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THE LIFE AND ICONOGRAPHY OF GRATIAN: A “MISE AU POINT” (PART I)

Życie i ikonografia Gracjana: “mise au point” (Część I)

Abstract

Despite being the author of such a fundamental work as the *Decretum*, Gratian has received uneven attention over the centuries and has often been studied using methods that are not always adequate. The purpose of this article is to provide a brief overview of Gratian’s iconography. In the context of recurring patterns that take root and migrate along paths that are not always easy to trace, iconographic research can offer valuable insights for consolidating information that remains uncertain or underdeveloped in Gratian studies.

Keywords: Gratian, Canon Law, Manuscripts, Middle Ages, Iconography

Abstrakt

Mimo że Gracjan jest autorem tak fundamentalnego dzieła jak *Decretum*, na przestrzeni wieków nie zawsze zyskał należną mu uwagę, a jego postać była często badana za pomocą metod, które nie zawsze były odpowiednie. Celem niniejszego artykułu jest przedstawienie krótkiego przeglądu ikonografii Gracjana. W kontekście powtarzających się wzorców, które osadzają się i migrują ścieżkami trudnymi do jednoznacznego śledzenia, badania ikonograficzne mogą dostarczyć cennych informacji, pomagając w wypełnieniu luk oraz rozwinięciu tych aspektów badań nad Gracjanem, które wciąż pozostają niejasne lub niewystarczająco zgłębione.

Słowa kluczowe: Gracjan, Prawo kanoniczne, Manuskrypty, Średniowiecze, Ikonografia

Despite attempts to write a biography of Gratian, his figure remains elusive and his work, which was widely circulated, is still partly untitled land. After recognising the portrait of Gratian, wearing a bishop’s mitre and surrounded by disciples, in a miniature in the MS Saint-Omer 453, I began to investigate the sources on his life and his iconography.

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The role of images in medieval culture and the challenges of their historical interpretation have been the subject of numerous studies. Artists in the Middle Ages and the Renaissance had limited freedom; while they could choose their style, the subject matter – especially in the case of a distinctive work like the *Decretum* – was often suggested or even imposed by patrons, such as ecclesiastical institutions, university scholars, or wealthy prelates. While stylistic analysis is undoubtedly important, an iconographic study must also consider gesture, posture, architectural context, and even textual headings, as nothing was left to chance – much like modern advertising. Unfortunately, this approach is not always followed, leading to rather disappointing results in some recent studies on Gratian's iconography.

During my researchs I discovered dozens of images of Gratian which turned out to be figurative sources, part of “historical hypotheses” about the life of the author and the *fortuna* of the *Decretum*. In this essay, I will give a brief *mise au point* of what has emerged so far.

Prologue

There are two phases in a scientific discovery: the initial intuition and the subsequent elaboration of the theory, i.e., the process of synthesising ordered and interconnected data. A scientific discovery can be defined as such when the hypothesis that is formulated makes an original and unexpected connection between existing concepts or data.

There have been two major turning points in the study of the *Decretum* in recent decades: Anders Winroth's discovery that the work underwent two different recensions,² and the identification of the image of Gratian in the initial illustrating the opening sentence of the first part of the text. In the opening letter H(*umanum genus*), Gratian appears in various guises – monk, teacher, author, bishop – reflecting the different stages of his life.³ Overshadowed for centuries, this identification required extensive preliminary research into Gratian's own biography to confirm that the images found in certain manuscripts indeed depict the author of the *Decretum*.⁴

Several years have passed since these studies were published. Winroth's discovery sparked a widespread and intense debate, while the second has seemingly gone unnoticed by some

² I would like to thank Atria Larson, Paola Maffei and Anders Winroth for their readings and suggestions.

A. Winroth, *The Making of Gratian's Decretum*, Cambridge 2000. The four manuscripts and one fragment taken into account by Winroth are Admont, Stifsbibliothek 23 and 43 (Aa), Barcelona, Arxiu de la Corona d'Aragó, Santa Maria de Ripoll 78 (Bc), Florence, BNCF, Conventi Soppressi, A.1.402 (Fd), Paris, BnF, n.a.l. 1761 (P) and fol. 1 of Paris, BnF, lat. 3884 I (Pf) containing C.11, q.3, d.p. c.43-c.69. Other scholars have previously made reference to some of these manuscripts but assumed that they were abbreviations rather than witnesses to an early recension, see, for instance, J. Rambaud-Buhot, *Le 'Corpus juris civilis' dans le Décret de Gratien, d'après le manuscrit lat. nouv. acq. 1761 de la Bibliothèque nationale*, “Bibliothèque de l'École des Chartes,” 111/1953, p. 54-64. The French scholar hypothesised an Italian origin for this manuscript, but I believe it is more likely to be an Iberian product.

