

SIMON TUGWELL O. P., *Petrus Ferrandi and his Legenda of St Dominic*, in «Archivum Fratrum Praedicatorum» (ISSN 0391-7320), 77, (2007), pp. 19-100.

Url: <https://heyjoe.fbk.eu/index.php/afp>

Questo articolo è stato digitalizzato della Biblioteca Fondazione Bruno Kessler, in collaborazione con l'Institutum Historicum Ordinis Praedicatorum all'interno del portale [HeyJoe](#) - *History, Religion and Philosophy Journals Online Access*. HeyJoe è un progetto di digitalizzazione di riviste storiche, delle discipline filosofico-religiose e affini per le quali non esiste una versione elettronica.

This article was digitized by the Bruno Kessler Foundation Library in collaboration with the Institutum Historicum Ordinis Praedicatorum as part of the [HeyJoe](#) portal - *History, Religion, and Philosophy Journals Online Access*. HeyJoe is a project dedicated to digitizing historical journals in the fields of philosophy, religion, and related disciplines for which no electronic version exists.



Nota copyright

Tutto il materiale contenuto nel sito [HeyJoe](#), compreso il presente PDF, è rilasciato sotto licenza [Creative Commons](#) [Attribuzione-Non commerciale-Non opere derivate 4.0 Internazionale](#). Pertanto è possibile liberamente scaricare, stampare, fotocopiare e distribuire questo articolo e gli altri presenti nel sito, purché si attribuisca in maniera corretta la paternità dell'opera, non la si utilizzi per fini commerciali e non la si trasformi o modifichi.

Copyright notice

All materials on the [HeyJoe](#) website, including the present PDF file, are made available under a [Creative Commons](#) [Attribution-NonCommercial-NoDerivatives 4.0 International License](#). You are free to download, print, copy, and share this file and any other on this website, as long as you give appropriate credit. You may not use this material for commercial purposes. If you remix, transform, or build upon the material, you may not distribute the modified material.



PETRUS FERRANDI AND HIS LEGENDA OF ST DOMINIC¹

BY
SIMON TUGWELL OP

Since François Van Ortroy's article, 'Pierre Ferrand OP et les premiers biographes de S. Dominique', *Analecta Bollandiana* 30 (1911) 27-87, it has generally been accepted that the legenda which he edited there is, as he maintained, the one which Bernard Gui attributes to Petrus Ferrandi and describes as coming in between Jordan of Saxony's *Libellus* and Constantine's legenda (MOPH XXVII 105-106), and that it is also the life of St Dominic with which Petrus Ferrandi is credited in the obituary contained in the *Vitas fratrum* (MOPH I 263). Dr Angelo D'Ors, who has his eye on Petrus Ferrandi as a candidate to be the Petrus Hispanus who wrote the famous *Tractatus* or *Summulae logicales*, raised some difficulties in *Vivarium* 35 (1997) 49-51, to which I replied in the same journal (37 [1999] 103-112); he has now conceded that the common view of the legenda is 'the most probable hypothesis', but he still believes 'there is a

¹ In this article I cite the *Vitas fratrum* by page-numbers from MOPH I, primary sources for the life of Dominic (Jordan of Saxony's *Libellus*, the Bologna and Languedoc canonization processes, the legenda attributed to Petrus Ferrandi and the legenda of Constantine) by paragraph-numbers from MOPH XVI, Cecilia's *Miracula* by chapter-numbers from A.Walz's edition in AFP 37 (1967) 5-45, Dietrich of Apolda's *Libellus* by paragraph-numbers from the edition in *Acta Sanctorum, Augustus* I (Antwerp 1733) 562-632, the primitive constitutions by chapter-numbers from A.H.Thomas, *De oudste constituties van de Dominicanen* (Louvain 1965) 309-369, but in each case I use a text based on my own study of the manuscripts. For the legendas of Humbert of Romans I cite my edition forthcoming in MOPH XXX. For later versions of the constitutions (cited as 'Constitutions') see, for example, *Analecta sacri Ordinis Praedicatorum* 3 (1897) 31-60, 98-122, 162-181, and G.R.Galbraith, *The Constitution of the Dominican Order*, Manchester 1925, 203-253. I cite other volumes of MOPH by page-number. The following standard series are cited by volume and page- or column-number: CCCM (Corpus Christianorum continuatio mediaevalis), CCM (Corpus Consuetudinum Monasticarum), CSEL (Corpus Scriptorum Ecclesiasticorum Latinorum), CCSL (Corpus Christianorum series latina), PL (Migne, Patrologia Latina), SC (Sources Chrétiennes). I quote canon law compilations from the editions by Æ.Friedberg: *Quinque compilationes antiquae*, repr. Graz 1956 (Friedberg¹), and *Corpus iuris canonici*, repr. Graz 1959 (Friedberg²).

shadow of doubt' for reasons which he explains at some length in a more recent article.²

To avoid begging any questions about the legenda's authorship or its place in the series of lives of Dominic let us call it 'the Legenda in Question', abbreviated to LQ.

The agenda for this article is set by D'Ors, and it will require us 'to talk of many things', not perhaps 'of shoes and ships and sealing-wax', but of words and texts and evidence; it will involve labouring some points which might seem obvious to the *conoscenti*, but what is obvious to some may not always be so to others, and in any case it can do no harm to check that what is obvious is also true. It is salutary to be forced to re-examine our certainties, and we may be grateful to D'Ors for acting as a Socratic gadfly, and he touches on some genuine perplexities which it worth trying to clarify in preparation for a new edition of LQ.

1. *Do we know how many legendas there were?*

As D'Ors points out, Van Ortroij's argument relies to a considerable extent on the belief that we know how many thirteenth-century lives of Dominic there were, that we have a complete list of authors of such lives, and that in every other case we can match particular texts with particular authors; LQ is the only one without an identified author, and Petrus Ferrandi is the only named author without an identified text, so he must be author of LQ. It is this belief which D'Ors questions, and I agree with him, though sometimes for different reasons, that the evidence is not all as conclusive as we might wish.

LQ is undoubtedly the legenda which the Dominican Order was using in the 1240s up to 1246: it contains the words excised from the legenda in 1242 (MOPH III 24.12-15),³ it is the source of the life of Dominic which was in Jean de Mailly's *legendarium* by 1243,⁴ it

² *Vivarium* 41 (2003) 283-299. I am primarily concerned here with points raised by D'Ors in 'Petrus Hispanus OP, Auctor Summularum (III)', *Vivarium* 41 (2003) 249-303, with occasional reference to part II, *Vivarium* 39 (2001) 209-254, cited as 'D'Ors 2001' and '2003'.

³ See Tugwell, *Vivarium* 37 (1999) 105.

⁴ One of the manuscripts in which it appears is Bern, Bürgerbibliothek 377, which carries what is evidently a plea from the author after 'Explicit abbreviatio' (f.94): 'Quicumque profeceris ex hoc libello ora pro fratre Iohanne de Mailliacio qui laboravit in eo colligendo et corrigendo anno domini millesimo ducentesimo quadragesimo tercio'.

is abundantly quoted in the version of the *Speculum historiale* which Vincent of Beauvais completed in 1244,⁵ and it is the source of the legenda included in the lectionary which Humbert was commissioned to produce in 1246 (MOPH III 36.3-5), known today from Oxford, Keble College MS 49, the Regensburg lectionary.⁶ Constantine's legenda was written in 1246/7,⁷ and in the letter presenting it to the Master he mentions Jordan's *Libellus* and what he calls 'prior legenda' (§2). In 1246/7 'the previous legenda' was undoubtedly LQ, and LQ is recognizably one of Constantine's sources; but this does not formally exclude the possibility that there was an earlier legenda which Constantine ignored because it had been superseded.

Periodic allusions to 'the life of Dominic' in the acts of general chapters must similarly be understood to refer primarily to whatever legenda was in use at the time;⁸ they cannot tell us how many legendas there were altogether.

Dietrich of Apolda (§3), in 1296/7 as we shall see, and Bernard Gui (MOPH XXVII 105-107) in 1304⁹ independently¹⁰ provide what appear to be meant as complete lists of official lives of Dominic; they

⁵ Wrocław Univ. Bibl. R 341 ff.274'-275', 289'-292'. On the date of this edition of the *Speculum* see J.B.Voorbij, *Het 'Speculum Historiale' van Vincent van Beauvais, een studie van zijn onstaansgeschiedenis*, privately printed doctoral thesis, Utrecht 1991, 265; on the manuscript see *ibid.* 297. I am grateful to Dr Voorbij for his help.

⁶ Cf. H.M.Barth, 'Die Dominikuslegende im ersten Lektionar Humberts von Romans (1246)', AFP 54 (1984) 83-112; I have edited the text afesh in MOPH XXX.

⁷ The terminus post quem for Constantine's legenda is fixed by the Regensburg lectionary which shows that it had not yet been promulgated when Humbert of Romans executed the commission given him in 1246. Constantine's reference to John Colonna as 'tunc temporis' provincial (§58) shows that he was not provincial at the time of writing, and he became provincial again in 1247 and remained so until 1255 (Tugwell, AFP 72 [2002] 112-114) by which time John of Wildeshausen—to whom the letter presenting Constantine's legenda is addressed (§1)—was dead (he died during the night of 4/5 Nov. 1252; see Tugwell, DHN 13 [2004] 280-283).

⁸ The use or copying of other legendas was not expressly forbidden until 1260 (MOPH III 105.29-30), but it would always have been natural to infer that when a new legenda was approved its predecessors lost their official status.

⁹ The only known manuscript of the 1304 edition of his compilation of *Dominicana* (which belonged to the Venice Dominicans and was last heard of in Berlin) has disappeared, and Kaeppli's photographs do not include the *Catalogus magistrorum*; but this is one of the items promised in Gui's opening letter to the Master (MOPH XXII 4.11-12), as I have verified in Kaeppli's photograph of f.1', and we may presume that the original list of writers was already present in the section on Dominic.

¹⁰ Gui first discovered Dietrich's *Libellus* in 1308 (Tugwell, MOPH XXVII 44-46).

agree that there were four of them, beginning with Jordan and ending with Humbert, and both mention only one *legenda* between Jordan and Constantine. However, Dietrich had LQ in mind¹¹ but he could not name its author, and Gui names Petrus Ferrandi but quotes an incipit which does not feature anywhere in LQ.

The incipit quoted by Gui, 'Beatus Dominicus adhuc puerulus ...', actually comes from Constantine §7,¹² and it is inherently implausible as it implies a life of Dominic which began in *mediis rebus* without an account of his birth and its attendant signs and wonders, an essential part of any saint's life; Gui himself lost confidence in it, as the insertion of 'ut estimo' in later versions of his text shows.¹³ He clearly only knew about the *legenda* he attributes to Petrus Ferrandi by hearsay; nevertheless, LQ is the one *legenda* which we have reason to believe he might not have been able to consult for himself, in as much as there is evidence that, once it had been superseded by Constantine, the brethren gave away their copies of LQ.¹⁴

¹¹ 'Sciendum quod uenerabilis pater noster beatus Iordanus ... libellum de initio ordinis composuit ... De quo libello prima sancti Dominici *legenda* conscripta est'; this could mean that the first *legenda* was merely a set of extracts from Jordan, but Dietrich claims to have drawn on all the sources he lists in his proem ('ex hiis omnibus presentis opusculi materia sumpta ...', §5), and I have found elements in his text which can only be taken from LQ (cf. AFP 74 [2004] 79), so *prima legenda* must refer to LQ.

¹² Gui had perhaps found it at the beginning of a selection of readings for the feast of St Dominic.

¹³ D'Ors suggests that *ut estimo* is 'an expression of a personal opinion', not of doubt, and that his incipit is 'only a reconstruction put together by Gui himself' (2003:272). I have no idea what it would mean to reconstruct an incipit. Either one has found a set of words at the beginning of a text or one has not. If it is uncertain what that text is, or whether the words quoted are really its beginning, it may be a matter of personal opinion to identify them as the incipit of a particular work; since it is only in such cases of uncertainty that there is room for personal opinion it makes no difference whether we take *ut estimo* as expressing uncertainty or as signifying that Gui is giving his opinion. Either way the insertion of *ut estimo* into a previously unqualified statement implies a loss of confidence. Gui's usage elsewhere is clear: he thinks (*estimo*) Paul of Hungary was the first provincial of Hungary but 'nondum potui certitudinem inuenire' (MOPH XXVII 102); he thinks (*estimo*) Peter of Madrid, Gomez and Michael of Uzero were among the brethren who chose the Rule with St Dominic 'quia tamen plene certus non sum ... minime asseuero' (MOPH XXII 156-157).

¹⁴ It is a curious feature of the manuscript tradition that while there are few surviving Dominican manuscripts of LQ it is remarkably well attested in non-Dominican manuscripts, particularly breviaries of which I have examined a considerable number and found that if they contain readings for the feast of St Dominic these are almost always from LQ; furthermore, no two breviaries have the same choice of readings, which suggests that they derive separately from actual copies of LQ. If we bear in mind that during the period in which Constantine's *legenda* was

D'Ors surmises that Gui might in effect have created the figure of 'Petrus Ferrandi auctor *legendae*' by piecing together 'Petrus hispanus' from the 1246 lectionary and 'Petrus Ferrandi' from the *Vitas fratrum*, and that 'de Galexia' was inferred from the latter's death in Zamora.¹⁵ As it stands this is implausible. There is no evidence that the 1246 lectionary had any significant circulation, and in any case if it was Gui's source he would have quoted the incipit of its *legenda* ('Beatus Dominicus fratrum predicatorum pater inclitus'); nor would he have inferred that Petrus Ferrandi was Galician from the fact that he died in Zamora since in all known manuscripts of his list of convents Zamora is placed in León (cf. QE I iv). Gui probably received his information from some Spanish Dominican.¹⁶ This naturally does not exclude the possibility that the identification of Petrus Ferrandi as Galician and as the author of the *legenda* before Constantine's was a Spanish Dominican inference from the *Vitas fratrum*, helped perhaps by Constantine's reference to *prior legenda*.

So we have converging testimonies that there was one official *legenda* between Jordan's *Libellus* and Constantine and that this *legenda* was LQ, and we have found nothing so far to indicate that there was more than one such *legenda*; and even if Gui's ascription of it to Petrus Ferrandi is only based on someone's conjecture it chimes well with the attribution of LQ to 'Frater Petrus hispanus' in the 1246 lectionary (MOPH XXX §§1 and 10) which was compiled by Humbert of Romans with an unusual concern for accuracy.¹⁷

in use inside the Dominican Order there was a drive to get St Dominic celebrated outside the Order—cf. for example the directives of the Roman provincial chapters of 1247 and 1253 (MOPH XX 7.20-21, 16.1-4), the admonition of the general chapter of 1250 (MOPH III 53.21-23), Hugh of St Cher's letter of 1252/3 (ed. C.Douais, *Acta capitulorum provincialium*, Toulouse 1894, 49-52), the directive of the Provence provincial chapter of 1253 (Douais 53), the letter Alexander IV sent the Cistercians in 1255 (BOP I 285)—we may reasonably conclude that, to foster the cult of Dominic, the Dominicans were giving away copies of LQ.

¹⁵ He finds support for this hypothesis in the fact that Gui refers in different places to 'Frater Petrus Ferrandi, hispanus natione, de Galexia', 'Petrus hispanus', and 'Petrus Ferrandi', but such diversity does not of itself prove anything. Gui similarly refers indifferently to 'Thomas uenerabilis patriarcha Ierosolimitanus', 'Thomas de Lentino', 'Thomas Agni de Lentino' or 'Thomas Agni' (MOPH XXII 22.3-4, 36.8, 114.2, 116.1).

¹⁶ He certainly collected Spanish information, most obviously the list of Spanish houses, but also some facts about Osma (Tugwell, MOPH XXVII 36).

¹⁷ He is uniquely scrupulous in indicating whether a reading is a literal extract, a compilation, or a paraphrase, and in noting cases of disputed authorship; cf. M.B.Parkes, 'The compilation of the Dominican lectionary', in *Florilegien, Kompilationen, Kollektionen*, Wolfenbüttel 2000, 91-106.

Nevertheless, to make assurance doubly sure let us continue to be sceptical.

The primary witness to Petrus Ferrandi's authorship of a life of Dominic is the 'obituary' which Giles of Santarém sent to Humbert in response to the appeal issued in 1255 for edifying stories about the Order (MOPH III 77.4-8), and which was in due course included in the *Vitas fratrum* (MOPH I 263-264); it says that Petrus 'uitam beati Dominici patris nostri descripsit', which strictly means that he 'described the life of St Dominic', not that he 'wrote a Life of St Dominic', let alone 'the Life of Dominic'.¹⁸ Giles's evidence is therefore quite compatible with the possibility that what Petrus wrote was not one of the official *legendas*.

Even if we accept the evidence of Dietrich and Gui that there were only four official lives of Dominic, there were certainly other lives which escaped their attention, such as those by Jean de Mailly, Bartholomew of Trent and Rodrigo de Cerrato.¹⁹ It is thus still legitimate to enquire, as D'Ors does, whether we have any reason to believe that there was some other life of Dominic of which Petrus Ferrandi might be the author, or that there was some other author who might have written LQ.

2. *Is there a missing legenda?*

D'Ors now accepts that the Castilian life of Dominic in the manuscript of the nuns of S.Domingo, Madrid, is a fourteenth-century work which cannot be ascribed to the Petrus Ferrandi whose obituary is already present in the 1258 text of the *Vitas fratrum* (Bibl. de Toulouse 487 ff.41^v-42^r), and that it is closely related to the *legenda*

¹⁸ D'Ors (2003:271-272) raises a question about the precise significance of *descripsit*, which could in his opinion refer to copying rather than composing. Combined with *uitam*, though, it means 'depict, describe'. Rodrigo was not interested in whether previous saints' lives were original when he wrote '*Vitas sanctorum nimia prolixitate descriptas ... breuiter ... in uno uolumine perstringere curauit*' in his prologue (ed. F.Villamil Fernández, *Rodrigo de Cerrato, Vitas Sanctorum*, unpublished dissertation, Univ. de Santiago 1991, I 100); and *descripsit* cannot mean 'copied' in '*Domina Maria de Oines ... cuius uitam magister Iacobus de Vitriaco ... descripsit mirabilem*' (*Vitas fratrum*, MOPH I 12) since Jacques was Marie of Oignies's first biographer.

¹⁹ Jean de Mailly's life of Dominic was edited by M.D.Chapotin in *Les Dominicains d'Auxerre*, Paris 1892, 317-324. Bartholomew's *Liber epilorum in gesta sanctorum* has been edited by E.Paoli, Florence 2001. The most recent published edition of Rodrigo's life of Dominic (based on a single manuscript) is in V.D.Carro, *Domingo de Guzmán*, Madrid 1973, 775-801.

of Humbert of Romans; but on the grounds that 'it is ... a literal translation of an earlier Latin *legenda*' he postulates a lost Latin source for it and suggests that this could also have been Humbert's source. Misled by W.F.Manning, he makes the further suggestion that it could be of Italian origin²⁰ and that the author could therefore be Iustinus, to whom we shall return shortly.

Humbert's *legenda*, he says, 'contains highly significant new features in comparison with the *Legenda prima* or the *legenda* of Constantine', and these recur in the Castilian text. He singles out two such innovations as the most significant, 'the attribution of the founding of Prouille to St Dominic rather than to Diego of Osma, and the reference to Montréal rather than Fanjeaux as the site of the miracle in which St Dominic's text was rescued from the bonfire'. In fact, though, these count against his thesis.

Humbert's *legenda* (§13) originally attributed the founding of Prouille to Diego, not Dominic, and it was on the orders of the 1259 general chapter that Dominic was substituted (MOPH III 98.23-27);²¹ and Humbert's account of the miracle of fire (§12) is taken verbatim from Pierre des Vaux-de-Cernai who had received information on the subject from Dominic himself, and it was inserted in some manuscripts of Constantine's *legenda*.²²

²⁰ An Italian connection is implied by Manning's apparent claim that Leandro Alberti mentions a two-volume copy of the Madrid codex in Bologna ('An old Spanish life of Saint Dominic', in U.T.Holmes-A.J.Denomy, *Mediaeval Studies in honor of J.D.M.Ford*, Harvard 1948, 140); but something has gone wrong with Manning's text: his notes show that the paragraph is not about the Madrid codex but about Petrus Calò's *legendarium* (which has nothing to do with the Madrid codex): on the manuscript's existence he cites QE I 511, where Échard, quoting the last sentence of Alberti's *Descrittione di tutta l'Italia*, notes that the Bologna convent possessed a two-volume copy of Calò; on its disappearance he cites A.Poncelet's article on Calò (*Analecta Bollandiana* 29 [1910] 44).

²¹ The capitular decree is found equally in Bernard Gui's collection of chapter-acts and in the one known manuscript which has an independent collection (AGOP XIV A 1 f.26^v). Humbert's original text, ascribing the foundation to Diego, is found in Paris BNF lat. 18309 (which also preserves the original structure of the *legenda*); Dominic's name is written over an erasure in AGOP XIV L 1 and Bibl. de Toulouse 485. For an explanation of the change see Tugwell, AFP 66 (1996) 149-150.

²² P.Guébin-E.Lyon, ed., *Petri Vallium Sarnaii monachi Hystoria Albigensis* I, Paris 1926, 47-49 §54; this text is added at the end of Constantine's *legenda* in BAV Reg. lat. 584, and it is inserted immediately after the Fanjeaux story in Bourg, Bibl. Mun. 29 (cf. MOPH XVI pp. 296-297). The source is indicated in Bourg 29 and in Humbert's *legenda* (§12) as 'gesta comitis Montis Fortis', the title found in some manuscripts of the *Hystoria Albigensis* (ed. cit. III, Paris 1939, pp. XLVII, XLIX, L, LII, LIII).

A more genuinely original feature of Humbert's *legenda* is what he says about the friendship between Dominic and Simon de Montfort in the introduction to his account of Dominic's foreknowledge of Simon's death (Humb. §50):²³

Nec silendum quoque est qualiter uirum dei occasus excellentis uiri Symonis comitis Montis Fortis specialis amici et familiaris sui, qui pro negociis fidei que strenue agebat in partibus tolosanis ibidem mortuus est, per uisionis misterium diuina sibi reuelante uirtute non latuit priusquam fratres dispergeret de Tolosa.

The only recognizable 'source' for this is Humbert's own version of LQ §17 as found in his earlier *legenda* in the Regensburg lectionary (§17):

LQ

Mansit autem ibi tunc temporis beatus Dominicus usque ad obitum comitis Montis Fortis, constanter annuntians uerbum dei.

Regensburg

Mansit autem ibi tunc temporis annuntians constanter uerbum dei usque ad obitum nobilis uiri Symonis comitis Montis Fortis qui in partibus illis pro fide catholica contra hereticos strenue dimicabat et uirum sanctum non modicum familiarem habebat.

There is no need to postulate a lost *legenda* to account for these insertions which are sufficiently explained by Humbert's acquaintance with the Montfort family, in particular Simon's daughter, the Countess of Joigny, foundress of Montargis, the first Dominican nunnery in the province of France.²⁴ It is no coincidence that in 1256

²³ Apart from this the only novelties in Humbert's *legenda* are a story about a master whose classes in Toulouse were attended by Dominic and six companions which is related on the authority of 'frater Arnulphus de Bethunia' (Humb. §33), an addition to the story of how Conrad the German became a Dominican which is clearly based on Humbert's own knowledge of the bishop on whose authority the events were reported (Humb. §51), and two extra posthumous miracles (Humb. §§106 and 109) which were also known to Gerald de Frachet who included them in his text of the *Vitas fratrum* (MOPH I 88, 95) because they were not in the *legenda* (Humbert excised them, no doubt because he had in the mean time incorporated them in his *legenda*).

²⁴ Humbert's familiarity with the family is clear from what he says in his *Cronica ordinis* (MOPH I 322). This *Cronica* has no existence apart from the *Vitas fratrum*, and the manuscript tradition shows that it was composed as a substitute for Gerald de Frachet's chronicle in the course of a revision of the *Vitas fratrum* which is clearly datable to 1260 and which there is every reason to attribute to Humbert, as I hope to show in my edition.

the general chapter, at which Humbert was present as Master, ordered Simon's obit to be inserted into the martyrology under 25 June in the form 'Eodem die obiit in partibus tholosanis dignus memoria nobilis uir Symon comes Montis Fortis zelator fidei et specialis amicus beati Dominici',²⁵ the purpose being 'ut fratres illo die orent pro anima eius et toto genere suo quod multa deuotione nobis est astrictum' (MOPH III 81.20-25).

Humbert's legenda is thus entirely explicable without recourse to the theory of a missing link.

The Castilian legenda, even if we discount the collection of texts which begins on f.37^r as a series of separate items,²⁶ is on the face of it not a 'literal translation' of anything but a vernacular compilation in which bits of Humbert's legenda are mixed up with

²⁵ The insertion can be seen, for instance, on f.32^r of Prague, Univ. Knihovna VIII B 23 (a pre-1256 Dominican martyrology).

²⁶ The three added pieces are, as D'Ors says, of Italian origin, but, as I have shown elsewhere, some textual quirks prove that the Madrid translation was based on Latin originals in a manuscript of Bernard Gui (*Mediaeval Studies* 47 [1985] 7-8; MOPH XXVII, 46, 125-127). D'Ors also says that the Madrid lives of St Thomas and St Peter Martyr are of Italian origin. According to T.Kaeppli (SOPMÆ I 209 no. 611) the former is by Bernard Gui, but I have not been able to verify this. Nor have I seen the life of Peter Martyr except for the last few pages (ff.183^r-190^r) of which I happen to have been sent photographs; from these it appears to be a compilation, not a straight translation of a Latin original. The pages contain two series of posthumous miracula taken from the *Legenda aurea* (ed. G.P.Maggioni, Florence 1998, 432-438; between them they cover everything from \$144-\$230), separated by a brief paragraph from the bull of canonization (ed. Maggioni *ibid.* 441 'Quedam cuius carnem ... subsidiis rediere'), followed by three tales with no known source: a deviant version of a story found in the Berengarian miracles of St Peter (Trier, Stadtbibl. 1168/470 ff.135^r-136^v) and in Petrus Calò (Venice, Bibl. Marciana IX 17 f.160), a story about a blind man in Milan, and an adaptation of a story involving Dominic as well as Peter which is found in the Berengarian miracles of Dominic and in Calò (MOPH XXVI 123-124, 293-294); in some sense these last derive from Italy, but no Italian attestation of them has been found as such—they are not in Taegio's exhaustive collection of Peter Martyr's miracles (ed. *Acta Sanctorum, Aprilis III*, Antwerp 1675, 686-719). In the same limited sense an ultimately Italian origin is also likely for the one item in the Madrid life of Dominic for which no source has been identified (ed. M.T.Barbadillo de la Fuente, *Vida de Santo Domingo de Guzmán*, unpublished thesis, Univ. Complutense de Madrid 1985, 184-186), in which a story of Dominic's brethren being miraculously fed (with echoes of Cecilia, *Miracula* §3, though not of the Madrid translation of this) is superimposed on the story of Dominic's meeting with Francis at the chapter of mats best known from *Fioretti* XVIII but first attested in Olivi (cf. M.H.Vicaire, *Dominique et ses Prêcheurs*, Fribourg-Paris 1977, 238-239; Tugwell, AFP 65 [1995] 80-81), with Dominic ousting Francis as the hero of the occasion.

extracts from the *Legenda aurea* and LQ's version of Dominic's posthumous miracles.²⁷ D'Ors's hypothetical lost *legenda* would have to be the source of all this, not just Humbert's *legenda*, but he does not even attempt to show that there is anything in the *Legenda aurea* life of Dominic which requires such a theory. There are exactly the same verbal links between the *Legenda aurea* and its identifiable sources (Bartholomew of Trent, Constantine, Humbert, the *Vitas fratrum*) in passages which correspond to parts of the Castilian text as there are in those which have no equivalent there; it is gratuitous and unhelpful to postulate a lost source to account for similarities between the *Legenda aurea* and the Castilian *legenda* which are far better explained on the assumption that the former is one of the sources of the latter.

We therefore have no reason whatsoever to believe in a missing *legenda* underlying the Castilian text.

