

‘CLOISTERED’ GRATIANS:
EARLY ILLUMINATED MANUSCRIPTS OF THE *DECRETUM GRATIANI*
WITHIN COMMUNITIES OF REGULARS★

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ABSTRACT

The *Decretum Gratiani* was probably composed in Bologna, Italy, prior to the mid-twelfth century and rapidly became one of the most widely utilized textbooks in medieval Western Europe. The text began to be illuminated shortly thereafter. Professional lay craftsmen, presumably working in collaboration with the nascent urban law schools, likely played a role in devising this novel illuminated book. Nevertheless, since Gratian’s work encompassed Church legislation, the scriptoria of ecclesiastical institutions must have been involved. This article examines the illuminated copies clearly associated with specific monastic or canonical communities to ascertain any common features that distinguish them as ‘cloistered’ Gratians.

KEYWORDS: Illuminated Manuscripts, *Decretum Gratiani*, Canon Law, Monasticism, Canons Regular

Graziani “claustrali”. I primi manoscritti miniati del *Decretum Gratiani* all’interno delle comunità di regolari

ABSTRACT

Il *Decretum Gratiani* fu probabilmente composto a Bologna prima della metà del XII secolo e divenne rapidamente uno dei libri di testo più utilizzati nell’Europa occidentale medievale. Poco dopo il testo iniziò a essere miniato. Artefici laici professionisti, che presumibilmente lavoravano in connessione con le nascenti scuole di diritto urbane, hanno verosimilmente partecipato all’ideazione di questo nuovo libro miniato. Tuttavia, poiché l’opera di Graziano riguardava la legislazione della Chiesa, gli scriptoria ecclesiastici dovettero essere coinvolti. Questo articolo esamina le copie miniate chiaramente associate a specifiche comunità monastiche o canonicali per accertare eventuali caratteristiche comuni che le distinguono come Graziani “claustrali”.

PAROLE CHIAVE: manoscritti miniati, *Decretum Gratiani*, diritto canonico, monachesimo, canonici regolari

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The *Concordia discordantium canonum* (Harmony of Discordant Canons), subsequently designated the *Decretum Gratiani*, was likely composed in Bologna, Italy, prior to the mid-twelfth century and rapidly became one of the most widely utilised textbooks and reference works in medieval Western Europe¹. A few years after its completion in the 1140s, the text began to be illuminated, resulting in

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¹ For the different opinions on the composition of the work and the identity of the author: A. Winroth, *The Making of Gratian’s Decretum* (Cambridge: Cambridge University Press, 2000); P. Landau, “Gratian and the *Decretum Gratiani*”, in *The History of Medieval Canon Law in the Classical Period, 1140–1234: From Gratian to the Decretals of Pope Gregory IX*, eds. W. Hartmann, K. Pennington (Washington, D.C.: The Catholic University of America Press, 2008), pp. 22–54; O. Condorelli, “Graziano”, in *Dizionario biografico dei giuristi italiani*, eds. M.L. Carlino *et al.* (Bologna: Il Mulino, 2013), pp. 1058–61; A. Winroth, “Where Gratian Slept: The Life and Death of the Father of Canon Law”, *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Kanonistische Abteilung* 130 (2013): pp. 105–28; K. Pennington,

an outstanding corpus of decorated manuscripts from various regions of Western Europe². This article will concentrate on the initial phase of production, preceding the introduction of the *pecia* system, which is thought to have originated in Bologna in the 1220s³, and the composition of the

“La biografia di Graziano, il Padre del diritto canonico”, *Rivista Internazionale di Diritto Comune* 25 (2014): pp. 25–60; G. Murano, “Dalle scuole agli *Studia*: il *Decretum Gratiani* tra XII e XIII secolo”, in *Scriptoria e biblioteche nel Basso Medioevo (secoli XII-XV)* (Spoleto: Fondazione Centro italiano di studi sull’Alto Medioevo, 2015), pp. 71–107; G. Murano, “Graziano e il *Decretum* nel secolo XII”, *Rivista Internazionale di Diritto Comune* 26 (2015): pp. 61–139; W.P. Müller, “The Reinvention of Canon Law in the High Middle Ages”, in *The Cambridge History of Medieval Canon Law*, eds. A. Winroth, J.C. Wei (Cambridge: Cambridge University Press, 2022), pp. 79–95, esp. 82–85; A. Winroth, “Canon Law in a Time of Renewal, 1130–1234”, in *The Cambridge History*, cit., pp. 96–107, esp. 96–100.

² *Mostra di manoscritti e incunabuli del Decretum Gratiani*, exh. cat. (Bologna: Tip. Compositori, 1952); R. Schilling, “The *Decretum Gratiani* Formerly in the C. W. Dyson Perrins Collection”, *The Journal of the British Archaeological Association* 26 (1963): pp. 27–39; W. Cahn, ‘A Twelfth-Century Decretum Fragment from Pontigny’, *The Bulletin of the Cleveland Museum of Art* 62 (1975): pp. 47–57; A. Melnikas, *The Corpus of the Miniatures in the Manuscripts of Decretum Gratiani* (Roma: Studia Gratiana, 1975); C. Nordenfalk, review of A. Melnikas, *The Corpus of the Miniatures in the Manuscripts of Decretum Gratiani* (1975), *Zeitschrift für Kunstgeschichte* 43, no. 3 (1980): pp. 318–37; H. Schadt, *Die Darstellungen der Arbores Consanguinitatis und der Arbores Affinitatis: Bildschemata in juristischen Handschriften* (Tübingen: Wasmuth, 1982), pp. 141–89; J.C. Schmitt, “Le miroir du canoniste: Les images et le texte dans un manuscrit medieval”, *Annales. Economies, sociétés, civilisations* 48, no. 6 (November–December 1993): pp. 1471–95; S. L’Engle, “Legal Iconography”, in S. L’Engle, R. Gibbs, eds., *Illuminating the Law: Legal Manuscripts in Cambridge Collections*, exh. cat. (London: Harvey Miller; Turnhout: Brepols, 2001), pp. 75–104, esp. 85–91; R. Gibbs, “The Development of the Illustration of Legal Manuscripts by Bolognese Illuminators between 1241 and 1298”, in *Juristische Buchproduktion im Mittelalter*, ed. Vincenzo Colli (Frankfurt a.M.: Vittorio Klostermann, 2002), pp. 173–218, esp. 192–93, 210–13, 217; G.Z. Zanichelli, ‘*Thesaurus armarii aggregatus*: il codice miniato a Bologna tra XI e XII secolo’, in M. Medica, S. Battistini, eds., *La cattedrale scolpita: Il romanico in San Pietro a Bologna*, exh. cat. (Ferrara: Edisai, 2003), pp. 147–84, esp. 171–78; K. Böse, S. Wittekind, “Eingangsminiaturen als Schwellen und Programm im *Decretum Gratiani* und in den *Dekretalen Gregors IX*”, in *Ausbildung des Rechts: Systematisierung und Vermittlung von Wissen in mittelalterlichen Rechtshandschriften*, eds. K. Böse, S. Wittekind (Frankfurt a.M.: Peter Lang, 2009), pp. 21–37, esp. 21–28; R. Gibbs, “The Bratislava Gratian and Its Position in the Tree of Trees of Consanguinity and Affinity”, *Ars* 42, no. 1 (2009): pp. 168–79; C. Jakobi-Mirwald, “Gratian in Schäflarn”, in *Ausbildung des Rechts*, cit., pp. 82–97; C. Spitzer, “Die Funktion von Bildern in Handschriften zum Kanonischen Recht. Das *Decretum Gratiani* der Walters Art Gallery (W135)”, in *Ausbildung des Rechts*, cit., pp. 98–107; M.A. Bilotta, “Nouvelles considérations sur un manuscrit toulousain du ‘Décret de Gratien’ reconstitué”, in *Le livre dans la région toulousaine et ailleurs au Moyen Âge*, eds. S. Cassagnes-Brouquet, M. Fournié (Toulouse: Méridiennes, 2010), pp. 73–83; L. Novello, “Miniatura a Bologna nel Duecento: il *Decretum Gratiani* della Bertoliana di Vicenza”, *Arte a Bologna* 7–8 (2010–11), pp. 192–202; G.Z. Zanichelli, ‘*Osculetur me osculo oris sui*: immagini del matrimonio nel XII secolo’, in “*Per una severa maestra*”: dono a Daniela Romagnoli (Fidenza: Mattioli 1885, 2014), pp. 135–47, esp. 136–42; G.Z. Zanichelli, “La trasformazione del libro di lusso fra XII e XIII secolo”, in *Scriptoria e biblioteche*, cit., pp. 285–300, esp. 292–99; M.A. Bilotta, “I cibi e i banchetti nelle miniature dei manoscritti del *Decreto* di Graziano: espressioni in immagini di consuetudini giuridiche e sociali”, in *Cucina, società e politica: Le arti e il cibo. Modalità ed esempi di un rapporto 3*, eds. F. Lollini, M. 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Murano, “Il *Decretum* in Europa nel secolo XII”, in *Medieval Europe in Motion 3*, cit., pp. 301–12; S. L’Engle, “Medieval Canon Law Manuscripts and Early Printed Books”, in *The Cambridge History*, cit., pp. 299–321, esp. 312–15; G. del Monaco, “Alle origini di Bologna ‘crocevia’? Scambi artistici e circolazione di modelli nelle più antiche copie miniate italiane del *Decretum Gratiani*”, in *Medioevo europeo e mediterraneo. Scambi, circolazione e mobilità artistica*, eds. R. Cerone, M. Gianandrea (Roma: Campisano, 2024), pp. 703–28.

³ S. L’Engle, “Production and Purchase: Scribes, Illuminators and Customers”, in *Illuminating the Law*, cit., pp. 39–53, esp. 41, 43; G. Murano, *Opere diffuse per exemplar e pecia* (Turnhout: Brepols, 2005).

Glossa ordinaria by Johannes Theutonicus in 1217⁴. The pictorial programme of the early manuscripts, which was rarely completed, consisted of illuminated initial letters opening the main divisions of the text. These included the 101 distinctions that made up *Pars prima*, the 36 *Causae* of *Pars secunda* and *De consecratione*, as well as the tables of Greek and Roman numerals, which were probably used for the so-called *epistolae formatae*, a subject examined in *Pars prima* within *Distinctio* 73⁵, and the *arbores consanguinitatis et affinitatis*, or trees of consanguinities and affinities, a type of diagrams used to calculate the highest number of degrees of kinship that prevented the eligibility of marriage partners, a theme addressed in *Causa* 35. The former is typically superimposed on a standing, frontal, male figure, while the latter is headed by a married couple⁶. Additionally, a considerable number of early manuscripts include the prefatory summary “In prima parte agitur”⁷, usually decorated with a major initial “I” at the beginning and minor “I” initials within the text.

It seems probable that professional lay craftsmen, presumably working in collaboration with the nascent urban law schools, played a role in the evolution of this novel type of illuminated book⁸. Nevertheless, given that Gratian’s work encompassed the collation and analysis of Latin Church legislation, traditionally taught in cathedral and monastic schools⁹, it is reasonable to posit that the long-established scriptoria based within ecclesiastical institutions must have been especially involved¹⁰. In a few cases, this origin can be documented or assumed on the basis of iconographic or stylistic elements. Some of these manuscripts were produced in monasteries that adhered to the rule

⁴ R. Weigand, “The Development of the *Glossa ordinaria* to Gratian’s *Decretum*”, in *The History of Medieval Canon Law*, cit., pp. 55–97, esp. 82–86.

⁵ Cahn, “A Twelfth-Century Decretum Fragment”, cit., pp. 54–55.

⁶ E. Patlagean, “Une représentation byzantine de la parenté et ses origines occidentales”, *L’Homme* 6, no. 4 (October–December 1966), pp. 59–81; G.B. Ladner, “Medieval and Modern Understanding of Symbolism: A Comparison”, *Speculum* 54, no. 2 (April 1979), pp. 223–56, esp. 241–50; Schadt, *Die Darstellungen*, cit.; Novello, “Miniatura a Bologna nel Duecento”, cit., pp. 194–98.

⁷ Murano, “Graziano e il *Decretum*”, cit., pp. 70, 107.

⁸ R. Bosi, “Lo *Studium* a Bologna”, in M. Medica, ed., *Duecento. Forme e colori del Medioevo a Bologna*, exh. cat. (Venezia: Marsilio, 2000), pp. 53–56, esp. 54; M. Medica, “La città dei libri e dei miniatori”, in Medica, ed., *Duecento*, cit., pp. 109–140, esp. 110; Zanichelli, “*Thesauris armarii aggregatus*”, cit., pp. 178, 180.

⁹ C. Bock, “Les Cisterciens et l’Etude du Droit”, *Analecta Sacri Ordinis Cisterciensis* 7 (1951): pp. 3–31, esp. 4; Zanichelli, “*Thesauris armarii aggregatus*”, cit., p. 171. On the evolving landscape of schools in twelfth-century Western Europe: *A Companion to Twelfth-Century Schools*, ed. C. Giraud (Leiden–Boston: Brill, 2019).

¹⁰ However, as is well known, it is worth mentioning that the so-called *Calci Bible* (Calci, Museo Nazionale della Certosa Monumentale di Calci, s.n.), in 4 volumes, is documented as having been begun on 10 October 1168 by laymen for the Benedictine monastery of San Vito in Pisa (K. Berg, *Studies in Tuscan Twelfth-Century Illumination* (Oslo: Universitetsforlaget, 1968), pp. 205–06; *La Bibbia di Calci. Un capolavoro della miniatura romanica in Italia*, ed. S. Russo (Pisa: ETS, 2014)). For further discussion of analogous cases from the twelfth century in Tuscany, please refer to Berg, *Studies*, cit., pp. 206–19. In regard to the much-debated issue of the nature of the production unity at the origin of the Central Italian Giant Bibles: L. Ayres, “Le Bibbie Atlantiche. Dalla Riforma alla diffusione in Europa”, in M. Maniaci, G. Orofino, eds., *Le Bibbie Atlantiche. Il libro delle Scritture tra monumentalità e rappresentazione*, exh. cat. (Roma: Centro Tibaldi, 2000), pp. 27–37; M. Maniaci, G. Orofino, “L’officina delle Bibbie atlantiche: artigiani, scribi, miniatori. Problemi ancora aperti”, in *Come nasce un manoscritto miniato. Scriptoria, tecniche, modelli e materiali*, eds. F. Flores d’Arcais, F. Crivello (Modena: Panini, 2010), pp. 197–212; L. Yawn, “The Italian Giant Bibles, Lay Patronage, and Professional Workmanship (11th–12th Centuries)”, *Cahiers électroniques d’histoire textuelle du LaMOP* 3 (2010), special issue: *Les usages sociaux de la Bible, XI^e–XV^e siècles*, pp. 1–32. https://www.academia.edu/1024989/The_Italian_Giant_Bibles_Lay_Patronage_and_Professional_Workmanship_11th_12th_Centuries_Les_usages_sociaux_de_la_Bible_XIe_XVe_siecles_CHELT_3_2010_Paris_LAMOP_1re_éd_en_ligne_2011 [accessed 7 November 2024]. It should also be remembered that in the eleventh and twelfth centuries individual professional lay scribes and, above all, illuminators were increasingly employed in ecclesiastical scriptoria (W. Cahn, *Romanesque Bible Illumination* (Ithaca, New York: Cornell University Press, 1982), pp. 213–24; J. Alexander, *Medieval Illuminators and Their Methods of Work* (New Haven–London: Yale University Press, 1992), pp. 12–20, 95).

of Saint Benedict or the various rules of canons regular. Coloman Bock's foundational work on the study of law in the Cistercian Order has illuminated the various prohibitions issued by councils and popes since the first half of the twelfth century against the study of law, albeit exclusively Roman law at the beginning, by monks and canons regular as well as the practice of the legal profession for financial gain¹¹. These interdictions were intended to prevent regulars from venturing beyond the confines of their own communities, for example to attend urban schools, to curtail the pursuit of wealth, and to safeguard the primacy of theology. However, as is often the case, these restrictions provide evidence of the practices they sought to prohibit. Furthermore, dispenses were increasingly granted to individuals. Indeed, Giovanna Murano has highlighted that a significant number of early copies of Gratian's treatise come from Benedictine monasteries, indicating a notable interest in the work among black monks¹². This paper will examine those illuminated volumes most clearly associated with specific monastic or canonical communities to ascertain whether there are any common features that distinguish them as 'cloistered' Gratians.

