illos”, presumably those nearer the *popolo* in some way)^130^.

Given the historical link between Venice and Byzantium, it is possible that Eustathios’ opinion may have been based on his personal knowledge of the Venetian constitution. Hakkarainen thinks not^131^, but what is more important in this context, I believe, is whether Henry may have been influenced by a Byzantine tradition present in Venice. Not only was Aristotle’s *Politics* known in Byzantium throughout the Middle Ages, but references to the mixed constitution can be discerned in Byzantine commentaries, at least^132^. A Venetian colony existed in Constantinople in this period, and Venetian merchants, who had frequent contacts with the city, undoubtedly had some knowledge of Greek. It is worth holding as a hypothesis, therefore, that the Aristotelian ‘political’ tradition may have been known in Venice in some form before its reception into the Latin West via the translations of the 1250s and 60s, and that the connection between the city and

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^130^ Eustathii Thessalonice Metropolitae, *Expositio hymni pentecostalis Damasceni*, PG 136, 503-754: section 210, col. 718 (I quote from the accompanying Latin translation): “Et sic in nobis regia democraticaque potestas ostenditur ad beatitudinem, optime dominante nobis ratione, quando receptione principalissimae sanctae Trinitatis, et tres conservamus laudabiles potestates, et regiam, et per hanc illam quae sisset in aristocratia, juxta quam fraternus etiam popularis status prudenter dirigatur ad bonum: quod solis nunc, ut licet, adumbratur populis, olim dictis, secundum Europam, Enetis, hodie vero Venetis sive Benetis, quorum est regio Venetia, communiter in Benetiam usu mutata, apud quos regimen monarchicum quidem servatur per decem super alios constitutum; aristocraticum autem per consules, qui sunt electi consiliarii; popularem vero tribunum complent qui sunt apud illos et post illos”. Hakkarainen concludes that the popular element “probably refers to minor officials”, “Regimen mixtum”, *cit.*, 113; Paolo Cesaretti thinks it is “le altre magistrature”, in “Su Eustazio e Venezia”, *Aevum* 62 (1988), 218-227, 222, which includes an analysis of the passage in question.

^131^ Hakkarainen points out the problem that Eutathios does not equate the democratic element with an assembly as would have been the embryonic *Maggior Consiglio*, and believes that it is more likely that he was portraying a contemporary view of Byzantine political organisation: “Regimen mixtum”, *cit.*, 121. However, the passage may be a more accurate representation than Hakkarainen thinks: cf. Cesaretti, “Su Eustazio”, *cit.*, 222-227.

^132^ As Hakkarainen demonstrates in the remaining part of his article, “Regimen mixtum”, *cit.*
the mixed constitution may have been an established fact in the city before Henry gave testimony to it in his Liber.

This is a point made by Frederic Lane in an article on the relationship between the Venetian constitution and contemporary political thought\textsuperscript{133}. Lane was unaware of Henry’s work, but he comes to the same conclusion as to the link between Venice and the Aristotelian mixed constitution, remarkably in almost exactly the same words as those used by Henry\textsuperscript{134}. For Lane, this identification is valid for the Venice of c. 1200, when it was effectively an elective monarchy with popular elements, rather than the post-1300 constitution when the aristocratic element was strengthened\textsuperscript{135}. In this he essentially agrees with Robey and Law who, we have seen, situate the Liber in pre-serrata Venice. The fact that writers have seen a reflection of the mixed constitution in Venice’s political structure from the twelfth to the sixteenth century, despite undoubted shifts in power among the various governmental bodies, only testifies to the essential constitutional stability for which the city is famed.

6.3.3 Those things required for correct judgement

The fifth and last section of the treatise on justice discusses the practical business of the legal process: judgement, Henry states, is the principal act of justice; laws and statutes have to be passed and contentions which arise have to be settled; judgement takes place above all in the courts (\textit{in foro contentioso}). This section, then, discusses those people who are involved in the process of judgement and what is required of each of them: they are the judge, the accuser, (\textit{actor} or \textit{actoris persona}), the accused (\textit{reus}), the witnesses, and the lawyer. The

\textsuperscript{133} F. C. Lane, “Medieval Political Ideas and the Venetian Constitution”, in \textit{id.}, The Collected Papers of Frederic C. Lane (Baltimore, 1966), 285-308.

\textsuperscript{134} “At least Venice seems nearer to the ideal mixture pictured by Aquinas than any other Italian city of the time”: Lane, “Medieval Political Ideas”, \textit{cit.}, 290; compare with Henry’s “Inter politias que nostris temporibus in populo christiano fuerunt, politia gentis Venetorum ad hoc regimen mixtum uidetur appropinquare”, ch. 2.5.16., see Appendix, linn. 2-3 below.

\textsuperscript{135} It must be remarked that Henry’s mixed constitution is nevertheless profoundly aristocratic: only a few of the honorable \textit{popolo} are admitted into the democratic element, and the doge is obviously also elected from among this aristocratic class. This is a point noted by Blythe, among others, but it seems to me he is wrong in speaking of Henry’s “obvious preference for aristocracy over the other simple forms”, for Henry states in 2.4.12. that monarchy is the best, and in 2.4.13. that aristocracy falls short of this, but is still better than democracy; Blythe, \textit{Ideal Government}, \textit{cit.}, 282.
framework of the discussion is firmly based on questions 67 to 71 of the *Secunda secundae* which deal with injustice from the point of view of the five people listed by Henry respectively. For Thomas, however, this discussion is part of a much wider consideration of those sins which are opposed to commutative justice\(^\text{136}\), the fact that Henry singles out this practical aspect of justice and devotes considerable space to it within the work as a whole (it constitutes 35 chapters, approximately 17% of the total length of the treatise) renders the section significant. The information contained goes beyond merely textbook knowledge and seems to betray a personal interest or experience in the practical mechanisms of the law.

6.3.3.1. *The judge*

The first person to be considered is the judge, who is a sort of animate justice\(^\text{137}\). A judge can err, firstly, if he acts against the rectitude of the law by following his private conscience and not written law; secondly if he proceeds beyond his commission, that is, if he does not have authority over those he is judging; and thirdly if he proceeds with insufficient proof\(^\text{138}\). To these three fundamental requirements of the judge, Henry adds further considerations which are taken largely from a source attributed to Augustine. Many things, he says, are

\(^{136}\)The sins opposed to commutative justice are dealt with in questions 64 to 78 of the *Secunda secundae*. A glance as Thomas’ schema shows how selective Henry is in isolating the above questions regarding judgement.
- sins against commutative justice:
  a) sins regarding involuntary transactions:
    i) in deeds: against one’s neighbour himself (*homicidium*: q. 64)
      against one’s neighbour in an adjoined person (*mutilatio, verberatio, incarceratio*: q. 65);
      against one’s neighbour’s possessions (*furtum and rapina*: q. 66)
    ii) in words: *in judgement* (i.e in court) (q. 67-71)
      outside court: *contumelia* (q. 72), *detractio* (q. 73), *sussuratio* (q. 74), *derisio* (q. 75), *maledictio* (q. 76)
  b) sins regarding voluntary transactions: *fraus in emptionibus et venditionibus* (q. 77)
    *usura* (q. 78)

\(^{137}\)Henry quotes Aristotle (via Aquinas): *Liber* 2.5.1: “*iudex medius ad quem homines confugijunt sicut ad quandam iustitiam animatam*”; cf. Arist., *nic. eth.* V (1132 a 21-22); *Sum. theol.*, II-II, q. 60 a. 1.

\(^{138}\)These are the three ways in which, according to Aquinas, in *Sum. theol.*, II-II, q. 60 (“*De iudicio*”), a. 2, judgement is rendered illicit. Henry uses a slightly different wording, but he also summarises the three ways in Aquinas’ terminology as *iudicium peruersum, usurpatum, and temerarium*. The explanation of each of these three ways, however, is taken from II-II, q. 67: “*De iniustitia iudicis in iudicando*”. 

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to be left to divine judgement which cannot be judged by human judgement: the judge must not be a curious investigator of crime nor a corrector of any type of evil, for man’s nature, vitiated by original sin, means that he is prone to evil and only with difficulty to good; and secondly, the condition of human judgement means that not all evil, but only those instances which are evident are investigated by human law. Such statements on the pravity of man to evil rather than to good tend to contrast here with the “Aristotelian” spirit of optimism which pervades the rest of the work.

The judge, Henry continues in a further four chapters, with no obvious source, must be free from four affections of the soul: the pusillanimity of fear, the cruelty of hatred, the passion of love, and the desire for gifts. In the third of the above chapters it is possible to discern the presence of the Venetian commune as the reality to which Henry applied this doctrine. Just as reason is clouded by anger so it is softened by love in such a way that it does not follow the truth before it. The judge, therefore must make sure that he has no private affections or friendships or show himself too familiar to some people, and he must not allow anyone committed to him to be judged according to his own will. To develop his last point, Henry explains that this would create enemies, judgement would take a long time, and the emotions of love and hatred would be involved; to illustrate the second of these points, he then describes how the laws are conceived by previous careful consideration and are checked by many people over a long period of time; they are finally voted, he says, by the Great Council, which surely must be the Venetian Maggior Consiglio, legislative centre of the commune. More surely and more truly, Henry then continues, to complete his argument, is a sentence passed according to these laws than according to the judge, who, because of the insistence of the two parties and the need not to prolong cases, cannot have sufficient time to judge and reflect

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139 *Liber 2.5.7.*: “Cum enim leges sint condite ex diligent! prius habita consideratione et inspecte a multis et multo tempore et deliberate maiori consilio si aliud superfluum uel diminutum contingat tuis et uerioris secundum eas iudicium proferetur quam ex arbitrio iudicis qui propter instantiam partium et ne lites prolongentur, diurnitatem ad diu iudicandum et consulendum habere non potest”. 

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6.3.3.2. The accuser

This section has its roots in question 68 of the *Secunda secundae* \(^{140}\). Like the other parts of this section, however, it considers the question from a positive point of view, and not the negative one of what constitutes injustice, and the discussion, therefore, is larger in scope than Aquinas'. Henry's major principle of division here does not come from Aquinas: it is according to the *end* of accusation which is the punishment of crime and the good of the republic, the *means* of accusation, which must be in written form, and the *cause* or the *court* (*ex parte cause siue fori*), which must not be corrupt.

These three considerations belong to accusation itself, which takes place in court and is the principal concern of the accuser. But there exist two other forms of accusation, denunciation and inquisition. Denunciation takes place when the sin is hidden and the intention is to correct the transgressor, and it is what Aquinas discusses under the title of *correctio fraterna* \(^{141}\). Inquisition must not take place unless there is infamy or clamorous insinuation which effectively substitute the witness or the accuser \(^{142}\). Regarding accusation, Henry notes that the accuser must suffer the *pena talionis*, that is, a punishment similar to that which he wishes inflicted on the accused, if he is unable to bring sufficient proof for his conviction. To the above, purely Thomistic, treatment, he adds a further three chapters explaining the things which the accuser must avoid in order not to incur the offence of God: that is, knowingly submit an unjust case, proceed with falsehood, or pervert justice by offering gifts as bribes.

6.3.3.3. The accused

The section on the accused is more limited than the previous one to what is already stated by Aquinas in question 69 \(^{143}\), but again the principle of division - that is, regarding confession, defence, and appeal - is Henry's own. Regarding the first, the accused is subject to the judge as he is to his superior: he is obliged to obey him in matters which fall under his authority, but is not held to reply in those

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\(^{140}\) *Sum. theol.*, II-II, q. 68: "De his que pertinent ad iniustam accusationem".

\(^{141}\) *Sum. theol.*, II-II, q. 33.

\(^{142}\) This is mentioned by Thomas in *Sum. theol.*, II-II, q. 67, a. 3 ad secundum.

\(^{143}\) *Sum. theol.*, II-II, q. 69: "De peccatis quae sunt contra iustitiam ex parte rei".
things which do not fall under the law (secundum ordinem iuris)\textsuperscript{144}. As far as defence is concerned, the accused is not always held to tell all the truth; sometimes it is expedient to keep silent for reasons of time or place. It is possible, therefore, for him to defend himself by hiding that truth that he is not held to confess. But although human law may allow the accused to corrupt his adversary, divine law, which leaves nothing unpunished, does not\textsuperscript{145}. Finally, regarding appeal, Henry distinguishes between appeal made by one who is sure his case is just, which is licit, and one who appeals in order to delay his sentence, which is unjust\textsuperscript{146}. Henry closes the section by pointing out that the accused must suffer death rather than offend God by lying or committing perjury: if he is guilty, he will only add sin to sin; if he is innocent he must not lose through impatience the fruit of the punishment inflicted and try to reflect whether he had not offended God in other ways, and hence merit the punishment anyway\textsuperscript{147}.

6.3.3.4. The witness

The argument of this section similarly follows the articles of question 70 of the \textit{Secunda secundae}\textsuperscript{148} in more or less the same order. Again, it is divided into three main parts: on the necessity of testifying, on multiple witnesses, and on the suitability of people to bear witness, with the addition of a further two chapters of a more specifically religious viewpoint. People must bear witness when called to by the authority of a superior\textsuperscript{149}. Secondly, two or three witnesses are ideal\textsuperscript{150}. Sometimes differences in the testimony of witnesses can be prejudicial: if they are substantial this will remove the efficacy of the testimony, but if they are merely circumstantial they are permissible\textsuperscript{151}, and here Henry gives the example of the differences which exist between the Gospels. Thirdly, Henry distinguishes three types of false witness: perjury, false testimony, and lying\textsuperscript{152}, and adds of his own that testimony must be accompanied by discretionary

\footnotesize{144} Cf. \textit{Sum. theol.}, II-II, q. 69, a. 1.
\footnotesize{145} Cf. \textit{Sum. theol.}, II-II, q. 69, a. 2; a. 2 ad primum.
\footnotesize{146} Cf. \textit{Sum. theol.}, II-II, q. 69, a. 3.
\footnotesize{147} Cf. \textit{Sum. theol.}, II-II, q. 69, a. 4.
\footnotesize{148} \textit{Sum. theol.}, II-II, q. 70: "De inijustitia pertinente ad personam testis".
\footnotesize{149} Cf. \textit{Sum. theol.}, II-II, q. 70, a. 1.
\footnotesize{150} Cf. \textit{Sum. theol.}, II-II, q. 70, a. 2.
\footnotesize{151} Cf. \textit{Sum. theol.}, II-II, q. 70, a. 2 ad secundum.
\footnotesize{152} Cf. \textit{Sum. theol.}, II-II, q. 70, a. 4.