³ G. Murano, *Graziano, monaco benedettino, magister e vescovo di Chiusi. Le testimonianze iconografiche*, “Studia Gratiana. Collectanea Historiae Iuris Canonici,” “Gratianus magister decretorum. Il *Decretum* tra storia, attualità e prospettive di universalità”, ed. M. Sodi, F. Reali, Città del Vaticano 2020, p. 105-122; eadem, *Il Decretum in Europa nel secolo XII*, in: *Medieval Europe in Motion 3. The Circulation of Jurists, Legal Manuscripts and Artistic, Cultural and Legal Practices in Medieval Europe (13th-15th centuries)*, ed. M.A. Bilotta, Palermo 2021, p. 302-312. The first paper was presented at a symposium held in Chiusi on 13-14 April 2018; the second at a congress held in Lisbon on 25-27 February 2016.

⁴ Eadem, *Graziano e il Decretum nel secolo XII*, “Rivista Internazionale di Diritto Comune,” 26/2015, p. 61-139.

scholars. In these pages I offer a brief *mise au point* on Gratian's iconography, tracing the various stages of its discovery in the *Decretum* manuscripts and presenting new data.

A Manual of Canon law

Written at the height of the twelfth-century Renaissance, Gratian's *Decretum* remained in use for nearly eight centuries. It circulated widely, first in manuscript and then in print. Anthony Melnikas listed 495 manuscripts but with errors in dating, location, and methodology, while also omitting codices that surfaced after 1937, as reviews by Carl Nordenfalk and Hubert Mordek have shown.⁵ Between Stephen Kuttner's *Repertorium*⁶ and the studies of Rudolf Weigand, several partial censuses were published, yet research in recent decades has revealed that the manuscript tradition of Gratian's compilation was far more varied, filled with anomalies, and more fluid and contaminated than Friedberg's edition.⁷ Winroth's discovery that the *Decretum* underwent two different recensions – the first consisting of only two parts (*Distinctiones* and *Causae*) and omitting the *De consecratione* – ignited a major scholarly debate and opened up to philological study a work that had been studied for centuries without taking into account its genesis and manuscript tradition.⁸

The *Decretum* (or *Concordia discordantium canonum*) is a handbook for use in the schools. The text was generally copied with the most recent apparatus, ensuring that it remained up-to-date. Given the necessity of continuously updating the glosses, some manuscripts contain up to four or five distinct layers of commentary. In many cases, the oldest glosses were erased, partially erased, or meticulously revised, demonstrating that the text was not limited to a single generation but was actively used and adapted over multiple generations of teachers and students.⁹

The oldest manuscript tradition of the *Decretum* does not only consist of witnesses prepared for scholastic use. Some appear to have been produced or intended for monastic use.¹⁰ These manuscripts can be identified by the absence of spaces on the page to accommodate the gloss, the lack of the current title – essential for both students and professors – the presence of errors (even very obvious ones) that have not been corrected and, finally, the absence of doctrinal interventions in the margins, such as glosses, *notabilia*, *allegationes*, etc. Munich, BSB, Clm 17161,¹¹ Codex C of the Friedberg edition, written in Schäftlarn in Germany

⁵ For the review of Carl Nordenfalk see "Zeitschrift für Kunstgeschichte," 43/1980, p. 318-337; for that of Hubert Mordek "Zeitschrift der Savigny-Stiftung für Rechtsgeschichte. Kan. Abt.," 72/1986, p. 402-411.

⁶ S. Kuttner, *Repertorium der Kanonistik (1140-1234). Prodromus corporis glossarum I*, Città del Vaticano 1937 (Studi e testi 71).

⁷ Ae. Friedberg, *Corpus iuris canonici editio lipsiensis secunda post Ae. L. Richter curas ad librorum manuscriptorum et editionis romanae fidem recognovit et adnotatione critica instruxit*, I, Lipsiae 1879.

⁸ A. Winroth, *The Making*.

⁹ R. Weigand, *Die Glossen zum Dekret Gratians. Studien zu den frühen Glossen und Glossenkompositionen*, Roma 1991 (Studia Gratiana, XXV-XXVI); idem, *The Development of the Glossa ordinaria to Gratian's Decretum*, in: *The History of Medieval Canon Law in the Classical Period, 1140-1234. From Gratian to the Decretals of Pope Gregory IX*, ed. W. Hartmann, K. Pennington, Washington, D.C. 2008, p. 55-97.

¹⁰ G. Murano, *Dalle scuole agli Studia: il Decretum Gratiani tra XII e XIII secolo*, in: *Scriptoria e biblioteche nel Basso Medioevo (secoli XII-XV)*. Atti del LI Convegno storico internazionale. Todi 12-15 ottobre 2014, Spoleto 2015, p. 71-107.

¹¹ A digital copy is available at <https://www.digitale-sammlungen.de/en/details/bsb000065191>.

between 1165 and 1170 by the presbyter Adalbert, is a monastic product;¹² Saint-Omer 453 was written in the abbey of Saint Bertin, during the abbacy of Godescalc (1163-1176). Both are characterised by the absence of spaces for a gloss.