Gratian himself is said to have been a monk in the so-called *Summa Parisiensis*¹³, a commentary on the *Decretum* probably written in Sens around 1168¹⁴. The anthropomorphic initial "H" of "Humanum genus", opening the *Pars prima* of an early north Italian Gratian in Troyes (Médiathèque Jacques-Chirac, Ms 60, fol. 7r)¹⁵, which comes from the Cistercian abbey of Clairvaux¹⁶, presents the figures of religious and secular authorities, in the form of a bishop and a sovereign, engaged in a *quaestio* regarding the opening sentence of the treatise¹⁷. In this article, I will return to the iconography of earthly powers as represented in the H-initial of *Pars prima*. At this point, I will focus on the individual depicted on a smaller scale, wearing a black habit and thus identified as a Benedictine monk positioned at the side of the prelate. This figure is holding a leaf that has been cut along the right side, displaying the phrase "quid sit lex quid mores". Murano has proposed the latter as an image of the *auctor*, whereas I believe it should be regarded as a figure involved in the same debate as the two rulers, alongside the layman brandishing an axe. As early as the late twelfth century, a black monk with a halo was depicted to the left of the opening initial of *Pars prima* in a copy kept in the library of the Benedictine abbey of Admont in Styria (Benediktinerstift, Cod. 35, fol. 12r)¹⁸. It is possible to identify the figure too as the *auctor*¹⁹, although it cannot be excluded that it is Saint

¹¹ Bock, "Les Cisterciens", cit.

¹² Murano, "Graziano e il *Decretum*", cit., pp. 82-84.

¹³ *The Summa Parisiensis on the Decretum Gratiani*, ed. Terence P. McLaughlin (Toronto: The Pontifical Institute of Mediaeval Studies, 1952), p. 115 (ad C.2 q.7 d.p.c.52); Murano, "Dalle scuole agli *Studia*", cit., p. 75.

¹⁴ R. Weigand, "The Transmontane Decretists", in *The History of Medieval Canon Law*, cit., pp. 174-210, esp. 181-182; P. Landau, "Master Peter of Louveciennes and the Origins of the Parisian School of Canon Law around 1170", in *Proceedings of the fourteenth International Congress of Medieval Canon Law, Toronto, 5-11 August 2012*, eds. J.W. Goering, S. Dusil, A. Their (Città del Vaticano: Biblioteca Apostolica Vaticana, 2016), pp. 379-94.

¹⁵ Zanichelli, "La trasformazione del libro di lusso", cit., p. 295; del Monaco, "Alle origini di Bologna 'crocevia'", cit., pp. 706-07. The digital copy of this manuscript is accessible via the following link: https://portail.mediathèque.grand-troyes.fr/iguana/www.main.cls?url=search&p=*#recordId=2.1824 [accessed 23 October 2024].

¹⁶ B. Jacqueline, "Le Décret de Gratien à l'Abbaye de Clairvaux", *Studia Gratiana* 3 (1955): pp. 426-32, esp. 429. The twelfth-century inventory of the library lists two single-volume copies of Gratian's work (*Ibid.*, p. 427).

¹⁷ "Humanum genus duobus regitur, naturali videlicet iure et moribus." (*Corpus Iuris Canonici*, ed. E. Friedberg, I: *Decretum Magistri Gratiani* (Leipzig: Tauchnitz, 1879), col. 1 (D.1 d.a.c.1)).

¹⁸ P. Buberl, *Die illuminierten Handschriften in der Steiermark, I: Die Stiftsbibliotheken zu Admont und Vorau* (Leipzig: Hiersemann, 2011), p. 86 cat. no. 72; F. Eheim, "Die Handschriften des Decretum Gratiani in Österreich", *Studia Gratiana* 7 (1959): pp. 125-173, esp. 130-131 cat. no. 3; Murano, "Il *Decretum*", cit., p. 306.

¹⁹ Gratian was never regarded as a saint; however, other twelfth-century authors in a similar status, such as Peter Lombard, were represented as figures with haloed heads in illuminated copies of their works created slightly after their deaths (J. Fronska, "The Images of Gratian: The Author's Portrait and Historical Evidence", in *Tributes to Elly Miller: Opening*

Benedict himself. The black habit subsequently became common in late-thirteenth and fourteenth-century representations of Gratian engaged in the act of writing at his desk illustrating the same letter both north and south of the Alps²⁰. Murano thus concluded that this iconography provided compelling evidence that Gratian was a black Benedictine, confirming the information that he lived in Bologna in the Benedictine monastery of San Felice²¹. However, the extant evidence regarding Gratian’s residence in Bologna gives raise to questions concerning the veracity of this assertion and suggests that the most common opinion that he was a Camaldolese monk should be accepted²².

The first known reference to Gratian’s residence in Bologna is made in the mid-thirteenth century by the Bolognese lawyer Odofredus, who states that “Master Gratian... stood at the monastery of San Felice” in the city²³. Moreover, a number of manuscripts of the *Decretum* produced in the Emilian city between the late thirteenth and early fourteenth centuries include a *subscriptio* at the end of the text: “Explicit decretum compilatum a gratiano monacho monasterij sancti felicis de bononia”²⁴. Later, in the final decades of the Trecento, the commentaries by Benvenuto da Imola and Francesco da Buti on the tenth canto of Dante’s *Paradiso* (*Par.* 10, 103–105), in which Gratian is mentioned among the wise men in the Sphere of the Sun, asserted that he had been a monk of San Felice²⁵. Indeed, a lost marble inscription placed in the monastery by Abbot Bartolomeo Raimondi not earlier than 1374 states that Gratian composed his work in that house²⁶. The text of

Manuscripts, eds. S. Panayotova, L. Freeman Sandler, T. Miller Wang (London-Turnhout: Harvey Miller, 2024), pp. 108–25, esp. 114).

²⁰ E.g. Douai, Bibliothèque Marceline Desbordes-Valmore, 586, fol. 1r; München, Bayerische Staatsbibliothek, Clm 23552, p. 1. The digital reproduction of the microfilm of the first manuscript is made available at the following link: https://preserver.beic.it:443/delivery/DeliveryManagerServlet?dps_pid=IE197279 [accessed 8 October 2024]. The digital facsimile of the second manuscript is accessible at the following link: <https://mdz-nbn-resolving.de/details:bsb00090822> [accessed 8 October 2024]. Such examples, along with others, have recently been examined by Joanna Fronska (“The Images of Gratian”, cit., pp. 116–19).

²¹ Murano, “Graziano e il *Decretum*”, cit., pp. 77–82; G. Murano, “Graziano, monaco benedettino, *magister* e vescovo di Chiusi: le testimonianze iconografiche”, *Studia Gratiana* 30 (2020), special issue: *Gratianus magister decretorum. Il Decretum tra storia, attualità e prospettive di universalità*, eds. M. Sodi, F. Reali, pp. 105–22, esp. 114–120; Murano, “Il *Decretum*”, cit., pp. 305–307.

²² G. Cacciamani, “Appunti di storia camaldolese sul monastero dei santi Nabore e Felice di Bologna”, *Cvltta Bononia* 2 (1970), pp. 11–21, esp. 17; D. Cerami, “Monasteri benedettini del suburbio e della pianura”, in *Monasteri benedettini nella diocesi di Bologna (secoli VII–XV)*, ed. P. Foschi (Bologna: Bononia University Press, 2017), pp. 59–81, 217–277: 71–72, 265.

²³ “Magister Gratianus qui stabat ad monasterium sancti Felicis” (*Odoffredi iuris utriusque peritissimi... in secundam Digesti Veteris partem...* (Lyon: Compagnie des Libraires de Lyon, 1552), fol. 2v (ad D. 12.1.1)); Murano, “Graziano e il *Decretum*”, cit., pp. 73–74.

²⁴ *Ibid.*, p. 78.

²⁵ “Hic Thomas describit alium doctorem s. Gratianum monachum. Ad cuius evidentiam est presciendum quod iste Gratianus fuit monachus de ordine, qui fecit opus egregium quod dicitur Decretum... fecit autem opus suum in civitate Bononie, in monasterio sancti Felicis in cellula parva.” (Benvenuto da Imola, *Commentarium super Dantis Paradisum*, Firenze, Biblioteca Medicea Laurenziana, Plut. 43.3, fol. 56v); “Di Gratian, questi fu Graziano che fece lo Decreto, fu di Chiusi città antica di Toscana, ma ora è quasi tutta disfatta, e fu monaco di Santo Felice a Bologna.” (*Commento di Francesco da Buti sopra la Divina Comedia di Dante Alighieri* (Pisa: fratelli Nistri, 1862), III, p. 323); Murano, “Graziano e il *Decretum*”, cit., pp. 80–82.

²⁶ “HANC AULE PARTEM LECTOR REVERENTER ADITO / NAMQUE LOCI MONACHUS DECRETUM HIC CONDIDIT HUIUS / DIVINUM GRATIANUS OPUS QUANTUMLIBET ARCTO / CONTENTUS SEPTO QUOD IAM REPARANDO CADUCUM / ET VETUS HOC CLAUSTRUM TOLLI FUIT INDE NECESSE / ID TAMEN ABBATE ET CONSTRUCTUM EST BARTHOLOMEO / MILLE RECENTENIS DECIES SEPTEM AQVE QUATERNIS / ANNIS A CHRISTO PURA DE VIRGINE NATO” (Hieronimus de Bursellis, *Cronica gestorum ac factorum memorabilium civitatis Bononie*, ed. A. Sorbelli (Città di Castello: S. Lapi, 1911–1929), p. 14; G. Rivani, “L’Abbadia dei Ss. Naborre e Felice ora Ospedale Militare di Bologna”,

the inscription is cited by the Dominican Girolamo Burselli in his *Cronica*, which was written in the second half of the fifteenth century. The friar also offered alternative information regarding Gratian's monastic affiliation. In particular, he reported that Gratian had been a monk at the Bolognese Benedictine monastery of San Procolo. At the time in question, the monks of San Felice had themselves relocated to San Procolo. The abbey in San Felice was ultimately dissolved in 1506²⁷. Moreover, the association of Gratian with San Procolo was substantiated by an extant marble inscription, which originally accompanied a lost statue of the author of the *Decretum* realised in the monastery in 1573²⁸. This inscription was recorded around the same time by the Benedictine Pietro Calzolari and the local Augustine hermit friar Cherubino Ghirardacci, who both attest to Gratian as a black monk (“monaco negro”)²⁹. Nonetheless, the connection with San Felice was more widely accepted by subsequent historians.

In the eighteenth century, two Camaldolese monks, Giovanni Mittarelli and Anselmo Costadono, discovered that San Felice was listed among the Camaldolese houses in four Papal bulls of 1113 (Paschal II), 1153 (Eugene III), 1175 (Alexander III), and 1186 (Urban III), respectively³⁰. This led them to conclude that Gratian must have been a Camaldolese monk as well³¹. As documented by Giuseppe Cacciamani³², the monastery of San Felice in Bologna was indeed enumerated among the monasteries belonging to the Camaldolese congregation in Papal bulls dating from 1113 to 1187 (Clement III). It was no longer included in the list since 1198 (Innocent III). In a bull dated 1258, Pope Alexander IV appointed the abbot of San Felice and the abbot of the Benedictine community of San Pietro in Perugia as defenders of Camaldolese privileges. This may be interpreted as an indication that the Bolognese monastery had been handed over to the black monks. It can thus be concluded with a high degree of certainty that if Gratian composed the *Decretum* in San Felice in Bologna, it was at the time a Camaldolese house. The depiction of Gratian as a black monk emerged during a period when San Felice had become a Benedictine monastery³³. Nevertheless, the extant early copies of the *Decretum* indicate that the work was not widely circulated among the Camaldolese. Only one of them has its provenance from a library of the congregation, specifically from the mother house of Camaldoli.

The manuscript is identified as Conv.Soppr.A.I.402 in the collections of the National Library of Florence [figs. 1–2]³⁴. It is one of four witnesses to what Anders Winroth has designated the “first

Strenna Storica Bolognese 18 (1968): pp. 67–90, esp. 73).

²⁷ *Ibid.*, p. 74.

²⁸ M. Fantì, *San Procolo. La chiesa - L'abbazia. Leggenda e storia* (Bologna: Cappelli, 1963), pp. 84–86.

²⁹ P. Calzolari, *Historia monastica*, 2nd ed. (Rome: Vincenzo Accolti, 1575), p. 432; C. Ghirardacci, *Della Historia di Bologna* (Bologna: Heredi di Giovanni Rossi, 1605), p. 77.

³⁰ G.B. Mittarelli, A. Costadoni, *Annales Camaldulenses Ordinis Sancti Benedicti*, III (Venezia: San Michele di Murano, 1758), cols. 243, 464–465; G.B. Mittarelli, A. Costadoni, *Annales Camaldulenses Ordinis Sancti Benedicti*, IV (Venezia: San Michele di Murano, 1759), pp. 116–117, cols. 52–53.

³¹ Mittarelli, Costadoni, *Annales Camaldulenses*, cit., III, p. 325.

³² Cacciamani, “Appunti”, cit., pp. 12–16, 19–20.

³³ Anthony Melnikas (*The Corpus*, cit., pp. 44–45) argued that Gratian had been depicted as a Camaldolese monk in two illuminations painted by the so-called *Illustratore* in a Bolognese copy of his treatise dating back to around 1340 (Città del Vaticano, Biblioteca Apostolica Vaticana, Vat.lat.1366, fol. 1r). However, it has already been observed that his robe, consisting of a sleeveless brown surcoat over a white tunic does not correspond to the Camaldolese habit (G. del Monaco, *L'Illustratore e la miniatura nei manoscritti universitari Bolognesi del Trecento* (Bologna: Bononia University Press: 2018), p. 146). The digital reproduction of the manuscript is accessible via the following link: https://digi.vatlib.it/view/MSS_Vat.lat.1366/0001 [accessed 9 October 2024].

³⁴ A. Di Domenico, in *Codici miniati benedettini*, exh. cat. (Firenze: Biblioteca nazionale centrale di Firenze, 1982), p. 31 cat. no. 14; A. Di Domenico, *Alcuni codici miniati romanici nel fondo Conventi Soppressi della Biblioteca Nazionale Centrale di Firenze*, “Miniatura” 3–4 (1990–1991): pp. 51–62, esp. 54.

recension” of the *Decretum Gratiani*, an earlier, briefer version of the work, comprising solely the 101 distinctions of *Pars prima* and the 36 *Causae* of *Pars secunda*³⁵. Murano and Kenneth Pennington have observed that these copies reflect the various stages of the evolving author’s working codex, with subsequent additions made as soon as Gratian updated his version³⁶. The manuscript currently held at the Biblioteca Nazionale appears to be a direct derivative of the author’s original codex. The manuscript was in use in the region of Puglia during the third quarter of the twelfth century³⁷. The first seven initials are decorated with multicoloured ink, which is sometimes applied to a gold ground [fig. 1]. It can be inferred that they must have been made later than the writing of the text and the display lettering, as they appear to overlap somewhere with them. Adriana Di Domenico has attributed these initials to a scriptorium in the Bari area because of their peculiar reworking of Cassinese motifs³⁸. The Italian scholar further suggests that the remaining decorated initials were drawn in dark ink shortly afterwards in the territory of Arezzo [fig. 2], where Camaldoli is located³⁹.

In contrast, as previously stated, a considerable number of early *Decreta* were incorporated into the libraries of Benedictine monasteries across Europe. Murano identified 41 copies of Benedictine provenance out of the surviving manuscripts, which number approximately 250⁴⁰. Two additional witnesses to the ‘first recension’ are included.

One volume comes from the Catalan house of Santa Maria de Ripoll (Barcelona, Arxiu de la Corona d’Aragó, Ripoll 78). It is regarded as the most sophisticated exemplar of the ‘first recension’. Gibbs identified the manuscript as a product of Bologna, noting the accuracy of the text and its continuous updating⁴¹. Murano, on the other hand, attributed it to a scriptorium specialised in the production of Giant Bibles⁴². Indeed, as Gibbs himself observed, the painted decorated initials bear resemblance to the geometric initials of the great Tuscan bibles and can be attributed to Pisan artists in particular⁴³.

The second witness is a copy in two volumes that is currently housed in the monastic library of Admont (Benediktinerstift, Codd. 23, 43)⁴⁴. The text is presented in single columns. The introduction “In prima parte” and the primary divisions of the text are embellished with initials drawn in ink, the majority of which are adorned with foliate tendrils [fig. 3]. Two of the initials are anthropomorphic

³⁵ Winroth, *The Making*, cit., pp. 122–145. The other three witnesses are: Admont, Benediktinerstift, Codd. 23, 43; Barcelona, Arxiu de la Corona d’Aragó, Ripoll 78; Paris, Bibliothèque nationale de France, NAL 1761. The digital version of the first one is available for consultation at the following link: <https://manuscripta.at/diglit/AT1000-23/0001>, <https://manuscripta.at/diglit/AT1000-43/0001> [accessed 10 October 2024]. The digital reproduction of the microfilm of the second one is accessible at the following link: https://preserver.beic.it:443/delivery/DeliveryManagerServlet?dps_pid=IE342355 [accessed 10 October 2024]. The digital facsimile of the third one is made available at the following link: <https://gallica.bnf.fr/ark:/12148/btv1b8555842b> [accessed 10 October 2024].

³⁶ Pennington, “La biografia di Graziano”, cit., pp. 26–36; Murano, *Graziano e il Decretum*, cit., p. 87.

³⁷ *Ibid.*, pp. 87–91.

³⁸ Di Domenico, *Alcuni codici miniati*, cit., p. 54.

³⁹ *Ivi.*

⁴⁰ Murano, *Graziano e il Decretum*, cit., pp. 65, 82–83.