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judgement, truth, and justice. Those people who are barred from bearing witness are those who are rationally barred because of their condition, such as beggars and servants; those who would not tell the truth, such as friends or enemies of the accused, their relatives or members of their household; those who might easily deviate from the truth because of their sex or age, hence women and children; and finally those guilty of a great crime such as the infideles or infames\textsuperscript{153}.

To this largely Thomistic discussion, Henry adds another two particularly interesting chapters which discuss legal questions relating directly to religious orders, which again must be evidence of his personal interest or involvement in the legal process. Although Henry generally speaks of the ‘religious’ or ‘regulars’ (religiosi or regulares), an opinion expressed at the end indicates that he has in mind specifically the Dominican Order. Moreover, it is worth bearing in mind while reading his opinions on the discipline of prelates, that Henry himself was at one point prior of the Dominican convent in Venice. This particularly ecclesiastical section is also another indication of the inaccuracy of describing the Liber as a handbook for Venetian citizens, since Henry, in this section at least, seems to be writing primarily for his confrères.

The first of these chapters explains how the statutes of the law (ordo iuris) are not always to be rigorously observed in the case of members of the regular clergy (circa personas regulares). Quoting a decretal of Innocent III, Henry explains that the law is not to be applied so strictly to these people in the correction and punishment of subjects or in the removal of prelates, for four reasons. Firstly because there is not so much scandal over the punishment of a member of the regular as of the secular clergy. Secondly because there are more people who can rebel in more ways against the life of a secular than a regular prelate. Thirdly because the religious, who offer themselves as a sacrifice to God, should live in peace and tranquility, and the subtleties of the law, which give rise to quarrels of the world, should not be sought. Finally, congregations of the religious, who are given to the seculars as examples, should be kept in purity and their reputation celebrated. It is easy to lose this purity when discipline is relaxed, and this happens especially when prelates rule weakly; from the relaxation of

\textsuperscript{153} Cf. Sum. theol., II-II, q. 70, a. 3.
discipline, reputation is soon damaged. The reputation of the religious therefore should be protected and strengthened by continual exhortations, but this is not possible if proofs are always required according to the subtleties of the law, which only offer the insolent and less religious the chance of fleeing the discipline of the order. Thus within religious orders, Henry continues, the inquisition and punishment of crime can proceed on presumption of probability and testimony of people who are not admitted in secular judgement, and this is particularly true when a friar leads a dissolute life. It is necessary, however, for the judge to hold God before his eyes. Thus, prudently and cautiously, in the Order of Preachers appeals are prohibited and the subtleties of the law are banned. The second of these two chapters warns witnesses of the importance of the truth in their conscience (“quantum ad forum Dei”).

6.3.3.5. The lawyer

The last section deals with the lawyer and is based on Aquinas’ question 71. It is again structured into three parts: on what the lawyer must be like, how and when he must represent clients (patrocinari), and which cases he can take on. Two things are required in a lawyer: skill in his art, and decency in his person. This excludes in the first place the immature (impuberes), those weak in mind (amentes), and those ignorant of the law, and in the second those who are consecrated to higher tasks, such as clerics and monks, who can represent their churches and monasteries with their prelates’ permission, but should never work on secular cases, and those who have other personal or physical defects, such as the deaf or blind, or the usual infideles and infames. The lawyer’s work, secondly, is like a work of mercy: since he received his skill free from God, the lawyer should use it principally to aid the poor; he is not held to search the world for poor people to aid, however, but only those who come to him. Finally, the lawyer must only take on those cases which he believes to be just; if he realises that a case is unjust, he must cease to defend it.

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154 Sum. theol., II-II, q. 71: “De inustitia quae fit in iudicio ex parte advocatorum”.
155 Cf. Sum. theol., II-II, q. 71, a. 2.
156 Cf. Sum. theol., II-II, q. 71, a. 1.
157 Cf. Sum. theol., II-II, q. 71, a. 3.
To the three-fold schema announced at the beginning of the section, Henry now adds a further three chapters on those things that the lawyer must avoid. Firstly, the lawyer’s salary must be reasonable, based on the quantity of the work, the quality of the case, and custom (*consuetudo rationis*). Not only is he held to repay the fee when he accepts an unjust case, but also to pay all the damages unjustly incurred because of his false representation. Furthermore, the lawyer must not drag out cases or he is held to recompense the other party for the delay, and he must not be too quibbling (*cauillosus*). The section ends with a lament on the subtle nature of law, repeating Henry’s dislike of this phenomenon expressed above in chapter 2.5.28. It is a shame, that is, Henry laments, that because of the malice and sagacitates of lawyers today, divine law is driven from the church and human law triumphs. These words are surely the spontaneous, personal expression of the author, and they point again to the religious aspect of the work.

6.4. Fortitude

The third virtue is fortitude, which traditionally combines the elements of judging what is to be feared and what not, and of enduring hardships. Since Plato, it had been associated with the role of moderating the passions of the irascible, and as such it is the first of the two virtues which regard primarily the correction of the individual soul; as we will see, however, it also has a social dimension in Henry’s work. Fortitude, as courage, is also the first of the ten moral virtues listed by Aristotle, and treated in book III of the *Ethics*. Aristotle’s courage as the mean between the vicious extremes of rashness and cowardice leaves its mark on Aquinas’ notion of the virtue, which is wholeheartedly accepted by Henry. So too does the Stagirite’s reduction of the sphere of action

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158 Cf. *Sum. theol.*, II-II, q. 71, a. 4.
159 *Liber*, 2.5.35: “Sed dolendum est quod propter malicias et sagacitates aduocatorum hodie lex diuina ab ecclesia dei repulsam patitur et lex humana principatur, de quo uehementer conqueritur”.
161 Prudence and justice have more general and more social functions respectively.
162 Arist., *nic. eth.*, II (1107 a 35 - b 3) and III (1115a6 - 1117 b 22).
fortitude to above all facing the terror of death, making fortitude essentially a form of military courage. For Aquinas, for example, this last idea makes fortitude the virtue of the martyr; Henry too includes martyrdom as the principal act of fortitude, but gives much more prominence to the role of fortitude in war, which is treated by Aquinas in another context. The role of fortitude in strengthening the irascible to face hardship, on the other hand, reflects more Aristotle's endurance, discussed in book VII of the *Ethics*. Another prominent aspect of the virtue in Henry's work is the extensive treatment of its four parts - magnanimity, magnificence, patience, and perseverance - which are also separate virtues in their own right. Fortitude as the virtue of patiently enduring adversity leads us away from Aristotle, and brings us into the realm of one of the major themes of Christian literature: life in this world as a constant battle.

The treatise is divided into four parts: the first in praise of fortitude; the second regards more specifically the definition of the virtue and its matter; the third, on its acts, is a miniature treatise on the just war; and the fourth consists of a long section on each of the four parts of fortitude. This present life is a continuous state of war (*status cuiusdam pugnae*), Henry begins, and fortitude is to be praised because it strengthens the soul against three dangers: as far as the individual is concerned against the adversities of the world, that is, the traditional enemies of man (*caro, mundus, diabolus*); as far as the common good is concerned, against hostilities to the patria; and as far as God is concerned, against the depravities of error. In the second place, Henry uses the 'Aristotelian' idea that the more a thing is in common the more it is divine¹⁶⁴ to justify the importance of the common good of the patria, which must be desired by everyone. Since things held in common are loved less and are thus destroyed and lost, it is necessary to have men, virtuous, strong, of stable character, and desirous of the common good, who are prepared to neglect their own interests and even to risk their lives for the defence of the city. Fortitude is the virtue that ensures this, impelling man to defend the common good. In this, states Henry, it excels the

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¹⁶³ Arist., *nic. eth.*, VII (1150 a 9 - 1150 b 15).

¹⁶⁴ "Bonum quanto est communius tanto est divinius": cf. Arist., *nic. eth.*, I 1 (1094 b 9-10). This is quoted, as coming from Aristotle, by Aquinas in his commentary on the *Sentences* (In II *sent.*, d. 11, q. 1, a. 2, s. 1, and In IV *sent.*, d. 49, q. 1, a. 1, ag. 3), but not in the *Summa*. 

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other virtues, and he quotes Ambrose on how fortitude is also useful in bellicose, civilian, and domestic matters. The section continues with an analogy that has been used before: just as in the body there are many limbs, so in the city there are many men with many different functions who must work together for the common good and not desist though fear or personal inconvenience. Fortitude, in this way, acquires an eminently civic dimension. In the third place, if love of the earthly city makes some men fight for it until death, so a much stronger love for the heavenly city creates fighters who do not fear death for its defence. This is martyrdom, which for Aquinas is the principal act of fortitude. For Henry too it is the "precipuus actus fortitudinis", but the chapter as a whole has a somewhat minor role within the structure of Henry's treatise.

The second section on the sphere of action (materia) of fortitude, which establishes its definition and role, relies heavily on Aquinas' treatment of the virtue in question 123 of the Secunda secundae. The good of man is to exist according to reason. This involves removing the obstacles to right reason, which is the ask of fortitude and temperance: temperance to overcome the attractions to the soul and fortitude to overcome the difficulties which repel the soul. Fortitude then is defined as the virtue which places firmness in the soul to endure or repel anything difficult. The greatest and most terrible fear is death, and therefore, as established in the Ethics, fortitude propriely regards the fear of the threat of death. Again as established in the Ethics, it is the virtue which is the mean between the extremes of fear and daring.

The second chapter of this second section sets fortitude in relation above all to the danger of death encountered in war. But here, 'war' covers both the 'general' concept, which takes place on the battlefield, and the 'specific' one,

165 Ambrosius, De officiis ministrorum I, 35, PL 16, 74: "in quae velut excelsior ceteris". Aquinas explains this excellence over the other virtues in terms of its general utility: Sum. theol., II-II, q. 123, a. 12.
166 Sum. theol., II-II, q. 123, intro.: "de actu praecipuo eius, scilicet de martyrio"; cf. II-II, q. 124.
167 Cf. Sum. theol., II-II, q. 123, a. 1.
168 Liber, 3.2.1.: "Fortiudoeo est uirtus ponens in animo firmatatem ad sustinendum uel repellendum quodcumque difficile".
169 Arist., nic. eth., III (1115 a 20)
170 Cf. Sum. theol., II-II, q. 123, a. 4.
171 Cf. Sum. theol., II-II, q. 123, a. 3.
172 Cf. Sum. theol., II-II, q. 123, a. 5.
when, for example, a judge does not back down from passing a judgement through fear of death, or even where someone does not hesitate to tend to a sick person despite fear of infection, or undertake a great journey for some pious deed, despite the danger of shipwreck or thieves. The important point is that fortitude does not prevent man from undertaking some good work because of the dangers involved, but in practice the context of war serves also as an introduction to the following section.

6.4.1 *The just war*

The third section is indeed a miniature treatise on the just war, modelled mainly on Thomas’ discussion of the same in question 40 of the *Secunda secundae*. For Aquinas, though, this discussion takes place within the sphere of charity, since war is one of the vices opposed to peace, which is one of the effects of the principal act of charity, *dilectio*. The premise to Henry’s discussion - there are two acts of fortitude, attack (*aggredi*) and endurance (*sustinere*), and that the latter is greater than former - comes from the above question dedicated to fortitude however[^1]. Regarding the art of war itself, for a war to be just there must be the authority of the prince, a just cause, and a right intention, that is the attackers must seek to promote good or to avoid evil[^2].

The prince, moreover, must not rush into declaring war, for sometimes in war the right side is defeated by the unjust. Here Henry does not quote from Aquinas, but is presumably inspired by the experience of war which must have been common to the inhabitants of the medieval city[^3]. War, Henry explains, must only be waged in urgent necessity, such as when there is notable damage, or when the enemy is insufficiently prepared, but only after mature deliberation and humble and devoted invocation of divine aid. The reason is the uncertain outcome of war: it is impossible for there not to be great evil in war; frequently there are massacres, the depopulation of the countryside, plundering, the taking of

[^3]: It will be remembered, in particular that Henry was used as Venice’s ambassador for peace in its war with the pope over Ferrara. This probably took place after the treatise, but it demonstrates the role of religious in the medieval war, which Henry too deals with in his discussion.
prisoners, and depravations suffered by the innocent. The desire to win and the habit of fighting often makes man fiercer and readier to avenge and oppress than divine law requires. Among the things which help in securing victory are the suffrage of prayers, the worth of the soldiers, and above all that of the prince. Sometimes, however, for the judgement of God is obscure, the better side is defeated by the worse. This is due to two reasons: either because the just, like the Jews, sometimes refuse to obey divine law, or because they presume too much on their own strength and do not seek victory from God.