3. *Are there any missing authors?*

D'Ors rightly discounts the possibility of the verses attributed to Berceo being part of a thirteenth-century *legenda*;²⁸ he takes more seriously Hernando de Castillo's strange comment on a number of

²⁷ Cf. Tugwell, *Vivarium* 37 (1999) 107-111; there is no occasion to bring any other known sources into the picture. On Manning's authority D'Ors refers to B. Altaner as claiming that some parts of the Spanish text come from Constantine, but Altaner made no detailed study of the text. He knew only the extracts published by Pie Mothon in ASOP 4 (1899-1900) 361-369, comprising 43 chapter-headings with references to the corresponding passages in Humbert's *legenda*, and the text of 23 chapters for which no source is indicated; Altaner accordingly describes the Spanish life as a translation of Humbert, adding, 'Dieser Schrift sind noch mehrere der Dominikusbiographie des Konstantin und den Vitae fratrum des Gerard von Fracheto entgenommene Kapitel angehängt' (*Franziskanische Studien* 9 [1922] 21). That is to say, he recognized that the contents of most of the 23 'added' chapters could be found in the *Vitas fratrum* or Constantine; but all that could come from Constantine can equally well be found in Humbert, though mostly not in the only edition available to Altaner in 1922 (the text of Humb. edited in T. Mamachi, *Annalium Ordinis Praedicatorum volumen primum*, Rome 1756, App. 264-299, was taken from the San Sisto lectionary, now S. Clemente MS 1, which lacks §§57-109), and a more attentive comparison of different versions shows that the actual source is the *Legenda aurea*.

²⁸ For a more recent demonstration that these verses are inauthentic see A. Lappin, AFP 67 (1997) 6-15; on the curious elusiveness of the other alleged sources invoked in support of the claim that Dominic was a Praemonstratensian see Tugwell, *ibid.* 44-46.

chroniclers.²⁹ Castillo says that 'para lo particular de la orden me he valido de varios autores, papeles y escripturas, como son: Vn pedaço grande del proceso que se hizo en Ytalia para canonizar à Sancto Domingo, Chronica de Gerardo Lemouicense escripta de mano de mas de 320 años que se intitula Vitas fratrum que esta en Sancta Cruz de Segouia ...';³⁰ there follows a long list of other sources, at the end of which he adds:

Que aunque escriuieron cronicas de la orden F. Iuan Colona, F. Ambrosio de Milan, F. Bernardo de Castris sancti Vincentii, F. Galuan de Fiamma Milanes, F. Geronymo de Bononia, F. Leandro de Bononia. Y de la vida del bienauenturado Sancto Domingo F. Iuan Hispano, F. Pedro Fernandez, F. Thomas de Senis, F. Conrrado Prouincial de Germania, y F. Iustino; pero parece que de proposito escreuiian niñerias, callando lo que haze mas al caso, y haziendole de milagros y cuentos, que para loa de los Sanctos bastan poco, y para imitarlos no es menester ninguno.

The introductory 'que aunque escriuieron' suggests that this—including 'Y de la vida ...', which is syntactically dependent on 'cronicas'—was meant as pure information, with no necessary implication that the authors mentioned were actually used by Castillo, and it is suggestive that four of them feature elsewhere with different names: Geronymo Albertucio Bononiense (= Geronymo de Bononia, i.e. Borselli), Leandro Alberti (= Leandro de Bononia), and Bernardo Guidonis (= Bernardo de Castris sancti Vincentii) have already been mentioned as presumably reputable sources earlier on in the prologue, and F. Pedro Fernandez appears under the name 'fray Pedro Hernandez' in a chapter largely based on the *Vitas fratrum* with a strikingly different comment on his life of Dominic: 'Escriuio

²⁹ *Primera parte de la Historia general de Sancto Domingo y de su Orden de Predicadores*, Madrid 1584, repr. Valladolid 2002, Prólogo; quoted and discussed by D'Ors in 2003:277.

³⁰ Individual witnesses from the Bologna canonization process are among the sources Castillo periodically cites in the margin; he reformulates their testimonies with considerable freedom, but his wording sometimes echoes that of the Castilian translation found in the Madrid codex which could well be his source. I see no reason to doubt that he actually used the Segovia manuscript of the *Vitas fratrum* (of which there seems to be no trace now); he clearly drew on the vulgate text, not on Gerald's original edition as found in Madrid, Bibl. Complut. 147 (cf., for example, *Primera parte* f.323^v where 'Domingo de Valerico' is said to have died at 'Bansas', which is in line with known variants in the vulgate tradition [MOPH I 299]; Madrid 147, like Toulouse 487, says that 'Dominicus de Valletica' died 'apud Banerias').

la vida de sancto Domingo con mucha diligencia, mas para traerla estampada en el alma que para dexarla puesta en quadernos' (*Primera parte* f.314^v).

In the absence of a thorough analysis of Castillo's real sources it is safer to follow the periodic indications given in the margin than to accept the prologue's list of alleged sources at its face value. It is unlikely that he actually used Borselli's *Cronica magistrorum*, for example, of which the only known text was in Bologna;³¹ he could have found the name 'Geronymo Albertucio Bononiense' in Leandro Alberti, whose *De viris illustribus* he did undoubtedly use.³² Nor does he appear to have seen Bernard Gui's Dominican compilation for himself;³³ he could have found 'Bernardo Guidonis' in Alberto di Castello.³⁴ A fortiori we should not assume that he had seen the works of all the writers mentioned in the 'que aunque' section.

³¹ The work had no circulation, and Borselli's autograph remained in Bologna (it is now Bibl. Univ. 1999).

³² 'Hieronymus Albertutius Bursellus Bononiensis' is mentioned as the author of 'Annales ordinis praedicatorum' in *De viris illustribus ordinis Praedicatorum*, Bologna 1517, f.153'. Alberti is not merely mentioned in Castillo's list of sources, he is regularly cited in the margin (e.g. 'Lean. li. 5' in connection with John of Vicenza in *Primera parte* f.125^v; see *De viris illustribus* f.184^v). Castillo also cites Garzoni's life of Dominic which was published in *De viris illustribus* ff.7-22, and which he certainly used (cf. Tugwell, AFP 74 [2004] 99).

³³ Material which might have come from Gui was actually taken from elsewhere. For example, Castillo repeats the story of Dominic's contretemps with some Cistercians which first appears in Salanhac-Gui (MOPH XXII 10 §7; *Primera parte* f.99^v), but he took it from J.A.Flaminius (*Vitae patrum inclyti ordinis Praedicatorum*, Bologna 1529, f.50) who is periodically cited in the margin and whom he certainly used (cf. Tugwell, AFP 74 [2004] 99); this is proved by the conclusion of the story, 'Assi parece que fue y ha sido como profecia', which corresponds to Flaminius's 'Vera esse uaticinatum exitus indicat' and to nothing in Salanhac. Similarly his text of Dominic's 'inquisitorial' letters (*Primera parte* ff.145'-146') is not in line with the Barcelona manuscript of Gui (Bibl Univ. 218 pp.716-717), the only manuscript of Gui which contains them both, but with the text published by C.Campeggi in *De haereticis D.Zanchini Ugolini tractatus aureus*, Rome 1568 and 1579 (I have only seen the second edition, where the letters are found on pp.148-150).

³⁴ 'Susat.' is among the sources named in the margins, i.e. the 'chronica de la orden' ascribed to 'Fray Iacobo Sussato' in the prologue. As R.Creytens pointed out (AFP 30 [1960] 257), the chronicle attributed to James of Soest in the sixteenth and seventeenth centuries is actually the one Alberto di Castello included in his untitled compilation beginning with a *Tabula privilegiorum*, first published in Venice in 1504; this opens with no identification of its author and an assertion that it is based primarily on James of Soest's chronicle (Creytens 241). Among the writers mentioned in the 1516 edition is 'fr. Bernardus Guidonis episcopus Lemouicensis' who 'fecit speculum hystoriale in quinque partes distinctum' (Creytens 274 no. 113), which repeats verbatim the muddled note on Bernard Gui in Luis of Valladolid's catalogue (ed. H.C.Scheeben,

'Leandro de Bononia' is Leandro Alberti, one of Castillo's actual sources, though he presumably did not recognize him as the same man. 'Ambrosio de Milan' is Taegio, called 'Ambrosius Mediolanensis' in Alberti, *De viris illustribus* f.153', and he appears to be the key to most if not all of the other 'que aunque' writers.

Castillo's comment on 'niñerías'—which, despite the punctuation, was presumably meant to apply to the chroniclers of the Order as well as the writers on the life of Dominic—implies some acquaintance with the texts in question, but no text of 'frater Iustinus' is known apart from the quotations in Taegio's *Cronica magistrorum*,³⁵ or of 'frater Conradus provincialis Theutonie' apart from Taegio's *De insigniis* in which, on his own account, the bulk of Conrad's legenda is incorporated (AGOP XIV 54 f.181').

'F. Iuan Hispano' owes his existence to a mistake: according to the 1516 edition of Alberto di Castello's chronicle 'Fr. Ioannes Hyspanus de Castella composuit officium beati Dominici patris nostri et eius legendam' (AFP 30 [1960] 266 no. 29); but the only known source which could have prompted Alberto to credit a Castilian with composing the office and legenda of St Dominic is Luis of Valladolid,³⁶ and Luis calls him 'Frater Petrus Hispanus de natione Castelle' (AFP 1 [1931] 255 no. 12). There never was a life of Dominic by *Ioannes Hyspanus*; but the testimony of 'frater Ioannes Hyspanus' (one of the witnesses in the Bologna canonization process) is cited several times in Taegio's *Cronica magistrorum* (e.g. B f.9^v, R f.4').

'Thomas de Senis' (Thomas Antonii, commonly called Caffarini) apparently did compile a vernacular life of Dominic of which Castillo could have learned from Alberto di Castello, but no text of it is

AFP 1 [1931] 259 no. 43)—Gui was from Limoges, but he was bishop of Lodève, and *speculum hystoriale* confuses his Dominican compilation (not *speculum*), which is in five parts, and his *Speculum sanctorale* (which is not in five parts). If this was all that Castillo knew, he would have had no reason to connect 'Bernardus Guidonis' with 'Bernardo de Castris sancti Vincentii', author of a chronicle of the Order. However, if he had looked at the one manuscript of Gui's compilation in the peninsula, in Barcelona, he could have discovered that they were one and the same person, since Gui presents himself there as 'Bernardus Guidonis in conuentu fratrum ... in Castris sancti Vincencii seruus modicus' (Barcelona 218 p.5).

³⁵ Bologna, Bibl. Univ. 1894 (hereafter cited as B) f.1', AGOP XIV 51 (hereafter cited as R) f.1', et passim.

³⁶ It remains to explore the exact nature of the relationship between Alberto's chronicle and Luis of Valladolid's catalogue of Dominican writers, but there is no doubt that Alberto drew on Luis at least indirectly (cf. Creyten, AFP 30 [1960] 249-250); as we have seen, Luis is the source of Alberto's garbled notice on Bernard Gui.

known;³⁷ however, his account of the founding of the Dominican Order of Penance is included in the life of Dominic in Taegio's *Cronica magistrorum*.³⁸

The *cronica ordinis* of 'Bernardus de Castris sancti Vincentii'³⁹ and the life of Dominic by 'Petrus Ferandi' are mentioned by Alberti (*De viris illustribus* f.152'), and the *cronicae ordinis* of 'Galvanus de Flamma mediolanensis' and 'Hieronymus de Bononia' by Alberto di Castello (AFP 30 [1960] 271 no. 76, 289 no. 251); this may be how Castillo knew their names, but it would not have entitled him to make rude remarks about them. However, the explicit sources of Taegio's *Cronica magistrorum* include 'cronica fratris Bernardi de Castris' (e.g. B f.22', R f.8'), 'cronica fratris Petri Fernandi' (e.g. B f.5', R f.2'),⁴⁰ 'cronica fratris Galuani' (e.g. B f.24', R f.9') and 'cronica fratris Hieronimi Bononiensis' (e.g. B f.3', R f.1').

Actual texts attributable to all these writers could thus be found in the lives of Dominic included in Taegio's *Cronica magistrorum* and *De insigniis*, and in some cases they could not have been found anywhere else.

Alberto di Castello (AFP 30 [1960] 265 no. 24) or Alberti (*De viris illustribus* f.152') could have informed Castillo that 'Iuan Colona' wrote a *cronica* and a *De viris illustribus*, the former being the *Mare historiarum* of which a Spanish version had been published in

³⁷ Caffarini alludes to it himself (G.Cavallini-I.Foralosso, ed., *Libellus de Supplemento*, Rome 1974, 176), and it is mentioned by Alberto di Castello (AFP 30 [1960] 284 no. 208, 'Thomas de Senis'); cf. E.Panella, *SOPMÆ IV* 342 no. 3763.

³⁸ It comes from the *Tractatus de ordine fratrum de Penitentia* (ed. M.H.Laurent-F.Valli, *Fontes Vitae S.Catharinae Senensis historici XXI*, Siena 1938); Taegio explicitly attributes it to 'frater Thomas de Senis (B f.63'; 'Thomas Antonii de Senis' in R f.25') et frater Bartholomeus de Senis'.

³⁹ Gui was so designated in northern Italy because the two manuscripts of his Dominican compilation in the territory began with his dedicatory letter to the Master of the Order in which he styled himself 'frater Bernardus in conuentu fratrum ... in Castris sancti Vincentii seruus modicus', i.e. in the convent of St Vincent in Castres (Bologna, Bibl. Univ. 1535 f.1', f.1' of the Venice manuscript as can still be seen from Kaeppli's photographs). In 1304, when the letter was written, Gui was prior of Castres (MOPH XXIV 154).

⁴⁰ This is the *cronica ordinis* more commonly (and in my view correctly) attributed to Humbert; a comment in Taegio's list of writers on Dominic suggests that he himself was not convinced of Petrus Ferrandi's authorship: 'Scipsit quidam frater, qui ut quibusdam placet fuit frater Petrus hispanus de quo supra, cronicam ordinis que communiter ponitur in fine libri Vitas Fratrum in qua nonnulla de beato Dominico habentur' (AGOP XIV 53 f.113'). Since this *cronica* first appears in 1260 (cf. supra note 24) it cannot be by Petrus Ferrandi, whose 'obituary' is already present in the 1258 edition of the *Vitas fratrum*.

Valladolid in 1512 (cf. S.Forte, AFP 20 [1950] 401); but Colonna did not write and was not credited with a *cronica ordinis*. Castillo's inclusion of him as a chronicler of the Order could conceivably have something to do with the fact that his older homonym, the Roman provincial, later archbishop of Messina, is cited as the authority for an episode in Taegio's *Cronica magistrorum* (B f.59^v, R f.23^v).⁴¹

Castillo must have had some reason for dismissing these writers as peddlers of 'niñerías', but his failure to recognize that they included people on whom he passed a different verdict elsewhere suggests that his criticism was not based on firsthand acquaintance. His positive judgement of Pedro Hernandez's life of Dominic need be no more than a moralizing comment such as he frequently injects into passages paraphrased from early sources, and he had probably not seen Bernardo Guidonis (alias Bernardo de Castris sancti Vincentii) or Geronymo Albertucio Bononiense (alias Geronymo de Bononia) for himself, though he lists them among his sources and so presumably considered them respectable. But Leandro Alberto (alias Leandro de Bononia) and Garzoni, whose life of Dominic was published in Alberti's *De viris illustribus*, are genuine sources whom Castillo cites quite often; and, whatever we think of Conrad's alleged authorship, the life of Dominic which Taegio incorporated into *De insigniis* overlaps massively with that by Dietrich of Apolda which Castillo lists under the name of 'Thomas de Apoldia, vida de Sancto Domingo, que anda impressa en las obras de Surio', and which he regularly cites.⁴²

It is understandable that a sixteenth-century reader looking at Taegio's thoroughly medieval compilations with modern, humanist, eyes would have found them distasteful, full of silly marvels and lacking the serious moral content of 'proper' history; and he would have found the life of Dominic in 'Leandro de Bononia' equally unsatisfactory even if its latinity was more to his taste. But it was much the same material which Castillo used, however selectively⁴³ and unknowingly; he cannot deliberately have dismissed it all as

⁴¹ The reference to Colonna passed from Constantine's legenda §58 to Humbert §51; Taegio quotes the story from 'Iustinus'.

⁴² Laurentius Surius included a rewritten version of Dietrich's life of Dominic in *De probatis sanctorum historiis*, first published in volume IV, Cologne 1573, 491-551. Dietrich's name appears in full as 'Theodoricus' in all the editions I have seen; Castillo's 'Thomas' presumably derives from an abbreviation to 'Th.' in his notes.

⁴³ Castillo's prologue stresses the selectivity of his method, and it makes plain the moral purpose of his history and his distaste for 'innumerable miracles'.

'niñerías'. It seems to me most probable that he was simply repeating a judgement passed by someone who had gone to Italy (maybe a delegate to a general chapter)⁴⁴ and had looked at material in Italy for him, including Alberti and Taegio.⁴⁵

It would, in any case, be imprudent to treat Castillo without further ado as providing solid evidence for the existence of all the writings implied by the 'que aunque' clause.

His three suspect biographers of Dominic are 'Iuan Hispano', 'Conrado Prouincial de Germania', and 'Iustino'. The first, as we have seen and as was pointed out by Creytens, is a corruption of Luis of Valladolid's 'Petrus Hispanus' (AFP 30 [1960] 266 note 29). In 1945 T.Kaeppli argued that the lives of Dominic attributed to Conrad and Justin are no other than those by Dietrich of Apolda and Humbert of Romans.⁴⁶ Without replying to his arguments D'Ors says that 'the problem is unlikely to be as straightforward as this' (2003:290), and in a sense he is right in as much as Kaeppli's verdicts were based on a rather superficial examination of the evidence. A more thorough examination, however, fully confirms Kaeppli's conclusions.

Conrad's claim to be the author of a life of Dominic was in the public domain thanks to Alberti, who brings him into his imaginary dialogue with the words 'Intuere illum Germanum olim prouinciae Germanicae praefectum Conradum nomine portantem uitam Diui parentis Dominici claro et non ineleganti stilo ab se editam circa annum domini Mccxc' (*De viris illustribus* f.152'). Except for the date this is unmistakably taken from Taegio, whom Alberti praises

⁴⁴ There were chapters in Rome in 1569, 1571, 1580 and 1583.

⁴⁵ Castillo is unlikely to have seen Taegio's compilations for himself. Judging by J.López's life of him in *Historia general* IV, Valladolid 1615, 730-748, he would have had no opportunity to visit Italy, and, apart from Taegio's autograph which was in Milan (cf. Antonius Senensis, *Bibliotheca Ordinis Fratrum Praedicatorum*, Paris 1585, 12), the only known sixteenth-century copy of the massive *Cronica magistrorum* is the one made by Paolo Castrucci in 1579 (Bologna, Bibl. Univ. 1979 f.2) when he was a junior lector in Milan (AGOP XIV 55 f.234'); he became titular provincial of the Holy Land (i.e. socius of the Master General) in 1592 (MOPH X 316.28-30) and prior of Bologna in 1595-1597 (A.D'Amato, *I Domenicani a Bologna*, Bologna 1988, 595, 622; AFP 46 [1976] 48) where his copy of Taegio's *Cronica* ended up (it is now Bibl. Univ. 1894 and 1979). The only known sixteenth-century attempt at a copy of the equally large *De insigniis* was abandoned after a few pages (it is now in the Dominican archives in Milan).

⁴⁶ 'Deux prétendus biographes de saint Dominique, frère Justin et frère Conrad', *Antonianum* 20 (1945) 227-244.

'eo maxime quod ex laboribus suis partem nobis subministravit' (ibid. f.153^r): the description of the *legenda* as 'claro et non ineleganti stilo dictatam' comes from Taegio (AGOP XIV 54 f.181^r); the date is based on an allusion to *gesta sancti Dominici* which 'dilectus pater noster frater Conradus prior prouincialis Theuthonie' wrote down 'ex ore sororis Cecilie Romane ... que usque ad annum domini millesimum ducentesimum nonagesimum religiosissimam et sanctissimam uitam duxit' in the proem to Dietrich's *Libellus* (§4).

The sections on German Dominican writers in Taegio's *De insigniis* show that he had access to a rich vein of information, and Dietrich of Apolda was not unknown to him: among the writers from the province of Saxony we find 'Fr Theodoricus de Alpodia (*sic*) Erfordensis' credited with writing 'legendam beati patris Dominici et beate Elisabeth filie regis Hungarie uitam' (AGOP XIV 54 f.187^r);⁴⁷ this too was picked up by Alberti, complete with the incorrect *Alpodia* (*De viris illustribus* f.152^r). But it was insufficient to enable Taegio to identify Dietrich's work, which circulated anonymously in Italy.⁴⁸

The ascription of a *legenda* to Conrad seems to have originated in a misunderstanding of what Johannes Meyer says about Dietrich:⁴⁹ after reporting that Dietrich 'compilauit librum de uita et obitu beati Dominici' on the orders of Munio of Zamora, Meyer lists the earlier *legenda*-writers mentioned in Dietrich's proem: *legendas* were written by 'beatus pater Iordanus' who 'primam legendam beati Dominici scripsit ...', 'Petrus Hispanus', Constantine ('de mandato beati Iohannis episcopi quarti magistri ordinis') and Humbert, 'deinde quaedam praeclara gesta beati Dominici reportauit ex ore beatae uirginis sororis Caeciliae, quam idem sanctus ad ordinem recepit, frater Conradus prouincialis Teutoniae'; he concludes, 'De his omnibus ac quibusdam aliis praefatus frater nouam legendam conflauit'.⁵⁰ *Praefatus frater* is Dietrich, but a careless reading could suggest that it was Conrad himself who was meant.

⁴⁷ There is a modern edition of the life of St Elizabeth: M.Rener, *Die Vita der heiligen Elisabeth des Dietrich von Apolda*, Marburg 1993.

⁴⁸ There are seven surviving Italian manuscripts of Dietrich's *Libellus*, none of which carries any ascription except Rome, Bibl. Casanatense 168, which attributes the work to Aldobrandino of Toscanella (f.74^r).

⁴⁹ Creytens reckons that Meyer's work was known in northern Italy (AFP 30 [1960] 252), but it makes no difference whether Taegio knew it directly or whether he received information from someone else who had misunderstood it.

⁵⁰ *Chronica brevis*, ed. H.C.Scheeben, QF 29, Vechta 1933, 45. Dietrich does not name the author of the *legenda* which followed the *Libellus*, but Meyer could have found the name in Bernard Gui who is one of the sources of his chronicle (ibid. 14-

Meyer is echoed in Taegio's continuation of Gui's list of writers on Dominic (AGOP XIV 53 f.113^v):

10° frater Conradus prouintialis Theutonie scripsit librum ex dictis sororis Cecilie, ex libro *Vitas Fratrum* et ex historiis magistri Iordanis et magistri Ioannis Theutonici et intitatur liber de uita et obitu et miraculis beati Dominici, et iste magis completa scripsit quam aliquis alius.

'Magister Ioannes Theutonicus' is obviously a silly mistake for Constantine who wrote *on the orders of John the German*; the inclusion of the *Vitas fratrum* and the expansion of the title to include *et miraculis* echoes Dietrich's proem, in which he mentions the *Vitas fratrum* as a source and explains that he does not want his work to be called a legenda 'sed libellus de uita et obitu et miraculis sancti Dominici et de ordine predicatorum quem instituit nominetur' (§6).

Taegio provides more details in the section of *De insigniis* devoted to writers from the province of Teutonia (AGOP XIV 54 f.181^v):

Fr Conradus condam prior prouincialis Theutonie ... legendam beati patris Dominici edidit satis diffusam, claro et non ineleganti stilo dictatam, quam octo libris distinxit. Nec arbitror quempiam tam completam compilasse legendam, quam pro maiori in hoc nostro opere inserere curauimus. Intitulatur enim liber ille de uita, obitu et miraculis beati Dominici.

His two descriptions of Conrad's legenda fit Dietrich's *Libellus* perfectly: on Dietrich's own account it is based on material taken from previous legendas, the *Vitas fratrum*, and *gesta sancti Dominici* reported by Cecilia (§3-5), it is in eight parts,⁵¹ and it proclaims itself as being 'de uita et obitu et miraculis sancti Dominici'.

Taegio informs us that he has inserted Conrad's legenda for the most part (*pro maiori*) 'in hoc nostro opere', i.e. in *De insigniis*. In the light of this it is significant that:

- 1) Despite the fact that some evidence is missing,⁵² most of Dietrich's *Libellus* is found in *De insigniis* in Dietrich's words,

15), and he would not necessarily have retained the full name 'Petrus Ferrandi'; in his *Liber de uiris illustribus* he also calls him 'Petrus Hyspanus' (ed. P. von Loë, QF 12, Leipzig 1918, 33-34), though the source of the notice on him is patently the 'obituary' in the *Vitas fratrum* which calls him 'Petrus Ferrandi' in all the manuscripts I have seen.

⁵¹ 'Distinctus est autem hic libellus in octo particulas' (§5).

⁵² There should be a section on Dominic's posthumous miracles in *De insigniis* book II, but it is missing (Tugwell, MOPH XXVI 82 note 2); the text as we have it

- complete with his comments on things and his occasional moral exhortations.⁵³
- 2) Taegio's text does not just correspond to that of Dietrich, it corresponds specifically to the Italian manuscript tradition of his *Libellus*, including the Lombard interpolations which are its hallmark;⁵⁴ and, with the exception of the famous treatise on Dominic's ways of prayer,⁵⁵ these consist of a few words altered or inserted here and there which could have no independent existence outside Dietrich's text, so there can be no question of them being imported from some other source.
 - 3) There is compelling circumstantial evidence that, when he visited Lombardy in 1308, Bernard Gui was given the original manuscript in which the Lombard interpolations were made, together with the information that its author was Dietrich of Apolda (Tugwell, MOPH XXVII 44-46); even if Dietrich's authorship was subsequently forgotten in Italy, it was known when the interpolations were still relatively recent.
 - 4) There is nothing else in *De insigniis* which matches Taegio's description of Conrad's legenda; it is supposed to have been written 'ex dictis sororis Cecilie', for example, 'and there is no material from Cecilia in *De insigniis* except in the form which it has in Dietrich's *Libellus*.

breaks off abruptly, with the copyist's note 'spazio', just before it reaches the canonization process. This means that we cannot tell how fully Taegio incorporated books VII and VIII of Dietrich's *Libellus*.

⁵³ Book VI is not about Dominic and is at any rate not included in the first two parts of *De insigniis*. A comparison of these two parts with my working edition of books I-V of Dietrich reveals that book V (on Dominic's death) is taken over in toto, and that only 7 out of 74 paragraphs in book I are missing, 4 out of 51 in book II, 16 out of 67 in book III, and 11 out of 57 in book IV. Most of the omitted material does not concern Dominic, and at least some of it is found elsewhere in *De insigniis*; I have not made a systematic search, but 6 paragraphs on Reginald of Orléans from book III are included in AGOP XIV 54 ff.193'-194', and a paragraph on Jordan from book VI is included on f.52'.

⁵⁴ I drew attention to these interpolations, and to their presence in Taegio, in 'The Nine Ways of Prayer of St Dominic, a textual study and critical edition', *Mediaeval Studies* 47 (1985) at 11-12 and 51-52.

⁵⁵ As I pointed out in my edition, this treatise is one of the Lombard interpolations into Dietrich's *Libellus*, but at that time I believed that it was preserved as an independent treatise in BAV Rossianus 3 and in the Madrid codex (art. cit. 6-22); it now seems overwhelmingly probable that Rossianus 3, like the Madrid codex, derives from a text which Gui extracted from the interpolated Dietrich (Tugwell, MOPH XXVII 46).

Dietrich's authorship of the *Libellus* is not in doubt. Although the work is found in various shapes and sizes, most of the text is the same in all versions, and in several manuscripts it is prefaced by a letter from Munio of Zamora (Master of the Order 1285-1291) to 'fratri Theoderico de Appoldia domus Erphordensis prouincie Theutonie' ordering him to write a legenda of St Dominic, and a letter from 'frater Theodericus de Theuthonie prouincia' to Nicholas Boccasini (Master 1296-1298) responding to a demand for his 'libellus' and evidently accompanying a copy of it. In the latter Dietrich explains that, after he had already completed a draft text, he received 'certain writings' at his own request and expense, notably the Dominican part of the Bologna canonization process, and these were so important that he was forced to start all over again.⁵⁶ The 'certain writings' are patently those mentioned in the proem which 'dilectus pater noster frater Conradus prior prouincialis Theuthonie' brought back from the general chapter in Lucca (in 1288),⁵⁷ so there is no question of the letters being attached to the wrong libellus.