⁴¹ Gibbs, “The Bratislava Gratian”, cit., p. 170 note 7; R. Gibbs, K.-G. Pfändtner, *Byzantine Beauty and Bolognese Beasts: Bolognese Illumination before 1259 and the Evolution of the Academic Style*, typescript, pp. 44–45. I would like to thank the author for allowing me to use this unpublished material.

⁴² Murano, *Graziano e il Decretum*, cit., p. 114. On the *Bibbie atlantiche*, at least: Maniaci, Orofino, eds., *Le Bibbie atlantiche*, cit.; *Les Bibles atlantiques. Le manuscrit biblique à l’époque de la réforme de l’église du 11^e siècle*, ed. N. Togni (Firenze: SISMEL, 2016).

⁴³ Gibbs, “The Bratislava Gratian”, cit., p. 170 note 7; Gibbs, Pfändtner, *Byzantine Beauty*, cit., pp. 45–48.

⁴⁴ Buberl, *Die illuminierten Handschriften in der Steiermark*, cit., pp. 46–47 cat. nos. 14–15; Eheim, “Die Handschriften”, cit., pp. 129–130 cat. no. 2, 132–133 cat. no. 4.

(Cod. 23, fols. 3r, 161r) [fig. 4] while four are historiated with single or double figures that are related to the text passages (Cod. 23, fol. 122r; Cod. 43, fols. 19v, 40r, 110v) [fig. 5]. The initial “I” (“In prima parte”) of the prefatory summary in Cod. 23 (fol. 3r) depicts a standing bearded man in a long robe with a round hat on his head, a headgear sometimes worn by bishops and other prelates in eleventh- and twelfth-century images⁴⁵. In one hand he holds a tendril branch, reminiscent of a crozier, and in the other a book. It has hitherto remained unnoticed that he could be interpreted as a portrait of Gratian himself, who is recorded as a bishop in three sources, which will be discussed later in this article⁴⁶. However, an alternative reading is that he could be seen as a generic representation of religious authority, thus alluding to the Church law mentioned in the associated text passage⁴⁷. It is worthy of note that two historiated letters are dedicated to *Causa* 16 and 18 (Cod. 43, fols. 19v, 40r), which are part of a group of five *Causae* (C.16–20) devoted to issues concerning the life of monks. This topic should have been of significant importance for a monastery such as Admont, which was highly invested in ensuring the proper observance of monastic life. This is evidenced, for instance, by the adherence to the norms of Hirsau Abbey in the Black Forest, written by Abbot William in the late eleventh century, which in turn were modelled on the reformed monasticism of Cluny⁴⁸. The initial of *Causa* 16 depicts a seated monk wearing a dark robe, while the opening of *Causa* 18 features an archbishop, representing the monk who has been consecrated as a bishop in the fictive case that forms the starting point for this *Causa*.

An *arbor consanguinitatis*, which features seven grades of kinship according to Church legislation, adopting the type of Isidorus’ *Etymologiae*⁴⁹, and was designed in the shape of a tree under a double arch supported by columns⁵⁰, was inserted within *Causa* 35 (Cod. 43, fol. 193r). Two further diagrams, typically included in the early Gratians, were drawn at the conclusion of the second volume in lieu of the points with which they are associated⁵¹. A numerals table exhibits a simplified architectural

⁴⁵ On the early development of the various forms of headpieces worn by ecclesiastical authorities since approximately 1000, leading to the preference for the peaked mitre with front-to-back orientation in the first half of the thirteenth century: J. Braun, *Die liturgische Gewandung im Occident und Orient nach Ursprung und Entwicklung, Verwendung und Symbolik* (Freiburg im Breisgau: Herder, 1907), pp. 458–75; H. Blöcher, *Die Mitren des hohen Mittelalters* (Riggisberg: Abegg-Stiftung, 2012); N. Spies, *The Mitre: Its Origins and Early Development* (Leiden: Brill, 2024).

⁴⁶ It is of considerable significance that one of these sources, namely an introductory gloss to the *Decretum*, is also present in an early copy in St. Paul im Lavanttal (Benediktinerstift, Cod. 25/1 (olim 25.2.6), fol. 2r) in Carinthia, which formed part of the collection of books transported by the Benedictine monks of the reformed St. Blasius Abbey in the Black Forest in 1809. It features penwork foliate initials that are typical of the south German scriptoria situated around the Lake of Constance (F. Eheim, “Die Handschriften”, cit., pp. 159–60 cat. no. 26; K. Holter, “Die Bibliothek. Handschriften und Inkunabeln”, in *Die Kunstdenkmäler des Benediktinerstiftes St. Paul im Lavanttal* (Wien: Schroll, 1969), pp. 340–441, esp. 364). The version of the gloss attested by this manuscript presents Gratian as a teacher too: “magistri Gratiani episcopi” (Fronska, “The Images of Gratian”, cit., pp. 111, 123 note 16). The digital copy of the microfilm of this manuscript is made available for consultation at the following link: https://preserver.beic.it:443/delivery/DeliveryManagerServlet?dps_pid=IE288277 [accessed 13 November 2024].

⁴⁷ Fronska (“The Images of Gratian”, cit., pp. 114–16) has proposed that the depiction of a haloed bishop in the same position in a south French or Spanish early copy of the *Decretum* (Paris, Bibliothèque nationale de France, Latin 3895, fol. 1r) similarly represents Gratian. A digital copy of this manuscript can be accessed via the following link: <https://gallica.bnf.fr/ark:/12148/btv1b8555838f> [accessed 12 November 2024].

⁴⁸ *Willehelmi Abbatis Constitutiones Hirsaugienses*, ed. P. Engelbert (Siegburg: Schmitt, 2010); A. Sohn, “Die Abtei Admont und das hochmittelalterliche Reformmönchtum”, in *1074 – Benediktinerstift Admont. 950 Jahre lebendiges Kloster* (Wien: Böhlau, 2024), pp. 17–25, esp. 23.

⁴⁹ Schadt, *Die Darstellungen*, cit., p. 153 no. 62.

⁵⁰ *Ibid.*, p. 172 no. 5.

⁵¹ A further example of this position, albeit of a slightly later date, can be found in a presumed Bolognese *Decretum* in Bamberg (Staatsbibliothek Bamberg, Can.14, fols. 309r, 314v). G. Suckale-Redlefsen, *Die Handschriften des 12. Jahrhunderts der Staatsbibliothek Bamberg* (Wiesbaden: Harrassowitz, 1995), pp. 98–100 cat. no. 94; del Monaco, “Alle

frame (Cod. 43, fol. 341r), while a second tree of consanguinity (Cod. 43, fol. 342v) is superimposed upon a bearded enthroned monarch and a male figure standing erect, the latter representing the father, coupled with the bust-length depiction of the mother above him. This second tree of consanguinity follows a six-grade type based on Roman law⁵².

In the early twentieth century, Paul Buberl correctly established that the drawings in dark, blue, green, and red constituted a typical example of the graphic art created at Admont during the period of Abbot Gottfried (1138–1165) in the mid-twelfth century [fig. 6]⁵³. Moreover, Buberl identified the same artist in a copy of Peter Lombard’s *Sententiae* (Admont, Benediktinerstift, Cod. 286), which bears an ex libris of the abbey dating back to the thirteenth century⁵⁴. The early creation of a decorated copy of the *Decretum* at Admont can be reasonably justified on the grounds of the close link to the bishopric of Salzburg⁵⁵, where the milieu of Archbishop Eberhard (reigning 1147–1164) was characterised by an interest in legal matters pertaining to the ecclesiastical domain and the deluxe Clm 13004 was produced⁵⁶. Furthermore, Admont flourished as an exceptional centre of learning for its monks during this period, as evidenced by the surviving manuscripts in the library. Nevertheless, the significance of the Gratian has yet to be fully acknowledged, in addition to the heightened focus on the study of Holy Scripture and the Church Fathers⁵⁷.

One additional manuscript of monastic origin is believed to hail from Austrian territories. This manuscript is currently housed in Darmstadt (Universitäts- und Landesbibliothek Darmstadt, Hs 542)⁵⁸ and was previously held in the Carthusian library of nearby Mainz since the fourteenth century. An inscription on the first folio (1v), reading “Liber Christiani”, added by a thirteenth-century hand, has been associated with the archbishops of Mainz, Christian I (reigning from 1167 to 1183), or, more convincingly, Christian II (holding the episcopal see from 1249 to 1251)⁵⁹. The volume does not contain the complete treatise, but rather an abbreviation called *Exceptiones*

origini di Bologna ‘crocevia’”, cit., pp. 707–08.

⁵² Schadt, *Die Darstellungen*, cit., p. 149 no. 36.

⁵³ Buberl, *Die illuminierten Handschriften in der Steiermark*, cit., pp. 40, 47.

⁵⁴ *Ibid.*, p. 47 cat. no. 16.

⁵⁵ Sohn, “Die Abtei Admont”, cit., pp. 20–21.

⁵⁶ E. Klemm, *Die romanischen Handschriften der Bayerischen Staatsbibliothek*, I.I: *Die Bistümer Regensburg, Passau und Salzburg: Textband* (Wiesbaden: Reichert, 1980), pp. 74–75 cat. no. 103; W. Stelzer, *Gelehrtes Recht in Österreich. Von den Anfängen bis zum frühen 14. Jahrhundert* (Wien-Köln-Graz: Böhlau, 1982), pp. 17–22, 61, 190; P. Landau, “Die Anfänge der Verbreitung des klassischen kanonischen Rechts in Deutschland im 12. Jahrhundert und im ersten drittel des 13. Jahrhunderts”, in *Chiesa diritto e ordinamento della ‘societas Christiana’ nei secoli XI e XII* (Milano: Vita e Pensiero, 1986), pp. 272–90, esp. 274–75; E. Klemm, “Der Schäftlarnner Gratian und die Anfänge der Rechtsillustration”, *Bibliotheksförum Bayern* 22 (1994): pp. 204–20, esp. 210–11. A digital facsimile of München, Bayerische Staatsbibliothek, Clm 13004 is accessible at the following link: <https://mdz-nbn-resolving.de/details:bsb00108147> [accessed 25 October 2024].

⁵⁷ G. Möser-Mersky, *Mittelalterliche Bibliothekskataloge Österreichs*, III: *Steiermark* (Graz-Wien-Köln: Böhlau: 1961), pp. 1–65; M. Haltrich, “Die mittelalterliche Bibliothek des Stiftes Admont”, in *1074 – Benediktinerstift Admont*, cit., pp. 33–43. The two-volume *Decretum* Codd. 23, 43 is already listed with the same division in the early Peter von Arbon’s inventories of the abbey library, which were compiled in 1376 and 1380 respectively (Möser-Mersky, *Mittelalterliche Bibliothekskataloge Österreichs*, cit., pp. 26, 52).

⁵⁸ W. Metzger, in M. Puhle, C.P. Hasse, eds., *Heiliges Römisches Reich Deutscher Nation 962 bis 1806. Von Otto dem Grossen bis zum Ausgang des Mittelalters*, exh. cat. (Dresden: Sandstein, 2006), p. 206 cat. no. IV.20. An updated description (2015) by Ulrike Spira is available for reading at the following link: <https://resolver.staatsbibliothek-berlin.de/HSP00054ADE00000000> [accessed 14 October 2024]. A digital reproduction of the microfilm can be accessed via the following link: <http://tudigit.ulb.tu-darmstadt.de/show/Hs-542> [accessed 14 October 2024].

⁵⁹ A. Fingernagel, “Mainz oder Heiligenkreuz? Zur romanischen Buchmalerei im niederösterreichischen Zisterzienserstift Heiligenkreuz”, in *Scrinium Berolinense. Tilo Brandis zum 65. Geburtstag*, ed. P.J. Becker (Wiesbaden: Reichert, 2000), pp. 43–56, esp. 45.

ecclesiarum regularum, which was composed around 1170 according to Rudolf Weigand⁶⁰. However, I have decided to include the manuscript in the discussion because of the complexity and quality of its illumination. The manuscript presents the primary decoration typical of the full *Decretum*, including five historiated (fols. 7r, 21v, 23v, 26v, 35r) [fig. 7] and two anthropomorphic ink initials (fols. 29v, 33r), alongside decorated letters realised in dark, red, green, and blue onto blue and green grounds adorning the text divisions until *Causa* 14 (fol. 40r). Additionally, a number of pen flourished initials are present from *Causa* 15 (fol. 41r) onwards. A pair of illustrated trees of affinities and consanguinities was drawn within *Causa* 35 (fols. 69v-70r)⁶¹. The latter adopts the seven-grade arrow-like scheme first established in the copies of the *Decretum* itself. The initial “H” of “Humanum genus” (fol. 7r) [fig. 7] depicts a pair of full-length standing figures. One is an archbishop, and the other is a monarch holding a flaming sword and an orb bearing a cross. The representation of earthly powers, both ecclesiastical and secular, embodied by a bishop and a sovereign is the most common theme depicted in the H-initial in the early copies of the *Decretum*⁶². Alfons Stickler posited that the textual source for this iconography was likely the opening passage of chapter 10 of *Distinctio* 96, which comprises the words of a renowned letter written by the late-fifth-century Pope Gelasius I to Emperor Anastasius I⁶³. In this letter dated 494, Gelasius asserts that the authority of pontiffs and royal power coexist to govern our world, while simultaneously affirming the elevated role of priests. The version of the H-initial with a standing pontiff and a monarch paired in full-length in front of the letter, which is thus independent from the figures, is particularly well-represented in north Italian, possibly Bolognese, *Decreta*⁶⁴.

Andreas Fingernagel identified two distinct hands in the manuscript⁶⁵. The first is responsible for the drawn initials until *Causa* 14 and is characterised by a volumetric consistency rooted in German Romanesque manuscript illumination. The second is the creator of the pen flourished letters of the remaining text divisions, as well as three within *Pars prima* (fols. 11r, 14v, 18r), which are marked by a new elegant linear fluency. This quality is also visible in the *arbores*. In his analysis, Fingernagel proposed that the Darmstadt codex was created in the scriptorium of the Cistercian monastery of Heiligenkreuz, situated near Vienna⁶⁶. This monastery was established in 1133 by Leopold III, Margrave of Austria, who was motivated to do so by his son Otto, the future Bishop of Freising (1137-1158). The monks who came to Heiligenkreuz were members of the community at Morimond in Champagne, where Otto himself had been part of the congregation and later abbot,

⁶⁰ R. Weigand, “Die Dekretabbreviatio ‘Exceptiones ecclesiarum regularum und ihre Glossen’”, in *Cristianità ed Europa. Miscellanea di studi in onore di Luigi Prosdocimi*, ed. C. Alzati (Rome: Herder, 1994), pp. 511-529, esp. 525.

⁶¹ Schadt, *Die Darstellungen*, cit., pp. 144 no. 5, 165 no. 11.

⁶² G. del Monaco, “The Initial ‘H’ (‘Humanum genus’) and the Early Depictions of the Two Supreme Earthly Rulers in the Illuminated Manuscripts of the *Decretum Gratiani*”, in *The Illuminated Legal Manuscript from the Middle Ages to the Digital Age: Forms, Iconographies, Materials, Uses and Cataloguing*, ed. M.A. Bilotta (Turnhout: Brepols, forthcoming).

⁶³ A. Stickler, “Ursprung und gegenseitiges Verhältnis der beiden Gewalten nach den Miniaturen des gratianischen Dekrets”, *Studia Gratiana* 20 (1976): pp. 341-59, esp. 343.

⁶⁴ E.g. Amiens, Bibliothèque Louis Aragon, 354, fol. 9r; München, Bayerische Staatsbibliothek, Clm 4505, fol. 10r; Venezia, Biblioteca Nazionale Marciana, Lat. IV 117 (2435), fol. 11r. Nordenfalk, review of Melnikas, *The Corpus*, cit., p. 325; del Monaco, “Alle origini di Bologna ‘crocevia’”, cit., pp. 707-08, 710-11; del Monaco, “The Initial ‘H’”, cit. A digital version of the microfilm of the first manuscript is accessible at the following link: <https://arca.irht.cnrs.fr/ark:/63955/md97xk81mz46> [accessed 24 October 2024]. A digital reproduction of the microform of the second manuscript is made available at the following link: <https://mdz-nbn-resolving.de/details:bsb00041810> [accessed 24 October 2024].

⁶⁵ Fingernagel, “Mainz oder Heiligenkreuz?”, cit., pp. 47-48.

⁶⁶ *Ibid.*, p. 46.

just before moving to Bavaria⁶⁷. For example, the Austrian scholar noted similarities between the pen flourished initials of the *Abbreviatio Decreti* and those of a Heiligenkreuz copy of Augustine (Heiligenkreuz, Zistenzienserstift, Cod. 186)⁶⁸. Additionally, Fingernagel identified both artists in another Augustine manuscript in Graz (Universitätsbibliothek Graz, Ms 698) [fig. 8], which comes from the canons regular of Seckau in Styria⁶⁹, and also attributed it to Heiligenkreuz⁷⁰. The attribution of the volume currently housed in Darmstadt to Heiligenkreuz is evidence of the Cistercian Order’s interest in Gratian’s work. Furthermore, the dissemination of the treatise among Cistercian monasteries is also attested to by a statute of the general chapter of Cîteaux in 1188, which prohibited the custody of the *Decretum* in the *armarium commune*, freely accessible to all monks, for fear of the errors that may result from its reading⁷¹.