The discussion of who can go into battle and the use of trickery goes back to Aquinas as a source\textsuperscript{176}. The main point in the first place is that clerics are not allowed to take up arms: for the good of society different tasks are carried out by different people, and this is especially true when tasks are mutually incompatible; none are more so than war and divine office. The role of clerics in war is, with the authority of their superior, to provide spiritual aid to the combatants, in the form of exhortation, preaching, or absolution, for example. Secondly, while telling a lie or not keeping a promise is inadmissible, it is licit to withhold information or intentions, and in this sense trickery can be used in war. To this Thomistic consideration, Henry adds that the secrets of the republic are to be kept hidden not only in the case of war, but also in any other act pertaining to the common good. It is not safe to open the counsel of the wise to the many, for the multitude is ruled more by passion than by reason, and care is to be taken above all with regard to domestic servants and wives who have the tendency to be like the enemy (\emph{infeste}) in finding out secrets. Henry then closes this chapter with the \textit{exemplum} of Papirius, which he also uses in the treatise on the virtues\textsuperscript{177}.

6.4.2. \textit{The parts of fortitude}

The last section of the treatise is a full treatment of each of the four parts of temperance, magnanimity, magnificence, patience, and perseverance. The parts are naturally Aquinas', and the space and autonomy given to each of them is perhaps also a reflection of the status of the parts themselves as separate - and at

\textsuperscript{176} Cf. \textit{Sum. theol.}, II-II, q. 40, a. 2.
\textsuperscript{177} See above, \textit{Tractatus}, 3.6.4.2.
times important - virtues in their own right. Since fortitude is a special virtue itself, that is, it has its own very particular materia, Aquinas explains, it cannot have subjective parts, which, it will be remembered are like species of a genre. Instead, its parts share something of the nature of the integral and something of that of the potential part: integral in the sense that they are the conditions of the realization of the act of fortitude, and potential in the sense that as fortitude copes with the most difficult thing - the danger of death - these virtues cope in the same way with different, less difficult, materiae. In this latter sense they are the secondary virtues to the principal virtue of fortitude. Aquinas derives this doctrine from the work of Philip the Chancellor and Albert the Great, but it can originally be traced back to the Stoic classification of the similar virtues of courage, perseverance, and magnanimity, which itself was an attempt to accommodate for a variety of virtues within the overall unity of the Stoic concept of virtue. Borrowing mostly from Albert, then, Thomas accepts the four Ciceronian parts, with the proviso of substituting fiducia with magnanimitas, and he attaches them to the two acts of fortitude, aggreidi and sustainere. Henry omits any explanation of how the parts are related to the acts of fortitude, and merely treats them as potential parts, that is, as secondary virtues to a principal one.

6.4.2.1. Magnanimity

The first virtue is magnanimity, whose treatment is based on question 129 of the Secunda secundae. According to its name, explains Henry, magnanimitas means an extension of the soul to something great; among external things, honour

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178 Sum theol., II-II, q. 128, unicus.
179 Cf. Gauthier, in Magnanimité, cit., 144-164; 271-277; 305-307; 360-363. Philip the Cancellor develops the concept of integral parts; Albert that of potential parts.
180 For Cicero (De inventione II, 53, p. 149), the four parts are magnificentia, fidentia, patientia, and perseverantia. In his Summa de bono, Albert the Great accepts these four parts, making magnanimity a part of magnificence. Philip, on the other hand, accepted the six integral parts of the Moralium dogma philosophorum, in this regard itself mainly of Abelardian inspiration: patientia, magnanimitas, perseverantia, fiducia, securitas, and firmitas; cf. Gauthier, Magnanimité, cit., 266-267; 271-277; 306.
181 Liber, 3.4.1: "Deinde considerandum de partibus fortitudini annexis, quas pro tanto annexas dicimus quia ei adiuguntur sicut secundarie principali, et hoc ideo est quia que fortitudo obseruat circa maxima difficilia, scilicet pericula mortis, quale alie virtutes obseruent circa quasdam alias materias minus difficiles". Aquinas, on the other hand, explains how each of the parts is both an integral and a potential part: Sum. theol., II-II, 128, unicus.
takes the greatest place, and thus magnanimity regards honour as its proper matter\textsuperscript{182}. Just as there are two virtues regarding money, liberality regulating moderate expense and magnificence regulating great expense, so there are two virtues for honour: an unnamed virtue regarding moderate honours, which is a mean between \textit{philotimia} or ‘love of honour’ and \textit{aphilotimia} or ‘without love of honour’, and magnanimity regulating great honour\textsuperscript{183}. Thus magnanimity has great honour as its proper matter and the magnanimous man aspires to all that is worthy of great honour\textsuperscript{184}.

Magnanimity, moreover, is a virtue as the mean between the extremes of presumption and pusillanimity. But regarding magnanimity as a virtue two doubts can be raised\textsuperscript{185}. The first problem regards magnanimity as a mean, for had we not learnt that this virtue of magnanimity consists in greatness, which is an extreme? The doubt is easily removed if we consider that the mean is from the point of view of reason (\textit{ex parte rationis}), and not the object (\textit{ex parte rei}). The second problem concerns the relationship between magnanimity and humility. No virtue is the contrary of another virtue, states Henry, but magnanimity which dignifies the self and despises others, is in this respect the opposite of the virtue of humility. This is a more challenging problem, posed by the intrusion of the Aristotelian virtue into a moral sytem which valued its exact opposite. It is not possible here to go into the history of the relationship between the two concepts, set out so comprehensively by Gauthier; Henry indeed simply reproduces Aquinas’ final solution to the problem, so admired by the Dominican scholar\textsuperscript{186}: there is in man, that is, a greatness which he possesses as a gift of God, and an imperfection which comes to him as a defect of nature. Magnanimity makes him judge himself worthy of great things, considering these gifts of God, and humility makes him belittle himself considering his own imperfection. In the same way, magnanimity despises others in as far as they are lacking in the gifts of God, but humility honours others and considers them superior in as far as it discerns in them these gifts.

\textsuperscript{182} Cf. \textit{Sum. theol.}, II-II, q. 129, a. 1.
\textsuperscript{183} Cf. \textit{Sum. theol.}, II-II, q. 129, a. 2.
\textsuperscript{184} For a detailed analysis of Aquinas’ concept of magnanimity see of course Gauthier, \textit{Magnanimité, cit.}, 295-371; 443-466; especially here 314. Part of this discussion is also contained in Gauthier, “Trois commentaires”, \textit{cit.}, 294-318.
\textsuperscript{185} Cf. \textit{Sum. theol.}, II-II, q. 129, a. 3, ad primum, ad quartum.
\textsuperscript{186} \textit{Sum. theol.} II-II, 129, 3 ad quartum; cf. Gauthier, \textit{Magnanimité, cit.}, 461-463.
The third part of this section deals with the properties of the magnanimous man, just as Aristotle follows his exposition of the nature of magnanimity with a portrait of the man who embodies the virtue\(^{187}\). In the second part of this section, Henry follows Aquinas in demonstrating how five of Aristotle’s properties of the magnanimous - that he does not remember the benefits he has received, that he is slow and otiose, uses irony, cannot live with others, and prefers possessions that are useless rather than useful - are in fact praiseworthy, adding to each an exemplum\(^{188}\). The first part is more interesting, because here Henry takes the three characteristics at the end of Aristotle’s portrayal, the magnanimous man as slow in movement, with a deep voice, and unhurried speech\(^{189}\), and turns them into the characteristics of good preachers, who must be mature in their action and tubales in their speech.

6.4.2.2. Magnificence

The second of the parts is magnificence, which has to do with great expense. It is the virtue consisting of the mean between vulgarity (consumptio) and pettiness (paruificentia), and like magnanimity, it regards an extreme considered according to quantity, but a mean according to reason. Thus magnanimity regards great works like building churches and hospitals for the poor. The expense must be in proportion to the work, and here Henry gives an example most probably inspired by his own environment: it would be wrong to spend little on a great work like the construction of a church, to be used by the whole city.

Echoes of a real city are felt even more when Henry discusses who must have the virtue, and his discussion shows how Aristotle’s ideas found fertile ground for application in the medieval city state. By stating, for example, that magnificence pertains to religious and to common things, Henry is doing no more than paraphrasing Aristotle\(^{190}\); but when he comes to elaborate on these ideas, it is

\(^{187}\) Arist., nic. eth., IV (1124 b 6 - 1125 a 16).

\(^{188}\) Cf. Sum. theol., II-II, q. 129, a. 3.

\(^{189}\) Cf. Arist., nic. eth., IV (1125 a 12-16).

\(^{190}\) Arist., nic. eth. IV (1122 b 21-22): “Similiter autem et quecumque circa omne divinum; et quecumque ad commune magnifica sunt”; cf. also Sum. theol., II-II, 134, 1 ad tertium, for example. Aquinas does not elaborate, like Henry, on the need for churches and hospitals, etc. At most, in his commentary on the Ethics, he gives the example of great expense for the city of
clear that he has in mind the reality of the city around him and the importance of
religion within it. Magnificence pertains, he explains, to the powerful and those
who administer the republic, who do not undertake great expense for themselves,
unless for solemn or rare occasions such as marriages or assembling armies.
Simply, magnificence pertains to expenses regarding common and divine things
("rerum communium et divinarum"). Only the rich and powerful, who receive
their wealth from God in order to obtain merit can undertake this type of expense;
for this reason God sets the rich and powerful above the poor, so that they
provide not only for themselves but also in common, by building churches and
hospitals, or giving alms, for example, and this is especially true of princes and
prelates. According to Aristotle, honourable expenses pertain particularly to
divine sacrifices, and thus magnificence is joined to holiness\(^{191}\). And since the
good of the republic is something divine, it pertains therefore to the magnificent
man that he should strive for the common honours of the city. In this way, the
whole republic will be exalted and praised, given that the appropriate honour is
always given to God. The city, here for Henry then becomes something in itself
sacred, and it is natural to compare this to the exaltation of the patria in the works
of Remigio de' Girolami, who, unlike Henry, however, was writing in a moment
of crisis\(^{192}\).

6.4.2.3. Patience

The virtue of patience, the third of the four parts, receives particularly
lengthy treatment, in a section consisting of twenty-six chapters. Patience is one
of Aristotle's moral virtues, a mean between a sort of anger and an unnamed
deficiency\(^{193}\). Aquinas only devotes one question to the virtue (q. 136), and does
not deal with the two vicious extremes opposed to it, and similarly, Henry's
treatment of what the virtue is is short: among the various passions, sadness is

\[^{191}\] Liber 3.4.6: "et ideo magnificentia sanctitati conjungitur"; cf. Sum. theol., II-II, q. 134, a. 2
ad tertium.

\[^{192}\] Cf above, p. 34, n. 51

\[^{193}\] This virtue is translated as mansuetudo: Arist., nic. eth., IV (1125 b 26 - 1126 b 10).
particularly strong; there must be a virtue to counteract it, and this is patience, through which evils can be endured calmly and without the disturbance of sadness\textsuperscript{194}. After this definition, Henry moves to the theme of the evils of this world, and uses the analogy of battle to praise patience from four points of view: firstly because it arms the warrior invincibly, secondly because it fights the enemy strenuously, thirdly because it triumphs nobly over the enemy, and fourthly because it happily crowns the victor, for the soul is perfected by tolerating adversity. The length of the treatment of this virtue, however, is due to the last part which considers a series of fifteen aids to patience or remedies for the afflicted (\textit{remedia afflictorum}) and six fruits of adversity, and which constitutes roughly 13\% of length of the entire \textit{Liber}. This section seems to be inspired by the \textit{De contemptu mundi} genre, and like the preceding one, it leaves the Thomistic model, introducing material of a religious nature, such as the example of Christ and the threat of eternal punishment.

\textbf{6.4.2.4. Perseverance}

Perseverance is the last of the four parts. As stated above, potential parts, as secondary virtues, share above all the same form of behaviour (\textit{modus}) as the principal virtue, while the \textit{materia} is different, and less difficult\textsuperscript{195}: Henry thus explains that perseverance is a part of fortitude, for like the principal virtue, it strengthens the soul, but in things of lesser difficulty, that is the fear of weariness\textsuperscript{196}. Thus perseverance is the virtue that strengthens the soul lest through tiredness it should desist from doing good. But for Henry, perseverance is also a kind of Aristotelian virtue as the mean between the two vices of softness (\textit{mollicies}) and stubbornness (\textit{pertinacia})\textsuperscript{197}. No such virtue exists for Aristotle, but here Henry borrows, as vicious extremes, the two vices which Aquinas

\textsuperscript{194} Cf. \textit{Sum. theol.}, II-II, q. 136, a. 1.
\textsuperscript{195} This is clearly explained also in \textit{Sum. theol.}, II-II, q. 143, unicus: “Partes autem potentiales alciuus virtutis principalis dicuntur virtutes secundariae, quae modum quem principalis virtus observat circa aliquam principalem materiam, eundem observant in quibusdam aliis materiis, in quibus non est ita difficile”.
\textsuperscript{196} Cf. \textit{Sum. theol.}, II-II, q. 137, a. 2.
\textsuperscript{197} \textit{Liber}, 3.4.35.: “Secundo uidendum est de extremis maliciis, defectus scilicet et superhabundantie, in quorum medio ipsa perseuerantia consistit”.

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opposes to perseverance in question 138\textsuperscript{198}. Henry deals with the deficiency first, following article 1 of Aquinas’ question 138. Interestingly, however, he does not complete this section by following article 2 of the same question, which deals with \textit{pertinacia}, but prefers to present an argument based on a comparison between the apprehensive powers of men and angels, which is taken from a very different section of the \textit{Summa}. Angels, that is, whose nature is pure intellect, apprehend objects immediately, perfectly, and without movement and their will similarly adheres to apprehension without movement. Man, on the other hand, does not understand everything immediately and jumps from one thing to another because of the imperfection of his intellect; similarly, his will does not adhere to apprehension without movement, and hence his free will is flexible both before and after choice. In this way, man does not always remain firm in opinion, for this would be to go against human nature, and would belong to the vice of stubborness.

