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Informiamo i nostri lettori che a partire dal presente numero la rivista *Archivum Fratrum Prædicatorum* – chiusa per motivi burocratici la numerazione giunta al volume 83 (2013) – sarà edita come *Archivum Fratrum Prædicatorum, Nova Series*, partendo perciò dal volume 1 (2016) (sigla: AFP, NS).

We wish to inform our readers that the former numbering of the journal *Archivum Fratrum Prædicatorum* had to be closed at volume 83 (2013) for bureaucratic reasons. This volume, therefore, is number 1 (2016) in *Archivum Fratrum Prædicatorum, Nova Series* (abbreviation: AFP, NS).

THE 'CONFIRMATION OF THE ORDER OF PREACHERS':
A TALE OF TWO BULLS

BY
SIMON TUGWELL OP

1. *'Anno domini .m.cc.xvi. ordo fratrum predicatorum confirmatus est'*

The claim that the Order of Preachers was confirmed in 1216, more particularly on 22 December 1216, has deep roots in Dominican historiography, but if we are to make accurate sense of it we must bear in mind the nature and limitations of that historiography, not least its beginnings in the *Libellus* of Jordan of Saxony and its transformation in Constantine's *legenda* of St Dominic.

The unique advantage of Jordan's *Libellus* is that the bulk of what it says about the beginnings of the order was written before he joined the order, while Dominic was still alive, it was therefore not conceived as hagiography; nor did Jordan have any ulterior motive for writing it beyond his own interest in these new religious who had just arrived in Paris. The drawback is that he was dependent on information that reached him in Paris, largely through John of Spain, it seems, and much of that information was unclear or garbled, so what he says needs to be interpreted and often corrected in the light of other evidence.¹

The situation was significantly different in 1246 when Constantine was charged with the compilation of a new *legenda*. His essential brief was to incorporate miracle-stories which had been submitted in response to an appeal by the general chapter of 1245, but, as he

¹ On the dating of the *Libellus* and John of Spain's rôle as Jordan's informant see AFP 68 (1998) 5-33, 61-62, 70-71. I attempted to make historical sense of the various accounts of Dominic's time in the Midi, including Jordan's, in AFP 73 (2003) 5-109, where the evidence is cited in full. For the text of the *Libellus*, the Bologna canonization process (ACB), and Constantine's *legenda* I use my own working editions but give references according to the paragraph-numbers in MOPH XVI; I quote Petrus Ferrandi (cited as 'Ferrandus' or 'Ferr.')

DOMINICAN LAY CONFRATERNITIES IN THE THIRTEENTH
CENTURY: ECHOES OF THE INQUISITION*

OF
M. MICHÈLE MULCHAHEY

The Inquisition has certainly left its vestiges in art, in theological discourse, in literary and even political depictions. But a very human face of the Dominican Inquisition's early impact can be seen in the lay confraternities that the friars sponsored to aid them in their work, especially in medieval Italy. These confraternities were imagined by the Dominicans as a true partnership with the laity in their struggle against heresy, a means by which to encourage political activism on their part in the name of the Catholic faith and to cultivate new expressions of orthodox piety that would serve as a public example. The very first sodalities were founded in Milan, at the epicentre of the Dominicans' inquistitorial efforts in Italy, in the 1230s. The idea behind them is traditionally thought to have come from one of the order's first and most famous inquisitors, the soon-to-be-martyred Peter of Verona; Peter is also believed to have founded confraternities based on the model he first developed in Milan in other cities to which his ministry took him. These companies did not disappear once the Cathar threat had subsided, however. Rather they began to undergo a gradual transformation, becoming, by the 1260s, *laudesi* societies and groups of *disciplinati* more focussed upon charitable works. Yet even in this evolution the strains of their original inspiration from the Inquisition can still be heard.

During the thirteenth century the Dominicans promoted three main types of confraternity in all – the Confraternities of St Dominic,

* This article has its origin in a paper delivered at the IV International Seminar on The Dominicans and the Inquisition: "The Dominicans and the Inquisition in Literature, Art, and Theology," hosted by the Dominican Historical Institute at the Pontificia Università San Tommaso d'Aquino-Angelicum, in Rome, 4th-8th March 2009. The author would like to thank the endowment of the Leonard E. Boyle Chair in Manuscript Studies at the Pontifical Institute of Mediaeval Studies, Toronto, for the generous support that makes my ongoing research possible.