In 1140, three years after his appointment as bishop of Freising, Otto summoned the Premostratensian regular canons from Ursberg in Swabia to the former Benedictine abbey of Schäftlarn in his diocese⁷². The canons initiated a notable production of manuscripts at their new location, frequently embellished with ink drawings⁷³. An early copy of Gratian’s *Decretum*, which is kept in the State Library of Munich (Bayerische Staatsbibliothek, Clm 17161) and has been widely studied by Christine Jacobi-Mirwald⁷⁴, was written and probably decorated at Schäftlarn. The colophon on the reverse pastedown (fol. 182r) indicates that the volume was written in a period of two years by the priest Adalbert in honour of the patron saints of the abbey, Dyonisius and Julian. Adalbert is attested as the scribe of numerous manuscripts produced in the scriptorium of Schäftlarn around the mid-point of the century⁷⁵. Murano underscored the fact that this particular copy of the *Decretum* is distinguished by narrow margins and an almost complete absence of glosses [fig. 9],

⁶⁷ *Ibid.*, p. 43.

⁶⁸ *Ibid.*, p. 48. On this manuscript, which contains the *Tractatus super Genesim at litteram*: A. Fingernagel, *Die Heiligenkreuzer Buchmalerei von den Anfängen bis in die Zeit ‘um 1200’*, PhD dissertation (Universität Wien, 1985), pp. 218–219.

⁶⁹ A. Kern, M. Maiold, *Die Handschriften der Universitätsbibliothek Graz*, ed. H. Zotter (Graz: Universitätsbibliothek Graz, 2023), cat. no. 698. The digital reproduction of this manuscript is available at: <https://resolver.obvsg.at/urn:nbn:at:at-ubg:2-25922/fragment/page=5564001> [accessed 14 October 2024].

⁷⁰ Fingernagel, “Mainz oder Heiligenkreuz?”, cit., pp. 45, 48.

⁷¹ Bock, “Les Cisterciens”, cit., pp. 14–15. The other three extant illuminated copies of the *Abbreviatio “Exceptiones ecclesiasticarum regularum”* were also all created in the scriptoria of Austrian reformed communities. These exemplars feature more modest illumination programmes with coloured ink initials, of which a few are historiated: Göttweig, Benediktinerstift, Cod. 181, fols. 26r–98v (M. Pippal, in *900 Jahre Stift Göttweig. 1083–1983. Ein Donaustift als Repräsentant benediktinischer Kultur*, exh. cat. (Göttweig: Stift Göttweig, 1983), pp. 558–59, cat. no. 1076; W. Telesko, *Göttweiger Buchmalerei des 12. Jahrhunderts. Studien zur Handschriftenproduktion eines Reformklosters* (St. Ottilien: EOS Verlag Erzabtei St. Ottilien, 1995), pp. 45–46, 159–164; G.M. Lechner, *1000 Jahre Buchmalerei in Göttweig*, exh. cat. (Göttweig: Stift Göttweig, 1996), pp. 135–137, cat. no. F 1); W. Telesko, “Die Buchmalerei in den Reformklöstern des Hochmittelalters”, in *Geschichte der bildenden Kunst in Österreich, I: Früh- und Hochmittelalter*, ed. H. Fillitz (München–New York: Prestel, 1998), pp. 523–561, esp. 541–42, cat. no. 236); Linz, Oberösterreichische Landesbibliothek, Hs.–228 (from the Benedictine abbey of Garsten); St. Florian, Augustiner–Chorherrenstift, Cod. XI 730. Weigand, “Die Dekretabbreviatio”, cit., pp. 513–14; F. Simader, “Vorlagen – Vorstudien – Musterbücher”, in *Romanik*, ed. A. Fingernagel (Graz: Akademische Druck- u. Verlagsanstalt, 2007), I, pp. 335–54, esp. 335–36.

⁷² C. Jacobi-Mirwald, “Die Schäftlarn Gratian-Handschrift Clm 17161 in der Bayerischen Staatsbibliothek”, *Münchner Jahrbuch der bildenden Kunst* 58 (2007): pp. 23–70, esp. 26.

⁷³ *Ibid.*, p. 28.

⁷⁴ E. Klemm, *Die romanischen Handschriften der Bayerischen Staatsbibliothek, II.I: Die Bistümer Freising und Augsburg, verschiedene deutsche Provenienzen: Textband* (Wiesbaden: Reichert, 1988), pp. 99–101, cat. no. 134; Klemm, “Der Schäftlarn Gratian”, cit.; Jacobi-Mirwald, “Die Schäftlarn Gratian-Handschrift”, cit.; Jacobi-Mirwald, “Gratian in Schäftlarn”, cit. A digital facsimile of this manuscript is available for consultation at the following link: <https://mdz-nbn-resolving.de/details:bsb00065191> [accessed 25 October 2024].

⁷⁵ Klemm, “Der Schäftlarn Gratian”, cit., p. 212.

which lends it the character of a typical monastic product⁷⁶. It was created as a reference book rather than for use during lectures.

The manuscript is adorned with ink initials, executed in dark and red on blue and green grounds, which delineate the major divisions of the text. It is one of the most extensively illustrated early Gratian manuscripts, featuring 29 historiated letters out of 39 that depict simple yet meticulously arranged scenes⁷⁷. The initial “H” (fol. 6r) [fig. 9] features a two-storey depiction of the two supreme powers, which explicitly expresses a statement of sacerdotal superiority. The two rulers are enthroned, holding their insignia of power: a pastoral staff for the prelate above, and a sword and a scepter for the sovereign below. They are positioned in front of two clerics and two soldiers, respectively. As Anthony Melnikas postulated, the iconography makes reference to the clerical and lay “ordines” of the Church, as outlined in Stephen of Tournai’s *Summa* on the *Decretum*, as well as the distinction between the jurisdictions of sacerdotal and royal powers, as delineated by Gratian in *Causa 2* (C.2 q.7 d.p.c.41)⁷⁸. A comparable composition was created by two north French artists on an Italian manuscript in Montecassino (Cassino, Biblioteca Statale del Monumento Nazionale di Montecassino, Cod. 64, fol. 3r)⁷⁹ and on a copy probably realised in Sens (Siena, Biblioteca comunale degli Intronati, G.V.23, fol. 8r)⁸⁰. The adoption of a particularly north French treatment of the H-initial may be connected to the relations of the canons with the mother house of Premontré, located near Laon. The single bifolium (fols. 65v–66r) that has been introduced between *Causae* 3 and 4 has not yet been the subject of sufficient attention. This bifolium comprises the text of another *Causa* that is otherwise unknown⁸¹. It also includes materials that appear to have been derived from school commentaries, an *arbor* that provides a summary of the content of the opening distinctions of *Pars prima* and some *notabilia* drawn from the *Decretum* itself⁸². As is customary, the historiated initial of the *Causa* (fol. 65v) [fig. 10] illustrates the related fictive case, concerning a mendacious noble layperson who accused a priest of simony. This theme may be of interest to a community of priests, such as the Premostranesian canons regular. A six-grade tree of consanguinity, following a variant of the template of the *Decretum Burchardi*, the latter based on the scheme of the *Etymologiae*, was drawn in dark and red inks within *Causa 35* (fol. 165r). This variant is attested in manuscripts of the

⁷⁶ Murano, “Graziano e il *Decretum*”, cit., p. 105.

⁷⁷ Jakobi-Mirwald, “Die Schäftlarnner Gratian-Handschrift”, cit., pp. 136–46.

⁷⁸ Melnikas, *The Corpus*, p. 38. It is a notable fact that a twelfth-century manuscript of Stephen’s *Summa* was bequeathed to Schäftlarn by the priest Engelbert of the collegiate church of St. Kastolus in neighbouring Moosburg around 1180, as evidenced by an inscription at the end of the volume (München, Bayerische Staatsbibliothek, Clm 17162, fol. 104v; F. Kunstmann, “Eine Freysinger Synode unter Bischof Albert I. (1158–1184)”, *Oberbayerisches Archiv für vaterländische Geschichte* 14, no. 3 (1854): pp. 321–24, esp. 321–23; Landau, “Die Anfänge”, cit., p. 276). A digital reproduction of the microfilm of this manuscript is made available at the following link: <https://mdz-nbn-resolving.de/details:bsb00086171> [accessed 25 October 2024].

⁷⁹ T. D’Urso, “Tra Benevento, Cava e Salerno. Il maestro dei *Moralia in Iob* di Cava’, in *Riforma della Chiesa, esperienze monastiche e poteri locali: La Badia di Cava nei secoli XI–XII*, eds. M. Galante, G. Vitolo, G. Z. Zanichelli (Florence: Sismel, 2014), pp. 317–28, esp. 323 note 21; Zanichelli, “La trasformazione del libro di lusso”, cit., pp. 297–98.

⁸⁰ E. Mecacci, G. Vailati von Schoenburg Waldenburg, in M. Ascheri, ed., *Lo Studio e i testi: Il libro universitario a Siena (secoli XII–XVII)*, exh. cat. (Siena: Biblioteca Comunale degli Intronati, 1996), p. 39 cat. no. 1; P. Stirnemann, “En quête de Sens”, in *Quand la peinture était dans les livres. Mélanges en l’honneur de François Avril*, eds. M. Hofmann, C. Zöhl (Turnhout: Brepols; Paris: Bibliothèque nationale de France, 2007), pp. 303–11, esp. 305.

⁸¹ “Quidam nobilis laicus periurus et facinorosus, symonie quoque tabe pollutus, quandam religiosum sacerdotem de symonia accusare nititur, se accusatorem et quosdam sue iniquitatis complices testes aduersus eum producit. Sacerdos de inimicicia conqueritur accusatoris et testium inconuenientia.”

⁸² I would like to gratefully acknowledge Andrea Padovani for his assistance in identifying the content of these materials.

canonical collections of Ivo of Chartres⁸³. As Jakobi-Mirwald observed, its structure and illustration with the standing full-length figures of Adam and Eve is not characteristic of the tradition of the *Decretum*. Rather, it is likely derived from a model attested by the *arbor* of a contemporary manuscript of Ivo’s *Panormia* (München, Bayerische Staatsbibliothek, Clm 17099, fol. 73v)⁸⁴, also produced at Schäftlarn⁸⁵.

Jakobi-Mirwald proposed that the drawn initials of an earlier Munich volume of *Saints’ Lives* (München, Bayerische Staatsbibliothek, Clm 17137)⁸⁶, which also comes from Schäftlarn, were created by the same artist who decorated the *Decretum*⁸⁷. In the light of the absence of any record of a copy of Gratian’s treatise in the list of books kept at Schäftlarn dated 1164, Adalbert’s manuscript should have been created shortly afterwards, during the time of Prevost Henry (1164–1200)⁸⁸. In addition to the aforementioned *Saints’ Lives*, the *Decretum* is the sole extant manuscript from Schäftlarn to feature a rich programme of historiated initials. This fact serves to illustrate the significance of the treatise within the community⁸⁹. Scholars have drawn attention to the fact that Gratian’s work was known to Rahewin, Bishop Otto’s chaplain, who may have stimulated the interest of the canons of Schäftlarn in this text⁹⁰.

The remaining Gratian with a demonstrably precise monastic provenance is not from German-speaking countries; rather, it originates from the north of France. The manuscript is preserved in the library of Saint-Omer (Bibliothèque d’Agglomération du Pays de Saint-Omer, Ms. 453) and has a provenance from the local Benedictine abbey of Saint-Bertin⁹¹. Patricia Stirnemann, Claudia Rabel, and Nicole Bériou put forth the hypothesis that the volume in question may be identified with the “Decreta Gratiani”, which were commissioned by Abbot Godescalc, who reigned from 1163 to 1176, as evidenced by the monastery’s chartulary⁹². Murano noted that this volume as well is representative of the typical monastic output, characterised by narrow margins and an almost complete absence of glosses [fig. 11]⁹³. The manuscript features tinted ink initials on blue and purple grounds, with gilding applied to the body of the letters [figs. 11–12]. Proper illustrations are provided solely for the initials that open *Pars prima* and *Causa 4* (fols. 10r, 106v). The remaining sections are decorated with initials that typically show intertwining vines and animal grotesques. Murano has correctly identified the unusual scene depicted above the H-initial [fig. 14]: a bishop enthroned,

⁸³ Schadt, *Die Darstellungen*, cit., pp. 90 no. 3 and note 177, 98, 129, 153 no. 65, 172 no. 4.

⁸⁴ Klemm, *Die romanischen Handschriften*, II.1, cit., pp. 103–104 cat. no. 137.

⁸⁵ Jakobi-Mirwald, “Die Schäftlarn Gratian-Handschrift”, cit., pp. 48–49.

⁸⁶ Klemm, *Die romanischen Handschriften*, II.1, cit., pp. 101–103 cat. no. 135.

⁸⁷ Jakobi-Mirwald, “Die Schäftlarn Gratian-Handschrift”, cit., p. 28.

⁸⁸ *Ibid.*, pp. 29–30.

⁸⁹ A second otherwise unknown copy of the *Decretum* was donated to Schäftlarn by the priest Engelbert of St. Kastolus, together with the previously mentioned Clm 17162 (Kunstmann, “Eine Fresinger Synode”, cit., pp. 321–23; Landau, “Die Anfänge”, cit., p. 276).

⁹⁰ Stelzer, *Gelehrtes Recht in Österreich*, cit., pp. 101–107; Landau, “Die Anfänge”, cit., p. 276; Klemm, “Der Schäftlarn Gratian”, cit., pp. 210–211; Jakobi-Mirwald, “Die Schäftlarn Gratian-Handschrift”, cit., pp. 25, 50. It is also worthy of note that Pope Hadrian IV’s concession to Archbishop Eberhard has been added to the margins of Clm 17161 on fol. 33r (Stelzer, *Gelehrtes Recht in Österreich*, cit., p. 20; Klemm, “Der Schäftlarn Gratian”, cit., p. 211).

⁹¹ J. Fronska, in *Jeux de mains. Portraits de scribes dans les manuscrits de la Bibliothèque d’agglomération de Saint-Omer*, exh. cat. (Liévin: L’Artésienne, 2015), p. 9 cat. no. 7. A description and a digital facsimile of this manuscript is available at: <https://bibliotheque-numerique.bibliotheque-agglo-stomer.fr/idurl/1/18376> [accessed: 16 October 2024].

⁹² F. Tixier, “Un artiste « mosan » à l’abbaye de Saint-Bertin au XII^e siècle ? L’œuvre du Maître de Zacharie le Chrysopolitain”, *Bulletin des Musées Royaux d’art et d’histoire* 85–86 (2014–2015 (2019)), special issue: *L’art mosan (1000–1250). Un art entre Seine et Rhin ? Réflexions, bilans, perspectives*, eds. S. Balace, M. Piavaux, B. Van den Bossche: pp. 85–97, esp. 86 and note 9.

⁹³ Murano, “Graziano e il *Decretum*”, cit., p. 105.

lecturing in front of lay and tonsured students. It seems reasonable to conclude that the teacher is Gratian⁹⁴. The display script places particular emphasis on his name just above⁹⁵. Murano refers to three twelfth-century sources that record Gratian's appointment as a bishop. Two of the sources, namely the *Chronicle* of Robert of Torigni, who was the abbot of the Benedictine monastery of Mont-Saint-Michel (1154–1186), in an interpolation likely added around 1164, and a Siense obituary, both attest that his bishopric was Chiusi in Tuscany⁹⁶. The aforementioned classroom scene is thus one of the earliest depictions of authors teaching their disciples occurring in the context of their own works, a phenomenon that began to emerge from the late twelfth century onwards⁹⁷, following a few examples of classroom scenes in Carolingian times⁹⁸.

The pictorial programme of the *Decretum* of Saint-Bertin has been convincingly attributed by Frédéric Tixier to the Master of Zachary of Besançon⁹⁹, a gifted draughtsman who derived his name from a copy of the twelfth-century Premostratensian canon's work produced at Saint-Bertin (Bibliothèque d'Agglomération du Pays de Saint-Omer, Ms. 30)¹⁰⁰. The artist's corpus has been established in the last few decades and recently clarified by Tixier¹⁰¹. It comprises fifteen manuscripts,

⁹⁴ Gratian was recorded as “magister” in the aforementioned *Summa Parisiensis*, in addition to other *summae* and glosses dating back to the late twelfth century, preceding the account of Odofredus (*Ibid.*, p. 75). The combination of lay and tonsured students increases the likelihood that the image represents a cathedral school rather than a monastic school, as suggested on the contrary by Fronska (“The Images of Gratian”, cit., p. 109). Indeed, external monastic schools were in a state of significant decline during the twelfth century. On the confrontation between the world of regulars and the new urban schools of the twelfth century: J. Verger, “The World of Cloisters and Schools”, in *A Companion to Twelfth-Century Schools*, cit., pp. 49–68.