6.5. \textit{Temperance}

The last treatise is dedicated to temperance, the virtue which regulates the concupiscience, and it deals above all with typical themes of moralistic literature regarding the moderation or avoidance of pleasures. As in the preceding treatise, Henry works on a Thomistic framework, but adds lengthy sections of different inspiration, here on the effects and the praise of the various parts of temperance. Structurally, however, he strays farther from his model than he does in the preceding treatise, beginning not with temperance itself, but with shame (\textit{uerecundia}), and adding a long fourth section on modesty. Shame is one of Aquinas’ integral parts and modesty a potential part, but Henry effectively ignores their status as such. In fact he ignores the other integral and potential parts of the virtue, and concentrates above all on the three subjective parts, abstinence, sobriety, and chastity. All in all, very little is in fact said on the virtue of temperance itself, and we are particularly removed from any Aristotelian

\textsuperscript{198} Cf. \textit{Sum. theol.}, II-II, q. 138, which does not explicitly state that perseverance is the mean between these two vices. Henry’s discussion does however have an Aristotelian basis, as the Stagirite places softness as the opposite of endurance, which, we have seen, has a similar function to that of fortitude: \textit{nic. eth.}, VII (1150 a 32-33).
influence, despite the fact that temperance is the second of the moral virtues discussed by the Stagirite in book III of the *Ethics*, immediately after courage. Even more so than in the case of fortitude, moralistic concerns take prominence over theoretical discussions of the nature of the virtue, and it is here that most parallels can be found with the treatise on the vices.

6.5.1. *Shame*

The first section, then, regards shame, presumably because Henry states that according to Ambrose, it is the first foundation of temperance\textsuperscript{199}. This quotation appears only at the end of Aquinas' treatment of the virtue, and although Henry's treatment of shame largely derives from that of Thomas\textsuperscript{200}, the importance he gives to the virtue does not. Shame, according to Aristotle, is fear of inglory. Man is rendered inglorious when he commits sinful acts for which he is responsible; he must not be ashamed, however, of virtuous actions, and natural acts of which he is not the author, such as poverty or servitude\textsuperscript{201}. Moreover, shame is not felt by the best people, who are virtuous, and the worst, who are hardened in their sin; it is a praiseworthy passion, not in every age, but especially in young people\textsuperscript{202}. Finally, it is not a virtue properly speaking, but rather a praiseworthy passion by which man avoids vicious indecency and loves the decorum of virtue\textsuperscript{203}.

6.5.2. *Temperance as a virtue*

Secondly, in one chapter only, Henry describes temperance itself. Temperance taken according to its common meaning signifies a condition which is common to all virtue, and in this sense it is a general virtue. If, however, it is taken in its strict sense *(per antonomasia)* to mean a curbing of those things which tempt man above all and lead him from reason, then it is a specific virtue\textsuperscript{204}. From this, it is clear then, continues Henry, what the *materia* or object of

\textsuperscript{199} Cf. Ambrosius, *De officiis ministrorum*, I, 43 (*PL* 16, 86).

\textsuperscript{200} Cf. *Sum. theol.*, II-II, q. 144, a. 4.

\textsuperscript{201} Cf. *Sum. theol.*, II-II, q. 144, a. 2.

\textsuperscript{202} Cf. *Sum. theol.*, II-II, q. 144, a. 4.

\textsuperscript{203} Cf. *Sum. theol.*, II-II, q. 144, a. 1.

\textsuperscript{204} Cf. *Sum. theol.*, II-II, q. 141, a. 2.
temperance is: the delights of food and drink, which conserve man as an individual, and those of sex, which conserve him as a species, are those which repel the reason more than others, as they are natural to man; restraining the appetite in the pursuit of these pleasures is the job of temperance.

6.5.3. The parts of temperance

After these two short sections comes the longest section in this treatise, dedicated to the three subjective parts of temperance, that is, abstinence, sobriety, and chastity.

6.5.3.1. Abstinence

The first of these is abstinence, treated in eighteen chapters. Only one chapter is dedicated to a definition of the virtue itself, which is naturally modelled on Aquinas' question 146 of the Secunda secundae, dedicated to the virtue: abstinence, that is, represses the delights of food; if moderation of food is done for the sake of health, then it belongs to the art of medicine; if however, it is done to repress the inner affections for the good of reason then it belongs to abstinence as a moral virtue.

Henry follows this short consideration of what the virtue is with a much longer description of the seven properties of abstinence. Here he also touches on gluttony, and at times makes use of the same type of medical knowledge found in the treatise on the vices. Abstinence, as a part of temperance, fundamentally regards the individual, but there is also an awareness of the secondary social consequences of the virtue, as Henry describes its positive effects in civil society, and in so doing demonstrates again that his concept of man is unavoidably as a social and political being. The first property of abstinence, from which all the others are caused is that it preserves man in his nature, that is, by keeping the flesh subject to the soul. Of the following six properties, three relate to the soul, and three to the body. The former are that abstinence allows the soul to pray.

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205 Cf. Sum. theol., II-II, q. 141, a. 4.
206 Cf. Sum. theol., II-II, q. 146, a. 2.
207 Cf. Sum. theol., II-II, q. 146, a. 1, ad secundum.
208 Ideas such as that an excess of food suffocates the natural heat so the food cannot be digested (decoquere), for example, are common to both; see Tractatus, 3.7.2.
fervently, makes the memory prompt in retaining things, and sharpens the intellect for speculation. Regarding the body, abstinence renders the body a temple of God, while gluttony is a form of idolatry and blasphemy since it places the stomach in the place of God, it makes bodily life pleasant and healthy, and it renders man pure and civil, allowing him to live in a courteous and political relationship with others (curiali et politico conuictu). If food, that is, is consumed moderately, then the external senses remain pure and immaculate, and this is particularly necessary when living together with others. Gluttony, on the other hand, produces horrible indecencies, and the mouth, which is the nobles of the organs, necessary above all for communicating with others, is damaged and the breath rendered foul. There follow other deformities, such as the trembling of the hands, cloudiness of the eye, and a fretulous avidity in swallowing which are indecent in civil society (conuersatione ciuili). Henry then describes the four causes of abstinence, or the type of behaviour that promotes this virtue, again including some material common to the treatise on the vices\textsuperscript{209}, and finally there is a discussion of fasting, as an act of fortitude, which is based thoroughly on Aquinas’ question 147 of the Secunda secundae, which Henry follows through, more or less in the same order.

\textsuperscript{209} The second of these causes is observing the five conditions regarding eating, set down by Gregory in the verse “propere, laute, nimis, ardenter, studiose”, which are the basis of a discussion in the treatise on the vices; cf. Tractatus 3.7.3.
6.5.3.2. Sobriety

The second subjective part is sobriety, whose treatment is somewhat shorter in length. The necessity of the virtue is briefly described, following Aquinas: since drinking or inebriation particularly impedes the reason, a special virtue, sobriety, is needed to regulate this. To this Thomistic reasoning, Henry adds a note of etymological nature, which is found also in the treatise on the vices, but not in Thomas, to the effect that since briam signifies ‘measure’, then inebriatus means going beyond the correct measure. Henry then lists the four effects of sobriety, which, like the benefits of abstinence, include a consideration not only of the benefits to man as an individual, but also to man as a citizen in society with others. Firstly, sobriety preserves the reason and enlivens the powers of the soul, secondly, it represses the concupiscience of the flesh, and thirdly, it is particularly appropriate in old age. In the fourth place it preserves human peace, for men are sociable and benevolent towards each other when their hearts are not exhilarated to riot, when they are not filled with unruly joy, and when they do not try to raise themselves above others, and these evils are avoided through sobriety. Many other evils, moreover, follow on from drunkenness, which disturb social life, such as loquacity, scurrilous language, frivolus games (ludi leuitas), and contumelia, which give rise to disputes and riots and frequently wars and murders. “It is clear”, therefore concludes Henry, “that among all vices, drunkenness destroys the bonds of society, and among the virtues sobriety nurtures and promotes them”. Sobriety, finally, repeating what Henry had said in the treatise on the vices, is particularly appropriate in five types of people: women, young people, old people, kings, and bishops.

6.5.3.3. Chastity

Chastity is the last of the three subjective parts of temperance, and also the longest, consisting of twenty-two chapters. Again the theoretical framework is something of a minimum, and much space is devoted to praise of the virtue and to

210 Cf. Sum. theol., II-II, q. 149, a. 2.
211 Cf. Tractatus, 3.7.5.
212 Liber, 4.3.24: “Apparet ergo quod inter omnia uicia ebrietas fedus humane societatis destruit et confundit, et inter uirtutes sobrietas ipsum nutrit et promouet”.
213 Cf. Tractatus 3.7.4.2. The idea is taken from Aquinas, Sum. theol., q. 149, a. 4.
the factors which preserve and destroy it. Like the medieval attitude to women as a whole, there is a strange mixture in the Liber of an appreciation of the value of women as men's companions in marriage - as evident above all in the section on economic prudence dedicated to the relationship between husband and wife, but also here - and somewhat misogynistic comments regarding their potential unfaithfulness, love of jewellery, clothes, and gossip, for example, which we have met in the treatise on the vices. Here above all we have the opportunity of observing Henry the moralist at work.

Only one chapter is devoted to describing how chastity is a virtue and this has its roots in question 151 of the Secunda secundae, dedicated to the virtue. Chastity, that is, is the virtue which represses the delights of sex, which are the strongest and most damaging to reason. Secondly, Henry considers whether the virtue is contained within the commandments (in precepto) or not. There are in fact three types of chastity, that of the virgin, that of the widow, and that of the married couple. The first and most important type is the chastity of the virgin; that of the widow is also particularly praiseworthy, but neither of these two types are commanded. Matrimonial chastity, however, which excludes only illicit and improper pleasures, is in accordance with natural law, and it gives Henry the opportunity to criticise infidelity (uagus concubitus).

As with the other virtues, Henry then turns to praise, firstly of matrimony, and secondly of the five properties of chastity in general. Matrimony can be praised from four points of view. Firstly, by reason of he who instituted it (ratione instituentis), that is, by God himself; secondly, by reason of place, for it was instituted in earthly paradise; thirdly, by that of time, for it is ancient, instituted before original sin; and fourthly by reason of effect, for marriage is one of the seven sacraments, and just as the sacrament of baptism confers grace, so does that of matrimony, if the obstacle of mortal sin is not present. There are however problems involved with this state, and Henry now lists the burdens of matrimony. Firstly, administration of the patrimony which requires amazing care. This is true because a wife involves great expense in clothing and ornaments, and if this is not

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214 Cf. Sum. theol., II-II, q. 151, a. 1.
215 Cf. Sum. theol., II-II, q. 152, a. 3, ad quintum.
undertaken, she will immediately start up an argument. Other preoccupations are the furniture and utensils for the house, and the bringing up of children and ensuring an inheritance for them. The second burden is the jealousy which arises regarding the modesty of one's wife, especially if she is beautiful, and the third is the nuisance caused to a husband by his wife's relations. To add to the more specific praise of matrimony there follow five favourable properties of chastity considered more generally. Finally, in the same vein, there is a discussion of the four causes which corrupt chastity, and after each one describes the opposite constructive cause.

6.5.4. Modesty

The last section is devoted to the virtue of modesty, which Thomas numbers among the potential parts of temperance along with continentia and clementia. Henry here is more the moralist than the theorist, and the inclusion of modesty gives him the opportunity to berate both recreation and theatrical representation, and women's clothing. This is possible because for Henry the virtue of modesty regards two aspects, bodily movements and external appearance. In this way, however, he is acknowledging only a partial sense of Aquinas' modesty which includes a series of species: humilitas, studiositas, and curositas, as well as the two senses of modesty singled out by Henry.

As regards what modesty is, Henry explains that external movements are signs of internal disposition, which depends mainly on the passions; these movements can be ordered by reason, and in this ordering lies the virtue of modesty. Modesty must take into account circumstances, such as the the time, place, or occasion in which behaviour takes place. The religious in particular, adds Henry, must have this virtue, as they are an example to seculars. External appearance can be immoderate, and hence sinful in two ways, by excess and deficiency. There are two ways firstly in which it can be excessive: with regard to the customs of the patria, for explains Henry - quoting Augustine through

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216 Cf. Sum. theol., II-II, q. 160, a.2.
217 Cf. Sum. theol., II-II, q. 168, a. 1.
218 Instead of the word patria, Thomas uses "consuetudinen hominum cum quibus aliquis vivit": Sum. theol. II-II, q. 169, a. 1.
Thomas - “turpis enim est omnis pars unius ex suo non congruens”\(^{219}\); and secondly when someone takes too much delight in clothing in such a way as to seek glory\(^{220}\). It can also be sinful if someone does not pay enough attention to the way they dress, and this belongs to the vice of softness (mollities). This vice is contrasted by Aristotle with endurance, and Henry has already placed it in opposition to perseverance\(^{221}\). As he did with perseverance, then, Henry makes modesty a kind of Aristotelian virtue, that is, an ordering of exterior appearance, consisting in a mean according to reason between the extremes of abundance and softness\(^{222}\).