The book production by *exemplar* and *pecia* led to the normalisation of the *Decretum*; at the same time, the centres of production diminished. One of the first effects of the transition from production in monastic *scriptoria* to that in universities was the loss of accompanying texts. For example, the *Introductio* ‘*In prima parte agitur*,’ a text that has been copied with the *Decretum* since the appearance of the first *recension*,¹³ was omitted in the *pecia* version. The earliest witnesses without the *Introductio* date from the end of the twelfth century, e.g., Roma, Bibl. Angelica, 1270 and Bratislava, Státny slovenský ústredný archív, 14, both of Bolognese origin. The *Introductio* is also missing in Grenoble, Bibl. Municipale, 62 (482), written between 1215 and 1220. In the Cambridge (Mass.), Harvard Law School Library, 64, c. 1180, it is present, albeit mutilated at the beginning. The *pecia* manuscripts also lost Nicola Maniacutia’s *Versus ad incorrupta pontificum nomina conservanda*, the appendices of *Decretals* and the collections of extracts from Burchard. After the disappearance of the texts not penned by Gratian, the *Decretum* reached its ultimate form (*vulgata*).

The period of production of the earliest testimonies of the *Decretum* in Italy, particularly in Bologna, coincides with the decades of transition from the *minuscule carolina* to the *rotunda* and the *textualis* (the *littera bononiensis* will appear in the central years of the thirteenth century). The convergence of textual data with those obtained from palaeographic, codicological, and stylistic analyses allow us to define more precisely the manuscript production of the *Decretum* in the second half of the twelfth century, which is often uncritically attributed to Bologna.

Gratian: the author of the *Decretum*

The *Decretum* has no preface or *inscriptio* giving the author’s name, status or profession.¹⁴ In the *Introductio* “*Hoc opus inscribitur*” the author is called “quidam Gratianus” (“a quodam Gratiano”). Paucapalea – a colleague of Gratian and a monk – does not even mention him. Accounts of Gratian come from sources other than the *Decretum*. The mention of Gratian as a monk is reported in the *Summa Parisiensis* and indirectly by the Cardinalis (Raymond de Harenis) in a brief gloss.¹⁵ Both sources date from the twelfth-century.

¹² E. Klemm, *Der Schäftlarnner Gratian und die Anfänge der Rechtsillustration*, “Bibliotheksforum Bayern,” 22/1994, p. 204-220.

¹³ The *Introductio* has been edited from Montecassino 64 in *Bibliotheca Casinensis seu Codicum Manuscriptorum*, II, Montecassino 1875, p. 171-196. Montecassino 64 probably dates from Lucius II’s pontificate (12.III.1144-15.II.1145); it was subjected to two different campaigns to update the text, the first up to Hadrian IV (4.5.XII.1154-1.IX.1159), the second with texts by Alexander III (7.20.IX.1159-30.VIII.1181).

¹⁴ This aspect escaped G. Del Monaco, *Per gli inizi della decorazione del Decretum Gratiani: il codice XXV della Biblioteca Capitolare di Vercelli*, “Intrecci d’arte,” 11/2022, p. 7 who writes that at the time of its composition in Bologna the work was entitled *Decretum Gratiani* or *Concordia discordantium canonum*. With a few very important exceptions, Gratian’s name does not appear in the rubrics.

¹⁵ *The Summa Parisiensis on the Decretum of Gratian*, ed. T. McLaughlin, Toronto 1952, p. XVII, 115 and 181. According to P. Landau, *Master Peter of Louveciennes and the Origin of the Parisian School of Canon Law around 1170*, in: *Proceedings of the Fourteenth International Congress of Medieval Canon Law*, Toronto, August 5-11, 2012, ed. J. Goering, A. Thier, S. Dusil, Vatican City 2016, p. 379-394 the *Summa Parisiensis* was written in Sens.

The monastic production of the *Decretum* can be interesting from an iconographic point of view, since some information tends to circulate between the different monasteries, especially when it concerns a member of the same order. The artist may find inspiration in these rumours or news. The h-initial of MS Saint-Omer 453 shows Gratian teaching in his school, as I argued a few years ago.¹⁶ The miniature by Maître du Zacharie de Besançon is introduced by an important textual innovation: the name of Gratian, written in capital letters, appears immediately above the incipit initial¹⁷. In order to clearly distinguish the name from the explicit “copulari valeant” of the *Introductio*, a distinctive script has been used for the heading “Expliciunt capitula | Sequentis operis | Incipit liber primus | Gratiani,” using the colours red, green, blue and red again for each line. The innovation is not limited to Gratian’s name, but the rubric ‘Incipit liber primus’ is a misnomer, since the *Decretum* is not divided into books. The four lines in the distinctive script are followed by the illuminated initial dedicated not to the representation of the Two powers (through the images of the Pope and/or the Emperor) but to the author: Gratian.