HÄRESIE UND INQUISITION IN DEN *LOCI THEOLOGICI* MELCHIOR CANOS*

VON
ULRICH HORST OP

Die *Loci Theologici* Melchior Canos sind einer der Höhepunkte der spanischen Scholastik. Das Werk erschien nach dem Tod des Autors 1563 in Salamanca. Der Umstand, daß es 31 Auflagen – die letzte Rom 1900 – gibt, ist ein Indiz für den Rang und den internationalen Erfolg des Werkes.¹ Offenbar war um die Mitte des 16. Jahrhunderts eine systematische Darstellung der Quellen des Glaubens mit den aus Humanismus und Reformation resultierenden Problemen um Schrift und Tradition und den damit verbundenen Fragen nach dem Wesen des theologischen Beweises und der Funktion des päpstlichen Lehramts und der Konzilien das Gebot der Stunde. Man wird nach Kenntnis der Absicht und Struktur des Buches jedoch kaum damit rechnen, darin eine kurze, aber für Canos damalige Sorge um den Zustand der Kirche und der aus ihm erwachsenden Aufgaben höchst bezeichnende Handreichung für spanische Inquisitoren zu finden.² Sie steht im zwölften Buch der *Loci*, das in den turbulenten Jahren zwischen 1556 und 1560 entstanden ist, in einer Zeit also, da in Sevilla und Valladolid protes-

* Dieser Artikel beruht auf dem Vortrag, den der Autor im Rahmen des IV. internationalen Seminars "The Dominicans and the Inquisition: The Dominicans and the Inquisition in Literature, Art, and Theology" an der Päpstlichen Universität des hl. Thomas von Aquin im März 2009 in Rom gehalten hat.

¹ Vgl. A. LANG, *Die Loci Theologici des Melchior Cano und die Methode des dogmatischen Beweises. Ein Beitrag zur theologischen Methodologie und ihrer Geschichte* (Münchener Studien zur historischen Theologie, 6), München 1925. Über Leben und Werk s. J. BELDA PLANS, *La Escuela de Salamanca y la renovación de la teología en el siglo XVI*, Madrid 2000, S. 501-750. Von ihm auch eine spanische Übersetzung der *Loci*, die 2006 in Madrid erschienen ist. Dort eine historische Einleitung (S. XXXIII-CXLI). B. KÖRNER, *Melchior Cano De Locis theologicis. Ein Beitrag zur Theologischen Erkenntnislehre*, Graz 1994.

² A. HUERGA, In M. Cani De Locis theologicis opus scholia historiam spiritualitatis spectantia, in *Angelicum*, 38 (1961), S. 20-55 spricht von einem *Vademecum sive manuale Inquisitorum* (S. 52), was in dieser Form allerdings nicht zutrifft.

“THOMISTES COMME NOS PÈRES, RIEN DE PLUS,
RIEN DE MOINS”.
ANTONIN CLOCHE E LA FONDAZIONE
DELLA BIBLIOTECA CASANATENSE*

DI
MARGHERITA PALUMBO

Lo studio e la formazione ebbero ruolo centrale nell'azione di Antonin Cloche, Maestro generale dell'Ordine tra il 1686 e il 1720.¹ Già nel 1687 Cloche aveva indirizzato ai Provinciali, Reggenti, Maestri di teologia e Lettori dell'Ordine la lettera *De studiis bene instituendis*, nella quale delinea un programma che troverà compiuta formulazione nelle *Ordinationes pro studiis* approvate dal Capitolo generale della Provincia romana, svoltosi nel convento di S. Maria sopra Minerva il 28 maggio 1694, al fine di «animare allo studio i suoi Religiosi, acciò si rendessero abili ad insegnare, e predicare».² Indispensabile, quindi, di dotare ogni convento domenicano di una biblioteca, o di accrescere quelle già esistenti, «nihil quippe decentius et ordini nostro, quam quod fratres nostri deo famulentur et studia in bibliothecis colant».³

In tale quadro, padre Cloche non poteva che accogliere con grande favore il lascito testamentario del cardinale Girolamo Casanate (1620-1700),⁴ che nel 1698 aveva stabilito che i suoi cospicui

* Il testo di questo articolo, rivisto e aggiornato nella bibliografia, è quello presentato al IV Convegno internazionale “The Dominicans and the Inquisition in Literature, Art, and Theology,” svoltosi a Roma dal 4 all'8 marzo 2009 presso la Pontificia Università S. Tommaso «Angelicum».

¹ Su Antonin Cloche (1628-1720) si vedano in primo luogo D. PONSÌ, *Vita del Reverendissimo Padre F. Antonino Cloche Maestro Generale del Sacro Ordine de' Padri Predicatori*, Benevento 1721, e D. A. MORTIER, *Histoire des maîtres généraux de l'Ordre des frères prêcheurs*, vol. 7, Paris 1914, pp. 207-254.

² PONSÌ, *Vita del Reverendissimo Padre F. Antonino Cloche*, p. 60.

³ *Acta Capitolorum Generalium Ordinis Praedicatorum*. VIII. *Ab anno 1670 usque ad annum 1721* recensuit B. M. REICHERT, Romae 1903, p. 261. Su questo punto cf. inoltre B. MONTAGNES, *Le tricentenaire d'Antonin Cloche*, in *Archivum Fratrum Praedicatorum*, 57 (1987), pp. 248-253.