⁵⁶ 'Cumque ex hiis que ad manum habebam exemplaribus omnia consummassem, allata sunt michi ad petitionem meam quedam scripta que et precio conparau, propter que opus preteritum ut illa insererem penitus dissipau, erant enim illa magne auctoritatis, utpote dicta testium iuratorum, que papa Gregorius nonus approbavit, magnorumque meritorum et exemplorum sanctitatis precipue expressua.' Munio's letter to Dietrich and Dietrich's letter to Boccasini are found in their original form in Göttingen, Univ. Bibl. theol. 109b. Dietrich refers Boccasini to his 'proem' for an account of his sources; in later manuscripts this account is absorbed into the text of the letter.

⁵⁷ 'Tandem dilectus pater noster frater Conradus prior prouincialis Theuthonie, rediens de generali capitulo in Lukka celebrato, detulit quedam preclara gesta sancti Dominici de Bononia, que ex ore sororis Cecilie ... conscripta sunt, ... preterea dicta illustrium uirorum uidelicet nouem fratrum, quorum testimonia credibilia nimis auctoritate domini Gregorii noni approbata etiam aliis preferenda patris nostri eximiam predicant sanctitatem'. Dominic's *preclara gesta* were written 'ex ore sororis Cecilie' because she *recited* her stories (Tugwell, MOPH XXVI 178-180). The provincial is called 'Gerardus' in the Bollandists' edition (§4), but 'Conradus' is guaranteed by the whole manuscript tradition, including the Bollandists' manuscript (Brussels, Bibl. Royale 7825). 'Gerardus' seems to derive from Laurentius Surius: the earliest editions of his version of Dietrich contain the list of sources incorporated into the letter to Boccasini; the provincial is named 'Gerardus' instead of 'Conradus' (*De probatis sanctorum historiis* IV, Cologne 1573, 492; Cologne 1579, 523). The letter is omitted in later editions (e.g. *Vitae sanctorum* III, Brescia 1601, 149; VIII, Turin 1877, 106). 'Gerardus' recurs in one manuscript (Cologne, Stadtarchiv GB 8°131 f.3') but it was copied from Surius (cf. f.1'), in Antonius Senensis's *Vitae sanctorum patrum Ordinis Praedicatorum*, Louvain 1575, f.3' (excerpted from Surius), and in QE I 454 (where the letter is quoted from Surius).

Combined with other evidence the letters also allow us to chart the chronology of Dietrich's work. Munio's letter is not an encouragement to Dietrich to complete a task already undertaken, it is an order to undertake the task of writing a legenda of Dominic; if Dietrich had already completed a draft of it by 1288 it was in obedience to Munio's command. Munio's letter is simply dated 'Orvieto, 13 April', but we know that in 1286 he was in Orvieto on the feast of St Ambrose, celebrated on 4 April in the Dominican calendar;⁵⁸ it is thus highly probable that he wrote to Dietrich in 1286.

Since there is no letter from Boccasini in the dossier, his demand to see Dietrich's work was presumably transmitted orally, and the most probable occasion for this is the 1296 chapter at which he was elected Master; this was held in Strasbourg, in the province of Germany, and Boccasini should have been present at it as provincial of Lombardy,⁵⁹ and so should all the priors of the German province (Constitutions II 4, 8).

When he duly sent the new Master a copy of his *Libellus* Dietrich apologized for its unfinished condition, explaining that he had meant to do more work on it but had been forced to stop by lack of time and funds.⁶⁰ His lack of time is explained by the fact that in 1289 he embarked on his life of St Elizabeth, which he did not finish until May 1297 (ed. Rener 22, 130); this suggests that it was not long after he received the new material in 1288 that he abandoned work on the life of Dominic, and that he returned to it at Boccasini's insistence.

In his letter he invites Boccasini to edit the *Libellus* ('quod uestrum est, manum peritam apponite et de hac informi materia opus sicut scitis perficite gloriosum') and he offers to do more work on it himself ('quamdiu uiuo hiis laborem impendere, si requiritur, non recuso'). Several revised versions are found in German manuscripts which contain Dietrich's letter and must therefore postdate the version sent to Boccasini; Dietrich evidently fulfilled his promise to continue his labours. It is also likely that he entrusted

⁵⁸ His presence in Orvieto is attested by the *ordinationes* he issued for some local penitents (ed. M. Lehmijoki-Gardner, *Speculum* 79 [2004] 683-686); for the Dominican calendar see F.M. Guerrini, ed., *Ordinarium juxta ritum sacri Ordinis Fratrum Praedicatorum*, Rome 1921, 258.

⁵⁹ Cf. Gui's *Catalogus Magistrorum*, ed. E. Martène-U. Durand, *Veterum scriptorum et monumentorum ... amplissima collectio* VI, Paris 1724, 410.

⁶⁰ 'Decreueram certe huic operi superaddendo, detrahendo, inmutando, ornando, ordinando ulteriorem diligentiam adhibere, si facultas expensarum et oportunitas temporum affuisset, quibus deficientibus destiti et ut aspiciis dereliqui.'

the *Libellus* to his provincial to take to Boccasini at the 1297 general chapter in Venice, and that this copy, edited (and interpolated) by Boccasini or by someone else at his behest, lies at the origin of the Italian manuscript tradition.⁶¹

This chronology allows us to identify Dietrich's 'beloved provincial Conrad'. There were two provincials of that name in the late thirteenth century, Conrad of Eßlingen (1277-1281 and 1290-1293) and Conrad of Trebensee (1296-1300);⁶² neither was provincial in 1288, when in any case there was not a provincials' chapter,⁶³ so one of them must have been provincial when Dietrich wrote his proem. The reference to the provincial is identical in all versions of it, including those which postdate the letter to Boccasini, so presumably they were all written during the same provincialate; the Conrad in question must therefore be Conrad of Trebensee.⁶⁴

The *legenda* which Taegio absorbed into *De insigniis* corresponds to the interpolated version of Dietrich's *Libellus*, which differs from the non-Italian tradition only in that it contains a number of editorial alterations and insertions which mostly attest a peculiar and fussy interest in Lombardy; these are most naturally attributed to Boccasini

⁶¹ This would explain how, despite Dietrich's dissatisfaction with his text, a copy of his *Libellus* which corresponds neither to its earliest nor to its latest form came to circulate in Italy. The manuscripts of the interpolated version derive from a single exemplar, and they are all Italian except Trier, Stadtbibl. 1168/470 (whose other contents show it was copied from a northern Italian exemplar), and the group Bibl. de Toulouse 485, Madrid, Bibl. Complut. 147, and Salamanca, Bibl. Univ. 65, whose texts derive from the original manuscript in which the Lombard interpolations were first made, but only after it had been interpolated afresh in Languedoc (Tugwell, MOPH XXVII 44-46). Dietrich must in any case have submitted his text fairly quickly as Boccasini was made a cardinal on 4 Dec. 1298 and resigned as Master on 15 Jan. 1299 after receiving the pope's letter (Martène-Durand VI 410-411).

⁶² P. von Loë-B.M.Reichert, QF 1, Leipzig 1907, 24.

⁶³ Provincials only attended every third general chapter (Constitutions II 8); 1288 was a diffinitors' chapter, as can be seen from the election of a diffinitor at the preceding provincial chapters of Provence (Douais, *Acta capitulorum provincialium* 216) and Rome (MOPH XX 80.17-19).

⁶⁴ It is normal for any author to compose his proem after completing his book, and Dietrich's was certainly written after book III since it refers to Cecilia's death in 1290 whereas she is described as still alive in book III (§148). If it was also written after book VIII it cannot antedate the death of Abbot Ditmar on 11 Oct. 1293 which is mentioned in all versions of the *Libellus* (§363), and by that time Conrad of Eßlingen was no longer provincial: he was absolved at the general chapter of 1293 (MOPH III 270.20), and his successor, Dietrich of Freiberg, was elected in September and confirmed by the Master who was present (cf. L. Sturlese, *Dokumente und Forschungen zu Leben und Werk Dietrichs von Freiberg*, Hamburg 1984, 17-18, 35-37; on the end of Dietrich's provincialate in 1296 cf. *ibid.* 29-31).

or someone to whom he entrusted Dietrich's *Libellus* in 1297, and it would certainly be insane to attribute them to a German provincial. Conrad's rôle was simply to bring Dietrich some material from Bologna in 1288 and to carry his book to Boccasini in 1297; there is no room whatsoever for him as the author of the anonymous interpolated version of Dietrich's *Libellus* with which Taegio was acquainted.

'Frater Iustinus' is even more suspect than Conrad. Both Borselli (Bologna, Bibl. Univ. 1999 f.9^v) and Taegio (AGOP XIV 53 f.113) updated Gui's list of writers on Dominic, yet neither of them includes Iustinus, despite the fact that Borselli mentions his commission to produce a legenda in 1242 (Bologna 1999 f.40^v), and 'Iustinus' is the most pervasively quoted source in the first part of Taegio's *Cronica magistrorum*.

A detailed examination of Taegio's sources must await the edition of the *Cronica magistrorum's* life of Dominic; a few general points must suffice here.

In the first place we must notice that Taegio took liberties with the texts he quotes. This is well illustrated by his account of the prophecy Dominic is alleged to have made about Prince Louis's Albigensian crusade: the explicit source is Bernard Gui (MOPH XXII 15-16), and we can compare Taegio's text with the manuscript of Gui which he consulted (Bologna, Bibl. Univ. 1535)⁶⁵ and with an eighteenth-century copy of his notes on the manuscript (in AGOP XIV 53):

Bologna 1535 f.2	AGOP XIV 53 f.96 ^v	B f.22, R f.8 ^v
<p>Quando namque ultimo de Tholosa recessit et fratres dispersit in die assumptionis beate Marie apud Prulianum, illuc enim fratres uocauerat et inde eos ad diuersas prouincias misit post obitum comitis Montis fortis anno domini .mccxvii. ...</p>	<p>Post obitum comitis Montis fortis anno domini 1217 quando namque beatus pater Dominicus ultimo de Tholosa recessit et fratres dispersit in die assumptionis beate uirginis Marie apud Prulianum (illuc enim uocauerat fratres et inde ad diuersa loca et prouincias eos misit) ...</p>	<p>[Ex Cronica fratris Bernardi de Castris] Post obitum Simonis comitis Montisfortis, quando ultimo de Tholosa recessit et dispersit fratres in die assumptionis beate uirginis apud Prulianum, fratres enim illuc uocauerat et inde ad diuersa loca et prouincias misit ...</p>

⁶⁵ We know from Taegio himself that this was the manuscript he used (AGOP XIV 53. f.84^v; quoted by Kaeppli in MOPH XXII p.XI n.9).

Taegio has re-arranged the material to bring the date forward and made several small alterations to the wording and to the word-order; and in the *Cronica* he simply paraphrased what Gui said about the fulfilment of the prophecy:

Que heu omnia uidi-
mus et uidemus, eodem
enim tempore Ludoui-
cus Philippi regis Fran-
cie filius crucem re-
sumpsit.

Que heu omnia uidi-
mus et uidemus, eodem
enim tempore Ludoui-
cus Philippi Franco-
rum regis filius crucem
assumpsit.

Que omnia ad plenum
euenerunt.

Secondly, Taegio's identification of his sources is incomplete and sometimes misleading, no doubt because he did not always make the necessary adjustments when he inserted extra material into his compilation. Thus, for example, the long section on the founding of San Sisto and Dominic's Roman miracles (B ff.38^r-48^r, R ff.14^v-18^r) is almost entirely taken from Antoninus, *Chron.* III 23.3(4)-4(5), but he is explicitly cited only for a brief comment on an episode quoted from *Vitas fratrum* II (MOPH I 78-79; B ff.46^v-47^r, R f.17^v); originally he was probably identified as the primary source, since 'Ex eodem' at the beginning of three chapters must have been meant to refer to him, but the identification presumably disappeared when an extract from Galvano was added at the start of this section (B f.38^r, R f.14^v), so the false impression is given that the following chapters are also 'ex cronica fratris Galuani'.

Apparent extracts from Iustinus include material which Taegio himself elsewhere attributes to other sources: for example, the story of Dominic's hundred-year-old nephew attending the 1300 jubilee (B f.1, R f.1^v) is related in almost identical terms in the *Cronica brevis*, but there it is quoted from Galvano ('ut dicit frater Galuaneus in cronica sua') (XIV 53 f.1^v); and the chapter on the founding of Prouille (B f.8^r, R f.3) ends with a text from Bernard Gui (MOPH XXVII 95) which Taegio copied in his notes on Gui (AGOP XIV 53 f.111^v).

Iustinus is also credited with texts which unmistakably come from Antoninus: for example, the chapter 'De multiplicatione panis et uini' (B f.25^r-26^r, R ff.9^v-10^r) contains a miracle which combines features from two originally distinct stories, one from the *Vitas fratrum* (MOPH I 80) and one from Cecilia (*Mir.* §3); Dietrich incorporated them separately in his *Libellus* (§§131-134, 167), but they are merged into a single story by Antoninus (who only knew Cecilia via Dietrich) in *Chron.* III 23.4.9(10), and the text cited from Iustinus is more or less identical to that of Antoninus.

There are also texts which can only come from one of the breviaries printed in the late fifteenth century;⁶⁶ for example, the part of 'De gratia quam ei contulerat dominus' attributed to Iustinus (B f.9^v, R ff.3^v-4^r) includes a note on Dominic's refusal of three bishoprics which is verbally almost identical to a passage in the 1487 and 1494 breviaries⁶⁷ (respectively f.210^r and f.355^v), which is itself paraphrased from Dietrich of Apolda §49:⁶⁸

Dietrich	Breviaries	Taegio
<p>Contigit ergo ut a collegiis trium cathedralium ecclesiarum episcopalis dignitas eidem offerretur. Ipse uero malens humiliari cum mitibus paupertatem Christi preposuit sedibus et regnis, ideoque et biterensis et conuerarenensis ecclesiarum infulas recusauit, nec cathedras acceptauit.</p>	<p>Contigit ergo ut a collegiis trium cathedralium ecclesiarum episcopalis dignitas ei offerretur. Ipse uero malens humiliari cum mitibus paupertatem Christi preposuit sedibus et regnis et omnes recusauit infulas nec cathedras acceptauit.</p>	<p>Contigit ut a collegiis trium cathedralium ecclesiarum episcopalis dignitas ei offerretur. Ipse uero malens humiliari cum mitibus paupertatem Christi preposuit regnis et sedibus omnesque refutauit infulas nec cathedras acceptauit.</p>

If we take 'Iustinus' at his face value, then, he must have been able to make use of Gui, Galvano, Antoninus, and a breviary from the late fifteenth century; in other words he must have been a contemporary of Borselli's and Taegio's, in which case Borselli can hardly have imagined that he was commissioned to compose a *legenda* in 1242.

The alternative is to recognize that there are foreign bodies in the texts attributed to 'Iustinus', as there are in quotations from other sources.⁶⁹ The obvious explanation for this is that Taegio, whose

⁶⁶ On the *legenda* of Dominic which first appears in the Venice 1487 breviary and recurs only in other late fifteenth-century *breviaria de camera* see MOPH XXVI 140-141.

⁶⁷ *Gesamtkatalog der Wiegendrucke* V, Leipzig 1932, nos. 5221, 5228.

⁶⁸ On this text cf. AFP 73 (2003) 62; the Italian manuscript tradition of Dietrich, on which the breviary text was based, lacks *et cozeranensis*.

⁶⁹ For example, Taegio cites the *Vitas fratrum* (MOPH I 67) on Dominic's two brothers (B f.1^r, R f.1^v), but one of them is described as 'in seculo presbiter', and *in seculo* comes not from the *Vitas fratrum* but from a late fifteenth-century breviary (1487 ed. f.206^r, 1494 ed. f.332^r); on Dominic's first arrival in Toulouse (B f.3, R f.1^r) Borselli is cited as the source (Bologna 1999 f.1^r), but most of the text actually comes from Humbert (§9).

convent, S. Maria delle Grazie in Milan, was of recent foundation and could not supply him with early manuscript material, began with the printed sources which were immediately available to him⁷⁰ and then worked back to progressively older sources which he found elsewhere; but even when this resulted in more recent texts being ousted, their influence was not entirely banished from his final compilation.

If this is the explanation for large foreign bodies, it should also be accepted as the explanation for small ones. For example, Taegio cites Iustinus for his account of Dominic being sent to Palencia (R f.1^r, B ff.1^v-2^r), and the opening words correspond essentially to Humb. §6:

Humb.	Taegio
Puerilibus autem annis innocenter excursis missus est Palentiam ut sibi liberalium artium compararet studii exercitatione peritiam.	Puerilibus autem annis domi innocenter excursis missus est Palentiam ut sibi liberalium artium compararet studii exercitatione peritiam.

Humbert's text is itself a typical combination of Constantine and LQ:

LQ §7	Const. §8
Post hec missus est Palentiam, ut sibi liberalium artium compararet studii exercitatione peritiam.	Puerilibus igitur annis innocenter excursis, tandem missus Palentiam, ubi tunc temporis studium generale florebat, postquam liberalibus artibus diligenter insudans sufficienter edoctus est ...

The only word in Taegio which does not come from any of these sources (or any other early source) is *domi*; it is found in the 1494 breviary (f.332^v), but not in the otherwise identical text of the 1487 breviary (f.207^r):

1487	1494
Puerilibus igitur annis innocentis (<i>sic</i>) excursis missus est Palentiam ubi tunc temporis generale florebat	Puerilibus igitur annis domi innocentis (<i>sic</i>) excursis missus est Palentiam ubi tunc temporis gene-

⁷⁰ By the end of the fifteenth century there were several printed editions of Antoninus's *Chronicae* (S.Orlandi, *Bibliografia Antoniniana*, Vatican City 1962, 306-307).

studium. Postquam igitur liberalibus artibus diligenter insudans sufficienter edoctus est ...

rale florebat studium. Postquam igitur liberalibus artibus diligenter insudans sufficienter edoctus est ...

Domi first appears in this connection in the pre-1487 breviaries, such as that of 1481 (f.258^v):⁷¹

Puerilibus autem annis innocenter domi transactis missus est Palentiam ad proficiendum ibidem in liberalibus artibus.

The text attributed to Iustinus thus consists of Humbert's combination of elements from two previous legendas plus the 1494 breviary's adoption of *domi* from the compressed life of Dominic in the pre-1487 breviaries.

Once we have removed all the identifiable foreign bodies from the texts ascribed to Iustinus, the rest corresponds perfectly to Humbert's legenda if we allow for Taegio's tendency to rewrite his sources. Furthermore, if we take into account other parts of the legenda which are recognizably present but unattributed, we find that the *Cronica magistrorum* includes almost the whole life of Dominic from Humbert's legenda, and it is clear why Taegio omitted the rest.⁷² The only possible conclusion is that it is Humbert's legenda which Taegio used and (except for the *historia translationis*) attributed to Iustinus.

It is highly unlikely that he was better informed than Dietrich and Bernard Gui on the authorship of Humbert's legenda, and he includes Humbert, not Iustinus, in his catalogue of writers on Dominic (AGOP XIV 53 f.113^r). It is more or less certain, though, that his text of the legenda would have been anonymous, as it is in

⁷¹ *Gesamtkatalog* no. 5217; this breviary is conveniently available in the facsimile edition of Savonarola's copy, Florence 1998.

⁷² Taegio does not deal with Dominic's posthumous miracles, so he had no use for Humb. §58-109, and he took the *historia translationis* (based on Humb. §57) from the late fifteenth-century breviaries (incompletely, because he thought he had a more authoritative source in the supposed 'epistola magistri Iordanis'). After a long diversion on the Order of Penance and some fanciful stories about the rosary he apparently forgot about Dominic's death, so Humb. §53-56 are missing. Otherwise, apart from the apocalyptic musings at the beginning of Humb. §1 and the occasional inessential clause elsewhere, the only omissions are §32 (which is not directly relevant to Dominic's life), §34 (Taegio adopted Antoninus's more elaborate version of the same story), and §46-47 (Taegio adopted Const. §51-52 which supplies names for people whom Humbert chose to leave anonymous).

all the manuscripts I have seen; on the face of it, then, what happened is that, having found an unattributed *legenda* in an old manuscript, perhaps a manuscript lectionary,⁷³ he identified it as the one Borselli says 'frater Iustinus' was commissioned to produce.

Borselli's statement comes in between a résumé of the acts of the 1242 general chapter and a garbled account, probably inspired by Galvano (cf. MOPH II 93), of the persecution of Dominicans in Provence; Galvano could also be responsible for 'frater Iustinus', as Kaeppli suggests,⁷⁴ but it is more likely that the supposed commissioning of a new *legenda* belongs with the acts of the chapter.

The 1242 chapter actually issued an admonition ordering the suppression of the place in the *legenda* where Dominic is said to have confessed that he preferred talking with young women to being talked at by old women (MOPH III 24.12-15); someone took the suppression a step further in the Bologna manuscript of Gui's collection of *acta* (Bologna, Bibl. Univ. 1535 f.43^r) by erasing the admonition itself. This was evidently done in time to influence Borselli,⁷⁵ and it looks as if he interpreted what he could still see of the admonition to mean the commissioning of a new *legenda*.

As Borselli was aware, the Master of the Order in 1242 was John the German, and his list of writers on Dominic only includes one who was told to produce a *legenda* by John the German, and that is Constantine.⁷⁶ It must therefore be probable that 'Iustinus' arises from a simple misreading of abbreviated 'Constantinus' ('*Quinus*'), maybe, with the conventional sign for 'con' misread as a capital I.⁷⁷

Taegio did not reproduce Borselli's claim that Iustinus's *legenda* was commissioned in 1242, possibly because he realized that it was not supported by what could still be read of the relevant admonition

⁷³ If Taegio found the *legenda* in a lectionary, §§57-109 would have appeared apart from the rest under the feast of the Translation; this could explain why he did not connect the *historia translationis* with Iustinus.

⁷⁴ 'Deux prétendus biographes ...' 235-236. Galvano is always a handy scapegoat: he is notoriously inaccurate and since we do not have the full text of his larger chronicle of the Order he can be accused of most things without any possibility of rebuttal.

⁷⁵ The admonition is missing in his otherwise full account of the 1242 chapter-acts (Bologna, Bibl. Univ. 1999 f.40), as it is in that of Taegio (B f.163^r, R f.67^r). It appears that Taegio did not have access to a more complete version of the 1242 acts than was available in Bologna 1535.

⁷⁶ 'Anno domini 1242 celebratum est 22^m capitulum generale Bononie sub magistro Io. theutonico' (Bologna, Bibl. Univ. 1999 f.40^r); '3^m fuit frater Constantinus qui ... ex mandato magistri ordinis fratris Iohannis Theotonici scripsit 3^m legendam' (f.9^r).

⁷⁷ It was already conjectured by Échard that 'Iustinus' was a mistake for 'Constantinus' (QE I 153).

in Bologna 1535, in which *monemus et uolumus quod abradatur de* is clearly legible and *legenda* is easily be made out. After that not much remains to be seen, but *asserit* survived and *iuuencularum* is more or less decipherable, so Taegio could have known that the deleted passage concerned Dominic saying something about young women, but not what he said about them.

Of the two early *legendas* with which Taegio was acquainted when he was compiling the *Cronica magistrorum* it is only in the one we can recognize as Humbert's that Dominic says anything at all about *iuuencule*: 'Admonuit quoque cauenda esse summopere feminarum et maxime iuuencularum suspecta consortia ...' (§54, taken from LQ §46); there is nothing of the kind in the mainstream text of Constantine §63.⁷⁸ It would have been reasonable to infer that Constantine (whom Taegio dated c.1248, AGOP XIV 54 f.178') obeyed the injunction of 1242, and that the other *legenda* preceded it;⁷⁹ if so, despite its incipit being the one indicated for Humbert's *legenda* by Bernard Gui, it could not be attributed to Humbert. Nor, on the information available to Taegio, could it be attributed to Petrus Ferrandi since it did not have the incipit quoted by Gui (it did not even contain the relevant words). Who else was left to whom it could be ascribed except Borselli's Iustinus, even if Borselli's date must be mistaken?

Humbert's *legenda* may not have been adopted by the Order as speedily or as universally as he wanted,⁸⁰ but it would be surprising if Taegio's researches failed to unearth a copy of it, and his misascription of it to Iustinus is explicable. By contrast it is scarcely conceivable that he discovered an otherwise unknown *legenda* which was almost identical to Humbert's but was actually by someone else,

⁷⁸ The eccentric text of Berlin, Staatsbibl. theol. lat. fol. 677, Bourg 29 and BAV Reg. lat. 584 restores Dominic's warning in the wrong place (after the report of his 'testament') and without its specific reference to *iuuencule*: 'Monuit etiam eos inter omnia declinare suspecta et periculosa consortia feminarum'.

⁷⁹ This would also explain why Taegio treated it as a more primary source than Constantine.

⁸⁰ The acts of the 1260 general chapter include Humbert's injunction that the brethren were to use the *legenda* in the lectionary (i.e. his *legenda*) and that other *legendas* were no longer to be copied (MOPH III 105.29-30); even so, as late as 1293 the provincial chapter of Lombardy implies that some convents did not yet have the required *legenda*: 'Districte iniungimus singulis prioribus conuentualibus in quorum conuentibus non sunt *legenda* beati Dominici patris nostri et *legenda* noua beati Petri martiris quod ante pascha habeant utramque *legendam*, et nisi hoc fecerint teneantur extunc ieiunare in pane et aqua semel in singulis septimanis' (lost Venice-Berlin manuscript f.107', quoted from Kaeppli's photographs; ed. Kaeppli, AFP 11 [1941] 166).

and that he was able to identify the author as someone whose name was unknown to Dietrich of Apolda in Germany in the late thirteenth century, Bernard Gui in Languedoc in the early fourteenth century, Luis of Valladolid in Paris in the early fifteenth century, and Alberto di Castello in Lombardy in the early sixteenth century.

With the *legendas* of Conrad and Iustinus shown to be fantasms, there is only one alleged author still to be accounted for, Bronasius Siculus, who owes his place in Dominican bibliographies entirely to his inclusion in Taegio's list of writers on Dominic; this list was essentially taken from Bernard Gui (MOPH XXVII 105-107), but Taegio inserted Bronasius, together with Cecilia, between Humbert and James of Varagine (AGOP XIV 53 f.113'). Unknown to the older bibliographical tradition,⁸¹ Bronasius was picked up by Antonius Senensis, who changed his name to Bornasius, and in this guise he entered the public domain.⁸² As was his wont Senensis added a conventional eulogy, but otherwise his information clearly comes from Taegio:

Taegio

7° scripsit frater Bronasius Siculus librum ex hiis que nouem testes adiurati super sanctitate beati Dominici iurauerunt se uidisse et certos esse de uita et sanctitate beati Dominici. In quo quidem libro sunt multa antiquiora de gestis beati Dominici quam in alia cronica.

Senensis

Frater Bornasius, natione Siculus, uir ob religionis et doctrinae praestantiam uenerandus, confecit librum unum de uita beati Dominici patris nostri ex illis omnibus quae testes adiurati super illius sanctitate, cum fuit diuorum ascribendus consortio, de illo testati sunt, in quo multa continentur et notabiliora quam in aliis chronicis quibus communiter de uita patris nostri Dominici tractatur. Claruit anno *.

⁸¹ Bronasius does not feature in any of the Stams-type catalogues or in the compilations of Johannes Meyer, Alberto di Castello or Leandro Alberti, and even Taegio makes no mention of him in the long section of *De insigniis* devoted to Dominican writers, though he found room there for Petrus Ferrandi, credited only with a *legenda* of Dominic and a chronicle, for Constantine, credited only with a *legenda* and the office of St Dominic, and for Conrad, credited only with a life of Dominic (AGOP XIV 54 ff.173'-174', 178', 181').

⁸² Antonius Senensis, *Bibliotheca* 58; there is no explicit source, but elsewhere Taegio is regularly cited in the *Bibliotheca*. 'Bornasius' passed from Senensis to Gozzeus (whom I have not seen), and from him to G.M.Piò, *Vite degli huomini illustri di S.Domenico* II i, Pavia 1613, 177, where he follows Venturino of Bergamo who is

The *nouem testes adiurati* are, of course, the nine Dominicans who testified in Bologna during Dominic's canonization process.

Bronasius is also mentioned (under the name 'Bonasius') in Taegio's transcription of a version of the canonization process; the eighteenth-century copy, which is all we have, is in AGOP XIV 53 ff.131^r-136^v. It appears to be the basis for the note on Bronasius in Taegio's list of writers on Dominic although it comes after it in AGOP XIV 53.

Borselli included the same version of the canonization process in his *Cronica* (Bologna, Bibl. Univ. 1999 ff.21^r-28^v), but it has a longer preamble in Taegio, including a list of the nine Bologna witnesses with a brief comment on most of them; the reference to Bonasius comes immediately after this list:

Ex dictorum autem fratrum attestationibus per fratrem Bonasium Siculum compilatus est liber ex quo pro magna parte beati Dominici legenda compilata est et plura de initio ordinis conscripta habentur.