The posture chosen to represent Gratian is that of a teacher, not depicted in the act of writing, but sitting at his desk with an open book in front of him, holding it with one hand and pointing with the other. Gratian is not within the “h” but above it; he is not the law (which would be blasphemous), but rather the one who collected, gathered, and selected the canons of the law.

The school illustrated is not a university classroom; it does not depict disciplined students, but young and very young boys, both lay and tonsured. In the miniature, one very young, not tonsured boy is squinting his eyes. Some students are standing, some are sitting, some are holding books, and others are using pieces of parchment to take notes. The whole scene is realistic, far from the stereotypical miniatures found in both contemporary and later manuscripts of the *Decretum*. There is, however, an incongruous element: the master wears a bishop’s mitre. In medieval painting, clothing, headgear, and sacred vestments play a fundamental role in identifying the social status, profession, or ecclesiastical rank of the depicted figure.¹⁸ Many in the twelfth century who had spent part of their lives as teachers were elected bishops. Among them were Peter Lombard (c. 1100-1160), bishop of Paris; Rolando Bandinelli (c. 1105-1181) (later Pope Alexander III), *magister in divina pagina* in Bologna in the third decade of the 12th century; Mosé of Vercelli elevated to the episcopal chair of Ravenna; Omnibonus, a pupil of Gratian, bishop of Verona (1157-1185); the canonists Iohannes, bishop of Faenza (Iohannes Faventinus); Sicard, *magister* in Paris and later bishop of Cremona; Melendus, bishop of Osmia; Stephen, bishop of Tournai (1128-1203); Rufin probably bishop of Assisi; and the canonist known as *Cardinalis*, now identified as the Provençal Raymond de Harenis, elevated to the cardinalate by Adrian IV in 1158.

¹⁶ I analysed the Saint-Omer miniature in two different studies, see G. Murano, *Graziano e il Decretum*, p. 70, 83, 105; eadem, *Le testimonianze iconografiche*, p. 120-122 and fig. 11. The manuscript was also presented at the exhibition *Jeux de mains. Portraits de scribes dans les manuscrits de la Bibliothèque de l’Agglomération du Pays de Saint-Omer*, Saint-Omer 2015, cat. 7, p. 9, where the presence of the image of Gratian was correctly reported. A recent intervention on the miniature can be read also in J. Fronska, *The Images of Gratian: The Author’s Portrait and Historical Evidence*, in: *Tribute to Elly Miller Opening Manuscripts*, ed. S. Panayotova, L. Freeman Sandler, T. Miller Wand, London–Turnhout 2024, p. 109, 110, 112 and fig. 1.

¹⁷ A digital copy is available at <https://bibliotheque-numerique.bibliotheque-agglo-stomer.fr/idurl/1/18376>.

¹⁸ M.C. Miller, *Vestire la Chiesa. Gli abiti del clero nella Roma medievale*, Roma 2014.

While it was unusual for a bishop to work as a teacher, this seemingly “incongruous” element suggests that the artist or patron knew not only the name of the author of the *Decretum* (as evidenced by the heading) and his role as a teacher (as depicted in the scene) but also that he was a bishop in his later years (as suggested by the wrinkles traced across his gaunt face). By interweaving chronologically distant events, the miniature aims to convey a clear message: Gratian was not only a teacher, but it was his work that led to his election as bishop. I have examined several hundred manuscripts of the *Decretum* and the Saint-Omer miniature stands out from all the others for its realism and refinement of detail. It is not unreasonable to assume that the patron, if not the artist, knew Gratian – possibly in his youth.

Gratian went to France *causa studendi* around the second decade of the twelfth century, and for chronological reasons it is unlikely that Godescalc or Maître du Zacharie de Besançon met him in those years. On the other hand, we cannot exclude that the future Abbot of Saint-Bertin, Godescalc met Gratian in Italy, in Bologna, or Rome or even Venice.¹⁹

The news of Gratian’s appointment as bishop of Chiusi can be found in an obituary preserved in the ms. Siena, Biblioteca Comunale degli Intronati, F I 2, dating from the twelfth century (begun in 1129). The obituary was edited in 1931 by Alessandro Lisini²⁰ and later recovered by Francesco Reali in 2009.²¹ On fol. 5v, under the entry for “vii idus” of August the obituary reads: “Obiit dominus Ugerius Senensis canonicus A.D. m.cc.xlv. qui fuit plebanus de Sornano,” on the “iiii idus:” “Obiit Anselmus diaconus et canonicus sancti Martini Lucensis,” followed by: “et Gratianus clusinus episcopus,” in another hand and ink. Due to a mere transcription error, the date of the first entry was mistakenly applied to the second, resulting in “Gratianus clusinus episcopus” being recorded as having died in 1245 in the *Series episcoporum* (though not in Lisini’s edition!). The obituary was re-examined in 2011 by Anders Winroth, who deemed it authentic,²² and in 2014 by Kenneth Pennington, who questioned whether it refers to the author of the *Decretum*.²³

The obituaries simply listed in a calendar the names of those who had earned the right to be remembered in the community’s prayers, along with the date of death and sometimes the year of death. The laconic nature of the source proves that it is authentic, not forged – contemporary with the event recorded rather than a later addition. Pennington’s assessment is distorted by its arbitrary placement within a historical context that does not align with the period in which the record was produced. When Gratian died, he was “only” a bishop who had governed the diocese of Chiusi for a few months, and certainly neither he nor his work had yet “achieved European fame.”