⁹⁵ *Ibid.*, p. 70; Murano, “Graziano, monaco benedettino”, cit., pp. 120–22; Murano, “Il *Decretum*”, cit., pp. 311–12; Fronska, “The Images of Gratian”, cit., pp. 109–10.

⁹⁶ Winroth, “Where Gratian Slept”, cit., pp. 115–27; Pennington, “La biografia di Graziano”, cit., pp. 49–55; Murano, “Graziano e il *Decretum*”, cit., pp. 65–68; Fronska, “The Images of Gratian”, cit., pp. 111–12. In addition, Fronska (*Ibid.*, pp. 110–11) has drawn attention to the fact that the other source, the aforementioned introductory gloss to the *Decretum*, was also present in its earlier version in two north French illuminated copies of the treatise (Paris, Bibliothèque nationale de France, Latin 3884 (I), fol. 15v; Trier, Wissenschaftliche Bibliothek der Stadt Trier, Hs 906, fol. 9r). However, it should be noted that the version of the gloss in these two manuscripts identifies Gratian merely as a bishop and not also as a teacher. The digital facsimile of the two volumes that constitute the first manuscript is accessible via the following links: <https://gallica.bnf.fr/ark:/12148/btv1b8555836m>; <https://gallica.bnf.fr/ark:/12148/btv1b85558371> [accessed 13 November 2024].

⁹⁷ A. Destemberg, “La représentation des maîtres dans l’iconographie de l’Occident médiévale”, in É. Vallet, S. Aube, T. Kouamé, eds., *Lumières de la sagesse. Écoles médiévales d’Orient et d’Occident*, exh. cat. (Paris: Publications de la Sorbonne, 2013), pp. 213–19, esp. 213–14; L. Cleaver, *Education in Twelfth-Century Art and Architecture: Images of Learning in Europe, c.1100–1220* (Woodbridge: Boydell & Brewer, 2016), pp. 50, 110–29; Fronska, “The Images of Gratian”, cit., p. 110. On the portrayal of authors in twelfth-century illuminated copies of commentaries on the Bible and classical texts: J. Hamburger, *The Birth of the Author: Pictorial Prefaces in Glossed Books of the Twelfth Century* (Turnhout: Brepols, 2021).

⁹⁸ E.g. Bern, Burgerbibliothek, Cod. 264, p. 120 (L. Nees, *Frankish Manuscripts: The Seventh to the Tenth Century*, II: *Catalogue* (London–Turnhout: Harvey Miller, 2022), pp. 326–33 cat. no. 87). A digital facsimile of this manuscript is freely accessible at the following link: <https://www.e-codices.ch/en/list/one/bbb/0264> [accessed 17 October 2024]. It is possible that an early-eleventh-century Obituary of the chapter of Chartres cathedral (Chartres, Médiathèque L’Apostrophe, NA 4) once displayed a lost depiction of Fulbert of Chartres teaching the liberal arts (R. Merlet, J.A. Clerval, *Un manuscrit chartreain du XI^e siècle. Fulbert, évêque de Chartres* (Chartres: Garnier, 1893), p. 54). The digital facsimile of the manuscript is made available for consultation at the following link: <https://arca.irht.cnrs.fr/ark:/63955/rosxyd9yvvcg> [accessed 12 November 2024].

⁹⁹ Tixier, “Un artiste « mosan »”, cit., p. 86.

¹⁰⁰ A description and digital reproduction of this manuscript is made available at the following link: <https://bibliotheque-numerique.bibliotheque-agglo-stomer.fr/idurl/1/18027> [accessed 17 October 2024].

¹⁰¹ F. Tixier, in *Une renaissance. L’art entre Flandre et Champagne, 1150–1250*, exh. cat. (Paris: Réunion des musées nationaux, 2013), pp. 121–22 cat. nos. 56–59; Tixier, “Un artiste « mosan »”, cit.

which are distributed between the libraries of Saint-Omer and Boulogne-sur-Mer. With exception of one volume, which originated from the nearby Cistercian abbey of Clairmarais (Saint-Omer, Bibliothèque d’Agglomération du Pays de Saint-Omer, Ms. 213)¹⁰², all the manuscripts were produced at Saint-Bertin. This suggests that the master was a monk at that abbey. I can corroborate the attribution of the initials of the *Decretum* to the Zachary Master through several comparisons. These pertain both to the figure style, which is marked by dynamic movements and a subtle rendering of drapery and facial expressions by means of flexible lines [figs. 12–15], and to the luxuriant foliage of vegetal interlaces [figs. 16–17], which foreshadow the naturalistic tendency of ‘style 1200’. It is noteworthy that this particular manuscript is the only one decorated by the artist with multicoloured and gilded initials, which serve to offset the overall inferior quality of the drawings while simultaneously signifying the prestige of Gratian’s recent work at the abbey, where Godescalc provided shelter to Thomas Becket, who was fleeing England in 1164¹⁰³.

This article will conclude with a brief discussion of two manuscripts that have been less strongly linked to individual monastic scriptoria.

The first manuscript is a *Decretum*, which is currently preserved at the cathedral library of Cologne (Erzbischöfliche Diözesan- und Dombibliothek, Cod. 127)¹⁰⁴. An inscription from the early thirteenth century (“Ista sunt decreta beati Petri in Colonia”) already documented the cathedral’s ownership (fol. 2r). The volume is embellished with painted and gilded initials, as well as drawn decorated initials in red ink. The latter feature intertwined vines, which are sometimes set against blue and green grounds. The painted and gilded initials include one “P” decorated at the beginning of the “In prima parte” (fol. 2r) and another with the supreme rulers holding together a scepter, thereby evoking the shape of the “H” opening *Pars prima* (fol. 9r) [fig. 18]. On the left is the monarch, on the right stands the pontiff, holding a crozier and wearing the pallium. This scene has been interpreted in two distinct ways. One interpretation is that it depicts the investiture of an archbishop with regalia through the scepter by an emperor¹⁰⁵. The other interpretation is that it alludes to the coronation right of the archbishops of Cologne¹⁰⁶. However, the aforementioned Gelasian passage presents a challenge to the substantiation of these interpretations. Furthermore, the poses and attitudes of the figures involved in the act of bestowing the rank insignia and those receiving them are typically characterised by a certain degree of asymmetry. Indeed, the composition may be regarded as an assertion of the pontiff’s sharing of royal power, symbolised by the scepter, in accordance with the most radical understanding of sacerdotal superiority, which posits the derivation of secular power from ecclesiastical authority¹⁰⁷. The anthropomorphic type of the initial “H” has

¹⁰² A description and digital facsimile of this manuscript is accessible via the following link: <https://bibliotheque-numerique.bibliotheque-agglo-stomer.fr/idurl/1/18037> [accessed 17 October 2024].

¹⁰³ Murano, “Graziano, monaco benedettino”, cit., p. 120.

¹⁰⁴ B. Braun-Niehr, in *Glaube und Wissen im Mittelalter. Die Kölner Dombibliothek*, exh. cat. (München: Hirmer, 1998), pp. 262–67, cat. no. 55. A digital version of this manuscript is available for consultation at the following link: <https://digital.dombibliothek-koeln.de/hs/content/titleinfo/227844> [accessed 17 October 2024].

¹⁰⁵ P. Jaffé, W. Wattenbach, *Ecclesiae Metropolitanae Coloniensis codices manuscripti* (Berlin: Weidmann, 1874), p. 81; K. Lamprecht, *Initial-Ornamentik des VIII. bis XIII. Jahrhunderts* (Leipzig: Dürr, 1882), p. 31 no. 104; J. Plotzek, “Zur rheinischen Buchmalerei im 12. Jahrhundert”, in *Rhein und Maas: Kunst und Kultur, 800–1400*, ed. A. Legner, II: *Berichte, Beiträge und Forschungen zum Themenkreis der Ausstellung und des Katalogs* (Köln: Schnütgen Museum, 1973), pp. 305–32, esp. 318; S. Schoenig, *Bonds of Wool: The Pallium and Papal Power in the Middle Ages* (Washington, D.C.: The Catholic University of America Press, 2016), p. 398 fig. 6.

¹⁰⁶ T. Stangier, in J. Luckhardt, F. Niehoff, eds, *Heinrich der Löwe und seine Zenit: Herrschaft und Repräsentation der Welten 1125–1235* exh. cat. (München: Hirmer, 1995), I: *Katalog*, p. 46 cat. no. A 8. Melnikas (*The Corpus*, p. 37) had already identified this scene as an investiture of the secular ruler by the ecclesiastical one.

¹⁰⁷ Del Monaco, “The Initial ‘H’”, cit. On the hierocratic interpretation of sacerdotal prominence: J.A. Watt, “The

also been identified by Carl Nordenfalk in four north Italian *Decreta*¹⁰⁸, including Ms 60 of Troyes, previously mentioned, and two likely Bolognese manuscripts in Arras (Médiathèque de l'Abbaye Saint-Vaast, 585, fol. 6r)¹⁰⁹ and Bratislava (Slovenský národný archív, 14, p. 3)¹¹⁰, which were studied in depth by Robert Gibbs¹¹¹.

Joachim Plotzek ascribed this copy of the *Decretum* to the Benedictine monastery of Groß St. Martin in Cologne, on the grounds of the affinities between the H-initial and the dedication scene in an earlier manuscript of Beda in Leipzig (Universitätsbibliothek Leipzig, Rep. I 58a, fol. 1v)¹¹² produced in the abbey¹¹³. Nevertheless, the parallels seem to be limited to the composition and the blue and green ground, a feature that can be traced back to Cologne manuscript painting since the eleventh century. In my view, there are closer similarities with the initials of an almost contemporary biblical volume also stemming from St. Martin (Düsseldorf, Universitäts- und Landesbibliothek, Ms. A 2) [fig. 19]¹¹⁴, specifically in the plastic rendering of drapery and the foliate patterns of the decorated initials. However, the correspondences are not as compelling as to prove the origin from the same scriptorium. Nevertheless, it seems plausible that the Gratian was created in one of the monasteries of the city situated on the banks of the River Rhine. Its glosses attest to the study of the treatise in a place where the *Decretum* was first taught in the 1160s, as suggested by Peter Landau and Weigand¹¹⁵.

Walter Cahn correctly established a connection between a single illuminated leaf in the Cleveland Art Museum (inv. 1594.598), displaying an architectonic numerals table on the recto, which was weirdly included at the end of *Pars prima*, and a painted decorated initial opening *Causa* 1 on the verso [fig. 20], and another leaf in the library of Auxerre (Bibliothèque Jacques Lacarrière, 269)¹¹⁶.

Theory of Papal Monarchy in the Thirteenth Century: The Contribution of the Canonists”, *Traditio* 20 (1964): pp. 179–317, esp. 190–95, 200–06, 210–11; Melnikas, *The Corpus*, cit., p. 34; A.M. Stickler, “L’Utrumque Ius nella dottrina dei glossatori riguardante le relazioni tra Chiesa e Stato”, in *Il diritto comune e la tradizione giuridica europea*, ed. D. Segoloni (Perugia: Libreria Universitaria Editrice, 1980), pp. 417–31, esp. 423–24, 429–30; O. Condorelli, “Le radici storiche del dualismo cristiano nella tradizione dottrinale cattolica: alcuni aspetti ed esempi”, *Diritto e Religioni* 12 (2011): pp. 450–86, esp. 456. The depiction of a scepter renders it less likely that this iconography represents the collaboration between the secular and the spiritual authorities in the governance of humanity, as postulated by Orazio Condorelli (*Ibid.*, p. 482) and previously alluded to by Stickler (‘Ursprung und gegenseitiges Verhältnis’, cit., p. 359).

¹⁰⁸ Nordenfalk, review of Melnikas, *The Corpus*, cit., p. 324.

¹⁰⁹ A digital facsimile is freely accessible at the following link: <https://arca.irht.cnrs.fr/ark:/63955/md94vh540f68> [accessed 17 October 2024].

¹¹⁰ A partially digital reproduction of the microfilm is available for consultation at the following link: https://preserver.beic.it/delivery/DeliveryManagerServlet?dps_pid=IE227451 [accessed 17 October 2024].

¹¹¹ Gibbs, “The Bratislava Gratian”, cit.; del Monaco, “Alle origini di Bologna ‘crocevia’”, cit., pp. 703–06. The fourth example, probably repainted by a gothic French artist in the thirteenth century (Nordenfalk, review of Melnikas, *The Corpus*, cit., p. 324 note 9), is in: Biberach, Spitalarchiv, B 3515, fol. 10r. A digital copy of the microfilm of this manuscript is made available at the following link: https://preserver.beic.it/delivery/DeliveryManagerServlet?dps_pid=IE3566833 [accessed 17 October 2024].

¹¹² A digital version of this manuscript is available for consultation at the following link: <https://handschriftenportal.de/workspace?type=iiif%3Amanifest&id=https%3A%2F%2Fiiif.ub.uni-leipzig.de%2F0000011985%2Fmanifest.json&page=1> [accessed 18 October 2024].

¹¹³ Plotzek, “Zur rheinischen Buchmalerei”, cit., pp. 316, 318.

¹¹⁴ *Ibid.*, p. 318; G. Karpp, in A. Legner (ed.), *Ornamenta Ecclesiae. Kunst und Künstler der Romanik*, exh. cat. (Köln: Schnütgen-Museum, 1985), pp. 308–10 cat. no. E 86. A digital facsimile of this manuscript is freely accessible at the following link: <https://digital.ub.uni-duesseldorf.de/ms/content/titleinfo/7340741> [accessed 18 October 2024].

¹¹⁵ Landau, “Die Anfänge”, cit., pp. 278–80; Weigand, “The Transmontane Decretists”, cit., pp. 183–84.

¹¹⁶ Cahn, “A Twelfth-Century Decretum Fragment”, cit., pp. 47, 50; M. Peyrafort-Huin, *La bibliothèque médiévale de l’abbaye de Pontigny (XIF–XIX^e siècles). Histoire, inventaires anciens, manuscrits* (Paris: CNRS éditions, 2001), pp. 496–99 cat. nos. 53.1, 53.3. A digital reproduction of the Auxerre folio is made available at the following link: <https://arca.irht.cnrs.fr/ark:/63955/md23vt150j57> [accessed: 28 October 2024]. A digital copy of the Cleveland leaf is

This leaf depicts a bearded monarch in a standing position, embracing a seven-grade modification of the *arbor consanguinitatis* type based on Roman law¹¹⁷. Cahn put forth the argument that both folios belonged to a volume of the *Decretum* listed in the inventories of the Cistercian abbey of Pontigny in Burgundy from the late twelfth century until the French Revolution, at which point the books of Pontigny were relocated to Auxerre. The manuscript was no longer cited in subsequent records, while the single leaf was first documented in the library of Auxerre in 1877¹¹⁸. Six cuttings with painted decorated initials purchased by the Victoria and Albert Museum (inv. 8985A-F) had already been associated with the leaf in Cleveland¹¹⁹. Subsequently, a further five cuttings with initials from the same manuscript have been identified [fig. 21], the most recently in an online auction in London¹²⁰.

The Cleveland folio had previously been attributed to Pontigny on the grounds of its resemblance to the fragment of a late-twelfth century *Bible* (Paris, Bibliothèque nationale de France, Latin 8823, fols. 1r-9v)¹²¹, which was probably preserved in the library of the abbey in the thirteenth century¹²². Although Cahn rightly pointed out that the similarities were not sufficient to prove that the work originated from the same scriptorium, he nevertheless maintained that it may have been created there¹²³. Stirnemann recently suggested that some of the penwork initials in the Gratian fragments are characteristic of Pontigny manuscripts¹²⁴. Furthermore, she identified a comparable painted initial, potentially created by the same individual, in a Gregory manuscript in Berlin (Staatliche Bibliothek zu Berlin, Ms. theol. lat. fol. 576) that originally bore an ex-libris belonging to the abbey¹²⁵. Nonetheless, Stirnemann herself posited that the artists engaged in the production of the Gratian as

freely accessible at the following link: <https://www.clevelandart.org/art/1954.598> [accessed 28 October 2024].

¹¹⁷ Schadt, *Die Darstellungen*, cit., pp. 152 no. 52, 164 no. 2.

¹¹⁸ Cahn, “A Twelfth-Century Decretum Fragment”, cit., pp. 50-51. On the history of the library of Pontigny: M. Peyrafort-Huin, *La bibliothèque médiévale de l’abbaye de Pontigny (XIF-XIX^e siècles). Histoire, inventaires anciens, manuscrits* (Paris: CNRS éditions, 2001), pp. 17-238. The earliest mention of the volume was likely in a late twelfth-century addition to the oldest inventory of the library (*Ibid.*, pp. 47-48, 275 no. 153, 498-99).

¹¹⁹ Cahn, “A Twelfth-Century Decretum Fragment”, cit., p. 51; Peyrafort-Huin, *La bibliothèque*, cit., pp. 497-98 cat. no. 53.2. The digital reproductions of these cuttings are made available via the following link: <https://collections.vam.ac.uk/item/O125651/initial-from-gratians-decretum-manuscript-cutting-unknown/> [accessed 28 October 2024].