Taegio's preamble ends with a comment which is almost identical to one which follows the Languedoc process in Borselli (Bologna 1999 f.28^v):

Borselli

Taegio

Has attestaciones ideo uolui ponere in hoc libro ut possint uideri a pluribus qui ista non uiderunt nec facile ad manus ista peruenient.

Et quia hee attestaciones uix reperiuntur, ideo hic ponere uolui ut ab eis uideri possint qui ista non uiderunt nec facile ad manus ista peruenient.

Taegio periodically cites Borselli in the *Cronica magistrorum*, but his text of the canonization process has some superior readings so he probably did not transcribe it from Borselli; this suggests that the stated motive for putting the *attestaciones* 'in this book' or 'here' may also come from their common source.⁸³

dated 1344. Venturino and Bornasius feature together under 1344 in A. de Altamura, *Bibliotheca Dominicana*, Rome 1677, 118. From these sources, with no indication of any independent knowledge of him, Bornasius passed to later bibliographies such as QE I 617 and SOPMÆ I 255.

⁸³ Borselli puts it in the same paragraph as the end of the Languedoc process, but separated from it by ¶; he uses the same sign to subdivide longer testimonies within the process.

The Borselli-Taegio text is clearly related to the combined edition of the Bologna and Languedoc processes as found in a number of manuscripts;⁸⁴ it has the same deliberate alteration in Ventura's testimony §2 (cf. AFP 66 [1996] 79-83), for example, and the same résumé at the end of the Languedoc process (§26). Unlike the normal text, though, it contains an abridged version of the Bologna depositions, with a mixture of direct and indirect speech which implies a degree of independent recourse to the original notary's manuscript (Tugwell, AFP 66 [1996] 59-63). The text copied by Borselli and Taegio is thus not a straightforward transcription of the combined processes, and the Bologna part could fairly be described as compiled 'ex hiis que nouem testes adiurati super sanctitate beati Dominici iurauerunt se uidisse'.

Taegio never cites B(r)onasius in the *Cronica magistrorum*, but he does refer to the *attestationes*, and he sometimes quotes them from what he calls 'Liber attestationum'; his direct quotations from both the Bologna and the Languedoc processes invariably tally with the text transcribed in AGOP XIV 53. Since B(r)onasius appears to be completely unknown apart from what Taegio says about him in connection with the *attestationes*, is it not likely that Taegio found his name in the *Liber attestationum* together with the text of the two processes? If so, B(r)onasius was presumably identified there as the person who compiled the *Liber* in order to make the witnesses' depositions available to people who could not easily have access to the original texts.⁸⁵

The assertion that it was from B(r)onasius's book that 'pro magna parte beati Dominici legenda compilata est' is presumably

⁸⁴ What we may call the 'normal' text was printed by Échard from a now lost manuscript of Bernard Gui (QE I 44-58); it is contained in full in Venice, BN Marciana IX 61 ff.23^v-44^r, and there are extracts in Modena, Bibl. Estense Campori App. 59 f.144^r-154^r. There is a Spanish translation, based on Gui's latin text, in the manuscript belonging to the nuns of Santo Domingo, Madrid, ff.50^v-73^v.

⁸⁵ The Borselli-Taegio text appears not to have circulated, and we may suspect that it was created for visitors to Bologna, the original manuscript being regarded as too precious a treasure to be made generally available. However, unlike Borselli and Taegio, Flaminio does seem to have had access to it: according to Leandro Alberti he used a Bologna manuscript in which the brethren's testimonies were preserved in the hand of the notary who recorded them (*De divi Dominici ... obitu et sepultura*, Bologna 1535, 10); he turned the text into humanist Latin, but he evidently took it from a document in which each deposition was written up individually and signed by the notary (*Vitae patrum* f.69^v), which suggests that this really was the original manuscript, presumably left in Bologna when the whole dossier was assembled and sent to the pope.

Taegio's own comment, and it is certainly untrue: no distinctive material from any of the depositions can be recognized in Jordan's *Libellus* or in LQ, nor is there any sign that Constantine or Humbert had direct knowledge of them.⁸⁶ The more cautious claim made in Taegio's list of writers on Dominic, that the book contained 'multa antiquiora de gestis beati Dominici quam in alia cronica', together with the placing of Bronasius after Humbert, suggests that Taegio realized he had been overhasty in making it a major source of the *legenda*.

It is also likely that his earlier note misled him into restricting Bronasius's source to the Bologna witnesses; Borselli implies that 'Has attestaciones ideo uolui ponere in hoc libro ...' comes from a colophon at the end of the text rather than from the preamble, and that is where we might expect to find the name of the book's compiler. If so, there is nothing to prevent us identifying B(r)onasius's book with the *Liber attestacionum* from which Taegio quotes testimonies from Languedoc as well as from Bologna.

In any case, Taegio's description of B(r)onasius's book is totally inapplicable to LQ.

It seems, then, that we have no reason to postulate the existence of any missing *legendas* which might be ascribed to Petrus Ferrandi, or of any missing authors to whom LQ might be attributed.

4. *The evidence of Leipzig, Univ. Bibl. 846*

A brief comment by H.C.Scheeben in ASOP 17 (1926) 681 drew D'Ors's attention to an annotation on the flyleaf of Leipzig, Univ. Bibl. 846 (D'Ors 2003:280-281): 'Incipit prologus primus reuerendi patris necnon eximii magistri Petri Ferrandi in legendam beati Dominici patriarche et primi fundatoris sacri ordinis fratrum predicatorum in summa de uita et obitu necnon et miraculis beati Dominici patris

⁸⁶ The only part of the canonization process which influenced LQ is the note on the 1233 Translation and the list of miracles which were appended to Jordan's *Libellus* in the Osma manuscript (*Acta Sanctorum*, Aug. I 558-559), presumably having been transcribed from the dossier submitted to the pope (LQ §47-48, 51-62). Constantine had some information about the Languedoc process (§43, 48), but this was no doubt included in the province of Provence's response to the 1245 chapter's appeal for *miracula de beato Dominico* (MOPH III 33.16-18) and was thus among the material which was sent to Constantine by the master of the Order (Const. §2). The few independent items which Humbert added to the *legenda* are unrelated to the canonization process.

nostri edita per' (the text breaks off here). D'Ors is primarily interested in it because its bestowal of an academic title on Petrus Ferrandi could favour the theory that he was the *auctor Summularum*; but it is also relevant to our own enquiry.

The manuscript belonged to the Dominicans of Pirna and it contains Dietrich of Apolda's *Libellus* on St Dominic. The first pages are missing, but there is no reason to suspect that there was anything there except the beginning of Dietrich's text, especially as the annotation (written in a fifteenth-century hand, I think) undoubtedly refers to Dietrich's *Libellus*: it is the only known life of Dominic which had more than one prologue, 'de uita et obitu necnon et miraculis beati Dominici' echoes Dietrich's chosen title, and since the *Libellus* was expressly based on the whole range of available earlier sources it could well be seen as a 'summa'.

Petrus Ferrandi is identified as the author of the first prologue, not of the whole 'summa'; the 'summa' was 'edita per'—the annotator evidently discovered he could not say by whom. This is intelligible in the light of the presumed contents of the missing first pages of the manuscript: Dietrich kept tinkering with his text, and the version found in Leipzig 846 recurs otherwise only in Leipzig 833 where it contains the prologues, but not the letters in which Dietrich is identified as the author; if the same was true of Leipzig 846 it is not surprising that 'edita per' could not be completed. But the annotator was to some extent right to attribute the first prologue (the proem) to someone other than the author of the 'summa' in as much as its first section is lifted verbatim from Humbert's *legenda*.

Humbert's prologue was taken over with minimal alterations from that of LQ; by contrast, those of Constantine and Rodrigo begin in the same way as that of LQ but soon part company with it. It would thus be easy to mistake the prologue of LQ as Dietrich's source; the question arises, then, whether the annotator of Leipzig 846 did make this mistake and whether he consciously identified Petrus Ferrandi as the author of LQ. We have no hard evidence to provide an answer, but we can weigh the probabilities.

Pirna was founded long after LQ had ceased to be current,⁸⁷ and since 1260 the copying of official *legendas* other than Humbert's had

⁸⁷ A late fourteenth-century manuscript from Prenzlau (now Vat. lat. 7651) contains an *ordo conventuum* for the province of Saxony (ff.71'-72''); Pirna comes low down in the left *chorus* and its foundation is dated to 1300.

been forbidden (MOPH III 105.29-30); it must be judged more probable that it was Humbert's legenda that our annotator had seen.

Even if he did have access to a manuscript of LQ, is he likely to have had any reason to attribute this particular legenda to Petrus Ferrandi? The answer must be no, granted that in Erfurt in the late thirteenth century such a dedicated seeker of material on Dominic as Dietrich of Apolda was unable to name the author of LQ, though he was acquainted with its text.

If we also bear in mind that Humbert's legenda circulated anonymously and that, judging by surviving manuscripts, the *Vitas fratrum* was widely available in Germany, we cannot exclude the possibility that our annotator identified the author of Dietrich's first prologue on the basis of a text of Humbert's legenda and the statement in the *Vitas fratrum* that Petrus Ferrandi 'uitam beati Dominici patris nostri descripsit'. This possibility is turned into a probability by the description of Petrus as 'reuerendus pater necnon eximius magister', which is almost certainly based on the *Vitas fratrum's* assertion that Petrus was a 'doctor'.

D'Ors (2003:270-271) accuses Castillo of 'poetic licence' in turning 'doctor in multis locis extiterat' into 'leyo muchos años en diuersos conuentos' (*Primera parte* f.314^a); but Castillo understood perfectly well that in the language of thirteenth-century Spanish Dominicans *doctor* was used to mean the lector in a Dominican house,⁸⁸ and 'in multis locis' is most naturally taken to refer to Dominican houses in many places, as it must do in Gerald de Frachet's similar remark that Peter of Sézanne had been 'prior et lector in multis locis' (original

⁸⁸ Each Dominican convent was supposed to have a 'teacher'; the word used in the original constitutions was *doctor* (Primitive Constitutions II 23a; ed. Tugwell, AFP 71 [2001] 113-114), but this was soon generally superseded by *lector*, used in the acts of general chapters from 1236 onwards (MOPH III 6.23, 11.12, 16.20, 29.5 etc.) and in most surviving acts of thirteenth-century provincial chapters: Douais, *Acta capitulorum provincialium* 13, 21, 26-27, 33 etc. (Provence); MOPH XX 2-4, 7, 12, 13 etc. (Roman province); G. Stephens, *Brotstücken av en Dominikaner-Ordens Statut- eller Capitel-Bok*, Copenhagen 1852, 6-7, 9, 10-12 (Dacia); H. Finke, *Römische Quartalschrift* 8 (1894) 376-377 (Teutonia). The one exception is Spain, whose acts use the word *lector* in 1242 (ed. R. Hernández, AD 5 [1984] 19) but *doctor* thereafter (ibid. 23, 29, 31, 32, 34; AD 4 [1983] 14-16, 24-25, 29-30, 32-34, 36-37 etc.). Spain's eccentricity in this regard is reflected in the *Vitas fratrum*: apart from Petrus Ferrandi's obituary there is only one reference to a conventual *doctor*, and that comes in a story from Spain (MOPH I 314); *lectores* are mentioned in stories from Poland (ibid. 135), England (ibid. 161), Provence (ibid. 183), Lombardy (ibid. 208 §IV, where the original text specifies his location), France (ibid. 218) and Germany (ibid. 222).

text of the *Vitas fratrum* at MOPH I 218).⁸⁹ D'Ors's contention that the phrase leaves it wide open what sort of institution was involved ('universities, schools belonging to orders or cathedrals, or royal schools') relies on an anachronistic picture of thirteenth-century Dominicans teaching in all kinds of establishments.⁹⁰

That, however, is just the sort of mistake which a fifteenth-century German Dominican would be likely to make. By then Dominicans were far more involved in universities, and *doctor*, long since defunct with the meaning of 'conventual lector', would naturally be understood in its current local sense to refer to a university *doctor* or, in general Dominican parlance, *magister*; and by this time it was normal German practice to give *magistri* honorifics such as 'reuerendus'⁹¹ or even 'eximius'.⁹²

It is thus very doubtful whether the note in Leipzig 846 can be regarded as implying that its author had any new information about Petrus Ferrandi; even apart from the general tendency of eulogies

⁸⁹ *Prior* obviously means that he had been prior of Dominican houses 'in multis locis'. The *Vitas fratrum* is a compilation made by Dominicans, for Dominicans, about Dominicans; *prior* will be automatically understood to mean a Dominican prior unless the contrary is specified, as in the case of Guido 'qui prior fuerat cuiusdam antiqui monasterii monachorum' (MOPH I 269). When Gerald says that Nicholas of Lausanne 'tunc subprior fratrum Parisius' told a story about 'quidam religiosus frater cartusiensis ordinis' (original text at MOPH I 41) it is the Carthusian whose Order must be identified, not that of the *fratres* over whom Nicholas was subprior.

⁹⁰ The Order was hard enough pressed to find teachers for its own convents; that is why it repeatedly tried to stop lectors or potential lectors becoming superiors (MOPH III 11.12-15, 32.19-20, 105.4-6, 129.23-24). There is no evidence of Dominicans teaching in universities except in places where their convent was associated with a university faculty of theology or where it helped supply the lack of such a faculty, and it was only in exceptional circumstances that they provided lectors for other Orders (such as Vincent de Beauvais at Royaumont).

⁹¹ The provincial chapters of Teutonia in 1398-1402 routinely call masters 'reuerendus magister' (ed. B.M.Reichert, *Römische Quartalschrift* 11 [1897] 296-297, 305-307, 315-316, 325-326). In the acts of a Saxony chapter from 1396/1400 all but one of the masters are called 'reuerendus pater magister' or 'reuerendus pater frater N. magister' or 'reuerendus magister' (ed. H.Finke, *Römische Quartalschrift* 8 [1894] 388, 392).

⁹² Meyer's *De viris illustribus* begins with a dedication to 'reuerendo in Christo patri ac amabili et dilectissimo confratri Iohanni Crützer sacre theologie professori eximio' (QF 12 [1918] 16). In 1474, according to Meyer, the reform of Frankfurt was entrusted to 'fratri Wenceslao sacrae theologiae doctori eximio' (QF 29 [1933] 99). In 1515 the provincial chapter of Saxony appointed as regent of Leipzig 'eximius magister noster fr. Hermannus Rab, sacre theologie professor' (QF 26 [1930] 42). In 1520 the provincial chapter of Teutonia met 'sub eximio sacre theologie professore magistro nostro Euerhardo' (AFP 17 [1947] 271).

to become ever more fulsome, the annotation is comprehensible as a fifteenth-century 'translation' of what is said in the *Vitas fratrum*. It must also be concluded that it does not provide any significant confirmation of the ascription of LQ to Petrus Ferrandi.

5. *The provenance of LQ*

D'Ors is unimpressed by the argument that the bulk of the material which is original to LQ points to its having originated in Spain (2003:266-267). He suggests that it could all have been 'well known to Jordan (and to all of St Dominic's companions) and Jordan might not have included it in his *Libellus* because he thought it irrelevant to the history of the Order of Preachers'. But Jordan was not one of Dominic's companions,⁹³ nor was he writing anything like a formal history of the Order. The bulk of the *Libellus* consists of notes Jordan made in Paris in 1217/8-1221, knocked into some kind of shape in Bologna in 1221 because the brethren there were curious about the beginnings of the Order (*Libellus* §2); it was briefly continued in Bologna but soon abandoned, no doubt because Jordan was elected Master in 1222. Nothing accrued thereafter except an 'obituary' of Jordan's friend Henry (*Lib.* §77-85), and the work was only superficially revised for publication in 1233 (Tugwell, AFP 68 [1998] 5-33). ~~Had he wished to rewrite the *Libellus* in 1233 Jordan could have added a great deal, but there is not the slightest reason to suppose that he omitted any information he possessed at the time of writing.~~

Nor should we talk generically about 'Dominic's companions'. His Italian companions clearly did not know about the Order's beginnings; that is why the brethren in Bologna wanted Jordan to tell them what he knew. And Jordan himself only had such information as reached him in Paris. Where were the companions from whom the author of LQ could have learned the names of Dominic's parents (LQ §4) or about Dominic's activities in Languedoc in 1212⁹⁴ or in Spain in 1218 (LQ §40)? A memory of some of these things might have been preserved in Languedoc, but if that is where

⁹³ He encountered Dominic twice: once before he entered the Order, during Dominic's stay in Paris in the summer of 1219 (*Libellus* §3), and again as a Dominican when he attended the general chapter in Bologna in 1220 (*ibid.* §86).

⁹⁴ This is the most probable date for the episode reported in LQ §22 (Tugwell, AFP 73 [2003] 88-89).

the author of LQ collected material he would also have heard about other events which he would surely have included in his *legenda*, such as Dominic's prophecy of King Peter of Aragón's death, his refusal of bishoprics, and his dramatic conversion of some Fanjeaux ladies by means of a hellish vision.⁹⁵ It is most unlikely that there were brethren outside the province of Spain who could have furnished just such information as we find in LQ.

D'Ors even entertains the possibility that the author of LQ was one of Dominic's companions himself (2003:267), but this ignores a basic fact of medieval hagiography: if you are presumptuous enough to write the life of a saint you must present your credentials (if you have any); if you were personally acquainted with the saint you say so.⁹⁶

More particularly D'Ors suggests that Dominic's testament, as reported in LQ §50, far from being a literary concoction as argued

⁹⁵ These all feature in Constantine's *legenda* and must have been included in the material submitted by the province of Provence in 1246 for the new *legenda*. The prophecy was known from Stephen of Metz who was Dominic's *socius* at the time (Constantine §55); he seems to have been a member of the Toulouse community in 1233 (Guillaume Pelhisson, *Chronique*, ed. J. Duvernoy, Paris 1994, 46). Dominic's refusal of the see of Couserans was particularly famous (Languedoc process §3, Constantine §62; Tugwell, AFP 73 [2003] 63-64). The Fanjeaux ladies' vision of a hellcat is reported on the authority of the canonization process (Languedoc process §23, Constantine §48-49; Tugwell, AFP 74 [2004] 68-69, 71-73).

⁹⁶ As it happens, the anonymous but probably Dominican poet who composed a life of Dominic based on LQ claims that the author of the book which is his source was Dominic's long-term companion: 'Cil qui maint jor fu ses compains / fist le livre' (ed. W.F. Manning, *The life of Saint Dominic in Old French verse*, Cambridge Mass. 1944, lines 182-183; on the Latin source see *ibid.* 8-24). Manning suggested that the French poet may have known the author of LQ, and he acknowledged no objection to his claim about the author's acquaintance with Dominic except the statement in the *Vitas fratrum* that Petrus Ferrandi was 'a puero in ordine nutritus', which he tried to dispel by citing evidence that *puer* could mean 'a youth of seventeen to even twenty years of age' in classical Latin, and that it means 'a cleric in minor orders' in some twelfth-century French documents (*ibid.* 12-13); but even if twelfth-century French usage were relevant it does not extend the scope of *puer* (boys could receive minor orders up to that of acolyte between the ages of seven and twelve according to Raymund of Penyafort, *Summa*, Rome 1603, 303), and regardless of possible extensions of *puer* it is not natural to take a *puero nutritus* to refer to someone who began to be *nutritus* in his late teens. There is no indication that the poet even knew who wrote LQ (he does not attach a name to him), and there is nothing in LQ to suggest where its author's path might have crossed that of a French Dominican poet. The claim that the author was Dominic's companion is unsubstantiated by anything in LQ and was probably just a ploy, inspired by blissful ignorance, intended to give greater credence to the poet's narrative; it can certainly not be treated as dependable evidence.

by Creytens (AFP 43 [1973] 29-72), was a reality witnessed by the author of LQ himself. But in addition to the testimony of Jordan of Saxony, who arrived in Bologna within a few weeks of Dominic's death (Tugwell, AFP 66 [1996] 147), we have detailed first-hand accounts of Dominic's last days from the prior and procurator of the Bologna Dominicans;⁹⁷ they would surely have mentioned it if Dominic really had solemnly 'bequeathed' charity, humility and voluntary poverty to his brethren and laid a curse on anyone who made the Order possessionate. The story in LQ, whose moralizing interpretation of Diego's advice to the papal legates (LQ §13) suggests that the author felt strongly about poverty, is an imaginative and ideologically tendentious elaboration of the eighth matins antiphon in the office for the feast of St Dominic, 'Migrans pater filiis uite firmamentum paupertatis humilis condit testamentum'.⁹⁸

Alternatively, in D'Ors's view, the author of LQ might have learned about the events he reports in the course of Dominic's canonization process; but, as I have already indicated, the author of LQ shows no awareness of any of the distinctive information provided by the people who gave evidence during the canonization process. The account of the 1233 Translation in LQ §48 is similar to that given by Ventura, the prior of Bologna (Bologna process §10), but the intermediary is recognizably the paragraph on the Translation which came between the *Libellus* and the list of Dominic's miracles in the Osma manuscript (now lost) whose text was edited by Cuypers in *Acta Sanctorum*, Aug. I 558-559.⁹⁹ The miracles come from Bologna and its environs, and they were clearly part of the dossier submitted in view of Dominic's canonization, as presumably was the paragraph on the Translation.

⁹⁷ Jordan, *Lib.* §92-94; Bologna process §7-8, 33; Tugwell AFP 66 (1996) 94-98.

⁹⁸ That the antiphon belongs to the earliest stratum of the office is suggested by the fact that it has the same rhythm as the lauds antiphons, of which the third is based on the unrevised version of *Lib.* §95 (with Dominic being seen taken up into heaven on a single ladder). The text of the office has most recently been printed by M.O'Carroll in *Domenico di Caleruega e la nascita dell'Ordine dei Frati Predicatori*, Spoleto 2005, 604-610.

⁹⁹ This must have been a Dominican manuscript written before 1242 since it was affected by the decree of the 1242 general chapter suppressing Dominic's remarks about his virginity (cf. *Acta Sanctorum*, Aug. I 370 §69); it must also be Spanish since it alone gives the name of Dominic's birthplace in its Spanish form 'Chaleruega' (ibid. 545).

Unless the list of miracles was defective in the Osma manuscript, the author of LQ knew a slightly longer version of it (LQ §47, 52-61); he could have encountered it in Bologna or at the papal curia, but in either of these cases he would have been able to enrich his *legenda* with stories about Dominic's Italian period. The only other place where any form of the dossier is known to have been available is in Spain, and it can scarcely be a coincidence that a leading light in the papal curia at this time was the Spanish Dominican Raymond of Penyafort.¹⁰⁰

All told, then, we have good reason to believe that LQ was written in the Iberian peninsula and that its author benefited from peninsular Dominican informants; that he was himself a Dominican is shown by his exhortation to the brethren in §49 and his reference to 'beatissimus pater noster Dominicus' in §51, so we need not quarrel with the Regensburg lectionary for calling him 'frater Petrus hispanus'. As we have seen, he is unlikely to have known Dominic personally, and he seems to have held strong views on poverty; that appears to be the limit of what we can infer about him from LQ except that he could write elegant and quite sophisticated Latin, with a good sprinkling of biblical allusions, and he was apparently learned and pedantic enough to use a Greek ending for the genitive plural of *heresis*,¹⁰¹ all of which suggests that he was probably capable of being a lector.

This obviously does not prove that LQ is the *descriptio uite beati Dominici* with which the lector Petrus Ferrandi is credited in Giles of Santarém's 'obituary', it merely shows that it could be, provided there is no incompatibility between what we are told about Petrus Ferrandi and what we can glimpse of the author of LQ.

6. *Petrus Ferrandi's 'obituary'*

Our only first-hand information about Petrus Ferrandi comes in the *Vitas fratrum*, in an account of Petrus's death which was included among the material sent in by Giles of Santarém, who claims to have known him well. Ignoring accidental variants, I quote it from the edition of the *Vitas fratrum* which Gerald de Frachet

¹⁰⁰ In 1233 he was working on the compilation of the Decretals (cf. M. Bertram, 'Die Dekretalen Gregors IX' in C. Longo, ed., *Magister Raimundus*, Rome 2002, 61-86 at 64). In 1234 it was he who wrote from the curia to tell Jordan of Saxony about Dominic's canonization (Jordan, *Ep.* 43, MOPH XXIII 48).

¹⁰¹ The only manuscript of the unrevised text has *heresion* in LQ §3 where Laurent prints *heresum* in MOPH XVI.

completed shortly after the 1258 general chapter and handed over to Humbert of Romans at the 1259 chapter;¹⁰² in the apparatus I note where the vulgate text, revised by Humbert, differs from Gerald's version, and also the one occasion where there is a divergence between Humbert's two revisions:¹⁰³

Cum frater Petrus Ferrandi, qui a puero in ordine sanctissime nutritus et doctus fuerat, qui et uitam beati Dominici patris nostri descripsit, doctor in multis locis, tandem apud Zamoram infirmaretur, quidam deuotus frater uidit ipsum supra montem altissimum stantem et faciem eius resplendentem ut sol, et a dextris et a sinistris duos 5
iuuenes stantes splendidos nimis. Cum autem sequenti die frater michi uisionem hanc dixisset quam uiderat, intellexi fratrem Petrum in proximo moriturum. Et cum uenissem ad eum et sederem in lecto in quo ipse iacebat dixi, Frater Petre uos nunc iturus estis ad patriam paradisi, salutate michi beatam Mariam et beatum Dominicum. Ipse 10
autem ad hec totus exhilaratus, De talibus inquit frater Egidi, de talibus michi loquamini, quia bonum est ibi esse. Ego igitur uidens in proximo moriturum dixi, Frater karissime rogo uos quod me post mortem iuuetis. Ille autem manus extendens ad celum tanquam iam securus de premio ait, Promitto uobis quod uos cum Christo iuuabo. Narrauit 15
autem michi quod uiderat sibi assistere beatam uirginem et sanctum ewangelistam Iohannem singulas coronas in capud illius ponentes; hanc inquit uisionem uestre dilectioni committo, rogo autem ut dicatis michi quid significet. Ego igitur qui uitam et conscienciam eius plene cognoueram dixi, Una illarum uirginitati tue debetur, altera predicationi 20
atque doctrine, et quia uirgo et doctor es eas beate uirginis et Christi discipuli adiutorio acquisisti. Tunc rogauit me ut fratres omnes ante eum uocarem. Quibus astantibus ait, Fratres non est ordo quem dominus tantum diligit, tenete eum. Et iterum ait, Quidam magnus odit Syon sed nichil fratres timeatis quia uobis nocere non poterit. 25
Finitis hiis uerbis coram cunctis fratribus obdormiuit in domino.

2 nutritus et doctus] nutritus *Humb.* 3 doctor in multis locis] et doctor in multis locis Hispanie multis annis extiterat *Humb.* tandem *om. Humb.* 6 michi] michi tunc ibi existenti *Humb.* 12 uidens] uidens eum *Humb.* 26 cunctis fratribus] cunctis *Humb.*

¹⁰² The 1258 edition is preserved in Bibliothèque de Toulouse 487, the 1259 edition (which is largely the same) is preserved in Madrid, Bibl. Complut. 147, and Salamanca, Bibl. Univ. 65.

¹⁰³ The first revision of the 'obituary' survives in AGOP XIV 23, BNF lat. 18324, Gent, Bibl. der Rijksuniv. 534, and Copenhagen, Kong. Bibl. Thott 138; the second ('Humb.2') is found in the other twenty-one manuscripts I have examined. On the different versions of the *Vitas fratrum* cf. Tugwell, CdF 36 (2001) 415-418.

The presence of this 'obituary' in the 1258 edition of the *Vitas fratrum* constitutes a secure terminus ante quem for Petrus's death; and someone with such a typically peninsular name as Petrus Ferrandi¹⁰⁴ who was well known to a former provincial of Spain and died in Zamora can hardly be suspected of being anything other than a member of the Spanish Dominican province.