Gratian was probably bishop between 1143 and (10 August) 1145, as a document from May 5, 1146, mentions Martin as the bishop of Chiusi.²⁴ Despite this short tenure, the information

¹⁹ Gratian was in Venice in 1143. He was present at the trial against the bishop of Treviso: G. Murano, *Graziano e il Decretum* 72.

²⁰ A. Lisini, *Kalendarium ecclesiae metropolitanae Senensis*, Bologna 1931 (Rerum Italicarum Scriptores: Raccolta di storici italiani, t. 15, p. 6) 3-36, at p. 22.

²¹ F. Reali, *Magister Gratianus e le origini del diritto civile europeo*, in: *Graziano da Chiusi e la sua opera alle origini del diritto comune europeo*, ed. F. Reali, Chiusi 2009, p. 17-130.

²² A. Winroth, *Where Gratian Slept: The Life and Death of the Father of Canon Law*, ZRG Kan. Abt., 99/2013, p. 105-128.

²³ K. Pennington, *La biografia di Graziano, il Padre del diritto canonico*, “Rivista Internazionale di Diritto Comune,” 25/2014, p. 55.

²⁴ F. Ughelli, *Italia sacra sive de episcopis Italiae*, Venezia 1717-1722, p. 631.

is not confined to Chiusi. In addition to being recorded by Robert of Torigny²⁵ and in the obituary, the same information is offered in a short *Introductio* to the *Decretum*. In the ms. Pommersfelden, Gräflich Schönbornsche Bibliothek, Cod. 142 (antea 2744) the introduction begins:

Concordia discordantium canonum iuxta determinationem magistri Gratiani episcopi (fol. 2va)

Nicolò Maniacutia's *Versus ad incorrupta nomina pontificum servanda* opens the MS. The list ends with the pontificate of Eugenius III (1145-1153) and is followed by an addendum up to Clement III (1187-1191). A hand added "qui nunc prelatus habetur" to the last verse. The manuscript (Codex P of Heinrich Schmidinger's edition)²⁶ was written during the pontificate of Eugenius III, and the hand that transcribed the introductions is the same hand that copied the text of the *Decretum*. Its origin is Italian, probably Roman.

The ms. Baltimore, Walters Art Gallery, W. 777 (olim Dublin, Chester Beatty Coll., 46; Phillips 1036) can be dated to the 1180s. It belonged to (and was probably written in) the Cistercian Abbey of Cîteaux. This manuscript also contains the *Introductio* with the variant "iuxta determinationem magistri Gratiani episcopi."

With the loss of the accompanying texts, the scant information about Gratian disappears from the manuscripts of the *Decretum*, but his memory persists in other documents.

Gratian in the *Liber de Viris illustribus* (1332-1338) by Giovanni Colonna OP

The *Liber de Viris illustribus* by the Dominican Giovanni Colonna gave us a gallery of about three hundred and thirty illustrious pagans and Christians. The work is in the Bologna, Biblioteca Universitaria, MS 491 (B), which belonged to the personal collection of Pope Benedict XIV; in the Barb. lat. 2351 (V) and in the Venezia, Marc., lat. X 50 (3173). In the Marcian, each alphabetical group is divided into two: one section is dedicated to pagans, the other to Christians. In the Bologna manuscript and in the Barb. lat. 2351 pagans and Christians are not separated, but arranged in one alphabetical order.²⁷ Giovanni Colonna's *De viris* is still largely unpublished,²⁸ but the entry on Gratian was published in the 18th century by Mittarelli²⁹ and in 1957 by Lazzarini.³⁰ The latter used the Roma, Biblioteca Casanatense, MS 2396, a eighteenth-century copy of the Marcian.

The figure of Giovanni Colonna has been the subject of misidentification for a long time. Remigio Sabbadini first shed light on him in a study published in 1911.³¹ Later in the volume *Le scoperte dei codici latini e greci* gives him a not insignificant place in the cultural

²⁵ G. Murano, *Graziano e il Decretum*, p. 100.

²⁶ H. Schmidinger, *Das Papstgedicht des Nicolaus Maniacutius*, "Mitteilungen des Institut für Österreichische Geschichtsforschung," 72/1964, p. 63-73.