⁴ Girolamo Casanate nacque a Napoli nel 1620 da nobile famiglia catalana; al compimento degli studi giuridici si trasferì a Roma. Governatore nel 1648 della

P. TOMMASO ESSER
ULTIMO SEGRETARIO DELLA CONGREGAZIONE DELL'INDICE*

DI
OTTO WEISS

Il 31 gennaio 1900 la baronessa von Eichthal, una critica osservatrice degli avvenimenti nella Chiesa cattolica, scrisse da Roma al professore di *Storia della Chiesa* Franz Xaver Kraus:

«All'inizio la nomina di Padre Esser a successore del defunto Ciccolini, come relatore per l'Indice mi piacque molto, poiché lo consideravo moderato, adesso la gente mi racconta cose completamente diverse. Chi conosce la verità dietro a tutte quelle maschere?»¹

Alla baronessa riusciva difficile formarsi un chiaro giudizio sul vero carattere e sui veri intenti del nuovo segretario della Congregazione dell'indice p. Tommaso Esser (1850-1926).

Si trattava del “nobile e benevolo prete”, come lo chiamavano alcuni, l'uomo, che aveva comprensione per le moderne concezioni, oppure si trattava di un “guardiano dell'ortodossia per antonomasia”,² di una “spietata natura violenta”,³ di una “natura combattiva e persecutatrice”,⁴ un incallito integralista, come lo descrivevano gli altri?

* Il testo di questo articolo è quello presentato al IV Convegno internazionale “The Dominicans and the Inquisition in Literature, Art, and Theology,” svoltosi a Roma dal 4 all'8 marzo 2009 presso la Pontificia Università S. Tommaso «Angelicum».

¹ R. C. AYERS, *Baroness of the Ripetta, Letters of Augusta von Eichthal to Franz Xaver Kraus*, Scottsdale (Arizona) 2004, p. 151.

² K. HAUSBERGER, *Franz Xaver Kiefl (1869-1928), Schell-Verteidiger, Antimodernist und Rechtskatholik* (Quellen und Studien zur neueren Theologiegeschichte 6), Regensburg 2003, p. 90 nota 205.

³ Così nel 1918 l'ambasciatore bavarese Otto von Ritter zu Groenestein: *Das päpstliche Rom um 1910. Eine Milieuskizze des bayerischen Ministerialbeamten Franz Edler von Stockhausen*, in *Bücherzensur - Kurie - Katholizismus und Moderne. Festschrift für Herman Schwedt*, hrsg. von P. WALTER - H. J. REUDENBACH (Beiträge zur Kirchen- und Kulturgeschichte 10), pp. 145-199, qui p. 170 nota 72.

⁴ Così il funzionario ministeriale bavarese Franz Edler von Stockhammern 1908, *ibid.*

PRO UTILITATE PRAEDICATORUM – DIE BIBLIOTHEK DES WIENER DOMINIKANERKLOSTERS IM KATALOG VON 1513¹

VON
TILL HÖTZEL

I. Einleitung

Ipsi uero in studio taliter sint intenti. ut de die. de nocte. in domo. in itinere. legant aliquid uel meditentur: et quicquid poterunt retinere cordetenus. nitantur.*²

Dieses Zitat aus den Konstitutionen des Dominikanerordens gibt das Ideal dominikanischen Ordenslebens an. Es zeichnet das Bild eines Wanderpredigers, stets vertieft im Studium, um dadurch Gott näher zu kommen. Das alte Bild des lesenden und schreibenden Mönchs³ wird also noch weiter zugespitzt, aber gleichzeitig auch auf ein äußeres Ziel ausgerichtet. Denn bei diesem Bild sollte man auch eine andere Metapher des dominikanischen Ordenslebens stets mitdenken: *Arcus tenditur in studio, postea sagittatur in praedicatione.*⁴ Dieses Zitat des Dominikaners Hugo von Saint-Cher über Gen

¹ Dieser Aufsatz ist eine gekürzte Version der 2015 an der Universität Wien bei Prof. Dr. Christian Lackner eingereichten MA-Arbeit T. HÖTZEL, *Geordnetes Wissen – Der Bibliothekskatalog des Wiener Dominikanerklosters von 1513 als Quelle*, Wien 2015. Die zugrunde liegende Arbeit ist im Hochschulschriftenarchiv der Universitätsbibliothek Wien zugänglich URL: <http://othes.univie.ac.at/38542/>

² *Vetera monumenta legislativa sacri ordinis praedicatorum ex saeculo a nativitate Christi tertio decimo, ordinis primo. III. Liber Constitutionum ordinis fratrum praedicatorum*, ed. von P. MOTHON, in *Analecta sacri ordinis fratrum praedicatorum seu vetera ordinis monumenta recentioraque acta*, 3, hg von A. FRÜHWIRTH, Romae 1897, S. 26-60, 98-122, 162-181, hier 173; Die Entstehungsgeschichte der Konstitutionen mit Edition der ältesten Texte ist dargestellt von A. H. THOMAS, *De oudste constituties van de Dominicanen. Voorgeschiedenis, tekst, bronnen, ontstaan en ontwikkeling (1215-1237). Met uitgave van de tekst*, Leuven 1965.

³ Vgl. K. S. FRANK, *Lesen, Schreiben und Bücher im frühen Mönchtum, in Schriftlichkeit im frühen Mittelalter* hg. von U. SCHAEFER, Tübingen 1993, S. 7-13.

⁴ Hugo von Saint-Cher, *Postilla super Genesis*, zitiert nach: M. MULCHAHEY, „*First the Bow is Bent in Study...*“ *Dominican Education before 1350* (Studies and

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