As I have already mentioned, Humbert was an unusually scrupulous editor. In the *Vitas fratrum* this is chiefly apparent in his toning down of statements which might appear to give the status of saints to people whose sanctity had not been officially recognized by the church, and in the qualifiers he inserted to avoid ascribing more than subjective validity to supposed visions and revelations;¹⁰⁵ he was also determined that the compilation should be edifying, and if necessary this took precedence over factual correctness.¹⁰⁶ Neither of these factors is involved in his revision of Petrus's obituary, but a third editorial concern of his is in evidence, the desire for clarity of expression: to this end his reformulated 'doctor in multis locis' as a complete clause ('et doctor in multis locis ... extiterat'), he inserted 'multis annis' to explicitate the implication of *tandem* (and, except in the most primitive manuscripts, *tandem* has duly disappeared), and he pedantically explained that Giles was in Zamora at the time ('tunc ibi existenti') lest a slow-witted reader be confused (all the previous 'obituaries' report deaths Giles witnessed in Coimbra).

¹⁰⁴ As D'Ors points out (2003:276), the name 'Petrus Ferrandi' is 'very common' in Spain; it is equally uncommon outside the peninsula.

¹⁰⁵ Thus, for example, *in spiritu* and *sanctis* were dropped from the original title of I ii ('Quod ordo iste in spiritu a multis sanctis preuisus est') (MOPH I 11), *merito* was dropped from the comment that Stephen of Portes was so religious 'ut merito ... sanctus Stephanus nominetur' (ibid.), *uidit uisibiliter* in a reported vision is turned into *retulit quod uiderat* (MOPH I 35), the statement in the story of the lady hermit in Lombardy that Our Lady *astitut ei* is reduced to *uisa est sibi astare* (MOPH I 41), *uidit ipsam uirginem ante altare sedentem* becomes *uidebatur sibi quod beata uirgo ante altare sedebat* (ibid.), in connection with the Avignonet martyrs miracles are allowed to happen *ad sepulcrum martirum Christi* but not *ad sanctorum sepulcra*, which becomes *ad illorum sepulcra* (MOPH I 233), the claim that Peter the Norman *celi ianuam introiuit* is toned down to *mortuus est et ut creditur celi ianuam introiuit* (MOPH I 266), the posthumous miracles of Bernardus de Transversa are not allowed to be worked *ad inuocationem ipsius sancti Bernardi*, merely *ad inuocationem ipsius* (MOPH I 302).

¹⁰⁶ This is most evident in his second rewriting of the story of how Albert the Great joined the Order (MOPH I 187-188): in the original version Albert was reassured by Jordan of Saxony that if he entered the Order he would never leave it; on receipt of the news that Albert had become a bishop (and so had in effect left the Order) Humbert cut his name out of the text and suppressed Jordan's promise.

Giles's interpretation of the two crowns which the dying Petrus saw himself receiving from the Blessed Virgin and St John—'Quia uirgo et doctor es eas beate uirginis et Christi discipuli adiutorio acquisisti'—suggests that teaching had been a salient feature of his Dominican life;¹⁰⁷ as presented by Gerald de Frachet, though, the 'obituary' is vague about where he had been a teacher, and D'Ors questions the legitimacy of Humbert's addition of *Hispanie* after *doctor in multis locis* (2003:271).

As I have explained, in the language of the Spanish Dominicans 'doctor in multis locis' was a natural way of indicating that Petrus had served as lector in several Dominican convents; but were they all in the province of Spain? *Locus* applies properly to relatively small-scale locations,¹⁰⁸ so 'in multis locis' cannot of itself signify 'in many different countries'; but a lector was always a lector in some particular place, so the phrase does not necessarily exclude a reference to different places in different countries.¹⁰⁹ Nevertheless,

¹⁰⁷ The 1250 provincial chapter moved a Petrus Ferrandi from Toledo to Seville (AD 5 [1984] 30), but not as *doctor*. Both Petrus and Ferrandus are very common names—in the acts of the 1250 chapter alone (ibid. 27-37) I have counted thirty-three Dominicans called Peter, six called Ferdinandus, and four instances of Ferrandi or Ferdinandi as a patronym; this makes it hazardous to identify the Petrus Ferrandi assigned to Seville with the Petrus Ferrandi of the *Vitas fratrum*. By a curious coincidence Antonius Senensis (who is most unlikely to have known the acts of the Spanish provincial chapters) says that Petrus Hispanus, the author of the *Summulae*, 'claruit circa annum 1250' (*Bibliotheca* 191); this is the origin of what D'Ors calls the 'Dominican tradition' identifying 1250 as Petrus Hispanus's floruit (2001:211). Senensis cites 'P.P. mon. ord.' as his source, i.e. Taegio's *De insigniis*, but there is nothing at all in Taegio about Petrus Hispanus, and the reference was clearly meant to accompany the following notice, on Petrus Falconis, which is taken from Taegio (AGOP XIV 54 f.177') though no source is cited. The real source of the notice on Petrus Hispanus is unknown, but 'claruit circa annum 1250' is probably as arbitrary as many other dates in the *Bibliotheca*. The notice on Petrus Ferrandi, for example, which is based on Taegio (AGOP XIV 54 ff.173'-174'), says 'Claruisse uidetur circa annum 1270' (*Bibliotheca* 193), but such a date is not found in Taegio or, as far as I know, anywhere else.

¹⁰⁸ Cf. Isidore, *Etym.* 1.7.24 (on the formation of names indicating people's provenance) '[nomina] patriae a patria descendunt ut Atheniensis, Thebanus, loci a loco ut suburbanus' (this should be *Suburbanus*, cf. Varro, *De lingua latina* 5.9.56); Seneca, *Cons. ad Marc.* 26.6: 'Omnia sternet abducatque secum uetustas; nec hominibus solum ... sed locis, sed regionibus, sed mundi partibus ludet'. When the Dominican constitutions say that the brethren should not eat *extra claustrum* 'in locis ubi conuentum habuerimus' (Primitive Constitutions I 8) this refers to towns, not whole counties or countries.

¹⁰⁹ The title given to the final section of Constantine's legenda, 'De miraculis que post hec in diuersis locis ostensa sunt', covers miracles worked in different places in Hungary and Lombardy and one place in Sicily.

the presumption at the time was that a lector would serve in his own province—the idea of alleviating some provinces' shortage of lectors by importing them from elsewhere seems to have been pioneered by Humbert himself in 1259 (MOPH III 100.28-35); since it would have been unusual, and presumably creditable, if Petrus had had an international teaching career, we should have expected Giles to mention it explicitly, and it would not have been difficult to do so—the relevant territories could be named, as is done in connection with John Colonna's flight from the papal messengers sent to force him out of the Order ('fugit per diuersa loca per Franciam, per Theutonium') and with the preaching career of Benedictus de Ponte 'in Hyspania et Francia et Aquitania et ultra mare in Syria' (MOPH I 178, 256), or it would have been enough to say 'in diuersis prouinciis'.

We must not forget how untypical are the few highly mobile Dominicans who are known to history. It was estimated in 1256 that there were about 10,000 priests in the Order;¹¹⁰ the vast majority of these are not even names to us, and when we do have a name we can usually only attach one small fact to it. Petrus Ferrandi himself would be little more than a name were it not for his edifying death and his good fortune in having it witnessed by someone conscientious enough to respond to the Master's demand for edifying stories. We must take Humbert's word for it when he says that one explanation for the Order's lack of uniformity is that 'pauci sunt fratres qui transierunt per diuersas prouincias uel domos multas'.¹¹¹

¹¹⁰ The general chapter of 1256 was held in Paris and the king was one of those who came to visit and request prayers (MOPH V 41). Humbert told him that 'ordinatum est pro uobis et aliis quos uobiscum recommendastis nostro capitulo generali quilibet sacerdos tres missas deuote celebret ... Insuper est adiectum ut post feliciter administrata regni temporalis gubernacula, cum dominus uos subtraxerit ex hac uita, idem pro uobis fiat officium per totum ordinem quod pro defuncto magistro ordinis fieri consueuit, ut uidelicet sacerdos quilibet tres missas celebrare, clericus psalterium, conuersus quingenta paternoster dicere teneantur. Estimatur autem ad summam .xxx. millium missarum attingere predicta suffragia tam pro mortuis quam pro uiuis' (ed. J. de Laborde, *Layettes du trésor des chartes* III, Paris 1875, 304-305 no. 4263). The wording is ambiguous, but it is most naturally taken to mean that some 30,000 masses will be said for the king both now and after his death, not that the two sets of suffrages together add up to 30,000. At three masses per priest this means an estimate of 10,000 priests, which is consonant with the round numbers Humbert gives for the past year's deaths reported at two general chapters—300 in 1255, 320 in 1256 (MOPH V 20, 42).

¹¹¹ Commentary on the constitutions, ed. J.J. Berthier, *Humberti de Romanis opera de uita regulari*, Rome 1888-1889, II 6. Recent research by Dr Sonja Reisner has made it possible to date the original version of this work to the early 1250s.

The issue of what books people could take with them if they were sent from one province to another *ad regendum* was raised in the early 1230s, but this probably became important because the Order had begun to acquire its own Masters in Theology and to move them around;¹¹² it is unlikely that Petrus would have been moved to another province to teach unless he was a Master. If he was 'a puero in ordine nutritus' he can only have become a Master as a Dominican, which would almost certainly have meant graduating in Paris;¹¹³ thanks to Gerald de Frachet we know the names of the Dominicans' Parisian Masters up to 1259 (MOPH I 334-335) and Petrus is not among them.¹¹⁴

Humbert would not have changed Petrus's 'obituary' on a mere whim, and it seems most probable that the insertion of *Hispanie*

¹¹² Cf. Tugwell, AFP 71 (2001) 143, 152-154. Roland of Cremona graduated in Paris during the university strike (1229-1231) and was teaching in Toulouse by 1231, where he was followed soon afterwards by John of St Giles (Pelhisson, ed. Duvernoy 40-44; Y.Dossat, CdF 5 [1970] 58-63).

¹¹³ Until 1248 Paris was the Order's only *studium generale* (i.e. a studium to which all the provinces could send students); four more were established in 1248 in the provinces of Provence, Lombardy, Teutonia and England (MOPH III 41.13-18). Of these England alone certainly contained a university which could give degrees in theology—'Until the fourteenth century Paris, Oxford, and Cambridge were the only universities with the right to confer degrees in theology' (M.Asztalos, in H. De Ridder-Symoens, ed., *A History of the University in Europe I*, Cambridge 1992, 414); but the English province refused to accept a *studium generale* until the general chapter took direct action in 1261 and designated Oxford (MOPH III 110.25-30). It has been suggested that Toulouse may also have been able to give degrees in theology, but it does not seem to have done so in practice (H.Rashdall, *The Universities of Europe in the Middle Ages*, rev. F.M.Powicke—A.B.Emden, repr. Oxford 1987, II 166-167), and there is in any case no evidence that Provence had its *studium generale* there, though its location in Montpellier does not seem to be documented before 1280 (AD 4 [1983] 24). Theology was taught at Palencia in the 1220s (V.Beltrán de Heredia, *Bulario de la Universidad de Salamanca I*, Salamanca 1966, 308-309; id., *Cartulario de la Universidad de Salamanca I*, Salamanca 1970, 594-596), but I know of no reason to believe that degrees in theology were awarded there, and Salamanca appears not to have had a faculty of theology (Beltrán de Heredia, *Cartulario ... I* 212). It is very doubtful, then, whether Petrus could have become a Master except in Paris.

¹¹⁴ The same argument creates a difficulty for D'Ors's proposed identification of Petrus Ferrandi with the *auctor Summularum* if the latter is correctly referred to as 'Magister': being 'a puero in ordine nutritus' is hardly compatible with being a Master of Arts before entering the Order, assuming that Paris was typical in having the minimum age for graduation set at 20 (cf. G.Leff, in De Ridder-Symoens, *History of the University I* 325); and the Order had no procedure for its members to graduate in arts.

was intended simply to spell out the implications of the original text.¹¹⁵ D'Ors discounts it on the grounds that Humbert appears to know nothing at all about Petrus Ferrandi (2003:271). I am inclined to agree that he knew nothing about Petrus Ferrandi;¹¹⁶ when I said in *Vivarium* 37 (1999) 104 that he was 'as well placed as anyone' to know, whether Petrus had been a lector outside his own province I did not mean that he was well-informed about Petrus but that he was well-informed about the Order.¹¹⁷

¹¹⁵ Giles's 'obituaries' were sent to Humbert (MOPH I 259) and Humbert could have changed Gerald's text in the light of what Giles himself had written; but I doubt whether he kept a copy of the material he passed on to Gerald (MOPH I 4). He also showed the text to a number of people while he was working on it in Paris, and we occasionally glimpse alterations which they proposed—one such survived as a correction in Bologna, Bibl. Univ. 1555 f.33', altering the name of the nun whose miraculous cure is reported in *Vitas fratrum* II (MOPH I 88-92) from *de Bellomonte* (actually the name of the monastery whose abbot had charge of these nuns) to *de Monte Oliueti* (on the Montolieu / Montolif family in the Holy Land cf. M.E.G.Rey, *Les familles d'Outre-Mer de Du Cange*, Paris 1869, 557-564); but even if there was a well-informed Spaniard in Paris at the time, would it have occurred to him to propose adding *Hyspanie*?

¹¹⁶ D'Ors finds it 'very strange that someone who is supposed to have knowledge of the figure of Pedro Ferrando, who attributes a *Legenda* to a *Petrus Hispanus* ... and who is himself the author of a *Legenda Sancti Dominici* should not also have introduced some details concerning the *Vita beati Dominici* which Giles of Santarém attributes to Pedro Ferrando' (2003:271). I see no obvious reason why Humbert should have expanded what was already said by Giles; all the same, though, it remains a legitimate question whether he recognized Petrus Ferrandi as the Petrus Hispanus whose *legenda* he knew.

¹¹⁷ Moving a lector either out of or back to his province would have involved the Master, and the natural occasion for such a transfer to be arranged would have been the annual general chapter. Humbert is attested as prior of Lyons in March 1236, but we do not know how long he held office; from c.1241 to 1246 he was provincial of Rome, from 1246-1254 provincial of France, and from 1254 Master (Tugwell, AFP 70 [2000] 37, 72 [2002] 112-122). As prior and provincial he should have attended all general chapters held in his province, as provincial he should also have attended all provincials' chapters and chapters at which a Master was to be elected (const. II 4, 8), and as Master he attended all general chapters. This suggests he would have attended chapters in 1236, perhaps also 1234 and 1239, as prior, perhaps in 1241 (when a Master was elected) as prior or provincial, in 1243, 1246, 1248, 1249, 1251, 1252 and 1254 as provincial, and in 1255-1257 as Master (on the sequence of chapters see Tugwell, AFP 70 [2000] 100-105). It is also not unlikely that he attended one or more chapters as diffinitor or socius before he became provincial. He would have had an excellent idea of the likelihood of any lector being moved from one province to another, and there is a good chance he would have known about it if Petrus Ferrandi in particular was a mobile lector outside his province.

In sum, even if it cannot strictly be proved that Petrus Ferrandi did not work outside the province of Spain, we have no evidence suggesting that he did, and the balance of probability is against it.¹¹⁸

It is not surprising that D'Ors's unfamiliarity with Dominican usage and sources led him to raise unnecessary questions about the interpretation of parts of Petrus's 'obituary'; but he was also beguiled by some highly questionable statements found in the secondary literature.

We have Giles's evidence that Petrus ended his days *apud Zamoram*;¹¹⁹ the phrase simply means 'at Zamora', but, pace D'Ors, if Petrus got Giles to summon *omnes fratres* to his bedside shortly before his death he must have been in the Dominican convent at the time.¹²⁰

More importantly, we are told nothing about Petrus's entry into the Order except that he was 'a puero in ordine sanctissime nutritus et doctus';¹²¹ pace D'Ors, *in ordine* undoubtedly refers to the

¹¹⁸ It would be difficult actually to prove that there are no rattlesnakes at large in London's Hyde Park, but the onus of proof would lie on those wishing to assert that there are rattlesnakes there, not on those who deny it.

¹¹⁹ D'Ors now considers unreliable the claim that the *auctor Summularum* was buried at Estella (2001:230-234), which removes one obstacle to his identification with Petrus Ferrandi; even apart from the evidence adduced by D'Ors the Estella story merits no credence, as I have shown in AFP 76 (2006) 103-115.

¹²⁰ D'Ors (2003:269-270) says that *apud Zamoram* 'could refer to the city of Zamora, or to the province or diocese of Zamora', but a Latin writer wishing to indicate that he died in the province or diocese of Zamora would have said *in prouincia* or *diocesi zamorensi*, not *apud Zamoram*, so only the city itself is in question. The Dominican convent there was one of the Spanish province's earliest foundations (it comes fifth in the *ordo conventuum*, AD 5 [1984] 7; Burgos, in ninth place, was able to host the provincial chapter in 1241, *ibid.* 17), and it is only in the convent itself that it would make sense for Petrus to ask for 'all the brethren' to be summoned. The loss of *fratribus* in the vulgate version of the last sentence is probably due to scribal accident rather than deliberate editing—it was perhaps omitted in the manuscript which Gerald gave Humbert in 1259; even without it, though, *coram cunctis* can only refer back to the *omnes fratres* who had been summoned to Petrus's bedside. D'Ors also says that Giles 'does not tell us anything about the place where Pedro Ferrando was buried', but he did not need to. The Order's right to bury people (including a fortiori its own members) was assured by Gregory IX in 1227 (BOP I 25 no. 18), and it was considered worthy of note if a Dominican was not buried in his convent's cemetery; Reginald of Orléans, for example, was buried elsewhere 'eo quod nondum fratres sepulturam haberent' (Jordan, *Lib.* §63), Colradus was buried in the nuns' cemetery 'quia fratres ab impiis expulsi erant de suo conuentu' (MOPH I 301).

¹²¹ The disappearance of *et doctus* in the vulgate text could be due to editorial excision if *et doctus* was considered pleonastic after *nutritus*, or the words may have been lost accidentally in the manuscript which Gerald gave to Humbert (the scribe's eye could have jumped from one *-tus* to the next).

Dominican Order,¹²² and if *a puero* is taken at its face value Petrus must have joined it as a young teenager.¹²³ Nothing is said to imply that this occurred outside the territory of the Spanish province, even if the text does not formally exclude the possibility that he became a Dominican somewhere else;¹²⁴ but, as a Spaniard, he would still normally have been sent to work in the Spanish province,¹²⁵ so his death in Zamora would not be problematic.

¹²² D'Ors apparently considers it legitimate to doubt whether *in ordine* must refer to the *Dominican* Order (2003:273); he cannot have noticed that when a religious says 'The Order', without qualification and with no context to indicate otherwise, he means his own Order, just as the reference is unambiguously to one's own country when a newspaper calls itself 'El País' or Horace says 'dulce et decorum est pro patria mori' (*Odes* III 2.13). Latin has no definite article but it can use *aliquis* or *quidam* to compensate for the lack of an indefinite article; 'in ordine nutritus' no more raises the question 'Which Order?' than does Giles's reference to Gonsalvus's mother and sister being 'ordini benifice ualde', or his report of a visionary assurance that 'fratres qui in ordine moriuntur non pereunt eo quod beata uirgo in obitu eis semper assistit', or Gerald de Frachet's statement that Giles himself was 'in seculo magnus in artibus et in phisica, et in ordine in sacra pagina lector' (original texts at MOPH I 259, 280).

¹²³ *Pueritia* lasts 'ad quartumdecimum annum' according to Isidore, *Etym.* XI 2.3; Thomas of Cantimpré rather confusingly says it lasts 'usque ad quintumdecimum annum' and that *adolescentia* begins 'a quartodecimo anno' (*De natura rerum*, ed. H.Boese, Berlin 1973, 80-81).

¹²⁴ He might have been a young arts student in a non-Spanish university, for example, at least if we treat *a puero* as an exaggeration—according to R.C.Schwinges 'The student [in faculties of arts] is, in the vast majority of cases, a young man of between fourteen and sixteen years of age' (in De Ridder-Symoens, *History of the University* I 196).

¹²⁵ The ordination of the 1239 general chapter, 'Volumus ut frater qui dum esset in seculo prouinciam in qua natus est dimisit omnino et ad aliam se transtulerat domicilium commutando sit de illa prouincia in qua domicilium habuit nisi de eo per magistrum uel capitulum generale aliter ordinetur' (MOPH III 13.7-10), is patently a modification of an existing principle that recruits belonged to their native territories. Jordan of Saxony regularly sought university recruits in Bologna and Paris and when he was there the convents 'apum aluearia uidebantur quamplurimis intransitibus et multis ex hinc ad diuersas prouincias ab eo transmissis' (MOPH I 108), which almost certainly means that he sent his conquests to their own countries, as he did with Albert the Great (Tugwell, *Albert and Thomas*, New York 1988, 6-7); his catch at Vercelli in 1229 included two students from Provence whom he immediately sent to Montpellier, and he only kept the Germans in Genoa 'per tempus' (Jordan, *Ep.* 49, MOPH XXIII 57). From the outset, as W.A.Hinnebusch points out, the Order's expansion was generally entrusted to friars from the places involved (*The early English Friars Preachers*, Rome 1951, 3); to the examples he gives we may add that the first friars whom Dominic sent to Poland were a Pole and a Moravian (the Polish province originally included Moravia) (AFP 27 [1957] 15-16), and the beginnings of a Dominican presence in Venice and Piacenza seem to have been entrusted respectively to Paul of Venice and Buonviso of Piacenza (Tugwell, AFP 66 [1996] 74, 127, 133).

D'Ors (2003:273-274) seems tempted by the possibility that Petrus was associated with Dominic himself, but there is no hint of any such association in the 'obituary', and it is something we might have expected it to mention; and the secondary sources in which D'Ors finds encouragement do not withstand critical examination.

H. Barth tentatively proposed that Petrus Ferrandi might be the same as the 'Petrus matritensis' mentioned by Jordan in *Libellus* §49 as one of the brethren whom Dominic sent to Spain in 1217 (AFP 54 [1984] 98). This apparently gratuitous suggestion was probably inspired by Scheeben, whom Barth cites a few lines earlier; though Scheeben did not identify the two Peters he did say that such an identification could explain why Taegio included Petrus Ferrandi among the brethren who chose the Rule with St Dominic (AFP 2 [1932] 331). But the text of Taegio to which Scheeben refers (AGOP XIV 54 f.190^v) has nothing to do with the brethren who chose the Rule; it comes in the section of *De insigniis* devoted to Spanish Dominicans famous for holiness, and it simply reproduces Petrus Ferrandi's obituary from the *Vitas fratrum* with no extra details whatsoever. It is in the *Cronica magistrorum* that Taegio comments on the brethren identified by Bernard Gui as having chosen the Rule with Dominic (B f.16^v, R f.6^v); these include Peter of Madrid, but all that is said about him is that he was sent to Spain by Dominic. Neither there nor anywhere else is there the slightest hint that Taegio connected or identified Peter of Madrid with Petrus Ferrandi.

Further confusion is caused by the article on Stephen of Bourbon in QE I 184-194, compiled, as the asterisk in the margin shows, entirely by Échard; it appears to add an extra voice in support of Petrus Ferrandi having been one of Dominic's companions in the Midi, and as such it is welcomed by D'Ors, though he admits that 'Quétif-Échard's testimony is fraught with difficulty' (2003:278-279).

Échard's article includes a list of Stephen's sources which begins 'In ordine quidem eos uidit, qui S.Dominici in terris Albigenisium praedicantis adiutores fuerunt'; this is followed by a colon, which gives the impression that the names which come after it, including that of Petrus Ferrandi, are those of Dominic's assistants in *terris Albigenisium* (QE I 184). However, this is certainly not what Échard intended: the list begins with Matthew of Paris who was with Dominic in Languedoc, but it continues with Jordan and his friend Henry (who were not with Dominic in Languedoc), William Peraldus, Geoffrey of Blévex, Gueric of Saint-Quentin, John of Montmirail and a raft of others who had no connection with Dominic at all, and the articles on them show that Échard was well aware that they were

not among his *adiutores in terris Albigensium*; despite the punctuation the *adiutores* are merely one item in the list,¹²⁶ so there is no reason to imagine that Échard wanted to claim that Petrus Ferrandi had been associated in any way with Dominic himself.

Nor is there any reason to suppose that Échard had actually found any explicit reference to Petrus Ferrandi in Stephen of Bourbon. The only manuscript of Stephen which Échard describes in detail is recognizably BNF lat. 15970 (still regarded as the most important manuscript), and it is presumably the one he used; Jacques Berlioz has kindly confirmed for me that neither the text nor the margin contains any identification of 'frater P.' as anything more than 'quidam sanctus uir frater P. Hyspanus dictus' or 'quidam frater P. hispanus' (ff. 334^v, 448^v). The identification with Petrus Ferrandi is thus purely conjectural.

It also seems probable that the conjecture was one of a pair which became confused when they were inserted at the last minute, and that it was as the accidental result of this confusion that the list of names appended to 'clarissimos ... uiros cognouit' includes 'Dominicum Hyspanum S. Dominici socium uirum eximia sanctitatis, Petrum Ferrandi Hispaniae aliquando prouincialem'. The article on Petrus Ferrandi in QE I 127 (written by Échard on the basis of Quéatif's notes with some extra material of his own, as the dagger in the margin shows) says nothing about Petrus being provincial of Spain; Échard would certainly have mentioned it if he believed it to be true. The description of Dominic as *socius* of his sainted homonym tallies with what Stephen says,¹²⁷ as would 'Petrus Hispanus' if Échard had left it at that; but it was surely Dominic, not Petrus, whom Échard meant to identify as a quondam provincial of Spain,¹²⁸ his conjecture

¹²⁶ Stephen cites them as a source: 'hoc audiui a prioribus fratribus qui cum beato Dominico in terra illa [sc. Albigensium] fuerunt' (A. Lecoy de la Marche, *Anecdotes historiques ... tirés du recueil inédit d'Étienne de Bourbon*, Paris 1877, 79 §83).

¹²⁷ The Dominic he had seen is identified as the *socius* of St Dominic mentioned in his *vita* (Lecoy de la Marche, *Anecdotes* 241 §288), as Échard duly noted in QE I 15.

¹²⁸ The conjecture involves identifying the Dominic mentioned in St Dominic's *vita* with Dominic of Segovia 'qui in Lombardia et post in Hispania prior fuerat fratrum prouincialis' (*Vitas fratrum*, MOPH I 304), as had already been done by Jean de Rechac (*Vie de saint Dominique*, Paris 1647, 580-584). Échard's own manuscript of the *Vitas fratrum* lacks the section on Dominic of Segovia, but he evidently collated it with another text: he noted in the margin, before the section on Columbus, 'Deest hic § unum' (BNF lat. 18324 f.102^v), which can only refer to the section on Dominic.

with regard to Petrus being simply to identify him with Petrus Ferrandi.¹²⁹

Thus neither Taegio nor Échard can legitimately offer even the limited encouragement D'Ors found in them; and a further step with which he toys, that of identifying Petrus Ferrandi with the 'Petrus hispanus conuersus' whom Dominic is said to have sent to Bologna in 1218 (2003:273-274, 279)¹³⁰ rests on equally rickety foundations.

7. *Petrus hispanus conuersus*

The earliest references to 'Petrus hispanus conuersus' come in two extracts from the lost *Cronica ordinis* of Galvano della Fiamma which, judging by Taegio's notes on it, continued up to 1344, this being the last date mentioned (AGOP XIV 53 f.129^v); both extracts mark an advance on what Galvano says in his *Cronica parva* which runs up to 1333 (MOPH II 111).

The *Cronica parva* mentions the founding of the Milan convent in 1219 and the gift of S.Eustorgio to the Order early in 1220, but

¹²⁹ The claim that Petrus Ferrandi was provincial has not been found anywhere else. We have little reliable information about the chronology of the early provincials of Spain—the list in AGOP XIV lib. III f.215, apparently copied from one in Salamanca, only goes up to 1360, but it is recognizably based on the works of sixteenth- and seventeenth-century historians; this is not the place to go into the question, but I doubt if Petrus Ferrandi can be fitted in before 1258, and if he had been provincial this would surely have been mentioned in his 'obituary'. What D'Ors refers to as the 'official catalogue' of Spanish provincials (2003:278) is official only in the sense that it features in the modern catalogus of the province (cited in D'Ors 2003:268), and he is wrong to argue that it must be incomplete on the grounds that Giles of Santarém is 'assigned more than the three four-year periods which were usually the maximum in the Order of Preachers' (2003:268). The dates of Giles's provincialate are problematic in any case, but, barring such accidents as dying or becoming bishops or Master of the Order, provincials remained in office until they were absolved by the Master or a general chapter, with no fixed or normal term; often they did not even last four years, but they could go on much longer. In Dacia, for example, Analdus was provincial for two years, and he was followed by Absalon who was provincial for twenty years from 1241 until his death in 1261, during which period he was absolved once in 1250 and evidently re-elected immediately (J.Gallén, *La province de Dacie de l'Ordre des Frères Prêcheurs*, Helsinki 1946, 15-16); in Poland between 1273 and 1301 James of Sandomierz was provincial for two years, Goslaw for four, Zdislaw for twenty, Goslaw for another two years, then Zdislaw again for another seven years (R.J.Loerertz, AFP 21 [1951] 24-26).