²⁷ G.M. Gianola, *La raccolta di biografie come problema storiografico nel De viris di Giovanni Colonna*, "Bullettino dell'Istituto Storico Italiano per il Medio Evo e Archivio Muratoriano," 89/1980-1981, p. 509-540.

²⁸ An edition has been announced by W. Braxton Ross, *Giovanni Colonna, Historian at Avignon*, "Speculum," 45/1970, p. 533-563 but does not seem to have been published.

²⁹ J.-B. Mittarelli, A. Costadoni, *Annales Camaldulenses ordinis Sancti Benedicti*, III, Venetiis 1758, p. 324.

³⁰ A. Lazzarini, *Gratianus de Urbeveteri*, "Studia Gratiana," 4/1957, p. 4.

³¹ R. Sabbadini, *Giovanni Colonna biografo e bibliografo del secolo XIV*, "R. Accademia delle Scienze di Torino," 46/1910-11, p. 830-59.

landscape of the fourteenth century.³² In 1950, Colonna's life and works were studied in detail by Fr Stephen Forte.³³

Giovanni was born around 1280 into the great and noble Colonna family, of the branch known as *de Gallicano*. Between 1310 and 1318 he went to Chartres where he lived with his uncle Landolfo Colonna, a canon of the cathedral (1290-1328). The Canonici manuscript Pal. Lat. 131 in the Bodleian Library contains the *Divinae Institutiones*, and on a blank leaf, Landolfo drafted a letter to his nephew Giovanni, with exhortations concerning his studies and religious vocation.³⁴ According to Billanovich, the Oxford Lactantius first belonged to Landolfo, and after his death passed into Giovanni's possession. In the letter, which, according to Forte dates to around 1320, Landolfo states that Giovanni began his studies in Chartres and continued them in Troyes, Amiens, and probably other locations.³⁵ In Chartres, Giovanni visited the magnificent library and left an important testimony on it: "Vidi ego tamen quartam decadem in archivio ecclesie Carnotensis, sed littera adeo erat antiqua quod vix ab aliquo legi poterat"³⁶ (I saw Livy's fourth decade in the archive of the Cathedral of Chartres, but the writing was so old that reading was almost impossible). Some time after Giovanni joined the Order of Preachers, he was chosen as chaplain by Giovanni Conti OP, Archbishop of Nicosia in Cyprus. In 1324, Colonna was elected Preacher General. After 1332 we find him at the Papal Curia in Avignon. Back in Italy, he was vicar of the priory of St. Sabina in 1338, and lector of the priory of Tivoli in the autumn of 1339. He died shortly after October 1343.

His friendship with Francesco Petrarca has been studied extensively and there is no need to return to it here. According to Noonan, Colonna "gives no reason to believe that he or his source knew anything about Gratian."³⁷ Noonan is still regarded as the main "biographer" of Gratian, but an examination of the author of *De viris* reveals the superficiality of his observation. In short, given Giovanni Colonna's origins, his education and, last but not least, his relationships, *De Viris* must undoubtedly be considered an important source and, in any case, worthy of attention.

This is Colonna's entry dedicated to Gratian:³⁸

De Gratiano monacho. Gratianus monachus abbatie montis orbetani^a dyocesis urbevetane^b ex oppido Carraria^c prope Ficullas homo studiosissimus fuit. Hic presbyter et monachus existens Decretorum librum^d per diversa volumina sparsum in unum recollegit doctorum auctoritates^e, et

³² Idem, *Le scoperte dei codici latini e greci ne' secoli XIV e XV. Nuove ricerche*, Firenze 1914 (repr. Firenze 1967), p. 51-58.

³³ S.L. Forte, *John Colonna O.P. life and writings (1298-c.1340)*, "Archivum fratrum praedicatorum," 20/1950, p. 369-414.

³⁴ Ibidem, p. 371; G. Billanovich, *Petrarch and the Textual Tradition of Livy*, "Journal of the Warburg and Courtauld Institutes," 14/1951, p. 159. The letter is edited in the Appendix III (p. 206-8), and the first page of it is reproduced in Pl. 33.

³⁵ G. Billanovich, *Textual Tradition of Livy*, p. 207 note 12 wrote that "a tear in the parchment makes it difficult to read the words added between the lines by Landolfo."

³⁶ S.L. Forte, *John Colonna O.P.*, p. 372.

³⁷ J.T. Noonan, *Gratian Slept Here: The Changing Identity of the Father of the Systematic Study of Canon Law*, "Traditio," 35/1979, p. 151.