Henry then looks specifically at the modesty of external movements, and deals with play (ludus), a concept which, at this time, included social recreation, games, and theatrical representation\(^{223}\). Following Aquinas again, he states that it is licit for honest men to amuse themselves, for just as nature gave the body sleep, it gave pleasure to calm the soul; when one is tired through the use of reason, amusements are not only permissible but also virtuous, as afterwards the soul is invigorated for the works of virtue\(^{224}\). Aristotle in fact includes the virtue of eutrapelia, regarding games. Since virtue consists of a mean, Henry then deals with the sinful excess and deficiency in recreational activity. The vice of excess consists either in the actions involved in play, when words or deeds are used which are inappropriate or harmful, or when recreation is inappropriate to the circumstances, of time or place, for example. To illustrate the first of these, Henry adds his own example of dancing (chorea), which is not included in the Summa, but which he singles out as being particularly sinful: among the many things in this activity which incline to evil, and in particular to lust, are applause and hand contact, as far as the dancers themselves are concerned, insolent bearing (gressus petulans) and immodest adornment, as far as the spectators are concerned, and

\(^{219}\) Augustinus, Confessionum libri XIII, III, 8, 6, ed. L. Verheijen, CCL 27 (1981).
\(^{220}\) Cf. Sum. theol., II-II, q. 169, a. 1.
\(^{221}\) See above, chapter 3: 6.4.2.4. Aquinas uses this vice here because of the example Aristotle gives of the soft and effeminate man who lets his cloak trail to save himself the trouble of lifting it, an example also included by Henry: nic. eth., VII (1150 b 2-4).
\(^{222}\) Liber, 4.4.3: “Est enim uirtus modestie posita inter duas extremas malicias, scilicet superhabundantie et malicie”; I take “malicie” as an error for “mollicie”.
\(^{224}\) Cf. Sum. theol., II-II, q. 168, a. 2.
lascivous singing, as far as the audience is concerned; biblical examples, moreover, demonstrate how such dancing was punished; hence, concludes Henry, the gravity of the punishments and the sentences of divine disapproval show how great the sin of dancing and indecent games is. On the other hand, too little recreation is also sinful because in human life (conuersatio), conformity to modes of friendship is important, and man must not be too harsh, but willing to participate in honest amusement.

Finally, Henry adds a chapter on theatrical representation (officium histrionatus). In dealing with this type of entertainment in this context, he follows Aquinas, who included this aspect of recreation in his treatment of ludus in the ad tertium section of article 3 of the above question 168. Aquinas admits that this form of play is not sinful if carried out in accordance with decency and the correct circumstances; Henry accepts his conclusions, though a little reluctantly, for he begins the chapter with a admonitory preface, warning that an art or exercise whose results lead to the damnation or the danger of the soul or even the body, cannot be carried out without sin; thus, any doctrine or officium that leads man to superstition or vanity is to be condemned. However, some arts can be used for good and bad, and just as arrows and swords are sometimes used for defence of the self or the patria, so the authors of this theatrical art can operate without danger to their souls. Furthermore, Henry adds a negative example of the abuse of the theatrical art, that is, a play held in Venice:

The Venetian people traditionally have a play which they call 'Marias', which was to be tolerated as long as it led the people to devotion; it was in fact created in honour of the Virgin. Now, however, since the said play, because of the many people who abuse it, has been drawn to indecent vanities and many insolencies, it would be a wise move to have it totally removed from the city, or changed for the better, the job of the pastor or the prince.

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225 Cf. Olsen, “Plays as Play”, *cit.*
226 Aquinas uses the argument to demonstrate that female adornment can be admissible if its aim is to preserve the decency of a woman’s status or to please her husbands, cf. *Sum. theol.*, II-II, q. 169, a. 2, ad quartum.
227 *Liber*, 4.4.6: “Gens Venetorum in consuetudine habet ludum quem marias uocant, qui tam diu tollerandus fuit quam diu in deuotionem populum adduxit; fuit enim pro reuerrentia uirginis adiuentus. Nunc autem quia dicitus ludus pluribus eo abutentibus ad uanitates impudicas et multas insolentias tractus est, prouide fiet si penitus de ciuitate extirperetur aut in melius commutaretur, quod quidem ad pastoris officium uel principis pertineret”.

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Aquinas is quoted after the above condemnation, but we wonder whether Henry’s intent here is to appreciate the role of theatre in the moral life of man, or rather to criticise an aspect of contemporary Venetian society.

The treatise ends on a moral tone with the question of female adornment. When Henry admits that women may adorn themselves in order to please their husbands lest the latter fall into adultery, or that they may use make-up if their intention is to hide some kind of defect, but not to create a beauty which nature has not bestowed on them, he is simply paraphrasing Aquinas\(^2\). But again, Henry’s comments add a polemic tone to this received doctrine: he frowns on women going bare-headed, although admits that in some circumstances this practice may be acceptable, and he particularly criticises tails on women’s dresses, not only including the same *exemplum* as in the treatise on the vices, but also adding words of strong condemnation: “For no reason or habit are women to be allowed to wear dresses with tails, for this is vain and useless, and sheeplike. Hence such a custom, which is to be called an abuse [...] and for this reason it is the job of the prince to remove these pestiferous abuses from his city altogether”\(^3\).

The treatise thus ends with a glimpse of Henry himself, emerging from behind the screen of Aquinas. From the above account of the contents, it is clear that the *Liber* is constructed principally from material taken from the *Summa theologiae*, assembled in a relatively novel way, and interspaced with matter of a moralistic nature and with the author’s own observations, modifications, or additions to his source material. The structure is interesting, but it is not perfect: individual prudence, for example, consists both of the set of integral parts required for the prudent man, and of *prudentia particularis*, the subjective part needed for the individual citizen; military questions are considered twice, once under military prudence, and once as an act of fortitude; and the necessity of passing just laws pertains both to the prudence and to the justice necessary for the prince. Nevertheless, Henry succeeds in including a variety of both theoretical and

\(^2\) Cf. *Sum. theol.*, II-II, q. 169, a. 2; a. 2 ad secundum.

\(^3\) *Liber*, 4.4.8.: “Nulla autem ratione vel consuetudine permittendum est mulieribus in uestimentis caudas habere. Hoc enim unum est et inutile, ac moris penitus pecorini. Vnde talis consuetudo que abusus est dicenda [...] propter quod ad principem pertinet has pestiferas abusiones de sua ciuitate penitus extirpare”.

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more practical moral questions under the umbrella of these four virtues. The 'personal remarks', where the voice of the author himself can be discerned, are usually characterised by good sense and intelligence: they tend to be of a more 'political' nature in the first two treatises, acquiring a markedly moralistic tone towards the end.

These characteristics of the Liber indicate firstly that it was written in the context of the city state, and secondly that it was written above all for a clerical audience, probably primarily Dominicans and preachers. In this way, therefore, the work can also be seen to reflect the major characteristics of the Dominican order's pastoral mission at the end of the thirteenth century.
CONCLUSION

The works of Henry of Rimini considered above constitute in one sense a *status quaestionis* of the genre of the virtues and vices at the end of the thirteenth century. Studied from this point of view, they show how these two originally disparate traditions - the virtues and the vices - came, by this time, to be used in the domain of pastoral theology, here that is, in the industry of preaching. In this respect they demonstrate the continuing vitality of the genre, which was able to encorporate new elements of an Aristotelio-Thomistic nature to create up-to-date manuals of morality. Such a transformation can be appreciated by comparing Henry’s work with Peraldus’ double *Summa*, written some fifty years earlier, for now the use of the virtues and vices as a framework for morality is largely conditioned by the work of Thomas Aquinas, whose *Summa theologiae* opens up new possibilities for the genre.

So is Henry simply an epigone of Aquinas? Not if we consider the modifications which he makes with respect to his model, which show an individual intelligence at work. These modifications are interesting to the historian from two points of view. In the first place, Henry brings Aquinas’ speculative theology firmly into the pastoral arena. In the treatise on the vices, he attempts to reconcile Aquinas’ vices - which in his moral thought are structurally subordinate to the virtues - with the older Gregorian tradition in which they are protagonists, to create a modern preaching tool. Here his success is modest. In the treatise on the virtues, on the other hand, he uses Aquinas’ virtues as the basis for a handbook of moral philosophy, with enough material of a moralistic and exemplary nature to make it a useful repertory for the preacher or a reference book for the cleric or the layman. The genre in this way becomes an excellent example of the assimilation and the popularization of the work of the Angelic Doctor, illustrating how the moral part of the *Summa theologiae* was being used by ‘first-generation Thomists’ as source for pastoral manuals.
In the second place, it is evident from the treatise on the virtues that Henry’s work speaks to and was conceived in the medieval Italian city state. Each of the virtues has a civic dimension: the subjective parts of prudence, for example, demonstrate how this virtue is necessary for the various types of citizen; justice is seen to be necessary for the city from the point of view of its peace, its ruler, and the multitude, and fortitude for its defence; temperance, on the other hand, makes man pure and ‘civil’, that is, able to live in community with others. The value of the common good over the good of the individual, the importance of the inhabitants living together in harmony in order to attain peace, is discernable throughout the treatise\textsuperscript{230}. Man of course is a social animal: the concept already existed in the Ciceronian tradition before it was rediscovered in Aristotle, and the \textit{bonum commune} is an idea which permeates Aquinas’ thought. But small remarks and illustrations made by Henry show that he applies Aquinas’ ‘abstract’ doctrine to the particular reality which he had before him. In reality, as Jeremy Catto has demonstrated\textsuperscript{231}, Aquinas’ political doctrine is itself not as ‘abstract’ as had been assumed, for through the generalities, the southern Italian situation can be perceived. Giles of Rome has a different reality in mind, and, writing for the future Philip the Fair of France, he takes the same doctrine to show, for example, that the \textit{reignum}, by which he seems to understand something like the kingdom of France, is at the end of the evolutionary scale of the political community, and not the city\textsuperscript{232}. Remigio de’ Girolami, on the other hand, uses the same doctrine to convince his fellow Florentine citizens of the overwhelming superiority of the city over the individual and the necessity of unity and peace in time of crisis. Henry has no overtly political agenda, but in his \textit{Liber de quatuor uirtutibus} we can see how this same doctrine materialised itself in the shape of a particular political community, where living together with others is as important as obeying the prince, where the religious have a fundamental role in peace and in war, where it is the job of the authorities to provide schools for children, build large churches and almshouses, and so on.

\textsuperscript{230} I have been unable to consult M. Kempshall, \textit{The Common Good in Late Medieval Political Thought} (Oxford, 1999).
\textsuperscript{232} Aegidius Romanus, \textit{De regimine principum}, II, 1, 2.
Henry's city is of course Venice, and its presence in the treatise on the virtues has been the decisive factor in its recent reception. This is an important but minor element in the context of the overall pastoral or moralistic character of Henry's production, and very probably in the medieval *Fortleben* of the *Liber* itself. Evidence from the manuscript tradition indeed indicates that the idea that it was written "ad ciues Venetos" is probably a later interpolation, and it seems more likely that Henry himself conceived of a primarily Dominican readership. Research in fact highlights three major lines of reception. The *Liber* can be considered primarily as a moral handbook for preachers, belonging in this way to a Mendicant tradition of preaching aids. Secondly, it functioned as a moral text for personal reference: its 'easy' and 'exemplary' style and its combination of Thomism and illustrative stories presumably making it both a pleasant and an edifying read for the professional or amateur moralist. As such it found favour among Germany intellectuals well into the fifteenth century. The fact that after around 1500 the work was apparently no longer copied or read is presumably a symptom of the change in taste brought about by such general shifts in style and interest as the Renaissance in Italy and the Reformation in Germany. Only within the limited Venetian context did the famous chapter continue to circulate beyond this date, separated from the rest of the work, and it is in this context that Henry's work was appreciated more for its political than its moral content.
APPENDIX

There follows firstly an 'edition' of the list of chapters of the Liber de quatuor uirtutibus, which is found in many of the manuscript copies of the work, and secondly an edition of chapter 2.4.16. in praise of Venice. The fact that the relationships between the manuscript copies has not been fully established means that what follows functions on a principle diametrically opposed to the one on which a 'scientific' edition is founded. Here the choice of variant is based essentially on the sense of the text, rather than on the stemma codicum which should be the principal guide in the choice between two or more possible readings. Although in practice iudicium will always play some role in the editing of texts, the function of the manuscript tradition is essentially to indicate the preferable reading; here, it is hoped that a concentrated study of a small section of text will also reveal something about the quality of the manuscripts themselves. For this reason, and in order to provide the reader with a useful reference for the discussion of the contents of the treatise and the chapter on Venice, such an unsatisfactory method has been attempted here.

The edition of the list of chapters below is based on three manuscripts, F, W, and X. Immediately evident is the poor quality of the original copy of the text in W: it is clear that the many alterations which were made in a 'slightly later hand' by comparing W against some other copy of the text, and which have been indicated below as $W^2$, are generally corrections or improvements on the text as it was originally copied. The use of three manuscripts should ensure that mistakes and lacunae occurring in one copy are corrected in at least one other copy, but for this to be true, it is obviously necessary to choose three 'good' but independent manuscripts. The importance of this requirement is demonstrated by the following edition, for there are at least three occasions where all three copies contain a reading which I consider to be wrong, where the incunable has a 'correct' reading. The three readings are:

ch. 3.1.3. "eorum prauitates" (F, W, X) against "errorum prauitates"
It is also worth pointing out that close examination of the list reveals two occasions where the chapter divisions differ, one of these attested among the three manuscripts used here, and one not. They are:

W, along with B, C, G, O, and Q, divides chapter 3.4.14. into two, with the second entitled:
“quod societas malorum sanctis uiris ualet ad tolerandum aduersa et ad expugnandum peccata”.
This chapter is not contained in D, F, M, X, or the ‘Heidelberg group’.

In B and the ‘Heidelberg group’ chapter 4.4.5. is divided into two, with the second entitled:
“secunda malitia que in ludis reprehenditur”.

These two points constitute significant errors, and should be useful in establishing the relationship between the manuscript copies of the work. The above problems warn us not to take the combination F, W, X as the basis for an edition, and remind us that some form of objective criterion must be found to select the base manuscripts, which must include an independent branch of the tradition.