¹³⁰ This Petrus Hispanus, even if he cannot be identified with Petrus Ferrandi, is D'Ors's back-up candidate to be *auctor Summularum* (2001:214-223, 2003:254-257).

only two members of the founding community are named, whom Dominic is said to have received into the Order in 1219, apparently in Bologna, and sent to Milan (MOPH II 23). In the larger *Cronica* it is made explicit that they were received in Bologna, and there is also a list of the members of the initial community at S.Eustorgio, with no indication how the rest of them came to be in the Order. The list is hierarchically structured, with the prior named first, then the lector, then 'fuerunt etiam in prefato conuentu frater Gerardus de Merate diocesis mediolanensis qui fuerat in seculo doctor iuris nominatissimus' and so on until finally we reach the laybrothers: 'Tres etiam conuersi ibi fuerunt, uidelicet frater Petrus hispanus qui fuerat beati Dominici sotius, frater Gulielmus de Benexio et frater Dalphinus de Modoetia'.¹³¹

Despite Galvano's notorious inventiveness, he is unlikely to have conjured a whole list of names out of thin air. Milan was his own convent, and it is quite credible that he drew on records of one sort or another which were preserved there; but we should not place too much reliance on his claim that all the people he mentions were already members of the community in 1220 when it first took possession of S.Eustorgio.

Galvano also names 'Petrus hispanus conuersus' in the larger *Cronica* as one of three friars whom Dominic sent from Rome to Bologna in 1218. As quoted by Taegio in the *Cronica magistrorum* 'ex Cronica fratris Galuani' he says: 'Anno domini 1218 circa principium anni misit beatus Dominicus ex Roma fratres Bononiam ad locum recipiendum ... Fratres autem qui missi sunt Bononiam a beato Dominico fuerunt frater Ioannes de Nauarra, frater Bertrandus et frater Petrus hispanus conuersus'.¹³² Borselli was clearly inspired by the same text of Galvano to say that in 1218 'De Roma tres fratres misit beatus Dominicus Bononiam ad locum accipiendum pro ordine, uidelicet fratrem Iohannem de Nauarcha, fratrem Beltrandum et fratrem Petrum yspanum conuersum' (Bologna, Bibl. Univ. 1999 f.3').

In this case the larger chronicle does not supplement what is said in the *Cronica parua*, it changes it. In the shorter chronicle Galvano says that 'Incipiente anno domini .m.cc.xviii. beatus Dominicus duos fratres misit Bononiam, scilicet fratrem Iohannem

¹³¹ AGOP XIV 53 f.122', in Taegio's notes on the Mantua manuscript of Galvano; ed. Odetto, AFP 10 (1940) 321. Taegio paraphrases the same passage, including the list of names, in his *Cronica magistrorum* (B f.49', R f.19'; AFP 10 [1940] 348).

¹³² B f.25', R f.9'; AFP 10 [1940] 344.

et fratrem Beltrandum, et unum conuersum qui dictus est frater Christianus'.¹³³ It is immediately clear that something is wrong here: however distinct conversi were, they were still *fratres*, so John, Bertrand and a conversus add up to three *fratres*, not two. Galvano's source was Dietrich: 'Misit ab urbe Bononiam fratres Iohannem et Bertrandum anno domini .m.cc.xviii. circa principium, postmodum fratrem Christianum cum conuerso',¹³⁴ and *duos* in Galvano's text presupposes the distinction between the two parties which he nevertheless chose to ignore, unless it disappeared by accident at some stage in the redaction of his chronicle. He must have misread *Christianum cum conuerso* as *Christianum conuersum*, unless his copy of Dietrich was defective.

We cannot tell whether Galvano worked on his two chronicles at the same time or whether he embarked on the longer one only after he had completed the shorter one, but Christian's right to be named in 1218 is guaranteed by Galvano's source, so at least here the *Cronica parva* has the earlier text; and since the conflation of two separate parties recurs in the longer chronicle, but without the *duos* which draws attention to the mistake, it looks as if Galvano did not recheck his source in the interim. In calling the conversus 'Petrus hispanus' in the longer chronicle he either made a simple mistake, in which case there is nothing more to be said about it,¹³⁵ or he deliberately changed the name, in which case he presumably believed he had some reason to do so.

If the change of name was deliberate, what sort of reason did Galvano have? Did he just realize that Christian was not a conversus and substitute the name of an undoubted conversus of whom it might

¹³³ Edited by Reichert from a single manuscript in MOPH II 14; I have checked the text in the only other medieval manuscript, Ravenna, Bibl. Classense 347, and in a nineteenth-century transcript in the Dominican archives in Toulouse which appears to have been copied from an otherwise unknown original.

¹³⁴ §102 in the Bollandists' edition; their manuscript, Brussels, Bibl. Royale 7825, is eccentric in giving the date as 'anno domini .m.cc.xvii.'. Other manuscripts have the same date as Dietrich's source, Jordan, *Lib.* §55, which says that 'Anno domini .m.cc.xviii. circa principium missi sunt a Roma per magistrum Dominicum fratres Bononiam, uidelicet frater Iohannes de Nauarra et quidam frater Bertrandus, postmodum uero frater Christianus cum fratre conuerso'.

¹³⁵ We are all liable to mental lapses of this kind. D'Ors himself attributes the MOPH edition of the *Vitas fratrum* to Reichert in *Vivarium* 35 (1997) 68 n.118 and to Laurent in 2003:269 n.33; this does not mean that he seriously confused the identities of the two men, one an Austrian who was born in 1868, made profession in 1890, left the Order in about 1906 and died at his family estate in 1917, the other a Frenchman who was born in 1906, made profession in 1925 and died in the Order in 1968.

plausibly be claimed that he was sent to Bologna in 1218? Did he have specific evidence that the Milan conversus had previously been in Bologna, or was this inferred from a general belief that the founders of the community all came from Bologna? Was there real evidence that Petrus was sent to Bologna by Dominic in 1218, or was this inferred from his (supposed) presence in Bologna before his (supposed) move to Milan as (supposedly) one of the first Dominicans at S.Eustorgio? Was there actual evidence that he had been Dominic's *socius*, or was this inferred from his (supposed) presence in Rome with Dominic before his (supposed) move to Bologna?

Vicaire is perhaps too categorical in dismissing the attachment of the name to the conversus sent to Bologna as 'une invention de Galvagno'.¹³⁶ We do not know what prompted Galvano to identify the conversus as Petrus Hispanus; it is unlikely that he had access to any documentary record of the names of the people sent to Bologna in 1218, but even if the identification was purely conjectural it was not necessarily stupid. If there was evidence that a Spanish conversus who was believed to have been in Milan by early 1220 had been Dominic's *socius*, it would not be unreasonable to surmise that it was he who accompanied the saint from Languedoc to Rome at the end of 1217 (as someone must have done, though we do not know who it was) and that he was then sent from Rome to Bologna and subsequently from there to Milan.

All the same, even if the claim that Petrus Hispanus had been Dominic's *socius* was a primary datum for Galvano, not just an inference, its reliability still remains open to doubt. It is possible that Galvano drew on the memories of older members of the Milan community who could recall what they had been told when they were young about the early days of the foundation; genuine information could have been preserved in this way.¹³⁷ On the other hand, there are instances elsewhere of questionable local identifications of people imprecisely mentioned in narrative sources,¹³⁸ and a S.Eustorgio

¹³⁶ M.H.Vicaire, *Histoire de Saint Dominique*, Paris 1982, II 111.

¹³⁷ It is not very likely that there was any written record naming Petrus as Dominic's quondam *socius*. We must disabuse ourselves of the idea that every convent maintained a proper necrology or convent chronicle: the earliest known chronicle to contain information about individual brethren is that of S.Maria Novella in Florence, and it was begun in 1280 and relied on hearsay for the preceding period (S.Orlandi, *Necrologio di S. Maria Novella* I, Florence 1955, 11); there is no evidence that Milan or Bologna or any other convent in Lombardy ever had such a chronicle.

¹³⁸ For example, a 'corrector' of the manuscript of the *Vitas fratrum* belonging to the Leipzig Dominicans implausibly identified 'Henricus theutonicus' mentioned

'tradition' recognizing 'our Peter' in the conversus sent to Bologna in 1218 need not be any more dependable.

In sum, we may accept that there was a conversus known as 'Petrus hispanus' in the early years of the Milan convent, though it is less certain that he was already there when the brethren moved to S.Eustorgio. As for the rest, it is possible that he was Dominic's *socius* at some stage, in which case he could have been with him in Rome early in 1218 (having perhaps travelled with him from Languedoc), which would make him a plausible candidate to be the conversus sent to Bologna with Christian; but in the absence of other evidence it is impossible to assess the degree of credence we should accord the statements quoted from Galvano's *Cronica ordinis*.

In 2001 D'Ors suggested that Galvano might have confused the conversus sent to Bologna with a Petrus Hispanus who was in Bologna; and he believed he had found an ideal environment for him at the Mascarella, where the Dominicans lived before they were given the church of St Nicholas (2001:220-223).

This alternative Petrus is set against a background of Dominic arriving in Bologna in 1217/8, taking up residence with his fellow-countrymen, the canons of Roncesvalles, at the Mascarella, beginning his apostolic work in Italy among Navarrese students, and winning a couple of the canons for his own Order. This background is supplied by P.Tamburri Barriain, who depicts the first Dominicans in Bologna as a group of Spaniards (except for Reginald of Orléans), fully

in a story about the Paris Dominicans (MOPH I 39) as the Henry (Heidenric) who was prior of Leipzig and later bishop of Chelmno (Leipzig, Univ. Bibl. 818 f.6'). The chronicle of Perugia, compiled between 1327 and 1331, claims the *frater quidam* in Perugia whose story is told elsewhere in the *Vitas fratrum* (MOPH I 207-208) as the convent's 'first friar', 'frater Christianus domini Ermanni' (A.Maiarelli, ed., *La Cronaca di S.Domenico di Perugia*, Spoleto 1995, 38-39). A fourteenth-century annotator of a manuscript of Dietrich's life of Jordan of Saxony identified both the nobleman who wanted to kill Jordan for stealing his only son and the one who had stolen a cow from Jordan's mother as being *comes de Dasle* (Göttingen, Univ. Bibl. theol. 109b f.32'; transcribed not quite accurately by Scheeben in ASOP 17 [1926] 688), though the latter (known from one of Jordan's *bons mots* in the *Vitas fratrum*, MOPH I 143-144) appears to be quite unconnected with the former (whose story Dietrich took from the *Vitas fratrum*, MOPH I 110-111), and it is unclear on what basis either of them is identified as a Count of Dassel—a Dominican Berthold of Dassel is attested in 1262 (cf. J.B.Freed, *The friars and German society in the thirteenth century*, Cambridge Mass. 1977, 226), and a Berthold is mentioned elsewhere in a different story about Jordan (MOPH I 118-119), but there is nothing to confirm that it was his father who features in MOPH I 110-111 or 143-144.

integrated into the city's university life, like their hosts, and devoting themselves to an apostolate among students, especially Spanish and (at least after Reginald's arrival) French students.¹³⁹ What could be a more appropriate setting for a budding Spanish *doctor* or professor of logic?

Unfortunately every element in the picture is open to question.

All that we know for certain about Dominic's own moves is that he was in Languedoc on 11 Sept. 1217 (MOPH XXV no. 83) and that he was in Rome in time to obtain a papal bull on 11 Feb. 1218 (MOPH XXV no. 86); but there is a strong probability that he was still in Languedoc in December 1217, and that he started sending friars from Rome to Bologna in the latter half of January 1218 (AFP 65 [1995] 55-57, 62-68). The first person to specify the route he took from Languedoc to Rome is Galvano, according to whom he crossed the Alps and spent some time in Milan before going on to Rome;¹⁴⁰ this is unlikely to be true if Dominic made the journey in December. A detour from Milan to Bologna is first included in his itinerary by Borselli, who injects it into an account otherwise taken from Galvano (Bologna, Bibl. Univ. 1999 f.3^v); there is no other evidence that Dominic visited Bologna at all on his way to Rome, let alone that he spent any significant time there.

Borselli's text was ignored until P.Mothon published it in ASOP 3 (1897-1898) 599 and communicated it to Balme, who duly noted Dominic's visit to Bologna; Balme added a reference to his sojourn with the canons of Roncesvalles,¹⁴¹ in which he was followed even by historians who rejected Galvano's account of Dominic's itinerary. A stop-over in Bologna was found attractive because it would allow Dominic to prepare the ground for the convent he wished to establish there, and because it suggested how Ricardus (who was not one of the people sent to Bologna from Rome) came to be the first prior of the Dominicans in Bologna: he was perhaps a canon at the Mascarella whom Dominic won over to the Dominicans. This was proposed by Scheeben,¹⁴² accepted by Vicaire and expanded to include the question whether Ricardus was Dominic's only conquest among the canons,¹⁴³

¹³⁹ 'Presencia institucional de Roncesvalles en Bolonia (siglos XIII-XVI)', *Hispania Sacra* 49 (1997) 363-408, at 373-377.

¹⁴⁰ Galvano, quoted by Taegio (B ff.24^v-25^r, R f.9^v; AFP 10 [1940] 344).

¹⁴¹ F.Balme-P.Lelaidier, *Cartulaire ou histoire diplomatique de Saint Dominique* II, Paris 1897, 146, 184.

¹⁴² *Der heilige Dominikus*, Freiburg im Breisgau 1927, 250-251.

¹⁴³ *Histoire de saint Dominique*, Paris 1957, II 102; Paris 1982, II 102.

and turned into a certainty by D'Amato.¹⁴⁴ It is only a short step from there to the assumption that it is equally certain that Dominic recruited two canons, the other of whom could be Petrus Hispanus.

None of this is in the least convincing, nor does Borselli, on whose authority the whole story rests, say anything about Dominic staying at the Mascarella during his supposed visit or about him taking the first steps towards a foundation there. Dominic sent friars to Paris and to Spain without preparing the ground for them; why could the people he sent to Bologna not be trusted to fend for themselves? And the only actual evidence we have about Ricardus is that he was an old man and prior of the Dominicans not long after they moved to St Nicholas's;¹⁴⁵ he probably joined the Order in Bologna,¹⁴⁶ but this does not prove that he was previously a canon of Roncesvalles at the Mascarella.

There is no evidence that the canons of Roncesvalles were at the Mascarella as early as this anyway.¹⁴⁷ Tamburri Bariain claims

¹⁴⁴ 'Certamente, prima di riprendere il viaggio per Roma, Domenico conquista uno o due di quei canonici alla sua causa. Il primo priore dei frati predicatori a Bologna è infatti un certo Riccardo, che non è fra quelli da lui inviati in questa città. Molto probabilmente è uno dei canonici dell'ospizio della Mascarella' (A.D'Amato, *I Domenicani a Bologna*, Bologna 1988, I 34 = id., *I Domenicani e l'Università di Bologna*, Bologna 1988, I 30, quoted by D'Ors).

¹⁴⁵ Ricardus is known only from a single allusion in a story which accrued to the *Vitas fratrum* in 1259, reporting Tancred's story of how he came to join the Order: in a dream he saw two Dominicans, and the next morning, when he went 'ad ecclesiam beati Nicolai ubi de nouo uenerant fratres predicatores', he recognized one of them as 'frater Ricardus senex' who was *prior fratrum* (MOPH I 190-191). The Dominicans seem to have moved to St Nicholas's in about April 1219—Frugerus received the habit at the Mascarella in Lent (between 20 Feb. and 6 April) (Bologna canonization process §46), and Pietro Lovelli made over his patronal rights over St Nicholas's on 14 March (MOPH XXV no. 97), which implies that the bishop had already made the church over to the brethren (Bologna canon. proc. §30); this tallies with what we know about Tancred: he appears to have been one of the people Dominic sent for to establish a community in Rome in late 1219 (AFP 66 [1996] 135-136), and nothing is said about him having received the habit from Dominic himself, which we might have expected him to mention; we may infer that he was already in the Order when Dominic arrived in Bologna in late August 1219 (AFP 65 [1995] 91, 66 [1996] 66-67).

¹⁴⁶ John of Navarre (of Spain) was one of the first people sent to Bologna by Dominic (Jordan, *Lib.* §55), and he stayed there until Dominic took him to Spain and then sent him back to Paris (AFP 65 [1995] 60-61, 79, 85); since he was most probably Jordan's informant (AFP 67 [1997] 42, 68 [1998] 60-63), we may take it that Jordan's list of the people sent to Bologna in 1218 is complete (*Lib.* §§49, 55), and it does not include Ricardus.

¹⁴⁷ Balme cites Guidicini and Melloni on the Mascarella without heeding the fact that they both remark on the lack of evidence for the canons of Roncesvalles being there until later in the century (G.B.Guidicini, *Cose notabili della città di Bologna* III, Bologna 1870, 199; G.B.Melloni, *Vita di San Domenico*, Naples 1791, 39-40).

that 'lo único seguro sobre la presencia de Roncesvalles en la Mascarella es, precisamente, que fue anterior a que los dominicos se serviesen de la encomienda como punto de apoyo, puesto que, como se ha visto, hay evidencias documentales y testimonios de la propia tradición dominica que presentan la vinculación entre la Mascarella y los navarros como ya existente al llegar santo Domingo' ('Presencia institucional ...' 376); but he has not cited a single 'evidencia documental', the only 'Dominican tradition' he has mentioned is the avowed conjecture that Ricardus was originally a canon of Roncesvalles, and a few twentieth-century historians do not constitute a 'tradición de la Orden', let alone one which can prove anything about what happened in the early thirteenth century. The presence of the canons of Roncesvalles at the Mascarella is first documented in January 1241 (Tamburri Bariain, 'Presencia institucional ...' 401), which means that it is entirely possible that they only took possession of it some time after it had been vacated by the Dominicans.

Nor is Tamburri Bariain's vision of an essentially Spanish Dominican community, with a predominantly university apostolate among Spaniards, supported by or even compatible with the evidence. According to Jordan, it was only after Reginald's arrival in mid-December 1218 that the community began to attract recruits in significant numbers;¹⁴⁸ we know who some of these were, and not one of them is Spanish.¹⁴⁹ Reginald is certainly said to have drawn 'plures magnos clericos et magistros' to the Order (MOPH I 169), but there is nothing to indicate that he addressed himself primarily to university folk; his preaching inspired the whole city, we are told

¹⁴⁸ 'In diebus illis multos Bononie recepit ad ordinem et numerus discipulorum cepit excrescere et plures additi sunt ad eos' (Jordan, *Lib.* §58); the variant *multos bononienses*, printed by Scheeben in MOPH XVI, is found in only one manuscript.

¹⁴⁹ Paul of Venice and Frugerus Pennensis are Italians with no known university connection (Bologna canonization process §§41, 46). Roland and Moneta of Cremona, both Italians, were university teachers (*Vitas fratrum*, MOPH I 26, 169-170). Rudolph of Faenza, Italian, was the priest at St Nicholas's and he entered the Order together with his church (Bologna canonization process §30, MOPH I 20). Tancred, of uncertain nationality, was a knight (*miles*) at the imperial court (MOPH I 190), so he was at any rate not Spanish. The recruits in this period also probably include two more university teachers, Paul of Hungary (Suipert, ed. Tugwell, AFP 68 [1998] 94), evidently Hungarian, and Clarus (MOPH I 26), who can safely be identified with the Roman provincial, Clarus de Sexto of Florence (Orlandi, *Necrologio di S. Maria Novella* I 3), once he is disentangled from the falsely named Clarus in MOPH I 21 (whom the oldest manuscript tradition calls *Clarinus*, not *Clarus*).

(Jordan, *Lib.* §58), we hear of him preaching to a packed cathedral (MOPH I 170), and one person on whom he had a profound effect was Diana d'Andalò, the foundress of the Dominican nuns in Bologna (Chronicle of S. Agnese, AFP 66 [1996] 141).

Nor is there is any evidence that the Dominicans were 'fully integrated into the city's university life' either before or after Reginald's arrival, except in the sense that students and masters were among the people they preached to and influenced. Before Reginald's arrival we know nothing about the community's activities and almost nothing about its composition except that the Spaniards sent there in the early months of 1218, or at least most of them, were removed from Bologna a few months later. We know that Dominic sent three pairs of friars to Bologna in the early months of 1218 (Jordan, *Lib.* §§49, 55), but only one pair was undoubtedly Spanish, Michael de Uzero and the other Dominic; and this Dominic left Bologna at about the beginning of May (AFP 65 [1995] 61) to accompany his homonym to Spain,¹⁵⁰ and the same is probably true of Michael (AFP 65 [1995] 68). The first pair to arrive, towards the end of January, was John of Navarre and 'quidam frater Bertrandus', the first a borderline Spaniard,¹⁵¹ the second of unknown nationality;¹⁵² Bertrand may or may not have remained in Bologna, but John too was collected by Dominic and taken to Spain before being sent back to Paris (AFP 65 [1995] 60-61). The other pair, also claimed as Spanish by Tamburri Bariain, consisted of Christian and the conversus first (dubiously) identified as 'Petrus hispanus' by Galvano; Christian's nationality is

¹⁵⁰ St Dominic did visit Bologna on his way to Spain, and while he was there he preached 'scolaribus et aliis bonis hominibus' and made the acquaintance of Stephen of Spain (Bologna canonization process §36); on the date of this visit and the likelihood that the brethren were at the Mascarella by then, cf. AFP 65 (1995) 69-80.

¹⁵¹ John was born at Saint-Jean-Pied-de-Port in the diocese of Bayonne (MOPH XXII 155), on the French side of the Pyrenees, in the ecclesiastical province of Auch; he joined Dominic's *équipe* in Toulouse shortly before it was transformed into a religious Order (Bologna canonization process §25), and he evidently remained in the province of Provence (otherwise it is unlikely that Stephen Salanhac would have heard him telling a rather discreditable story about himself, MOPH XXII 155).

¹⁵² Tamburri Bariain identifies Bertrand with Bertrand de Garrigues whom he claims as Spanish, which he certainly was not—he was born near Alès (MOPH XXII 151); but, as has long been recognized, the Bertrand in question here is a different one (AFP 65 [1995] 53-55) about whom we know absolutely nothing, though he had presumably joined the Order in Paris since he must have accompanied John from Paris to Rome, and he is not one of the people Dominic sent to Paris from Toulouse.

unknown,¹⁵³ but we do have reason to believe that he remained in Bologna until 1221.¹⁵⁴

In sum, we have no real evidence that Dominic broke his journey to Rome in Bologna in 1217/8, let alone that he stayed at the Mascarella, and even if he did stay there it is most unlikely that he would have had time to engage in any significant apostolate. We have no evidence that the canons of Roncesvalles were at the Mascarella before the Dominicans, let alone that any of them became Dominicans. We have evidence against the idea of a predominantly Spanish Dominican community ministering especially to Spanish university students in Bologna. And, of course, we still have no evidence except that of Galvano that there was a Petrus Hispanus among the early members of the Dominican community in Bologna.

In 2003 D'Ors believed that documentary support for Petrus Hispanus being sent from Rome to Bologna in 1218 could be found in a papal letter issued on 26 April 1218 recommending three individual Dominicans to the prelates of the church (2003:255-257); D'Ors's knowledge of it is derived from Petitot, who quotes it as introducing 'dilectos filios P., I., R.', taken to stand for Petrus (Hispanus), Iohannes (de Navarra) and Ricardus.¹⁵⁵ Petitot had no scholarly pretensions and was simply following the lead given by Mothon and Balme,¹⁵⁶ and their interpretation, connecting the letter with Bologna, was based on an inaccurate text; the brethren mentioned by the pope are actually 'dilectos filios P., T. et R.'¹⁵⁷

¹⁵³ All we know about his background is that he was the first Dominican prior in Cologne (which might suggest that he was German) and that in about 1222 he was identified as a Cistercian *fugitivus* by the abbot of Clairvaux (which might suggest he was French); the evidence comes from Caesarius of Heisterbach (A.Hilka, ed., *Die Wundergeschichten des Caesarius von Heisterbach* I, Bonn 1933, 138).

¹⁵⁴ We do not know how he came to be prior of Cologne, but the foundation was made by chance when Solomon of Aarhus was on his way to Denmark, so we may guess that Christian was in his party; if so he was probably in Bologna in 1221, since it was from the 1221 general chapter there that Solomon was sent to Denmark (*Historia OP in Dania*, ed. Tugwell, AFP 66 [1996] 163).

¹⁵⁵ H.Petitot, *Vie de Saint Dominique*, Saint-Maximin 1925, 325-326.

¹⁵⁶ Mothon, ASOP 3 (1898) 599 note 3; Balme-Lelaidier, *Cartulaire* II 183-187.

¹⁵⁷ ASV Reg. Vat. 9 f.251^v; the initials are perfectly clear, and there is a conventional sign for *et* between the last two. A résumé of the letter, with the right initials, had appeared in ASOP 3 (1897) 251, shortly before Mothon's note; the full text, with the correct initials, was edited by Laurent in MOPH XV 104 no. 87 and by Koudelka in MOPH XXV 94 no. 91.

The correct initials suggested to Vicaire that 'un seul déchiffrement est possible et s'impose: Pierre Seila, Thomas de Toulouse, Raymond du Fauga, les trois frères principaux de Toulouse'.¹⁵⁸ Rechac appears to lend support to this interpretation: on his own account he quotes these 'lettres patentes' (with the correct initials) as found 'en leur Original' (*Vie de saint Dominique* 375),¹⁵⁹ which V.J.Koudelka took to mean that he copied them from the original bull, which would imply that it was in France, very possibly in Toulouse (AFP 34 [1964] 16; MOPH XXV no. 91). I accepted this interpretation of 'leur Original' in 1995 (AFP 65 [1995] 122), but I no longer believe it: Rechac's text of the letter has exactly the same form as in the papal register, with the usual omissions and abbreviations, including 'per a.v.s.' (= *per apostolica uobis scripta*) which would not have been abbreviated in the original; Rechac had no occasion to abbreviate it himself, so it is most likely that he kept 'a.v.s.' because he did not know what it stood for,¹⁶⁰ and that 'en leur Original' means 'in the original language'.¹⁶¹

We do not know where the original ended up, then, or for whom it was issued, but there is still much to be said for Vicaire's interpretation of the initials. It must have been news from Languedoc which prompted Dominic to obtain an issue of *Religiosam vitam* for the brethren of Prouille on 30 March 1218 (MOPH XXV no. 90) so that they could survive as an autonomous religious community even if the insurrection against Simon de Montfort resulted in the loss of the Toulouse house, of which Prouille had been a dependency (cf. AFP 74 [2004] 50), and there is circumstantial evidence suggesting that Peter Seilhan was with Dominic in Spain in early July 1218 (AFP 65 [1995] 95-99), from which we may infer that he was one of the people who had gone to him in Rome to report on the situation in Toulouse.¹⁶² Granted the risk that the brethren might have to abandon

¹⁵⁸ *Histoire de saint Dominique*, Paris 1957, II 110; Paris 1982, II 109-110.

¹⁵⁹ J.J.Percin expressly took the text from Rechac (*Monumenta conventus Tolosani*, Toulouse 1693, I 22 §53), so his 'P. F. & R.' must be due either to his own mistranscription from Rechac or to a printer's error.

¹⁶⁰ Percin was obviously just as puzzled; he omitted 'per a.v.s.' from his text.

¹⁶¹ Rechac had been sent the unfinished Dominican annals of A.Bzovius (*Vie de saint Dominique* 5-6, AFP 2 [1932] 411). These are now lost, but according to Échard they were crammed with documents (QE II 491); Bzovius had access to the papal registers (cf. AFP 74 [2004] 104), so Rechac's text of the letter probably came from him.

¹⁶² It seems that Dominic did not attempt to visit Toulouse on his way to Spain (AFP 65 [1995] 82-85).

Toulouse, it would have been prudent for Dominic to solicit a papal letter which could be used to facilitate a new foundation somewhere else should it become necessary, and since those who had come to him in Rome would probably not be able to re-enter Toulouse anyway¹⁶³ it would have made sense to equip them in particular with such a papal recommendation.

The letter of 26 April 1218 and the initials it contains are thus completely intelligible in the light of the situation in Languedoc.¹⁶⁴ The Bologna hypothesis, by contrast, raises considerable difficulties.