³⁸ The text presented here is based on the MS. Bologna, Bibl. Universitaria, 491 (B) and Barb. lat. 2351, fol. 64v (V). In the Apparatus I give the variants from the text published by J.-B. Mittarelli, A. Costadoni, *Annales Camaldulenses*, III, p. 324 (Mitt.).

dicta inducens^f. Et cum opus sic per eum compositum summo vellet^g pontifici praesentare, nec per se ipsum posset habere ingressum, quia monachus et pauper erat, cuidam magno prelato adhaesit, qui librum recipiens^h et inspiciensⁱ et pauperculi monachi sibi laborem attribuens, librum summo pontifici praesentavit, attribuens sibi opus. Quod cum Gratianus percepisset, cum magna instantia, introductione alterius, papae fecit se^l praesentari, iniustum reputans, ut quod ipse^m multis laboribus et sudoribus ediderat, alter de suo labore gloriam reportaret, et facta diligenti examinatione, et veritate inventa, quod opus tam utile et proficuum ecclesiae Dei Gratianus ediderat, et per summum pontificem generaliter approbatum, factoqueⁿ mandato, ut per omnes scholas universaliter legeretur, ipsum ad episcopatum Clusinum promovit, in quo multa scribens et dictans diem clausit extremum virtutibus plenus^o. Claruit tempore Conradi^p imperatoris, et temporibus Innocentii et Eugenii.

^a Orbetanae Mitt. ^b urbevetae om. Mitt. ^c Karraria Mitt. ^d librum Decretorum Mitt. ^e et doctorum auctoritates om. Mitt. ^f reducens Mitt. ^g vellet V ^h respiciens Mitt. ⁱ insipiens Mitt. ^l papae se fecit Mitt. ^m ipse om. Mitt. ⁿ facto quoque Mitt. ^o virtutibus plenus om. Mitt. ^p Coradi V

The chronological coordinates given by Colonna are the pontificates of Innocent [II] (14 Febr. 1130-24 Sept. 1143) and Eugene [III] (15 Febr. 1145-8 July 1153). The “Conradus imperator” is therefore the son of Frederick I of Svevia, Conrad III of Hohenstaufen, who died in 1152. The date of Gratian’s death (probably August 1145) is, as we have seen, better established elsewhere. In 1145 Eugene III was already on the throne of Peter, so Colonna’s statement is correct.

Orvieto was known as the place of origin of Gratian as early as 1235, thanks to Boncompagno da Signa.³⁹ Giovanni Colonna, on the other hand, carried out more detailed research, through which he was able to provide the reader with precise topographical information. Ficulle is a small town now in the province of Terni. “La Carrara,” as Andrea Lazzarini has shown, was a simple “villa” in the district of Ficulle, under the rule of the state of Orvieto.⁴⁰ The abbey mentioned by Colonna could have been that of San Niccolò in Montorvietano which belonged to the Camaldolese Order at the beginning of the twelfth century. Lazzarini’s hypothesis is that “the abbey, if it was founded by St Romuald, changed its dedication; that is, if it did not owe its origin to the Patriarch, it was soon born on the impulse of the cult imported from Bari, so that around 1110 the young Gratian could be received there as a religious.”⁴¹ Unfortunately, we do not know the year of Gratian’s birth, nor do we know if he was already a monk around 1110 or if he joined the monastery after the transition to the Camaldolese order. However, on 3 May, near the remains of the abbey, the *Invention of the Holy Cross* was celebrated, perhaps a reminder of the original dedication. If the monastery was already in existence by 1110, Gratian may have left it at the time of its transfer to the Camaldolese order.

Ficulle is about twenty-five kilometres from Chiusi and twenty from Orvieto, but in order to carry out his work, Gratian needed access to books and works that he knew could be found in cities like Rome or Paris. The schools and teachers of the latter were already well known and it was to Paris that Gratian went, before being accepted as a teacher in Bologna.

³⁹ Boncompagni *Rhetorica Novissima*, ed. A. Gaudenzi, in: *Scripta Anecdota Glossatorum*, II, Bononiae 1892, p. 253.

⁴⁰ A. Lazzarini, *Gratianus de Urbeveteri*, p. 4.

⁴¹ Ibidem, p. 11.

According to the *Cronica asbreviata*, composed around 1190 (Paris, BnF, lat. 15009, fol. 77v), Gratian and Rolando Bandinelli (the future Pope Alexander III) studied with the same teacher, possibly in Paris, at the abbey of Vittorini,⁴² or more likely in Laon.⁴³ The *Cronica* and the stylistic-literary study of the *Decretum* provide converging evidence that Gratian travelled to France *causa studendi* and, like other of his contemporaries, may have been attracted to schools in various cities. The years of his education coincide with those of Anselm († 1117), and among the Anselm's known Italian students were also Tuscans, in particular one Bernard, canon of Pisa, who can probably be identified with Eugene III (Pietro Bernardo dei Paganelli), who ascended the papal throne on February 15, 1145. If Gratian met the future Pope Alexander III as a fellow student, it was probably between the end of the second and early third decade of the twelfth century (c. 1118-1125). In this case, rather than being a pupil of Anselm, he may have followed the lessons of Rudolf (d. 1133) who was, along with his brother Anselm, involved in teaching from 1109-1110 and was his successor at the school of Laon, i.e., the main centre for sacred page studies, and the intellectual hub of the twelfth century revival.