¹²⁰ Aberystwyth, National Library of Wales, 4874 E n. 2 (W. Cahn, *Romanesque Manuscripts: The Twelfth Century*, II: *Catalogue* (London: Harvey Miller, 1996), p. 102); Bloomington, Indiana University, Ricketts 205; London, Bloomsbury, The Roger Martin Collection of Western Manuscripts and Miniatures and Other Properties, 6 July 2021, lot 19; Philadelphia, Free Library of Philadelphia, Lewis E M 16:8-9. The digital reproduction of the cutting in Bloomington is available for consultation at the following link: https://archive.org/details/Ricketts205_40/mode/2up [accessed 28 October 2024]. The digital copy of the cutting sold at Bloomsbury is freely accessible at the following link: <https://auctions.dreweatts.com/past-auctions/blooms1-10015/lot-details/0c39fa15-f9f2-4830-aca7-ad3600f19865> [accessed 28 October 2024]. The digital versions of the cuttings in Philadelphia are made available via the following link: <https://libwww.freelibrary.org/digital/item/4455> [accessed 28 October 2024].

¹²¹ W.D. Wixom, *Treasures from Medieval France*, exh. cat. (Cleveland: Cleveland Museum of Art, 1967), pp. 92-93, 356 cat. no. III-24.

¹²² Cahn, *Romanesque Manuscripts*, cit., pp. 102-103 cat. no. 82; Peyrafort-Huin, *La bibliothèque*, cit., pp. 555-58 cat. no. 108. A digital facsimile of this manuscript is available at: <https://gallica.bnf.fr/ark:/12148/btv1b10543449h> [accessed 21 October 2024]. Two other fragments of this *Bible*, the so-called second great *Bible* of Pontigny, originally in five volumes, are: Cambridge (Massachusetts), Houghton Library, MS Typ 315; Paris, Bibliothèque nationale de France, NAL 2525, fol. 1 (dubious). A virtual reconstruction of the *Bible* can be accessed at: <https://fragmentarium.ms/overview/E-b7bf> [accessed 21 October 2024].

¹²³ Cahn, “A Twelfth-Century Decretum Fragment”, cit., pp. 47, 51; Cahn, *Romanesque Manuscripts*, cit., p. 102.

¹²⁴ P. Stirnemann, “Le témoignage des manuscrits: scribes et enlumineurs (1140-1220)”, in Peyrafort-Huin, *La bibliothèque*, cit., pp. 55-78, esp. 66.

¹²⁵ Peyrafort-Huin, *La bibliothèque*, cit., pp. 501-02 cat. no. 56.

well as a select few other manuscripts exhibiting stylistic affinities, may have been professionals operating in Auxerre¹²⁶. Consequently, it is reasonable to hypothesize that the Gratian may have been written and rubricated at Pontigny and subsequently illuminated in the Burgundian city.

In conclusion, the pictorial programmes of the early illuminated manuscripts of the *Decretum* that were entirely produced in specific monastic or canonical scriptoria with a high degree of certainty¹²⁷, are distinguished by multicoloured ink drawings rather than colourful painted decoration. It has long been acknowledged by scholars that the use of drawings as a finished medium for the adornment of manuscripts was a pervasive practice during the eleventh and twelfth centuries, particularly within south German and Austrian monastic and canonical contexts, where it may be connected to the spiritual instances of Church reform¹²⁸. Moreover, Giusi Zanichelli has highlighted the traditional habit of decorating legal manuscripts with ink drawings¹²⁹, which may have been

¹²⁶ Stirnemann, “Le témoignage des manuscrits”, cit., p. 68.

¹²⁷ Elisabeth Klemm (*Die illuminierten Handschriften des 13. Jahrhunderts deutscher Herkunft in der Bayerischen Staatsbibliothek* (Wiesbaden: Reichert, 1998), pp. 47–48 cat. no. 20) posited that a second copy of the *Decretum* in Munich (Bayerische Staatsbibliothek, Clm 23551) can be linked to a group of early-thirteenth manuscripts housed in the same library (Clm 23040, Clm 29308/12, Clm 29316/76), all featuring ink-coloured initials. The scholar proposed that these manuscripts may have originated from the diocese of Freising in southern Bavaria, with the Benedictine abbey of Ebersberg being a probable, though not proven, site of production. The digital version of the microform of this manuscript is available at: <https://www.digitale-sammlungen.de/view/bsb00113499?page=1> [accessed 22 October 2024]. Murano (“Graziano e il *Decretum*”, cit., p. 117; “Graziano, monaco benedettino”, cit., p. 116) asserted that the aforementioned Cod. 35 of Admont was created in the latter abbey. However, apart from the fact that manuscript production in Admont was characterised by the adoption of pen drawings (Buberl, *Die illuminierten Handschriften in der Steiermark*, cit., pp. 4, 40–65 cat. nos. 10–37, 80–83 cat. nos. 62–66; Telesko, “Die Buchmalerei”, cit., p. 529), no affinities can be observed between the painted initials of Cod. 35 and those of manuscripts that were certainly decorated in the abbey. It is more reasonable to consider this copy of Gratian as the product of an Austrian or German centre (*Ibid.*, p. 86; Eheim, “Die Handschriften”, cit., p. 130; R. Weigand, *Die Glossen zum Dekret Gratians. Studien zu den frühen Glossen und Glossenkompositionen* (Roma: Studia Gratiana, 1991), IV, p. 664). Additionally, Gibbs (Gibbs, Pfändtner, *Byzantine Beauty*, cit., p. 85 note 152) has put forth an alternative, intriguing attribution to the Rhineland. It is possible that the manuscript corresponds to one of the two one-volume Gratians recorded in Stephen von Arbon’s inventory of the abbey library of 1380 (Möser-Mersky, *Mittelalterliche Bibliothekskataloge Österreichs*, cit., p. 52). Nevertheless, if the haloed Benedictine monk of fol. 12r is identified as Saint Benedict, it should be assumed that this copy of Gratian was at least commissioned in a Benedictine milieu. Murano (“Graziano e il *Decretum*”, cit., pp. 83–84; “Il *Decretum*”, cit., pp. 309–10) has also proposed an association between an early Italian illuminated manuscript of the Gratian in Beaune (Bibliothèque Gaspard-Monge, 5) and the Benedictine monastery of San Martino delle Scale in Monreale, Sicily, confirming the hypothesis advanced by Schadt (*Die Darstellungen*, cit., p. 48 and note 153) that the artist responsible for the painted decoration of the volume was Sicilian, although she suggested that the book might have been written in Bologna. On the contrary, I am in agreement with the opinion of Gibbs (“The Bratislava Gratian”, cit., pp. 170 and note 7, 177 and note 17; Gibbs, Pfändtner, *Byzantine Beauty*, cit., pp. 50–62), who has pointed out the affinities of the antique-fashioned and neo-Hellenic classicism of this illuminator with the pictorial mode of the masters active in the *Calci Bible* and their followers. A digital version of the Beaune Gratian is available for consultation at the following link: <https://arca.irht.cnrs.fr/ark:/63955/md46qz20sv98> [accessed 28 October 2024].

¹²⁸ G. Dalli Regoli, “Miniatura a Pisa fra i secoli XII–XIV: elementi di continuità e divergenze”, in *La miniatura italiana in età romanica e gotica*, ed. G. Vailati Schoenburg Waldenburg (Firenze: Olschki, 1979): pp. 23–50, esp. 27–28; E. Klemm, “Die Regensburger Buchmalerei des 12. Jahrhunderts”, in *Regensburger Buchmalerei. Von frühkarolingischer Zeit bis zum Ausgang des Mittelalters*, exh. cat. (München: Prestel, 1987), pp. 39–58, esp. 39; H. Wolter-von dem Knesebeck, “Deutschland”, in *Romanik*, cit., II, pp. 231–325, esp. 255–61; M. Holcomb, *Pen and Parchment: Drawing in the Middle Ages*, exh. cat. (New York: The Metropolitan Museum of Art, 2009), pp. 16–26; G.Z. Zanichelli, “La funzione del disegno nei codici italiani fra XI e XII secolo”, in *Come nasce un manoscritto miniato*, cit., pp. 115–26, esp. 119–23. Nevertheless, Friedrich Simader (“Österreich”, in *Romanik*, cit., II, pp. 327–77, esp. 330) has correctly cautioned against an overly simplistic assumption that pen drawings and the reform movement are inextricably linked, thereby precluding the possibility of identifying a distinct “Reformstil”.

¹²⁹ *Ibid.*, p. 123. The most refined of the early copies of the Justinian *Digestum vetus* (Padova, Biblioteca Universitaria, ms. 941), dating back to the early twelfth century, was also decorated with ink initials, of which three exhibit fine

preferred for their clearer legibility, potentially facilitating learning. This approach also appears to have involved the addition of a new text, namely the *Decretum*, in the copies produced in three reformed houses, specifically those of Admont, Heiligenkreuz, and Schäftlarn¹³⁰. However, this cannot be fully maintained for the Saint-Bertin volume, which was commissioned by abbot Godescalc himself, displaying extensive gilding. It seems plausible to suggest that copies lavishly illuminated with opaque colours and gilding might have been produced in professional workshops as well as ecclesiastical scriptoria as a sort of status symbol for individual wealthy students¹³¹. It is nevertheless possible that some of these volumes were created in the scriptoria of monastic or canonical communities. At the very least, it can be ascertained that they sometimes entered their book dotations, as evidenced by the considerable number of early Gratians coming from Benedictine libraries¹³².

drawings of human figures (fols. 3r, 35v, 52r). G. del Monaco, “Per gli esordi della decorazione del Digesto in epoca medievale: le iniziali miniate del ms. 941 della Biblioteca Universitaria di Padova”, in «Clio@Themis» 21 (2021), special issue: *Image et Droit. Les manuscrits juridiques enluminés*. <https://doi.org/10.35562/cliiothemis.1850>; G. del Monaco, “Per la decorazione del diritto giustiniano nel XII secolo: le miniature dei mss. 688 e 941 della Biblioteca Universitaria di Padova”, in *Il Digesto, il Codice di Giustiniano e la loro tradizione manoscritta. I mss. 688 e 941 della Biblioteca Universitaria di Padova*, eds. N. Giovè Marchioli, P. Lambrini, M. Milani (Roma: Viella, 2024), pp. 335–46, esp. 335–43. The digital facsimile of this manuscript is accessible at: <https://phaidra.cab.unipd.it/o:429576> [accessed 23 October 2024].

¹³⁰ The preference for this technique to decorate these manuscripts differs from the practice of including simple drawings of an inconsistent quality, occasionally featuring figures that illustrate related text passages, in the margins of a few early Gratians. These illustrations are particularly found in some examples of north Italian and perhaps Bolognese origin. They are often realised by the readers of the books as a sort of visual commentary aiding their consultation and memorisation of the text. This usage was also widespread in Roman law manuscripts (R. Gibbs, in L’Engle, Gibbs, eds., *Illuminating the Law*, cit., pp. 105–10 cat. no. 1, esp. 110; Zanichelli, “*Thesauris armarii aggregatus*”, cit., pp. 177–78; G. Zanichelli, in Medica, Battistini, eds., “La cattedrale scolpita”, cit., pp. 305–08 cat. no. 23, esp. 308; J. Fronska, “Turning the Pages of Legal Manuscripts: Reading and Remembering the Law”, in N. Zchomelidse, G. Freni, eds., *Meaning in Motion: The Semantics of Movement in Medieval Art* (Princeton: Princeton University Press, 2011), pp. 191–214; S. L’Engle, “Law at Bologna”, in *The Oxford Handbook of Latin Palaeography*, eds. F.T. Coulson, R.G. Babcock (Oxford: Oxford University Press, 2020), pp. 865–878, esp. 868; L’Engle, “Medieval Canon Law”, cit., pp. 304–06).

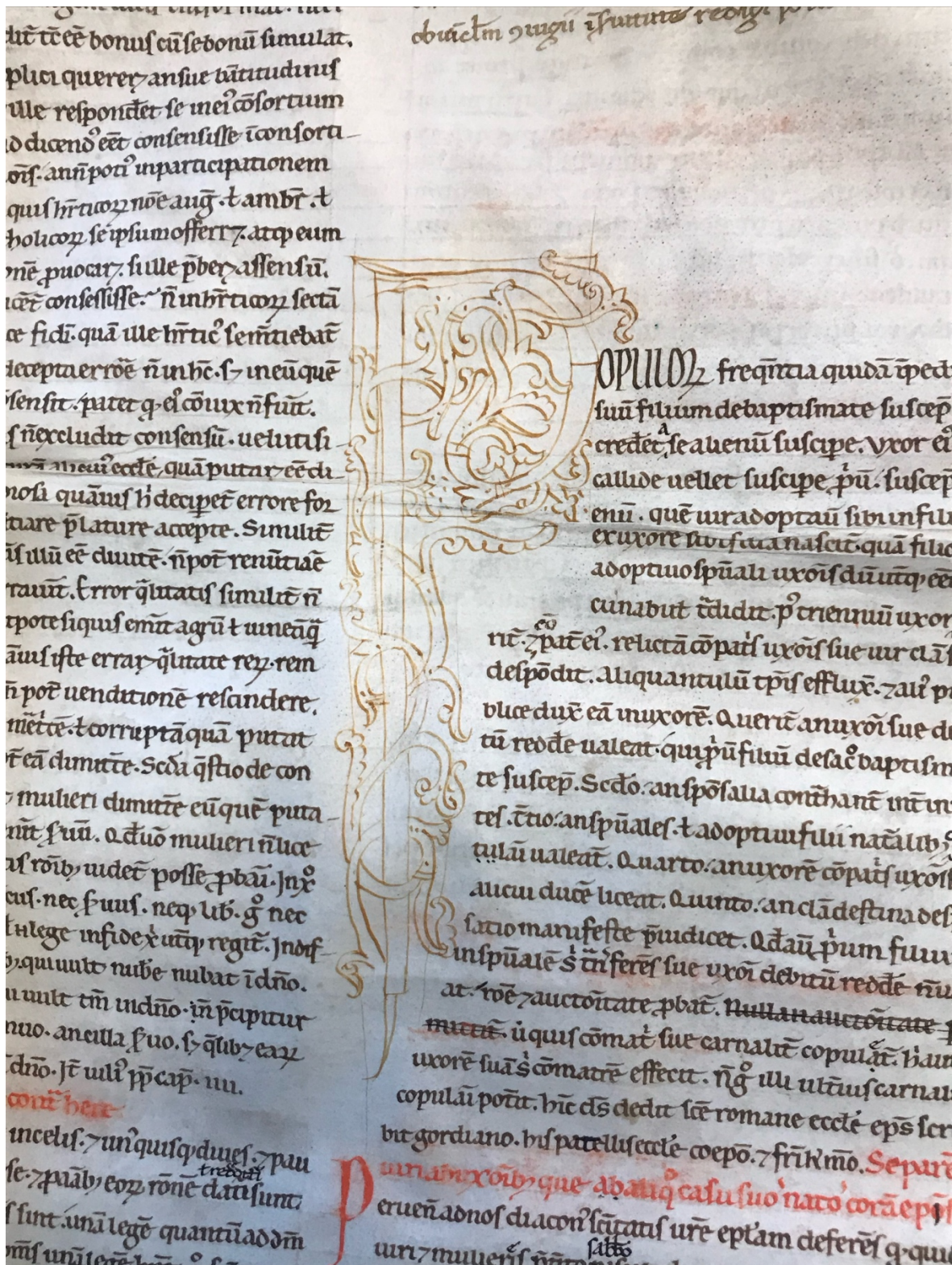
¹³¹ Zanichelli, “La trasformazione del libro di lusso”, cit., p. 294.