What we know of the beginnings of the Dominican community in Bologna in 1218 gives us no 'T.', no 'P.' unless we accept Galvano's identification of the conversus mentioned by Jordan, and no 'R.' except Ricardus who emerges briefly from obscurity in the spring of 1219 (and is not named by Jordan among the friars sent to Bologna); and Jordan only tells us of Dominic sending friars to Bologna in pairs.

P., T. and R. could have gone to Bologna with Dominic at the end of April or early in May.¹⁶⁵ This would be compatible with the date of the bull, but why should a bull of commendation for Bologna have been considered necessary as late as 26 April? The relevant bull was first issued, without reference to any particular friars, on 11 Feb. 1218 (MOPH XXV no. 86), and there are grounds for believing that it was originally taken to Bologna;¹⁶⁶ what could have been gained by a second copy, let alone one mentioning three specific individuals who were certainly not the pioneers of the foundation?

Precisely because it was particular to three individuals the bull could not have been re-used for further foundations; if it was intended for Bologna it should have remained there. But in that

¹⁶³ The city had been under siege since 1 October 1217, and the siege was not lifted until 25 July 1218 (cf. Pierre des Vaux-de-Cernai, ed. cit. §§602-614, with the editors' notes).

¹⁶⁴ In 1995 I suggested that the three brethren from Toulouse accompanied Dominic on the first lap of his journey to Spain, but he decided to leave Thomas and Raymund in Narbonne at the archbishop's invitation and to take Peter Seilhan with him to Spain, perhaps already with the intention of sending him to Paris as the first step towards a foundation in Limoges (AFP 65 [1995] 125-127); if so, the papal letter was not needed after all, and this could help to explain why it seems to have disappeared from view.

¹⁶⁵ There are good grounds for believing that Dominic visited Bologna on his way to Spain in April/May 1218; the evidence that the Dominicans were already at the Mascarella is less solid (AFP 65 [1995] 69-80).

¹⁶⁶ AFP 75 (2005) 84-85; I retract what I said earlier about the lack of evidence that Bologna had a copy of the bull (AFP 65 [1995] 65).

case it ought to have featured in Borselli's list of Honorius III's bulls (Bologna, Bibl. Univ. 1999 f.2a^v), which it does not.

The Toulouse interpretation of the bull may be only a conjecture, but it is considerably more plausible than the equally conjectural Bologna hypothesis. It would therefore be adventurous in the extreme to use the bull as evidence that Dominic sent a Dominican called Petrus to Bologna in 1218.

8. *The meaning of conuersus*

A fundamental sticking point in D'Ors's suggestions is, of course, the word *conuersus*. The primary datum is that Dominic sent a conversus, not a Petrus, to Bologna in 1218 (*Lib.* §55); even if Galvano confused him with a Petrus Hispanus who was already in Bologna, the confusion could hardly have occurred unless the one in Bologna was identified as a conversus. And neither Petrus Ferrandi nor the *auctor Summularum* can have been a conversus in the ordinary sense of 'laybrother'.

D'Ors evidently imagines that there is a whole menu of permanently available options from which he is free to select whatever meaning he likes for *conuersus*, but in this he is mistaken. The semantic range of *conuersus*, as a participle and as a noun, varies according to time and place, and even where there are concurrent meanings some are more dependent on context than others. Compare the English word 'banker': using the University of Michigan *Middle English Dictionary*, the 1805 edition of Dr Johnson's dictionary, the 1929 Chambers's English dictionary, the 1971 *Oxford English Dictionary* and the 1976 *Concise Oxford Dictionary of current English*, I can accumulate a menu of fifteen different meanings, yet if I mention 'my banker' only one meaning is likely to occur to you: other things being equal you will assume I am referring to an official of a financial institution where I have a bank-account. However, Chaucer would have understood me to mean some kind of tapestry or cloth covering (a sense of the word which is now extinct, but which is the only one attested in Middle English), and Dr Johnson would probably have taken my 'banker' to be a money-lender;¹⁶⁷ I might actually have in mind a dealer in a gambling establishment, an East Anglian ditcher,

¹⁶⁷ The first definition given in his Dictionary is 'one that trafficks in money', a sense not even mentioned in the 1929 Chambers.

a Newfoundland fishing boat, or a number of other things, but you could only be expected to realize this in specific situations.

By the mid twelfth century substantial *conuersus* had acquired a dominant meaning which only context could dislodge: unless circumstances indicated otherwise, it meant a lay member of a religious community, who was distinguished as such from the monks or canons or clerics of the same community.¹⁶⁸ In this sense it could be used without explanation, as can be seen from official twelfth-century ecclesiastical documents.

In 1135 the council of Pisa decreed that if bishops, priests, deacons, subdeacons, canons regular and monks took wives they were to be separated from them (Mansi XXI 489); in 1139 Lateran II took the further step of declaring such marriages null, as being contracted *contra ecclesiasticam regulam*, and it expanded the list by adding *atque conuersi professi* after *regulares canonici et monachi* (canon 7).¹⁶⁹ Lateran II also stated that 'presbyteri, clerici, monachi, peregrini et mercatores et rustici euntes et redeuntes et in agricultura persistentes' should never be molested (canon 11); when this was reiterated in 1179 in canon 22 of Lateran III the text was modified

¹⁶⁸ The *Vita* of William of Hirsau credits him with introducing the practice of having *laici conuersi* as well as *monachi* in the monastery, 'ut monachi ministerio fidei laicorum conuersorum in exterioribus administrandis uterentur et uersa uice iidem laici a monachis quod ad curam animarum pertinet consequerentur eorumque claustralem disciplinam pro posse suo extra claustrum in corrigendis moribus imitarentur' (PL 150:914); in this he was following the advice given him by Ulrich of Cluny (PL 149:637). William died in 1091 (PL 150:915), and under that year Bernoldus reports that 'His temporibus in regno Teutonicorum communis uita multis in locis floruit, non solum in clericis et monachis religiosissime commanentibus uerum etiam in laicis se et sua ad eandem communem uitam deuotissime offerentibus, qui etsi habitu nec clerici nec monachi uiderentur; nequaquam tamen eis dispares in meritis fuisse creduntur ... nempe qui abrenunciantes seculo se et sua ad congregationes tam clericorum quam monachorum regulariter uiuentium deuotissime contulerunt ut sub eorum obedientia communiter uiuere et eis seruire mererentur. ... Unde Dominus papa Urbanus illorum conuersationem ab ipsis apostolis plantatam ... decreti sui apostolica auctoritate firmavit, ipsumque decretum praelatis eorundem fratrum his uerbis denunciare curauit: Quosdam inquit accepimus morem uestrorum cenobiorum corodentes quo laicos seculo renunciantes et se suaque ad communem uitam transferentes regendos in obedientia suscipitis; nos autem eandem conuersationem et consuetudinem sicut oculis nostris inspeximus laudabilem et eo perpetua conseruatione dignissimam quo in primitiuae ecclesiae formam impressa est iudicantes, approbamus, sanctam et catholicam nominamus, et per praesentes literas apostolica auctoritate confirmamus' (*Chronicon*, MGH SS V 452-453).

¹⁶⁹ Canon 8 ruled that the same applied to nuns; Gratian included both canons in his *Decretum* (C.27 q.1 c.40, Friedberg² I 1059).

to include conversi: 'presbyteri, monachi, clerici, conuersi, peregrini ...'.¹⁷⁰ Lateran II also excommunicated as sacrilegious anyone who laid violent hands 'in clericum uel monachum' (canon 15); Alexander III interpreted this as applying equally to anyone who laid violent hands on 'cuiuslibet religionis conuersos'.¹⁷¹

All the newer forms of religious life had conversi in this sense, even if there were different degrees of distinction between them and the other religious; and *conuersus* was clearly becoming a technical term which could stand on its own without needing to be accompanied by *laicus*. Among monks Cistercians had conversi,¹⁷² Carthusians had them,¹⁷³ and Vallombrosians had them;¹⁷⁴ Grandmont had them,¹⁷⁵ and so did canons regular¹⁷⁶ and Praemonstraten-

¹⁷⁰ In this form it was soon included in the *Compilatio prima* (1.24.2, Friedberg¹ 10), from where it passed to Gregory IX's decretals (X.1.34.2, Friedberg² II 203).

¹⁷¹ *Comp. I* 5.34.6 (Friedberg¹ 62); X.5.39.5 (Friedberg² II 891).

¹⁷² The early Cistercians, appreciating that they could not fully keep the Rule without help, 'diffinierunt se conuersos laicos barbatos licentia episcopi sui suscepturos, eosque in uita et morte excepto monachatu ut semetipsos tractaturos' (*Exordium paruum* §15.10; ed. F. De Place, *Cîteaux, documents primitifs*, Cîteaux 1988, 48); the lives of their conversi, referred to indifferently as *conuersi* or *fratres laici*, were governed by an *Usus conuersorum* in which they were forbidden to have books (§9), and which prescribed an 'office' of a few simple prayers for them to recite (§1) (P. Guignard, *Les monuments primitifs de la Règle Cistercienne*, Dijon 1878, 276-287; the text on the 'office' is quoted by B. Millett from two manuscripts and an edition which I have not been able to consult, *Medium Aevum* 61 [1992] 221). Once someone had been accepted as a *conuersus* he could not become a monk however much he pleaded (*Capitula* 22, ed. De Place, *Cîteaux* ... 132); conversely in 1215 the general chapter ordered the expulsion of clerics who had disguised their status to become conversi (J.M. Canivez, *Statuta capitulorum generalium ordinis Cisterciensis I*, Louvain 1933, 448).

¹⁷³ The *Consuetudines Cartusiae*, having dealt with 'quae ad monachorum pertinent consuetudines', proceed to 'ea quae laicorum sunt quos conuersos uocamus' (SC 313:246 §42.1).

¹⁷⁴ Their conversi ate separately, for example, and had a separate maundy (CCM VII/2 350); as *laici* they were not counted as *monachi*, as can be seen from the directive concerning the preparation of a corpse for burial, 'tunc lauetur corpus a fratribus, monachus a monacho, laicus a laico' (ibid. 370).

¹⁷⁵ The different rôles of *clerici* and *conuersi* are clearly demarcated in *Regula* §54 (CCCM 8:92-93).

¹⁷⁶ At Marbach there were 'laici inter canonicos regulares sine proprio uiuentes', who apparently made a promise to serve God rather than full profession as canons (J. Siegwart, ed., *Die Consuetudines des Augustiner-Chorherrenstiftes Marbach im Elsass*, Fribourg 1965, §195), and they would seem to be the same as the 'conuersi' for whom there was a special mass (§152, 356) and who came last in funeral processions after the 'conuentus' and the coffin-bearers (§319). At Maguelone, which followed the observance of St Ruf, there were *laici conuersi* who made a distinct profession and

sians.¹⁷⁷ Even Benedictines were beginning to distinguish between *conuersi* and monks,¹⁷⁸ having previously used the word *conuersi* to refer to lay monks (or men who had abandoned a lay career to become monks).¹⁷⁹

so could be called *laice professionis conuersi* or *laici conuersi iuxta suum modum professi*, as distinct from the *fratres regulariter professi* (A. Carrier, ed., *Coutumier du XI siècle de l'Ordre de Saint-Ruf en usage à la cathédrale de Maguelone*, Sherbrooke 1950, §§8, 52, 74; C. Dereine pointed out in *Revue d'histoire ecclésiastique* 46 [1951] 356 that the editor dated this text too early, and it really comes from the latter part of the twelfth century). The *Liber ordinis* of St Victor says that lay candidates judged unsuitable to become clerics should remain 'in habitu laicali qui eiusmodi conuersis ordinatus est' and 'nullus ab habitu laicorum fratrum semel suscepto ad habitum clericalem deinceps suscipiatur' (CCCM 61:99). Springiersbach admitted lay recruits 'qui uulgo dicuntur conuersi uel fratres' and 'alio quodam modo canonicis associantur, non uestitu aut tonsura sed abrenuntiatione seculi ... imitantes quantum possibile est canonicam perfectionem' (CCCM 48:130-131).

¹⁷⁷ The earliest known version of their customary has a special section entitled 'Capitula super consuetudines conuersorum' (CIm 7702 ff.92-95); as at Cîteaux they are referred to indifferently as *laici fratres* or *conuersi*.

¹⁷⁸ Peter the Venerable refers to 'illiterati quos conuersos uocamus' (G. Constable, ed., *The letters of Peter the Venerable* I, Cambridge Mass. 1967, 300), and *Statuta Petri Venerabilis* §48 refers to *familiares* who are 'nec monachi nec conuersi' (CCM VI 79) which suggests that *conuersi* were no longer thought of as *monachi*. In one of her letters Hildegard of Bingen comments on monks and clerics, and then says that 'hec duo predicta genera ... aliud quoddam genus hominum ad se trahunt quos ipsi conuersos uocant' (CCCM 91:194). In 1277 the Benedictine general chapter in the province of Canterbury could juxtapose monks and *conuersi* without further ado: 'Quicumque monachus uel conuersus monacho uel conuerso maliciose detraxerit ...' (W.A. Pantin, ed., *Documents illustrating the activities of the general and provincial chapters of the English Black Monks 1215-1540* I, London 1931, 72).

¹⁷⁹ According to the prevailing orthodoxy Benedictine *conuersi* originally differed from other monks by not being *nutriti* rather than by being lay, but this is not borne out by the actual use of the term in monastic texts. Bernard of Cluny, for example, indicates that there were five towels in the cloister for the use respectively of *pueri*, priests, deacons, 'other *cantores*', and *conuersi* (I 18; ed. M. Herrgott, *Vetus disciplina monastica*, repr. Siegburg 1999, 175); *conuersi* here corresponds to *idiotae* in Ulrich II 10 (PL 149:706) and clearly means non-clerics. *Conuersi* are several times distinguished from priests and deacons in the *Liber tramitis* (CCM X 90-91, 144, 151, 195). References in non-Cluniac texts to monks or even abbots who were *conuersi* are best interpreted in the light of the fuller expressions which are sometimes found, indicating that someone came to the monastery as a lay adult, like 'dominus Wallerannus abbas huius loci ex comite conuersus' whose death in 1060 is recorded in the necrology of Saint-Vanne (ed. E. Sackur, *Neues Archiv der Gesellschaft für ältere deutsche Geschichte* 15 [1890] 130); cf. 'dominus Fridericus monachus ex comite conuersus', 'Lietardus ex comite conuersus monachus', 'dominus Herimannus ex comite conuersus' (ibid. 127, 129). *Conuersus* is similarly spelled out as 'ex laico conuersus' in the necrology of S. Emmeran, Regensburg (MGH *Necrologia Germaniae* III, 302, 303, 304 etc.). This specialization of *conuersus* is already adumbrated in the

D'Ors accepts that Dominicans came to employ the word *conuersus* in the usual way (2001:218), but in the early period he suggests that since 'the internal organisation of the Order of Preachers had to differ from that of the Cistercian Order ... it would come as no surprise if the term *conuersus* had acquired a new meaning' (2001:220). But, granted the ubiquitousness of the word's prevalent meaning, it would be very surprising if the Dominicans tried to use it for some other purpose, particularly in the Order's early years;¹⁸⁰ and in fact all the signs are that they used it in a perfectly normal way. They began, after all, as an Order of canons regular, and their customary, like that of the Praemonstratensians which was the primary source of their earliest constitutions, included a separate *Regula conuersorum* (Prim. Const. II 37) containing traditional elements such as the prescription of a simple 'office' of Paternosters and Glorias for the *conuersi* to recite and a distinctive habit for them to wear; the Order's *conuersi* are distinguished from its *canonici*, and they were not allowed to become *canonici*.¹⁸¹

While he was in Paris in the summer of 1219 Dominic proposed that the *conuersi* should have authority over the *fratres litterati* 'in administratione et exhibitione rerum temporalium' so that the *litterati* could concentrate on study and preaching; the brethren, conscious that just such an arrangement had resulted in the Grandimontensian clerics being effectively held to ransom by the *conuersi*, rejected the proposal so emphatically that Dominic never made it again.¹⁸² This

Statuta Murbacensia of 816, in which only one class of recruits is described as *conuersi*, those 'qui de habitu seculari conuersi notitia litterarum indigent' (CCM I 442). This usage is the exact opposite of that found in the *Regula magistri* (v. infra note 188).

¹⁸⁰ If the Order began with members who were not in any ordinary sense *conuersi*, why should it call them *conuersi*? It would be more likely that over the years conventional *conuersi* evolved into something different. If I invent a new game it would be stupid to call it 'golf'; but a particular Golf Club might attract such a succession of eccentrics that the game which was played there ceased to be recognizable as golf even if it retained the name.

¹⁸¹ The *Regula* begins 'Eodem tempore surgant fratres nostri conuersi quo et canonici'. Thomas dated the bulk of it to 1220 (*De oudste constituties* 261), but I see no reason why it should not go back to 1216. *Item* shows that the final clause, 'Item nullus conuersus fiat canonicus ...', is a later addition made by a general chapter; it cannot be precisely dated beyond the fact that it is in the 1236 text of the constitutions, but the use of the word *canonicus* suggests that it is relatively early.

¹⁸² The episode is reported by John of Spain who was present at it (Bologna canonization process §26; AFP 66 [1996] 63-64). On the Grandimontensian system see *Regula* §54, CCM 8:92-93. On the conflict between *conuersi* and *clerici* cf. Jacques de Vitry, *Historia Occidentalis*, ed. J.F.Hinnebusch, Fribourg 1972, 125-127; Honorius

suggests an entirely traditional understanding of *conversi* on both sides of the argument.

One alternative meaning with which D'Ors toyed, though he seems less than enthusiastic about it, is *conuersus* = 'convert' (from another faith) (2001:216). This is certainly a use which existed in the thirteenth century, but it needed a context to bring it into play. It was obviously possible to provide this by specifying what someone had been converted to or from, or by stating in the case of a convert from heresy that he had been reconciled to the church as well as converted; it is perhaps a measure of how necessary such a verbal context was that we find it supplied even in inquisition records where, on the face of it, the general setting should have been enough to ensure that *conuerti* and its derivatives would be understood with reference to conversion from heresy (cf. AFP 74 [2004] 28).

In some cases the meaning 'convert' was sufficiently guaranteed by an institutional context, as when Henry III of England told the bishop of Carlisle in 1232 'quod Rogerum de Parten. conuersum in domo conuersorum Lond. recipiat et ipsum in necessariis sicut alios conuersos eiusdem domus exhibeat';¹⁸³ there was no need to elaborate on *conuersum* because the London *domus conuersorum* was a royal establishment for converted Jews.¹⁸⁴ In much the same way it appears that Bishop Fulk of Toulouse thought of Prouille as a house of 'convert ladies' until he was prepared to recognize it as a proper nunnery, so its inhabitants could be collectively referred to as *dominae conuersae* (cf. AFP 74 [2004] 48, 66); later on, when he gave Dominic a property in Toulouse 'ad opus dominarum conuersarum' (MOPH XXV no. 64), he seems to have intended that a similar house should be set up there.¹⁸⁵ The meaning of *conuersae* ('women converted from heresy') is determined by the institution.

III was still dealing with its consequences in the early months of 1219, and he addressed a letter on the subject to all the French bishops on 23 Feb. (C.A.Horoy, ed., *Honorii III opera omnia* III, Paris 1879, 135-138 no. 130, 152-153 no. 141).

¹⁸³ *Close Rolls of the reign of Henry III, AD 1231-1234*, London 1905, 77. Similarly in 1233 the king issued an order to 'magistro Waltero capellano conuersorum' that 'Iohannem conuersum de Lincoln'. quem rex mittit ad morandum cum ceteris conuersis regis apud Lond'. admittat' (ibid. 346).

¹⁸⁴ On the foundation of the *domus conuersorum* see Matthew Paris, *Chronica Majora* III, ed. H.R.Luard, London 1876, 262-263; before long it gave its name to a street: a royal letter of 1253 refers to the bishop of Chichester's residence 'in uico Conuersorum' (*Close Rolls of the reign of Henry III, AD 1251-1253*, London 1927, 339).

¹⁸⁵ Cf. Tugwell, in *Domenico di Caleruega* 11.

Conuersus can unquestionably mean 'convert' in particular settings; but this goes no way towards showing that it could sustain this meaning when applied to an individual religious in the absence of any institutional or verbal context which would nudge us away from the prevailing sense of the word in religious life.¹⁸⁶ Petrus Ferrandi is in any case unlikely to have been a convert if he was a *puero in ordine nutritus*; and dividing Galvano's Petrus Hispanus *conuersus* into a laybrother in Milan and a convert in Bologna would require us to believe not just that Galvano confused two homonyms, but that he had found a presumably narrative source (and what might that have been?) in which the Bolognese Petrus was explicitly described as a convert from some other faith, and that he had seriously misread or misremembered what it said about this Petrus.

D'Ors is even less fortunate in his preferred selections from the supposed menu, which he justifies by citing Du Cange and a note in Barbadillo de la Fuente's unpublished thesis, *Vida de Santo Domingo* (2001:219).

From Du Cange he takes the meaning *conuersus* = *monachus* (Du Cange s.v. *conversio*), but he fails to notice that Du Cange cites no evidence for this generic sense from any source later than the seventh century, and none of the texts quoted really supports the alleged meaning anyway.

Canon 21 of the 511 council of Orléans (which Du Cange cites as canon 2) decrees that 'Monachus si in monasterio conuersus uel pallium comprobatus fuerit accepisse et postea uxori fuerit sociatus ... numquam ecclesiastici gradus officium sortiatur' (CCSL 148A:10). If *conuersus* meant *monachus* it would be superfluous after *monachus*; it has the same meaning here as it does in canon 16 of the 506 council of Agde (CCSL 148:201): 'Si coniugati iuuenes

¹⁸⁶ In the preface to his *De conuersione sua* the twelfth-century Praemonstratensian canon Hermannus Judaeus remarks that he was often asked 'qualiter de Iudaismo ad Christi gratiam conuersus sim', but the incipit identifies him as a convert by calling him 'quondam Iudeus' (ed. J.B.Carpzov, in *Raymundi Martini Pugio Fidei*, Leipzig 1687, appendix p.7; ed. G.Niemeyer, Weimar 1963, 69-70). In his introduction Niemeyer cites several twelfth-century documents in which clerics are labelled 'Israhelita' or 'Iudeus', presumably because they were converts from Judaism or at least of Jewish stock (op. cit. 10, 15). The notorious French Dominican inquisitor Robert was nicknamed 'le Bougre' because he was a convert from Catharism: 'Robertus Bugre dictus eo quod aliquando hereticus et filius heretici extiterat' (Matthew Paris, MGH SS XXVIII 448). In the only sense that mattered in religious life none of these men could be called a *conuersus*.

consenserint ordinari, etiam uxorum uoluntas ita requirenda est ut sequestrato mansionis cubiculo, religione praemissa, posteaquam pariter conuersi fuerint ordinentur' (before the man can be ordained he and his wife must both make a vow of 'religion', i.e. celibacy,¹⁸⁷ and in this sense they must both be *conuersi*).¹⁸⁸ In canon 21 of the 511 council the reference is to a monk who can be shown to have undertaken celibacy (*conuersus*) and (*uel*)¹⁸⁹ received the habit (*pallium accepisse*); he is a monk because he has chosen a monastery as the setting for his *conuersio*.¹⁹⁰

Du Cange's second text comes from Salvian, *ad Eccl.* 4.5.24 (CSEL 8:308, PL 53:232). Salvian's work is a diatribe against those who accumulate worldly goods to leave to their heirs instead of devoting their resources to God by being generous to the poor, showing thereby that they do not truly believe and do not care about their own salvation; people who don the garb of religion are no exception: 'Licet de conuersorum uenerabili choro esse uidearis, licet religionem uestibus simules, licet fidem cingulo adseras, licet sanctitatem pallio mentiaris, non credis omnino'; since they can dispose of their own worldly goods these *conuersi* are clearly free-lance 'religious', not members of a monastic community.¹⁹¹

¹⁸⁷ They are directed to live apart (*sequestrato mansionis cubiculo*), but nothing is said about the wife entering a monastery, and it would be self-defeating for her husband to have to enter a monastery when the whole point at issue is his ordination. Canon 21 of the 441 council of Orange had already ruled that married men were no longer to be ordained deacons 'nisi qui prius conuersionis proposito professi fuerint castitatem' (CCSL 148:84; repeated in the so-called canons of the second council of Arles, *ibid.* 122). Canon 19 of the 549 council of Orléans mentions separately virgins in monasteries and 'illae quae in domibus propriis tam puellae quam uiduae conmutatis uestibus conuertuntur' (CCSL 148A:155).

¹⁸⁸ The Rule of the Master distinguishes between people who come to the monastery as *laici* and those who are already *conuersi*: §87.1 tells the abbot what to say 'ingredienti in monasterio nouo fratre siue iam conuerso siue adhuc laico ...'; it is only in the case of a *laicus* coming *de saeculo* that the Master speaks of the newcomer declaring *se uelle conuerti* (§90) (SC 106:354-356, 378). It seems to be taken for granted that someone already committed to celibacy would be a cleric not *laicus*; canon 5 of the mid-seventh-century council of Chalons refers ungrammatically to 'saeculares qui necdum sunt ad clericato conuersi' (CCSL 148A:304).

¹⁸⁹ In the Latin of this period *uel* habitually means 'and' rather than 'or', as in the famous phrase in *Reg. Benedicti* §1.2 (CSEL 75:17), 'sub regula uel abbate'.

¹⁹⁰ Canon 16 of the 567 council of Tours contains regulations for people 'qui in monasterio conuersi sunt aut conuerti uoluerint' (CCSL 148A:181-182); it would have been unnecessary to add *in monasterio* unless it was possible to live as a *conuersus* (celibate) without entering a monastery.

¹⁹¹ There is a further problem that *licet ... uidearis* is not in any of the three surviving manuscripts and first appears in the editio princeps of Basel 1528; it is

Du Cange's final reference is to Isidore's 'liber *De conuersis*, id est, *Monachis*'. No such *liber* exists, but there is a chapter *De conuersis* in Isidore's *Regula monachorum* which will require our attention shortly.

All the more recent texts cited by Du Cange refer to *conuersi* as a specific group of people within a monastery. He thus makes no claim that *conuersus* = *monachus* survived the seventh century, and he fails to establish that it ever had that meaning anyway.¹⁹²

D'Ors suggests that Petrus Hispanus may have been *conuersus* = 'monachus in its widest sense' in the sense that he had been a Cistercian or a member of another Order before becoming a Dominican (2001:219).¹⁹³ As a participle *conuersus*, like any other form or derivative of *conuerti*, could refer to entering religious life (cf. AFP 74 [2004] 27), but it could not of itself signify any particular kind of Order, such as 'having become a monk' rather than 'having become a Dominican'; a corresponding substantival use of *conuersus* would similarly be too generic to differentiate between people who had entered religious life elsewhere before becoming Dominicans and those who had been Dominicans from the outset.¹⁹⁴

unclear whether it should be regarded as one of the editor's numerous interpolations (on which see CSEL 8 p.XVIII) or whether it dropped out by accident before the next *licet* clauses.

¹⁹² Canon 16 of Agde (506), canon 21 of Orléans (511), Salvian, and Isidore's *Regula* are cited in A.Blaise-H.Chirat, *Dictionnaire latin-français des auteurs chrétiens*, s.v. *conuersus*, but the proposed definition is broader than that offered by Du Cange: 'celui qui s'est retiré du monde ou qui s'est engagé à mener une vie chaste et plus religieuse (même sans quitter le monde), convers, religieux, moine'. Gregory I, *Mor.* 24.28 is also cited, but the context suggests that Gregory was talking about the conversion involved in any attempt to lead the christian life, not about a specific category of christian (*Mor.* 24.25-34, CCSL 143:1205-1213).

¹⁹³ He appears to think that this gains support from Galvano's comment that 'the Preachers who made up the second mission to Bologna ... *adhuc portabant habitum regularem*' (MOPH II 14), but this means that as Dominicans they were still wearing the habit of canons regular; and Galvano was probably mistaken (cf. MOPH XXVII 209-228, where I examine the development of the legend that Reginald's vision of Our Lady resulted in the Order changing its habit).

¹⁹⁴ *Conuertere* can be used of turning a whole monastery into a different kind of institution (e.g. 'de monasteriis Grecorum in seculares canonicos conuertendis': in Innocent III's letter to the Latin patriarch of Constantinople on 2 Aug. 1206: A.Sommerlechner, ed., *Die Register Innocenz' III IX*, Vienna 2004, 255; X.3.36.5, Friedberg² II 603), but I should be surprised to discover any instance of *conuerti* being used of an individual moving from one Order to another. The commonest word for this is probably *transire*, though other words are also found such as *se transferre* (e.g. the constitutions of Arrouaise [CCCM 20 205, §217.7], Caesarius [ed. Hilka,

D'Ors's attempt to connect *conuersus* = *monachus* with Petrus Ferrandi (2003:274) is in any case thwarted by a *puero in ordine nutritus* correctly understood.