The edition of the chapter on Venice, on the other hand, is based on a collation of all the manuscript copies available to me, and listed below. An edition of the chapter, by Robey and Law, already exists; another has been attempted here, not only to provide convenient reference, but also because a few minor changes emerge with respect to the other edition. Given the historical importance of this chapter, the aim was also to search for historically interesting variants, which have been discussed in chapter 3: 1.2.7.4.
The numbering on the left indicates the position of the chapter within the work; that on the right in round brackets is the form of numeration given in many of the manuscript copies of the list, and added beside the individual chapters in the work.
Incipiunt rubrice super librum de quatuor uirtutibus cardinalibus

<1.> Cuius tractatus primus est de prudentia distinctus per quinque capitula

<1.1.> primi capituli lectio

<1.1.1.> quod intellectus speculatius a pratico differt fine et quod prudentia ad praticum pertinet (1)

<1.2.> secundi capituli lectiones

<1.2.1.> quod prudentia uirtues morales dirigit (2)
<1.2.2.> quod medium inuenit in eis (3)
<1.2.3.> quod complet ciuilem felicitatem (4)

<1.3.> tertii capituli lectiones

<1.3.1.> quod prima pars prudentie est memoria preteritorum (5)
<1.3.2.> secunda intelligentia presentium (6)
<1.3.3.> tertia prouidentia futurorum (7)

<1.4.> quarti capituli lectiones

<1.4.1.> de hiis que ualent ad memorandum preterita (8)
<1.4.2.> de hiis que ualent ad bene exstimandum de presentibus et primo quod precipitatio corrumpit consilium (9)
<1.4.3.> quod inconsideratio corrumpit iudicium (10)
<1.4.4.> quod inconstantia tollit executionem consilii et iudicii (11)
<1.4.5.> de prudentia carnis et peccato astutie (12)

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F (fols 1ra-4vb) W (fols. 1r-4v) X (fols 1r-4v)

1 lectio FX: lectiones W
2 eis FWX: scilicet uirtutibus add. W
3 memoria FW (marg.)X: memoratiua W
4 secunda FX: quod secunda pars prudentie est W
5 tertia FX: quod tertia pars prudentie est W
6 consilii et: om. W rest. interlin. W
<1.4.6.> de hiis que ualent ad prouidendum futura (13)

<1.5.> quinti capituli lectiones

<1.5.1.> quod prudentia singularis requiritur in quolibet homine (14)
<1.5.2.> de prudentia yconomici in generali (15)
<1.5.3.> quod uir debet esse affabilis uxori (16)
<1.5.4.> quod uir debet uxorem decenter tractare (17)
<1.5.5.> quod uir debet uxorem moderate diligere\footnote{Quod \ldots moderate (decenter: W^2X) diligere: om. W rest. interlin. W^2; sine zelotipia add. X} (18)
<1.5.6.> quod uxor debet esse casta cum pudicitia (19)
<1.5.7.> quod uxor debet esse uerecunda cum taciturnitate (20)
<1.5.8.> quod uxor debet esse pia cum discretione (21)
<1.5.9.> quod pater obligatur ad curam filiorum iure naturali et\footnote{et: a add. W} diuino (22)
<1.5.10.> quod filii\footnote{filii om. F} sunt retrahendi a sequela passionum per studia artium (23)
<1.5.11.> quod sunt retrahendi a procacitate et\footnote{et: a add. W} lapsu lingue per monita parentum (24)
<1.5.12.> quod sunt retrahendi a sensu proprie uoluntatis per subtractionem dominii (25)
<1.5.13.> quod sunt inducenda ad diuina ab infantia (26)
<1.5.14.> quod sunt inducenda ad reuerentiam maiorum (27)
<1.5.15.> quod sunt inducenda ad temperantiam ciborum\footnote{ciborum: et potuum add. W} (28)
<1.5.16.> quod sunt inducenda ad honesta solatia ludorum (29)
<1.5.17.> quod sunt inducenda ad societates\footnote{societates FX: societatem W} bonorum (30)
<1.5.18.> de triplici regimine\footnote{triplici regimine inv. X} perfecte domus (31)
<1.5.19.> quod expedit aliquos esse seruos propter appetitus corruptionem, intellectus depressionem, et rerum temporalium administrationem (32)

\footnote{Quod \ldots moderate (decenter: W^2X) diligere: om. W rest. interlin. W^2; sine zelotipia add. X}
\footnote{et WX: etiam iure F}
\footnote{filii om. F}
\footnote{et: a add. W}
\footnote{ciborum: et potuum add. W}
\footnote{societates FX: societatem W}
\footnote{triplici regimine inv. X}
<1.5.20.> quod seruii ad dominos sint fideles in commissis (33)
<1.5.21.> quod sint intelligentes in preceptis (34)
<1.5.22.> quod sint decentes in obsequiis (35)
<1.5.23.> quod domini ad seruos sint placidi in uerbis, benefici in mercede, et discreti in imperio (36)
<1.5.24.> quod ad predicta uaelit consideratio humane conditionis (37)
<1.5.25.> quod prudentia in principe debet esse quedam uniuersalis cognitio respectu boni communis (38)
<1.5.26.> quod princeps debet studere ut deo placeat (39)
<1.5.27.> quod princeps debet studere ut populo satisfaciat (40)
<1.5.28.> quod princeps debet studere ut rei publice prouideat (41)
<1.5.29.> quod princeps debet studere ut leges iustas condat (42)
<1.5.30.> quod homo naturaliter est animal politicum propter delectationem communicandi conceptus proprios et propter humane nature indigentias (43)
<1.5.31.> qualis debet esse prudentia politica que in subditis requiritur (44)
<1.5.32.> quod necessarium est in re publica esse prouidentiam militarem (45)
<1.5.33.> quod duo faciunt militem, scilicet electio et sacramentum (46)

<2.> tractatus secundus de iustitia distinctus per quinque capitula

<2.1.> primi capituli lectio
<2.1.1.> de multipli diffinitione iustitie (47)

<2.2.> secundi capituli lectiones
<2.2.1.> de duplici equalitate, silicet geometrica et arismetrica (48)
2.2.2. de duabus speciebus iustitie, scilicet comutatiua et distributiua (49)
2.2.3. quomodo legalis iustitia differt a predictis (50)

3. tertii capituli lectiones
3.1. quod legalis iustitia necessaria est rei publice propter finem pacis (51)
3.2. quod distributiua est necessaria propter rectitudinem gubernantis (52)
3.3. quod commutatiua est necessaria propter bonum subditorum (53)

4. quarti capituli lectiones
4.1. quod a lege dei etema deriuatur lex naturalis (54)
4.2. quod a lege naturali deriuatur lex humana (55)
4.3. quod a lege naturali aliquid dupliciter deriuatur (56)
4.4. quod ad complementum legis humane requiritur lex divina (57)
4.5. quod princeps qui omnem uirtutem imperat omni uirtute pollere debet (58)
4.6. quod princeps maxime debet studere ut sapientiam habeat (59)
4.7. quod princeps debet studere ut habeat sapientium consilia (60)
4.8. quod princeps debet studere ut uiteit avaritiam (61)
4.9. quod princeps debet studere ut fugiat luxuriam (62)
4.10. quod triplex est comunitas, scilicet domus, uici, et ciuitatis (63)
4.11. quod ad conservationem ciuitatis requiritur amor ciuium inter se et fidelitas ad principem (64)
4.12. quod principatus regni est optimus et eius corruptio est

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22 quomodo FX: quod W
23 iustitia: non add. W
24 quod: iustitia add. W
25 quod: iustitia add. W
26 dupliciter deriuatur FX: potest dupliciter deriuari W
27 avaritiam: quod ad conservationem ciuitatis requiritur amor ciuium inter se et fidelitas ad principem add. F
28 fugiat FX: uiteit W
29 quod ... principem om. F
pessima (65)

<2.4.13.> quod principatus optimatum est secundum uirtutem quando ad bonum comenum attendatur (66)

<2.4.14.> quod principatus populi deficit a perfectione regiminis (67)

<2.4.15.> quod principatus mixtus ex tribus est optimus (68)

<2.4.16.> de polititia Venetorum et moribus eorum (69)

<2.5.> quinti capituli lectiones

<2.5.1.> quod iudex debet procedere secundum allegata et non secundum priuatum conscientiam (70)

<2.5.2.> quod iudex non debet assumere ultra commissionem sibi factam (71)

<2.5.3.> quod iudex non debet procedere ex insufficienti probatione (72)

<2.5.4.> quod iudicio diuino multa sunt relinquenda que per humanum iudicari non debent (73)

<2.5.5.> quod iudex debet esse liber a timoris pusillanimite (74)

<2.5.6.> quod iudex debet esse liber ab odii crudelitate (75)

<2.5.7.> quod iudex debet esse liber ab amoris carnalitate (76)

<2.5.8.> quod iudex debet esse liber a munerum cupiditate propter quatuor mala que inde insecuntur (77)

<2.5.9.> de processu obseruando in criminibus denuntiandis (78)

<2.5.10.> de processu obseruando in criminibus inquirendis (79)

<2.5.11.> de processu obseruando in criminibus accusandis (80)

<2.5.12.> quod accusator debet accusatione in scriptis proponere (81)

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30 quod ... pessima marg. F
31 est FW2 (interlin. X: om. W
32 est: optimum add. W
33 attendatur FX: attendunt W
34 deficit om. X
35 regiminis FX: regis regni W
36 insufficienti WX: suicienti F
37 diuino WX: dei W
38 humanum: iudicium add. W
39 debent FX: possunt W
40 liber FX: immuni W
41 carnalitate FW2 (marg. X: cupiditate W
42 liber FX: immuni W

350
<2.5.13.> quod actor non debet accusationem corrumpere quod fit tribus modis (82)
<2.5.14.> quod actor non debet causam iniustam scienter aduocatis committere (83)
<2.5.15.> quod actor non debet in accusatione per falsa procedere (84)
<2.5.16.> quod actor non debet iudicem per munera corrumpere (85)
<2.5.17.> quod reus debet ueram confessionem in iudicio facere (86)
<2.5.18.> quod non licet reo se per43 omnem modum defendere (87)
<2.5.19.> quod44 lex humana permitit reum45 corrumpere adversarium non autem diuina (88)
<2.5.20.> quod reus potest sententiam iniustam per appellationem subterfugere (89)
<2.5.21.> quod reus debet potius mortem substinere quam deum offendere mentiendo uel deierando46 (90)
<2.5.22.> de47 testificandi necessitate (91)
<2.5.23.> de testium pluralitate (92)
<2.5.24.> que diuersitas testes reddat suspectos et que non (93)
<2.5.25.> de48 triplici culpa falsi testimonii (94)
<2.5.26.> quod testimonium siue iuramentum tres debet49 habere comites (95)
<2.5.27.> de quatuor generibus personarum que a testificatione repelluntur (96)
<2.5.28.> quod circa personas regulares ordo iuris non est usquequaque seruandus (97)
<2.5.29.> quod50 testis est informandus quantum ad forum dei de ueritate dicenda (98)
<2.5.30.> qualiter debet esse aduocatus (99)

43 se per FW: semper X 
44 quod FW: qualiter X 
45 reum WX: eum F 
46 uel deierando om. W rest. interlin. W2 
47 de ... necessitate om. X 
48 de ... testimonii om. W 
49 debet WX: debent F 
50 quod ... dicenda om. X
<2.5.31.> quibus aduocatus debet patrocinium gratis impendere (100)
<2.5.32.> quales causas aduocatus debet assumere (101)
<2.5.33.> quod aduocatus debet salarium temperatum exigere (102)
<2.5.34.> quod non licet aduocato causas protrahere (103)
<2.5.35.> de quatuor malis ad quid ligium aduocatorum habet inducere (104)

<3.> tertius tractatus de fortitudine distinctus per quatuor capitula

<3.1> primi capituli lectiones
<3.1.1.> quod fortitudo animum firmat quoad se contra mundi adversitates (105)
<3.1.2.> quod fortitudo animum firmat quoad bonum comune contra patrie hostilitates (106)
<3.1.3.> quod fortitudo animum firmat quoad deum contra errorum praesititates (107)

<3.2> secundi capituli lectiones
<3.2.1.> quod fortitudo mortem non refugit propter bonum rationis conservandum (108)
<3.2.2.> quod fortitudo est contra mortis pericula que sunt in bellicis propter bonum comune (109)

<3.3> tertii capituli lectiones
<3.3.1.> quod actus fortudinis qui est substitere est principalior quam aggregi (110)
<3.3.2.> quod ad iustum bellum requiritur auctoritas auctoritas principis (111)

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51 quibus F: qualiter WX
52 quod ... protrahere om. W rest. interlin. W2
53 ad que ... inducere om. W rest marg. W2
54 quod ... principalior quam aggregi om. W rest marg. W2
55 bonum om. F
56 errorum scripsi cu. editione: eorum FWX
57 non om. F
<3.3.3.> quod ad iustum bellum requiritur causa iusta (112)
<3.3.4.> quod\textsuperscript{58} ad iustum bellum requiritur intentio recta\textsuperscript{59} (113)
<3.3.5.> quod princeps non debet esse festinus in assumendo bellum (114)
<3.3.6.> quod interdum iustiores iusto\textsuperscript{60} dei iudicio in bello succumbunt a peioribus superati (115)
<3.3.7.> quod non licet clericis arma sumere (116)
<3.3.8.> quod in bello iusto licet insidiis uti (117)