¹³² Landau (“Gratian”, cit., p. 49) has argued that the sumptuously illuminated Clm 13004, previously mentioned, which hails from the city library of Regensburg, can be identified with the Gratian documented in the 1165 inventory of the local Benedictine abbey of Prüfening. However, apart from the fact that the date of the inventory seems too early to correspond with the style of the illumination, the latter was a two-volume manuscript (C.E. Ineichen-Eder, *Mittelalterliche Bibliothekskataloge Deutschlands und der Schweiz*, IV.1: *Bistümer Passau und Regensburg* (München: C.H. Beck’sche, 1977), p. 427). This manuscript was likely listed together with a further single-volume *Decretum* in the later inventory of 1347 (*Ibid.*, p. 435). Although there is no definitive evidence to substantiate this hypothesis, it seems reasonable to propose that this exquisite example of Salzburg book illumination may have originated in one of the city’s cloisters, perhaps the notorious Benedictine St. Peter’s Abbey (C. Pfaff, *Scriptorium und Bibliothek des Klosters Mondsee im hohen Mittelalter* (Graz–Wien–Köln: Böhlau, 1967), pp. 47–54). This is based on the observation that the Collectar for Michaelbeurn Abbey (München, Bayerische Staatsbibliothek, Clm 8271), with which the greatest stylistic affinities can be observed, was probably created in that scriptorium in the 1170s (Klemm, *Die romanischen Handschriften*, I.1, cit., pp. 164–66, cat. no. 275; M. Pippal, “Vom 10. Jahrhundert bis zum Ende des Hochmittelalters: die Skriptorien der kirchlichen Institutionen in der Stadt Salzburg (Domstift, Benediktinerstift St. Peter, Petersfrauen)”, in *Geschichte der bildenden Kunst in Österreich*, cit., pp. 461–522, esp. 476, 518–20, cat. no. 221; Telesko, “Die Buchmalerei”, cit., p. 527). The digital reproduction of the manuscript can be accessed via the following link: <https://www.digitale-sammlungen.de/view/bsb00064924?page=3> [accessed 11 November 2024]. It is noteworthy that a volume of “Gratianus de ecclesiastica institutione” was included in the late-twelfth-century inventory of St. Peter’s library (G. Möser-Mersky, M. Mihaliuk, *Mittelalterliche Bibliothekskataloge Österreichs*, IV: *Salzburg* (Graz–Wien–Köln: Böhlau, 1966), pp. 70–71; Landau, “Die Anfänge”, cit., p. 275). However, it may also be identified with two contemporary Gratians that are still there: Salzburg, Erzabtei St. Peter, Benediktinerstift, Bibliothek, a XI 9, a XII 9 (Eheim, “Die Handschriften”, cit., pp. 153–55 cat. nos. 21–22; Möser-Mersky, Mihaliuk, *Mittelalterliche Bibliothekskataloge Österreichs*, cit., p. 71 note 35;

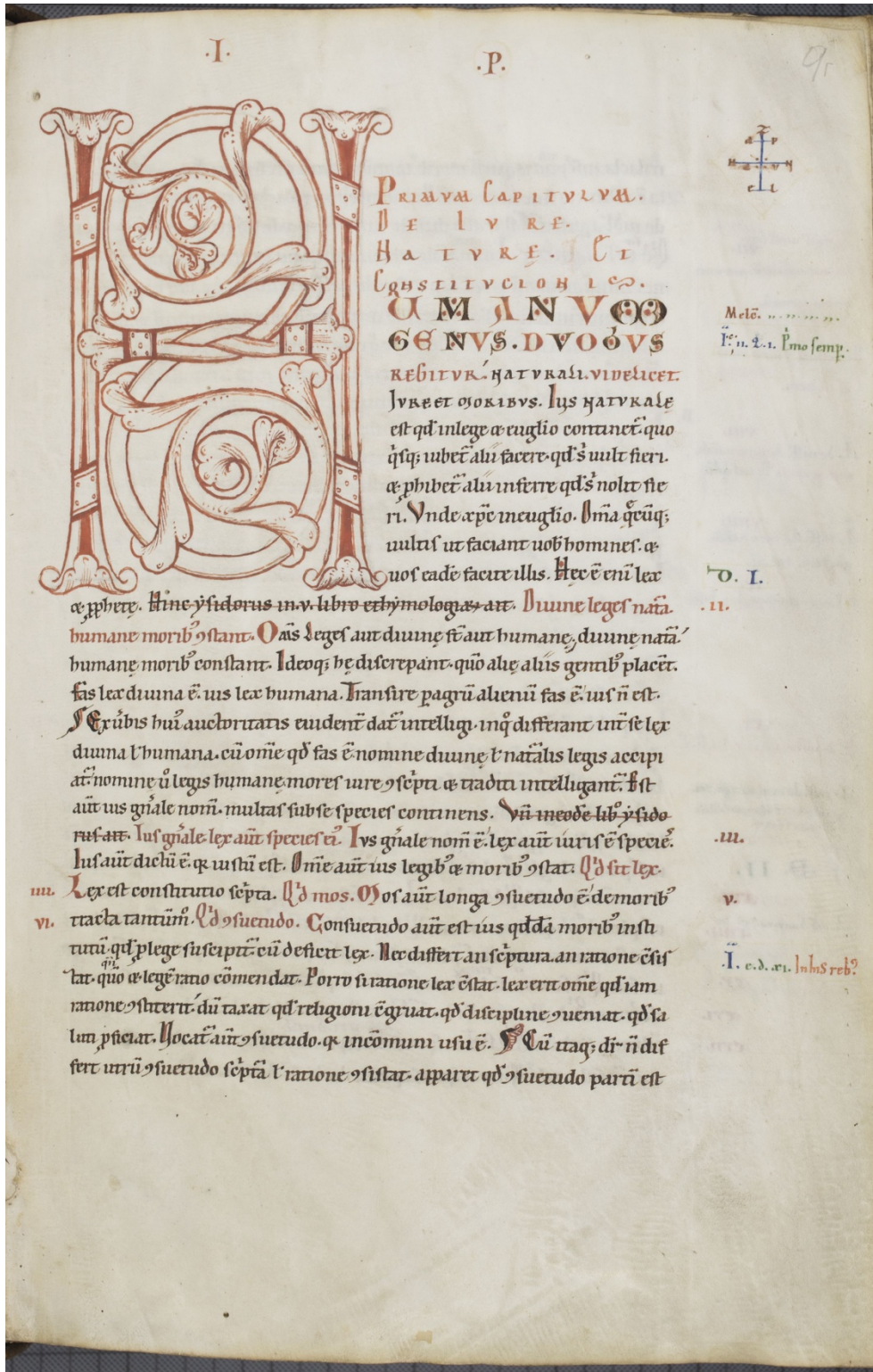
Stelzer, *Gelehrtes Recht in Österreich*, cit., p. 190; Landau, “Die Anfänge”, cit., p. 275 and note 13). A digital reproduction of the first manuscript is accessible via the following link: https://preserver.beic.it:443/delivery/DeliveryManagerServlet?dps_pid=IE149866 [accessed 13 November 2024]. Moreover, it has been proposed that the two single-volume Gratians recorded in the twelfth-century inventory of the library of Clairvaux, previously cited, may be identified as Mss 60 and 103 of Troyes, both of which feature richly painted initials (Schilling, “The *Decretum Gratiani*”, cit., p. 36; W. Cahn, “The Tympanum of the Portal of Saint-Anne at Notre Dame de Paris and the Iconography of the Division of the Powers in the Early Middle Ages”, *Journal of the Warburg and Courtauld Institutes* 32 (1969): pp. 55-72, esp. 70). The digital facsimile of the second manuscript, which was likely created in Paris or its surroundings in the last quarter of the twelfth century (Stirnemann, “En quête de Sens”, cit., p. 307; Murano, “Graziano e il *Decretum*”, cit., pp. 118-19), is accessible via the following link: https://portail.mediatheque.grand-troyes.fr/iguana/www.main.cls?url=search&p=*#recordId=2.502 [accessed 28 October 2024]. Furthermore, the aforementioned *Decretum* that is currently housed in Montecassino, likely produced in an ecclesiastical scriptorium, is believed to have been incorporated into the library of the Benedictine mother house at some point before the end of the twelfth century (A. Vetulani, “Le *Décret* de Gratien dans le ms 64 de Montecassino”, *Archivum Iuridicum Cracoviense* 5 (1972): pp. 103-112; Zanichelli, “La trasformazione del libro di lusso”, cit., pp. 297-98). Moreover, the previously mentioned Amiens 354 and Clm 4505 have been identified in *Decreta*, which are recorded in the old inventories of the libraries of two Benedictine abbeys. The former is found in the early-thirteenth-century inventory of the library of Corbie in the north of France (M. Medica, in Medica, ed., *Duecento*, cit., p. 169), while the latter is documented in the mid-thirteenth-century inventory of the library of Benediktbeuern in southern Bavaria (U. Bauer-Eberhardt, *Die illuminierten Handschriften italienischer Herkunft in der Bayerischen Staatsbibliothek, I: Vom 10. bis zur Mitte des 14. Jahrhunderts* (Wiesbaden: Reichert, 2011), p. 40 cat. no. 34). Finally, Murano (“Graziano e il *Decretum*”, cit., p. 123) has put forth a proposal that the early partially illuminated *Decretum*, which is currently housed in the Biblioteca Capitolare of Vercelli (XXV), can be identified with the “*Decreta de bona littera glosata in margine*”, which were bequeathed to the local Victorine Abbey of Sant’Andrea by Cardinal Guala Bicchieri in 1227. The Italian scholar posited that the manuscript was initially written in Bologna and subsequently decorated in England, where the Vercellese cardinal may have acquired it during his sojourn in the country (1216-18) and later conveyed it to his hometown. The illumination of the numerals table (fol. 57r) and the *arbores* (fols. 254r, 256r) can be attributed to the same workshop as that responsible for the Munich and Venice copies, which were previously mentioned. While this workshop was more likely of north Italian origin and active in Bologna, it is also conceivable that the manuscript later circulated in England, where it may have been accompanied by some marginal drawings exhibiting stylistic similarities to transalpine art. It ultimately reached Piedmont, where it seems plausible to suggest that further embellishments were added to the volume in question at fols. 13r, 109r, and 252r during the early thirteenth century (G. del Monaco, “Per gli inizi della decorazione del *Decretum Gratiani*: il codice XXV della Biblioteca Capitolare di Vercelli”, *Intrecci d’Arte* 11 (2022): pp. 7-31). <https://doi.org/10.6092/issn.2240-7251/16216> [accessed 26 November 2024]. Therefore, it would be a mistake to reject Murano’s hypothesis outright. However, it is also possible that the volume bequeathed to Sant’Andrea was acquired by Guala in the late twelfth century, when he is thought to have studied law at the cathedral school of Sant’Eusebio in Vercelli with the canon “magister Cotta” and subsequently in Bologna (C.D. Fonseca, “Bicchieri, Guala”, in *Dizionario Biografico degli Italiani* (Roma: Istituto della Enciclopedia Italiana, 1968), pp. 314-24, esp. 314-15). A digital copy of the microform of the manuscript in Vercelli can be accessed via the following link: https://preserver.beic.it/delivery/DeliveryManagerServlet?dps_pid=IE697711 [accessed 26 November 2024].



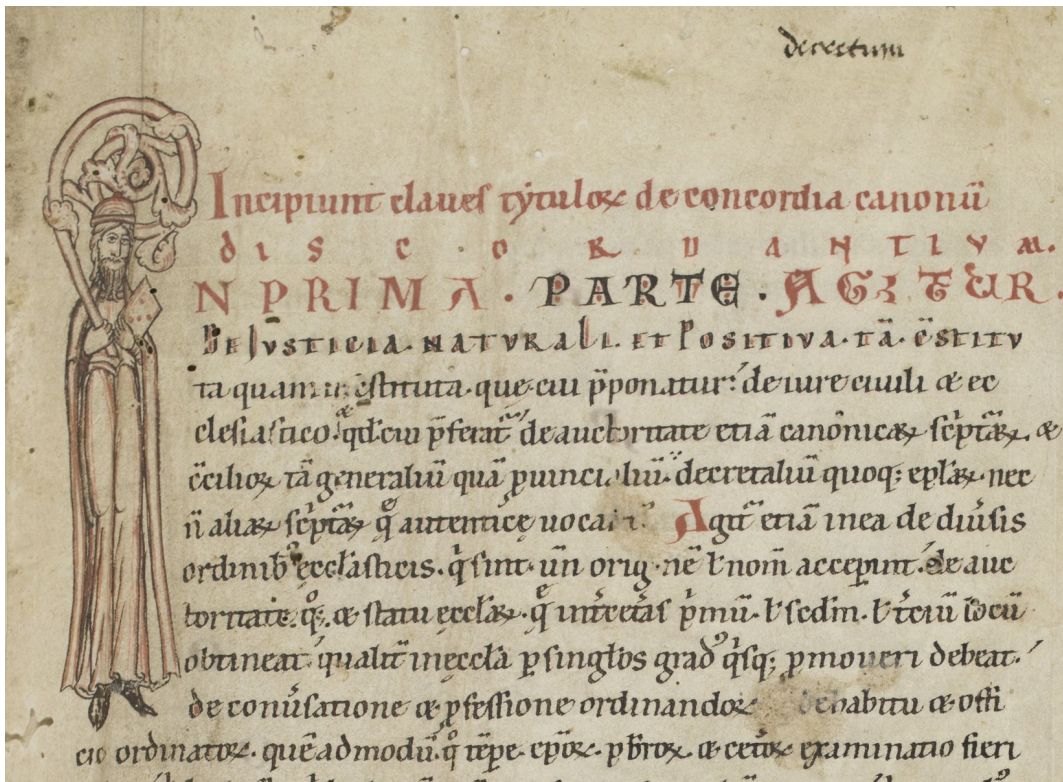
1. South Italian illuminator (Bari?), second half of the twelfth century: Initial "Q" ("Quidam"), in *Decretum Gratiani*
Firenze, Biblioteca Nazionale Centrale di Firenze, Conv. soppr. A I 402, fol. 36r
(Photo: Author)



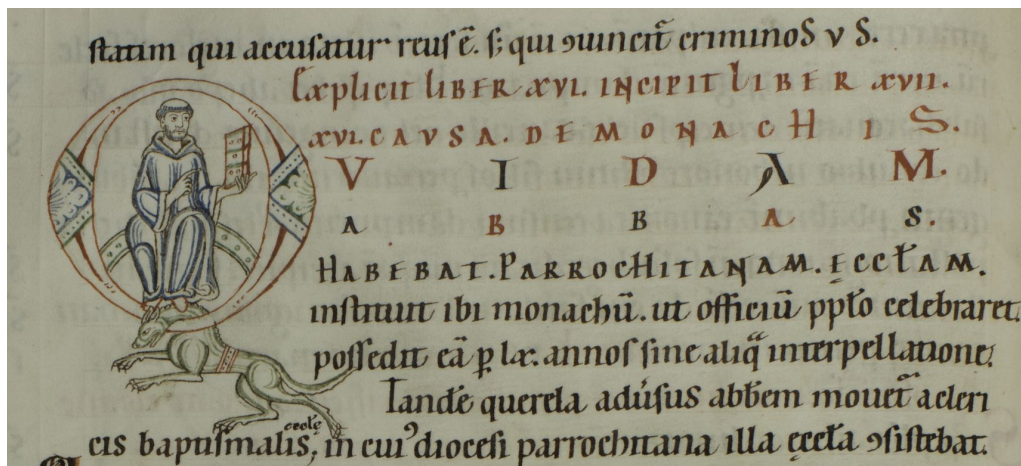
2. Tuscan illuminator (Arezzo?), second half of the twelfth century: Initial "P" ("Populorum"), in *Decretum Gratiani*
 Firenze, Biblioteca Nazionale Centrale di Firenze, Conv. sopr. A I 402, fol. 83r
 (Photo: Author)



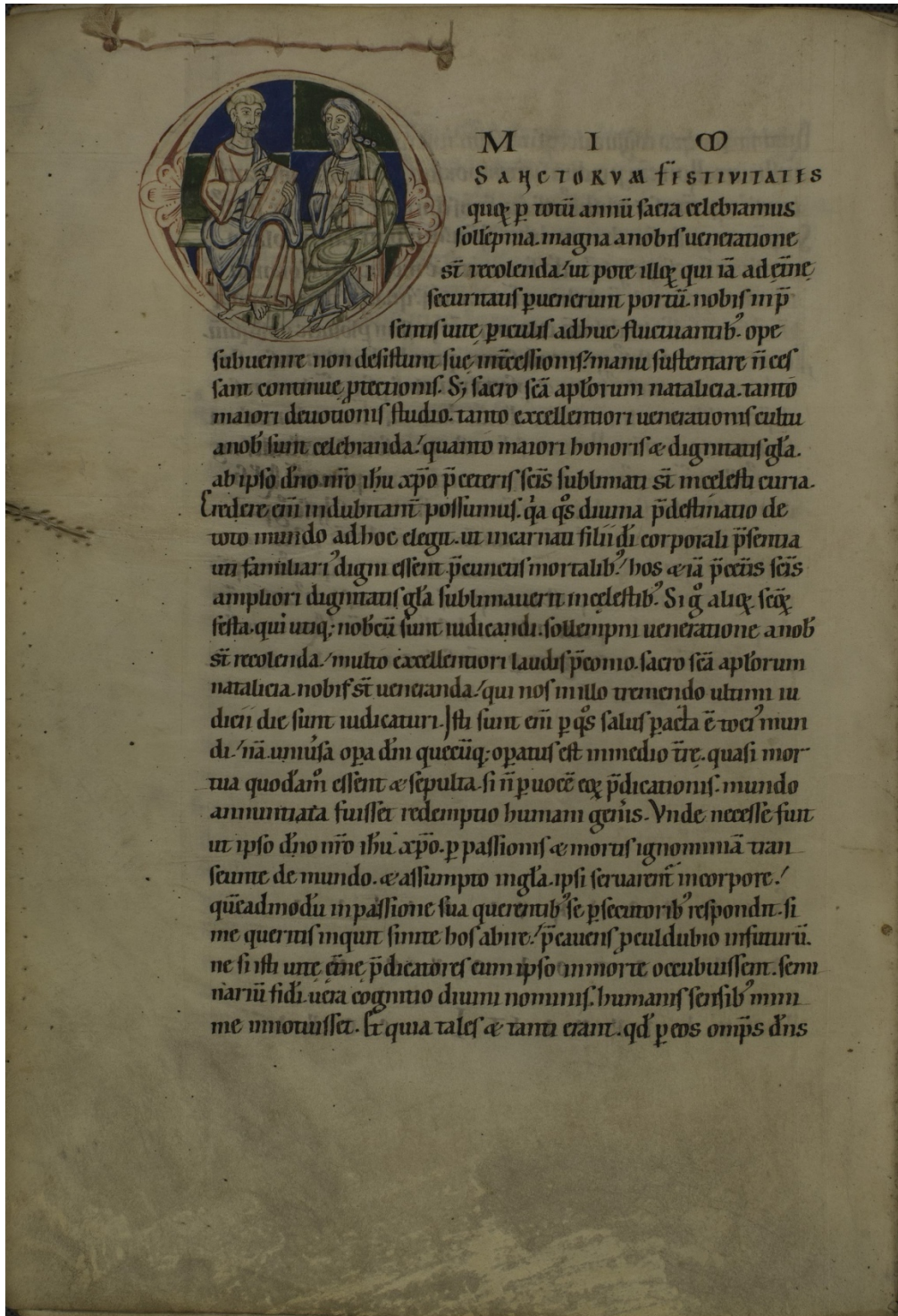
3. Austrian illuminator (Admont), third quarter of the twelfth century:
 Initial "H" ("Humanum"),
 in *Decretum Gratiani*
 Admont, Benediktinerstift, Cod. 23, fol. 9r
 (Photo: © Admont, Benediktinerstift)