Barbadillo de la Fuente contributes what seems to be D'Ors's favourite selection from the menu: after explaining the use of Spanish *converso* to mean a laybrother she adds 'Converso equivalía también a novicio que aún no ha alcanzado la tonsura' (*Vida de S. Domingo* 303-304).¹⁹⁵ She cites no evidence for this usage, and in Latin at any rate *conuersus* had at best a very limited and short-lived currency in this sense; by the thirteenth century *nouicius* had long been in sole possession of the field.

Cenobitic monasticism quickly adopted the practice of testing new recruits before they were admitted to the community, but at first there was no fixed term in Latin for such probationers.¹⁹⁶ The word which was destined to prevail was first used as a more or less technical

Wundergeschichten I 138], and the *Vitas fratrum* [MOPH I 251]). Innocent III's letter of 29 April 1206 which became the fundamental decretal on the subject uses *transire* seven times, *transmigrare* twice, and *transuolare* (in a bad sense) once (Sommerlechner; *Register Innocenz'* IX 112-113; X.3.31.18, Friedberg² II 575-576); *pertransire* is used in a letter of 15 May 1204 (Sommerlechner et al., *Reg. Inn.* VII, Vienna 1997, 104; X.3.31.20, Friedberg² II 577), but *transire* in PL 216:630 no. 118 (X.1.31.21, Friedberg² II 577). Gregory IX used *transire* in an important letter addressed to the Dominicans on 11 July 1236 (BOP I 90 no. 157). *Transire* is the only word used by Aquinas in *Summa theol.* II.II q.189 art. 8, and it is predominant in the gloss on Innocent's decretal, though *se transferre* is used once (*Decretales*, Paris 1612, 1157-1159). *Transire* is used in religious legislation with negative connotations (e.g. Cistercian chapters of 1223 and 1251, Canivez, *Statuta* II, Louvain 1934, 24 no. 12, 361 no.5; Dominican chapter of 1259, MOPH III 97.33-34), and with positive connotations in narrative texts (e.g. Humbert, ed. Berthier II 431; Thomas of Cantimpré, *Vita Lutgardis* I 22, p.23 in the bilingual edition of Guadalupe 1987).

¹⁹⁵ On this basis 'Petrus hispanus conuersus' could be Petrus Ferrandi the novice (2003:273).

¹⁹⁶ *Praecepta Pachomii* §49 prescribes that 'si quis accesserit ad ostium monasterii uolens saeculo renuntiare et fratrum adgregari numero' he must be kept at the door for a few days to test his aptitude for monastic life (A.Boon, ed., *Pachomiana Latina*, Louvain 1932, 25-26). Cassian describes a more evolved procedure: 'ambiens quis intra coenobii recipi disciplinam' is kept at the door for ten or more days, then, if all goes well, he is given the monastic habit and can be described as *susceptus*, but he is still on probation for another year during which he can be stripped of the habit and dismissed; only at the end of the year is he admitted to the monastic community (*Inst.* 4.3-7, CSEL 17:49-52). The language varies, but some kind of testing of aspirants before admission to the monastery is required by all the rules excerpted by Benedict of Aniane in *Concordia regularum* §65 under the heading 'De disciplina suscipiendorum fratrum' (CCCM 168A:549-590).

term in *Regula Benedicti* §58, 'De disciplina suscipiendorum fratrum', which gives instructions for the probationary period: the 'nouiter ueniens ad conuersionem' is to be kept waiting and treated rudely for four or five days, then he can be allowed into the guesthouse for a few days, 'postea autem sit in cella nouiciorum', and Benedict goes into some detail about what is to happen there; after twelve months, if all goes well, the *nouicius* makes profession, receives the habit, and is admitted to the community (CSEL 75:133-138). Thanks especially to the *cella nouiciorum* the word *nouicius* thus acquired an institutional sense.¹⁹⁷

In the wake of the Carolingian reform the Rule of St Benedict became the only significant monastic rule in the Latin church; before that happened it was obviously possible to use different terminology. Since *conuersio* was as good a word as any to apply to the 'turning' (change of direction) involved in entering a monastery, especially as it already had religious connotations in christian Latin, it is not particularly surprising that *conuersus* could be used of someone who has come to religious life. Thus Leander's rule for nuns warns of the risk that women from a lowly background will become proud in the monastery if the superior is not careful: 'Sic agit qui discrete non sapit ut soperbire faciat ex uili censu conuersas'; with regard to someone highborn he asks 'Cur conuersa est nisi ut fiat humilis ex potente?'.¹⁹⁸

Isidore makes a similar point in chapter four of his *Regula monachorum*, but there *conuersi* is used more substantivally; indeed, the chapter is entitled 'De conuersis', and its main point is the conventional one that aspirants to monastic life should not be admitted immediately: they should first spend three months assisting

¹⁹⁷ *Nouicius* is in itself just an adjective meaning 'new', and it is so used when the Rule of the Master describes hermits as going out into the desert 'non conuersionis feruore nouicio sed monasterii probatione diuturna' (§1.2, SC 105:328), and when it mentions the problems an 'adueniens frater nouicius nesciens adhuc mensuram regulae' may have with the eating-habits of the monastery (§26.5, SC 106:136). It is used quasi-substantivally but untechnically in Cassian's story of Pinufius: to escape the perils of fame he disguised himself and applied to join the monks of Tabennesis, but after three years someone recognized him there and fell at his feet, causing the onlookers to wonder why he so honoured someone 'qui apud ipsos uelut nouicius ac de saeculo nuper egressus habebatur extremus' (*Inst.* §4.30, CSEL 17:68-70); Pinufius fled again, this time to Palestine, where he was accepted into a monastery 'uelut incipiens atque nouicius' (*Conl.* 20.1, CSEL 13:555).

¹⁹⁸ *San Leandro, San Isidoro, San Fructuoso, reglas monásticas de la España visigoda*, ed. J.Campos-I.Roca, Madrid 1971, 69.

in the monastery's works of hospitality so that their conduct can be observed, and only then are they to be received into the community, having first promised to remain there: 'Omnis conuersus non est recipiendus in monasterio nisi prius ibi se scriptis sponderit permansurum'. The meaning of *conuersus* is supported by repeated uses of the verb *conuerti* with reference to the transition from secular to monastic life; in modern terminology it straddles 'novices' (people who have been accepted on probation but have not yet made profession) and 'postulants' (people awaiting admission to the noviciate) (Campos-Roca, *Reglas monásticas* 94-97).

Similar terminology is used in chapter 20 of the longer version of the rule of Fructuosus 'De conuersis qualiter debeant suscipi', but there the newcomer is required to 'wait ten days 'at the door', and then spend a year 'in exteriori corte cellula' before being admitted to the community; all versions of the rule include the following chapter 'De professione conuersi' (Campos-Roca, *Reglas monásticas* 159-160).

This, as far as I have been able to discover, is the closest *conuersus* ever came to being used as a noun meaning 'novice', and it is peculiar to seventh-century Spanish monastic rules.

Even apart from the triumph of the Rule of St Benedict *conuersus* stood little chance of becoming a technical term in this sense because it would have had to compete in the early period with the use of the same word to refer to people specially consecrated to God (not necessarily in a monastery),¹⁹⁹ then with the more or less

¹⁹⁹ This is the sense found in the Spanish penitentials. In the *Vigilanum*, dating probably from the second half of the ninth century, a bishop, priest or deacon who commits adultery *cum deo uota aut conuersa* incurs a particularly severe penance (§64, CCSL 156A:9); *deuota* and *conuersa* correspond to *sanctimonialis* and *deuota* in *Excursus Cummeani* III 1 (H.J.Schmitz, ed., *Die Bussbücher und das kanonische Bussverfahren*, repr. Graz 1958, 612). The *Silense*, datable to 1060/1065, divides drunkards into three categories, *laicus*, *sacerdos aut quilibet clericus*, and *conuersus* (§§2-10, CCSL 156A:18) and *conuersi* receive the stiffest penances of all, so drunkenness was evidently most shocking in their case; *conuersi* get the same penance for sodomy as bishops do, while priests, deacons and laymen get off more lightly (§110, CCSL 156A:28). The *Cordubense*, from earlier in the eleventh century, surprisingly gives a *conuersus aut deuota* an even stiffer penance than a *monachus* for drunkenness that results in vomiting (§§140, 142; CCSL 156A:65-66), but §148 (CCSL 156A:66) rather suggests that *monachus* is used to mean 'priest'. *Conuersus* in this general sense survived to puzzle canon lawyers in a famous text in Gratian which identifies two kinds of christian, the laity and the 'genus mancipatum diuino officio et deditum contemplationi et orationi ... ut sunt clerici et Deo deuoti, uidelicet conuersi' (C.12 q.1 c.7; Friedberg² I 678); the text is attributed to Jerome, but its reference to

technical sense it acquired in Benedictine circles, and finally with the meaning which became so well established that it could be employed without explanation in general ecclesiastical documents. The great advantage of the Benedictine term *nouicius* was that it had no other ecclesiastical meaning; not surprisingly it was adopted in non-Benedictine Orders²⁰⁰ and in the common law of the church.²⁰¹ It was the word used by the Dominicans from the outset.²⁰²

If the procedure laid down in the Rule of St Benedict had remained in force, *nouicius* would speedily have acquired the fully technical sense it has in modern canon law, meaning a religious who has been provisionally accepted but is not yet definitively professed. In practice, though, it became normal to give the habit (or, in the case of monks, the habit minus the cowl) when people were accepted as novices, and, with the exception of the Cistercians, they were also generally tonsured at the same time;²⁰³ more importantly, for our

the clerical tonsure (*corona*) instituted by the Roman church suggests a date no earlier than the seventh century—the *corona*, a ring of hair surrounding the shaved patch on the top of the head, was introduced in Rome in the seventh century (L. Trichet, *La tonsure*, Paris 1990, 69-75).

²⁰⁰ It is the word used by Carthusians (*Cons. Cartusiae* §§21.3-25.2, SC 313.210-218), and by canons regular of all sorts: e.g. Marbach (*Consuetudines* chapters 3-4, 57-59, ed. Siegwart 103-105, 162-172), Maguelone (§§3-7, ed. Cartier 57-60), St Victor (CCCM 61:96-115), Springiersbach (CCCM 48:132 [§243.10], 135 [§250]), Arrouaise (CCCM 20:203-205), Praemonstratensians (Pl.F.Lefèvre-W.M.Grauwen, ed., *Les Statuts de Prémontré au milieu du XII^e siècle*, Averbode 1978, 17).

²⁰¹ E.g. *Comp. III* 3.24.4, *Comp. IV* 3.10, Friedberg² 124, 143; X.3.31.20-21, 23, Friedberg² II 577-578.

²⁰² The word is used in Primitive Constitutions I 2 (in a text taken from the Praemonstratensians and as such datable to 1216), and in I 13 on the *magister nouiciorum*; it also features in the primitive 'index' (ed. Thomas p.312) which seems to go back to 1216 (AFP 71 [2001] 9).

²⁰³ Barbadillo's definition of a novice as someone who has not yet been tonsured is probably correct with reference to the early period; nothing is said about the tonsure in the Spanish rules or in Benedict, but there is other evidence that people were tonsured when they received the habit at profession: this is explicit in *Reg. magistri* §90.79-81 (SC 106:392) and in early ninth-century texts such as the decrees of the first synod of Aachen in 816 (CCM I 467) and Smaragdus, *Expos. in reg.* (CCM VIII 298). By the eleventh century, however, it was normal for monastic novices to receive the habit (except the cowl) and to be tonsured before entering the *cella nouiciorum*: cf. CCM III 86 (Lanfranc's *Statuta*), VI 176-177 (Afflighem), Herrgott, *Vetus disciplina* 165 (Bernard of Cluny I §15), PL 149:701 (Ulrich of Cluny II 1); the Cistercians gave novices a sort of habit but reserved the tonsure for the imparting of the cowl (*Ecclesiastica officia* §104, ed. C.Noschitzka, *Analecta sacri ordinis Cisterciensis* 6 [1950] 112-114). Canons regular also clothed and tonsured their clerical recruits at the outset: cf. CCCM 48:125 (Springiersbach), CCCM 61:103 (St Victor); the same

purposes, the year's probation required by Benedict became flexible and in some places it dwindled to almost nothing.²⁰⁴ Early thirteenth-century popes tried to make the full year normative again,²⁰⁵ but the Dominicans seem initially to have professed people on arrival if not even sooner, and when they did introduce a *tempus probationis*, probably in 1220 and under papal pressure, they set its duration at six months and included explicit provision for it to be waived (Prim. Constitutions I 15); at least up to the mid 1240s waiving it appears to have been their preferred option.²⁰⁶

One consequence of the collapse of the probationary year was that people might be considered *nouicii* ('new boys') even after their profession,²⁰⁷ and this is certainly true of Dominican usage. When Buonviso and Stephen of Spain refer to things that happened while they were *nouicii* (Bologna canonization process §§24, 37) it is

was probably true even where the customary only mentions clothing (e.g. Marbach §2, ed. Siegwart 102; Praemonstratensians, ed. Lefèvre-Grauven 18 §16.20). The Dominicans certainly gave the habit at the outset (Primitive Const. I 14) and, judging by the earliest information we have, their recruits were tonsured at the same time (Innocent IV, Reg. no. 529; Guerrini, ed., *Ordinarium* 123 §486; Humbert of Romans, ed. Berthier II 214).

²⁰⁴ Guigo I required novices to remain in *examinatione ad minus annua* (Cons. Cart. §22.2, SC 313:212), and the Cistercians, true to their ideal of fidelity to the Rule, wrote an *annus probationis* into their *Usus* (Anal. Sacri Ord. Cist. 6 [1950] 113), but this was unusual (cf. D.Knowles, *The monastic order in England*, Cambridge 1950, 634). At Cluny it was left to the abbot to decide how long people remained in the *cella nouiciorum* (Bernard of Cluny I §15, ed. Herrgott, *Vetus disciplina* 166-167); Peter the Venerable objected to the probationary period disappearing entirely and suggested it should last 'at least a month' (*Statuta* §37, CCM VI 71-72). Among the canons the Springiersbach customary says that its duration should depend on individual circumstances (§248, CCCM 48:134), Marbach (§130, ed. Siegwart 164) and St Victor (CCCM 61:112) leave it to the discretion of the abbot, and the Praemonstratensians first specify a set time (a full year) in a customary datable to 1222 (ed. B.Krings, *Analecta Praemonstratensia* 69 [1993] 122, 152).

²⁰⁵ Cf. Innocent III, *Ad apostolicam* (23.11.1198), ed. A.Hageneder-A.Haidacher, *Die Register Innocenz' III I*, Graz-Cologne 1964, 679-680 no. 455 (Comp. III 3.24.2 [Friedberg¹ 124], X.3.31.16 [Friedberg² II 574-575]); Gregory IX, *Quia nonnullos* (18.3.1231), Reg. no. 572 (X.3.31.23 [Friedberg² II 578]). It was probably under curial pressure that St Francis prescribed an *annus probationis* before profession even in the *Regula non bullata* (§2.8-9, SC 285:124-126).

²⁰⁶ Cf. Tugwell, 'Dominican profession in the thirteenth century', AFP 53 (1983) 5-52; MOPH XXVI 25-26.

²⁰⁷ Lanfranc appears to use *nouicius* of someone who has only recently been professed (CCM III 89), and *Liber tramitis* II §18 suggests that he might be so considered even for five years after profession (CCM X 208). The Eynsham customary says 'Cum homine de saeculo ante professionem non loquatur nouicius nec post benedictionem ante completum annum' (§16, CCM II 37).

unclear whether the term is used purely subjectively or whether there was a set period within which newcomers were so designated; but by 1236 at the latest the constitutions contained a rule which implies that they were deemed to be *nouicii* for a year: 'Nouitii tam clerici quam laici infra annum ad longinquas partes nisi ob causam necessariam non mittantur, nec in aliquo officio occupentur'.²⁰⁸ Similarly in 1244 the Roman provincial chapter decreed that 'Nouitii licet professi usque in annum in capitulo nouitiorum teneantur' (MOPH XX 3.20-21).²⁰⁹

Nouicius and *nouiciatus* only became fully technical terms when a statutory period between admission to an Order and profession was generally acknowledged; until that happened the only unambiguous way to designate the period itself was *tempus* (or *annus*) *probationis*, and to make it clear that a novice was not yet professed he had to be described by reference to it (as *probandus*, for example, or *in probatione*).

Conuersus as a noun developed its own technical meanings; but *conuerti* and *conuersio* continued to prosper in the sense of 'turning to religious life', and *conuersus* as a participle could also be used in this connection provided there was a context to make its significance clear.

Thus, for example, in *Summa cartae caritatis* §7 *conuersus* is used of someone who has got as far as wanting to be a Cistercian but has not yet been accepted as a *nouicius* in any particular monastery.²¹⁰

²⁰⁸ Printed by Thomas in Prim. Const. I 15, though the manuscript has it in I 16; the clause plainly does not go back to 1216 or 1220, but it is impossible to say when it was added. On the date of this text of the constitutions as a whole (1236) cf. AFP 70 (2000) 15.

²⁰⁹ D'Ors confuses the issue by suggesting *conuersus* could mean 'a novice who had not been ordained to the priesthood but who was preparing for this' (2001:220); being a *nouicius* and being unordained were completely unrelated notions: a priest who entered the Order was a *nouicius* like any other, and a young lad who entered would cease to be a *nouicius* long before he reached the minimum age for ordination; if the Dominicans needed to distinguish an unordained clerical friar from a priest they unsurprisingly used the word *clericus*. Thus Prim. Const. II 36 prescribes the different suffrages for the dead of the Order to be recited by *clericus*, *sacerdos* and *laici*; I have suggested that this text can be dated to 1225 (AFP 71 [2001] 110-111).

²¹⁰ De Place, *Cîteaux* ... 124-126; I have corrected *uoluerit* to *noluerit* after *remanere* in the light of the parallel text in *Anal. Sacri Ord. Cist.* 6 (1950) 24-25, which also confirms that the reference is to anyone wishing to become a Cistercian, not just to someone wanting to be a *conuersus*.

Nemo nostrum quemcumque hominum conuersum ire uolentem ad aliquam nostrarum ecclesiarum dehortetur aut sibi attrahat, sed nec si mutato proposito sponte remanere noluerit retineat; at ubi ad locum destinatum peruenerit, si priusquam probandus suscipiatur propositi poenituerit, egressum recipiat qui uoluerit, quod si post susceptionem egreditur nusquam preter assensum illius ecclesiae recipiatur.

How far this is from setting up a technical sense to rival *conuersus* = laybrother is shown by the beginning of the next chapter, 'Si quis monachus uel conuersus de aliquo nostro coenobio occulte fugiens ad aliud deuenit ...', where *conuersus* = laybrother is taken for granted.

Chapter 3 of the Marbach customary, 'Qualiter admonendus sit nouicius', begins 'Admonendus est nouiter conuersus'. *Nouicius* is clearly the primary term for someone who has been clothed (§2) but is not yet professed (§127) (ed. Siegwart 102, 162-163); a *nouiter conuersus* is not just a novice, he is a fresh novice who has only just received the habit and needs to be admonished that the change of dress must be accompanied by a change of life (§4, ed. Siegwart 103-104). The next chapter, on the novice's education in religious life, refers to *conuersi* in the same sense: 'Nec inquietet quis eum in aliquo opere aut ministerio donec prius de ordine et disciplina sit eruditus, primordia etenim conuersorum blandis sunt refouenda modis ...' (§7, ed. Siegwart 105-106); even without *nouiter* the reference is to absolute beginners, people who have only just undergone *conuersio* to religious life.

Participial *conuersus*, in the sense of someone coming to religious life, even entered the law books thanks to Innocent III. In *Ad apostolicam* (23 Nov. 1198) he responded to an enquiry from the archbishop of Pisa about the status of people who had become monks, made formal or informal profession without a probationary year, and then left, and whether a married man wanting to become a religious (*conuerti desiderans*) could do so if his wife did not promise perpetual chastity; echoing the language of *conuerti desiderans* the pope replied to the first question that, though 'tempus probationis a sanctis patribus sit indultum non solum in fauorem conuersi sed etiam monasterii', the practice described by the archbishop implies that 'is qui conuerti desiderat' and the monastery have both chosen to do without the probationary period, so the profession is valid (but the practice itself must not be continued indiscriminately).²¹¹ *Conuersus*

²¹¹ Hageneder-Haidacher, *Register Innocenz'* I 679-680 no. 455; *Comp. III* 3.24.2 (Friedberg¹ 124), X.3.31.16 (Friedberg² II 574-575).

can be used in as much as someone *conuerti desiderans* has taken the first step towards realizing his desire, he has entered a monastery; and it is difficult to see what other word could have been used since the point at issue is what his canonical position is if he makes profession without first being a *nouicius* in the sense intended by the rule.²¹²

Ad apostolicam is echoed in a letter which Gregory IX addressed to the Dominicans and Franciscans on 4 June 1236, *Non solum in fauorem*, bidding both Orders give their recruits a *tempus probationis* during which they could freely leave: 'Non solum in fauorem conuersi sed etiam monasterii probationis tempus a sanctis patribus est indultum'. *Conuersus* is equivalent to 'nouiter ueniens quis ad conuersionem' in *Reg. Benedicti* 58.1 (CSEL 75:133)²¹³ to which Gregory explicitly alludes, and it is appropriate since the pope's aim was precisely to regulate what happens to such a man when he first enters the Order. Once it is established that there must be a *tempus probationis* other language becomes possible, so in the rest of the bull the pope refers to 'positi in probatione nouiti'.²¹⁴

In each of these cases *conuersus* is used to express something which would not be adequately conveyed by *nouicius*, and its precise significance is determined by the context. The same effect could not be achieved simply by slapping *conuersus* on to a name. To make it clear that Petrus Hispanus had only just become a Dominican it would have been necessary at least to say that he was *nouiter conuersus*.

To conclude, 'Petrus hispanus conuersus' is known to us only from Galvano, and none of D'Ors's attempts to evade the obvious meaning of *conuersus* can be salvaged except on the drastic

²¹² On 15 May 1204 Innocent dealt with a different question and his language differs accordingly. The issue was whether someone who has entered a monastery 'habitu assumendo nouicii' can legitimately leave within the *tempus probationis*; the pope replied that if the man intended definitively to be a religious ('utrum is proposuerit absolute uitam mutare ...') he must remain so, though he can move to an easier Order, but if his aim was simply to try out religious life he can return to his previous condition (*Consulti sumus*, Sommerlechner et al., *Reg. Inn.* VII 104 no. 67). *Utrum* is was expanded to *utrum is qui conuertitur* by Raymund of Penyafort when he edited the text for inclusion in the Decretals (X.3.31.20, Friedberg² II 577); the crucial factor is the man's intention at the very time when he was entering the monastery.

²¹³ The original text had *ad conuersionem*, but *ad conuersionem* had already ousted this by the time of Benedict of Aniane (*Concordia regularum* §65.1, CCCM 168A:549) and Smaragdus (*Expos. in reg.*, CCM VIII 291).

²¹⁴ Gregory IX Reg. nos. 3172, 3173; BOP I 90; J.H.Sbaralea, *Bullarium Franciscanum* I, Rome 1759, 198 no. 203.

assumption that Galvano misunderstood (or inherited a misunderstanding of) a putative source in which it was made clear that Petrus was a convert from some other faith or that he had only just received the Dominican habit. There is no obvious reason for details of this kind to be included in any sort of document, so a narrative source would have to be postulated, and we have no grounds for believing in the existence of any such lost source; and if it did exist it would not have been easy to misread so as to make Petrus a laybrother (*conversus*) unless he actually was one. And even then there would be no reason to connect this Petrus Hispanus with the *auctor Summularum* or with Petrus Ferrandi except that all three of them were Spanish and they share a name which was exceptionally common in Spain.

Despite D'Ors's manoeuvres, then, we still have no grounds for identifying Petrus Ferrandi with any other known Spanish Dominican Petrus, or for believing that he had any personal familiarity with Dominic or any significant experience of the Order outside the peninsula; and in this his profile is perfectly consistent with that of the author of LQ.

9. *The dates of Petrus Ferrandi and LQ*

Only one question remains before we can be satisfied that there is no definite incompatibility between what we know of Petrus Ferrandi and what we can infer about the author of LQ: do their dates match?

The date of LQ cannot be definitively fixed, but the alteration ordered by the general chapter of 1242 (MOPH III 24.12-15) shows that it was already in official use by then, so 1241 is the latest possible date for its adoption. Since it presupposes the changes made to Jordan's *Libellus* the terminus post quem cannot be pushed back before 1234 at the earliest, and 1238 is more probable.²¹⁵ There must

²¹⁵ Though Dominic's canonization occurred after the general chapter of 1234, the chapter may perhaps have anticipated it and made preparations for his celebration; but this is the earliest plausible date for the compilation of a liturgical office. The manuscript tradition of Jordan's *Libellus* shows that a number of changes were superimposed on a text which was already in circulation, which implies that they were ordered by a general chapter on the assumption that convents already had copies; this must make it probable that the work had already been approved for general distribution, and this is unlikely to have happened before 1233 (Tugwell, AFP 68 [1998] 5-18). In any case, as we have noted, one antiphon in the office is based on the

have been some interval between the writing of the *legenda* and its adoption by the Order, but it need not have been very long; granted the obvious unsuitability of Jordan's *Libellus*, news that someone had composed an acceptable, proper *legenda* would probably have reached the provincial chapter without delay and been passed on to the general chapter, as likely as not, in the following year.²¹⁶

Tandem and *multis annis* in Petrus Ferrandi's 'obituary' are too vague to give us a clear idea of his age when he died; but I see nothing in his 'obituary' to exclude the possibility that he entered the Order between 1219 and early 1221,²¹⁷ and even if he was literally a *puer* at the time (i.e. under 14), which we may doubt, he could have been at least thirty by 1237, which is not too young for authorship of LQ.

10. Conclusions

The number of genuinely attested lives of Dominic in the period before 1260 tallies with the number of genuinely attested writers of such lives. The only writer without an identified text is Petrus Ferrandi, and the only text without an identified author is LQ. LQ is attributed to 'Fratr Petrus hispanus' in Humbert's first lectionary, and his editing of the lectionary is unusually scrupulous. LQ was the *legenda* officially in use in the early 1240s, i.e. it falls between Jordan's *Libellus* and Constantine's *legenda*, and the *legenda* occupying this position is attributed to Petrus Ferrandi by Bernard

unrevised text of *Lib.* §95, so even if the revision of the *Libellus* and the composition of the office were undertaken at the same chapter by groups of people working independently of each other the earliest possible date for the revision is 1234. It might be deemed more plausible to date the composition of the office to 1235 and the revision of the *Libellus*, or its completion, to 1236. Because of Jordan's death there was no general chapter in 1237.

²¹⁶ If LQ was already known in Spain it stood an exceptionally good chance of being brought to the general chapter in 1238: since this chapter was combined with the election of a new master there should have been two electors from Spain in addition to the provincial and his *socius* (Prim. Const. II 5, 10; AFP 71 [2001] 38, 79) and quite possibly a *socius* for each of the other two electors.

²¹⁷ By the time Dominic left Spain in 1219 there was a convent in Segovia (Jordan, *Libellus* §59) in which Petrus could have been 'a puero nutritus'. If he was, as Gui says, from Galicia, he might have been a young student in Palencia and joined the Order there shortly after the convent was founded; Palencia was the second foundation in the peninsula (AD 5 [1984] 7), and there are good reasons for dating it to the latter part of 1220 or early 1221 (AFP 66 [1996] 30, 70 [2000] 27).

Gui, most probably on the basis of information received from Spain; his inability to quote a correct incipit is most explicable if the legenda he had not seen for himself was LQ. There is no discernible incompatibility between what we know of Petrus Ferrandi and what we can infer about the author of LQ. If we accept the principle that 'legendae non sunt multiplicandae praeter necessitatem',²¹⁸ LQ may safely and confidently be attributed to Petrus Ferrandi.

²¹⁸ The 'Sondergut' of successive writers on Dominic, usefully analysed by B. Altaner in *Der heilige Dominikus*, Breslau 1922, can be explained on the basis of perfectly credible sources of information available to their authors without appeal to vanished literary intermediaries. Even verbally the bulk of Humbert's legenda is a combination of LQ and Constantine.