Colonna's entry notes that Gratian received the episcopate of Chiusi, and, as we have seen, this information is attested in older sources, both documentary and manuscript. However, the Dominican did not confine himself to giving news of the episcopate but also sought to add a further clarification which is undoubtedly worthy of attention. According to Colonna, Gratian spent his final years in Chiusi "multa scribens et dictans" ("writing and dictating many things").

The *Decretum* is the only work attributed to Gratian, but it has now been definitively established that it underwent several redactions (or, more accurately, updating campaigns).⁴⁴ Its composition began shortly after the Concordat of Worms (around 1125), though there are different opinions on the canons of the two Lateran Councils (the second of which was held from 4 to 11 April 1139), which were the last texts to be included. Before the work was completed, some copies were made from the author's codex. The Florence manuscript, BNCF, Conv. Soppr. A I 402, if it is not the original in which Gratian worked, is the manuscript that best represents it.⁴⁵ In the Conv. Soppr. A I 402, the *additiones* were not only copied in the margin, but also in the space deliberately left blank in the two columns of the text. Particularly in the second part, between one *causa* and the next, the scribe left some lines or parts of columns blank. Although Gratian had been elected bishop, it is certain that he had at least one manuscript of the *Decretum* with him in Chiusi. If Giovanni Colonna had seen the Florentinus or a manuscript with the same characteristics as the Florentinus, he might have concluded that Gratian had made the last *additiones* while in Chiusi.

⁴² G. Mazzanti, *Graziano e Rolando Bandinelli*, in *Studi di Storia del diritto*, II, Milano 1999, p. 79-103.

⁴³ A.A. Larson, *The Influence of the School of Laon on Gratian: The Usage of the Glossa ordinaria and Anselmian Sententiae in De penitentia* (Decretum C.33 Q.3), "Mediaeval Studies," 72/2010, p. 197-244.

⁴⁴ M.H. Eichbauer, *From the First to the Second Recension: The Progressive Evolution of the Decretum*, "Bulletin of Medieval Canon Law," 29/2011, no. 12, p. 119-167.

⁴⁵ C. Larrainzar, *El Decreto de Graciano del Codice Fd* (= Firenze, Biblioteca Nazionale Centrale, *Conventi Soppressi A.I.402*). In *Memoriam Rudolf Weigand*, "Ius Ecclesiae," 10/1998, p. 421-489 attributes to Gratian some of the interventions in the manuscript which, in his opinion, testify to the original version of the first *Recensio* and were used to prepare the final one. To prove this hypothesis, we would need to know Gratian's handwriting. In any case, the manuscript still needs a thorough palaeographic study.

Since iconographic research can provide valuable insights to help consolidate information that is still struggling to find its way into Gratian studies, the next paper will examine the iconographic models used in different areas of manuscript production. It will also discuss what information about Gratian's life was available to artists and how they disseminated it.

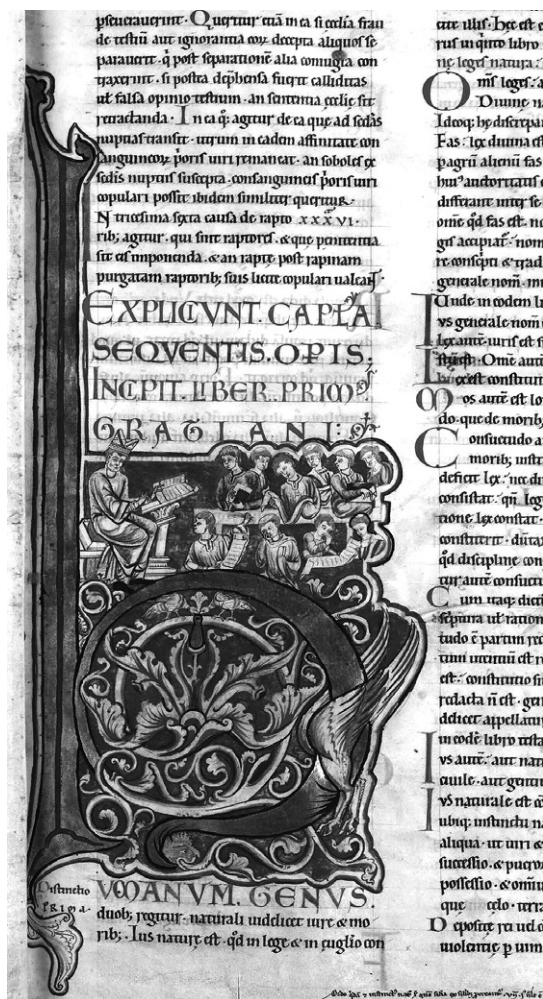


Fig. 1. Gratian in his school. Bibliothèque d'agglomération de Saint-Omer, ms. 453, f. 10r (detail)

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