<3.4.> quarti\textsuperscript{61} capituli lectiones
<3.4.1.> quod magnanimitas est circa\textsuperscript{62} magnos honores\textsuperscript{63} (118)
<3.4.2.> quod magnanimitas est urtus tenens medium inter presumptionem et pusillanimitatem (119)
<3.4.3.> quomodo magnanimitas consistit\textsuperscript{64} in medio cum ad magna tendat\textsuperscript{65} et quomodo humilitatem secum compatitur\textsuperscript{66} cum magis se dignificet (120)
<3.4.4.> de\textsuperscript{67} octo\textsuperscript{68} proprietatibus magnanimi (121)
<3.4.5.> quod magnificentia est circa\textsuperscript{69} magnos sumptus medium tenens inter paruificentiam\textsuperscript{70} et consumptionem (122)
<3.4.6.> quod magnificentia conuenit\textsuperscript{71} potentibus et\textsuperscript{72} hiis\textsuperscript{73} qui curam gerunt rei publice (123)
<3.4.7.> quod patientia est contra mala contristantia ne animus succumbat (124)
<3.4.8.> quod prima laus pacientie est quia\textsuperscript{74} pugnantem expugnabiliter

\textsuperscript{58} quod \ldots recta \textit{om. W rest. interlin. W}\textsuperscript{2}
\textsuperscript{59} recta WX: iusta F
\textsuperscript{60} iusto \textit{om. W rest. interlin. W}\textsuperscript{2}
\textsuperscript{61} quarti \ldots lectiones \textit{om. F}
\textsuperscript{62} circa W: penes F contra X
\textsuperscript{63} honores FX: sumptus W
\textsuperscript{64} consistit FX: consistat W
\textsuperscript{65} tendat FX: tendit W
\textsuperscript{66} compatitur WX: compatiatur F
\textsuperscript{67} de \ldots magnanimi \textit{om. W rest. marg. W}\textsuperscript{2}
\textsuperscript{68} octo WX: quatuor F
\textsuperscript{69} circa FW: contra X
\textsuperscript{70} paruificentiam FW: peruidentiam X
\textsuperscript{71} conuenit FW: contingit W
\textsuperscript{72} et WX: in F
\textsuperscript{73} hiis FX: aliis W

353
<3.4.9.> quod secunda laus pacientie est quia hostem fortiter impugnat (126)
<3.4.10.> quod tertia laus pacientie est quia de hoste nobiliter triumphant (127)
<3.4.11.> quod quarta laus pacientie est quia uincentem feliciter coronat (128)
<3.4.12.> quod primum remedium afflictorum est consideratio factorum christi et maxime passionis eius (129)
<3.4.13.> quod passio christi ad memoriam reuocata facit triplicem effectum in anima (130)
<3.4.14.> quod secundum remedium afflictorum est instructio sacre scripture recitantis aduersa et facta magnifica sanctorum (131)
<3.4.15.> quod tertium remedium afflictorum est consideratio malorum impunitorum que alias commissisti (132)
<3.4.16.> quod quartum remedium afflictorum est consideratio abutentium humana prosperitate (133)
<3.4.17.> quod quintum remedium afflictorum est consideratio mutabilis et miserabilis status uite presentis (134)
<3.4.18.> quod mutabilitas rerum facit eas nichilo et non enti esse appropinquas (135)
<3.4.19.> quod sextum remedium afflictorum est consideratio diuine miserationis in immissione flagellorum (136)
<3.4.20.> quod septimum remedium afflictorum est consideratio diuine reprobationis in subtractione aduersorum (137)

74 quia FX: que W
75 maxime passionis WX: ad memoriam F
76 eius FW: christi X
77 reuocata FX: reducta W
78 sanctorum: quod societas malorum sanctis uiris ualet ad tolerandum aduersa et ad expugnandum peccata add. W
79 impunitorum XW^2 (im- rest. marg.): et peccatorum F punitorum W
80 que alias commissisti FX: commissorum W
81 miserabilis FW: mirabilis X
82 esse om. W rest. interlin. W^2
83 in ... flagellorum om. W rest. marg. W^2
84 in F: et WX
<3.4.21.> quod octauum remedium afflictorum est consideratio ignorantie quam inducit status prosperitatis (138)

<3.4.22.> quod nonum remedium afflictorum est consideratio breuis temporis quod in aduersitate transcurrit\(^5\) (139)

<3.4.23.> quod decimum remedium afflictorum est consideratio nobilitatis humane nature ad quam exteriora aduersa non pertingunt\(^6\) (140)

<3.4.24.> quod undecimum remedium afflictorum est consideratio penarum quas mundani substinent pro temporalibus acquirendis (141)

<3.4.25.> quod duodecimum remedium afflictorum est consideratio irritationis et tristitie quam incurrit homo per impatientiam (142)

<3.4.26.> quod tertiumdecimum remedium afflictorum est consideratio futuri premii quod non nisi aduersa patientibus datur (143)

<3.4.27.> quod quartumdecimum remedium afflictorum est consideratio diuine prouidentie se\(^7\) exstendentis ad omnia que hominibus contingunt (144)

<3.4.28.> quod quintumdecimum remedium afflictorum est consideratio sex fructuum qui ex aduersitate contingunt, quorum\(^8\) primus est intellectus illuminatio (145)

<3.4.29.> quod secundus fructus qui ex aduersitate contingit est uluntatis\(^9\) in bonum permutatio (146)

<3.4.30.> quod tertius fructus qui ex aduersitate contingit est concupiscentie refrenatio (147)

<3.4.31.> quod quartus fructus qui ex aduersitate contingit est augmentum\(^10\) experientie (148)

<3.4.32.> quod quintus fructus qui ex aduersitate contingit est scutum custodie (149)

<3.4.33.> quod sextus fructus qui\(^11\) ex aduersitate contingit est premium

\(^5\) transcurrit FW\(^2\)(marg.)X: transiuit W
\(^6\) pertingunt FX: attingunt W
\(^7\) se ... contingunt om. W rest. marg. W\(^2\)
\(^8\) quorum ... illuminatio om. W rest. marg. W\(^2\)
\(^9\) uluntatis in bonum permutatio WX: argumentum experientie F
\(^10\) augmentum (scripsi cum editione: argumentum FW) experientie FW: scutum custodie X
\(^11\) quod ... custodie om. X
glorie (150)

<3.4.34.> quod perseuerantia animum firmat ne fatigatone laxetur
diurnitate boni operis (151)

<3.4.35.> quod perseuerantia medium tenet inter mollitiem et pertinaciam
(152)

<3.4.36.> quod pertinacia est uitium diabolicum non humanum, oppositum
perseuerantia ex parte habundantie (153)

<3.4.37.> quod perseuerantia habet optata impetrare (154)

<3.4.38.> quod perseuerantia habet insueta in naturam mutare (155)

<3.4.39.> quod perseuerantia habet acquistita conservare (156)

<3.4.40.> quod perseuerantia habet uirtutes omnes in bonum consumuere (157)

<4.> quartus tractatus de temperantia distinctus per quatuor capitula

<4.1.> primi capituli lectiones

<4.1.1.> quod uerecundandum est propri de actu uitioso (158)

<4.1.2.> quod iuuenibus ad uitutem tendentibus expedit uerecundari non
autem senibus (159)

<4.1.3.> quod uerecundia ad temperantiam disponit (160)

<4.2.> secundi capituli lectio

<4.2.1.> quid sit temperantia et circa quod uersetur (161)

<4.3.> tertii capituli lectiones

<4.3.1.> quod abstinentia est moderatiua ciborum (162)

<4.3.2.> quod prima proprietas abstinentie est quia hominem in sua
natura custodit (163)

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93 insueta FX: assueta W
94 consumare FX: conservare W
95 quatuor FX: quinque W
96 lectio scripsi cum editione: lectiones FWX
97 moderatiua FX: moderatio W
98 quia FW (interlin.): que W
99 custodit FW (marg.): conseruat W
<4.3.3.> quod secunda proprietas abstinentie est quia\textsuperscript{100} animum ad orandum feruentem facit (164)

<4.3.4.> quod tertia proprietas abstinentie est quia\textsuperscript{101} memoriam ad reminiscendum nutrit (165)

<4.3.5.> quod quarta proprietas abstinentie est quia\textsuperscript{102} intellectum ad speculandum acuit (166)

<4.3.6.> quod quinta proprietas abstinentie est quia\textsuperscript{103} corpus templum dei efficit\textsuperscript{104} (167)

<4.3.7.> quod sexta proprietas abstinentie est quia\textsuperscript{105} cibo delectabiliter uti facit (168)

<4.3.8.> quod multe miserie quas\textsuperscript{106} enumerat Crisostomus secuntur ad epulas (169)

<4.3.9.> quod septima proprietas abstinentie est quia\textsuperscript{107} hominem ciuilem et purum reddit\textsuperscript{108} (170)

<4.3.10.> quod prima causa abstinentie est assuefactio a iuventute ad exercitia que mentem delectant (171)

<4.3.11.> quod secunda causa abstinentie est\textsuperscript{109} debita ordinatio que\textsuperscript{110} in cibo est obseruanda quantum ad quinque conditiones (172)

<4.3.12.> quod tertia causa abstinentie est elongatio\textsuperscript{111} ab hiis que possunt gulam prouocare\textsuperscript{112} (173)

<4.3.13.> quod quarta causa abstinentie est consideratio nature, scripture, fortune, et mortis future (174)

<4.3.14.> quod ieiunium ordinatur ad concupiscentiam carnis reprimendam, ad eleuationem mentis in deum, et ad satisfactionem pro peccatis

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\textsuperscript{100} quia FX: que W
\textsuperscript{101} quia FW\textsuperscript{(interlin.)}: que W
\textsuperscript{102} quia FW\textsuperscript{(interlin.)}: que W hominem add. F
\textsuperscript{103} quia FW\textsuperscript{(interlin.)}: que W
\textsuperscript{104} efficit FW\textsuperscript{(marg.)}: facit W
\textsuperscript{105} quia FW\textsuperscript{(interlin.)}: que W
\textsuperscript{106} quas om. F
\textsuperscript{107} quia FW\textsuperscript{(interlin.)}: que W
\textsuperscript{108} reddit FW: reducit X
\textsuperscript{109} est: quod add. W
\textsuperscript{110} que ... est FX: est in cibis W
\textsuperscript{111} elongatio: eorum add. W
\textsuperscript{112} prouocare FW\textsuperscript{(marg.)}: promouere W
qui ad ieiunium obligantur et qui non (176)
quomodo ieiunium sit in precepto et quomodo non (177)
de tempore ideundiem hora comedendi (178)
de hiis quae a ieiunantibus possunt comedi (179)

qui ad ieiunium obligantur et qui non (176)
quomodo ieiunium sit in precepto et quomodo non (177)
de tempore ideundiem hora comedendi (178)
de hiis quae a ieiunantibus possunt comedi (179)

quod sobrietas est uirtus remouens excessum potus (180)
quod excessus in potu potest esse culpa criminalis (181)
quod sobrietas est intellectualis luminis conservatiua (182)
quod sobrietas est carnis concupiscientiae repressiua (183)
quod sobrietas est senilis etatis decoratiua (184)
quod sobrietas est humane pacis conservatiua (185)
quod sobrietas maxime conuenit iuuenibus, mulieribus, et aliorum rectoribus (186)
quod castitas est uirtus reprimens delectationes circa actus
uenereos (187)
quod castitas uirginis et uidualis non sunt in precepto (188)
quod castitas coniugalis siue matrimonium est de iure naturali
(189)
quod matrimonium est commendabile ratione instituentis (190)
quod matrimonium est commendabile ratione loci (191)
quod matrimonium est commendabile ratione temporis (192)
quod matrimonium est commendabile ratione effectus (193)
quod primum onus matrimonii est cura rei familiaris (194)
quod secundum onus matrimonii est zelotipia de uxoris pudicitia
(195)
quod tertium onus matrimonii est grauamen quod ex affinis
uxoris uiro superuenit (196)

113 tempore FX: temporibus W
114 potus FX: in potu W
115 conuenit WX: competit F
116 mulieribus om. W rest. interlin. W2
117 coniugalis siue inv. F
118 loci: quod primum onus matrimonii est cura rei familiaris add. F
119 quod ... familiaris om. F
120 cura rei familiaris FW2(marg.)X: circa res familiares W
121 uiro om. W rest. interlin. W2
<4.3.36.> quod prima laus castitatis est quia¹²² inter uirtutes primo
obstaculum dyabolo ponit¹²³ (197)

<4.3.37.> quod secunda laus castitatis est quia¹²⁴ libertatem homini tribuit
(198)

<4.3.38.> quod tercia laus castitatis est quia decorem singularis
pulchritudinis in anima constituit (199)

<4.3.39.> quod quarta laus castitatis est quia¹²⁵ inter ceteras uirtutes ad
scientiam disponit (200)

<4.3.40.> quod quinta laus castitatis est¹²⁶ quia singulariter hominem deo
famiiliarem facit (201)

<4.3.41.> quod prima causa castitatem corrumpens est ocium (202)

<4.3.42.> quod causa opposita ocio est¹²⁷ occupatio mentis circa studium
scripture (203)

<4.3.43.> quod secunda causa castitatem corrumpens est malorum societas
(204)

<4.3.44.> quod causa opposita male societati est amicitia honesta que ualet
ad tria, scilicet ad solatium nature, fulcimentum intelligentie, et
subsidiun fortune (205)

<4.3.45.> quod tertia causa castitatem corrumpens est turpiloquium et
quod¹²⁸ causa opposita turpiloquio¹²⁹ est eius deuitatio (206)

<4.3.46.> quod quarta causa castitatem corrumpens est usus eorum quibus
animus emolescit et primo incautus aspectus et quod causa
opposita est eorum¹³⁰ cohibitio (207)

<4.3.47.> quod frequens cum muliere colloquium seu contubemium
castitatem corrumpit (208)

<4.3.48.> quod munern interuentio castitatem corrumpit (209)

¹²² quia FX: quod W
¹²³ ponit FW² (marg.) X: dici potest W
¹²⁴ quia FX: quod W
¹²⁵ quia FX: quod W
¹²⁶ est om. W rest. interlin. W²
¹²⁷ est ... scripture FX: castitatis constitutiu est occupatio circa opera uirtutis maxime circa
studium sacre theologie W
¹²⁸ et quod WX: quod ex F
¹²⁹ turpiloquio FW² (marg.) X: triplex W
¹³⁰ eorum FW² (marg.) X: eius W
<4.4.> quarti capituli lectiones\textsuperscript{131}