4. Austrian illuminator (Admont), third quarter of the twelfth century:
Bishop Gratian (?) in initial “I” (“In”),
 in *Decretum Gratiani*
 Admont, Benediktinerstift, Cod. 23, fol. 3r
 (Photo: © Admont, Benediktinerstift)



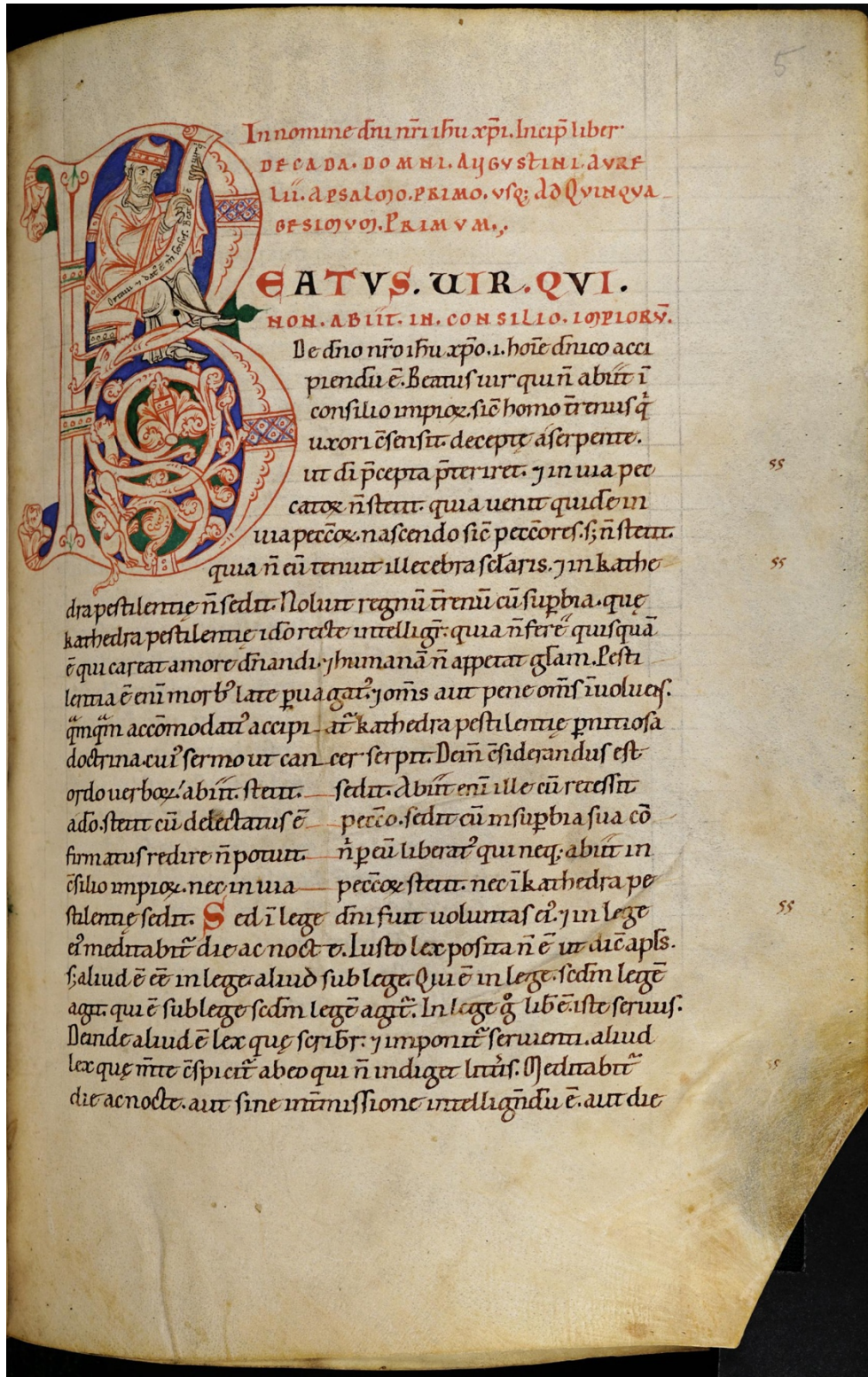
5. Austrian illuminator (Admont), third quarter of the twelfth century:
Seated monk in initial “Q” (“Quidam”),
 in *Decretum Gratiani*
 Admont, Benediktinerstift, Cod. 43, fol. 19v
 (Photo: © Admont, Benediktinerstift)



6. Austrian illuminator (Admont), c. 1160:
The Apostles Philip and James in initial "O" ("Omnium"),
 in Abbot Gottfried I, *Festive Homelies*
 Admont, Benediktinerstift, Cod. 58, fol. 81v
 (Photo: © Admont, Benediktinerstift)



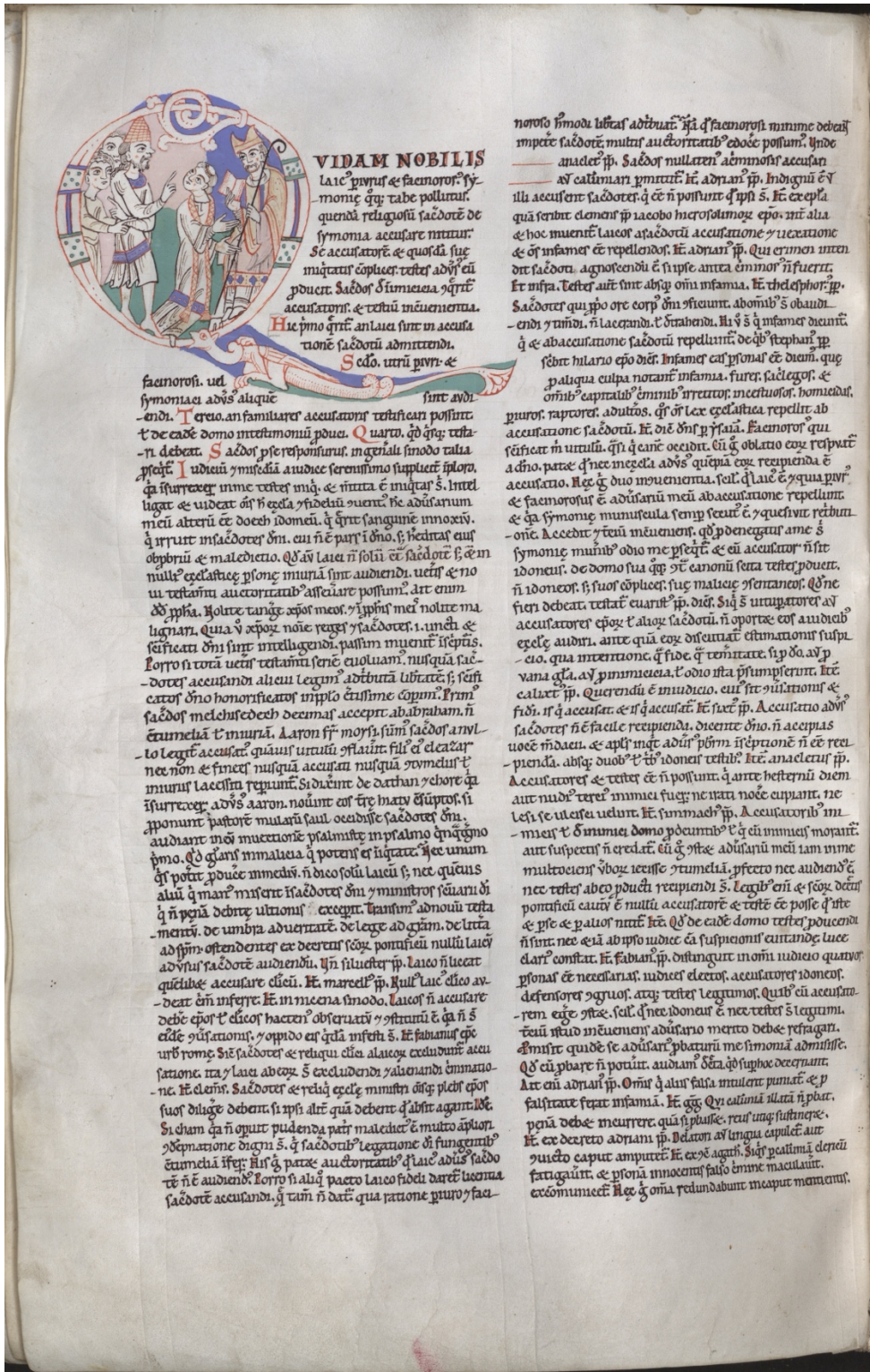
7. Austrian illuminator (Heiligenkreuz), last quarter of the twelfth century:
Bishop and monarch in initial "H" ("Humanum"),
 in *Abbreviatio Decreti Gratiani "Exceptiones ecclesiasticarum regularum"*
 Darmstadt, Universitäts- und Landesbibliothek Darmstadt, Hs 542, fol. 7r
 (Photo: Universitäts- und Landesbibliothek Darmstadt)



8. Austrian illuminator (Heiligenkreuz), last quarter of the twelfth century: Saint Augustine in initial "B" ("Beatus"), in Augustine, *Enarrationes in Psalmos* Graz, Universitätsbibliothek Graz, Ms 698, fol. 1r (Photo: CC BY-NC-SA 3.0 AT, Universitätsbibliothek Graz)



9. Bavarian illuminator (Schäftlarn), second half of the twelfth century: Bishop and monarch in front of two clerics and two soldiers respectively in initial "H" ("Humanum"), in *Decretum Gratiani* München, Bayerische Staatsbibliothek, Clm 17161, fol. 6r (Photo: PDM 1.0, Bayerische Staatsbibliothek)



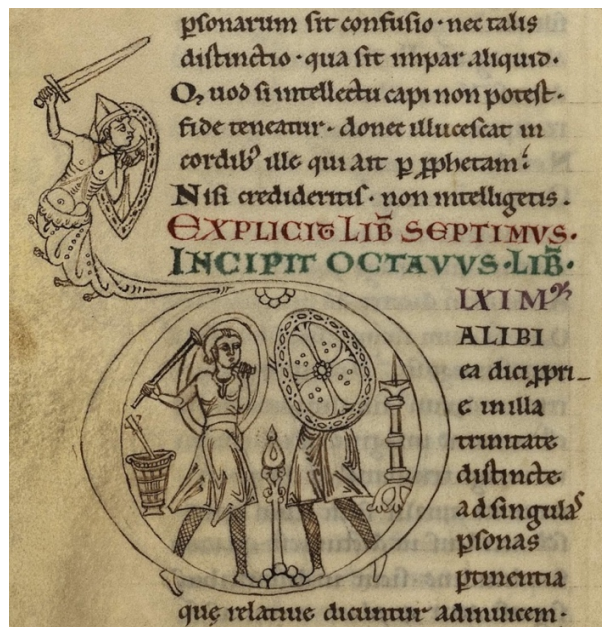
10. Bavarian illuminator (Schäftlarn), second half of the twelfth century: *A mendacious noble accusing a priest of simony in initial "Q" ("Quidam"), in Decretum Gratiani*
München, Bayerische Staatsbibliothek, Clm 17161, fol. 65v
(Photo: PDM 1.0, Bayerische Staatsbibliothek)



11. Master of Zachary of Besançon:
 A bishop (Gratian?) lecturing in front of lay and tonsured students
 in initial “H” (“Humanum”),
 in *Decretum Gratiani*
 Saint-Omer, Bibliothèque d’Agglomération du Pays de Saint-Omer, 453, fol. 10r
 (Photo: CC BY-NC 3.0, Bibliothèque d’Agglomération
 du Pays de Saint-Omer de Saint-Omer)



12. Master of Zachary of Besançon:
*Two armed combatants engaged
 in a physical confrontation in initial “Q” (“Quidam”),
 in Decretum Gratiani*
 Saint-Omer, Bibliothèque d’Agglomération du Pays de Saint-Omer,
 453, fol. 106v
 (Photo: CC BY-NC 3.0, Bibliothèque d’Agglomération
 du Pays de Saint-Omer de Saint-Omer)



13. Master of Zachary of Besançon:
*Two armed combatants engaged
 in a physical confrontation in initial “D” (“Diximus”),
 in Augustine, De Trinitate*
 Saint-Omer, Bibliothèque d’Agglomération
 du Pays de Saint-Omer, 73, fol. 62v
 (Photo: CC BY-NC 3.0,
 Bibliothèque d’Agglomération
 du Pays de Saint-Omer de Saint-Omer)



14. Detail of fig. 11

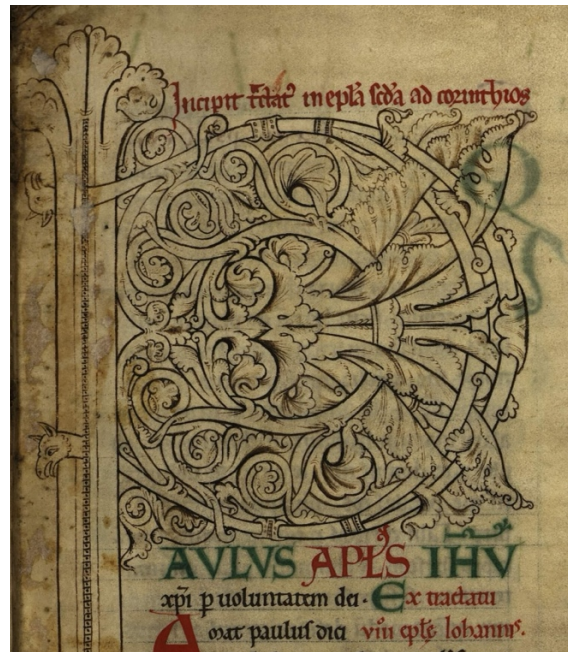


15. Master of Zachary of Besançon:
Saint Gregory the Great,
in Gregory the Great, *Moralia in Job*
Saint-Omer, Bibliothèque d'Agglomération
du Pays de Saint-Omer, 12 (2), fol. 1v
(Photo: CC BY-NC 3.0,
Bibliothèque d'Agglomération
du Pays de Saint-Omer de Saint-Omer)

‘CLOISTERED’ GRATIANS



16. Detail of fig. 11



17. Master of Zachary of Besançon:
Initial “P” (“Paulus”),
in Florus of Lyon,
Expositio epistularum beati Pauli
Saint-Omer, Bibliothèque d’Agglomération
du Pays de Saint-Omer, 78, fol. 1r
(Photo: CC BY-NC 3.0,
Bibliothèque d’Agglomération
du Pays de Saint-Omer de Saint-Omer)



18. Rhenish illuminator (Cologne), second half of the twelfth century: *Bishop and monarch* in initial “H” (“Humanum”), in *Decretum Gratiani*, Köln, Erzbischöfliche Diözesan- und Dombibliothek, Cod. 127, fol. 9r (Photo: © Diözesanbibliothek Köln)



19. Rhenish illuminator (Cologne, Groß St. Martin), third quarter of the twelfth century: *King Salomon* in initial “P” (“Parabole”), in *Biblia sacra* Düsseldorf, Universitäts- und Landesbibliothek, MS A 2, fol. 64v (Photo: CC BY-NC-ND 4.0, Heinrich Heine Universität Düsseldorf)



20. Burgundian illuminator (Auxerre?), last quarter of the twelfth century: Initial “Q” (“Quidam”), from a *Decretum Gratiani* Cleveland, The Cleveland Museum of Art, 1954.598 (verso) (Photo: CC0 1.0)



21. Burgundian illuminator (Auxerre?), last quarter of the twelfth century: Initial “Q” (“Quidam”), from a *Decretum Gratiani* Philadelphia, Free Library of Philadelphia, Lewis E M 16:8 (Photo: © Free Library of Philadelphia)