<4.4.1.> quod modestia moderatur extiores corporis motus (210)

<4.4.2.> quod modestia mensuranda est in\textsuperscript{132} diversis diversimode (211)

<4.4.3.> quod modestia moderatur exteriorem uestium apparatum (212)

<4.4.4.> quod honestis uiris interdum licet solatio ludorum uti (213)

<4.4.5.> quod excessus et defectus in ludo est reprehensibilis et quomodo

(214)

<4.4.6.> quod officium ystrionatus est licitum si debito modo exerceratur

(215)

<4.4.7.> quod mulieres possunt se moderate ornare ut uiris suis\textsuperscript{133} placeant

(216)

<4.4.8.> quod potest in mulieribus aliqua fucatio substineri (217)

\textsuperscript{131} quarti ... lectiones: om. F

\textsuperscript{132} in om. W

\textsuperscript{133} suis om. F
De politia Venetorum et moribus eorum

Inter omnes politias que nostris temporibus in populo christianno fuerunt, politia gentis Venetorum ad hoc regimen mixtum uidetur appropriquare. In ipsa namque circiter quadrangenti tam ex nobilibus quam ex honorabili populo ad consilia publica admittuntur, per quos aliqui prudentiores in creatione sui principis eliguntur; et hii aliquem ex sue gentis nobilibus eligunt quem in ducem omnibus preficiunt. Predictus autem dux, sic a maioribus electus, una cum sex quos consiliarios uocant et quadraginta quos quasi populi antianos habent, politiam gubernat. Nec hii qui cum duce ciuitatem regunt idem semper permanent, sed singuli de consilio statutis temporibus ad predicta officia consiliarie uel antianarie per electionem omnium assumuntur. Et sic quilibet de predictis ad consilium electis partem aliquam habet in politia, que quasi ex tribus regiminibus aliquid participat. Nam in quantum unus omnibus est...
prefectus, regimen regni dici potest; in quantum uero aliqui maiores ipsum
ducem eligunt et cum ipso politiam regunt, ipsi uel alii diuersis temporibus ad
hoc electi, regimen optimorum dici potest; in quantum uero predicti maiores,
ducis electores, consiliarii uel quadraginta toto consilio eliguntur, aliquid de
politia populi participat. Sunt enim in dicto consilio non solum maiores nobiles,
se etiam multi de populo honorabilii.

Hec autem Venetorum gens tanta pace ac securitate fruitur, quod nullus
unquam inde intuitu partis expellitur; aduenientes et profugi ibi tuti seruant;
nullus alterius oppressor; nullus alieni habitatuli est inusor; secura sunt omnia;
homicidia uel humani sanguinis effusiones aut numquam aut raro ibi audiuntur.
Nulli hominum subdi patitur dicta gens, summa gaudens libertate; ducem uero
quem sibi constituit tanta statutorum seruitute coartat ut non plus posset
prefectus quam uelit preficiens. Hi homines in marinis aquis, quibus sunt
undique circumsepti, edificia stupenda pulchritudine, sumptuositate, et
numerositate construxerunt; usibus maris cum periculis et laboribus pro
necessariis uite iuventutem erudunt; etatem uero maturam actibus rei publice
impendunt. Pro colentibus agros remiges habent, et pro buce nauigium; omnia

28 Nam ... optimorum dici potest, 00-00] om. X3
29 omnibus est] inv. CX1
30 in ... optimorum dici potest] om. CX
31 et ... regunt] om. QW
32 optimorum] optimatum I
33 a ... eliguntur] om. X1
34 eliguntur ... dicto consilio] om. O
35 participat] participant CR
36 multi] om. CXX3
37 honorabili] honorati X3
38 ac] et I
39 partis] partium X2
40 et] at aduene X1
41 ibi tuti] in tuto I tuti C
42 nullus] est add. QW
43 aut] om. QWX1
44 audiuntur] uidentur C cernuntur X1
45 gaudens] gaudet X3
46 constituit ... coartat] constituint statuto et seruitute coartant X3
47 plus] om. BO
48 Hii QW: om. BFGIMORX1X3
49 homines] om. X2 enim Venetorum add. C
50 et numerositate] om. RV
51 erudiunt] exercent X1
52 impendunt] impediant BGOR
53 colentibus agros colendis agris C

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mercantur nummo, etiam potum aque. Nullus inde natus alterius est seruus, nec etiam mercenario pacto conductus, sed unusquisque patrie libertatem sibi\textsuperscript{54} uendicans, proprium\textsuperscript{55} uictum proprio labore querit. In bellis naualibus\textsuperscript{56} audacissimi atque peritissimi, olim pro republica miranda ac\textsuperscript{57} laude digna fecerunt; uictualia a multis regionibus eis deportantur, et ipsi\textsuperscript{58} merces quas a remotis partibus deferunt ad multas prouincias partis occidentis\textsuperscript{59} transmittunt. In uestibus\textsuperscript{60} splendidi\textsuperscript{61} sed in\textsuperscript{62} cibo\textsuperscript{63} temperati, ne per ebrietates mercandi usus\textsuperscript{64} impediatur aut status politie turbetur; tabernas non habent. Magni ecclesiarum sunt cultores\textsuperscript{65} et diuini honoris\textsuperscript{66} amatores; pauperibus sunt benefici; multa pauperum hospitalia et insignia sanctimonialium monasteria annualibus et cotidianis elemosinis tam publicis quam priuatis nutriunt. Decedentes decimam pecunie, in qua fere omnia eorum bona consistunt, indigentibus et diuinum cultum colentibus derelinquent. Catholicis\textsuperscript{67} sunt, et ab omni labe heresum\textsuperscript{68} sunt prorsus immunes. Inhumana et enorma crimina non habent; a conuicinorum moribus\textsuperscript{69} sunt alieni. Fenerator nullus\textsuperscript{70} ibi esse permittitur; leges communes non secuntur, sed secundum\textsuperscript{71} statuta propria uiuunt\textsuperscript{72}, miro modo politie negociis accomoda\textsuperscript{73}, nec tamen a iure aliena; ubi statuta desunt\textsuperscript{74}, ad patrias consuetudines se conuertunt. Fidelissimi sunt reipublice quam unusquisque in opulencia et honore tenere studet\textsuperscript{75}; sed et ipsa respública suos ciues\textsuperscript{76} etiam\textsuperscript{77} plebeiros magnis

\begin{itemize}
\item \textsuperscript{54} sibi om. X\textsubscript{1},X\textsubscript{2}
\item \textsuperscript{55} proprium CF\textsubscript{1} Q\textsubscript{1} W\textsubscript{1} X\textsubscript{1}; propriam BGMORX om. X\textsubscript{2}
\item \textsuperscript{56} naualibus] nauigalibus C
\item \textsuperscript{57} ac] et C atque QRW
\item \textsuperscript{58} ipsi] Veneti \textit{add.} X\textsubscript{3}
\item \textsuperscript{59} partis occidentis] om. X\textsubscript{3}
\item \textsuperscript{60} uestibus] Veneti sunt \textit{add.} C
\item \textsuperscript{61} splendidi] splendidisque M
\item \textsuperscript{62} sed in] et I quam in M
\item \textsuperscript{63} cibo] cibis QW
\item \textsuperscript{64} mercandi usus] inv. G\textsubscript{1} Q\textsubscript{1} W
\item \textsuperscript{65} cultores] custodes X\textsubscript{1}
\item \textsuperscript{66} honoris] amoris X\textsubscript{1}
\item \textsuperscript{67} Catholici … imunes] om. O
\item \textsuperscript{68} heresum] om. BGRXX\textsubscript{2}
\item \textsuperscript{69} moribus] honeribus X\textsubscript{1}
\item \textsuperscript{70} nullus ibi esse] nullus inesse I ibi nullus esse CX\textsubscript{2} X\textsubscript{3}
\item \textsuperscript{71} secundum statuta propria] propria statuta X\textsubscript{2}
\item \textsuperscript{72} uiuunt] \textit{om.} I
\item \textsuperscript{73} accomoda … aliena] attendunt X\textsubscript{1}
\item \textsuperscript{74} desunt] sed \textit{add.} X\textsubscript{2}
\item \textsuperscript{75} tenere studet] inv. CO
\item \textsuperscript{76} suos ciues] suos conciues C \textit{om.} X\textsubscript{2}
\end{itemize}

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libertatibus et singularibus immunitatibus conservat et tuetur\textsuperscript{78}, si quis in aliena patria grauatur, mox curam adhibet\textsuperscript{79} siue ducalibus scriptis, siue nunciis publicis\textsuperscript{80}, seu represaliarum\textsuperscript{81} terroribus ut eum\textsuperscript{82} a grauaminibus liberet; honorabiles ciues, diuiciis tenues, officii uel\textsuperscript{83} rectorie provisione subleuare nititur; multos\textsuperscript{84} de communibis prouentibus\textsuperscript{85} nutrit. Hec ad laudem nostrorum\textsuperscript{86} progenitorum breuiter\textsuperscript{87} dicta sunt\textsuperscript{88}, que si in uobis esse cernitis, gratias deo agite; si uero a predictis deuiaastis, preterita eorum facta recolite et ad ea uirtutum studio recuperanda\textsuperscript{89} satagite. Scriptum enim est Iob 8: “Interroga generationem pristinam, et diligenter inuestiga patrum memoriam”; et sequitur: “Ipsi docebunt te, et loquentur tibi, et de corde\textsuperscript{90} suo proferent eloquia”.

\begin{itemize}
\item \textsuperscript{77} etiam] et FIX
\item \textsuperscript{78} tuitur] contuetur IM
\item \textsuperscript{79} curam adhibet] cura adhibetur QW
\item \textsuperscript{80} publicis] propriis QW publice B
\item \textsuperscript{81} represaliarum] rebus aliarum IH
\item \textsuperscript{82} eum ... liberet] eos ipsorum liberet grauamine X\textsubscript{2}
\item \textsuperscript{83} officii uel] officialis I
\item \textsuperscript{84} multos ... nutrit] om. F etc. \textit{hucusque X\textsubscript{1} testis habetur qui exinde reliqua omittit usque ad finem}
\item \textsuperscript{85} prouentibus] parentibus C
\item \textsuperscript{86} nostrorum BCGRX\textsubscript{2}: uestrorum FIMX \textit{conf. AO}
\item \textsuperscript{87} breuiter] om. I
\item \textsuperscript{88} sunt CFQWX\textsubscript{3}: sint GIMORX\textsubscript{2} fuit B
\item \textsuperscript{89} uirtutum studio - recuperanda] inv. QWX\textsubscript{2}
\item \textsuperscript{90} corde] ore QW
\end{itemize}
ABBREVIATIONS

AFP Archivum Fratrum Praedicatorum
ASV Archivio di Stato di Venezia
BHG Bibliotheca Hagiographica Graeca, 3rd ed., ed. F. Halkin, Subsidia hagiographica 8a (Bruxelles, 1957)
BHL Bibliotheca Hagiographica Latina, Subsidia hagiographica 6 (Bruxelles, 1898-1901)
BT Bibliotheca Teubneriana (Stuttgartiae-Lipsiae, )
CCL Corpus Christianorum, Series Latina (Turnhout, 1954- )
CCM Corpus Christianorum, Continuatio Mediaevalis (Turnhout, 1971- )
colophons Colophons de manuscrits occidentaux des origins au xvié siècle, eds Bénédictins du Bouveret, 6 vols (Fribourg Suisse, 1965-1982)
CGP Clavis patrum graecorum, eds M. Geerard - F. Glorie, 5 vols (Turnhout, 1979-1987)
CPL Clavis patrum latinorum, eds E. Dekkers - E. Gaar (Turnhout, 1995)
CSEL Corpus Scriptorum Ecclesiasticorum Latinorum (Wien, 1866- )
Distelbrink B. Distelbrink, Bonaventurae scripta authentica, dubia vel spuria critice recensita (Romae, 1975)
EL Sancti Thomae de Aquino Opera omnia iussu Leonis XIII P. M. edita (Romae, 1882- )
Hain L. Hain, Repertorium bibliographicum: in quo libri omnes ab arte typographica inventa usque ad annum MD, typis expressi ordine alphabetic, 2 vols, (Stuttgartiae-Lutetiae, 1826-1838) reprint (Milano, 1948)


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MBD P. Lehmann et al., *Mittelalterliche Bibliothekskataloge Deutschlands und der Schweiz*, 4 vols (München, 1918-1979)


MOPH *Monumenta Ordinis Praedicatorum Historica* 


Piccard *Die Wasserzeichenkartei Piccard im Hauptstaatsarchiv Stuttgart* (Stuttgart, 1961- ) 


RIS¹ *Rerum Italicarum Scriptores*, ed. L. A. Muratori, 25 vols (Mediolani, 1723-1751)

RIS² *Rerum Italicarum Scriptores. Raccolta degli storici italiani. Nuova edizione, rivista, ampliata e corretta con la direzione di Giosuè Carducci* (Città di Castello, 1900- )

SCBO *Scriptorum Classicorum Bibliotheca Oxoniensis* (Oxford, )

Sch *Sources Chrétienes* (Paris, 1941- )


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Antonius Senensis, Lusitanus, Bibliotheca Fratrum Ordinis Praedicatorum (Parisis, 1585)
Aristoteles, Ethica Nicomachea †
Aristoteles, Politica †
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Catalogo generale, ossia riunione di tutti gli elenchi di libri scelti dalle biblioteche delle corporazioni regolari concentrate nel già convento di S. Anna di Padova (1815)


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